

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

2:00 P.M.

MAY 23, 2006

PRESENT:

Bob Larkin, Chairman
Bonnie Weber, Vice Chairman
Jim Galloway, Commissioner
David Humke, Commissioner
Pete Sferrazza, Commissioner

Amy Harvey, County Clerk
Katy Singlaub, County Manager
Melanie Foster, Legal Counsel

The Board met in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. Following the Pledge of Allegiance to the flag of our Country, the Clerk called the roll and the Board conducted the following business:

06-534 AGENDA

Katy Singlaub, County Manager, noted Item 8.C. should be listed as a rental agreement instead of a lease agreement; Item 8.I.(1) should be listed as fiscal year 2006/07 instead of 2007/08; and Item 8.I.(4) should be listed as February 1, 2006 to June 30, 2007 instead of February 1, 2005 to June 30, 2007.

In response to the call for public comment, Sam Dehne objected to the two-minute time limit for public comment and voiced opposition to the timing on the agenda for the Ballardini Ranch item. Gary Schmidt spoke against the approval of the agenda and the two-minute time limit allowed for consent items.

In accordance with the Open Meeting Law, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, Chairman Larkin ordered that the agenda for the May 23, 2006 meeting be approved.

**06-535 PROCLAMATION – WILDLAND FIRE AWARENESS WEEK –
MAY 20-26, 2006**

Paul Hefner, Fire Service Coordinator, stated he would personally present the Certificates of Appreciation to the Fire Safe Council Chapter Chairmen.

In response to the call for public comment, Sam Dehne said he was proud of the firefighters. He stated they should be allowed to wear shorts on the job if desired.

Upon recommendation of Mr. Hefner, through John Slaughter, Management Services Director, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the following proclamation be adopted and Chairman Larkin be authorized to execute the same:

PROCLAMATION

WHEREAS, The State of Nevada loses hundreds of thousands of acres to wildland fire each year; and

WHEREAS, Wildland fire has negatively impacted Nevada and Washoe County's natural resources, environmental quality, wildlife, tourism, economy, and social well-being throughout the state; and

WHEREAS, Wildland fire rapidly spreads invasive plant species that further impacts our agricultural resources and increases the potential for wildfire; and

WHEREAS, The urban growth and development of our County has resulted in more Nevadans living, working and recreating in high fire hazard areas than ever before; and

WHEREAS, Many of these wildland fire impacts and hazards could be mitigated if Nevadans were more aware, educated and proactive; and

WHEREAS, Nevada's fire service and cooperating agencies strongly support proactive wildfire education, prevention, fuels reduction, and training to reduce the impacts of wildland fire; now, therefore, be it

PROCLAIMED, By the Board of Commissioners of Washoe County that May 20–26, 2006 is **NEVADA WILDLAND FIRE AWARENESS WEEK** in Washoe County to promote awareness and action concerning wildland fire threats.

06-536 **PROCLAMATION – REGIONAL TRANSPORTATION**
COMMISSION DAY – MAY 24, 2006

In response to the call for public comment, Sam Dehne said he was in favor of buses, but he wanted them to be quieter.

Chairman Larkin commented on the wireless coaches and congratulated the Regional Transportation Commission (RTC) for that accomplishment.

Michael Moreno, RTC Community Relations Officer, invited the Commissioners and citizens to attend the unveiling of the new look of the transit services for the RTC at the West Street Plaza on May 24, 2006.

On motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried, it was ordered that the following proclamation be adopted and Chairman Larkin be authorized to execute the same:

PROCLAMATION

WHEREAS, Washoe County is committed to excellence in providing public services to the citizens of the Truckee Meadows and recognizes that government has the duty and responsibility to provide said services in a manner that is easily understood and recognizable to the community; and

WHEREAS, since 1979 the Regional Transportation Commission (RTC) of Washoe County has provided excellence in its transportation duties; and

WHEREAS, RTC has committed the organization to greater excellence in providing said services to all in Washoe County by redesigning its public image and renaming its transit services for better comprehension, understanding and accessibility to the citizenry; and

WHEREAS, The transit services which have faithfully provided quality transport for many years, Citifare, CitiLift and PRIDE, shall heretofore be known as RTC RIDE, RTC ACCESS and RTC INTERCITY, respectively; and

WHEREAS, RTC Engineering and federally mandated Metropolitan Planning shall undergo image redesign for greater public awareness of its services; now, therefore, be it

PROCLAIMED, That the Washoe County Board of Commissioners hereby proclaims May 24, 2006 as **REGIONAL TRANSPORTATION COMMISSION (RTC) DAY** in Washoe County.

06-537 RECOGNITION – 2006 CORPORATE CHALLENGE ATHLETES
– COMMUNITY RELATIONS

County Manager Katy Singlaub announced approximately 80 employees participated in the Corporate Challenge events in 2006.

Mimi Fujii-Strickler, Community Relations Program Assistant, recognized the athletes in attendance. Each person introduced themselves to the Board and stated what events they participated in. Ms. Fujii-Strickler encouraged all Washoe County employees to participate in Corporate Challenge events in the future.

In response to the call for public comment, Sam Dehne asked who Washoe County competed against; and he said boxing and talking should be added as events.

Ms. Singlaub noted the County competed against the City of Reno, International Gaming Technology (IGT), and Sierra Pacific Power Company.

06-538 PUBLIC COMMENTS

Katy Singlaub, County Manager, stated the Open Meeting Law did not require a public body to tolerate comments that were willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational, or amounting to personal attacks. Ms. Singlaub noted Section 8.05 of the Nevada Open Meeting Law manual stated, "The Chair of a public body may, without the vote of the public body, declare a recess to remove a person who is disrupting the meeting."

Sam Dehne stated the worst problem in the community was the media. He said County employees should be required to wear tags identifying his or her name, salary, and perks.

Guy Felton presented and read statements concerning the Open Meeting Law and the Ballardini Ranch.

Gary Schmidt commented on a Nevada Supreme Court decision and said the Commission was being scolded by that Court due to an overruling of a Planning Commission decision. He remarked on the costs to taxpayers for these and similar cases.

06-539 COMMISSIONERS'/MANAGER'S ANNOUNCEMENTS

Commissioner Humke commented on a recent meeting with Richard Jay, Vice President of the Great Basin Youth Soccer League, and Doug Doolittle, Regional Parks and Open Space Director. He said they discussed bringing the Annual Nevada State Cup Soccer Tournament to Reno. Commissioner Humke noted the event currently took place in Las Vegas. He urged a cooperative effort between the Great Basin Youth Soccer League and the Nevada Youth Soccer Association to discuss a possible change in the venue for this event. He described a recent question and answer session with Jeff Fontaine, Nevada Department of Transportation (NDOT) Director, concerning the I-580 link.

Commissioner Sferrazza recognized Doris Isaeff who passed away on May 22nd. He said she was a long time friend of seniors in Washoe County, and he acknowledged her work with the Housing Authority. He expressed condolences to Bill and Beth Isaeff on behalf of the Commission.

Commissioner Galloway said he would be requesting \$2,000 of his 2007 District 1 Special Funds to provide digital cameras for the additional Sheriff patrol deputies that the Commission had approved for next year's budget. He said they would be used to increase efficiency. He encouraged the Commissioners to inquire about other

needs in the Patrol Division and to give funds early in the year to further improve patrol effectiveness.

Chairman Larkin asked if there were further opportunities for Commissioners to assist in projects with Special District Funds. County Manager Katy Singlaub said she would get a report to each Commissioner concerning available funds.

DISCUSSION ON THE CONSENT AGENDA

In response to the call for public comment, Gary Schmidt commented on the confusion of the consent agenda and the questions asked by Commissioners. He noted the minimal time allowed for the public to speak. He said the items with errors should be rescheduled and reposted. He stated it made no difference with this Commission because the items would come back and get rubber-stamped.

Commissioner Galloway acknowledged his support of the methods used; he said it was not necessary for citizens to speak on every item on the consent agenda; and he confirmed his satisfaction with the answers he received.

Commissioner Sferrazza stated anyone had the right to bring forward concerns about an item and convince a Commissioner that they had a question of merit. He said the Commissioners could entertain the questions or pull the item from the consent agenda for further discussion. He added that opportunity existed for the public.

06-540 MINUTES

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, Chairman Larkin ordered that the minutes of the special meeting of March 27, 2006, the regular meeting of March 28, 2006, and the special meeting of April 10, 2006 be approved.

06-541 BASE SALARY COMPENSATION – NON-CONSTABLE SERVICES – INCLINE VILLAGE CONSTABLE

Commissioner Larkin asked if the base salary for the non-constable portion of the salary was increasing. County Manager Katy Singlaub confirmed that to be true. She added the benefits would change based on the non-constable services and the traditional constable services.

Commissioner Galloway commented the Incline Constable pointed out to him that there had not been a salary adjustment for a long time, and this item was a result of that conservation. He noted non-constable services included house arrest services, jail transport services, community service transports, and court security services and supervision.

Upon recommendation of Joe Kubo, Incline Constable, through Joanne Ray, Human Resources Director, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, Chairman Larkin ordered that an increase in the base salary compensation for non-constable services provided by the Washoe County Incline Constable in the amount of \$9,255.60 effective July 1, 2006 be approved and Finance and Human Resources be directed to make the necessary budget adjustments.

06-542 INTERLOCAL RENTAL AGREEMENT – WASHOE COUNTY SCHOOL DISTRICT – SCHOOL BUSES - PARKS

Upon recommendation of Doug Mullens, Recreation Services Superintendent, through Doug Doolittle, Regional Parks and Open Space Director, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that an interlocal rental agreement between Washoe County and the School District, concerning the use of School District buses to transport participants of Washoe County Recreation Summer Camps on various field trips for the period of January 1, 2006 through December 31, 2006, be approved and Chairman Larkin be authorized to execute the same. It was noted the operating expenses are anticipated not to exceed \$2,900 annually and funding is available in Recreation Division's Recreation Programs and Camps cost center 140325.

06-543 TECHNOLOGY MAINTENANCE AND SERVICE CONTRACTS - PURCHASING

Commissioner Galloway inquired if the contracts were software related and if they went out to bid. County Manager Katy Singlaub explained staff had completed requests on all of the items where they were required, and these were secured as software selections.

Upon recommendation of Mike Sullens, Senior Buyer, through John Balentine, Purchasing and Contracts Administrator, and Matt Beckstedt, Information Technology Director, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, Chairman Larkin ordered that the renewal of technology maintenance and service contracts over \$50,000, as a group, that have been budgeted for fiscal year 2007 be approved. It was further ordered that the Purchasing and Contracts Administrator be authorized to execute the contracts as they come due subject to review and/or approval by the District Attorney, the Budget Office, and Risk Management.

06-544 AGREEMENTS – RITE-AID CORPORATION – RALEY'S CORPORATION – KIOSKS – SENIOR SERVICES

In response to the call for public comment, Sam Dehne commented on the kiosks and asked about the costs involved.

County Manager Katy Singlaub clarified these were computer kiosks, and there were no staffing costs involved. She noted the agreements would continue the kiosks at Robb Drive, Incline Village, Reno, and Sparks.

Upon recommendation of Marietta Bobba, Senior Services Director, through John Berkich, Assistant County Manager, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that agreements between Washoe County and Rite-Aid Corporation and Raley's Corporation, concerning Senior Services Information and Referral Kiosks at vendor premises for the term of July 1, 2006 through June 30, 2009, be approved and Chairman Larkin be authorized to execute the same.

06-545 REALLOCATE EXPENDITURE AUTHORITY – FOSTER CARE
TRAVEL – SOCIAL SERVICES

Chairman Larkin questioned the May 2, 2006 staff report that addressed bringing prospective adoptive parents to Reno to meet with a child at no cost. He asked if it that was public or departmental policy and if it had been fully deliberated in public.

Jeanne Marsh, Children's Services Division Director, clarified it was a Department policy; and she did not believe the Board had addressed the matter. She pointed out these were children who had been victims of child abuse and neglect and not the typical child that was placed within a private adoption system. She said it was in the best interest of the child to facilitate visits between prospective adoptive parents and to have a transition plan to make the adoption secure.

Chairman Larkin questioned the staff report concerning a Court order to the Social Services Department to comply with the gradual transition of a young child currently in foster care to an out of state relative placement. He asked about the standard. Ms. Marsh explained this situation was a Court order the Department had to comply with, and the standard came from a professional that felt it was the best transition plan for that child because the child had been with the foster family for two years. She added that home was the only one the child had known, and the gradual transition would reduce the trauma to the child.

Chairman Larkin asked about the federal reimbursement that was referenced in the staff report. Ms. Marsh clarified the Department had a healthy penetration rate for reimbursement from the federal government if the children were eligible for that reimbursement.

Chairman Larkin inquired if Department policies were made up with reimbursement in mind. Ms. Marsh replied the policies were tailored to the individual child.

Upon recommendation of Mike Capello, Social Services Director, through John Berkich, Assistant County Manager, on motion by Commissioner Galloway,

seconded by Commissioner Humke, which motion duly carried, Chairman Larkin ordered that Finance be authorized to reallocate \$30,000 in expenditure authority in the Children's Services budget from 280510-710100 Professional Services to 280920-711213 Non-County Travel to pay for increased costs associated with foster care travel.

06-546 REIMBURSEMENT AGREEMENT – TRI-FIN, LLC – SEWER WORK – WATER RESOURCES

Commissioner Galloway commented this would be added to another developer's contract to extend the sewer laterals and lines because it involved a Special Assessment District (SAD). He said six of the seven houses had committed right away, and he inquired of the seventh home. He supported the item because there was no way to compel someone to hook-up to a system but making it a good deal encouraged that. He noted water quality was a worry in that area.

County Manager Katy Singlaub commented the seventh home would sewer in a different direction; it would go to a different part of the lateral; and it was part of an earlier phase. She added everyone would be part of the SAD and pay their share.

Upon recommendation of Joe Stowell, Licensed Engineer, Paul Orphan, Engineering Manager, and Norman Lindeman, Licensed Engineer, through Steve Bradhurst, Water Resources Director, and Tom Gadd, Public Works Director, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that a reimbursement agreement between Washoe County and Tri-Fin, LLC, concerning the construction of 59 feet of sewer main, one manhole, seven sewer laterals, and paving in Spanish Springs Valley in the amount of \$81,226.85, be approved and Chairman Larkin be authorized to execute the same.

06-547 PAYMENT – CLAIM NO. 24377 – RISK MANAGEMENT

Upon recommendation of Jim Jeppson, Risk Manager, through John Sherman, Finance Director, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, Chairman Larkin ordered that the payment of \$30,000 to Jeffrey Jones, a minor, and Sue Jones be authorized as full and final settlement of Claim No. 24377 against Washoe County.

06-548 SETTLEMENT OF LAWSUITS – RISK MANAGEMENT

Upon recommendation of Jim Jeppson, Risk Manager, through John Sherman, Finance Director, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, Chairman Larkin ordered that the settlement of lawsuits for John Doe v. Washoe County and John Smith v. Washoe County be approved for a total sum of \$82,000 for all claims.

06-549

**LIABILITY AND WORKER'S COMPENSATION INSURANCE
PROGRAMS – ACORDIA OF NEVADA – TRUCKEE MEADOWS
FIRE PROTECTION DISTRICT**

Commissioner Galloway noted there was a competitive request for proposal process on this item, and the recommended broker was judged the best out of the three on their overall proposal.

Upon recommendation of Jim Jeppson, Risk Manager, through John Sherman, Finance Director, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, Chairman Larkin ordered that Acordia of Nevada be appointed as the Broker of Record for the property, liability, and workers' compensation insurance programs administered by Washoe County and Truckee Meadows Fire Protection District for a three year term with compensation of approximately \$72,500 for the first year, with a three percent annual increase, for a total compensation package for three years of approximately \$224,000.

06-550

**RESOLUTION – 2007 STATE EMERGENCY RESPONSE
COMMISSION GRANT – MANAGEMENT SERVICES**

Upon recommendation of Cathy Ludwig, Emergency Management Grants Coordinator, through John Slaughter, Management Services Director, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Larkin be authorized to execute the same:

RESOLUTION

WHEREAS, Washoe County is a member of the Local Emergency Planning Committee and is a subgrantee of State Emergency Response Commission (SERC) consisting of the State Emergency Response Commission (SERC) Grant Program award in the amount of \$28,826.00, and

WHEREAS, For the grant listed above, Washoe County is either the recipient of grant funds for individual items for use of Washoe County, or is fiscal agent for other government entities or nonprofit organization that are also members of LEPC; and

WHEREAS, NRS 244.1505 allows the Board of County Commissioners of Washoe County to make a grant of public money for any purpose which will provide a substantial benefit to the inhabitants of Washoe County; and

WHEREAS, Washoe County as fiscal agent for the other government entities or nonprofit organizations that are members of LEPC desires to pass through funds and grant assurances from the State grants as described on the attached grant award administrative grid for the uses herein and therein described; and therefore, be it

RESOLVED, That the Washoe County Board of Commissioners hereby grants to the government entities (other than Washoe County agencies for which the Board has accepted funds from the awards) and nonprofit organizations as listed on the attached grant award administrative grid, as a pass through of the amounts shown and for the uses shown thereon, finding that said amounts and uses will provide a substantial benefit to the inhabitants of Washoe County and the Board authorizes the County Manager, or her designee, to sign subgrants with the entities listed on the attached grant award administrative grid, which subgrants, herein incorporated by reference, will set forth the maximum amount to be expended under the subgrants, the use and purposes of the subgrants, and the conditions, limitations and the grant assurances of the subgrants.

It was further ordered that Finance be directed to make the following budget adjustments for fiscal year 2006/07:

Increase Revenue	Amount
10530 – 431100 (Federal Grant Revenue)	\$28,826
Total	\$28,826
Increase Expenditure	
10530 – 710100 (Professional Services)	\$ 1,200
10530 – 710350 (Office Supplies)	\$ 2,800
10530 – 710119 (Sub-Recipient Payment)	\$24,826
Total	\$28,826

06-551 RESOLUTION – COMMISSION DISTRICT 1 SPECIAL FUNDING ACCOUNT – H.A.W.C., INC. – CHILDREN'S DENTAL HEALTH PROGRAM – MANAGEMENT SERVICES

Upon recommendation of Julie Skow, Administrative Assistant II, through John Slaughter, Management Services Director, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Larkin be authorized to execute the same:

RESOLUTION

Authorizing the Grant of Public Money to H.A.W.C., Inc.

WHEREAS, NRS 244.1505 provides that a Board of County Commissioners may expend money for any purpose which will provide a substantial benefit to the inhabitants of the County and that a board may make a grant of money to a private organization, not for profit, or to a governmental entity, to be expended for a selected purpose; and

WHEREAS, The Board of Commissioners of Washoe County has determined that a certain amount of money is available in Fiscal Year 2005/2006, to make a grant of money to H.A.W.C., Inc. to assist with funding the Children's Dental Health Program and that by providing this grant of money, a substantial benefit will be

provided to the inhabitants, especially the children in need, of Washoe County; now, therefore, be it

RESOLVED, By the Board of Commissioners of Washoe County that the Board hereby grants to H.A.W.C., Inc. a grant for Fiscal Year 2005/2006 in the amount of \$1,500.

06-552 RESOLUTION – COMMISSION DISTRICT 4 SPECIAL FUNDING ACCOUNT – SIERRA YOUTH FOOTBALL LEAGUE OF NORTHERN NEVADA – MANAGEMENT SERVICES

Upon recommendation of Julie Skow, Administrative Assistant II, through John Slaughter, Management Services Director, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Larkin be authorized to execute the same:

RESOLUTION

Authorizing the Grant of Public Money to Sierra Youth Football League of Northern Nevada.

WHEREAS, NRS 244.1505 provides that a board of county commissioners may expend money for any purpose which will provide a substantial benefit to the inhabitants of the county and that a board may make a grant of money to a private organization, not for profit, or to a governmental entity, to be expended for a selected purpose; and

WHEREAS, The Board of Commissioners of Washoe County has determined that a certain amount of money is available in Fiscal Year 2005/2006, to make a grant of money to Sierra Youth Football League of Northern Nevada for the to assist with funding for the registration fee for youth from low-income families and that by providing this grant of money, a substantial benefit will be provided to the inhabitants of Washoe County; now, therefore, be it

RESOLVED, By the Board of Commissioners of Washoe County that the Board hereby grants to Sierra Youth Football League of Northern Nevada a grant for Fiscal Year 2005/2006 in the amount of \$1,000.

06-553 AGREEMENT – LEWIS AND ROCA, LLC – LEGISLATIVE SERVICES – MANAGEMENT SERVICES

Commissioner Sferrazza asked about the lobbying contract and the costs.

County Manager Katy Singlaub replied the non-session fees had been reduced, and the existing amount was retained for the session period.

In response to the call for public comment, Sam Dehne stated he was against anyone being paid to go to Carson City for lobbying purposes.

Upon recommendation of John Slaughter, Management Services Director, through Ms. Singlaub, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that an agreement between Washoe County and Lewis and Roca, LLC, concerning legislative services for fiscal year 2005/06 in the amount of \$50,000 and for fiscal year 2006/07 in the amount of \$180,000 for the period (retroactive to) February 1, 2006 to June 30, 2007, be approved and Chairman Larkin be authorized to execute the same.

06-554 RESOLUTION - COMMISSION DISTRICT 1 SPECIAL FUNDING ACCOUNT – KIDS KOTTAGE – MANAGEMENT SERVICES

Upon recommendation of Julie Skow, Administrative Assistant II, through John Slaughter, Management Services Director, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Larkin be authorized to execute the same:

RESOLUTION

Authorizing the Grant of Public Money to Kids Kottage.

WHEREAS, NRS 244.1505 provides that a Board of County Commissioners may expend money for any purpose which will provide a substantial benefit to the inhabitants of the County and that a board may make a grant of money to a private organization, not for profit, or to a governmental entity, to be expended for a selected purpose; and

WHEREAS, The Board of Commissioners of Washoe County has determined that a certain amount of money is available in Fiscal Year 2005/2006, to make a grant of money to Kids Kottage to assist with funding the construction of the Kids Campus Activities Center and that by providing this grant of money, a substantial benefit will be provided to the inhabitants, especially the children in need, of Washoe County; now, therefore, be it

RESOLVED, By the Board of Commissioners of Washoe County that the Board hereby grants to Kids Kottage a grant for Fiscal Year 2005/2006 in the amount of \$2,000.

06-555 RESOLUTION - COMMISSION DISTRICT 1 SPECIAL FUNDING ACCOUNT – CHILDREN'S CABINET AT INCLINE VILLAGE, INC. – MANAGEMENT SERVICES

Upon recommendation of Julie Skow, Administrative Assistant II, through John Slaughter, Management Services Director, on motion by Commissioner Galloway,

seconded by Commissioner Humke, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Larkin be authorized to execute the same:

RESOLUTION

Authorizing the Grant of Public Money to the Children's Cabinet at Incline Village, Inc.

WHEREAS, NRS 244.1505 provides that a Board of County Commissioners may expend money for any purpose which will provide a substantial benefit to the inhabitants of the County and that a board may make a grant of money to a private organization, not for profit, or to a governmental entity, to be expended for a selected purpose; and

WHEREAS, The Board of Commissioners of Washoe County has determined that a certain amount of money is available in Fiscal Year 2005/2006, to make a grant of money to the Children's Cabinet at Incline Village, Inc. to assist with funding for the continuation of the Homework Help Club Program and that by providing this grant of money, a substantial benefit will be provided to the inhabitants of Washoe County; now, therefore, be it

RESOLVED, By the Board of Commissioners of Washoe County that the Board hereby grants to the Children's Cabinet at Incline Village, Inc. a grant for Fiscal Year 2005/2006 in the amount of \$2,000.

**06-556 INTERLOCAL CONTRACT – LAS VEGAS METROPOLITAN
POLICE DEPARTMENT – SHERIFF**

Upon recommendation of Sylvia Redmond, Detective Division Sergeant, through Dennis Balaam, Sheriff, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that an interlocal contract between the Washoe County Sheriff's Office and the Las Vegas Metropolitan Police Department, concerning reimbursement of overtime (not to exceed \$10,000) and cell phone expenses (not to exceed \$4,000) for Internet Crimes Against Children (ICAC) investigations, be approved and Chairman Larkin be authorized to execute the same. It was further ordered that Finance be directed to make the following budget adjustments:

Increase Revenues	Amount
10531-431100 [ICAC Task Force-Federal Grants]	\$14,000
Increase Expenditures	
10531-701300 [ICAC Task Force- Overtime]	\$10,000
10531-710508 [ICAC Task Force-Telephone]	\$ 4,000

**EXPENDITURES – 2006 CORPORATE CHALLENGE EVENT –
COMMUNITY RELATIONS**

In response to Chairman Larkin, Kathy Carter, Community Relations Director, confirmed staff desired direction from the Board whether this should be a County sponsored event. She said in the past employees solicited private funds for support; however, it became apparent this year that the participation rate and the private support would not be what it was in the past.

Commissioner Galloway recognized every effort was made to gain the support that was needed, and the Board would have to accept the retroactive funding.

Chairman Larkin commented it was not good public policy to authorize post approval of expenditure items.

County Manager Katy Singlaub explained in the past employees had to pay for their participation. She said it was her decision to pay for the t-shirts and fees and to bring the item before the Board for retroactive approval. She noted other public employers who were a part of Corporate Challenge supported their participants.

Commissioner Weber was concerned that employees were participating on County time. She remarked it was important to consider what message sponsorship of this event would send to taxpayers.

Ms. Singlaub commented staff would provide the Board with more information. She stressed employees were aware that they must participate on their own time and only with their supervisor's approval. She said there were health and wellness benefits related to this event, along with teamwork and pride for Washoe County. Ms. Singlaub added \$1,600 was the range of expense it would be in the future, and the County would only pay for fees and t-shirts. She stated it was a management/supervision issue that needed to be addressed if it was true that employees were not participating on their own time. She asked the Commissioners to refer any information back to her so she could address the matter.

Commissioner Weber stated she would like department heads to have input on this and to share what issues they might have concerning Corporate Challenge participation.

Commissioner Galloway supported the expenditure. He said it was always important to attempt to get sponsorship, and staff could come to the Board a couple of months before the event for a budget authorization if they could not do that. He emphasized there should be no net total reduction of work hours as a result of any activities of this kind.

Commissioner Sferrazza agreed with Commissioner Galloway and supported his position on the matter.

Commissioner Humke said the event served a good purpose and suggested sponsorship from businesses as a way to pay for the t-shirts. He noted the 70 hours in staff time to organize the participation. He supported transferring the work from Community Relations to the Wellness Coordinator. Ms. Carter offered that Community Relations could work together with the Wellness Coordinator concerning the event.

In response to the call for public comment, Sam Dehne cautioned employees to not use County time to participate in the event. He did not see where Community Relations should be using their staff to run the event. He said it should be voluntary.

Commission Sferrazza moved to approve the expenditure requested for the coming year if contributions could not be obtained from the private sector. He further moved to approve the retroactive request by staff in the amount of \$1,645.39. Commissioner Galloway seconded the motion.

Melanie Foster, Legal Counsel, clarified the only action the Commission could take was to approve the retroactive expenditure and provide direction to staff.

Commissioner Galloway suggested amending the motion to say the approval was the action for the retroactive expense and the rest of the motion would be direction to staff for the coming fiscal year. Commissioner Sferrazza agreed to that amendment and Commissioner Galloway also accepted the amendment to the motion.

Commissioner Humke supported the item on a one-time basis, and Commissioner Weber asked for more discussion on the matter in the future.

Ms. Singlaub stated she would take this issue to a department head meeting and discuss their concerns. She said any necessary policy recommendations would be made from that meeting.

Chairman Larkin acknowledged participates in the 2006 Corporate Challenge event and stated it was a worthwhile endeavor.

Commissioner Galloway noted the wellness aspect was important, and he requested the District Health Department be involved in future discussions.

On call for the question, the motion passed on a 5-0 vote.

06-558 **BILL NO. 1480 - AMENDING WCC CHAPTER 15 –
TECHNOLOGY ACCOUNT – ASSESSOR'S OFFICE**

Bob McGowan, Assessor, commented last session the Nevada State Legislature increased the collection fee the County received from six percent to eight percent with that two percent going into a special fund over the next two years to fund technological improvements within the Assessor's Office. He said staff made a plan to

use some of the money for a new software packet, and it would take most of the two years to accumulate the money. He asked that a special account be set up to hold the money.

Commissioner Humke inquired if Nevada Revised Statute (NRS) 250.085 applied to Washoe County only or to all counties in Nevada. Mr. McGowan confirmed it applied to all counties in Nevada.

In response to the call for public comment, Sam Dehne asked how much money would be involved. Gary Schmidt gave his history of involvement with the Board of Equalization (BOE). He urged that the expenditures be reviewed by a citizens review committee and members of the BOE.

Commissioner Galloway and Mr. McGowan discussed personal property tax and the general fund.

Commissioner Humke asked further about the creation of the fund. Mr. McGowan commented the money would be placed in the general fund of Washoe County if this fund was not created, and the Legislature could question that.

Bill No. 1480, entitled, "**AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY CREATING AN ACCOUNT IN THE COUNTY GENERAL FUND TO BE DESIGNATED AS THE ACCOUNT FOR THE ACQUISITION AND IMPROVEMENT OF TECHNOLOGY IN THE OFFICE OF THE COUNTY ASSESSOR AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO,**" was introduced by Commissioner Sferrazza, the title read to the Board and legal notice for final action of adoption directed.

06-559 MEMORANDUM OF UNDERSTANDING – CHALLENGE COST SHARE AGREEMENT – COLLECTION AGREEMENT – VARIOUS ENTITIES – GALENA DAY USE FACILITIES – PARKS

Doug Doolittle, Regional Parks and Open Space Director, explained the proposal would allow continuation of the Galena Day Use facilities on the north side of the park that was located on United States Forest Service (USFS) land. He said the County had a great cooperative effort from the USFS on the project, and there had been many meetings to refine the planning and the types of facilities desired. He remarked the new facilities would enhance the existing park by providing recreation and educational opportunities for the public. Mr. Doolittle commented staff was successful in leveraging bond funds for the project, and the execution of the agreements would enable funding for the project to be utilized by the USFS for the construction. He added the project was at 50 percent of the design phase with hopes of going to bid this summer with construction beginning late in the summer or fall of 2007.

Kevin Wilmot, USFS staff officer, reviewed projects that Regional Parks and Open Space and the USFS had completed together. He said this was a large project

that would serve the public well. Mr. Wilmot outlined funding the USFS would be contributing to the project, and he stated this project would be a gateway to other trails and areas for recreation. He noted there was public support for the day use facilities.

Mr. Doolittle reviewed the "Planned Galena Recreation Facilities" as presented in the staff report dated May 3, 2006. He discussed the Memorandum of Understanding (MOU), the Challenge Cost Share Agreement and the Granger-Thye Collection Agreement.

In response to Commissioner Humke, Mr. Doolittle clarified the building of the amphitheater was dependent upon additional funding; and that project would fall under this agreement once the funds were available. He remarked no other elements were planned at this date.

Chairman Larkin inquired about the fees for admittance into the park and how they would be distributed. Mr. Doolittle explained there would not be fees for admittance into the park. He said there would be fees in the Visitors Center and the gift shop. He mentioned a large group room would be available for rent, and fees would be charged for that. He was not aware of any fee sharing arrangements.

Commissioner Galloway commented on his attendance at the conference with the USFS for the initial viewing of the plan. He said this project was a great deal for Washoe County citizens. He explained the benefits for Washoe County as an agency and the USFS. He asked about the budget impact for this fiscal year.

Mr. Doolittle stated the County's impact would be \$1-million through WC-1 bonds.

In response to the call for public comment, Sam Dehne suggested the County could gain money back by charging fees for various facilities. Gary Schmidt supported the item because Galena Park had been under utilized for years. He pointed out a fire hazard at the south end of the park.

Commissioner Humke commended County staff and USFS representatives for the cooperative effort shown in the project.

Commissioner Galloway stated 400,000 people live in Washoe County, and parks and amphitheatres were a necessity for the community.

Upon recommendation of Jennifer Budge, Park Planner, and Rosemarie Entsminger, Fiscal Compliance Officer, through Mr. Doolittle, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, it was ordered that a Memorandum of Understanding (MOU) be reviewed, a Challenge Cost Share Agreement and a Collection Agreement with Washoe County, the United States Department of Agriculture (USDA), Forest Service, and Humboldt-Toiyabe National Forest, authorizing the joint development of the Galena Day Use

facilities at an estimated total cost of development of \$1.75-million be approved. It was further ordered that the Regional Parks and Open Space Director be authorized to sign the MOU and the Chairman be authorized to execute the agreements upon presentation. It was noted a copy of the "Galena Recreation Facilities Environmental Assessment, dated September 2004, was on file in the Manager's Office.

06-560 AWARD OF BID – OPTICAL SCAN ELECTION BALLOT
PRINTING - BID NO. 2531-06 - PURCHASING

This was the time to consider award of the bid for Optical Scan Election Ballot Printing for the Purchasing Department. The Notice to Bidders for receipt of sealed bids was published in the *Reno Gazette-Journal* on March 16, 2006. Proof was made that due and legal Notice had been given.

Bids were received from the following vendors:

K&H Printers-Lithographers, Inc.
Sequoia Voting Systems

Commissioner Galloway asked how much the County spent in the past and about the accuracy of the ballots. Dan Burk, Registrar of Voters, replied two years ago the cost was approximately \$30,000. He said accuracy was assured in this contract, and K&H Printers-Lithographers, Inc. had been in the business of printing ballots longer than Sequoia Voting Systems. He noted a pre-election test was performed.

Commissioner Weber inquired about the impact of printing the ballots in Spanish. Mr. Burk stated there was no cost change because a second ballot was not requested.

In response to the call for public comment, Sam Dehne said he was in favor of technology but not when it involved voting. He stated elections should not be done on computers, and ballots should be hand-counted.

Chairman Larkin asked about the security of the electronic process, and he inquired if the Internet was used for electronic transmission.

Mr. Burk acknowledged there were many people in the nation concerned about electronic voting. He stressed the system was never online, and there was no Internet or intranet connection of any kind to the system. He said only he and one other staff member knew the codes to secure them, every machine was tested using those codes, and they devised the test patterns. Mr. Burk stated Washoe County was one of the few counties in the United States that completed an actual test on the ballots themselves in the system. He said every machine was tested with every possible ballot style on it.

Chairman Larkin inquired about a computer virus. Mr. Burk confirmed there was a tremendous amount of back up in the system, and he explained the fail-safes

of the program. He added the machines were audited after elections. He explained the Election Certification Board, made up of private citizens, selected two percent of the machines at random to perform a complete audit. Mr. Burk stated Washoe County was first in the nation to have the touch screen system that also had a paper record, which was retained and used in the auditing process. He emphasized there was checking and crosschecking involved with the entire process.

Commissioner Sferrazza asked about the paper record, and Mr. Burk replied all machines used in the State of Nevada would have paper back up by the election in 2006.

Upon recommendation of Michael Sullens, Senior Buyer, through John Balentine, Purchasing and Contracts Administrator, and Mr. Burk, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, Chairman Larkin ordered that Bid No. 2531-06 for Optical Scan Election Ballot Printing for the Purchasing Department for the upcoming Primary and General elections be awarded to K&H Printers-Lithographers, Inc., at the rate of \$.56 per Sample Election Ballot and \$.49 per General Election Ballot, in the estimated amount of \$103,921.

**06-561 AWARD OF BID – SAMPLE ELECTION BALLOT PRINTING -
BID NO. 2540-06 - PURCHASING**

This was the time to consider award of the bid for Sample Election Ballot Printing for the Purchasing Department. The Notice to Bidders for receipt of sealed bids was published in the *Reno Gazette-Journal* on April 19, 2006. Proof was made that due and legal Notice had been given.

One bid was received from A. Carlisle & Company of Nevada.

Dan Burk, Registrar of Voters, discussed the cost for the Sample Election Ballot Printing. He confirmed the sample ballot was mailed to every voter in the County, and the sample ballots were based on providing information that was required by law. Mr. Burk added Federal law required ballots to be produced in English and Spanish. He noted four years ago the cost was about \$340,000 and today it was approximately \$570,000.

Commissioner Humke asked about the language requirement. Mr. Burk verified only English and Spanish were required in Washoe County. He confirmed in each precinct that had 20 percent or greater population of Hispanics a bi-lingual person would be located in the polling place to assist voters.

Commissioner Galloway inquired if there was a way to gain more than one bid. Mr. Burk remarked this was a complex process. He explained in a primary election there would be 297 different versions of the sample ballot and 145 different versions in a general election. He confirmed it was open to any bid.

Commissioner Galloway asked that the bid process be expanded in the future to broaden the bid.

In response to the call for public comment, Sam Dehne stated the sample ballot was the most important mailing that took place in America. He questioned the legitimacy of the election process and asked why his name would not be on the ballot.

In response to Chairman Larkin, Mr. Burk commented it was his responsibility to protect the system by which people vote. He was paid to make sure that every ballot was counted and every system was tested well in advance of an election and after an election. He said this was done to ensure that there was a fair and honest accounting of every ballot. He affirmed that was what he and his staff endeavored to do.

Commissioner Sferrazza inquired why various names would not be on the ballot.

Mr. Burk explained State law provided that if a person did not have an opponent, their name did not go on the ballot until the election in which they would be elected. He noted the few exceptions to that law. He said Mr. Dehne's name would appear on the general election ballot against whoever won the Republican primary.

Upon recommendation of Michael Sullens, Senior Buyer, through John Balentine, Purchasing and Contracts Administrator, and Mr. Burk, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, Chairman Larkin ordered that Bid No. 2540-06 for Sample Election Ballot Printing for the Purchasing Department for the upcoming Primary and General elections be awarded to A. Carlisle & Company of Nevada in the estimated amount of \$571,202.

06-562 AWARD OF BID – ADDITIONAL CASH PROCEEDS - NORTH VALLEYS SPORTS COMPLEX IMPROVEMENT PLANS – PHASE 3 – PUBLIC WORKS

Commissioner Weber requested the Board move forward on the staff recommendation to not reject the bids.

Doug Doolittle, Regional Parks and Open Space Director, explained the Add Alternate A was for parking lot lighting and Add Alternate B was the picnic shelter.

In response to Commissioner Galloway, David Solaro, Capital Projects Division Director, clarified Add Alternate A would cost \$30,000 and Add Alternate B would cost \$100,463.

Commissioner Sferrazza asked about the request to supplement the budget. Mr. Solaro explained there was an Engineer's estimate on the project, staff was \$50,000 over the estimate, and the entire project was \$83,000 over the budget. Commissioner Sferrazza asked if there were Engineer's estimates on Add Alternates A

and B. Mr. Solaro confirmed the alternates had individual estimates, and they were not included in the base bid of the project. He said the parking lot lighting was five percent below the Engineer's estimate, and the picnic shelter was 15 percent above the Engineer's estimate.

Commissioner Weber commented citizens were concerned about the graffiti at the park. She stated it was time to have more lighting in the parking areas. She asked if there would be lighting at the skateboard park. Mr. Solaro verified the lighting would be only for the parking lot.

Commissioner Galloway asked if the lights would be on at night, and Mr. Solaro replied that was governed by the Planning Commission. Commissioner Galloway commented the lights would not prevent graffiti unless they were kept on all night. He noted the safety benefits of the lighting and said he would support it. He inquired why staff did not want to go out to bid again. Mr. Solaro stated the prices would come in higher if that occurred.

Commissioner Weber inquired about the funding. Mr. Doolittle responded the funds would come from the water rights sale at Sierra Sage Golf Course for the entire Phase 3 project. Commissioner Weber questioned that. Mr. Doolittle confirmed the bond funding had been spent in previous phases, and there was no more bond money available for this park. Commissioner Weber and Mr. Doolittle discussed the available Alturas funds. Commissioner Weber asked if the \$10,000 of discretionary funds from the North Valleys Neighborhood Advisory Board was being moved forward. Mr. Doolittle said he had not heard differently. He noted their funds would be specifically for signage.

Commissioner Galloway and Commissioner Weber talked about funding for the project, and Commissioner Weber voiced her concerns.

County Manager Katy Singlaub commented staff would complete a summary for the Commissioners on the Alturas funds and the use of park bond funds for the projects in the North Valleys.

Upon recommendation of Mr. Solaro, through Tom Gadd, Public Works Director, on motion by Commissioner Weber, seconded by Commissioner Sferrazza, which motion duly carried, it was ordered that the use of additional cash proceeds from water rights sales in the amount of \$83,000 to complete the North Valleys Regional Sports Complex Phase 3 be authorized. It was further ordered that the bid for construction of the North Valleys Regional Sports Complex Improvement Plans - Phase 3 and add Alternates A and B for the Public Works Department be awarded to the lowest responsive and responsible bidder, Gradex Construction, in the amount of \$551,779. It was also ordered that any available Alturas funds or park bond funds be used. It was additionally ordered that Chairman Larkin be authorized to execute the contract documents upon presentation and Finance be directed to make the appropriate budget adjustments.

**REGIONAL TRANSPORTATION COMMISSION'S CAPACITY
PROJECT PRIORITY SETTING PROCESS – PUBLIC WORKS**

Derek Morse, Deputy Executive Director of the Regional Transportation Commission (RTC), highlighted a PowerPoint presentation entitled, "RTC Capacity Project Priority Setting Process." He said the RTC was asking for consideration and endorsement of this process.

Commissioner Humke referenced the PowerPoint presentation and asked how the RTC worked with local entities to assure adequate right-of-way and advance planning.

Mr. Morse replied RTC was in a constant process of reviewing development proposals that came through the local entities that could impact future planned improvements to the road system. He said in this specific process RTC would be considering all projects that were needed between now and 2012.

Commissioner Humke asked how RTC arrived at the policy guidance to include prioritizing street and highway funding for capacity improvements to promote in-fill. He inquired if the language was taken from statutes or amendments of the Regional Plan.

Mr. Morse stated the language came from the Regional Plan that was incorporated into the Regional Transportation Plan because it dealt specifically with transportation. He said the RTC was mindful of the desire of the community to promote in-fill.

Commissioner Galloway voiced concerns about the protection of parks and open space. He remarked this Board adopted the policy that public parklands would not be touched unless there were no alternatives. He asked if parklands would be considered off limits in accordance with that policy or would they be looked at as a cost effective solution.

Mr. Morse replied a major goal of the Regional Transportation Plan was for all planned transportation systems to be consistent with community values and regional goals. He stated there were many issues that impinged upon the location of transportation facilities and final designs, and cost was not the only consideration. Mr. Morse said all factors were brought forward to the political decision makers in the community and laid out for their decision.

Commissioner Galloway said parks should not be considered as an available option unless the RTC had prior agreement from whoever owned the park. He asked what value the RTC would assign to parkland. Mr. Morse replied the RTC assigned values based upon their experience in acquiring land and what different types of land with different levels of development would cost in the open market. He emphasized

not every road would impact a park, and the RTC did not deliberately seek to build roads on parkland.

Commissioner Sferrazza inquired if RTC had a factor that was considered for the detriment caused by road construction. He asked if RTC attempted to work on projects that would have the least impact in terms of reducing capacity, and he inquired about accidents on the roadways.

Mr. Morse agreed that during construction there was loss of capacity on most projects; however, user cost of delay during construction was not considered because it was a small element of the entire cost. He explained RTC worked closely with the staffs of the local governments to identify what could be done to mitigate the impacts. In regard to accidents, Mr. Morse commented the Nevada Department of Transportation (NDOT) freeway service patrol would continue beyond the life of the "Spaghetti Bowl" project, and that service assisted with accidents on the highways.

Commissioner Sferrazza asked if there was a way to supervise the construction activity to have a minimal impact on land capacity. Mr. Morse stated RTC applied a number of techniques. He commented land rental was used by NDOT, and that allowed a contractor to take a lane out of service; however, they would pay for every hour of every day it was out of service. That payment was incentive to get the lanes back into service. Mr. Morse said RTC monitored and attempted to minimize the inconvenience for the public, and he pointed out traffic control and maintenance protection of traffic during construction was 15-20 percent of the project costs.

In response to Commissioner Sferrazza, Mr. Morse explained RTC worked with the staffs of the local entities to be informed of projects and private developments to coordinate road improvements with other construction occurring in the community.

In response to the call for public comment, Juanita Cox stated it was difficult to see the new signals. She requested the signals be looked at because they were dangerous.

Commissioner Weber voiced her concerns about parklands and changes within existing neighborhoods. She asked for further clarification about the process.

Mr. Morse explained the Board directed RTC to refine the current process and to come up with an analysis that was fundamentally technical; however, there were other factors to consider. He said RTC staff would bring the considerations of the entities to the RTC Board. He emphasized interlocal agreements must be agreed to by the local governments before RTC could spend money on specific projects. Mr. Morse noted there would be multiple presentations on the plans, concepts, and alternatives because RTC wanted the entities to have all the information to make fully informed decisions. He stated ultimately the decisions rest with the politically elected leadership of the community. He stressed the importance of community involvement with the projects.

Chairman Larkin pointed out this was a priority setting process and not a detailed analysis of a project.

Commissioner Galloway and Mr. Morse discussed time stratification of projects.

Commissioner Sferrazza moved to support the Regional Transportation Commission's Capacity Project Priority Setting Process as a methodology for evaluating projects. Chairman Larkin seconded the motion.

Commissioner Galloway declined to support the motion because issues concerning parks would be left to the end. He stressed there should be an upfront way in the system to address this matter.

Commissioner Humke stated this plan provided for individual needs of a neighborhood, the total needs of everyone in the County, and the needs of visitors who came to the area. He said in this process the right-of-way was being set aside by the local entities, and that could have a positive impact.

Commissioner Sferrazza said he would be receptive to an amendment to add project impacts on parks and open space.

Chairman Larkin commented he would not be receptive to an amendment that placed that kind of restriction on the process at this point in time. He said he would like to see it played out before changes were made. He inquired if this was the first time RTC had a step 1-7 itemized process, and Mr. Morse concurred.

Commissioner Sferrazza withdrew his motion. He did not see what the problem was to add consideration of the project impacts on parks and open space.

Mr. Morse stated it would be difficult to do that within the time stratification because it was based on the congestion levels in the community.

Commissioner Galloway stated a reality check should occur early on in a process.

Chairman Larkin acknowledged there was no collaboration to move forward with ratification or endorsement due to the withdrawal of the original motion by Commissioner Sferrazza.

Commissioner Galloway pointed out areas of conflict and suggested forwarding the various comments to Mr. Morse.

5:37 p.m. The Board recessed.

6:15 p.m. The Board reconvened with Commissioner Humke temporarily absent.

06-564 **TOURISM IMPROVEMENT DISTRICT AT BOOMTOWN -
CABELA'S PROJECT - FINANCE**

John Sherman, Finance Director, stated the City of Reno would hold a public hearing on June 14, 2006 to consider a proposal to create a Tourism Improvement District (TID). He said STAR Bond financing would use approximately 75 percent of City/County Relief Tax, local school support tax, and State sales tax. He said the development included the recent Reno Redevelopment Area Two and would propose to create a Special Assessment District (SAD). Mr. Sherman commented staff reviewed the fiscal and economic report prepared by Meridian Business Advisors (Meridian) along with the County's own independent research. He said the TID law required the City Council make findings that the project and its financing would have a positive fiscal impact and that the preponderance of the sales tax would be from out-of-state purchasers. Mr. Sherman said, upon completion of a market and fiscal impact analysis, staff reviewed the report prepared by Meridian and found that a \$400 per square foot sales figure was comfortable. He noted the preponderance issue concluded approximately 68 percent of the sales from Cabela's would be coming from out-of-state. Mr. Sherman explained it was difficult to gather data on the displacement issue. He said Meridian computed some incremental revenue to Washoe County and noted that incremental costs would occur to Washoe County as a Regional service provider. It concluded the jobs created at Cabela's would drive some population growth. He explained the summary of the analysis as described in the staff report dated May 8, 2006.

6:21 p.m. Commissioner Humke returned to the meeting.

John MacIntyre, City of Reno, acknowledged this was a positive project as reflected in the Meridian analysis. He said the analysis of the sales tax and the preponderance was a conservative analysis.

In response to the call for public comment, Juanita Cox stated she was bothered by the 232 permanent jobs that would be available and the displacement of small businesses. Jim Midold, Director of Property Development Boomtown, said Boomtown had been working for some time to encourage Cabela's to locate to the area.

In response to Commissioner Sferrazza, Mr. Midold replied Cabela's was acquiring a 29-acre parcel of land from Boomtown to develop. He confirmed that Boomtown would have no ownership of Cabela's.

Commissioner Sferrazza was concerned about the philosophy of giving tax breaks while competing businesses might be displaced. He said it was unfair if the County subsidized one business against an existing business. Mr. MacIntyre replied a subsidy was not being provided but rather a form of tax increment financing.

In response to Commissioner Galloway, Mr. MacIntyre clarified Table 2 as stated in the staff report. He explained Meridian did not do an expenditure analysis for Washoe County; however, they took the average total operating cost per capita between 2001 and 2005 to arrive at a per capita cost figure.

Chairman Larkin asked what would occur if Cabela's decided not to locate in the area. Mr. MacIntyre said Cabela's would take the loss since they were the ones buying the bonds. He noted it would not be a burden on the general fund of the City, County, or anyone else involved.

In response to Commissioner Weber, Mr. MacIntyre explained the sequence of events needed to create a TID. He added Cabela's would not build if a TID was not established. Mr. MacIntyre said the expansion for the Boomtown sub-area included an area larger than the Cabela's parcel. Commissioner Weber noted the County did not support the Boomtown Redevelopment District, and had supplied the City of Reno with those comments.

Commissioner Humke asked about the displacement sales throughout the region and how many existing outlets this project may affect. Mr. Sherman replied the sales would be aggregate for the County and the displacement was discussed with a number of outlets mentioned in the Meridian report.

Commissioner Sferrazza inquired if staff had any data that showed how many customers would come from out-of-state. Mr. Sherman said Cabela's provided data to Meridian based on Internet sales in a particular region and applied that same methodology to this region. Candice Everett, Meridian Business Advisors, explained the information used to determine preponderance came from Cabela's. She said research indicates approximately 80 percent of online sales convert to in-store sales once a store was established within an area the public could drive to.

Commissioner Galloway stated he received a letter from Oppidan opposing Cabela's. He noted he distributed a copy of that letter to the other Commissioners and asked if Ms. Everett had seen the report. She replied she had not. Mr. MacIntyre said that report was submitted on behalf of Gander Mountain Corporation, a competitor of Cabela's. He said it was a public display of dispute that Gander Mountain had with Cabela's. Mr. MacIntyre said Gander Mountain was opposed to the use of STAR bonds; however, he added that policy question had already been decided in Nevada. Commissioner Galloway commented on Table One as listed in the staff report. He did not believe the number of people drawn to this area would sustain retail competition, and he would take the more cautious of the two tables. Ms. Everett stated a Cabela's representative was present during the Reno City Council meeting and responded they would probably build a store in California. She stated Cabela's was a publicly traded company and would not do anything to affect the bottom line.

Chairman Larkin commented the tables included in the staff report stated a positive fiscal impact on the County. Based on the assumptions for the analysis, Mr. Sherman agreed.

Commissioner Humke asked if Cabela's ever engaged a store absent the use of a STAR bonds type statute. Mr. MacIntyre replied not that he was aware of.

Commissioner Sferrazza acknowledged he was opposed to STAR bonds and voted against them when they were created; however, Cabela's met the requirements of the statute. He commented this legislation was passed specifically for Cabela's. Commissioner Sferrazza added the law was in place, and the Reno City Council must make the findings that the retailer would locate the business in the TID. He said there would be a substantial increase of proceeds from sales and use tax. Commissioner Sferrazza felt it would be hypocritical for the County to oppose Cabela's since the County was in the forefront of getting that legislation passed. He said he would not oppose the City of Reno's use of the STAR bonds, but he did not support the Redevelopment District expansion.

Commissioner Galloway regretted supporting the STAR bond legislation. He stated the legislation never anticipated a STAR bond district being on top of a redevelopment district. He said, based on a high assumption of imported customers, the net positive in Table One was marginal. Commissioner Galloway stated he would not support a finding that was in the net good.

Chairman Larkin found there was a positive fiscal impact on Washoe County but was perplexed on the social impacts to the residents in the Mogul and Verdi areas. He hoped, when the City of Reno moved forward, they would negotiate with the citizens, as well as Cabela's, since the citizens had reasonable expectations that would be incorporated into the special use permit.

Commissioner Humke indicated two major changes had occurred since the Cabela's project was first envisioned in the County, and they were the aforementioned change in STAR bonds legislation and moving from the western side of the valley to the eastern side of the populated portion of the County. He was also concerned about a finding that discussed the illusion of services for education including operational and per capita costs.

Commissioner Weber commented the Board's suggestions indicated support for the City of Reno working with Cabela's.

06-565 APPEAL CASE NO. AX06-005 - VARIANCE CASE NO. VA06-003 - COMMUNITY DEVELOPMENT

5:30 p.m. This was the time set in a Notice of Public Hearing and mailed to affected property owners on May 12, 2006 to consider Appeal Case No. AX06-005 by Carl Barney an appeal of the Board of Adjustment's (BOA) approval of Variance Case No.

VA06-003 for William and Margaret Eadington to reduce the front yard setback from 30 feet to 2 feet 2 inches, in order to replace the detached one-car garage with a two-car attached garage and increase the living area of the existing home, as authorized in Article 406 of the Washoe County Development Code. The project is identified as Lot 1-3, Block C of the Nevada Vista Subdivision and is located at 25 Somers Drive, at the top of Somers Loop in Crystal Bay, Nevada. The ± 0.47 -acre parcel is designated Low Density Suburban (LDS) in the Tahoe Area Plan, and is situated in a portion of Section 30, T16N, R18E, MDM, Washoe County, Nevada. The property is located in the Incline Village/Crystal Bay Citizen Advisory Board boundary and Washoe County Commission District No. 1. (APN 123-031-03)

The Chairman opened the public hearing calling on anyone wishing to speak on Appeal Case No. AX06-005.

Eva Kraus, Planner, presented a PowerPoint presentation. She explained the grounds for the appeal and the location of the property. Ms. Kraus said staff felt there were special circumstances and hardship on the applicants and recommended approval.

Lee Molof, attorney for Carl Barney, stated he disagreed with some conclusions reached by the BOA. He said the variance brought by Mr. Barney in 2002 that was denied was not, in substance, any different than the variance sought by William and Margaret Eadington. Mr. Molof said the nature of the buildable space was very limited on both properties. He said staff determined there would not be any detrimental impact on the surrounding property if the variance was granted; however, the elevation with the addition of the garage would be two additional stories. He said the site line was not between the Barney's property and Lake Tahoe, but was in their view. Mr. Molof concluded the BOA should consider the impact on the Barney's or consider that there would be an unequal application of the law in this case by granting the variance. He requested the Board grant the appeal and deny the variance.

Gary Midkiff, Midkiff and Associates, representing the Eadingtons, presented a PowerPoint presentation highlighting the Eadington residence and explained the addition as planned. He stated neighbors were in favor of the project. Mr. Midkiff said the appropriate action of the Board would be to deny the appeal and uphold the variance.

Shirley Kliman, Crystal Bay resident, said the Eadingtons looked at many options to try and construct the garage. She stated the neighbors surrounding the Eadingtons were in support of the variance.

Arnold Landay, Crystal Bay resident, read letters from neighbors of the Eadingtons in support of the variance, which were placed on file with the Clerk.

Diana Reed, Crystal Bay resident, spoke in support of the variance.

Ms. Eadington, applicant, stated they were requesting the variance to allow for more living space. She said, if the variance were denied, then their action would be to tear down the existing house and rebuild. Ms. Eadington commented it was frustrating since they were trying to preserve an old Tahoe house.

There being no one else wishing to speak, the Chairman closed the public hearing.

Commissioner Galloway acknowledged he was familiar with the area and the Tahoe Regional Planning Agency (TRPA) regulations. He thought not being able to expand and modernize a 1,500 square foot house created a level of hardship. He recommended upholding the BOA decision to grant the variance.

Chairman Larkin asked what the square footage would be with the addition. Ms. Kraus replied 2,800 square feet would be the new dimensions.

In response to Commissioner Sferrazza, Mr. Molof replied his clients were upset they did not receive a variance when they appeared before the BOA several years ago.

Chairman Larkin disclosed that Professor William Eadington was on his Dissertation Review Board. Commissioner Humke also disclosed he knew Professor Eadington.

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, Chairman Larkin ordered that Appeal Case No. AX06-005 be denied. It was further ordered that the Washoe County Board of Adjustment's decision to approve Variance Case No. VA06-003 be upheld based on the Board having made the following findings and subject to the following conditions of approval:

FINDINGS:

1. Special Circumstances. Because of the extraordinary and exceptional condition of the property and structure applicable to the property, including the age of the existing structure and the unique construction of the home and the shape of the lot having frontage on three sides, reducing the buildable area and requiring a long driveway to build within the setback, the strict application of the regulation results in exceptional and undue hardships upon the owner of the property:

2. No Detriment. The relief will not create a substantial detriment to the public good, substantially impair affected natural resources or impair the intent and purpose of the Development Code or applicable policies under which the variance is granted:

3. No Special Privileges. The granting of the variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and the identical regulatory zone in which the property is situated:

4. Use Authorization. The variance will not authorize a use or activity which is not otherwise expressly authorized by the regulation governing the parcel of property; and

5. Reasoned Consideration. Washoe County Commission gave reasoned consideration to information contained within the reports transmitted to the County Commission by the Washoe County Board of Adjustment and the information received during the Washoe County Commission public hearing.

<p style="text-align:center">CONDITIONS OF APPROVAL VARIANCE CASE NO. VA06-003 WILLIAM AND MARGARET EADINGTON</p>
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FOR THE PURPOSES OF CONDITIONS IMPOSED BY WASHOE COUNTY, “MAY” IS PERMISSIVE AND “SHALL” OR “MUST” IS MANDATORY.

GENERAL CONDITIONS

UNLESS OTHERWISE SPECIFIED, ALL CONDITIONS MUST BE MET OR FINANCIAL ASSURANCES MUST BE PROVIDED TO SATISFY THE CONDITIONS PRIOR TO SUBMITTAL FOR A BUILDING PERMIT. THE AGENCY RESPONSIBLE FOR DETERMINING COMPLIANCE WITH A SPECIFIC CONDITION SHALL DETERMINE WHETHER THE CONDITION MUST BE FULLY COMPLETED OR WHETHER THE APPLICANT SHALL BE OFFERED THE OPTION OF PROVIDING FINANCIAL ASSURANCES. ALL AGREEMENTS, EASEMENTS, OR OTHER DOCUMENTATION REQUIRED BY THESE CONDITIONS SHALL HAVE A COPY FILED WITH THE COUNTY ENGINEER AND THE DEPARTMENT OF COMMUNITY DEVELOPMENT.

COMPLIANCE WITH THE CONDITIONS OF THIS VARIANCE IS THE RESPONSIBILITY OF THE APPLICANT, AND ALL OWNERS, ASSIGNEES, AND OCCUPANTS OF THE PROPERTY AND THEIR SUCCESSORS IN INTEREST. FAILURE TO COMPLY WITH ANY CONDITIONS IMPOSED IN THE ISSUANCE OF THE VARIANCE MAY RESULT IN THE INSTITUTION OF REVOCATION PROCEDURES.

ANY OPERATIONAL CONDITIONS IMPOSED BY THIS VARIANCE APPROVAL ARE SUBJECT TO REVIEW BY THE DEPARTMENT OF COMMUNITY DEVELOPMENT PRIOR TO THE ANNUAL RENEWAL OF A BUSINESS LICENSE. FAILURE TO COMPLY WITH THE CONDITIONS MAY RESULT IN WITHHOLDING RENEWAL OF THE BUSINESS LICENSE UNTIL

THE DEPARTMENT OF COMMUNITY DEVELOPMENT HAS DETERMINED COMPLIANCE HAS BEEN ACHIEVED.

ALL CONDITIONS LISTED WITHIN THIS APPROVAL MUST BE SATISFIED TO EFFECTUATE THIS VARIANCE APPROVAL. THE PROPERTY OWNER AND/OR APPLICANT ARE RESPONSIBLE FOR COMPLYING WITH ALL RELEVANT RULES, REGULATIONS, DEVELOPMENT STANDARDS, POLICIES AND PROCEDURES OF WASHOE COUNTY. WASHOE COUNTY RETAINS THE RIGHT TO ENFORCE ALL APPLICABLE ORDINANCES THAT ARE NOT WAIVED OR VARIED BY THE APPROVAL OF THIS APPLICATION.

WASHOE COUNTY RESERVES THE RIGHT TO REVIEW AND REVISE THE CONDITIONS OF THIS APPROVAL SHOULD IT DETERMINE THAT A SUBSEQUENT LICENSE OR PERMIT ISSUED BY WASHOE COUNTY VIOLATES THE INTENT OF THIS APPROVAL.

SPECIFIC CONDITIONS FOR VARIANCE CASE NO. VA06-003

1. The applicant shall obtain a valid Washoe County building permit or other administrative permit in the time period set forth as follows:
 - a. For projects which require a Tahoe Regional Planning Agency (TRPA) permit, within one year from the date of approval of TRPA; or
 - b. For projects which require a TRPA permit and which have TRPA approval (or conditional approval), within one year from the date of approval by Washoe County; or
 - c. For projects which do not require a TRPA permit, within one year from the date of approval by Washoe County.

The applicant shall commence and complete construction in accordance with the time periods required by said permit(s). The Department of Community Development shall determine compliance with this condition.

2. The applicant shall demonstrate conformance with the plans approved as part of the variance. Modification to the site plan may require amendment to and reprocessing of the variance. The Department of Community Development shall determine compliance with this condition.
3. A copy of the Final Order and approved site plan for the variance shall be attached to all building permit applications issued by Washoe County. Building plans will not be reviewed unless the Final Order and site plan are attached.

4. The use of straw bales shall be prohibited during construction of the project. A filter-fabric fence or other acceptable alternative shall be utilized for erosion control. The staff of the Department of Community Development shall determine compliance with this condition.
5. The applicant shall execute a hold-harmless agreement with the Community Development office for road maintenance purposes. A copy of the agreement shall be recorded prior to the issuance of a building permit. The staff of the Department of Community Development shall determine compliance with this condition.
6. The applicant shall install an automatic garage door opener prior to the issuance of the certificate of occupancy from Washoe County Building and Safety Division. The staff of the Department of Community Development shall determine compliance with this condition.
7. Site plan shall show an infiltration trench in accordance with TRPA Best Management Practices. Infiltration trenches shall retain all roof runoff on the applicant's property and assuring the runoff will not drain to the adjacent property. The staff of the Department of Community Development shall determine compliance with this condition.
8. The applicant shall complete a Washoe County encroachment permit prior to the issuance of a building permit. The staff of the Department of Public Works, Roads Division, shall determine compliance with this condition.
9. The project shall comply with the Uniform Fire Code provisions, including access and water supply for fire protection as established by the Code and local ordinances. The North Lake Tahoe Fire Protection District shall determine compliance with this condition.
10. Accessible driveway and roadway shall comply with Section 110.436.30 (4)(l)(ii) and (iii) of the Washoe County Development Code. The North Lake Tahoe Fire Protection District shall determine compliance with this condition.
11. The North Lake Tahoe Fire Protection District reserves the right to establish additional requirements on any project, when such requirements are identified as part of the building or construction plan review process. The North Lake Tahoe Fire Protection District shall determine compliance with this condition.
12. The property owner, contractor or any other parties shall not use or disturb the National Forest lands adjacent to the property for personal reason as stated in the letter from the Forest Supervisor. The Forest Service personnel shall determine compliance with this condition.

06-566

**ORDINANCE NO. 1298 - BILL NO. 1479 - GENERAL
OBLIGATION (LIMITED TAX) PARK BONDS**

5:30 p.m. This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on May 12, 2006 to consider second reading and adoption of Bill No. 1479. Proof was made that due and legal Notice had been given.

The Chairman opened the public hearing by calling on anyone wishing to speak for or against adoption of said Ordinance.

John Sherman, Finance Director, stated this was the final step to issue the bonds.

Bill von Phul, Reno resident, said the taxpayers of Washoe County had paid dearly in the settlement with Evans Creek, LLC for the option to purchase two parcels of property from the Ballardini family. He said failure to exercise those options would be a real tragedy and leave the County walking away from this deal empty handed. He urged the Board to authorize the issuance of the park bonds so that the County would be in a position to purchase the parcels.

Tina Nappe, Reno resident, expressed her gratitude and appreciation to the Board for the difficulty they had with this process. She hoped that the Board would go forward and salvage what the County could from this agreement and acquire some land.

There being no one else wishing to speak, the Chairman closed the public hearing.

Commissioner Sferrazza said it was ambiguous whether the bonds could be used for land acquisition or settlement cost. Commissioner Sferrazza asked if the bonds specifically said they had to be used for settlement costs. Mr. Sherman replied that an allowable cost for the bonds was stated in the Ordinance. Mr. Sherman noted by approving the bond ordinance it would approve appropriation.

Melanie Foster, Legal Counsel, explained staff would be reviewing the settlement agreement and bring it back to the Board for the Chairman to sign. Commissioner Sferrazza asked if the Board would then vote on the appropriation of these funds for the settlement. Mr. Sherman said if that was the desire of the Board.

In response to Commissioner Weber, Mr. Sherman said he planned to issue an amount sufficient to deal with the elements of the settlement agreement.

Commissioner Weber said she would not support the motion because it stated the maximum principal amount was \$35-million, but the purpose of the money was for acquiring, constructing, improving, and equipping park projects within the County that included the Ballardini Ranch.

Commissioner Sferrazza said he would support the acquisition of the properties in question. He understood his vote for the bond issue would not mean that he would have to support the settlement agreement at a later date.

Commissioner Galloway clarified any other projects described in the settlement would have to come before the Board for a vote. He said the Board was not giving a blank check to the Regional Parks and Open Space Department.

Commissioner Weber said she would support the motion if it was for the purchase of anything within the Ballardini Ranch.

Katy Singlaub, County Manager, explained the intent of the issuance was to provide up to \$35,175,000 and have the money available when the County needed it.

Commissioner Humke said the acquisition of 115 acres of open space, which represented a connection from a public space to the open space currently owned by the County, was a positive action.

Commissioner Sferrazza stated the County would be able to acquire the property and be eligible for reimbursement from the federal government.

Commissioner Galloway said there was also the option to acquire an additional 105 acres as a right-of-first-refusal.

Ms. Singlaub clarified staff had been in conversation with the United States Forest Service regarding the potential for reimbursement for the County through the Southern Nevada Public Lands Management Act. She said that was not a sure thing, as there were issues the County had to address. She urged the Board to go forward with the understanding that staff was engaging this obligation and pursuing every possible way for reimbursement and support for this project.

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, Chairman Larkin ordered that Ordinance No. 1298, Bill No. 1479, entitled, "**AN ORDINANCE AUTHORIZING THE ISSUANCE BY THE COUNTY OF ITS NEGOTIABLE 'WASHOE COUNTY, NEVADA, GENERAL OBLIGATION (LIMITED TAX) PARK BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 2006,' IN THE MAXIMUM PRINCIPAL AMOUNT OF \$35,175,000 FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, IMPROVING AND EQUIPPING PARK PROJECTS WITHIN THE COUNTY, INCLUDING ACQUISITION OF BALLARDINI RANCH; PROVIDING THE FORM, TERMS AND CONDITIONS OF THE BONDS AND OTHER DETAILS IN CONNECTION THEREWITH,**" be approved, adopted and published in accordance with NRS 244.100.

ORDINANCE NO. 1299 - BILL NO. 1473 - REVISING REQUIREMENTS AND SCHEDULE OF RATES AND CHARGES - BUSINESS IMPACT STATEMENT - RESOLUTION

5:30 p.m. This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on April 28, May 5 and 12, 2006 to consider second reading and adoption of Bill No. 1473. Proof was made that due and legal Notice had been given.

The Chairman opened the public hearing by calling on anyone wishing to speak for or against adoption of said Ordinance. There being no response, the hearing was closed.

On motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, Chairman Larkin ordered that Ordinance No. 1299, Bill No. 1473, entitled, "AN ORDINANCE REVISING THE WASHOE COUNTY REQUIREMENTS AND SCHEDULE OF RATES AND CHARGES FOR RECLAIMED WATER SERVICE WITHIN CERTAIN AREAS OF WASHOE COUNTY; REQUIRING THE DEPARTMENT OF WATER RESOURCES, UTILITY SERVICES DIVISION, TO SUBMIT BILLINGS TO ALL RECLAIMED WATER USERS WITHIN THE CERTAIN AREAS; REQUIRING PAYMENT THEREOF; AND PROVIDING PROCEDURES FOR ITS ENFORCEMENT. THIS ORDINANCE REPEALS ORDINANCE NO. 1190," be approved, adopted and published in accordance with NRS 244.100.

It was further ordered that the Business Impact Statement related to the proposed ordinance revising the requirements and schedule of rates and charges for reclaimed water service within certain areas of the County be approved and the County Clerk be directed to make the findings available upon request.

Upon recommendation of John Rhodes, Deputy District Attorney, on motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Larkin be authorized to execute the same:

RESOLUTION

A RESOLUTION ADOPTING AN ORDINANCE AMENDING THE WASHOE COUNTY REQUIREMENTS AND SCHEDULE OF RATES AND CHARGES FOR RECLAIMED WATER SERVICE WITHIN CERTAIN AREAS OF WASHOE COUNTY, PROVIDING PROCEDURES FOR ITS ENFORCEMENT, AND REPEALING ORDINANCE NO. 1190.

WHEREAS, the proposed Ordinance Amending the Washoe County Requirements and Schedule of Rates and Charges for Reclaimed Water Service Within Certain Areas of Washoe County, and Providing Procedures for its Enforcement has been

previously discussed and considered at public meetings by the Board of County Commissioners of Washoe County; and

WHEREAS, the proposed Ordinance Amending the Washoe County Requirements and Schedule of Rates and Charges for Reclaimed Water Service Within Certain Areas of Washoe County was recommended for approval by the Director of the Department of Water Resources; and

WHEREAS, the proposed Ordinance Amending the Washoe County Requirements and Schedule of Rates and Charges for Reclaimed Water Service Within Certain Areas of Washoe County was presented to the Board of County Commissioners of Washoe County in a first reading on April 11, 2006; and

WHEREAS, pursuant to NRS 318.199 the Board of County Commissioners may take action after the public hearing and approve a Resolution Adopting an Ordinance Amending the Washoe County Requirements and Schedule of Rates and Charges for Reclaimed Water Service Within Certain Areas of Washoe County, and Providing Procedures for its Enforcement.

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the Board of County Commissioners of Washoe County, as follows:

1. The Ordinance Amending the Washoe County Requirements and Schedule of Rates and Charges for Reclaimed Water Service Within Certain Areas of Washoe County, Providing Procedures for its Enforcement, and Repealing Ordinance No. 1190 is hereby approved and adopted, and;
2. The Board of County Commissioners finds that this Ordinance does not impose a direct and significant economic burden upon a business, nor does it directly restrict the formation, operation or expansion of a business.

**06-568 PROPOSED AMENDMENT - GROUNDWATER REMEDIATION
DISTRICT NO. 24 - BOUNDARY ADJUSTMENTS**

5:30 p.m. This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on May 5, 2006 to consider all comments concerning a proposed amendment to the boundaries of the Groundwater Remediation District (Central Truckee Meadows Remediation District). Proof was made that due and legal Notice had been given.

The Chairman opened the public hearing by calling on anyone wishing to speak for or against the proposed amendment for the Groundwater Remediation District.

Chris Benedict, Remediation District Manager, advised the Service Area Boundary was adjusted to incorporate any new water service area served by water purveyors with municipal water supply wells within the contaminated boundaries. Mr.

Benedict pointed out there had been no increase in the budget for the Remediation District Program for the last three years, and the actual Remediation fees paid by the individual fee payer had decreased this year.

There being no one else wishing to speak, the Chairman closed the public hearing.

06-569 BILL NO. 1481 - DISTRICT NO. 24 - BOUNDARY ADJUSTMENTS

Bill No. 1481, entitled, "**AN ORDINANCE AMENDING ORDINANCE NO. 1000 IN ORDER TO CHANGE THE BOUNDARIES OF DISTRICT NO. 24 (GROUNDWATER REMEDIATION); AND PROVIDING OTHER MATTERS RELATING THERETO,**" was introduced by Commissioner Galloway, the title read to the Board and legal notice for final action of adoption directed.

06-570 BILL NO. 1482 - IMPOSING A FEE ON PARCELS OF LAND IN DISTRICT NO. 24 - WATER RESOURCES

Bill No. 1482, entitled, "**AN ORDINANCE IMPOSING A FEE ON THE PARCELS OF LAND IN WASHOE COUNTY, NEVADA DISTRICT NO. 24 (GROUNDWATER REMEDIATION) TO PAY THE COSTS OF DEVELOPING AND CARRYING OUT A PLAN FOR REMEDIATION; AND PRESCRIBING OTHER MATTERS RELATING THERETO,**" was introduced by Commissioner Galloway, the title read to the Board and legal notice for final action of adoption directed.

06-571 DEVELOPMENT AGREEMENT CASE NO. DA06-001 - WARM SPRINGS RANCH (TENTATIVE SUBDIVISION MAP CASE NO. TM04-005) - COMMUNITY DEVELOPMENT

5:30 p.m. This was the time set in a Notice of Public Hearing published in the *Reno Gazette Journal* and mailed to affected property owners on May 12, 2006 to consider the initial Development Agreement Case No. DA06-001 for Warm Springs Ranch (Tentative Subdivision Map Case No. TM04-005) approved by the Planning Commission of Washoe County on June 29, 2004. The sole purpose of the development agreement is to extend the expiration date of said Tentative Subdivision Map until June 29, 2008. [APNs 077-090-03, 077-090-07, 077-090-13, 077-090-14, 077-090-15, 077-340-04, 077-340-05, 077-340-37, 077-340-44, and 077-340-45.]

The Chairman opened the public hearing by calling on anyone wishing to speak for or against the Development Agreement Case No. DA06-001.

D. Sumner Young, Senior Planner, explained the sole purpose of this Agreement was to provide an extension of time for the tentative map concerning the Warm Springs Ranch within the Warm Springs Specific Plan. He said the County had granted approval for the development of 750 parcels under a tentative map and all parties would benefit from allowing the project to remain viable. Mr. Young said the developer

had been working with the Department of Water Resources to obtain an approval of the sewer plant to make this project work. He noted the District Attorney's Office and Community Development had been working with several of the property owners and representatives so all parties may benefit from the development and infrastructure required by the specific plan. Mr. Young said the Warm Springs Citizen Advisory Board (CAB) reviewed and approved the Warm Springs Ranch subdivision in 2003 and the Planning Commission approved the tentative map in 2004. He said the Development Code did not require development agreements to be sent to CAB's since the projects within the development agreement had been previously reviewed and approved. Mr. Young said staff recommends the Board approve the Development Agreement providing for the extension of the tentative subdivision map for Warm Springs Ranch until June 29, 2008.

There being no one else wishing to speak, the Chairman closed the public hearing.

In response to Chairman Larkin, Mr. Young replied staff had been working with the flood document and trying to work through all of the difficult issues. He said staff had finally distributed a development agreement to the entire parcel map property owners within the area. Chairman Larkin asked if this would be the last extension. Mr. Young replied it should be.

Upon recommendation of Mr. Young, through Adrian Freund, Community Development Director, on motion by Commissioner Galloway, seconded by Chairman Larkin, which motion duly carried, it was ordered that the Development Agreement providing for the extension of Tentative Subdivision Map Case No. TM04-005 for Warm Springs Ranch until June 29, 2008 be approved and Chairman Larkin be authorized to execute the same.

**06-572 BILL NO. 1483 - DEVELOPMENT AGREEMENT CASE NO.
DA06-001 - WARM SPRINGS RANCH - COMMUNITY
DEVELOPMENT**

Bill No. 1483, entitled, "AN ORDINANCE PURSUANT TO NEVADA REVISED STATUTES 278.0201 THROUGH 278.0207 APPROVING THE INITIAL DEVELOPMENT AGREEMENT CASE NO. DA06-001 FOR WARM SPRINGS RANCH - TENTATIVE SUBDIVISION MAP CASE NO. TM04-005 APPROVED BY THE PLANNING COMMISSION OF WASHOE COUNTY ON JUNE 29, 2004," was introduced by Commissioner Galloway, the title read to the Board and legal notice for final action of adoption directed.

**06-573 DEVELOPMENT AGREEMENT CASE NO. DA06-002 -
COMMUNITY DEVELOPMENT**

5:30 p.m. This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* and mailed to affected property owners on May 12, 2006 to conduct a

Public Hearing to consider the initial Development Agreement Case No. DA06-002 for numerous tentative parcel maps previously approved by the Parcel Map Review Committee of Washoe County. The sole purpose of the development agreement is to extend the expiration date of said parcel maps until April 12, 2007. [APNs: 077-100-15, 077-100-20, 077-130-10, 077-130-12, 077-130-13, 077-130-15, 077-130-16, 077-130-22, 077-130-31, 077-130-32, 077-140-03, 077-140-04, 077-340-16, 077-340-18, 077-340-20, 077-340-38, 077-340-41, and 077-340-67.]

The Chairman opened the public hearing by calling on anyone wishing to speak for or against the Development Agreement DA06-002.

D. Sumner Young, Senior Planner, noted the extension was until April 12, 2007. He said the parcel maps proposed would not require a sewage treatment plant and should commence developing as soon as the Development Agreement was approved.

There being no one else wishing to speak, the Chairman closed the public hearing.

Upon recommendation of Mr. Young, through Adrian Freund, Community Development Director, on motion by Commissioner Galloway, seconded by Chairman Larkin, which motion duly carried, it was ordered that the Development Agreement providing for the extension of tentative parcel maps represented by the signatures on the Development Agreement until April 12, 2007, be approved and Chairman Larkin be authorized to execute the same.

06-574 BILL NO. 1484 - DEVELOPMENT AGREEMENT CASE NO. DA06-002 - COMMUNITY DEVELOPMENT

Bill No. 1484, entitled, "AN ORDINANCE PURSUANT TO NEVADA REVISED STATUTES 278.0201 THROUGH 278.0207 APPROVING THE INITIAL DEVELOPMENT AGREEMENT CASE NO. DA06-002 FOR TENTATIVE PARCEL MAPS APPROVED BY THE PARCEL MAP REVIEW COMMITTEE OF WASHOE COUNTY," was introduced by Commissioner Galloway, the title read to the Board and legal notice for final action of adoption directed.

06-575 GRANT OF EASEMENT - APN 076-402-02 - CONSTRUCTION OF CONVEYANCE CHANNEL NORTH SPANISH SPRINGS - WATER RESOURCES

Upon recommendation of Jeanne Reufer, Water Resources Planning Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Sferrazza, seconded by Commissioner Humke, which motion duly carried, it was ordered that an easement of 2.84 acres on APN 076-402-02 for the construction of a conveyance channel appurtenant to the North Spanish Springs Floodplain Detention Facility be accepted and Chairman Larkin be authorized to execute the same. It was

further ordered that the payment of \$185,000 to Thomas W. Mueller, Trustee, and Mary Ann Mueller, Owners as Tenants in Common be approved.

9:00 p.m. Chairman Larkin temporarily left the meeting and Vice Chairman Weber assumed the gavel.

06-576 **DISCUSSION - MEMBERSHIP APPOINTMENTS/POSSIBLE CHANGES - CITIZEN ADVISORY BOARDS - COMMUNITY DEVELOPMENT**

Bob Webb, Planning Manager, discussed a variety of topics concerning possible changes or modifications to the current Citizen Advisory Board (CAB) program, as stated in the agenda memorandum dated May 3, 2006. He explained the purpose of the CAB's was to provide advice and recommendations to the Board on matters of concern to residents within a specific geographic area. Mr. Webb distributed a handout entitled *Citizen Advisory Board Vision and Purpose*¹.

9:05 p.m. Chairman Larkin returned.

In response to the call for public comment, Gary Schmidt stated he attended the Sun Valley CAB. He remarked the communities should not be divided for the Commissioners' convenience. Steve Cohen, Southwest Truckee Meadows CAB Chairman, stated CAB's were important because it was the first place for citizens to come and speak concerning the unincorporated areas. Juanita Cox suggested the Board listen to the will and the wisdom of the citizens.

Commissioner Sferrazza was concerned with the current system because he represented part of Sun Valley, but according to Attachment One, Commissioner Weber made all of the appointments. He noted a provision stated that no city residents could serve on the CAB's, and that resulted in the Board discriminating against incorporated residents. Commissioner Sferrazza requested that part of his District that had previously been denied representation in a CAB be given representation. He said the majority of the population that live in the Cities of Reno and Sparks should have the right to have input into decisions made by the County.

Commissioner Galloway requested his District be revised so that West Truckee Meadows would be included in District One south of the river.

Chairman Larkin requested a staff report in terms of public policy to employ the CAB's representation. He suggested a districtwide CAB. Chairman Larkin believed the CAB process was vital and invaluable. He recommended further unification in District Four rather than the splintering of the District.

Commissioner Humke stated he would continue to evaluate the policy that supported the CAB's since some of those policies dated back 31 years. He said it was important to pay attention to the neighborhood issues. Commissioner Humke noted the

CAB's might gain more respect if they had a greater degree of policies and a budget they were responsible for.

Vice Chairman Weber stated there were nine CAB's and Neighborhood Advisory Boards (NAB's) in her District. She said attending the meetings was a great way to hear about the community. Vice Chairman Weber offered one central district CAB with representatives from all the CAB's and NAB's within the District. She said Commissioner Sferrazza had requested to have his own District CAB many times and she supported that request.

Chairman Larkin said a Chair CAB meeting was scheduled for July, and the concept to reexamine the CAB's would be a good subject for discussion.

Mr. Webb clarified the Ordinance did not establish jurisdiction because the Board appointed citizens. He said it was stated in the resolution each individual CAB establishes their membership criteria. He said Commissioner recommendations were worked out between the Commissioners and forwarded to staff.

In response to Commissioner Sferrazza, Mr. Webb referenced the map in the staff report to explain the District boundaries.

Katy Singlaub, County Manager, encouraged the Board to give staff an element of direction to bring back a resolution to initiate a CAB for Commissioner Sferrazza. She said staff requested the discussion to be initiated and then brought back to the CAB chairs.

On motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, Vice Chairman Weber ordered that a CAB be established for the portion of District Three not in the North Valleys or Sun Valley CAB areas.

9:48 p.m. Chairman Larkin resumed the gavel.

06-577 **LEGISLATIVE ISSUES - SCR 26 SUBCOMMITTEE ACTIVITIES**
- LEGISLATIVE AFFAIRS

Katy Singlaub, County Manager, stated staff would be presenting the framework approved at the May 4, 2006 joint purveyors meeting during the SCR 26 Subcommittee meeting scheduled for May 24, 2006. She recognized the importance of the issue and welcomed the Legislature's interest in the County.

Chairman Larkin emphasized striking the name from the title of the staff report since the four water purveyors had not agreed on the naming of the entity.

Commissioner Humke explained Washoe County became involved in the water business because of the failure or bankruptcy of ten private water utilities.

Commissioner Galloway said the entities reached a compromise for a new water entity to deal with acquisition of uncommitted and new water resource and management of those resources at a regional level. He noted it was not to take over utilities.

In response to the call for public comment, Steve Cohen, South Truckee Meadows General Improvement District (STMGID) Local Managing Board Chairman, commented on what was accomplished at the joint meeting. He added STMGID was in support of the entity. Margaret Reinhardt, Sun Valley General Improvement District member, said she did not feel as though anything was broken and this was not welcomed. She saw it as subsidizing the building industry and was opposed.

Ms. Singlaub clarified the “Provisions of Draft Interlocal Cooperative Agreement,” was the product of the Joint Technical Committee. She said this was an expansion of what was seen before, but had not been approved by the other Boards; however, staff thought it pertinent to the discussion.

REPORTS/UPDATES FROM COUNTY COMMISSION MEMBERS

Commissioner Humke said there was an issue of certain capital expenditures the Reno-Sparks Convention and Visitors Authority (RSCVA) wished to pass on to the County Commission. He said RSCVA paid the debt services on the bond and would request the Board dedicate certain funds in advance as a reserve account so the RSCVA would be relieved a major portion of that account.

Chairman Larkin commented on the rebranding of the Regional Transportation Commission coaches.

Commissioner Galloway noted a two-day Tahoe Regional Planning Agency meeting would be held.

* * * * *

There being no further business to come before the Board, on motion by Commissioner Weber, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the meeting be adjourned to a Closed Session at 10:06 p.m. for the purpose of discussion negotiations with Employee Organizations per NRS 288.220. It was further ordered that the meeting would adjourn from the Closed Session.

ROBERT M. LARKIN, Chairman
Washoe County Commission

ATTEST:

AMY HARVEY, County Clerk
and Clerk of the Board of
County Commissioners

*Minutes Prepared by
Lori Rowe, Deputy Clerk
Stacy Gonzales, Deputy Clerk*