

**BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA**

TUESDAY

2:00 P.M.

JULY 11, 2006

PRESENT:

**Bob Larkin, Chairman**  
**Bonnie Weber, Vice Chairman**  
**Jim Galloway, Commissioner\***  
**David Humke, Commissioner**

**Amy Harvey, County Clerk**  
**John Berkich, Assistant County Manager**  
**Melanie Foster, Legal Counsel**

ABSENT:

**Pete Sferrazza, Commissioner**

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:

**06-762      AGENDA**

In response to the call for public comment, Sam Dehne objected to the two-minute rule for public speakers. Gary Schmidt objected to the approval of the agenda.

In accordance with the Open Meeting Law, on motion by Commissioner Weber, seconded by Commissioner Humke, which motion duly carried with Commissioners Galloway and Sferrazza absent, Chairman Larkin ordered that the agenda for the July 11, 2006 meeting be approved with the following change: **Delete** Item 13, Sierra Fire Protection District.

**06-763      PUBLIC COMMENTS**

Assistant County Manager John Berkich 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. Mr. Berkich 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."

Guy Felton spoke on the Open Meeting Law.

Sam Dehne commented on the camera angles used during public comment.

Gary Schmidt said he was opposed to the two-minute time limit for public speakers. He stated, under the approval of the agenda, every item listed was subject to criticism and discussion.

### **COMMISSIONERS'/MANAGER'S ANNOUNCEMENTS**

**\*2:26 p.m.** Commissioner Galloway arrived.

Commissioner Weber said citizens from District 5 applied for the Planning Commission, and she apologized for not acknowledging the receipt of their applications. She stated she had attended several Artown events and added Artown was a wonderful community gathering.

Commissioner Galloway said he represented the County at the first annual Ice Cream Festival and thanked the Reno Host Lions Club for sponsoring the event.

John Berkich, Assistant County Manager, introduced Nate Branscome as this year's International City/County Management Association (ICMA) fellow.

### **DISCUSSION ON CONSENT AGENDA**

In response to the call for public comment, Sam Dehne was pleased that the consent agenda was condensed to a reasonable amount of items.

#### **06-764 MINUTES**

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried with Commissioner Sferrazza absent, Chairman Larkin ordered that the minutes of the special meeting of May 1, 2006, the regular meeting of May 9, 2006, and the special meeting of May 15, 2006 be approved.

#### **06-765 FINANCIAL REPORT - GOVERNMENTAL FUNDS - COMPTROLLER**

Upon recommendation of Kathy Garcia, Comptroller, on motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried with Commissioner Sferrazza absent, Chairman Larkin ordered that the Financial Report for Washoe County Governmental Funds for the eleven months ended May 31, 2006 - unaudited be accepted.

**RESOLUTION - LEVYING TAX RATES - FINANCE**

In response to Commissioner Weber, John Berkich, Assistant County Manager, replied this was a formality required by Statute to set the tax rates for the coming year.

Upon recommendation of Anna Heenan, Senior Fiscal Analyst, through John Sherman, Finance Director, on motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried with Commissioner Sferrazza absent, it was ordered that the following resolution be adopted and Chairman Larkin be authorized to execute the same:

**RESOLUTION LEVYING TAX RATES FOR ALL WASHOE COUNTY ENTITIES FOR THE 2006-2007 FISCAL YEAR**

**WHEREAS**, the Nevada Tax Commission has certified the combined tax rates for the 2006-2007 fiscal year;

**WHEREAS**, the Board of County Commissioners are required, pursuant to NRS 361.460, to levy the tax rates for all local government entities in Washoe County for the fiscal period beginning July 1, 2006, and to designate the number of cents of each \$100 of property levied for each fund; and

**WHEREAS**, to confirm to the Nevada Department of Taxation the taxes levied, the Department of Taxation has requested County Commissioners to adopt the resolution levying the tax rates of all local entities pursuant to NRS 361.460 and forward a copy of the Resolution to the Department;

**NOW THEREFORE, BE IT RESOLVED**, that the Board of County Commissioners of Washoe County, Nevada, hereby levy the tax rates for all local government entities in Washoe County as such rates have been certified by the Nevada Tax Commission;

**BE IT FURTHER RESOLVED**, that the tax rates for all local government entities in Washoe County for the fiscal year 2006-2007 as certified and levied are shown on the exhibits which were placed on file with the Clerk; and

**BE IT FURTHER RESOLVED**, that the tax rate for Washoe County be designated and distributed for each fund as shown on the exhibits which were placed on file with the Clerk; and

**BE IT FURTHER RESOLVED**, that the County Clerk is hereby directed to distribute copies of this Resolution along with all attachments to the Nevada Department of Taxation, the Cities of Reno and Sparks, the Truckee Meadows Fire Protection District, the Washoe County Treasurer, the Comptroller, and the Finance Director.

**06-767**            **GRANTS - NEVADA DIVISION OF ENVIRONMENTAL PROTECTION WELLHEAD PROTECTION PROGRAM - WATER RESOURCES**

Upon recommendation of Jeanne Ruefer, Water Resources Planning Division Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried with Commissioner Sferrazza absent, Chairman Larkin ordered that two grants through the Nevada Division of Environmental Protection Wellhead Protection Program (WHPP) be accepted. It was noted the grants would be used to develop and implement a WHPP for the County's Spanish Springs Valley Water System, and update the WHPP for the Lemmon Valley, South Truckee Meadows General Improvement District, Hidden Valley, and Mount Rose Water Systems. It was also noted that the Grant funds consist of 100 percent assistance in the amount of \$24,070.20 and \$18,666.00.

**06-768**            **AGREEMENT - THE NEVADA LAND CONSERVANCY - ACQUISITION OF REAL PROPERTY - PARKS**

Upon recommendation of Doug Doolittle, Regional Parks and Open Space Director, through Katy Singlaub, County Manager, on motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried with Commissioner Sferrazza absent, it was ordered that an agreement between Washoe County and the Nevada Land Conservancy to provide professional services in support of the acquisition of real properties for the Regional Parks and Open Space program be approved and Chairman Larkin be authorized to execute the same. It was noted that the contract amount was not to exceed \$95,000 for the period July 1, 2006 through to June 30, 2007.

**06-769**            **TRAVEL EXPENSE - ASSOCIATION OF PUBLIC SAFETY COMMUNICATIONS OFFICIALS 2006 CONFERENCE**

Upon recommendation of Tom Miller, 911 Emergency Response Advisory Committee Chair, on motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried with Commissioner Sferrazza absent, Chairman Larkin ordered that the travel to the Association of Public Safety Communications Officers 2006 International Conference in Orlando, Florida for E911 Advisory Committee Members and their duly authorized representatives be approved. It was noted the estimated cost of travel was \$2,073.

**06-770**            **EXPENDITURE - ENHANCED 911 FUND - SYMPOSIUM SOFTWARE UPGRADE - RENO EMERGENCY OPERATIONS CENTER**

Upon recommendation of Tom Miller, 911 Emergency Response Advisory Committee Chair, on motion by Commissioner Galloway, seconded by

Commissioner Weber, which motion duly carried with Commissioner Sferrazza absent, Chairman Larkin ordered that the expenditure of \$64,849.63 from the Enhanced 911 Fund to AT&T for the purpose of Symposium software upgrade and accompanying end-user equipment for the Reno Emergency Operations Center be approved.

**06-771            SECURITY AGREEMENT - LAKE TAHOE SHAKESPEARE  
FESTIVAL - SHERIFF**

Upon recommendation of Louis Gazes, Sergeant, through Dennis Balaam, Sheriff, on motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried with Commissioner Sferrazza absent, it was ordered that the security agreement between the Washoe County Sheriff's Department and the Lake Tahoe Shakespeare Festival to provide uniformed deputy sheriffs for the 2006 Lake Tahoe Shakespeare Festival to be held on July 21, 2006 through August 20, 2006 be approved and Chairman Larkin be authorized to execute the same. It was noted there was no fiscal impact to the County as the estimated security costs of \$9,400 would be paid for by the Lake Tahoe Shakespeare Festival.

**06-772            SECURITY AGREEMENT - RENO-TAHOE OPEN FOUNDATION  
- RENO-TAHOE OPEN - SHERIFF**

Upon recommendation of Dean Spurr, Sergeant, through Dennis Balaam, Sheriff, on motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried with Commissioner Sferrazza absent, it was ordered that the security agreement between the Washoe County Sheriff's Department and the Reno-Tahoe Open Foundation to provide uniformed deputy sheriffs for the 2006 Reno-Tahoe Open Golf Tournament to be held on August 21, 2006 through August 27, 2006 be approved and Chairman Larkin be authorized to execute the same. It was noted there was no fiscal impact to the County as the estimated security costs of \$40,000 would be paid for by the Reno-Tahoe Open Foundation.

**06-773            GRANT - NEVADA STATE DEPARTMENT OF HEALTH AND  
HUMAN SERVICES BUREAU OF LICENSURE AND  
CERTIFICATION - LIVESCAN FINGERPRINTING EQUIPMENT  
- SHERIFF**

Upon recommendation of Steven Kelly, Lieutenant, through Dennis Balaam, Sheriff, on motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried with Commissioner Sferrazza absent, Chairman Larkin ordered that the grant award from the Nevada State Department of Health and Human Services, Bureau of Licensure and Certification, for the purchase of Livescan Fingerprinting Equipment in the amount of \$15,800 with no County match be accepted.

It was further ordered that the Budget Division be directed to make the following budget adjustments:

<b>ACCOUNT NUMBER</b>	<b>DESCRIPTION</b>	<b>AMOUNT OF INCREASE</b>
<b>Increase Revenues</b>		
10540-431185	Criminal History Background Check-Federal Grants	\$15,800
<b>Increase Expenditures</b>		
10540-781004	Criminal History Background Check - Equipment >\$10,000	\$15,800

**06-774      MANUFACTURER'S LICENSE - BREWPUB - CHICAGO AMERICA HOLDING, LLC - COMMUNITY DEVELOPMENT**

Upon recommendation of Bob Webb, Planning Manager, through Adrian Freund, Community Development Director, on motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried with Commissioner Sferrazza absent, Chairman Larkin ordered that the Washoe County BrewPub License for Chicago America Holding, LLC dba BJ's Restaurant & Brewery be approved subject to the following conditions:

1. BJ's Restaurant & Brewery may not manufacture more than 5,000 barrels of malt beverage in any calendar year. If Chicago America Holding, LLC operates other licensed brewpubs within Washoe County, then the total production of all brewpubs cannot exceed 5,000 barrels of malt beverage in any calendar year.
  
2. BJ's Restaurant & Brewery must be conspicuously identified as a brewpub.

It was further ordered that each Commissioner sign the State of Nevada *Application for Manufacturer's License*.

**06-775      REAPPOINTMENTS - WEST WASHOE VALLEY CITIZEN ADVISORY BOARD**

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried with Commissioner Sferrazza absent, Chairman Larkin ordered that Jane Countryman and Hans Struffert be reappointed as At-Large members to the West Washoe Valley Citizen Advisory Board with terms beginning July 1, 2006 and ending June 30, 2008.

**06-776            STATUS REPORT - 2005 HISTORIC PRESERVATION GRANT -  
COMMUNITY DEVELOPMENT**

Upon recommendation of Eva Krause, Planner, through Adrian Freund, Community Development Director, on motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried with Commissioner Sferrazza absent, Chairman Larkin ordered that the status report on the 2005 Historic Preservation Grant and next steps to protect historic resources be accepted.

**06-777            CONVEYANCE OF GROUND WATER RIGHTS - GRAND SLAM  
ENTERPRISES, LLC - WATER RESOURCES**

In response to Chairman Larkin, Vahid Behmaram, Water Rights Manager, explained Grand Slam Enterprises, LLC was deeding 2-acre feet of groundwater rights to Washoe County. He said an additional 10-acre feet was assigned interest to Grand Slam Enterprises, LLC from a third party that the County held in trust. Mr. Behmaram concluded the County would be leasing all 12-acre feet back to Grand Slam Enterprises, LLC for 99 years at no cost to support their concrete batch plant.

Commissioner Galloway stated other people dedicated water to the County; however, he was not aware of a lease back option. Mr. Behmaram explained the 99-year leases had been in place for many years with Sierra Pacific Power Company and the Truckee Meadows Water Authority (TMWA). He said Grand Slam Enterprises have their own small water system they operate; and, with the lease back option, they had that water to exercise in support of their operation.

Upon recommendation of Mr. Behmaram, and Paul Orphan, Engineering Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried with Commissioner Sferrazza absent, it was ordered that the conveyance of 2.00 acre-feet of water rights from Grand Slam Enterprises, LLC to Washoe County in support of a concrete batch plant and the associated Water Sale Agreement leasing said water rights back to Grand Slam Enterprises, LLC be approved. It was further ordered that a second Water Sale Agreement leasing 10.00 acre-feet of groundwater rights back to Grand Slam Enterprises, LLC for said project be approved. It was also ordered that Chairman Larkin be authorized to execute the water rights deed, and the water sale agreement, and the Engineering Manager be directed to record both documents.

**06-778            INTERLOCAL AGREEMENT - SOUTH TRUCKEE MEADOWS  
GENERAL IMPROVEMENT DISTRICT - DIVISION OF WATER  
SERVICE AREAS - WATER RESOURCES**

Melanie Foster, Legal Counsel, explained the term was set for three years, which would make the expiration date of the agreement July 11, 2009.

Upon recommendation of Paul Orphan, Engineering Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried with Commissioner Sferrazza absent, it was ordered that an interlocal agreement between Washoe County and the South Truckee Meadows General Improvement District, concerning the Division of Water Service Areas, be approved and Chairman Larkin be authorized to execute the same.

**06-779                    GRANT AWARDS - OLDER AMERICAN'S ACT - DIVISION OF AGING SERVICES - SENIOR SERVICES**

Upon recommendation of Marietta Bobba, Senior Services Director, through John Berkich, Assistant County Manager, on motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried with Commissioner Sferrazza absent, Chairman Larkin ordered that the various grant awards funded by the Older American's Act from the Division for Aging Services for Senior Services programs for the period of July 1, 2006 through June 30, 2007 in the amount of \$458,841 (with \$50,922 in-kind and \$30,050 cash match) be accepted. It was further ordered that the Finance Department be directed to make the following budget adjustments:

<b>ACCOUNT NUMBER</b>	<b>DESCRIPTION</b>	<b>AMOUNT OF INCREASE</b>
10517-431100	Federal Revenue	\$10,000.00
10517-701110	Base Salaries	3,010.00
10517-710512	Auto Expense	644.00
10517-710500	Other Expense	6,346.00

**06-780                    AGREEMENT - WASHOE LEGAL SERVICES - CHILD PROTECTIVE SERVICES - DISTRICT COURT/SOCIAL SERVICES/MANAGER**

John Berkich, Assistant County Manager, highlighted the background of Washoe Legal Services (WLS) as stated in the agenda memorandum dated June 9, 2006.

Judge Deborah Schumacher, District Court Judge, Family Division, summarized the need for WLS to provide representation for children currently in the County's Child Protective Services. She discussed the background when WLS began services to children and explained the need for approval of this agreement as stated in the staff report. Judge Schumacher explained this was a joint proposal submitted by the Washoe County Family Court, Washoe County Social Services, Court Appointed Special Advocates (CASA), and WLS.

Paul Elcano, WLS Executive Director, said he envisioned this as a long-term commitment, continuation, and growth regarding this essential service. He emphasized how the proposed agreement would expand the existing program and how



WLS would use a combination of federal grant funds and private donations to fund the program for the first two years of the contract.

In response to the call for public comment, Gary Schmidt said he approved of this item. He read into the record the agenda item as posted and said there was no notice of presentations, which violated the Open Meeting Law. Sam Dehne spoke in favor of the item but stated the amount should have been mentioned on the agenda.

Commissioner Galloway asked if there would be future laws concerning children having attorneys not under the protection of Social Services. Judge Schumacher explained the Adoption and Safe Families Act required, if a child could not be safely returned to their home within 12 months, the County must file for the termination of parental rights. She said that key distinguished this kind of case from others.

Commissioner Humke disclosed he was employed by the National Council of Juvenile and Family Court Judges and inquired if there was a conflict. Melanie Foster, Legal Counsel, replied there was no conflict to implicate his private pecuniary interest or cause concern that he had a commitment in a private capacity. Commissioner Humke asked if there had been an Open Meeting Law violation in the manner in which this item was noticed. Ms. Foster said there had not.

In response to Commissioner Weber, Mr. Elcano did not believe the program would add additional bureaucracy. He said it would require hiring capable people and assigning them additional caseloads.

Chairman Larkin asked how to consider holding parents accountable and how to begin recouping costs being levied on the County. Judge Schumacher said she had no ability to levy costs. She remarked there was a mechanism to impose repayment of costs from people who received Public Defender representation, which could be explored here as well; however, she did not know the success of that program. She suggested a cost benefit analysis.

In response to Commissioner Galloway, Judge Schumacher replied there was a difficult difference between a guardian ad litem and a lawyer. She explained time was different for young children, and they needed to be moved through the system to either return back to their parents or move on.

Karen Sabo, WLS Child Advocacy attorney, said social workers could not be an effective advocate for children because of their workloads. She stated social workers had an obligation to follow the law in accordance with strict guidelines in achieving unification with families. Ms. Sabo noted, because the District Attorney's Office represented Social Services, they could not effectively go into a courtroom and advocate for the children.

Commissioner Humke was concerned about the timeline the federal government had provided through the Adoption and Safe Families Act, and he asked for

clarification on that timeline. Judge Schumacher explained the timeline and the requirements and said most families have a year to remedy the conditions that led to the removal of the child. She noted the child advocate would look after the child's needs.

Chairman Larkin stated this Commission could not encumber future Commissions. He said this agreement would have to be budgeted in fiscal years 2008/09 and 2009/10 and asked what WLS would do if this were not funded. Mr. Elcano explained the grant was contingent upon funding for the four years. Ms. Foster clarified the agreement contained the required fund-out clause. She said every agreement the Board entered into was done so with the recognition of an appropriations issue. Chairman Larkin asked what WLS had to offer that the Public Defender's Office or the future Alternate Public Defender's Office did not have. Mr. Elcano explained the Public Defender's Offices could not handle these children because of conflicts.

In response to Commissioner Galloway, Ms. Sabo replied everyone worked together as a team to determine the best interest of the child. She stated she was a part of that process, and she contributed her efforts as part of the team to protect the child's legal interests.

In response to Commissioner Humke, Jeremy Bosler, Public Defender, said he supported this proposal since it gave a right to counsel for children. He said, when a child was removed from the home for alleged abuse or neglect, that child could be a potential witness against the adults. He believed it was essential to have the Public Defender's Office involved so they could assign a criminal and family court deputy to handle those cases. Mr. Bosler said those same circumstances would also exist in the Alternate Public Defender's Office.

Chairman Larkin asked how CASA` would work with WLS. Mary Herzik, CASA Program Director, replied CASA had an opportunity to work with Ms. Sabo. She said the best way to provide representation for children would be to have an attorney who could represent the child's legal issues and a CASA volunteer who could develop an on-going relationship. Ms. Sabo believed it was a collaborative process, and she said the plan before the Board would help deliver the best representation for these children. Chairman Larkin disclosed his wife was a CASA volunteer.

Following further discussion, on motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried with Commissioner Sferrazza absent, it was ordered that the agreement between Washoe County and Washoe Legal Services, concerning the legal representation of children in the Child Protective Services system, be approved with the following conditions:

1. To have an annual review of the performance of the contract that would include objective data regarding how the system was working.

2. That the fifth year optional renewal of the contract come back before the Board and occur no later than nine months prior to the expiration of the four years with a cost benefit analysis.

It was further ordered that Chairman Larkin be authorized to execute the agreement.

**06-781            AGREEMENT – HAMILTON HOMES – REGIONAL  
TRANSPORTATION COMMISSION – PYRAMID HIGHWAY  
IMPROVEMENTS - PUBLIC WORKS**

In response to Chairman Larkin, Clara Lawson, Licensed Engineer, explained the Pyramid Highway improvements.

Upon recommendation of Ms. Lawson, through Tom Gadd, Public Works Director, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried with Commissioner Sferrazza absent, it was ordered that the capital contribution front ending agreement (CCFEA) between Washoe County, Hamilton Homes (developers of record), and the Regional Transportation Commission (RTC), concerning design and construction of the Pyramid Highway intersection improvements in an estimated cost of \$520,000, be approved and Chairman Larkin be authorized to execute the same.

**5:10 p.m.**        The Board recessed.

**5:57 p.m.**        The Board reconvened.

**06-782            ORDINANCE NO. 1308 - BILL NO. 1487 – HONALO KAI, LLC -  
DEVELOPMENT AGREEMENT CASE NO. DA05-001**

**5:30 p.m.**        This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on June 30, 2006 to consider second reading and adoption of Bill No. 1487. 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 with Commissioner Sferrazza absent, Chairman Larkin ordered that Ordinance No. 1308, Bill No. 1487, entitled, "**AN ORDINANCE PURSUANT TO NEVADA REVISED STATUTES 278.0201 THROUGH 278.0207 ADOPTING THE DEVELOPMENT AGREEMENT CASE NO. DA05-001 FOR TENTATIVE PARCEL MAP CASE NO.'S PM04-050, PM04-051, PM04-052, PM04-053, PM04-054 AND PM04-055, APPROVED BY THE**

**PARCEL MAP REVIEW COMMITTEE OF WASHOE COUNTY ON JANUARY 21, 2005,"** be approved, adopted and published in accordance with NRS 244.100.

**06-783            ORDINANCE NO. 1309 - BILL NO. 1488 – LARRY AND MARLENE ROBBINS – DEVELOPMENT AGREEMENT CASE NO. DA05-002**

**5:30 p.m.**        This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on June 30, 2006 to consider second reading and adoption of Bill No. 1488. 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 Galloway, seconded by Commissioner Humke, which motion duly carried with Commissioner Sferrazza absent, Chairman Larkin ordered that Ordinance No. 1309, Bill No. 1488, entitled, "**AN ORDINANCE PURSUANT TO NEVADA REVISED STATUTES 278.0201 THROUGH 278.0207 ADOPTING THE DEVELOPMENT AGREEMENT CASE NO. DA05-002 FOR TENTATIVE PARCEL MAP CASE NO.'S PM05-015, PM05-016 AND PM05-017, APPROVED BY THE PARCEL MAP REVIEW COMMITTEE OF WASHOE COUNTY ON MAY 20, 2005,"** be approved, adopted and published in accordance with NRS 244.100.

**06-784            ORDINANCE NO. 1310 - BILL NO. 1489 – SIERRA NEVADA EQUESTRIAN ESTATES, LLC – DEVELOPMENT AGREEMENT CASE NO. DA05-003**

**5:30 p.m.**        This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on June 30, 2006 to consider second reading and adoption of Bill No. 1489. 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 Galloway, seconded by Commissioner Humke, which motion duly carried with Commissioner Sferrazza absent, Chairman Larkin ordered that Ordinance No. 1310, Bill No. 1489, entitled, "**AN ORDINANCE PURSUANT TO NEVADA REVISED STATUTES 278.0201 THROUGH 278.0207 ADOPTING THE DEVELOPMENT AGREEMENT CASE NO. DA05-003 FOR TENTATIVE PARCEL MAP CASE NO.'S PM05-040 THROUGH PM05-060, APPROVED BY THE PARCEL MAP REVIEW COMMITTEE OF WASHOE COUNTY ON OCTOBER 13, 2005,"** be approved, adopted and published in accordance with NRS 244.100.

**06-785            ORDINANCE NO. 1311 - BILL NO. 1490 - AMENDING WCC**  
**CHAPTER 5 – LEGISLATIVE AND LOBBYING**  
**REIMBURSEMENT**

**5:30 p.m.**        This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on June 30, 2006 to consider second reading and adoption of Bill No. 1490. 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 with Commissioner Sferrazza absent, Chairman Larkin ordered that Ordinance No. 1311, Bill No. 1490, entitled, "**AN ORDINANCE AMENDING SECTION 5.365 OF THE WASHOE COUNTY CODE BY ADDING LANGUAGE THERETO WHICH ADDS FEDERAL AND LOCAL GOVERNMENT LEGISLATIVE AND LOBBYING ACTIVITIES TO THOSE FOR WHICH REIMBURSEMENT OF REASONABLE AND NECESSARY LOBBYING EXPENSES MAY BE SOUGHT BY COUNTY OFFICERS AND EMPLOYEES,**" be approved, adopted and published in accordance with NRS 244.100.

It was further ordered that any eligible lobbying expenses incurred by staff since January 1, 2006 be ratified.

**06-786            ORDINANCE NO. 1312 - BILL NO. 1491 - AMENDING WCC**  
**CHAPTER 5 – FOOD AND ENTERTAINMENT EXPENSES**

**5:30 p.m.**        This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on June 30, 2006 to consider second reading and adoption of Bill No. 1491. 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 Galloway, seconded by Commissioner Weber, which motion duly carried with Commissioner Sferrazza absent, Chairman Larkin ordered that Ordinance No. 1312, Bill No. 1491, entitled, "**AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY ADDING A NEW SECTION TO CHAPTER 5 AUTHORIZING THE COUNTY MANAGER TO APPROVE EXPENDITURES FOR INCIDENTAL FOOD AND ENTERTAINMENT EXPENSES FOR CERTAIN AUTHORIZED ACTIVITIES IN AMOUNTS LESS THAN \$2,500,**" be approved, adopted and published in accordance with NRS 244.100.

**OUTDOOR FESTIVAL BUSINESS LICENSE APPLICATION -  
RENO-TAHOE OPEN 2006 GOLF TOURNAMENT -  
COMMUNITY DEVELOPMENT**

**5:30 p.m.** This was the time set in a Notice of Public Hearing published in the *Reno-Gazette Journal* on June 30, 2006 to consider the application for an outdoor festival business license for the Reno-Tahoe Open 2006 Golf Tournament. The Reno-Tahoe Open 2006 is to be held on August 21-27, 2006. The event is proposed to be held at the Montreux Golf and Country Club (Assessor's Parcel Numbers 148-010-25, 148-010-31, 148-010-50, 148-061-65, 148-100-02, and 148-140-11) with additional off-site parking located on a vacant parcel generally located south of the intersection of State Route 431 and Wedge Parkway (Assessor's Parcel Number 144-070-03). Tournament volunteer staff will be parking at Galena High School (Assessor's Parcel Number 144-010-01). The Reno-Tahoe Open 2006 is a PGA tour sanctioned golf tournament and this event marks the eighth year for the tournament. Event organizers estimate that a total of 30,000 spectators will participate in the event for the week. Based on the testimony and evidence presented at the hearing, to include the report of reviewing agencies, the County Commissioners may approve the issuance of the business license with conditions, or deny the business license. 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 issuance of said business license. There being no response, the hearing was closed.

In response to Commissioner Humke, Bob Webb, Planning Manager, noted the major changes in the business license were in the areas of health and traffic conditions that the applicant met beforehand.

On motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried with Commissioner Sferrazza absent, Chairman Larkin ordered that the Outdoor Festival Business License for the Reno-Tahoe Open 2006 Golf Tournament be approved subject to the following conditions:

**LICENSING REQUIREMENTS FOR AN OUTDOOR FESTIVAL  
BUSINESS LICENSE  
RENO-TAHOE OPEN 2006 GOLF TOURNAMENT**  
(Approved by the Washoe County Commission on July 11, 2006)

AT THE PUBLIC HEARING HELD ON JULY 11, 2006 AS REQUIRED UNDER WASHOE COUNTY CODE §25.277, THE WASHOE COUNTY BOARD OF COMMISSIONERS (BOARD) ESTABLISHED CONDITIONS WHICH MUST BE MET PRIOR TO THE ISSUANCE OF ANY OUTDOOR FESTIVAL BUSINESS LICENSE PURSUANT TO WASHOE COUNTY CODE §25.263 TO §25.305, INCLUSIVE. SUCH CONDITIONS MAY BE IMPOSED BY THE BOARD UNDER THE COUNTY'S GENERAL POLICE POWER AS MAY BE NECESSARY UNDER ALL THE CIRCUMSTANCES NECESSARY FOR THE PROTECTION OF THE

HEALTH, WELFARE, SAFETY AND PROPERTY OF LOCAL RESIDENTS AND PERSONS ATTENDING AN OUTDOOR FESTIVAL IN THE COUNTY, INCLUDING, WITHOUT LIMITATION, THE CONDITIONS SPECIFIED IN WASHOE COUNTY CODE §25.291 TO §25.305, INCLUSIVE (SEE CONDITIONS LISTED BELOW).

COMPLIANCE WITH THE CONDITIONS OF THIS LICENSE IS THE RESPONSIBILITY OF THE LICENSEE AT THE LICENSEE'S EXPENSE. FAILURE TO COMPLY WITH ANY CONDITIONS IMPOSED BY THE COUNTY COMMISSION MAY CAUSE WASHOE COUNTY TO NOT ISSUE THE BUSINESS LICENSE OR FOR THE COUNTY TO TAKE APPROPRIATE MEASURES TO REVOKE OR SUSPEND THE BUSINESS LICENSE.

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

THE APPLICANT SHALL SUBMIT ALL REQUIRED PLANS, PERMITS, DOCUMENTATION, ETC., TO THE IDENTIFIED RESPONSIBLE AGENCY. THE APPLICANT SHALL PROVIDE WASHOE COUNTY BUSINESS LICENSE WITH PROOF OF COMPLIANCE PURSUANT TO WASHOE COUNTY CODE §25.283(1) WITH ALL CONDITIONS BY AUGUST 9, 2006. WASHOE COUNTY BUSINESS LICENSE WILL ISSUE THE OUTDOOR FESTIVAL BUSINESS LICENSE AFTER DETERMINING THAT ALL OF THESE CONDITIONS HAVE BEEN MET AND THAT ALL APPLICABLE FEES AND DEPOSITS HAVE BEEN PAID.

#### GENERAL CONDITIONS

1. Police protection (Sheriff):  
(Staff contact: Deputy Ron Breaux)
  - a. Applicant will contract with either a private security firm licensed in the State of Nevada or with the Washoe County Sheriff's Office to provide security. All security personnel employed by a private security firm will have current Washoe County security guard work permits. The number and type of security personnel to provide for the preservation of order and protection of persons and property in and around the place of the event shall be determined and specified by the Sheriff.
  - b. Applicant will also be responsible for all costs incurred by the Washoe County Sheriff's Office (WCSO) to provide police protection for the event and the community. To ensure personnel and equipment costs are met by the licensee, a cash bond of the estimated cost may be required to be placed with the Sheriff's Office.

- c. Security personnel will have radio communication with the WCSO as all times and authority and control of this augmented security force will be subordinate to all on-scene law enforcement personnel.
  - d. Vehicle and pedestrian access controls will be established to the satisfaction of the WCSO.
  - e. Hours of operation will be enforced by on-site security personnel and the WCSO.
  - f. Centrally located sites for a command post and staging area for the WCSO will be provided, including power and telephone service.
2. Food concessions and attendant sanitary facilities (District Health):  
(Staff contact: Jeffrey M. Brasel, 328-2620)
- a. A promoter's permit shall be obtained by Reno-Tahoe Open Foundation from the Washoe County District Health Department no less than 14 calendar days prior to the event.
  - b. Hole-in-One catering shall obtain all food permits 7 calendar days or more in advance of the event.
  - c. All hoses for food concessionaires' 5-gallon jugs shall be hooked to a potable water supply with backflow prevention devices attached. As there is non-potable water on-site, therefore the specific locations of the potable water sources must be identified.
  - d. Garbage receptacles shall have lids to control the number and attraction of bees and flies.
  - e. Dumpster shall be accessible as per layout to Waste Management for collection during the event.
3. Medical services (District Health)  
(Staff contact: Stephanie Beck, 328-2420. All documentation requested prior to and after the event should be sent to Stephanie Beck, RN, EMS Coordinator, Washoe County District Health Department, P.O. Box 11130, Reno, Nevada, 89520.)
- a. Handicap accessible Sani-Huts with hand washing stations shall be supplied next to or near each first aid station on the front and back nine holes.
  - b. Applicant shall supply a letter from St. Mary's by August 1, 2006, confirming the St. Mary's Take Care A Van on-site mobile medical care unit.



- c. Applicant shall supply a letter from REMSA confirming that an ALS dedicated ambulance will be on site whenever vendors, participants or spectators are present; that REMSA has pre-approved locations for the landing zone for Care Flight; and, that REMSA has been given ingress/egress information.
- d. Two first aid stations will be present, staffed by an EMT and a nurse, and marked with visible signage and highlighted on course maps distributed to the public. A copy of the course map showing the location of first aid stations shall be provided to staff prior to the event.
- e. An electric utility vehicle "people mover" will be available for medical personnel to access areas not accessible to motor vehicles.
- f. A bicycle team of paramedics and a physician will be roving between the first aid stations.
- g. All medical response personnel will be equipped with two radios to communicate with tournament staff.
- h. An area large enough to accommodate Care Flight medical evacuations will be pre-designated on the course and at the driving range, and communicated with REMSA.
- i. Prior to August 1, 2006, the applicant shall provide the name and contact information for the event's medical coordinator, to include the cell phone number of each on scene medical coordinator who will be present for the days of the event.
- j. Biological waste containers (red bags for waste and appropriate sharp containers) are to be provided in the medical van and the two first aid tents. Arrangements shall be made for the disposal of these wastes, either through a hazardous waste vendor or the medical providers.
- k. By August 1, 2006, the applicant shall provide copies of the letters sent to the Emergency Department Managers at Washoe Medical Center, Washoe Medical Center South Meadows, St. Mary's Regional Medical Center, and Northern Nevada Medical Center notifying them of the tournament and its dates.
- l. Applicant will provide a vehicle pass for on-site parking for the EMS Program staff to carry out an on-site inspection during the event.
- m. Summary data of medical contacts will be provided to staff within 30 days after the event.

4. Illumination (Building and Safety):  
(Staff contact: Charlene Parish, 328-2039)
  - a. Applicant must apply to the Building and Safety Department for permits for any temporary electrical power provision.
  
5. Hours of Operation (Community Development)  
(Staff contact: Bob Webb, 328-3623)
  - a. The event shall operate only between the hours of 6:30 a.m. until 8:00 p.m. each day from August 15, 2006 until August 21, 2006. Tournament staff is allowed on site from 5:30 a.m. until 10:00 p.m. each day of the tournament.
  
6. Licensing and Inspections (Community Development)  
(Staff contact: Bob Webb, 328-3623 or Karin Kremers, 328-3733)
  - a. PGA TOUR Apparel shall obtain an appropriate Washoe County business license.
  - b. Hole-in-One Catering shall obtain appropriate Washoe County business and intoxicating liquor licenses.
  - c. The applicant shall provide a copy of the approved Nevada Department of Transportation application and permit for temporary occupancy of NDOT right-of-way. The applicant shall provide letters of agreement with Ormat Nevada, Inc. and Caithness Operating Company for the use of roadway easements.
  - d. The applicant shall provide Washoe County Code Enforcement with a vehicle pass to gain access to the tournament sites, to include all parking areas, for inspections to verify compliance with these conditions and issued business/liquor licenses.
  
7. Fire protection (Sierra Fire Protection District):  
(Staff contact: Ray Pagni, 849-2376)

The following conditions shall be met subject to the approval of the Forestry Division:

  - a. Grass and weeds on parking lots at Callahan and freeway shall be cut to a minimum height of 2 inches. A water truck shall water the areas at least once a day, depending on the use and temperatures on a given day.
  - b. Fire extinguishers must be provided for tents, cooking areas and on-site parking areas.

- c. Applicant must provide a schematic of the location of generators and associated electrical wiring.
8. Performance Security (District Attorney)  
(Staff contact: Blaine Cartlidge, 337-5716)
- a. The applicant will be responsible for total clean up of the sites.
  - b. The site will be inspected by and approved as to the adequacy of cleanup by the Department of Community Development.

**06-788      AWARD OF BID – LEMMON VALLEY WASTE WATER  
TREATMENT FACILITY POND NO. 2 REHABILITATION –  
BID NO. PWP-WA-2006-212 – WATER RESOURCES**

This was the time to consider award of the bid for the Lemmon Valley Waste Water Treatment Facility Pond No. 2 Rehabilitation for the Water Resources Department. The Notice to Bidders for receipt of sealed bids was published in the *Reno Gazette-Journal* on May 31, June 1, 7-8, and 14-15, 2006. Proof was made that due and legal Notice had been given.

In response to Commissioner Galloway, Rick Warner, Senior Licensed Engineer, explained the cost was over the Engineer's estimate due to the price of materials. He confirmed the money was in the budget to cover the item.

Bids were received from the following vendors:

Petersen Construction  
Mike's Trenching  
A&K Earth Movers, Inc.  
Horizon Construction  
Z7 Development

Upon recommendation of Alan Jones, Licensed Engineer, and Paul Orphan, Engineering Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried with Commissioner Sferrazza absent, Chairman Larkin ordered that Bid No. PWP-WA-2006-212 for the Lemmon Valley Waste Water Treatment Facility Pond No. 2 Rehabilitation for the Water Resources Department be awarded to Petersen Construction in the amount of \$263,400. It was further ordered that the Chairman be authorized to execute the contract documents upon receipt and the Engineering Manager be authorized to issue the Notice to Proceed.

**RESOLUTION – AGREEMENT - ADVISORY QUESTION –  
INCREASE IN SALES AND USE TAX – PUBLIC SAFETY –  
MANAGEMENT SERVICES**

Commissioner Humke commented this item was an advisory question, and the Board supported it going to a vote of the people. He read the advisory question as detailed in the agenda memorandum dated June 28, 2006. Commissioner Humke said the voters would have the chance to make the call, and this Board would be bound by the advisory vote.

Commissioner Galloway agreed with Commissioner Humke's statements. He stated there had to be a limit on how much tax people could reasonably pay, and it would be up to the public to decide. He said, by voting to put this on the ballot, he was in no way telling people how they needed to vote. Commissioner Galloway confirmed if the vote were affirmative or negative, it would be passed on to the Legislature. He commented on the language within the explanation section. He desired to have the wording, "this tax shall not replace any funds currently expended by the participating jurisdictions on police and fire services," moved into the language of the actual ballot question. Commissioner Galloway requested the language about not supplanting or replacing any funds be placed in the Interlocal Public Safety Agreement (interlocal agreement).

John Slaughter, Management Services Director, commented the language of the advisory question had been discussed and approved by the Cities of Reno and Sparks. He said it would be the County's responsibility to take that back to the Cities if it would fall into the agreement.

Melanie Foster, Legal Counsel, explained the advisory question was written in that manner because that was the language acted on by the Commission and the Cities. She verified statute required this be done by resolution, and July 11th was the last day to meet the deadline.

Commissioner Humke inquired about the information to be included in the sample ballot. Mr. Slaughter verified the document in the staff report would be the form of the sample ballot for the question, and it would appear that way on the ballot. Commissioner Humke said he was satisfied that the County would have a bond with the voting public because the language concerning supplanting was on the face of the ballot.

Commissioner Galloway said he agreed with Commissioner Humke, but he wanted that statement within the explanation included in bold print. He suggested, if the interlocal agreement had not been approved by the other parties, the Board could adopt the interlocal agreement with that included and approve the ballot question as written.

Chairman Larkin inquired if that statement could be placed in italics or bolded in its current location. Ms. Foster replied there were forms provided by the State

for the development of these questions. She said the Board could bold the language unless a prohibition against that was determined.

In response to Commissioner Galloway, Mr. Slaughter confirmed the Cities of Reno and Sparks had approved the interlocal agreement; however, there was no statutory deadline for the interlocal agreement.

Commissioner Galloway requested that the following language be included as an amendment to the interlocal agreement that would go to the Cities for approval: "This tax shall not replace any funds currently expended by the participating jurisdictions on police and fire services."

Commissioner Weber supported the language and commented it was important to gain input from the public on the matter. She asked for the statement within the explanation, as referenced by Commissioner Galloway, to be bolded.

Commissioner Galloway suggested an amendment to the interlocal agreement to include incorporating the advisory question and the ballot explanation into the interlocal agreement by reference.

In response to the call for public comment, Juanita Cox declared she did not support tax increases. Gary Schmidt voiced his opposition to the advisory question and any increase in taxes. He suggested doing a survey to gain the opinion of the public.

Chairman Larkin pointed out sections of the interlocal agreement and asked if the wording supplied sufficient linkage with the advisory question to satisfy Commissioner Galloway's concerns. Ms. Foster said it referenced the advisory question, but it did not incorporate the language emphasized by Commissioner Galloway. She offered to draft a provision to reflect his concerns. She said the Board could approve the interlocal agreement with that included, and it could be routed to the Cities; or the Board could approve it as written and ask staff to draft a paragraph to that effect to be sent to the Cities for their consideration.

Commissioner Galloway stated he would rather not approve the interlocal agreement as written. He said it should be approved with the warranted changes or staff should be directed to come up with an amendment that would be acceptable to the Cities.

Commissioner Galloway moved to place the advisory question on the November ballot with the explanation as drafted in the staff report and to approve the execution of the following resolution as required by statute. It was noted this action did not constitute a position of Washoe County, and the role of County government would be to supply relevant information to the public. Chairman Larkin seconded the motion.

On call for the question, the motion passed on a 4-0 vote with Commissioner Sferrazza absent.

## RESOLUTION

**WHEREAS**, Washoe County (the "County"), in the State of Nevada was duly organized and created pursuant to Nevada Revised Statutes ("NRS")243.340, and is operating as a County under NRS Chapter 244 and the general laws of the State; and

**WHEREAS**, the Board of County Commissioners (the "Board" or the "Governing Body") of the County has determined that it is necessary and advisable that the County, pursuant to NRS 293.482, ask the advice of the registered voters of the County regarding a question that the Board has under consideration; and

**WHEREAS**, in the judgment of the Board, it is necessary and advisable that an advisory question be placed on the ballot at the general election to be held on November 7, 2006 (the "Election") to submit to the electors of the County the question in the form set forth in the Resolution (the "Question"); now, therefore, be it

### **RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY, NEVADA:**

- Section 1. This resolution be known and may be cited as the "2006 Public Safety Sales Tax Advisory Question Resolution ".
- Section 2. The Board hereby finds and declares the necessity of placing the Question on the ballot for the Election for the purpose of asking the advice of the registered voters of the County whether they support an increase in the sales and use tax in Reno, Sparks and Washoe County of 1/4 of 1% for the purpose of hiring and equipping more police officers and fire personnel, prosecuting and incarcerating criminals and constructing public safety facilities to better serve and protect the citizens.
- Section 3. The Question is hereby designated and ordered to be placed on the ballot of the Election within the County on Tuesday, November 7, 2006 at which there shall be submitted to the registered voters of the County the Question hereinafter set forth. The Election shall be conducted in accordance with Chapter 293 and 293B of NRS, and all laws amendatory thereof (the "General Election Act").
- Section 4. This question is advisory in nature and does not place any legal requirement on the governing body, any member of the governing body, any officer of the political subdivision or the Nevada Legislature.
- Section 5. The County Clerk shall immediately provide the County Registrar of Voters with a copy of the Question, including an explanation of the question, the fiscal note and any additional information as set forth herein.

Section 6. The Registrar of Voters is hereby authorized to initiate the process for the appointment of a committee to prepare arguments advocating and opposing the Question pursuant to NRS 295.121.

Section 7. All action heretofore taken (not inconsistent with the provisions of this Resolution) by the Board and by the officers of the County relating to:

- A. The Election, and
  - B. The Question,
- is ratified, approved and confirmed.

Section 8. The officers of the County are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution.

Section 9. All orders, bylaws and resolutions, or parts thereof, in conflict with this Resolution, are hereby repealed. This repealer shall not be construed to revive any bylaw, order or resolution, or part thereof, heretofore repealed.

Section 10. In any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

Section 11. The Question and explanation shall read as follows:

**This question is advisory only: Do you support an increase in the sales and use tax in Reno, Sparks and Washoe County of 1/4 of 1% for the purpose of hiring and equipping more police officers and fire personnel, prosecuting and incarcerating criminals and constructing public safety facilities to better serve and protect the citizens?**

Yes / /  
No / /

**Explanation:** With voter support of this question, the Board of Washoe County Commissioners will seek authorization from the Nevada State Legislature to levy an additional sales and use tax of one-quarter cent (1/4¢). The proposed increase would provide police and fire personnel, and equipment necessary to carry out essential duties, as well as provide the capital costs necessary for constructing, operating and maintaining public safety facilities.

This tax shall not replace any funds currently expended by the participating jurisdictions on police and fire services. The proceeds of this tax must be allocated with 40% directed to Washoe County, 40% to the City of Reno and 20% allocated to the City of Sparks.

This question is advisory in nature and does not place any legal requirement on the governing body, any member of the governing body, any officer of the political subdivision or the Nevada Legislature.

Section 12. The fiscal note shall read as follows:

**Fiscal Note:** The sales and use tax increase of 1/4 of 1% would last for up to 30 years. The average annual cost of this sales and use tax increase is expected to be \$25.00 for a typical payer of sales and use tax in Washoe County, based on average annual expenditures on goods that are subject to the sales and use tax of \$10,000. If the tax is levied Washoe County, the City Reno, and the City Sparks may sell bonds payable from the tax that are backed by the full faith and credit of the assessed value of Washoe County, the City of Reno, and the City of Sparks. Following the levy of the tax, additional expenses may be incurred to pay for the operation and maintenance of public safety facilities constructed and financed with the additional levy.

Section 13. This Resolution shall be in effect from and after its adoption.

Commissioner Humke moved that the Board of County Commissioners seek to renegotiate the interlocal agreement as follows: under General Provisions, Section C. Integration, add to the list of items to be incorporated by reference the ballot question and explanation as presented in the staff report. Commissioner Galloway seconded the motion. Commissioner Humke noted this would meet the terms of the interlocal agreement because this amendment would be in writing.

Commissioner Galloway commented including those provisions within the interlocal agreement could motivate the public to support the ballot question. He said the entities should give the public assurances and offer them the best product.

On call for the question, the motion passed on a 4-0 vote with Commissioner Sferrazza absent.

**06-790      LEGISLATIVE ISSUES – LEGISLATIVE AFFAIRS**

John Slaughter, Management Services Director, reviewed the Washoe County 2006 Legislative Session Preliminary Bill Draft Requests (Not Prioritized) dated July 10, 2006. He said experts on the bill draft request (BDR's) would come before the Board to explain their requests by the August 22, 2006 meeting. He stated that was the deadline to gain final approval by the Board for the County's bill draft package.

Commissioner Humke inquired how many BDR's were allowed for the County. Mr. Slaughter said the County was allowed 10 BDR's. Commissioner Humke commented the Public Safety Sales Tax Initiative could be referred to the Cities of Reno and/or Sparks for sponsorship.



In response to the call for public comment, Amy Harvey, County Clerk, informed the Commission of concerns held by herself and Kathy Burke, County Recorder, regarding BDR's being proposed in Clark County. Ms. Harvey requested the Board obtain copies of BDR's coming out of Clark County that related to the job of the County Clerk and the County Recorder. She noted additional areas of concern and requested the opportunity to address the Board on the BDR's. Gary Schmidt was opposed to the Public Safety Sales Tax Initiative being placed on the ballot as an advisory question because he did not support an increase in taxes. Juanita Cox stated many of the BDR's would cause an increase in taxes and more spending, and she did not support that.

Chairman Larkin asked if staff would bring the information to the Board concerning BDR's that were being tracked. Mr. Slaughter concurred, and he verified he would present a detailed packet for the Board to examine.

Commissioner Galloway noted the law had changed in regard to conditions, covenants, and restrictions (CC&R's), and he gave examples. He asked that the Board be informed of further attempts to weaken homeowners' associations.

**REPORTS/UPDATES FROM COUNTY COMMISSION MEMBERS**

Commissioner Humke reported on the Regional Transportation Commission (RTC) meeting held on July 7, 2006. He assured Commissioner Galloway that an airport shuttle to the Tahoe basin remained a possibility.

Commissioner Weber commented on the people from District 5 who applied for the At-Large Planning Commission seat, and she mentioned their names.

Chairman Larkin invited the Commissioners to attend the Fire Advisory Board meeting on July 17th.

Commissioner Galloway commented his July open meeting in Incline Village would be held at the Incline Village General Improvement District (IVGID) board room on July 14, 2006 from 3:00 p.m. to 5:00 p.m.

\* \* \* \* \*

There being no further business to come before the Board, the meeting adjourned at 6:59 p.m.

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**ROBERT M. LARKIN**, Chairman  
Washoe County Commission

**ATTEST:**

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

*Minutes Prepared by  
Stacy Gonzales and Lori Rowe  
Deputy County Clerks*