

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

2:00 P.M.

SEPTEMBER 25, 2007

PRESENT:

Bob Larkin, Chairman
Bonnie Weber, Vice Chairman
Jim Galloway, Commissioner
David Humke, Commissioner
Kitty Jung, 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:

Katy Singlaub, County Manager, stated: "The Chairman and Board of County Commissioners intend that their proceedings should demonstrate the highest levels of decorum, civic responsibility, efficiency, and mutual respect between citizens and their government. The Board respects the right of citizens to present differing opinions and views, even criticism, but our democracy cannot function effectively in an environment of personal attacks, slander, threats of violence, and willful disruption. To that end, the Nevada Open Meeting Law provides the authority for the Chair of a public body to maintain the decorum and to declare a recess if needed to remove any person who was disrupting the meeting, and notice was hereby provided of the intent of this body to preserve the decorum and remove anyone who disrupts the proceedings."

07-1106 AGENDA ITEM 3

Agenda Subject: "Approval of the agenda for the Board of County Commissioners' meeting of September 25, 2007, including consideration of taking items out of sequence, deleting items and adding items which require action upon finding that an emergency exists."

Ms. Singlaub noted for the Board and for the record that Item 26 was an addendum to the agenda.

In response to the call for public comment Guy Felton spoke on his displeasure of the agenda and the limit of two minutes for public comment.

Sam Dehne said he objected to the two minutes they were allowed during public comment.

In accordance with the Open Meeting Law, on motion by Commissioner Weber, seconded by Commissioner Humke, which motion duly carried, Chairman Larkin ordered that the agenda for the September 25, 2007 meeting be approved.

07-1107 AGENDA ITEM 4 – PROCLAMATION

Agenda Subject: “Proclamation – Week of October 1 - 6, 2007 as Girl Scout Anti-Bullying Week.”

Katy Singlaub, County Manager, read the Proclamation for Girl Scout Anti-Bullying Week. Donna Klontz, Girl Scouts Board of Directors, and Linda Reed, Executive Director for the Girl Scouts of the Sierra Nevada, were invited to speak.

Ms. Reed thanked the Board for their support. She said over 200 people registered for the conference to be held next week to address anti-bullying.

Commissioner Weber expressed her excitement for the Proclamation and the conference. She stated she understood the importance and hoped many more would sign up to attend.

Commissioner Galloway spoke in support of the Proclamation. He thought the Girl Scouts were setting a great example. He added Ms. Reed and Ms. Klontz were the first people he’s seen that have brought the problem forward in this community.

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, Chairman Larkin ordered that the Proclamation, see attached hereto and made a part of the minutes thereof, to proclaim the week of October 1-6, 2007 as “Girl Scout Anti Bullying Week”, be adopted.

07-1108 AGENDA ITEM 5 - PUBLIC COMMENT

Agenda Subject: “Comment heard under this item will be limited to two minutes per person and may pertain to matters both on and off the Commission agenda. The Commission will also hear public comment during individual action items, with comment limited to two minutes per person. Comments were to be made to the Commission as a whole.”

Carol Burns said she lived at her residence for 35 years and spoke on the Falcon Ridge development. She said it was proposed that a new traffic light be installed at the El Rancho Drive entrance and that the developer was only required to pay 75 percent of the cost. She said at the Sun Valley Citizen Advisory Board (CAB) meeting it

was noted that there were 269 residences, or 538 cars in and out of the area per day. She asked the Commissioners to insist the developer pay 100 percent of the cost for the traffic light. She anticipated more traffic problems since there was another proposed development behind Falcon Ridge.

Guy Felton discussed alleged fraud regarding current voting machines. He also commented on a pending lawsuit against Washoe County.

Joe Harrelson discussed a hay trailer that the Reno Police Department (RPD) investigated in 2003. He said the trailer was stolen and he had been blamed for it. He stated he had been harassed by the City of Sparks, RPD, and Washoe County for the last seven years. He mentioned the trailer was in Sun Valley and should be impounded by the police.

Patricia Axelrod and Jan Chastain both spoke about their concerns regarding the current voting system.

Sam Dehne suggested a name for the new Reno Baseball Team and the mascot should be a slot machine.

Gary Schmidt invited everyone to look at an article from the *Reno News and Review* entitled, *The Cost of Fire*, which was placed on file with the Clerk. He said it included efforts to simplify procedures for recovering costs of fighting fires from those that caused them in negligence.

AGENDA ITEM 6 – COMMISSIONERS'/MANAGER'S ANNOUNCEMENTS

Agenda Subject: “Commissioners’/Manager’s Announcements, Requests for Information, Topics for Future Agendas and Statements Relating to Items Not on the Agenda. (No discussion among Commissioners will take place on this item.)”

Commissioner Humke asked that any lack of sound or silence during the meeting be dedicated to the late great Marcel Marceau who lost his struggle with life earlier in the week.

Commissioner Humke noted in the September 21st, *Las Vegas Review Journal* there was a ruling that the Justice Courts needed to provide language interpreters, which he saw as an obvious cost impact. He wondered what the impact would be to the County’s Justice Courts. He spoke of a prison inmate in Ely that was denied an interpreter in a small claims action.

Commissioner Humke spoke of a Nevada Supreme Court decision that was made which involved Family Law and Social Services. He reported on upcoming dates and locations of seasonal flu shots that were being offered for free.

Commissioner Weber read a letter she received from the Osher Lifelong Learning Institute thanking she and Commissioner Galloway for visiting their class and teaching the students what they did as elected officials.

Commissioner Weber thanked Ms. Burns and Mr. Harrelson for voicing their concerns during Public Comment. She said she met with Mr. Harrelson several times and hoped to set up another meeting with him in the future to see what could be done to resolve his issue.

Commissioner Weber said her District Town Hall meeting would be held tomorrow evening at 5:30 pm. She added it would be a great opportunity for those in District 5 to ask questions and hopefully get answers.

Commissioner Weber disclosed her husband served on the Blue Ribbon Election Commission Task Force. She asked that the issue be brought back to the Board of County Commissioners as an agenda item.

Chairman Larkin congratulated the Sparks Chamber of Commerce in the grand opening of their new facility located off Pyramid Highway. He also discussed procedures regarding the County's excess fund balance and the possibility of an audit.

Commissioner Galloway discussed the law concerning wood roofs, and that the State of Nevada did not allow anyone to build a new flammable wood roof. He suggested having a discussion agenda item at the next joint fire meeting to discuss whether or not it would be advisable to have a County ordinance requiring the phase out of flammable roofs.

Commissioner Galloway commented on the budget and the concern to save money. He stated he received a call from a man who stated he would soon obtain a small sewer project in his neighborhood that did not have a Special Assessment District (SAD); therefore, he would not be able to pay in installments on his tax bill. Commissioner Galloway stated he received a reply from the Director of Water Resources who stated \$250,000 was a small amount for a SAD, and they were generally done for larger amounts of money. He suggested the Commissioners have a future discussion on why they could not have small SAD's.

Commissioner Jung suggested it would be a service to the public and to the Commissioners if the affected Commission Districts were identified or highlighted on each agenda item.

CONSENT AGENDA

07-1109 AGENDA ITEM 7A

Agenda Subject: "Approve minutes for Board of County Commissioners' meeting of August 14, 2007."

There was no public comment on this item.

On motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that the minutes of the regular meeting of August 14, 2007 be approved.

07-1110 AGENDA ITEM 7B (1) – WATER RESOURCES DEPARTMENT

Agenda Subject: “Approve conveyance of 2.55 acre-feet of water rights from Truckee Meadows Water Authority (TMWA) to Washoe County in support of the Mayberry Parcels in the Caughlin Ranch area and approve the associated Water Sale Agreement leasing said water rights back to TMWA; and if approved, authorize Chairman to execute Water Rights Deed and Water Sale Agreement and direct Water Rights Manager to record both documents.”

There was no public comment on this item.

On motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried, it was ordered Agenda Item 7B (1) be approved, directed and executed.

07-1111 AGENDA ITEM 7B (2)– WATER RESOURCES DEPARTMENT

Agenda Subject: “Renew one-year terms of David Carlson, Pete Morros, Greg Pohll, Karen Rosenau and Scott Tyler to serve on the Washoe County Well Mitigation Hearing Board, effective October 1, 2007.”

In response to the call for public comment, Sam Dehne spoke on the renewal for one-year terms on the Well Mitigation Hearing Board. He said it would be nice to hear the outcome of the hearings from the well owners, especially when their wells have gone dry due to the commercial wells drilling next to them.

On motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 7B (2) be approved.

07-1112 AGENDA ITEM 7C– TRUCKEE RIVER FLOOD MANAGEMENT PROJECT

Agenda Subject: “Accept Truckee River Flood Management Project Status Report for August 2007--Truckee River Flood Management Project.”

Commissioner Jung had a concern with the Flood Storage Mitigation requirement. She wondered what the next step would be for the Flood Project since they were not given any money for the study. Mimi Fujii-Strickler, Flood Project Outreach Manager, responded the recommendation to continue the study came from the Reno City Council and was given to the Flood Project’s Technical Advisory Committee (TAC) and

Working Group, who were scheduled to meet to discuss additional flood zone mitigation requirements.

In response to the call for public comment, Sam Dehne thought the Truckee River Flood Management Project report might need to be changed since the new baseball stadium bordered along the Truckee River.

On motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 7C be accepted.

07-1113 AGENDA ITEM 7D – PUBLIC WORKS DEPARTMENT

Agenda Subject: “Approve and execute upon receipt a 12-month Lease Agreement between the County of Washoe and Holcomb-Ryland Partnership to provide uninterrupted operation of the Washoe County Health District, Air Quality Management Division, at 401 Ryland Street, Reno, [annual Lease cost \$71,676 - funds available in District Health Cost Center 172300-710600]--Public Works.”

There was no public comment on this item.

On motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 7D be approved and executed.

07-1114 AGENDA ITEM 7E – DISTRICT ATTORNEY’S OFFICE

Agenda Subject: “Approve Temporary Access and Construction Easement and a Grant of Easement for waterline to Truckee Meadows Water Authority across a portion of Parcel 1A of Record of Survey Map No. 4385 (Reno-Sparks Convention Center, 4590 S. Virginia Street, Reno) for installation of a water line; and if approved, authorize Chairman to sign the Grant and Easement--District Attorney.”

Commissioner Galloway inquired if the Reno-Sparks Convention and Visitor’s Authority’s (RSCVA) future facility planning staff as well as their attorneys reviewed the easement. He added it was a Truckee Meadows Water Authority (TMWA) easement through the Convention Center’s property and if the RSCVA wanted to redesign the building later, it could interfere. Paul Lipparelli, Deputy District Attorney, responded he reviewed the legal documents that were drawn by the lawyers for TMWA and RSCVA in great depth. He added the RSCVA staff reviewed the project, understood where it was located on the facility and all parties involved were in agreement.

There was no public comment on this item.

On motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 7E be approved and authorized.

07-1115 AGENDA ITEM 7F – COMMUNITY DEVELOPMENT

Agenda Subject: “Approve and execute Amendment #1 to an Interlocal Agreement between the County of Washoe and the Tahoe Regional Planning Agency (TRPA) to provide resource support for the preparation of documents leading to the update of the TRPA Regional Plan and the Washoe County Tahoe Area Plan in conjunction with the TRPA Pathways 2007 Planning Process [\$50,000 budgeted funds]--Community Development.”

There was no public comment on this item.

On motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 7F be approved and executed. The Amendment to the Interlocal Agreement is attached hereto and made a part of the minutes thereof.

07-1116 AGENDA ITEM 7H

Agenda Subject: “Approve expenditure from County Commission District 1 Special Funding Account [total of \$1,750] to YMCA of the Sierra (fiscal agent for Tune In To Kids) to be used to buy at least 300 “family time” books [approximately \$1,000] for distribution to appropriate families (with any donations received for the books to be used to replenish the supply of books) and the balance of the expenditure [approximately \$750] to go toward the overall program Tune In To Kids; and, execution of Resolution necessary for same--requested by Commissioner Galloway.”

There was no public comment on this item.

On motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 7H be approved and executed. See the Resolution attached hereto and made a part of the minutes thereof.

07-1117 AGENDA ITEM 7G – PUBLIC WORKS DEPARTMENT

Agenda Subject: “Approve revision of two Washoe County Presumed Public Roads Maps, first adopted in 1999, to remove and relocate segments of presumed roads on the Gerlach Map (Township 35 N., Range 22 E.; Township 34 N., Range 21 E. and Township 34 N., Range 22 E.) and High Rock Map (Township 37 N., Range 19 E.) pursuant to a cooperative effort between the County and the property owners to clarify the maps and define access to public lands--Public Works.”

Commissioner Galloway wondered if the property owner would close the roads immediately if they were deleted from the map. Paul Lipparelli, Deputy District Attorney, responded Todd Jaksick, property owner, was present and would be able to explain the plans of the property owners.

Mr. Lipparelli said the Public Works staff traveled to the site with representatives of the property owner and staff was satisfied that the deletion of the roads would not cut off access to public land and there were suitable alternate routes. Commissioner Galloway said a public road as defined in Revised Statutes 2477 (RS 2477) was one that was or had been traditionally used by the public before the land went from federal ownership to private ownership. He said whether it was taken off the map or not, a private individual could still claim it as a public road. Mr. Lipparelli agreed.

Commissioner Galloway asked if in order to satisfy the intent of the federal law, would the replacement road need the same beginning and ending destinations as the old road. Mr. Lipparelli said the set of public roads or maps have about a ten-year history. In 1996 when the Commission first tackled the issue, an undefined set of roads were built that may have met the definition of RS 2477. Following the direction that was given in 1996 by the County Commission, a committee was formed that was made up of representatives of property owners, County staff and public roads access advocates and they studied the large set of maps that had been produced as a draft. The Committee's work resulted in the Commission adopting a set of presumed public roads in 1999. Under state law, nothing since then constituted a finding of the Commission that the roads were indeed public. They were presumed public because that was the best evidence the Commission had from the findings.

Mr. Lipparelli stated the County kept the door opened all these years so if a property owner were to come in and demonstrate to the satisfaction of County staff that some of the roads did not belong on the presumed public roads maps, County staff would take it to the County Commission. At that point, the County Commission would be given the opportunity to review it and possibly have it deleted from the maps or show them as alternate routes. Mr. Jaksick had been through that process with the County and his companies legally challenged the County's 1999 maps. The litigation had been in place since that time. The proposed item was one of the last remaining issues with Mr. Jaksick's properties that were not resolved in 2004 when the matter was reviewed by the County Commission.

Mr. Lipparelli continued by stating removal of the small segments of roads from the maps and by recognizing alternative routes, even though he was unsure if the law compelled them to do so, County staff was confident the public would still be able to access the public lands if the Commission were to approve the item.

Commissioner Galloway said according to the first map, the red line starts at one obvious public road and ended at another one. It appeared the Point A to Point B test would be satisfied as long as whatever was in between was not a concern, which probably was not public. He thought it would depend on how important the other land was. He stated the Lower Wall Canyon Dam access road deletion, third road on the second map, did not satisfy the Point A to Point B test.

Commissioner Galloway asked Mr. Lipparelli if the new roads met the test of a historically used public road. He said a cattle drive route would be deleted from the list and asked what made an alternate route a public road and wondered why they were added to the list. Mr. Lipparelli responded he did not know and said perhaps the Public Works staff or the property owners could answer the question of whether they would be in the same class of roads as the ones that were deleted. Commissioner Galloway said he did not think someone could take a modern road and add it to the list of presumed, public roads.

Mr. Lipparelli said meeting the requirement of RS 2477 was a very complicated matter and added there were many cases in the federal courts that involved disputes concerning what was a public road and what was not. Commissioner Galloway said he had a reason to think the new routes were presumed public roads and a reason to doubt the other roads were public. He added it appeared to be more of a settlement than historic research. Mr. Lipparelli said it was fair to say it was a settlement, but it was also a follow through by the County with the promise the County made to the property owners.

3:00 p.m. Commissioner Humke temporarily left the meeting.

Commissioner Galloway asked Mr. Jaksick if he intended to close the roads that were being removed from the map. Mr. Jaksick responded they had already been closed for some time. Commissioner Galloway asked if they were closed because they were disputed as public roads. Mr. Jaksick answered yes. Commissioner Galloway asked if he went through all the detailed issues when it was disputed and if that information was available somewhere. Mr. Jaksick answered yes, and added it had been his focus to find alternative access points so the public would be able to get to the same public points they had been, but not have access to the private property.

Commissioner Galloway asked Mr. Jaksick if there was a historical basis for the roads that were called public. Mr. Jaksick responded each road would need to be gone through segment by segment.

Mr. Jaksick commented there was another alternate road on public land that followed a power-line easement and was maintained by the Los Angeles Department of Water and Power (LADWP). He said he was not sure if they deleted that potential RS 2477 road, that the public would be able to get from point A to point B on an alternate route as proposed to having to go through the center of the ranch.

Commissioner Galloway asked Mr. Jaksick if he, as a property owner, had the ability to grant an easement to ensure the added, alternative routes were public roads and if he would do it.

3:02 p.m. Commissioner Humke returned to the meeting.

Mr. Jaksick responded he thought he would be able to grant an easement if the roads were on private property, but they could not designate an easement on federal land. He remarked the alternate roads did not go across his private property. Mr. Jaksick added as of today and for the last ten years, if someone were to go to Crutcher Canyon and found the road closed, they would see a sign that showed alternate access to the power-line road so they could access the higher area on the same route.

Commissioner Galloway said he would like an item-by-item discussion on the merits of the roads that were being deleted. He was hesitant to add a road that may not even qualify as an RS 2477 road since he did not have a list stating why it qualified.

Art O'Connor, Civil Engineer and Land Surveyor, said the important thing about the three roads being discussed was the alternate routes were existing roads, not new. Mr. O'Connor stated the alternate route to Crutcher Canyon was maintained by LADWP. They had a federal permit and every year, as part of the conditions to the permit, they plowed the road, which was discussed in his report. He added the cattle drive route had a gate on it that had been locked for over seven years and the public had not used it for that time. The access to Crutcher Canyon was on federal land and portions of the road were part of a historical trail. It was the only route in Crutcher Canyon where the power line went through and had been in place for a long time. He assumed the cattle drive route was put in after the land was patented in order to get the cattle in and out of Crutcher Canyon.

Mr. O'Connor said the Wall Canyon road was not put in until after the dam was built, which was after the patent. Since that time the public started using that road. He explained that since 9-11 the federal government required the State to do an assessment of all the dams to determine if there were any significant hazards. The dam on the Wall Canyon road was designated high hazard due to the fact that if it broke Highway 447 would be flooded. One of the conditions of the emergency action plan for the dam was to remove the road.

Mr. O'Connor continued by stating the Bureau of Land Management (BLM) plowed the alternate route every year and kept the road well maintained. The alternate route came from Highway 447 and went straight into Wall Canyon, although the road designated as a presumed, public road was currently underwater.

In response to Chairman Larkin, Commissioner Galloway confirmed he wanted Item 7G removed from the Consent Agenda Items. After hearing there were no other questions on the Consent Agenda Items, Chairman Larkin declared that Item 7G would be removed from the Consent Agenda.

Commissioner Galloway asked Chairman Larkin if they could vote on 7G since he didn't think they would be receiving any more information on it and if he could vote affirmatively on one portion of the agenda item and negatively on the other portion. Melanie Foster, Legal Counsel, advised Commissioner Galloway he could vote to approve one and not the other.

On motion by Commissioner Weber, seconded by Commissioner Humke, which carried by majority vote with Commissioner Galloway voting "no" to approve the revision of the two Washoe County Presumed Public Roads Maps and "yes" on the High Rock Map, Chairman Larkin ordered that Agenda Item 7G be approved.

07-1118 AGENDA ITEM 8 – FINANCE DEPARTMENT

Agenda Subject: “Recommendation that the Board of County Commissioners direct staff to develop a new General Fund Budget for Fiscal Year 2007/08 that will be balanced with a reduction in resources available of 5% (approximately \$14 million) and submit the revised budget to the Board of consideration on October 23, 2007--Finance.”

Melanie Purcell, Budget Manager, conducted a PowerPoint presentation, which was placed on file with the Clerk, reviewing the Washoe County Fiscal Year 2007-2008 budget.

Chairman Larkin noted recent action taken by the federal government to reduce the federal funds rate by 0.5 percent or 50 base points. He asked Ms. Purcell what effect that might have on rejuvenating the tax. Ms. Purcell answered the expectation was it would take six to nine months for any action by the federal government to be felt in the economy, which would put them at the end of the fiscal year. She surmised it would probably not have any effect at all in the 2007/08 fiscal year. She hoped it would help generate the money markets, to loosen some of the credit and to allow the housing market to re-stabilize.

Chairman Larkin asked if the suggested tools for consideration that were discussed in the PowerPoint presentation were only for the next eight months and if any additional corrective action would need to be taken for fiscal year 2008/09. Ms. Purcell responded they would need to take action now to deal with the situation. She projected the fiscal year 2008/09 would also be tight. Chairman Larkin inquired if the Board took action on each one of the suggested tools for consideration, since they mostly dealt with cost reduction, what effect it would have on the \$14 million. Ms. Purcell responded if they wanted to freeze all positions for the remainder of the fiscal year that would get them to about \$12 million and there would need to be an accompanying reduction in services and supplies as well.

Katy Singlaub, County Manager, said if there was a dramatic turnaround that changed the circumstances they would come back to the Board. She explained the Manager’s Office monitored the indicators every day to watch for changes. They felt this was a reasonable and measured approach to solving the budget challenges. She noted freezing all positions was something they would probably not be able to do because some of the positions were essential services, such as Child Welfare. Department Heads had been asked to look at the strategies and to address closing the entire \$14 million gap. She met with the Employees Association Union presidents and they were aware of the action.

Chairman Larkin said the economy was strong and asked Ms. Purcell if they factored in the sales tax for the upcoming holidays in the budget update. Ms. Purcell responded assuming the sales behave in a comparable manner to prior years the trend would stay similar.

Commissioner Weber commented it was necessary to look at the bigger picture and larger amounts of money. She asked Ms. Purcell if they looked at freezing their Capital Improvement Projects (CIP) and how they would be impacted. Ms. Purcell answered the majority of the projects this year were deferrals from prior years when they had to cut and slow down expenditures. She commented there was only \$2.3 million in pay-as-you-go money. They looked at scrutinizing every project to see whether liabilities would be increased by not going forward with them. In which case, it would not be wise to make the cut; or whether something could be postponed or incorporated into more strategic long-term thinking.

Commissioner Weber thought a freeze placed on everything, unless it was a mandated safety issue, including some of the CIP so that each one could be evaluated individually and brought back to the Board would be a good idea. She mentioned an item on the agenda that involved spending money for a vehicle and realized items like those that cost \$100,000 or more should be looked at instead of the trivial small things.

Ms. Singlaub tried to clarify Commissioner Weber's suggestion and recommended before they initiate an administrative procedure and the Request for Proposals (RFP) went out, they could add a step in the process to first evaluate everything in a centralized way before the money was spent.

Ms. Singlaub said several of the pay-as-you-go capitol projects they have this year were deferred from prior years, as Ms. Purcell stated earlier. The Manager's Office tried to make sure they were careful with those projects not ending up costing significantly more later, for example some of them were corrections of liabilities. There were cracks in pavement that caused injuries and insurance claims were paid on them. She stated many of them will take years to complete, for example consolidations or sharing of services, but those were strategic, long-term investments or changes in their expenditure profile. Lastly, she remarked the Manager's Office was on track with what the Commissioners wanted them to do.

Commissioner Weber stated the Commissioners accepted a budget six months ago and wondered how the County was in the position it was and why something was not done two months ago. Ms. Singlaub explained they took action last February, but it was voluntary from Department Heads, which was not enough. The fund balance at the end of the year did not prove the usual surplus. The constraints the Manager's Office asked for last spring did not save enough money; it actually added about \$4 million to the problem. A stronger approach was being looked at, for instance freezing instead of extending the length of time a vacancy was open. She stated they were accelerating and

ahead of the curve, and it would probably be noticed that other local governments would be taking the same stringent measures.

Commissioner Galloway asked Ms. Purcell about the Taxable Sales by Major Sector graph that was shown in the PowerPoint presentation. He said according to the graph there was a huge construction slump, but he did not see a huge drop in building materials, yet sales taxes were paid on them. He had assumed, until now, when building materials were not purchased it affected the sales tax, but the graph showed automobiles were lower than anything else. Ms. Purcell responded automobiles were a large sector and the automotive market declined drastically. The numbers of sales across all manufacturers have dropped, although it had not been discussed because the housing market had overshadowed the media. Commissioner Galloway stated there was a problem with the graph because it did not include the current day. Ms. Purcell responded there was a two and a half to three month lag when the estimates were done since the taxes could not be seen until two months after.

Commissioner Galloway asked if the County was eligible to use the Rainy Day Fund. Ms. Purcell responded the window for using the fund in the current fiscal year had passed; however, the window would reopen next year in June. The trigger would be met this fiscal year, but would be retroactive. In response to Commissioner Galloway, Ms. Purcell answered she believed the fund was limited. Commissioner Galloway inquired how much of the fund could be used.

John Sherman, Finance Director, stated they could access the fund anytime from the end of the fiscal year until they closed the books. There were no limits on how much of the fund could be used, however it would be necessary for the County to be under budget in their revenues at the end of the fiscal year in order to use the money in that short period of time, which was about two months. Commissioner Galloway wondered if a cushion could be provided in the event they were unable to cut enough funds.

Mr. Sherman responded the first quarter of the fiscal year revenues did not line up in terms of inflows and did not line up with cash outflows in terms of making payments. That cash shortage was kind of a critical period. In the beginning of the current fiscal year the County experienced a very small cash flow issue, which had not been experienced in the past. He added that was how the Rainy Day Fund was designed.

Commissioner Humke stated a big expenditure for the County was personnel. He commented most of the new employees that were hired recently were Public Safety, Social Services, District Attorney's Office, the Sheriff's Office, and Juvenile Services. He felt those were critical areas and inquired if the non-critical positions were being held open. Ms. Purcell responded the County had extended the average time frame from 45 to 75 days to fill a position, except essential functions.

Commissioner Humke wondered if the options listed in the PowerPoint presentation as part-time and job sharing in lieu of full-time positions were for non-

critical positions. Ms. Purcell responded they put it before the Department Heads as a challenge to look at their operations on a programmatic basis so that if less than a full-time position were needed it could be put forward as an alternative. Commissioner Humke inquired about the difference between the option of part-time and job sharing versus proposed strategies to reduce costs through strategically reduced services. He felt incorporating charting our course scores into graduated reduction targets was like a graduated grading of services or establishing another priority within a priority.

Ms. Purcell responded the Budget Office was cautioned not to freeze all positions and they recognized there were certain priority areas that would impact public safety, health, and welfare, more than others, so they tried to use a programmatic and strategic approach.

Commissioner Humke asked about postponing the pay-as-you-go capital projects that were discussed in the PowerPoint presentation and wondered how much of the funds could be saved to contribute to the \$14 million needed. Ms. Purcell responded \$2 million, which was very small and added they could not realistically cancel all of the projects.

Chairman Larkin offered a suggestion to look at collaboration or consolidation of the roads program and he thought it would be a good opportunity to move forward with discussion of the two entities in terms of roads.

Chairman Larkin reiterated the economy was strong and stated the housing and automobile markets were two fundamentals of the local and national economy that were both sound. He stated people should not panic, but the County just needed to adjust a few peculiarities.

Commissioner Weber asked Ms. Purcell if \$12 million would be created as a result of a hiring freeze on the vacant positions. Ms. Purcell responded if the direction were to freeze, as in no positions filled for a specific amount of time, it would take six to eight months to recover the \$12 million. Commissioner Weber requested research be done on freezing the vacant positions. She stated she did not support offering part-time or job sharing in lieu of full-time positions. She did not believe less supervision was better, but felt they needed to evaluate outsourcing opportunities and look at the CIP's even if it only created \$1.5 million. She thought they should freeze some of the projects right now and commented the moratorium on upward reclassification was something they needed to look at in terms of funds being created.

Commissioner Galloway commented the part-time or job sharing may not be an option for existing employees, but did not want it ruled out. If certain positions were not filled, public safety could be affected in a big way. He thought management should look at outsourcing seasonal needs where there was a demand for something seasonally, rather than hire someone part-time.

Commissioner Galloway stated there were items on the agenda that involved purchases or “big contractor work” and he may have considered those items for a block vote three months ago, but today the funding source needed to be discussed before the Commissioners voted on them.

Ms. Singlaub remarked she notified Departments to be prepared to explain the impact of not funding an item that was placed on today’s agenda and to clarify alternatives. She stated the Manager’s Office would add that information to the staff reports in the future.

3:51 p.m. Commissioner Jung temporarily left the meeting.

In response to the call for public comment, Sam Dehne remarked he was astounded that there was a \$14 million reduction being considered and he was the only one to come to the podium and discuss it. He further commented on his concerns regarding costs associated with the new chambers and the Rainy Day Fund.

3:53 p.m. Commissioner Jung returned to the meeting.

Gary Schmidt commented on costs associated with previous and current lawsuits against Washoe County. He further commented on the possibility of impact fees.

Commissioner Galloway moved to approve Agenda Item 8 as indicated on the staff report and to add the items enumerated by the Commissioners to the list of possible strategies to be explored and implemented where possible by staff. Commissioner Humke seconded the motion.

Commissioner Weber asked if it would be possible for the freeze to take effect immediately for at least three or four weeks, to encourage cost reductions. Chairman Larkin responded he believed they needed a longer-term strategy. A three or four week freeze would probably cost the County more than it would gain from it. Commissioner Galloway concurred and stated they were to give direction for staff to achieve the reduction, but if certain law enforcement positions were eliminated, staff could be endangered. He did not want to see that happen, although he was in favor of some kind of freeze.

Chairman Larkin spoke in opposition of the tendency for a “knee jerk” reaction and stated the County needed to be systematic and logical. He remarked a long-term relationship needed to be established.

Katy Singlaub, County Manager, offered to have every position evaluated, in partnership with Department Heads and management teams. Nonessential positions or those that could be frozen, without severe detriment to the public welfare, would be frozen.

In response to Chairman Larkin, Commissioner Weber stated she believed the Board already scrutinized everything that came before them. She appreciated the budget returning to the Board and looked forward to hearing ideas and suggestions that arose.

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

3:59 p.m. The Board took a brief recess.

4:16 p.m. The Board reconvened with all members present.

07-1119 AGENDA ITEM 17 – MANAGER’S OFFICE

Agenda Subject: “Recommendation to approve Final Development Agreement between the County of Washoe, Nevada Land, LLC, SK Baseball, LLC and the City of Reno for the acquisition, leasing, improving equipping, operation and/or maintenance of a professional baseball stadium project in Reno using the proceeds of fees collected from the short-term rental of passenger cars and revenue bonds issued by the County there under and providing for compliance with the state laws on financing of public improvements; and if approved, authorize Chairman to execute the Agreement upon receipt (may possibly be continued from September 18, 2007 County Commission Meeting)--Manager.”

John Berkich, Assistant County Manager, asked that Items 17 and 18 be considered together. He gave a status report on the project and requested the Commissioners defer consideration of both Items 17 and 18 until September 28, 2007. He stated Item 18 was to consider adopting the Resolution, which was the final step the Commission would take to make the findings that the project had satisfied the statutory requirements imposed by SB 203 during the 2007 legislative session.

Mr. Berkich said on September 21, 2007, the Reno City Council approved 12 interlocking agreements. The agreements included land exchanges, development for the stadium, a lease agreement for the operation of the stadium, and a payment for \$10 million to Nevada Land (one of the partners in the agreement) to relocate the fire station, which was part of the proposed stadium site. He stated the agreement that would come before the Board on September 28, 2007, had already been considered and approved by the Reno City Council. The Manager’s Office was still waiting to receive a signed copy of the Development Agreement for expenditure and distribution of the rental car fees.

Mr. Berkich said the Reno City Council determined the fair market value of the various parcels for the stadium and they created a baseball / ballpark district in and around the stadium on Second and Evans streets. Actions were taken to vacate and abandon Evans Avenue and Plaza Street to create a public access easement along the river and under the National Bowling stadium.

Mr. Berkich discussed the four requirements of the agreement, which could be found in Chapter 322 of the NRS. The baseball team was required to play their home games at the stadium site, which had been acquired or leased by the baseball developers. If relocation was required, approval from the relevant league would need to be obtained along with approval for the construction of the stadium.

Mr. Berkich stated if they decided to defer Items 17 and 18 and if they were approved on September 28, 2007, the Board's obligations would be completed and would be turned over to the City of Reno and the developers. The final steps would need to be completed in the month of October. Bond ordinances that would enable revenue bonds backed up by car rental tax fees to support the issue of bonds in the estimated amount of \$24 million would need to be considered. The existing \$3 million that had accumulated in the special stadium fund from car tax revenues since April 2004, along with the bonds, would need to be transferred to conclude the involvement of the Commission in the project.

Mr. Berkich stated the final design work and the groundbreaking would occur in the early part of the spring in 2008 with an accelerated construction schedule to be completed by the spring of 2009. It was projected that the 2009 season would be held in the new stadium.

Chairman Larkin asked Mr. Berkich to explain how many of the four agreements in SB 203 had been completed and if the proper paperwork had been presented to the County. Mr. Berkich responded the agreement for the baseball team to play home games at the stadium, would be considered on September 28, 2007. Chairman Larkin asked if it was embedded in the agreement. Mr. Berkich said yes and the Reno City Council approved it, although he had not received the signed agreement. The Manager's Office recently received the document on the League approval for the relocation of the team, but they had not reviewed it yet. The acquisition and or lease of the stadium site was still closing, but should be completed by September 26, 2007. Reconciliation would be done to ensure that all parcels had been accounted for, assuming they had either been acquired or leased, as a condition in the statute.

Mr. Berkich stated the Manager's Office recently received two documents. One was a Special Use Permit (SUP) that was issued by the City and the other was a Building Permit that was still being reviewed. After complete review of the documents they would go before the Board on September 28, 2007, and at that time staff believed all statutory requirements would have been completed.

Chairman Larkin asked if there would be a representative from the City of Reno at the September 28, 2007, meeting to attest the proper permits have been processed. Mr. Berkich responded an entire team would be present, including SK Baseball, City of Reno, Reno Redevelopment, and Branch Rickey, President of the Pacific Coast League (PCL).

Commissioner Galloway asked what the time commitment was in the agreement in terms of home games played at the stadium and wondered if it was a State requirement. Mr. Berkich replied the agreement stated it was to continue to provide baseball for the term of the bonds and it was not a requirement of State law. Commissioner Galloway said it would be important to the Debt Management Commission and others when the bonds were approved, since there could be a problem with the bonds if the stadium were left derelict.

Commissioner Jung asked what the length of the bonds was and wanted it stated on public record. Mr. Berkich responded they were estimated to be 40-year bonds. He stated the bonds could be retired earlier because the bonds had "call" provisions. Commissioner Jung wanted to know how early the bonds could be retired and Mr. Berkich responded he did not know, but he would find out and get back to her.

In response to Commissioner Weber, Mr. Berkich said they were still discussing the formation of the Stadium Authority and staff would bring it to the County Commissioners to take action on at another point in time, as necessary.

Alfredo Alonzo, Lewis and Roca Law firm, on behalf of SK Baseball, thanked everyone involved that had faith in them to bring a team to Northern Nevada four years ago. He predicted the City of Reno and Washoe County would be proud of the project.

Mr. Alonzo responded to a concern that Commissioner Galloway had with respect to protections for the City and the County within the contracts. He believed the County was indemnified by the City of Reno. The City of Reno had a separate agreement with SK Baseball that stated if something were to happen and the ownership team had to leave; the rent would continue to be paid. He stated there was no liability to the City or the County.

Mr. Alonzo discussed the stability of the League and stated there had been baseball teams in the past that had financial issues and although the owners left, the League would not allow the team to move. In the entire history of the PCL there have only been six teams, including this one that moved. He declared the stability and the agreements were very strong and in favor of the County and the City to protect them.

Mr. Alonzo explained the normal process to purchase a team within the PCL or any other league in Minor League Baseball was to first have the Letter of Intent signed, and then a background process would be done. SK Baseball was approved to purchase the team and they closed on February 22. After applying for relocation and obtaining approval by the League, SK Baseball relocated, paid \$15.5 million and an additional \$1.5 million penalty the owner required. Final approval from Major League Baseball should be received tomorrow. Chairman Larkin asked if the letter of approval would meet the conditions of SB 203 and Mr. Alonzo answered in the affirmative.

Commissioner Galloway asked what the effort was on Mr. Alonzo's part with regard to the property transfer agreement documents. Mr. Alonzo answered they were closing on properties as they spoke and hoped to have everything completed by the following morning. Staff indicated all properties would close by noon on September 26, 2007.

Chairman Larkin asked Mr. Alonzo to confirm all local governments made their commitment and they were waiting on SK Baseball and the League to supply the relevant information so findings could be made. Mr. Alonzo agreed and said they received the SUP this morning. He remarked once they closed and the final letter was received, everything would be in order.

Chairman Larkin reminded the Commissioners a special meeting had been scheduled for Friday, September 28th at 2:00 PM in the Chambers.

Commissioner Humke said he received a few e-mails from people stating their objection to purchasing the baseball stadium since it was risky. He asked Mr. Berkich if this was the same strategy the County presented at the Legislature in 2003 when they asked for the car rental tax. Mr. Berkich replied it was the citizens of the County that pursued legislation, which enabled the car tax in the 2003 legislative session. He explained it was a countywide mechanism to fund the facility and when the request came to the Board to impose the car rental fee, the Board responded and did so in April 2004. Commissioner Humke inquired if the owner's group was financially strong and if County staff had done everything possible to protect the County.

Mr. Berkich stated staff proved to be diligent to the baseball stadium project for almost four years and they were some of the best experts in the nation. The developers that would come before the Board on Friday were one of the strongest teams to bring a project like this to any city. There were many examples of this kind of project that had been proposed in downtown areas that were extremely successful, such as Oklahoma City and PETCO Park in San Diego. He believed the project would be a tremendous catalyst to the redevelopment of downtown, Reno and added the project was in the best position it could be for great success in Northern Nevada.

In response to the call for public comment, Sam Dehne spoke in favor of the proposed baseball stadium, although expressed financial concern for the fire station. Gary Schmidt submitted a copy of an article from the *Reno News and Review*, which was placed on file with the Clerk. He spoke in support of the proposed location for the baseball stadium.

On motion by Commissioner Jung, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Items 17 & 18 be continued to the special meeting set for September 28, 2007.

07-1120 AGENDA ITEM 18 – MANAGER’S OFFICE

Agenda Subject: “Recommendation to execute a Resolution making certain findings pursuant to Chapter 322, Statutes of Nevada 2007 relating to a minor league baseball stadium project; providing certain details in connection therewith; and providing the effective date hereof--Manager.”

See discussion under Item 17 above.

On motion by Commissioner Jung, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 18 be continued to the special meeting set for September 28, 2007.

4:41 p.m. The Board convened as the Board of Directors for the Sierra Fire Protection District with all members present.

5:01 p.m. The Board convened as the Board of Fire Commissioners for the Truckee Meadows Fire Protection District with all members present.

5:17 p.m. The Board reconvened as the Board of County Commissioners with all members present.

07-1121 AGENDA ITEM 12 – DEPARTMENT OF WATER RESOURCES

Agenda Subject: "Recommendation to approve the purchase of 70 gallons per minute of well capacity in Tessa Well Number 2 from PKE Holdings, Ltd. [\$388,220]; and if approved, authorize the Department Director to issue the purchase order to PKE Holdings, Ltd."

There was no public comment on this item.

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that Agenda Item 12 be approved and authorized as recommended.

07-1122 AGENDA ITEM 14 – SENIOR SERVICES DEPARTMENT

Agenda Subject: "Recommendation to accept Independent Living grant awards from the Division for Aging Services for various Senior Services programs [\$245,343 with \$36,803 County match] for the period October 1, 2007 through September 30, 2008; and if accepted, direct Finance Department to make appropriate budget adjustments."

There was no public comment on this item.

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that Agenda Item 14 be accepted and directed as recommended.

07-1123 AGENDA ITEM 15 – REGIONAL PARKS AND OPEN SPACE

Agenda Subject: "Recommendation to award bid for Eagle Canyon Park Phase #3 to the lowest responsive and responsible bidder (staff recommends Sierra Nevada Construction) [\$971,777 - base bid, Alternate #1 and Alternate #2]; and if awarded, authorize Chairman to execute Contract documents upon presentation, accept cash donation [\$22,680] from Spanish Springs Cal Ripkin League to fund Alternate #1, athletic field sod, and authorize Finance to make all appropriate budget adjustments."

There was no public comment on this item.

Doug Doolittle, Director of Regional Parks and Open Space, assured Commissioner Galloway that funding for the project did not come from the General Fund, but was done through a residential construction tax that allowed for the acquisition and development of neighborhood parks. He stated there was approximately \$1,700,000 available in the fund for use in the applicable District.

On behalf of the Board, Commissioner Galloway thanked the Spanish Springs Cal Ripkin League for their generous donation.

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 15 be awarded, accepted and authorized as recommended.

07-1124 AGENDA ITEM 9 – DEPARTMENT OF WATER RESOURCES

Agenda Subject: "Recommendation to review Water Rights Applications 75958 and 75959 proposing to export 1,415.60 acre-feet of surface water from Hualapai Flat Basin to Lyon and Storey Counties; and, authorize Chairman to recommend denial of the subject applications to the Nevada State Engineer."

The Board combined its discussion and motion concerning Agenda Items 9 and 10.

Chairman Larkin asked about recent action taken by the State Engineer concerning the Aqua Trac project, which was not directly related to the water rights applications under this item. Vahid Behmaram, Water Rights Manager, explained that Aqua Trac originally proposed to appropriate from 80,000 to 130,000 acre-feet of water from Granite Springs Basin in Pershing County for export to several locations, including Fernley and parts of Washoe County. The applicant later reduced the amount of the request to 34,000 acre-feet. A hearing was held in March 2007 and a ruling issued in

September 2007. Mr. Behmaram related the State Engineer's conclusion that the studies done and documentation presented by Aqua Trac were not sufficient to demonstrate sustainable perennial yields and allow an increase in the amount of water appropriated from the Granite Springs Basin.

Commissioner Galloway recalled a similar discussion during the Sonterra project in which the two important arguments presented to the State Engineer involved exceeding the sustainable yield of the water resource in question and economic impacts such as effects on new growth in the immediate area. He stated the Commission had previously established it did not want the limited water resources of Washoe County to be diverted for new growth in other counties with less population density, particularly when Washoe County had a demonstrated need for the water. Commissioner Galloway asked if the applications under discussion would exceed the sustainable yield. Mr. Behmaram stated the applications under Agenda Item 10 were very similar to those of the Sonterra project because the water originated in the same basin and was proposed for exportation to the same areas (Fernley, Silver Springs, Stagecoach and Dayton). He clarified that the applications in Agenda Item 10 were for ground water and the applications in Agenda Item 9 were for surface water from Granite Creek. Chairman Larkin asked if the applications for surface water from Granite Creek would result in over-appropriation of the water resource. Mr. Behmaram stated it was difficult to tell. He said there was established data available from the U.S. Geological Survey (USGS) for groundwater basins but he did not know what the measured flows were for the surface water in the Granite Creek stream system.

Chairman Larkin suggested the applicable policy question for Agenda Item 9 was whether or not the Commission would protest exportation of the water out of Washoe County, which had its own water demands. For Agenda Item 10, Chairman Larkin identified policy issues involving exportation of the water, known groundwater over-allocation within the basin, and applications that appeared to exceed the perennial yield for the groundwater resource. Mr. Behmaram confirmed that staff already forwarded comments in its protests to the State Engineer on policy issues involving resource availability, justification of whether exportation was necessary, and existing demand for the water within Washoe County. He referred to background comments in the staff reports, which stated: "A comparison of the projected land uses and population forecasts for Washoe County to the available water resources within the boundaries of Washoe County, including the basin associated with these applications, indicates a deficit in available water resources in meeting those future water demands. Therefore, the resources of these basins would be required within Washoe County and export of these resources would be detrimental to the interests of a larger sector of the population of the State of Nevada."

Commissioner Jung asked if the County would sell the water if the State Engineer allowed it to be exported. Mr. Behmaram explained that the State Engineer had the authority to appropriate the water and, although there was a statute that allowed Washoe County to levy a small annual fee per acre-foot, it was not a substantial amount of money and did not represent the market value of the water. Chairman Larkin observed

that it was a principle of Nevada water law that the water belonged to the people of the State of Nevada and not to any individual county.

Commissioner Humke clarified with Mr. Behmaram that it was the intent of Washoe County to use the water within its boundaries, even if it might necessitate an inter-basin transfer. Mr. Behmaram agreed there was an identified demand within Washoe County.

Commissioner Humke asked about the exclusion of the Hualapai Flat Basin from State legislation creating the Western Regional Water Commission, (SB 487). Mr. Behmaram noted discussion was provided to the State Engineer outlining the County's position but he did not know how much weight that would carry during an actual hearing. He believed the legislative exclusion of the water basins in question from Washoe County's area of resource planning would make it more difficult for the County to make its case with the State. Rosemary Menard, Director of Water Resources, explained the action taken to exclude the three basins in the Gerlach area from the scope of SB 487 occurred right before the legislation left the Senate and went to the House. Mr. Behmaram noted he had not made any connection between that legislative decision and any particular export projects because the water rights applications under discussion had not yet been filed with the State Engineer.

Chairman Larkin referred to language in the staff report stating that the applicant had not justified the need to import water from the basin. He remarked that the Commission was on record as supporting importation of water from other basins into Washoe County as long as sufficient water was available and no groundwater mining was involved. Chairman Larkin was concerned that using such language to protest these applications might negatively impact Washoe County in future applications to import water for its own use. Mr. Behmaram noted that the standard model had been to convert agricultural water rights to municipal use. It was his understanding there were decreed rights in the Dayton and Fernley areas and his argument to the State Engineer was that the applicants should be utilizing those rights first. Chairman Larkin suggested Mr. Behmaram clarify the language to be more specific. Mr. Behmaram indicated he could attempt to amend the protests already filed with the State Engineer but was not certain if he would be able to do that. He stated he could elaborate and clarify at the time of the hearings. Katy Singlaub, County Manager, said that staff would be happy to make it clear the County's policy point was to only support transfers between basins if all available resources within the basin of destination had been exhausted.

Commissioner Galloway hoped Mr. Behmaram would also make some efficiency arguments, commenting that it was more efficient to bring the water to the people in areas that were already developed than to sprawl more people out to less populated areas. He added that Washoe County would not have to add as much infrastructure as a less populated community in order to accommodate new development. As for water needs in Washoe County, Commissioner Galloway referred to Table 6.6 from the Water Report of 2004, which listed all the water available and showed that the County could not support anything beyond what had already been approved for zoning in

2002. Since the Hualapai Basin was not included on Table 6.6, it would clearly be an additional source of water for Washoe County. Mr. Behmaram indicated he could bring that up during the hearings. He was not sure if the State Engineer could legally consider such information when granting or denying an application. Commissioner Galloway noted it could not hurt to cite those arguments and may help with future legislative issues to get them on the record now.

Chairman Larkin asked Mr. Behmaram to keep the Commissioners informed about the decisions being made by the State Engineer.

There was no public comment on this item.

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, it was ordered that the positions recommended in the staff report for Agenda Items 9 and 10 be adopted and the Chairman be authorized to recommend denial of the subject applications to the State Engineer. It was further noted that protests to the water rights applications in Agenda Item 9 were based primarily on policy issues concerning exportation and protests to the water rights applications in Agenda Item 10 were based on the exportation issue as well as over-appropriation of the water resource.

07-1125 AGENDA ITEM 10 – DEPARTMENT OF WATER RESOURCES

Agenda Subject: "Recommendation to review Water Rights Applications 75887 through 75921 proposing to export 10,000 to 14,000 acre-feet of ground water from Hualapai Flat Basin to Lyon and Storey Counties; and authorize Chairman to recommend denial of the subject applications to the Nevada State Engineer."

The Board combined its discussion and motion concerning Agenda Items 9 and 10. Please see Agenda Item 9 above (07-1124) for a summary of the discussion.

There was no public comment on this item.

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, it was ordered that the positions recommended in the staff report for Agenda Items 9 and 10 be adopted and the Chairman be authorized to recommend denial of the subject applications to the State Engineer. It was further noted that protests to the water rights applications in Agenda Item 9 were based primarily on policy issues concerning exportation and protests to the water rights applications in Agenda Item 10 were based on the exportation issue as well as over-appropriation of the water resource.

5:46 p.m. Chairman Larkin declared a recess.

6:28 p.m. The Board reconvened with all members present.

07-1126A AGENDA ITEM 21 (ORDINANCE) – DEPARTMENT OF WATER RESOURCES

Agenda Subject: "Second reading and adoption of an Ordinance amending the Washoe County Schedule of Rates and Charges for Provision of Sanitary Sewer Service within certain areas of Washoe County; adding provisions to allow a connection fee surcharge for properties previously served by the Verdi Meadows Utility Company, LLC (VMUC) now being connected to the Lawton Verdi Sewer Interceptor; removing the Senior Citizen's Discount Program; and providing other procedural changes. This Ordinance repeals Ordinance No. 1274. (Bill No. 1523)"

Chairman Larkin opened the public hearing.

Rosemary Menard, Director of Water Resources, submitted a correction for a clerical error to Article 6.13 of the Ordinance. A copy of the corrected page was placed on file with the Clerk. She commented that the purpose of the amended Ordinance was to incorporate homeowners from the River Oaks Homeowners Association as customers of the Washoe County Department of Water Resources and allow them the opportunity to either pay their connection fee or to have a connection fee and surcharge on their water bills.

Commissioner Galloway observed the Schedule of Rates and Charges reflected different degrees of reduction in different areas and asked why that was the case. Ms. Menard believed it was due to differences in infrastructure provided for those service areas.

6:30 p.m. Commissioner Humke temporarily left the meeting.

County Clerk Amy Harvey read the title of proposed Ordinance No. 1344.

There being no response to the call for public comment, the public hearing was closed.

6:35 p.m. Commissioner Humke returned to the meeting.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, it was ordered that the Ordinance in Agenda Item 21 be approved, adopted and published.

07-1126B AGENDA ITEM 21 (BUSINESS IMPACT STATEMENT) – DEPARTMENT OF WATER RESOURCES

Agenda Subject: "Approve and authorize the Chairman to execute the Business Impact Statement related to the proposed Ordinance amending the Washoe County Schedule of Rates and Charges for Sanitary Sewer Service, and direct the County Clerk to make findings available upon request."

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, it was ordered that the Business Impact Statement in Agenda Item 21 be approved, executed and directed.

07-1126C AGENDA ITEM 21 (RESOLUTION) – DEPARTMENT OF WATER RESOURCES

Agenda Subject: "Execute a Resolution adopting an Ordinance amending the Washoe County Schedule of Rates and Charges for Provision of Sanitary Sewer Service within certain areas of Washoe County; adding provisions to allow a connection fee surcharge for properties previously served by Verdi Meadows Utility Company, LLC now being connected to the Lawton Verdi Sewer Interceptor; removing the Senior Citizen's Discount Program; and providing other procedural changes. This Ordinance repeals Ordinance No. 1274."

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, it was ordered that the Resolution in Agenda Item 21 be adopted and executed. The Resolution for same is attached hereto and made a part of the minutes thereof.

07-1127A AGENDA ITEM 22 (CP07-002) – COMMUNITY DEVELOPMENT

Agenda Subject: "Comprehensive Plan Amendment Case No. CP07-002 and Specific Plan Case No. SP07-001 (Falcon Ridge) - Sun Valley Area Plan (continued from August 28, 2007 County Commission meeting)."

Discussion and possible amendment to the Sun Valley Area Plan, being a part of the Washoe County Comprehensive Plan, to re-designate a ±25.6 acre property consisting of 143 parcels from the land use category of High Density Suburban (HDS) to Specific Plan (SP). To reflect changes requested within this application and to maintain currency of general area plan data, administrative changes to the area plan are proposed. These administrative changes include: a revised map series with updated parcel base and revised table of land uses. Authorization is also requested for the Chair to sign the Resolution for the updated area plan after a determination of conformance with the Regional Plan by the Truckee Meadows Regional Planning Agency."

The Board combined its discussion on the two parts of Agenda Item 22. Please refer to 07-1126B below for the motion pertaining to the second part of the item.

Trevor Lloyd, Planner for the Community Development Department, reminded the Board that this item had been continued from the regular Commission meeting on August 28, 2007, after being remanded to the Planning Commission. He stated there was a unanimous vote of the Planning Commission at its meeting on September 18, 2007 that no changes should be made to the Falcon Ridge Specific Plan. Mr. Lloyd related staff's recommendation that a traffic signal should be installed and operational prior to the building of the 143rd dwelling unit and noted the applicant already had approval for 142 units.

Chairman Larkin opened the public hearing.

In response to the call for public comment, Mike Raley, the applicant's representative from the firm of Jeff Codega Planning and Design, stated there had been recent meetings with Regional Transportation Commission staff, County staff, the project's traffic engineer and representatives from the City of Sparks. He indicated the applicant saw the traffic signal as a benefit to the project and would agree to fund the cost of the signal and its installation.

Chairman Larkin closed the public hearing.

Chairman Larkin confirmed with Mr. Raley that the applicant agreed to be responsible for 100 percent of the cost for the traffic signal. In response to a question by Commissioner Galloway, Mr. Raley pointed out that language for the traffic signal condition was written into the Specific Plan. Mr. Raley assured Chairman Larkin that the City of Sparks had agreed to accept responsibility for maintaining the traffic signal.

At Commissioner Weber's request, Mr. Raley pointed out the location of the proposed traffic signal on the map display, which was also included on page 4 of the staff report. Commissioner Weber asked how the signal would be affected by grades on El Rancho Boulevard approaching from either side. Mr. Raley stated the location of the signal met spacing requirements between the existing signals on either side of it. Paul Solaegui, the project's traffic engineer, changed the map display to an aerial view, pointed out the location of the signal, and explained how the medians on El Rancho Drive would be modified. He stated there was a vertical rise in the road that would be reviewed prior to installation to decide whether it would necessitate the installation of a flashing signal in advance of the traffic light.

Commissioner Galloway asked if there was the possibility of future development on nearby lots, which probably would not have the option for placing additional traffic signals due to spacing requirements. Further discussion concluded that development of adjacent parcels was already about as dense as it could get because of drainage requirements.

Commissioner Weber expressed concern about traffic impacts during construction, prior to the installation of the traffic signal. Mr. Lloyd explained the project already had approval and an entitlement for 142 dwelling units. He stated the zoning

amendment would increase that to a total of 269 dwelling units for the project. Mr. Raley pointed out that the first units would be model units and the applicant intended to pre-sell units prior to building them, so construction would be phased in gradually. He assured Commissioner Weber that the applicant would work with the County to ensure appropriate traffic controls such as flaggers during construction of the project.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, Chairman Larkin ordered that Comprehensive Plan Amendment Case No. CP07-002 in Agenda Item 22 be approved based on the following findings:

Findings:

1. The proposed amendments to the Sun Valley Area Plan are in substantial compliance with the policies and action programs of the Washoe County Comprehensive Plan.
2. The proposed amendments to the Sun Valley Area Plan will provide for land uses compatible with existing and planned adjacent land uses and will not adversely impact the public health, safety or welfare.
3. The proposed amendments will further implement and preserve the Vision and Character Statement of the Sun Valley Area Plan.
4. The proposed amendments to the Sun Valley Area Plan will not adversely affect the implementation of the policies and action programs of the Conservation Element, the Population Element and/or the Housing Element of the Washoe County Comprehensive Plan.
5. The proposed amendments to the Sun Valley Area Plan will promote the desired pattern for the physical growth of the County and guides development of the County based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services.
6. The proposed amendment to the Sun Valley Area Plan is the first amendment to the Sun Valley Area Plan in 2007, and therefore does not exceed the three permitted amendments as specified in Section 110.820.05 of the Washoe County Development Code.
7. The Washoe County Planning Commission gave reasoned consideration to information contained within the staff report and information received during the public hearing.
8. The Washoe County Commission gave reasoned consideration to information contained within the staff report and information received during the public hearing.

On motion by Commissioner Weber, seconded by Commissioner Humke, which motion duly carried, it was ordered that Chairman Larkin be authorized to sign the Resolution in Agenda Item 22 after a determination of conformance with the Regional Plan by the Truckee Meadows Regional Planning Agency. The Resolution for same is attached hereto and made a part of the minutes thereof.

07-1127B AGENDA ITEM 22 (SP07-001) – COMMUNITY DEVELOPMENT

Agenda Subject: "Comprehensive Plan Amendment Case No. CP07-002 and Specific Plan Case No. SP07-001 (Falcon Ridge) - Sun Valley Area Plan (continued from August 28, 2007 County Commission meeting).

Discussion and possible adoption of the Specific Plan, its regulations and guidelines for the Falcon Ridge development, first by reviewing and accepting or modifying the Planning Commission's Report prepared pursuant to NRS 278.220(4) regarding the Board of County Commissioners' recommendation made August 28, 2007, to amend the language of this Specific Plan to require a traffic signal at the intersection of the project entrance and El Rancho Drive, to be funded 75% by the applicant and 25% by other sources. The Specific Plan will provide the regulatory tools and guidelines necessary to implement the proposed Falcon Ridge development. The Specific Plan includes the maximum allowable density, policies for the implementation of the specific plan goals, development standards such as grading, architectural design, landscape and fencing requirements, proposed amenities and a financing plan for the infrastructure and related matters.

The subject properties are located along the north side of El Rancho Drive approximately ¼ mile east of Sun Valley Boulevard. The subject parcels are within the Truckee Meadows Service Area (TMSA), and within the Area of Interest of the City of Sparks, as identified by the 2002 Truckee Meadows Regional Plan. The subject parcels are located within Section 30, T20N, R20E, MDM, Washoe County, Nevada. The property is within Washoe County Commission Districts 3 and 5 and within the Sun Valley Citizen Advisory Board boundary. (APN's: 035-661-01 through 035-661-31; 035-662-01 through 035-662-30; 035-663-01 through 035-663-24; 035-664-01 through 035-664-27; 035-665-01 through 035-665-30)."

The Board combined its discussion on the two parts of Agenda Item 22. Please see 07-1126A above for a summary of the public hearing and discussion of both parts.

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that the Specific Plan in Agenda Item 22 be adopted based on the following findings and with the condition that the traffic signal must be installed and operational prior to the building of the 143rd dwelling unit. It was further noted that the applicant agreed to fund 100 percent of the cost for the traffic signal and its installation.

Findings:

1. The proposed Specific Plan is in substantial compliance with the policies and action programs of the Washoe County Comprehensive Plan.
2. The proposed Specific Plan will provide for land uses compatible with existing and planned adjacent land uses and will not adversely impact the public health, safety or welfare.
3. The proposed Specific Plan will not adversely affect the implementation of the policies and action programs for the Conservation Element, the Population Element and/or the Housing Element of the Washoe County Comprehensive Plan.
4. The proposed Specific Plan will promote the desired pattern for the physical growth of the County and guides development of the County based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services.
5. The Washoe County Planning Commission gave reasoned consideration to information contained within the staff report and information received during the public hearing.
6. The Washoe County Commission gave reasoned consideration to information contained within the staff report and information received during the public hearing.

07-1128 AGENDA ITEM 11 – DEPARTMENT OF WATER RESOURCES

Agenda Subject: "Recommendation to approve and authorize the Chairman to execute, upon receipt, the Amended Interlocal Agreement for the formation of the Interim Western Regional Water Commission (IWRWC), including proposed modifications to clarify dates in Section 6 as target dates and not binding deadlines; authorize appointment of a Local Managing Board member as the Interim Trustee representing South Truckee Meadows General Improvement District; and, authorize appointment of Alternate Interim Trustees to the IWRWC."

Katy Singlaub, County Manager, pointed out the agenda item paralleled action taken by the Board at a meeting earlier in the day, sitting as the Board of Trustees for the South Truckee Meadows General Improvement District (STMGID).

Commissioner Humke moved to replicate the motion made at the STMGID meeting. Chairman Larkin clarified there were three proposed amendments to the Agreement: one referring to dates, a second regarding the appointment of a Local Managing Board member, and a third concerning the appointment of an alternate. He indicated the first two provisions were acted upon and the third was not, although it was

requested that staff discuss a provision for alternates with the other governing bodies during the joint drafting effort for a joint powers agreement.

Commissioner Galloway stated he would support the motion because he agreed with the first two amendments, although it was his position that the third amendment should also have been approved.

Commissioner Humke commented that he believed the earlier discussion impressed on staff and legal representatives the Board's desire to seek a provision for alternates in the permanent joint powers agreement and was confident that impression would be conveyed to the other entities as well.

On motion by Commissioner Humke, seconded by Jung, which motion duly carried, it was ordered that Agenda Item 11 be approved and authorized, but not to include the appointment of an Alternate Interim Trustee to the IWRWC, with the understanding that staff had been directed to include the discussion of alternates in the crafting of the permanent agreement. The amended Interlocal Agreement is attached hereto and made a part of the minutes thereof.

07-1129 AGENDA ITEM 13 – PURCHASING DEPARTMENT

Agenda Subject: "Recommendation to approve purchase of one 2008 EZ-Liner Paint Striping Machine, Model AL500, from EZ-Liner Industries [\$309,299] utilizing County of Sacramento Bid Number RFB 6951 pursuant to the joinder provisions of NRS 332.195."

Given the tight budget spot the County was in, Commissioner Galloway asked if the funding source for the machine was somehow independent of the overall status of the County's budget. Dan St. John, Director of the Public Works Department, explained there was an amount for the purchase in the dedicated Equipment Services Fund. Commissioner Galloway wondered if there were other alternatives such as outsourcing or using somebody else's equipment at night, particularly if there might not be money available to fund other equipment needs. Mr. St. John stated the Board would be hearing more about a reduction plan for the remainder of the Equipment Service Fund at a future meeting. He indicated the current piece of equipment was very unreliable and the County had not been able to keep up with its normal cycle of striping twice per year. He did not recommend the postponement of this equipment because of potential safety issues as lines in the road faded and became difficult to see. Mr. St. John observed that it would be very expensive to outsource the volume of striping done by the County.

Jean Ely, General Services Division Director, commented the Department had not pursued the availability of leasing equipment from another entity. She added that the existing machine had been out of service for nine out of 14 months. Typically, she stated they did not recommend leasing County equipment to other entities because of the specialized operators required to do the work. Mr. St. John said they could investigate leasing but it had been their experience that leases for this type of equipment usually

included the operator. He added there was a long lead time to purchase the piece of equipment in order to have delivery by Spring 2008. Ms. Ely commented that the pricing included price incentives from the manufacturer that would be lost if there was not a commitment to purchase before a specified date. She added it would take a minimum of 180 days to build the paint striper.

Chairman Larkin referred to language in the fiscal impact section of the staff report. Mr. St. John acknowledged that the funds were ultimately derived from the General Fund. In response to further questioning by Chairman Larkin, Mr. St. John indicated that County staff had not yet approached the Cities of Sparks or Reno about collaborative use of their striping equipment but could certainly do so. Commissioner Weber agreed this was a perfect example of a budget item that should be looked at more carefully.

Commissioner Jung asked what the deadline was to take advantage of the County of Sacramento bid discount. David Gonzales, Equipment Services Superintendent, stated the deadline was the end of September 2007 and the next potential build slot after that would be January 2008 with probable delivery in the middle of summer. He noted that striping usually began in April or May of each year. Chairman Larkin questioned how long staff had known a new striper was needed. Mr. Gonzales responded that staff began looking at specifications three to four months ago before finding the County of Sacramento bid opportunity. He did not believe the striping machine could be extended beyond its useful life and recommended the Department would do better to extend the life of other items in the heavy fleet.

Katy Singlaub, County Manager, suggested the Board could direct staff to analyze alternatives such as collaboration with another entity or an outsourcing contract, while delegating herself or the Finance Director to authorize purchase of the striping machine if a less expensive viable alternative could not be found before the end of the month.

Commissioner Galloway put forward a motion, seconded by Commissioner Weber, based on Ms. Singlaub's suggestion.

Mr. Gonzales pointed out that one of the items deleted from the County of Sacramento bid was a night lighting package. He was not sure if any of the other local agencies had such a package to allow nighttime striping.

Commissioner Weber asked for consideration to add the night package so the equipment could be offered for use by the Cities or other local entities. In response to Commissioner Galloway's question, Mr. Gonzales indicated the original bid for \$336,000 had been trimmed down to \$309,299 by dropping the night light package and other bid alternates. He said the night light package would typically have to be pre-built and could not be added to the equipment after the fact. Commissioner Galloway suggested the night light package might have a shorter lead time than the piece of equipment itself. He was reluctant to approve the package without knowing the price and proposed a direction

be added to the motion that, if it was found to be advantageous to add that feature to the equipment, the County Manager could make the decision to proceed with the order, provided she brought the item back to the Board for approval.

Chairman Larkin stated he was not happy with this course of action and did not believe it sent the right message through the County organization. Understanding the time limitation, he directed Public Works staff to work out agreements with other entities for combined use of the equipment as opportunities allowed and report back to the Board.

Commissioner Jung expressed her confidence in staff's knowledge of where budget cuts were most appropriate.

Commissioner Galloway agreed to add Chairman Larkin's staff direction to the motion.

Commissioner Humke agreed with Chairman Larkin's position. He stated he would go along with the motion, although he thought it might be possible for the County to make do with its current equipment for another year.

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that the purchase described in Agenda Item 13 be approved subject to release of the purchase order by the County Manager and with the direction that if the County Manager found other courses of action that would be more advantageous to Washoe County and would allow the County to do the necessary striping for the next 24 months, then the purchase order would not be released by the County Manager and she would implement the alternate plan. Public Works staff was further directed to work out agreements with other entities for the combined use of equipment as opportunities allowed and report back to the Board.

07-1130 AGENDA ITEM 16 – PUBLIC WORKS DEPARTMENT

Agenda Subject: "Update on progress of Court Complex Master Plan Update Project."

Dave Solaro, Capital Projects Division Director, stated work was being done with a group of court facility users, including staff representatives from the Public Defender's Office, Alternate Public Defender's Office, Alternative Sentencing, County Clerk, Law Library, District Court General and Family jurisdictions, Reno Justice Court, Sheriff's Office Transport, Booking and Civil Divisions, Facilities Management, and the District Attorney's Office. The court users' group was involved in identifying the County's needs and the Court's needs through build-out of the community in 2050 with a projected population of approximately 700,000 residents.

Mr. Solaro stated the projections of future court filings were being finalized and noted there was currently about 165,000 square feet of available space

dedicated to the courts. Based on State guidelines for court facilities, Mr. Solaro said the courts were currently operating with a deficit of about 20,000 square feet and there was a projected deficit of about 320,000 square feet by the year 2050. He outlined several options being explored, including infill of the building at One South Sierra, vertical expansion of the building at One South Sierra and development of the Pioneer site. Mr. Solaro explained that one of the options being looked at was to connect all of the court buildings, either by overhead walkways or abandonment of Court Street. Additionally, he stated evaluation of alternative court schedules on evenings and Saturdays was underway, as well as analysis for video arraignment of prisoners held at Parr Boulevard. A second workshop was scheduled for November 2, 2007 and Community Outreach Coordinators were working to involve the community in the process.

Chairman Larkin asked if any analysis was being done based on increased efficiency within the court system. Mr. Solaro stated it did not appear the numbers would change substantially, even with updated processes and/or technology. Chairman Larkin requested a sensitivity analysis to project the effect of a 5 percent increase in efficiency of court procedures, which he believed should be attainable. Mr. Solaro agreed to include that in the report. Dan St. John, Public Works Director, likened the Master Plan at this point to a game plan that did not yet call the plays. He pointed out that these projections would be continually refined and construction projects would be driven by actual caseload as the need occurred. Mr. St. John commented that, in addition to the number of courtrooms per judge, the need for floor area was based on additional factors such as office space.

In response to a question by Chairman Larkin, Mr. Solaro explained that the Mills Lane Justice Center had a total floor space of approximately 150,000 square feet at a cost of approximately \$42,000,000 in 2005 dollars.

Commissioner Galloway clarified some of the square footage projections with Mr. Solaro. Mr. Solaro estimated that City Codes would allow approximately eight stories on the Pioneer lot.

Chairman Larkin suggested the developers who submitted proposals for the Pioneer site be included in the workshop planned for November 2nd. Mr. Solaro indicated there would be another update for the Commission in the middle of November 2007 and a more finalized Plan would be presented in December 2007.

No action was taken on this item.

07-1131 AGENDA ITEM 26 (ADDENDUM)

Agenda Subject: "Recommendation to appoint Commissioner Jung to various boards and commissions that former Commissioner Pete Sferrazza served on and ones that Commissioner Weber is currently serving on; and, change Commissioner Weber's designation on several boards and commissions."

Chairman Larkin confirmed with Commissioner Jung that she was agreeable to serving on the boards and commissions listed in the staff report.

On motion by Commissioner Humke, seconded by Commissioner Weber, it was ordered that the appointments in Agenda Item 26 be approved as recommended in the staff report.

AGENDA ITEM 23

Agenda Subject: "Reports/updates from County Commission members concerning various boards/commissions they may be a member of or liaison to (these may include, but not be limited to, Regional Transportation Commission, Reno-Sparks Convention & Visitors Authority, Debt Management Commission, District Board of Health, Truckee Meadows Water Authority, Organizational Effectiveness Committee, Investment Management Committee, Citizen Advisory Boards)."

Commissioner Humke announced upcoming meetings for the Board of Health, the Reno-Sparks Convention and Visitors Authority and the Truckee Meadows Flood Project Coordinating Committee. He also attended a recent meeting of the Regional Transportation Commission. He commented that the Criminal Justice Advisory Committee discussed the high Detention Center population, stating the new addition to the Detention Center could not open soon enough.

Commissioner Weber reminded listeners about her Town Hall Meeting scheduled for September 26, 2007. She anticipated attending upcoming meetings of the Gerlach Citizen Advisory Board and the Nevada Association of Counties (NACO). Commissioner Weber stated the September meeting of the V&T Railway Reconstruction Commission was cancelled.

Chairman Larkin stated he would attend a Newcomer's meeting at the Atlantis and was scheduled to participate in a reading of Ray Bradbury's *Fahrenheit 451* as part of the Washoe County Library's Reading Relay. He announced he would attend upcoming meetings for Accentuate the Positive, the Commission on Aging, the Truckee Meadows Flood Project Coordinating Committee and noted that he would be presenting a resolution on behalf of the Board at a benefit to honor Nevada's Fallen Heroes.

Commissioner Galloway said he would attend a meeting of the Tahoe Regional Planning Agency (TRPA). He commented the TRPA was in the process of updating their entire regional plan, which was done every 20 years. Commissioner Galloway announced an upcoming meeting of the Parks Commission and indicated he could not attend the NACO meeting.

Commissioner Jung planned to participate in the Cardboard Box City to raise funds and awareness for the homeless, as well as the VFW Women's auxiliary Garage Sale. She stated she would be going to the Latin Farms community picnic in Fallon as a member of Community Supported Agriculture, and would also attend the

benefit to honor Nevada's Fallen Heroes, the NACO meeting and the Accentuate the Positive luncheon.

* * * * *

7:50 p.m. There being no further business to come before the Board, the meeting was adjourned.

ROBERT M. LARKIN, Chairman
Washoe County Commission

ATTEST:

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

*Minutes Prepared by
Sandy Lyn Cuzick and Lisa McNeill
Deputy County Clerks*

PROCLAMATION

WHEREAS, The Girl Scouts of the Sierra Nevada has an interest in promoting the social, physical and mental well-being of its members and all girls; and

WHEREAS, Through Girl Scouting girls gain courage, confidence, character and make the world a better place; and

WHEREAS, Girl Scouting takes an active role in increasing girls' awareness of healthy and responsible behavior; and

WHEREAS, Bullying is a serious problem with long-lasting effects that can be the root cause of criminal behavior, depression, academic failure and lack of self-esteem later in life; and

WHEREAS, The problem of bullying is widespread and is cited as a contributing factor in recent cases of school shootings – with 2/3 of students involved in school shootings saying they had felt persecuted, bullied or threatened by others; and

WHEREAS, Girls are twice as likely to bully or be bullied electronically than boys; and

WHEREAS, Creating awareness of relational aggression will help transform our community and culture to stop bullying amongst girls; now, therefore, be it

PROCLAIMED, That the Washoe County Commission proclaims the week of October 1-6, 2007 as **Girl Scout Anti-Bullying Week** and applauds the commitment Girl Scouting has made to America's girls.

ADOPTED this 25th day of September, 2007.



Robert M Larkin
Robert M. Larkin, Chairman
Washoe County Commission

07-1107

Clerk

Proclamation

WHEREAS, To honor Nevada's fallen heroes, Silver Oak Golf Course and Event Center is hosting a statewide fundraising event on September 29, 2007 from 3-11 p.m., with benefits going to the Nevada Patriot Fund; and

WHEREAS, The Nevada Patriot Fund was established in 2003 to support the families of Lance Corporal Donald John Cline, Jr. from Sparks and 1st Lieutenant Frederick E. Pokorney, Jr. from Tonopah, who were killed in action during Operation Iraqi Freedom; and

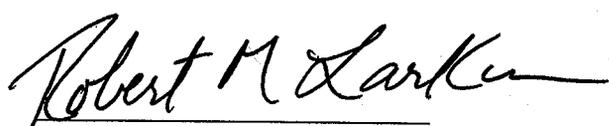
WHEREAS, The Nevada Patriot Fund helps other Nevada families who have had a family member die or suffer a permanent disability as a result of their service; and

WHEREAS, Since 2003, 43 Nevada veterans have lost their lives while preserving our safety and freedom; and

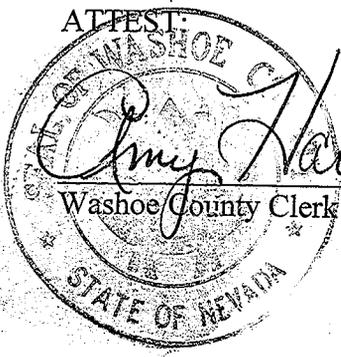
WHEREAS, The Patriot Fund is a privately funded 501(c)(3) organization that receives 100% of its contributions from individuals and business donors- "Nevadans helping Nevadans"; now, therefore, be it

PROCLAIMED, By the Washoe County Commission that September 23 through September 29 is recognized as "You can't say no...you gotta go!" week to support participation in the September 29th Nevada Patriot Fund fundraising event.

ADOPTED this 18th day of September, 2007.


Robert M. Larkin, Chairman
Washoe County Commission

ATTEST:

Washoe County Clerk


07-1067

Clerk

PROCLAMATION

WHEREAS, The use of illegal and prescription drugs and the abuse of alcohol and nicotine constitute one of the greatest threats to the well-being of America's children; and

WHEREAS, 12 years of surveys conducted by The National Center on Addiction and Substance Abuse (CASA) at Columbia University have consistently found that the more often children and teenagers eat dinner with their families the less likely they are to smoke, drink and use illegal drugs; and

WHEREAS, Teenagers who eat dinner with their families two times a week or less are twice as likely to drink alcohol and smoke cigarettes, compared to teens who have frequent family dinners; and

WHEREAS, Teenagers who eat dinner with their families are half as likely to smoke cigarettes, smoke marijuana and drink alcohol; and

WHEREAS, The correlation between family dinners and reduced risk for teen substance abuse are well documented; and

WHEREAS, Parental engagement is known to be one of the most crucial factors in determining the likelihood of substance abuse by teenagers; and

WHEREAS, Family dinners have long constituted a substantial pillar of family life in America; now, therefore, be it

PROCLAIMED, The Washoe County Commission does hereby proclaim September 24th, the fourth Monday in September, as **Family Day – A Day to Eat Dinner with Your Children** and urges all citizens of Washoe County to recognize and participate in its observance by turning off the television and telephones and enjoying dinner as a family.

ADOPTED this 18th day of September, 2007.



Robert M Larkin
Robert M. Larkin, Chairman
Washoe County Commission

07-1069

RESOLUTION--Authorizing the Grant of Public Money to YMCA of the Sierra, fiscal agent for the Tune In To Kids Program

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 2007/2008 to make a grant of money to YMCA of the Sierra for the Tune In To Kids Program to be used to buy at least 300 "family time" books [approximately \$1,000] for distribution to appropriate families (with any donations received for the books to be used to replenish the supply of books) and the balance of the expenditure [approximately \$750] to go toward the overall program Tune In To Kids 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 YMCA of the Sierra (fiscal agent for Tune In To Kids) a total of \$1,750 to be used to buy at least 300 "family time" books [approximately \$1,000] for distribution to appropriate families (with any donations received for the books to be used to replenish the supply of books) and the balance of the expenditure [approximately \$750] to go toward the overall program Tune In To Kids, a grant for Fiscal Year 2007/08 in the amount of \$1,750.

Adopted this 25th day of September, 2007.


Chairman

ATTEST


County Clerk

07-1116

RESOLUTION

A RESOLUTION ADOPTING AN ORDINANCE AMENDING THE WASHOE COUNTY SCHEDULE OF RATES AND CHARGES FOR PROVISION OF SANITARY SEWER SERVICE WITHIN CERTAIN AREAS OF WASHOE COUNTY; ADDING PROVISIONS TO ALLOW A CONNECTION FEE SURCHARGE FOR PROPERTIES PREVIOUSLY SERVED BY VERDI MEADOWS UTILITY COMPANY, LLC, NOW BEING CONNECTED TO THE LAWTON VERDI SEWER INTERCEPTOR; REMOVING THE SENIOR CITIZENS DISCOUNT PROGRAM; AND PROVIDING OTHER PROCEDURAL CHANGES. THIS ORDINANCE REPEALS ORDINANCE NO. 1274.

WHEREAS, the proposed Ordinance Amending the Washoe County Schedule of Rates and Charges for Provision of Sanitary Sewer Service Within Certain Areas of Washoe County, and 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 Schedule of Rates and Charges for Provision of Sanitary Sewer 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 Schedule of Rates and Charges for Provision of Sanitary Sewer Service Within Certain Areas of Washoe County was presented to the Board of County Commissioners of Washoe County in a first reading on August 21, 2007; 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 Schedule of Rates and Charges for Provision of Sanitary Sewer Service Within Certain Areas of Washoe County.

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

1. The Ordinance Amending the Washoe County Schedule of Rates and Charges for Provision of Sanitary Sewer Service Within Certain Areas of Washoe County, adding provisions to allow a connection fee surcharge for properties previously served by Verdi Meadows Utility Company, LLC; removing the Senior Citizens Discount Program; providing other

07-11260

procedural changes, and Repealing Ordinance No. 1274 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.

ADOPTED this 25th day of September, 2007.

WASHOE COUNTY BOARD OF COMMISSIONERS

By _____
Robert M. Larkin, Chairman

ATTEST:

Amy Harvey, County Clerk

07-1124C



WASHOE COUNTY COMMISSION

1001 E. 9th Street
P.O. Box 11130
Reno, Nevada 89520
(775) 328-2005

RESOLUTION
ADOPTING THE AMENDED SUN VALLEY AREA PLAN (CP07-002),
A PART OF THE WASHOE COUNTY COMPREHENSIVE PLAN

WHEREAS, Sections 278.150, 278.170 and 278.210, Nevada Revised Statutes, specify that the Washoe County Planning Commission may prepare, adopt and amend a master (comprehensive) plan for all or any part of the County, subject to County Commission approval;

WHEREAS, Section 278.160, Nevada Revised Statutes, specifies that the master plan shall include the following subject matter or portions thereof as deemed appropriate: community design, conservation plan, economic plan, historic properties preservation plan, housing plan, land use plan, population plan, public buildings, public services and facilities, recreation plan, safety plan, seismic safety plan, solid waste disposal plan, streets and highways plan, transit plan, and transportation plan, and such other plans as judged necessary;

WHEREAS, Public hearings on the adoption of the amended SUN VALLEY AREA PLAN, a part of the Washoe County Comprehensive Plan, were held on August 1, 2007, by said Planning Commission;

WHEREAS, The Washoe County Planning Commission has found that the SUN VALLEY AREA PLAN, a part of the Washoe County Comprehensive Plan, and the most recent amendment, together with the applicable maps and descriptive matter, provide a long-term general plan for the development of the County including the subject matter currently deemed appropriate for inclusion in the Comprehensive Plan, and has submitted the amendment to the SUN VALLEY AREA PLAN to the Board of County Commissioners, Washoe County, with the recommendation for approval and adoption thereof;

WHEREAS, Section 278.220, Nevada Revised Statutes, specifies that the Board of County Commissioners of Washoe County, Nevada, may adopt and endorse plans for Washoe County as reported by the Planning Commission, in order to conserve and promote the public health, safety and general welfare;

WHEREAS, A public hearing on the adoption of the Washoe County Comprehensive Plan, including the SUN VALLEY AREA PLAN, was first held on May 21, 1991, with the most recent amendment to the SUN VALLEY AREA PLAN being held on December 13, 2005, by the Board of County Commissioners of Washoe County, Nevada;

WHEREAS, At the conclusion of the public hearing, the Board of County Commissioners endorsed the amendment to the SUN VALLEY AREA PLAN, a part of the Washoe County Comprehensive Plan, pursuant to Section 278.0282, Nevada Revised Statutes, for conformance review with the Truckee Meadows Regional Plan;

07-112004 (repealed Resolution)

WHEREAS, A public hearing for the review of conformance of the Washoe County Comprehensive Plan, including the SUN VALLEY AREA PLAN, was first held on October 23, 1991, with the most recent amendment to the SUN VALLEY AREA PLAN being held on September 25, 2007, by the Truckee Meadows Regional Planning Commission, at which time the plan was deemed in conformance with the Truckee Meadows Regional Plan; and

WHEREAS, The amendment to the SUN VALLEY AREA PLAN, a part of the Washoe County Comprehensive Plan, which is in conformance with the Truckee Meadows Regional Plan, has completed all the necessary requirements for adoption as specified in the Nevada Revised Statutes and Article 820, Amendment of Comprehensive Plan, of the Washoe County Development Code; now, therefore, it is hereby

RESOLVED, BY THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY, NEVADA, That the Board does hereby adopt and endorse the amended NORTH VALLEYS AREA PLAN, a part of the Washoe County Comprehensive Plan, to serve as a guide for the orderly growth and development of Washoe County, Nevada.

ADOPTED This 25th day of September, 2007.

WASHOE COUNTY COMMISSION

Robert M Larkin
Robert M. Larkin, Chair



Harvey
County Clerk

07-112774