

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

2:00 P.M.

JANUARY 15, 2008

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:

08-45 AGENDA ITEM 4

Agenda Subject: Presentation of Excellence in Public Service Certificates honoring Washoe County employees who have completed essential employee development courses.

***2:14 p.m.** Commissioner Humke arrived.

Katy Singlaub, County Manager, recognized the following employees for successful completion of the Excellence in Public Service Certificate Programs administered by the Human Resources Department:

Essentials of Management Development

Karen Erickson, Marriage and Business Division Supervisor
William Oroszi, Roads Division Director

Essentials of Personal Effectiveness

Angelica Arteaga, Office Support Specialist
Mary Nunez, Office Assistant II
Sandra Sheldon, Office Support Specialist

Essentials of Support Staff

Valerie Bahl, Plans, Permit Applications Aide
Donna Fagan, Office Assistant II
Cindy Hawks, Immunization Office Lead
Julia Lester, Account Clerk II
Zulma Solano, Office Assistant II

Essentials of Train the Trainer

Michelle Johnson, Family Support Specialist
Saundra Kemmis, Family Support Specialist

08-46 AGENDA ITEM 5 - PUBLIC COMMENT

Agenda Subject: Public Comment. 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 are to be made to the Commission as a whole.

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 is disrupting the meeting, and notice is hereby provided of the intent of this body to preserve the decorum and remove anyone who disrupts the proceedings.

Guy Felton spoke on the County voting system.

Sam Dehne discussed the County voting system and the upcoming Presidential Caucus.

08-47 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.)

Katy Singlaub, County Manager, announced the following items were being pulled from the agenda: Item 3, Introduction of new Washoe County employees;

Item 12, Western Regional Water Commission Charter and Joint Powers Agreement; Item 13, Nevada Land LLC request to fund the debt service reserve requirement; and Item 15, the South Truckee Meadows General Improvement District agenda.

Chairman Larkin requested an item for the February 12, 2008 Sierra Fire Protection District (SFPD) agenda to revisit the direction the Board of Directors of the SFPD gave regarding the process of the Strategic Plan, to clarify the intent of the direction and how to ensure openness, efficiency and the successful conclusion of an important process.

Commissioner Weber requested a list of mandated and unmandated services from the District Health Department concerning Title X funding. She suggested a joint meeting between the Washoe County Commission and the District Health Board to include discussion on Title X funding.

Commissioner Galloway spoke on discussions concerning the road along Thomas Creek to Logan's Meadows and a statement in the press indicating this was a public road that the County would not maintain and that the County was "stonewalling." He indicated he spent the past year on this issue and explained the County was not stonewalling. He remarked this was a public road in the sense it was a historic road, which meant there were some restrictions, but it did not mean it was a public road that any government had adopted or had any obligation to maintain.

Commissioner Jung reminded the public to attend the Caucus on Saturday, January 19, 2008. She felt it was important for the community because of the national attention Nevada had garnered.

CONSENT AGENDA - ITEMS 7A THROUGH 7F(2)

In response to the call for public comment, Sam Dehne approved the size of the consent agenda.

08-48 AGENDA ITEM 7A - MINUTES

Agenda Subject: Approve minutes for the Board of County Commissioners' meetings of December 11 and 18, 2007.

Commissioner Weber commented on a section of the minutes from the December 11, 2007 Commission meeting, specifically the second paragraph on page 47. She asked the Clerk to review the audiotape to ensure the minutes reflected the discussion.

Amy Harvey, County Clerk, suggested pulling the item so a review of that section could be completed.

Katy Singlaub, County Manager, stated she revisited the understanding of that item and indicated the implementation of the direction was understood that it was the Board's intention for the Sheriff's Office to have flexibility, and also noted staff had implemented the vacancy pool concept.

Commissioner Weber explained she wanted the minutes to clearly reflect the discussion in the event there were ever future questions.

Commissioner Galloway asked if the direction from the Board was reflected elsewhere within that item.

Commissioner Weber said there might be in another area; however, that paragraph contained specific discussion concerning the Sheriff's Office and she would like that discussion to be explicit.

Commissioner Galloway recalled the Board stating those unfilled positions were not permanent reductions. He said there might have been a previous discussion with the Sheriff, so he would like the record checked.

Ms. Singlaub said she appreciated the discussion. She said there seemed to be several key issues, one being direction that the Sheriff's Office would work with the Finance Department to identify some threshold the County should not go below. She indicated staff was going back and compiling that information. She said the second was her agreement that a department who offered up vacancies was not going to see those vacancies permanently eliminated unless they asked for that to be done. She explained in some cases departments had said we did not want this position anymore and would prefer another position. She indicated that should be explicitly stated. Ms. Singlaub said the third issue was the Board's specific direction that public safety be given some flexibility, in particular the Sheriff to determine which position should be filled and which positions would be held to meet the required savings and noted that was occurring as well.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, Chairman Larkin ordered that Agenda Item 7A be continued.

**08-49 AGENDA ITEM 7B - MANAGEMENT SERVICES/COMMUNITY
SUPPORT ADMINISTRATOR**

Agenda Subject: Approve and authorize Chairman to sign Interlocal Agreements for Washoe County Special Purpose Grants in the following amounts: Washoe Storey Conservation District \$12,500 and Nevada Tahoe Conservation District \$23,750 for Fiscal Year 2007/08; and, authorize Finance to make necessary adjustments (All Commission Districts.)

There was no response to the call for public comment.

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

08-50 AGENDA ITEM 7C - LIBRARY

Agenda Subject: Accept donation of Quasar SP-3235F television set from Mr. John Cole [estimated market value \$100] for use at Sparks Library. (Commission Districts 2, 3, 4 and 5.)

On behalf of the Board, Commissioner Galloway thanked Mr. Cole for his generous donation.

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, Chairman Larkin ordered that Agenda Item 7C be accepted.

08-51 AGENDA ITEM 7D - TELECOMMUNICATIONS/FINANCE

Agenda Subject: Approve Resolution to increase the Enhanced 911 surcharge from \$.10 cents to \$.25 cents each month effective May 1, 2008; and if approved, authorize Chairman to execute Resolution and direct Finance Department to make appropriate budget adjustments. (All Commission Districts.)

There was no response to the call for public comment.

Katy Singlaub, County Manager, commented the staff report stated this surcharge increased and decreased because of statutory limitations on the fund balance and explained the Board had previously accepted a strategic plan from the E911 Emergency Response Advisory Committee. Ms. Singlaub said the proposed surcharge of \$0.25 was what the E911 Emergency Response Fund had identified and should collect approximately \$700,000 annually for capital expenditure and technology acquisition.

Commissioner Galloway remarked he would see if there was any audit data available for review.

Commissioner Jung remarked statutorily it could not increase any further than the \$.025. She believed the reason it was reduced was because the Committee was not aware they could encumber and allocate funds towards capital improvement projects needed for the E911 Program. Ms. Singlaub remarked the \$0.25 was the statutory limit, but she did not have the specific reasoning from the Committee why funds were not encumbered.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 7D be adopted, directed, authorized and executed. See the Resolution attached hereto and made a part hereof.

08-52 AGENDA ITEM 7E - COMPTROLLER

Agenda Subject: Accept Washoe County's Single Audit Report for the Fiscal Year Ended June 30, 2007, required by the Office of Management and Budget Circular A-133, for processing and distribution by the Comptroller's office.

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, Chairman Larkin ordered that Agenda Item 7E be accepted.

08-53 AGENDA ITEM 7F(1) - SENIOR SERVICES DEPARTMENT

Agenda Subject: Approve Contract between the Veteran's Administration and Washoe County (Senior Services) for Adult Day Care Services, effective February 1, 2008 through January 31, 2009, with the option to renew for four additional one-year periods; and if approved, authorize Chairman to execute Contract. (All Commission Districts.)

There was no response to the call for public comment.

Chairman Larkin stated the amount was not listed in the staff report. Katy Singlaub, County Manager, replied the amount would be \$60,000 in revenue on an annual basis.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 7F(1) be approved, authorized and executed.

08-54 AGENDA ITEM 7F(2) - SENIOR SERVICES DEPARTMENT

Agenda Subject: Accept grant award from Division for Aging Services for the Aging and Disability Resource Center Program [\$44,215 with no County match] retroactively for the period October 1, 2007 through September 30, 2008; and if accepted, direct Finance Department to make appropriate budget adjustments. (All Commission Districts.)

There was no response to the call for public comment.

Chairman Larkin disclosed that he sat on the Governors Commission on Aging; however, that Commission did not make any recommendations or vote on these particular items.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, Chairman Larkin ordered that Agenda Item 7F(2) be accepted and directed.

08-55 AGENDA ITEM 8 - APPEARANCE - KAFOURY AND ARMSTRONG AND COMPANY

Agenda Subject: Presentation on New Auditing Standards.

Felicia O'Carroll, Kafoury and Armstrong, and Sheri Mendez, Washoe County Chief Deputy Comptroller, conducted a PowerPoint presentation that discussed why the auditing standards changed, the internal controls and their purpose, specific internal controls addressed in the standards, a statement on auditing standard 112, Risk Assessment Suite of Standards, mitigation of the impacts, proposed solution, summary of costs and the fiscal impact, which was placed on file with the Clerk.

Ms. Mendez stated the presentation was given to the Audit Committee who in turn concurred with staff's recommendation to support the Governance Risk and Compliance module (GRC) option versus the manual option.

In response to Chairman Larkin, Ms. O'Carroll indicated the other local governments around the State would need to do the same and noted once again Washoe County was leading the way.

There was no response to the call for public comment.

08-56 AGENDA ITEM 9 - COMPTROLLER

Agenda Subject: Accept the report on the new auditing standards, their impact on Washoe County and direct staff to proceed with the purchase and implementation of SAP's Governance Risk and Compliance module with a total one-time cost of \$518,000 (\$280,000 in software, hardware and consulting costs and \$238,000 covered using existing County staff) and an annual on-going operational and maintenance cost of \$138,000. (All Commission Districts.)

On motion by Commissioner Galloway, seconded by Commissioner Jung, which motion duly carried, Chairman Larkin ordered that Agenda Item 9 be accepted and directed.

08-57 AGENDA ITEM 11 - WATER RESOURCES DEPARTMENT

Agenda Subject: Recommendation to approve active participation by Washoe County in the proposed process to address Truckee River water quality issues using a watershed based approach that engages water resources management agencies, tribal interests and community stakeholders. (All Commission Districts.)

Rosemary Menard, Water Resources Director, conducted a PowerPoint presentation that included water quality issues that needed to be addressed, sources of water quality pollutants of concern, Federal Clean-Water Act, why use a watershed approach, progress toward 2040, potentially affected interests in a watershed based water quality planning process, reasons why Washoe County should participate in a watershed based water quality planning process and the next steps, which was placed on file with the Clerk.

Commissioner Galloway asked if the District Health Department would be a regulatory body associated with the new water agency, and if the Water Planning Commission might draft regulations that could affect people who would likely place stormwater into the river. Ms. Menard explained she was referring to regulatory drivers from the federal and the State levels. Commissioner Galloway asked if there would be an authority that would review subdivision plans to ensure they were attempting to minimize an adverse impact on the river. Ms. Menard commented it was too soon to know what the implementation mechanisms might be until the nature of the problems were understood. She said the Western Region Water Commission was being considered to be a sponsoring agency because it affected all the parties and could be a place to bring the regional issues together and discuss strategies. She explained stormwater was being managed from a water quantity flood damage drainage problem, but not managing the water quality impacts. Ms. Menard explained how a swale worked, which was designed to capture the pollutant in the stormwater allowing that water to move through the system.

Commissioner Jung commented this was very progressive of the Water Resources Department and applauded their efforts. She suggested a Public Service Announcement on the Washoe County Public Access Television Station to inform the public of the risks of flushing expired medicines down the toilet. Ms. Menard agreed.

There was no response to the call for public comment.

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, Chairman Larkin ordered that Agenda Item 11 be approved.

08-58 AGENDA ITEM 14 - MANAGER'S OFFICE

Agenda Subject: Recommendation to accept Mr. Grant Anderson, Jr.'s resignation (effective immediately) from the Washoe County Board of Equalization and possible appointment of an individual to fill the unexpired term of June 30, 2010. (All Commission Districts.)

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that Mr. Grant Anderson's resignation for the County Board of Equalization be accepted.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, Chairman Larkin ordered that Linda Woodland be appointed to the County Board of Equalization to fill the unexpired term through June 30, 2010.

08-59 AGENDA ITEM 10 - COMMUNITY DEVELOPMENT

Agenda Subject: Presentation on the Lake Tahoe Maximum Daily Load (TMDL) Process to address the Lake Tahoe clarity threshold and determine the most effective measures to reverse declining Lake clarity observed between 1968 and 2006; a component of the Pathways Regional Plan Update for the Tahoe Basin. (Requested by Commissioner Galloway.)

Adrian Freund, Community Development Director, said Washoe County and their partners, including the Incline Village General Improvement District (IVGID), had significant responsibility for environmental improvement projects and the best management practices aimed at improving the water quality and restoring the clarity of Lake Tahoe. He said the County and IVGID had been working on the major update of the Tahoe Regional Plan that was required every 20 years. He said water quality had always been an important issue for County citizens with an interconnected system including Lake Tahoe, the Truckee River and Pyramid Lake that made County citizens stakeholders. Mr. Freund said there were important efforts being made to define and develop a strategy for the next 20 years that would begin to restore the historic clarity of Lake Tahoe. He said in partnership with IVGID and other jurisdictions in the Basin, such as the Tahoe Regional Planning Agency (TRPA) and State and federal agencies, the County would continue to have an important role in restoring the natural treasure of Lake Tahoe.

Larry Benoit, TRPA Water Quality Program Manager, conducted a PowerPoint presentation discussing Lake Tahoe clarity total maximum daily load and pollutants that caused Lake Tahoe's clarity loss, the amount of pollutant that reached Lake Tahoe, the options for reducing pollutants, the Clarity Challenge, forest upland implementation, stream channel restoration, atmospheric deposition, urban stormwater runoff and the next steps, which was placed on file with the Clerk.

Tom Porta, Nevada Department of Environmental Protection (NDEP) Deputy Administrator, said there had been sufficient effort between TRPA and NDEP to find the culprit behind the clarity of Lake Tahoe. He explained there were particles of 20 microns or smaller and to remove these types of particles required drinking water technology. He said there were two obstacles from the implementation standards for Nevada, which were funding and technology. Mr. Porta said they could not order people to comply and recommended this had to be completed in a collaborative manner. He indicated interim goals had been set to begin the clarifying process.

Chairman Larkin asked how would the allocation work. Mr. Benoit replied those were matters still being discussed. He explained there was a mix of land use within jurisdictions and looking at the major sources within a jurisdiction rather than assuming,

everything across the board in the County had the same target for load reduction. He said forested land uses in the County would have the lowest management target. Mr. Benoit said the intention was not to be descriptive, but suggest strategies.

Commissioner Galloway indicated a challenge was the technology and to remove the fine particles that run-off and went into the Lake by organic or other means. Mr. Benoit explained there was some research being proposed for the Southern Nevada Management Act and indicated water quality was about fine particles. He said every four years through NDEP, the Clean Water Act, section 208 funds allocated \$40,000 to TRPA, which was being used to conduct a pump and treat feasibility study. He said the end point of that study would discuss where it was feasible in the Basin and what it would take to have a pump and treat system.

Chairman Larkin stated finding the components of the clarity issue was a enormous step forward and worth the expenditure.

Commissioner Jung said it was an interesting point that the vast majority of the fine sediment came from vehicle emissions and noticed that in the past the public transportation was not very adequate and hoped that would improve.

John Hitchcock, TRPA Chief of Planning, said in moving forward with the Regional Plan staff sought ways to increase transit opportunities and create incentives for the pump and treat system built into the urban core. He said the Regional Plan Update was targeted for 2008, but staff felt more time was needed with their stakeholders to fine-tune the project descriptions and environmental review and hoped to have a new Plan adopted in 2009.

Commissioner Galloway thanked the TRPA representatives for their information and for attending.

On motion by Commissioner Galloway, seconded by Commissioner Jung, which motion duly carried, Chairman Larkin ordered that Agenda Item 10 be supported.

08-60 AGENDA ITEM 16 - REPORTS AND UPDATES

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 Weber reminded the public of the Presidential Caucus on Saturday, January 19, 2008. She announced there was a meeting scheduled for the Truckee Meadows Law Enforcement Chaplaincy Board on January 18, 2008. She

commented that the newly distributed *Washoe County Guide to Services* was a great resource for the community.

Chairman Larkin indicated he could not attend the Regional Transportation Commission (RTC) on January 18, 2008 and requested an alternate. He announced a ribbon-cutting ceremony for the grand opening of the Reno-Tahoe Industrial Center Parkway was scheduled for January 17, 2008.

Commissioner Galloway said the Nevada Tahoe Conservation District was scheduled to meet and discuss forest fuel reductions and transport, and suggested another goal would be defensible space. He said California Code 4292, the defensible space Code, in which all the Tahoe Basin entities had endorsed, should be implemented during the five-year life strategic plan for a minimum of 50 percent of Tahoe properties.

Commissioner Jung stated she took a tour of the Reno Justice Court and found it very informative. She attended the Old Northwest Neighborhood Advisory Board, the Golden Valley Homeowners Association, and the Sun Valley Citizen Advisory Board (CAB) and announced the Central CAB would meet on January 15, 2008. She commented with the help of County Manager Katy Singlaub, and City of Reno Manager Charles McNeely, the City of Reno developer packets now included information advising developers proposing projects within District 3 and that they may now voluntarily present those plans to the Central CAB.

Commissioner Humke proposed a "Food Check-Out Week" resolution to be presented for the week of February 3-9, 2008 and sponsored by the Nevada Farm Bureau. He requested that be placed on an upcoming agenda and asked that it be appended to the minutes of this meeting. He felt there should be a full level of support since farming and agriculture were important to all of the Districts.

Commissioner Jung recommended citizens use the Martin Luther King Jr. holiday as a time to meditate on racial relationships and honor Dr. King's humanistic philosophy by sharing an act of good will within the community.

The following communications and reports were received, duly noted, and ordered placed on file with the Clerk:

COMMUNICATIONS:

- 08-60A** Resolution Number 07-03 from the Board of Fire Commissioners of the North Lake Tahoe Fire Protection District adopting the *2006 International Fire Code* as ordinance; prescribing regulations governing conditions hazardous to life and property from fire, hazardous materials or explosion; providing for the issuance of permits for hazardous uses or operations; and establishing a bureau of fire prevention and providing officers therefore and defining their powers and duties.

08-60B Resolution from the Board of Trustees of the Washoe County School District augmenting certain funds of the District for fiscal year 2007-08, along with schedules explaining the changes.

REPORTS

08-60C Monthly report of fee collections from the Washoe County Clerk of the Court for November 2007.

08-60D Comprehensive Annual Financial Report for the Reno-Tahoe Airport Authority for the fiscal year ended June 30, 2007.

08-60E Comprehensive Annual Financial Reports and auditors' management letter for the Truckee Meadows Water Authority for the fiscal years ended June 30, 2007 and June 30, 2006.

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4:16 p.m. There being no further business to come before the Board, on motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, Chairman Larkin ordered that the meeting be adjourned.

ROBERT M. LARKIN, Chairman
Washoe County Commission

ATTEST:

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

*Minutes Prepared by
Stacy Gonzales
Deputy County Clerk*

RESOLUTION

A RESOLUTION SETTING THE SURCHARGE ON ACCESS LINES AND TRUNK LINES OF TELEPHONE CUSTOMERS FOR THE ENHANCEMENTS AND IMPROVEMENTS TO THE 911 EMERGENCY TELEPHONE SYSTEM AND OTHER MATTERS PROPERLY RELATED THERETO.

WHEREAS, under authority of NRS 244A.7643, Washoe County Code ("WCC") Section 65.450 imposes a fee upon access lines or trunk lines of customers receiving telephone service within Washoe County and provides that the Board of County Commissioners may change the surcharge amount by the adoption of resolution;

WHEREAS, the 911 Emergency Response Advisory Committee created pursuant to NRS 244A.7645 and WCC 65.410 recently recommended to the Board of County Commissioners that the surcharge be changed from ten cents to twenty-five cents;

WHEREAS, the surcharge was previously set at ten cents and is passed on by the phone companies to customers; and

WHEREAS, the 911 Emergency Response Advisory Committee's recommendation for the increase in the surcharge is based on the projected needs of the Emergency Response Fund; now, therefore, be it

RESOLVED by the Washoe County Board of Commissioners as follows:

1. The surcharge authorized by NRS 244A.7643 and WCC 65.450 is as follows:
 - a. Twenty-five cents per month for each customer access line to the local exchange;
 - b. Two dollars and fifty cents per month for each customer trunk line to the local exchange;
 - c. Twenty-five cents per month per telephone number assigned to a customer by a supplier of mobile phone service.
2. The rate of the surcharge imposed by this resolution is effective May 1, 2008

ADOPTED this 15th day of January, 2008.

Robert M. Larkin
Chairman

ATTEST WASHOE COUNTY
[Signature]
Washoe County Clerk.

08-51