

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

2:00 P.M.

DECEMBER 9, 2008

PRESENT:

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

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

The Washoe County Board of Commissioners convened at 2:07 p.m. 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:

County Manager Katy Simon 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."

08-1252 AGENDA ITEM 3 – COMMUNITY RELATIONS

Agenda Subject: "Presentation of National Awards for communication programs."

Kathy Carter, Community Relations Director, discussed the City and County Communications and Marketing (3CMA) National Conference, which took place at Incline Village in October 2008. The event was attended by Community Relations team members Sarah Tone, Lorrie Adams, and Alice McQuone, who also helped to host the event. County Manager Katy Simon served as the keynote speaker at the opening session, and staff members conducted five professional presentations showcasing Washoe County programs and services. Ms. Carter presented the Commissioners with a SAVVY award (first place) for the County's electronic employee newsletter, and a Silver Circle

(second place) award for the County's role in the anti-methamphetamine awareness campaign entitled *Crystal Darkness*.

Sam Dehne responded to the call for public comment.

On motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried, it was ordered that the national awards in Agenda Item 3 be accepted.

08-1253 AGENDA ITEM 4 – 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.”

In response to the call for public comment, Jerry Purdy, a retired engineer who represented Washoe County on the Truckee River Fund Committee, put forth a suggestion to hire unemployed citizens on a daily or weekly basis to provide invasive weed control, planting, seeding and re-vegetation work along the Truckee River. He placed a written copy of his comments on file with the Clerk.

Sam Dehne talked about a complaint he filed with Nevada's Attorney General and Secretary of State regarding the election process.

Ronald Chohamin requested the Board's assistance with enforcement of County Code section 110.420.40, for maintenance of a drainage easement located along his property. He said he talked with Public Works, gone before the Citizen Advisory Board, and spoken with the District Attorney's Office, but the County had not thus far acknowledged any responsibility for maintenance of the drainage easement.

08-1254 AGENDA ITEM 5 – 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 Simon, County Manager, noted that Item 16 had been pulled from the agenda, pending a closer look at the return on investment for the Employee Workplace Wellness Program.

Commissioner Humke thanked Mr. Chohamin for bringing his dispute to light during public comment, and said he would get some answers from staff. He congratulated the Washoe County School District and the McQueen High School Football Team for winning the 4A State Championship title.

Commissioner Weber discussed her attendance at the National Association of Counties Board meeting in Phoenix, Arizona. She said she brought back copies of a county leadership handbook, flyers from a previously held legislative conference, and information obtained from a workshop regarding the foreclosure situation. She indicated she met with Kurt Latipow, Fire Services Coordinator, and Michael Greene, Fire Chief for the Sierra Fire Protection District, about the future of the Anderson Acres/Peavine Volunteer Fire Station. She stated she spent time with a County Code enforcement officer to look into some issues in the North Valleys. Commissioner Weber said she learned that not all of the issues fell under Code enforcement, but that some issues fell under the Health Department or the Building Department.

Chairman Larkin requested the County Manager take note of the suggestion made by Mr. Purdy during public comment.

Commissioner Galloway noted Commissioner-Elect John Breternitz was present in the audience and recently attended a meeting of the West Truckee Meadows Citizen Advisory Board. Commissioner Galloway announced a final meeting with his constituents would take place at the Northwest Library. He stated he would be attending an upcoming meeting of the Nevada Tahoe Regional Planning Agency and, as Chairman, would appoint an at-large member to that body for the coming year.

Commissioner Jung requested a future agenda item to discuss Mr. Purdy's suggestion, as well as any related legal issues. She said she would make a \$250 donation to the McQueen High School Marching Band, which was scheduled to travel to the Rose Parade on January 1, 2009. She announced, as a member of Friends of Washoe County Library, that she adopted a book about Wild Nevada with the help of her "little sister." She indicated a plaque had been placed dedicating the book to Big Brothers Big Sisters.

08-1255 AGENDA ITEM 6A – MINUTES

Agenda Subject: "Approve minutes for the Board of County Commissioners' meetings of September 9, October 21 and November 10, 2008."

There was no public comment on this item.

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 6A be approved.

08-1256 AGENDA ITEM 6B

Agenda Subject: "Cancel December 23, 2008 Washoe County Commission Meeting. (All Commission Districts)"

There was no public comment on this item.

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 6B be approved.

08-1257 AGENDA ITEM 6C – TREASURER’S OFFICE

Agenda Subject: “Acknowledge Receipt of the Report of Sale – October 29, 2008 Delinquent Special Assessment Sale--sale cancelled as all delinquencies have paid. (Commission Districts 2, 3, 4 and 5)”

There was no public comment on this item.

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 6C be acknowledged.

08-1258 AGENDA ITEM 6D – COMMUNITY DEVELOPMENT

Agenda Subject: “Appoint Mark Gallegos as a District 3 Alternate to fill an unexpired term to June 30, 2010 on the North Valleys Citizen Advisory Board. (Commission District 3)”

There was no public comment on this item.

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 6D be approved.

08-1259 AGENDA ITEM 6E – REGIONAL PARKS AND OPEN SPACE

Agenda Subject: “Approval of Amendment #2 to Sun Mesa Park Design and Construction Agreement between Washoe County and Sun Mesa, LLC, changing Section 4-Maintenance, indicating Washoe County Regional Parks will maintain the park site for the 90 days that Sun Mesa was contractually required to maintain it; and providing for the receipt of \$5,943.60 for Regional Parks Maintenance to perform these added duties; and if approved, authorize the Chairman to execute Amendment and Exhibit B. (Commission District 5)”

There was no public comment on this item.

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 6E be approved, authorized and executed.

08-1260 **AGENDA ITEM 6F – TRUCKEE RIVER FLOOD MANAGEMENT PROJECT**

Agenda Subject: “Acknowledge receipt of Truckee River Flood Management Project Status Report for October and November 2008. (All Commission Districts)”

In response to the call for public comment, Sam Dehne observed there had been terrible floods all across the nation. He questioned how there could be enough money for flood projects in Washoe County.

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 6F be acknowledged.

08-1261 **AGENDA ITEM 6G – SECOND JUDICIAL DISTRICT COURT**

Agenda Subject: “Accept Access and Visitation Grant [\$31,000 - no match required] from Division of Welfare and Supportive Services; and if accepted, direct Finance to make necessary budget adjustments and authorize District Court Administrator to execute Professional Services Agreement with Nancy Cleaves, d.b.a. NTC, LLC [not to exceed \$28,500] for the period retroactive October 1, 2008 through September 30, 2009 to provide mediation services directly to clients pursuant to the Agreement. (All Commission Districts)”

There was no public comment on this item.

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 6G be accepted, directed, authorized and executed.

08-1262 **AGENDA ITEM 6H – DEPARTMENT OF WATER RESOURCES**

Agenda Subject: “Approve and authorize Chairman to execute Water Rights Deed and associated Agreement between Stonefield, Inc. and Washoe County transferring 158.245 acre-feet of underground water rights in support of future development in the Mt. Rose Corridor area; and, direct Water Rights Manager to record both documents. (Commission District 1)”

Commissioner Galloway asked whether someone could get back water that was donated for intended new development if the development did not go forward. Vahid Behmaram, Water Rights Manager, stated there was a clause in the water banking agreement that allowed for the return of any uncommitted water rights. Commissioner Galloway said it appeared to him the development was contingent on approval of the Forest Area Plan. Mr. Behmaram stated he was not aware the water was linked to any particular development project. He indicated it would be banked and the designated place

of use was along the Mount Rose corridor, down to parts of the south Truckee Meadows as far as the Geiger Grade corridor.

In response to the call for public comment, Sam Dehne said he was glad there was an explanation about banking versus transferring water rights.

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 6H be approved, authorized, executed and directed.

08-1263 AGENDA ITEM 6I(1) – SHERIFF’S OFFICE

Agenda Subject: “Accept 10 M–26 Tasers [valued at \$800.95 each] from the Reno Municipal Court–Marshall’s Office to the Washoe County Sheriff’s Office–Court Security Unit. (All Commission Districts)”

There was no public comment on this item.

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 6I(1) be accepted.

08-1264 AGENDA ITEM 6I(2) – SHERIFF’S OFFICE

Agenda Subject: “Accept donations [\$2,752.07] to the 14th Annual Incline Sheriff’s Community Picnic and Child Safety Fair 2008. (Commission District 1)”

On behalf of the Board, Commissioner Galloway thanked various individuals and organizations for their generous in-kind donations, as well as the individuals who worked to organize the community picnic.

There was no public comment on this item.

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 6I(2) be accepted.

08-1265 AGENDA ITEM 6J(1) – HUMAN RESOURCES DEPARTMENT

Agenda Subject: “Approve updated Equal Employment Opportunity Plan for Washoe County. (All Commission Districts)”

There was no public comment on this item.

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 6J(1) be approved.

08-1266 AGENDA ITEM 6J(2) – HUMAN RESOURCES DEPARTMENT

Agenda Subject: “Authorize Washoe County Purchasing Department to solicit written proposals for Brokerage and Consulting Services for the Washoe County Health Benefits Program for a three-year period, with the option of two one-year renewals. (All Commission Districts)”

There was no public comment on this item.

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 6J(2) be authorized.

08-1267 AGENDA ITEM 6K – MANAGEMENT SERVICES

Agenda Subject: “Approve expenditure from County Commission District 1 Special Funding Account for Tune In To Kids for Tune In To Kids Fair [\$1,850] and to HAWC, Inc. to assist in funding digital x-ray equipment [\$1,850] for Fiscal Year 2008/09; and if approved, authorize Chairman to execute Resolutions necessary for same. (Commission District 1)”

There was no public comment on this item.

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 6K be approved, authorized and executed. The Resolutions for same are attached hereto and made a part of the minutes thereof.

08-1268 AGENDA ITEM 7 – COMMUNITY RELATIONS DEPARTMENT

Agenda Subject: “Recommendation to acknowledge Publication of Notice of Intent to Augment the Budget; approval and execution of Resolution to Augment the General Fund Budget (1001) in the amount of \$290,000 in consideration of unbudgeted revenue received in the form of Federal Payment In Lieu of Taxes; and if approved, consider and possibly act to direct \$250,000 of Federal Payment In Lieu of Taxes (PILT) Funds to the 2010 National Association of Counties (NACo) annual conference hosted by Washoe County and up to \$40,000 for Commission and non-County employee travel in support of NACo activities [for a total of \$290,000]; approve reimbursement of non-County employee travel on behalf of NACo activities with these funds; and further, if approved, direct Finance to make budget adjustments (requested by Commissioner Weber). (All Commission Districts)”

Kathy Carter, Community Relations Director, explained the County received over \$1 million in the form of Federal Payment in Lieu of Taxes (PILT) funding that was authorized by the federal government in the recently enacted Emergency Economic Stabilization Act of 2008. She indicated the request before the Board was for a portion of the PILT funds to be used to support the 2010 Annual Conference of the

National Association of Counties (NACo), which was to be hosted by Washoe County. She called attention to a letter from Robert Hadfield, Executive Director of the Nevada Association of Counties, which was placed on file with the Clerk. She stated Mr. Hadfield was working with a special event management consultant to secure financial and in-kind support for the national conference. She pointed out the other 16 counties in Nevada donated over \$100,000 from their PILT funds to support the event.

Mr. Hadfield characterized the 2010 NACo Conference as a rare opportunity to bring national leaders to Reno and to showcase the importance of the western U.S. to the economy and beauty of the entire Country. He said he spent much of his career lobbying for PILT funds before senators and congressmen from the eastern U.S., and many elected officials did not understand the significant role the western U.S. could play in an economic recovery. He stated he had asked energy companies and mining associations to join with Washoe County as major sponsors of the NACo Conference. He indicated the Conference could highlight Nevada's abundant natural resources for wind and geothermal energy, Bently Biofuels, the importance of PILT funds to the western U.S., Washoe County's progress toward maintaining public access to open space and recreation, and local tourism possibilities. He pointed out the Conference would occur at a time that was likely to be critical to the recovery of Washoe County's tourism economy and he believed there would be record attendance at the event. He listed the amounts donated to support the Conference by each of the counties in Nevada.

Commissioner Weber thanked former Commissioner Pete Sferrazza, Mr. Hadfield, and special event consultant Jim Bauserman for their efforts in bringing the 2010 event to Reno.

Commissioner Galloway asked about federal approval of PILT funds. Mr. Hadfield replied the program had been fully funded for four years and also involved additional U.S. Forest Service money. Commissioner Galloway pointed out Senator Harry Reid was instrumental in getting PILT funding added to the Economic Stabilization Bill. He explained about 90 percent of the land in Nevada was federally owned and local government entities in the State did not get a lot of revenue from those lands, although there were highways running through them and the lands were very important for public recreation. He stated PILT had been devised by the U.S. Congress as a way of giving compensation for the lost revenue, but it was never fully funded in the past. He noted people in the eastern U.S. did not understand the impact on local governments of the lost revenue from such a large percentage of federally-owned lands. Mr. Hadfield observed the PILT funds were determined based on a combination of acreage and population.

Commissioner Weber talked about the potential economic impact of the Conference. She pointed out the Nevada Association of Counties had been instrumental in lobbying for PILT funds. She noted members of NACo and of the Nevada Association of Counties were very excited about the 2010 Conference, and all of the counties in Nevada wanted to be a part of it.

Commissioner Humke stated Washoe County agreed to host the 2010 NACo Conference a few years ago when economic times were better, and was still required to live up to its agreement in spite of the economic downturn. He said he was hopeful there would be an economic upturn well under way by July 2010. He pointed out that local government revenues were under attack by the State Legislature, and it was a good time for the 17 counties in Nevada to bind together. He hoped the NACo Board would extend an invitation to President Obama to speak at the conference, as well as to various cabinet members. He noted NACo was an important entity and the Conference would highlight local tourism opportunities.

In response to the call for public comment, Sam Dehne added gaming to the list of resources that Nevada had to offer. He said there was no question the County would get a good return on the money spent for the NACo Conference.

Commissioner Galloway stated the Conference was a good use of the PILT money because it would help the community to make money. He noted the Conference would not use all of the PILT money, and he believed the rest of the funds would be needed in the County's budget to get through difficult economic times.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 7 be acknowledged, approved, executed and directed. The Resolution for same is attached hereto and made a part of the minutes thereof.

DISCUSSION – BLOCK VOTE

The Board consolidated Agenda Items 8, 10, 13, 14, 17 and 19 into a single block vote.

08-1269 AGENDA ITEM 8 – SHERIFF'S OFFICE

Agenda Subject: "Recommendation to accept Paul Coverdell Forensic Science Improvement Grant 08-PC-03 [\$71,286 - no County match] for the conversion to digital photography in the Forensic Investigation Section of the Washoe County Sheriff's Office Forensic Science Division; authorize sole source purchase of digital cameras, equipment and a server from Linear Systems [\$71,286]; and if approved, authorize Washoe County Purchasing Department (on behalf of Washoe County, the Washoe County Sheriff's Department and the Forensic Science Division of the Washoe County Sheriff's Department) to execute Agreement and direct Finance to make appropriate budget adjustments. (All Commission Districts)"

There was no public comment on this item.

On motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, it was ordered that Agenda Item 8 be accepted, authorized, approved, executed and directed.

08-1270 AGENDA ITEM 10 – ENHANCED 911 EMERGENCY RESPONSE ADVISORY COMMITTEE

Agenda Subject: “Recommendation to approve change order, AT&T Purchase Order # 5500009223 to encumber \$80,000 in additional Automatic Number Indicator/Automatic Location Indicator circuit trunk charges for Fiscal Year 2008/09 for unincorporated Washoe County in support of Washoe County’s Enhanced 911 Emergency Response System, to provide Automatic Number Indicator/Automatic Location Indicator circuit trunks for the Reno, Sparks and Incline Village, Nevada Public Safety Answering Points. (All Commission Districts)”

There was no public comment on this item.

On motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, it was ordered that Agenda Item 10 be approved.

08-1271 AGENDA ITEM 13 – SECOND JUDICIAL DISTRICT COURT

Agenda Subject: “Recommendation to approve Fiscal Year 2008/09 purchase requisition to ACS Government Systems [not to exceed \$174,313.07] for the annual maintenance and support agreement for the Second Judicial District Court’s case management system retroactive from July 1, 2008 to June 30, 2009. (All Commission Districts)”

There was no public comment on this item.

On motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, it was ordered that Agenda Item 13 be approved.

08-1272 AGENDA ITEM 14 – DEPARTMENT OF WATER RESOURCES

Agenda Subject: “Recommendation to approve and authorize the Chairman to execute the Second Amendment and Revised Exhibit “A” to the Wholesale Water Agreement for Portions of the Southeast Truckee Meadows (originally executed June 12, 2000) between the County of Washoe and Truckee Meadows Water Authority, which modifies the expiration date to June 12, 2010. (Commission District 2) To be heard before Agenda Item #15.”

There was no public comment on this item.

On motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, it was ordered that Agenda Item 14 be approved, authorized and executed.

08-1273 AGENDA ITEM 17 – REGIONAL PARKS AND OPEN SPACE

Agenda Subject: “Recommendation to approve a Resolution of Support Round 9 State Question 1 Grant Application [\$2,128,935 - match of \$2,128,935 to be obtained from Kiley Ranch Communities as in-kind contribution of \$1,620,000 and cash contribution of \$508,935] submitted by the Kiley Ranch Preservancy Foundation for the Nevada Division of State Lands, Conservation and Resource Protection State Question-1 Grant Program for purchase of land and water on approximately 215 acres in Spanish Springs for a wildlife wetland preserve; and if approved, authorize Chairman to execute Resolution. (Commission District 4)”

Paul Curtis of the Kiley Ranch Preservancy Foundation thanked the Commissioners for their support.

There was no public comment on this item.

On motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, it was ordered that Agenda Item 17 be approved, authorized and executed. The Resolution for same is attached hereto and made a part of the minutes thereof.

08-1274 AGENDA ITEM 19 – REGIONAL PARKS AND OPEN SPACE

Agenda Subject: “Recommendation to award Base Bid and Alternate One for construction of Michael D. Thompson Trailhead at Hunter Creek to the lowest responsive and responsible bidder (staff recommends Wes Construction) [\$344,653.26]; and if awarded, authorize Chairman to execute Contract documents. (Commission District 1)”

Commissioner Galloway asked whether it was correct that bids came in lower than expected. Doug Doolittle, Director of Regional Parks and Open Space, confirmed bids were received that were significantly lower than the \$425,000 originally estimated by the engineer. Commissioner Galloway requested that future agenda descriptions include the total amount of the impact on the General Fund.

There was no public comment on this item.

On motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, it was ordered that Agenda Item 19 be awarded, authorized and executed.

Agenda Subject: “Recommendation to approve the Washoe County Sheriff’s Office to join in an existing contract of the State to purchase three additional emergency vehicles for the Operations Bureau (total vehicle, equipment, replacement and maintenance costs for the three vehicles \$201,666). (All Commission Districts)”

Carrie Bennett, Captain of the Administrative Division, explained the Sheriff’s Office obtained approval in the 2007-08 budget to upgrade the patrol fleet by three vehicles and then made a decision not to upgrade due to budget cuts. She stated vehicle usage increased after six deputies were moved from Detention to the Patrol Operations Bureau, and the Sheriff’s Office was recently served with a grievance from the Deputy’s Association for the number of vehicles that had been driven over 100,000 miles. She indicated the proposed purchase would call for large SUV-type vehicles.

3:18 p.m. Commissioner Humke temporarily left the meeting.

Chairman Larkin asked whether the vehicle purchase was part of a pilot program to lease vehicles that was previously authorized by the Board. Captain Bennett clarified the lease program only included unmarked vehicles. Chairman Larkin requested that future agenda descriptions for vehicle requests clarify whether or not they were to be included in the pilot program.

Commissioner Jung asked why the vehicles were so expensive. Captain Bennett stated Equipment Services might be able to provide more specific information, but she estimated the cost of one vehicle at about \$38,000. She stated the addition of emergency equipment and wrapping brought the cost to about \$50,000 per vehicle. She noted there were additional funds placed into the Equipment Services budget to cover vehicle operation and maintenance costs. Commissioner Jung questioned whether it was really cheaper to joiner with the State contract. Captain Bennett indicated that had been the normal practice of Equipment Services. County Manager Katy Simon clarified the agenda item was not an Equipment Services Department request. Captain Bennett said the Sheriff’s Office worked with Equipment Services when ordering vehicles, because they maintained and serviced the vehicles regardless of whether they were purchased through a line item in the General Fund, through a grant acquisition, or through a donation.

Commissioner Jung asked when the Sheriff’s Office was hoping to take possession of the vehicles. Captain Bennett stated the vehicles would be ordered in February or March 2009. Commissioner Jung indicated she was reluctant to approve the expenditure until other options had at least been explored. She suggested it might be cheaper to go through a separate bid process, negotiate with a local dealer for direct incentives, or explore a lease option. She also expressed concern that more fuel efficient vehicles had not been explored. Captain Bennett indicated the vehicles were likely to be used in remote areas that would require four-wheel drive vehicles, and previous analysis done in 2007 determined SUV-type vehicles to be the most appropriate for upgrading the

fleet. She pointed out the Sheriff's Office returned \$3.1 million to the General Fund from the previous year's budget. Commissioner Jung recommended exploration of more alternatives. Captain Bennett agreed to explore whether the cost of the vehicles could be brought down.

Commissioner Galloway referred to a recommendation in the County's operational audit that new vehicles go to a special service yard for retrofitting so their warranties would not begin until the Sheriff's Office actually took delivery on fully equipped vehicles. He pointed out the automobile dealers might not be in business long enough to make good on their warranties throughout the life of the vehicles, and it might be beneficial to look at buying the vehicles without warranties.

Commissioner Weber said she did not want to micromanage. She believed the cost range was appropriate for the type of specialized vehicles that were necessary.

Chairman Larkin stated it was not an attempt to micromanage, but to deal with the County's policy issues for general fleet management. He noted some of the local car dealers might not be in business in 30 days, and agreed further analysis was necessary.

Consideration of Agenda Item 9 was continued until sometime in January 2009, to allow further analysis of the items discussed.

08-1276 AGENDA ITEM 11 – TECHNOLOGY SERVICES

Agenda Subject: "Recommendation to approve two-year contract extension of Washoe County Bid No. 2507-06 for Ortho-Photography Mapping Products on behalf of Washoe County and the Joinder Agencies (Cities of Sparks and Reno, NV Energy (formerly Sierra Pacific Power Company), Carson City, Churchill County and Douglas County) to Mapcon Mapping Company, Inc., [estimated Fiscal Year 2009/10 amount \$400,000] (IN20012-710100); and if approved, authorize Acting Purchasing and Contracts Administrator to execute contract extension for additional mapping products from Mapcon through December 31, 2010 provided there is no increase in pricing. [Note: Washoe County's Fiscal Year 2008/09 share is \$0 and \$100,000 for the Fiscal Year 2009/10.]. (All Commission Districts)"

County Manager Katy Simon clarified there were no additional dollars being spent for Washoe County's share of the ortho-photography flights during fiscal year 2008-09, and the County's share for fiscal year 2009-10 was expected to be \$100,000. She noted the agenda item was to consider approval of a contract extension that would capture better pricing for future years. She pointed out there were many departments, particularly the Assessor's Office, that relied on accurate mapping information from the ortho-photography flights.

Chairman Larkin said he did not want approval of the contract extension to imply that money would be appropriated in future budgets. Ms. Simon emphasized the

importance of having spatial data that was correct and accurate for all of the agencies that relied on the information. She said ortho-photography to update the maps was previously done every year and had already been decreased to every other year. Chairman Larkin stated it should be clearly understood that there was no guarantee the Commission would budget funds for 2009-10 if the contract extension was approved. Ms. Simon indicated there was typically a funding-out clause included in such contracts in the event that funds were not appropriated.

Commissioner Galloway agreed with Chairman Larkin and asked whether anything precluded the County from renegotiating the contract if some change was needed. If funds were not appropriated, Ms. Simon pointed out the contract would not be amended, but the funding-out clause would apply. Cory Casazza, Chief Information Management Officer, confirmed there was a funding-out clause in the contract extension and said there would be no ortho-photography flights if funds were not appropriated. He noted there was a current balance in the Base Map Committee Fund that could possibly be used for next year's flight. He explained the funds were put there by all of the agencies and it would be appropriate to have the contract in place even if the County chose not to appropriate more funds, so that Technology Services could work with the remaining agencies to conduct next year's ortho-photography flight.

Commissioner Galloway observed there was not a copy of the contract attached to the staff report. He questioned whether a variable amount could be funded based on what was available at budget time. Mr. Casazza replied the amount was variable based on the square miles flown. He agreed it was possible to target areas of greatest need.

There was no public comment on this item.

3:37 p.m. Commissioner Humke returned to the meeting.

On motion by Commissioner Galloway, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 11 be approved, authorized and executed. It was further noted that approval of the contract extension did not constitute any kind of written or implied commitment for the Board to fund flights in any specific dollar amount for fiscal year 2009-10.

08-1277 AGENDA ITEM 12 – JUVENILE SERVICES

Agenda Subject: “Recommendation to accept three-year Fiscal Year’s 2009/11 Office of Juvenile Justice and Delinquency Prevention Strengthening Youth Mentoring through Community Partnerships “Power Mentoring Program” Grant [\$500,000 - no County match]; and if accepted, approve and authorize Chairman to execute Contract for Power Mentoring Program between the County of Washoe and Big Brothers Big Sisters of Northern Nevada to develop, implement and coordinate the Power Mentoring Program and direct Finance to make necessary budget adjustments. (All Commission Districts)”

County Manager Katy Simon disclosed that she and Commissioner Jung were affiliated as big sisters with the Big Brothers Big Sisters of Northern Nevada (BBBSNN).

Mike Martino, Program Manager for Juvenile Services, said he was encouraged that the Justice Department had offered the \$500,000 three-year grant for Washoe County to partner with BBBSNN.

Pat Fling, Director of BBBSNN, indicated the prevention program was designed to target children who were already known to Juvenile Services, and to match their siblings with a mentor. She said the desired outcome was to prevent siblings from following in the footsteps of an older brother or sister. She stated Sherita Diaz, Mentor Outreach Specialist, would be responsible for receiving referrals from Juvenile Services, engaging their families, and encouraging them to enroll younger siblings with BBBSNN.

Chairman Larkin acknowledged the three-year grant was authorized, but pointed out the U.S. Congress had not yet appropriated money for fiscal year 2010-11. He asked what would happen if funds were not appropriated. Mr. Martino stated the program would end. Chairman Larkin emphasized that should be clearly understood, and said there was not likely to be any local funding match.

Commissioner Weber said the program was awesome, but she believed the Board should consider a policy related to beginning any new programs in any departments given the difficult economic times. Mr. Martino pointed out there would be no Washoe County dollars expended on the program. Commissioner Weber replied there were still taxpayer dollars being expended. Mr. Martino said he would research funding for subsequent years. He agreed these were economically challenging times, but noted the families served by the program were more needy and at risk than they had ever been. He stated it would be an amazing opportunity for Washoe County to do some wonderful work in partnership with BBBSNN, even if funding from the federal government was only available for one year.

Commissioner Jung asked how much money would not be available in the community if the Board did not accept the grant. Mr. Martino indicated the grant provided \$166,000 per year. He stated approximately \$7,500 per year would be used to help manage the program within Juvenile Services and would offset some of the costs for his position during fiscal year 2009-10. He noted the grant money would be made available to someone else if the Commissioners decided not to accept it. Commissioner Jung said, according to her research, the Office of Juvenile Justice and Delinquency provided the grant money to counties throughout the Country because a young person was at higher risk of involvement with the justice system if one of their siblings was already involved with the justice system. She suggested the County might eventually save money by keeping at-risk youth from ever meeting Juvenile Services staff. Mr. Martino agreed and said he was encouraged that the Justice Department recognized the

importance of investing in early intervention and prevention programs. Ms. Fling clarified there were no local matching dollars required for the grant.

Commissioner Galloway indicated he wanted to accept the grant, as long as he was assured the County was not at risk for having to pick up the funding if the federal government did not fund the grant. Commissioner Humke referred to subsection m(10) on page 7 of the contract, which provided grounds for the County to exit the contract if funds were curtailed, withdrawn or otherwise restricted. He agreed the County would not pick up where the federal government left off if Congress did not appropriate funds. Melanie Foster, Legal Counsel, pointed out additional funding-out language contained in subsection m(12) on page 8 of the contract. She stated the County was protected and had the ability to terminate the agreement with BBBSNN in the event funds did not materialize.

Commissioner Weber asked whether personnel for the program were already on board or would need to be hired. Ms. Fling indicated BBBSNN planned to redeploy existing staff.

Commissioner Jung related her experience as a mentor to two little sisters. She indicated BBBSNN was a wonderful program that required very little money to operate because it used community volunteers.

Commissioner Humke commented there was a lot of research to show that previous incarceration of a parent or sibling was one of the clearest predictors that youth would become known to the juvenile court. He remarked, "Power to the mentors."

On motion by Commissioner Jung, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 12 be accepted, approved, authorized, executed and directed.

08-1278 AGENDA ITEM 15 – DEPARTMENT OF WATER RESOURCES

Agenda Subject: "Introduction and first reading of an Ordinance revising the Washoe County requirements and schedule of rates and charges for water service within the South Truckee Meadows; requiring the continued assessment and collection for necessary wholesale infrastructure improvements to meet increased wholesale water service demand in the South Truckee Meadows area; providing procedures for its enforcement. This Ordinance repeals Ordinance No. 1286. (Commission District 2) To be heard after Agenda Item #14."

There was no public comment on this item.

Bill No. 1568, entitled, "AN ORDINANCE REVISING THE WASHOE COUNTY REQUIREMENTS AND SCHEDULE OF RATES AND CHARGES FOR WATER SERVICE WITHIN THE SOUTH TRUCKEE MEADOWS; REQUIRING THE CONTINUED ASSESSMENT AND

COLLECTION FOR NECESSARY WHOLESALE INFRASTRUCTURE IMPROVEMENTS TO MEET INCREASED WHOLESALE WATER SERVICE DEMAND IN THE SOUTH TRUCKEE MEADOWS AREA; PROVIDING PROCEDURES FOR ITS ENFORCEMENT. THIS ORDINANCE REPEALS ORDINANCE NO. 1286” was introduced by Commissioner Galloway, the title read to the Board and legal notice for final action of adoption directed.

08-1279 AGENDA ITEM 18 – REGIONAL PARKS AND OPEN SPACE

Agenda Subject: “Recommendation to accept a reimbursable grant [\$100,000] from the Commission on Cultural Affairs for structural rehabilitation and seismic retrofit of Bowers Mansion; and if accepted, authorize Regional Parks and Open Space Director to sign all necessary documents associated with the grant and authorize Finance to make appropriate budget adjustments. (Commission District 2)”

Lynda Nelson, Planning Manager, said the State Commission on Cultural Affairs had allocated funding and the ten-year program was in its third year. She indicated the Regional Parks and Open Space Department would not move forward with the reimbursable grant until an executed funding agreement was in place. She clarified for Chairman Larkin that a \$30,000 match was required and would come from Public Works in the form of an initial assessment by Melvin Greene and Associates. She stated Dave Solaro, Capital Projects Division Manager for the Public Works Department, would oversee the bid process for the seismic retrofit project.

Commissioner Galloway asked how it could be known whether \$100,000 would be enough money if bids had not yet been obtained. Ms. Nelson noted the initial assessment done by Melvin Greene and Associates had already determined \$100,000 was not enough for the entire project. She explained the original grant application had been for \$300,000, but only \$100,000 was awarded. The project was therefore to be done in phases and a grant request for phase two in the amount of \$175,000 was submitted October 1, 2008. She assured Commissioner Galloway the \$100,000 grant was enough for phase one, which would cover the highest priority work. She confirmed for Commissioner Galloway that no new money would be spent because the \$30,000 match was to be credited from funds already expended.

Commissioner Humke asked whether there would be additional matches if grant funds became available for subsequent phases. Ms. Nelson replied there was a \$20,000 match required for the \$175,000 phase two grant that was submitted, and it was hoped the funding could be provided through the Public Works Department.

Chairman Larkin remarked Bowers Mansion was a great historic asset for Washoe County to maintain.

There was no public comment on this item.

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 18 be accepted and authorized.

08-1280 AGENDA ITEM 20 – MANAGEMENT SERVICES/GOVERNMENT AFFAIRS

Agenda Subject: “Discussion and direction to staff regarding legislation or legislative issues proposed by Legislators, by Washoe County or by other entities permitted by the Nevada State Legislature to submit bill draft requests, or such legislative issues as may be deemed by the Chair or the Board to be of critical significance to Washoe County, or issues arising out of the special legislative session. (All Commission Districts)”

John Slaughter, Management Services Director, provided a document highlighting some of the budget solutions reached during the 25th Special Session of the Nevada Legislature, which was placed on file with the Clerk. He stated there were approximately 32 items considered and approved, and the impact on various County departments was still being determined. He briefly discussed some of the State’s budget-cutting measures, including: (1) \$160 million line of credit from the Local Government Investment Pool; (2) \$25 million from the Indigent Accident Fund; (3) \$12 million from mineral land lease revenues; (4) \$3.5 million in reserves swept from the Low Income Housing Trust Fund; (5) \$5.5 million reduction in economic development and tourism money; and (6) one-time reversion of “excess reserves” or amounts greater than \$1 million from Pollution Control Funds. He indicated EDAWN would take a \$300,000 cut due to the reduction in economic development funds. He noted the Health Department had previously received anywhere from \$170,000 to \$300,000 per year from Pollution Control Funds, although they had been careful not to use the money to fund positions or critical programs. He said the Health Department received approximately \$800,000 from tobacco money and the impact of funding cuts in that area was yet to be determined.

Chairman Larkin observed the document was not a complete list of all the measures taken. Mr. Slaughter explained the State’s budget-cutting measures totaled \$337 million and affected a total of 32 to 34 programs.

Commissioner Galloway asked whether any of the additional cuts would impact the university system. Mr. Slaughter stated \$5 million was swept from the principle in the Millennium Scholarship Fund. He agreed to find out what percentage of the State’s tobacco money had previously gone to the Millennium Scholarship.

Commissioner Humke inquired as to whether the money taken from the Indigent Accident Fund was a one-time sweep or would be ongoing. Mr. Slaughter said it was a one-time sweep. He defined a “sweep” as money taken out of an account, sometimes involving funds above what was budgeted and sometimes involving amounts that were previously budgeted. He explained there was no provision for repayment.

Commissioner Humke characterized the use of money from the Indigent Accident Fund as a tax increase for the State of Nevada. He observed it was tax money intended for use by local hospitals that would no longer be reimbursed for the services they provided in good faith to those indigents who were involved in accidents. He stated there were some hospitals in Nevada that could fail if a big accident were to occur. If the hospitals did not fail, Commissioner Galloway pointed out the costs would be passed on to other patients, thereby effectively raising taxes.

Grady Tarbutton, Director of Senior Services, updated the Board about their previous direction to have staff look into establishing a veterans' services office for the purpose of supplying an advocate to assist veterans in applying for benefits. He indicated he met with Tim Tetz, Executive Director of the Nevada Office of Veterans Services, who suggested funding at the State level, with a Memorandum of Understanding (MOU) for the State to operate a program in coordination with the County. Under such an arrangement, the County would refer clients and the State would act as the advocate. He explained the arrangement would allow a faster startup for the program and result in less cost to the County. Director Tetz submitted the program for inclusion in the Governor's budget, but it was not funded. Mr. Tarbutton stated a proposal to build the Northern Nevada Veterans Home, a facility for veterans in Washoe County, was also put aside in the Governor's budget. He suggested the Board of County Commissioners write a letter to the Governor and to Washoe County's Legislative Delegation expressing support for funding of the Trinity Team that Director Tetz proposed to co-locate along with Washoe County. He said a veterans' services office was not likely to be funded at the State level, so the next step would be for staff to finish the development of an MOU with the Nevada Office of Veterans Services. After the Legislative Session, a proposal could be brought back to the Board as to how the County might fund a program and work with the State to run it in the most cost effective manner.

Chairman Larkin noted the Board was not agendized to take action on the matter, and asked the County Manager to follow up with Mr. Tarbutton.

Commissioner Galloway stated he liked the idea of working with the State. He explained there would probably be a reduction in expenses at some level of government when veterans applied for their maximum benefits, and the State was more likely than the County to receive relief. Mr. Tarbutton offered to obtain more details. Commissioner Galloway requested that he discuss it with the County Manager. Mr. Tarbutton said he believed staff could demonstrate savings. When a veteran applied for benefits, he stated the County indigent funds became a prior resource that had to be used to pay for items such as medication, group home placement or nursing home care.

Commissioner Humke asked whether changes to the State budget could still be made during the Regular Legislative Session if revenues did not come in as low as predicted. Mr. Slaughter indicated there was a level of confidence at the Special Session that the Legislators had done what was needed to get through June 30, 2009. He said the Legislature would have the ability to deal with issues in the Regular Session if necessary.

He noted some legislative committees intended to meet right after the first of the year, which was much earlier than they had in the past.

Mr. Slaughter provided a document containing a proposed set of 2009 Legislative Principles for the Board's consideration, which was placed on file with the Clerk. He explained there were some minor changes from what had been used in the past, primarily due to the trend in transferring the burden of fiscal responsibility. He stated the intent was to share the principles with the Washoe County Delegation as soon as possible. He indicated the principles acted as guidelines for staff, lobbyists and elected officials representing Washoe County, allowing them to review and assess whether various pieces of proposed legislation were consistent with the Board's views. Melanie Foster, Legal Counsel, recommended a more specific agenda item before the Board took action, particularly because there were some differences from what had been adopted in the past. Katy Simon, County Manager, said staff had hoped to get the Principles adopted before the upcoming legislative reception, but agreed it could wait until January 2009.

Commissioner Humke asked whether the Principles could be taken to the consortium of local government entities to see if they would agree to be bound by them. Mr. Slaughter indicated that had not been done in the past. He said he met once a month with staff representing those groups and would present the Principles to them. Commissioner Humke requested that such direction be added to the future agenda item.

Commissioner Galloway talked about gasoline taxes. He pointed out there was currently a tax of 54.865 cents per gallon on gasoline in Washoe County, with 18.4 cents used locally, and 7.45 cents distributed to Reno, Sparks and Washoe County. He indicated there was no local share for the diesel tax, although heavy trucks caused a lot of damage to the roads. He suggested it might be possible to add a 7.45-cent local share to the diesel tax.

There was no public comment on this item.

08-1281 AGENDA ITEM 26 – CLOSED SESSION

Agenda Subject: "Possible Closed Session for the purpose of discussing negotiations with Employee Organizations per NRS 288.220."

4:24 p.m. On motion by Commissioner Humke, seconded by Commissioner Jung, which motion duly carried, the Board went into Closed Session for the purpose of discussing negotiations with employee organizations per NRS 288.220.

5:49 p.m. The Board reconvened with Commissioner Weber temporarily absent.

08-1282 AGENDA ITEM 21 – COMMUNITY DEVELOPMENT

Agenda Subject: "Second reading and adoption of an Ordinance to adopt amendments to the Regional Road Impact Fee Capital Improvements Plan and

Accompanying Fees as referred to Washoe County by the Regional Transportation Commission of Washoe County on May 16, 2008; and other matters properly relating thereto (Bill No. 1567). (All Commission Districts)”

5:50 p.m. Chairman Larkin opened the public hearing.

County Clerk Amy Harvey read the title for Ordinance No. 1388, Bill No.1567.

5:51 p.m. Commissioner Weber returned to the meeting.

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

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that Ordinance No. 1388, Bill No. 1567 entitled, **"AN ORDINANCE TO ADOPT AMENDMENTS TO THE REGIONAL ROAD IMPACT FEE CAPITAL IMPROVEMENTS PLAN AND ACCOMPANYING FEES AS REFERRED TO WASHOE COUNTY BY THE REGIONAL TRANSPORTATION COMMISSION OF WASHOE COUNTY ON MAY 16, 2008; AND OTHER MATTERS PROPERLY RELATING THERETO"** be approved, adopted and published in accordance with NRS 244.100.

08-1283 AGENDA ITEM 22 – COMMUNITY DEVELOPMENT

Agenda Subject: “(If Agenda Item 21 adopted) Adoption of a Resolution amending the Regional Road Impact Fee General Administrative Manual as referred to Washoe County by the Regional Transportation Commission of Washoe County on May 16, 2008, and other matters relating thereto. (All Commission Districts)”

There was no public comment on this item.

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 22 be adopted. The Resolution for same is attached hereto and made a part of the minutes thereof.

08-1284 AGENDA ITEM 23 – FINANCE DEPARTMENT

Agenda Subject: “Hearing regarding the intent of the Board of County Commissioners of Washoe County, Nevada, to issue General Obligation (Limited Tax) Building Bonds [\$10,000,000] (additionally secured by pledged revenues) and following the public hearing, recommendation to approve and authorize Chairman to execute a Resolution authorizing the County Finance Director to arrange for the sale of the Washoe County, Nevada General Obligation (limited tax) building bonds (additionally secured by pledged revenues) in the maximum principal amount of \$10,000,000 for the purpose of financing building projects, including the Sparks

Justice Court; and providing other details in connection therewith. (Commission District 4)”

5:53 p.m. Chairman Larkin opened the public hearing. There being no response to the call for public comment, the public hearing was closed.

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 23 be approved, authorized and executed. The Resolution for same is attached hereto and made a part of the minutes thereof.

08-1285 AGENDA ITEM 24 – COMMUNITY DEVELOPMENT

Agenda Subject: “Comprehensive Plan Amendment Case No. CP08-005 - Washoe Valley Portion of the South Valleys Area Plan Update--To consider an amendment to the South Valleys Area Plan and the Washoe County Comprehensive Plan - the Washoe Valley portion of the plan and to consider the report of the Planning Commission to the Board as provided in NRS 278.220 (4). This update will amend Area Plan policy language as it relates to the area commonly known as Washoe Valley and its associated Land Use Plan map to reflect proposed character management areas and will introduce an updated map series and revised table of uses. The Washoe Valley portion of the South Valleys Planning Area is comprised generally of the unincorporated areas of the southern portion of Washoe County, bounded on the west by the Forest and Tahoe planning areas, on the north by the Steamboat and Pleasant Valley portions of the South Valleys planning area, on the east by Storey County, and on the south by Carson City.

AND IF APPROVED

Authorize the Chair of the Board of County Commissioners to sign the Resolution Adopting the Amended South Valleys Area Plan (CP08-005), a part of the Washoe County Comprehensive Plan. Such signature by the Chair to be made only after a determination of conformance with the 2007 Regional Plan by the Truckee Meadows Regional Planning Commission. If this Comprehensive Plan Amendment is adopted and determined to be in conformance with the Truckee Meadows Regional Plan, the prior amendments to the Pleasant and Steamboat Valley portions of the South Valleys Area Plan will be incorporated with these amendments, relating to the Washoe Valley portion of the South Valleys Area Plan, into a single document known as the South Valleys Area Plan. (Commission District 2, Commissioner Humke)”

5:54 p.m. Chairman Larkin opened the public hearing.

Sandra Monsalve, Senior Planner, conducted a PowerPoint presentation, which was placed on file with the Clerk. She summarized the public’s involvement with the Area Plan update, explaining that input was gathered at 18 community meetings

between November 2007 and October 2008, and through a survey for the commercial district. She stated staff hosted three additional community meetings following the Board of County Commissioners meeting on September 9, 2008. Representatives were selected by the East and West Washoe Valley Citizen Advisory Board Chairs for the October 2008 community meetings and various new zoning configurations were proposed, resulting in Options A through E for the Ophir Road properties. Ms. Monsalve indicated there was new policy language in the Area Plan Update that incorporated community feedback, including a requirement for all development to be consistent with the Regional Water Plan set forth by the Regional Water Planning Commission and in conjunction with the Department of Water Resources, the establishment of building envelopes and maximum lot disturbance standards in areas with slopes greater than 20 percent, and language to address the protection of ridgelines and view sheds. She indicated the feedback from commercial property owners resulted in the creation and naming of the Old Washoe City Historic District, as well as the identification of a boundary and the inclusion a table of uses for the Historic District. She pointed out the previously proposed Specific Plan had been removed from the Area Plan.

Ms. Monsalve discussed the response to three directives issued by the Board of County Commissioners at its meeting on September 9, 2008, when it remanded the Area Plan Update to the Planning Commission.

The first of the Board's directives dealt with consideration of zoning options for the Ophir Road properties within the range of 15 to 176 potential residential lots. Ms. Monsalve outlined the features of Alternatives One and Three that were presented to the Planning Commission in July 2008, as well as Options A through E that were discussed at the October 2008 community meetings. She noted Option A was adopted by the Planning Commission on November 5, 2008. She stated it was a mixture of 1-acre, 2.5-acre, 5-acre and 40-acre (per dwelling unit) zoning, and would result in a total of 176 potential residential lots. She identified Option C as the preferred option of the community members. She explained the configuration in Option C required 5-acre zoning across all 636 acres of the Ophir Road properties and would yield 112 potential residential lots. It would utilize on-site wastewater systems and individual wells, and afforded less protection of open space. Ms. Monsalve stated staff received two phone calls from community members in support of Option E, which called for 5-acre zoning north of the hydrographic basin line and 40-acre zoning south of the line, yielding a total of 66 potential residential lots.

Commissioner Jung asked for a definition of the term "open space," as it was used during the staff presentation. Ms. Monsalve clarified the term did not refer to open space zoning or to government-owned land, but was a reference to visually open space with little or no development on the land. She confirmed for Commissioner Jung that the Ophir Road properties were privately owned and the County would not be responsible for maintaining or enforcing the land as open space.

Ms. Monsalve stated the Board's second directive was to ask the Planning Commission to come back with a recommendation and make a record addressing

concerns related to expansion of the Truckee Meadows Service Area (TMSA) in a southerly direction. She related some of the terms of a previous District Court Settlement Agreement, wherein the City of Reno agreed to roll back its Sphere of Influence (SOI) and TMSA from Pleasant Valley, thus reestablishing Washoe County planning jurisdiction in the area. Additional TMSA was then granted to Reno in other areas. Ms. Monsalve pointed out the Regional Plan contained no prohibition against regional plan amendments to the TMSA by any of the three jurisdictions, but instead contained policies on how the amendments should be evaluated. On November 3, 2008, she indicated the owners of the Ophir Road properties amended their previous TMSA application of May 15, 2007 to include only the properties within the Pleasant Valley hydrographic basin (north of the hydrographic basin line). She said the Planning Commission considered the issues and determined the TMSA was a matter to be deliberated by the Regional Planning Commission and the Regional Planning Governing Board.

In response to the Board's third directive, Ms. Monsalve explained the Planning Commission heard information about existing traffic difficulties at the intersection of U.S. Highway 395 and Eastlake Boulevard. She said the Planning Commission felt the concerns were adequately addressed by Nevada Department of Transportation plans for a future highway extension (Interstate-580), which was expected to reroute approximately 80 percent of the traffic away from the congested intersection.

Ms. Monsalve indicated the Board's options were to adopt an Area Plan in whole or in part as recommended by the Planning Commission (Option A), or to adopt an Area Plan in whole or in part that incorporated Alternative One, Alternative Three or one of the Options A through E. Once the Board moved to adopt an Area Plan, she requested they make a motion authorizing the Chair to sign a Resolution adopting the Amended South Valleys Area Plan following a conformance review by the Truckee Meadows Regional Planning Commission.

Commissioner Galloway stated it was his understanding the Board could adopt anything within the range of options considered on remand of the Update to the Planning Commission. Ms. Monsalve agreed, provided it fell within the range of 15 to 176 potential residential lots. She indicated staff tried to present several variations to the community. Commissioner Galloway noted the Board might select one of the options presented, but had the ability to vary the maps as long as it stayed within the range.

Commissioner Humke asked whether an open space designation meant the land would remain open space in perpetuity. Ms. Monsalve clarified there was an open space regulatory zone classification in the County Code that prohibited the construction of most dwellings or structures. She indicated open space zoning on part of the Ophir Road properties would still allow someone to propose a future Comprehensive Plan Amendment to change the land use. She said the only way to designate open space into perpetuity was to record it as common open space on a subdivision map. Commissioner Humke said several of the citizens believed that certain Planning Commissioners did not understand the open space nuance. Ms. Monsalve stated there was no discussion of open space zoning at the Planning Commission meeting. Commissioner Jung remarked she had

traditionally understood open space to mean public land. Ms. Monsalve indicated that was one of the definitions in the County Code. Commissioner Jung inquired as to whether any of the proposed Options A through E included open space zoning. Ms. Monsalve replied they did not.

In response to the call for public comment, Paul Sitze spoke in favor of keeping the area rural. He was opposed to Options A and B, and recommended the Board approve Option C, D or E.

Ginger Pierce, Chair of the Galena-Steamboat Citizen Advisory Board (CAB), pointed out the Pleasant Valley and Steamboat portions of the Area Plan were approved by the Board on August 28, 2008. Since being informed in October 2008 that Mr. Weston wished to have a portion of the Ophir Road properties in the Pleasant Valley area, she invited him to present his plans to the Galena-Steamboat CAB.

Ann York stated rural 5-acre zoning was the appropriate legal method for development in Washoe Valley. She indicated Options A, B and E each used the hydrographic basin line as a boundary. She observed the Truckee Meadows Regional Planning Agency notified Mr. Weston the hydrographic line could not be used to define his modified TMSA request until it had been surveyed. She read some comments from a letter by Hydrologist W. Alan McKay, which suggested the surface topography used to create hydrographic boundary lines might not accurately reflect the groundwater processes below the land's surface. She pointed out hydrographic basin lines had never been used as property boundaries, and it would set a precedent to use them in this case. Ms. York stated the survey of the hydrographic basin line required by Option A would further delay the Area Plan Update process. She asked the Board to approve Option C or D, which were both in compliance with the South Valleys Area Plan and the Regional Plan, and did not require TMSA.

David Bowler identified himself as Mr. Weston's neighbor. He said he thought Mr. Weston's character and intent to develop his property had been twisted and misconstrued throughout the Area Plan Update process. He indicated municipal water and sewer services in Washoe Valley were inevitable at some point, and he would welcome them. He said he was in favor of what Mr. Weston wanted to do with his property and believed it was in the better interests of Washoe Valley.

Dave Metts stated he owned 280 acres near the south end of Washoe Lake. He expressed concern about a proposed trail shown on every map in the Area Plan. He explained there was a trailhead on State property that he was not opposed to. However, he noted there were two trails designated as motorized off-road vehicle trails, and one of them went through the middle of his 40-acre parcel. He indicated it was a bad idea to present the trails for motorized public access to the mountains. He said he spent a lot of time and money repairing erosions on the road, while the Regional Parks and Open Space Department spent time and money proposing the road as an ATV and 4WD trail, as well as a dirt bike trail going through his private property. He related finding white lime all over his property last summer from a motocross race. Mr. Metts asked the Board to direct

the Regional Parks and Open Space Director to contact him regarding any proposals for putting events through his private property.

Randy Walter of Places Consulting spoke on behalf of the Ophir Road property owners (the Westons). He read a statement, which was placed on file with the Clerk. He indicated Options C, D and E were not acceptable to the Westons. He stated Option A was consistent with the Westons' intent to develop a community that would promote and maintain rural character, and would blend in design and density with Pleasant Valley to the north and Washoe Valley to the south. He pointed out Option A had been approved by the Planning Commission, and was factually supported by the Land Use Analysis and Facility Plan and Supplement previously submitted by the Westons. Mr. Walter said Option C would severely limit development on the Weston property and was not supported by any technical, factual or planning data. He requested Board approval of the Planning Commission's recommendation for Option A.

Bill Naylor, a representative of the Washoe Valley Working Group, placed a written copy of his comments on file with the Clerk. He discussed several advantages of Medium Density Rural (MDR) zoning for all of the Ophir Road properties (5-acres per dwelling unit). He also summarized some of the attempts made by the residents to compromise with Mr. Weston.

Doug Smith, President of Scenic Nevada and a member of the Scenic America Board of Directors, talked about the goals of Scenic Nevada with respect to Washoe Valley. He urged that U.S. Highway 395 be declared a Scenic Byway.

Jim Greil identified himself as the owner of one of the few remaining Washoe Valley ranches. He expressed concern that the Washoe County Planning Commission was unresponsive to the wishes of the residents. He explained the Planning Commission and Board had previously approved 5-acre minimum lots on flat to gently sloping land and 40-acre minimum lots on steep land. He suggested zoning laws should not be easily changed, and he had done his part by placing 115 acres of his private land into a permanent conservation easement. He asked the Board to reject the Planning Commission's recommendation and to remove the Ophir Road properties from consideration as part of the Area Plan.

Tom Hall, President of the West Washoe Association, said there were a range of options before the Board and none of them would preclude the economic development and use of Mr. Weston's property. He quoted from a November 5, 2008 letter to the Commissioners from Stephen Mollath, an attorney for the Ophir Road property owners: "It became quite clear that the opponents of any development upon the Weston properties desire to completely exclude any reasonable land use designation for the Weston properties." Mr. Hall indicated he thought the statement was totally false and was a threat by the attorney to bring sympathy to his client's position. He suggested the direction of growth in the Truckee Meadows was to the north. If there was to be any kind of special plan for Mr. Weston, Mr. Hall stated it should be Option C, which would result in MDR zoning and approximately a tenfold increase over the existing zoning.

Susan Juetten placed the letter referred to earlier from Hydrologist W. Alan McKay on file with the Clerk. She pointed out water was an overarching concern with respect to the Area Plan. In the old plan, she said imported water rights could only be used when a parcel split the hydrographic basin line. In the new plan, she indicated all new development required certified water rights from Washoe Valley unless a water source from another basin was approved. She expressed concern about how the new wording would apply to the Weston properties. Ms. Juetten said it was an unusual practice to use surface water boundaries for land planning purposes, and use of the hydrographic basin line gave no idea where effluent would go or where well water would come from. She recommended it would be better to use a line that was already surveyed, and hoped the Board would approve Option C or D.

Carol Christensen addressed several of the reasons the community preferred Option C or D, which called for MDR zoning with no TMSA.

Jane Countryman and Gary Houk asked the Board to approve Option C.

Monika Frank pointed out several reasons why Options A and B would not meet the criteria in Findings 1 through 4 that the Board of County Commissioners had been unable to make at their meeting on September 9, 2008. She stated it was the responsibility of County staff to plan for 5-acre parcels and that could be addressed in the subdivision map stage. She alleged Mr. Weston's demands had only increased over the last four years of the Area Plan Update process, while the community had made concessions.

Mike Kelley read from Washoe County's Mission Statement, which resolved to "...provide efficient, effective and high quality public services through: Preservation of our natural resources, open spaces and magnificent natural landscape." He pointed out the statement described Washoe Valley. He expressed concerns about adequate water supply for the wells in Washoe Valley. He recommended the County purchase any available properties in Washoe Valley and preserve them as open space.

Judy Price said she was not opposed to Mr. Weston having the opportunity to develop his property, but was concerned about the availability of water.

County Clerk Amy Harvey circulated the sign-in sheets and written comments submitted by the public for the Commissioners to review.

There being no others wishing to speak, Chairman Larkin closed the public hearing.

Commissioner Humke questioned Mr. Metts about the proposed trailhead maps that affected his property. Mr. Metts explained one trailhead was already established in the parking lot of a bird viewing sanctuary at the south end of Washoe Lake. He said he had previous discussions with a County Parks Planner about moving a

trailhead onto a piece of his property and dedicating one of his private wells to equip equestrians with water, public restrooms and parking. He indicated a trails representative from Washoe Valley and staff from the County's Regional Parks and Open Space Department continued to go forward with a different proposal to utilize a road through his property. He indicated he would certainly not want the road used for motorized vehicle access to public lands without further discussion as to how it would be regulated and kept clean. He emphasized he did not want to show up and find ATV's and motorcycles racing through his property, but no one seemed willing to do anything when the issue was brought to their attention. Commissioner Humke asked whether the South Valleys Area Plan was the first and only reference he had seen on a map that showed trails crossing his property. Mr. Metz replied the proposal had been out there for several years and he had seen it before. He said there were colors on the map that seemed to create a misconception that the State Park and the Bureau of Land Management property came about halfway through his property, although it was actually a 40-acre General Rural parcel that he purchased in 1999. He stated there happened to be a road on the property that served the Paiute Gas Pipeline, which was built sometime after 1970. He noted he was willing to work with the Parks Department, but asked that the Board direct Doug Doolittle, Director of Regional Parks and Open Space, to contact him about resolving the problem. He expressed concern about the map being published after approval of the Area Plan. County Manager Katy Simon said she did not know the facts of the situation, but would look into it immediately.

Commissioner Humke asked whether it was appropriate to include a trails map in area plans. Adrian Freund, Director of Community Development, indicated the trails maps included in area plans were typically taken from source maps in the Parks District Master Plans or in the Regional Open Space Plan. He explained there was a technical amendment process in place that could be used to deal with situations such as the one raised by Mr. Metts. He agreed he could do a technical amendment on the Area Plan map at the Board's direction and would discuss with Mr. Doolittle the necessity of actually depicting the trails on the map in the course of that process.

Commissioner Galloway observed there had been quite a bit of concern expressed about wells and water. He inquired as to how many wells were currently in the ground in the Washoe Valley area. Ms. Monsalve said it was a guess, but she would estimate 2,500 to 5,000 wells.

Commissioner Galloway asked staff to clarify the issues surrounding Mr. Walter's suggestion during public comment that no clustering and no municipal water or sewer would be allowed under Option C. Ms. Monsalve agreed it was possible for clustering to be done within any of the options if a TMSA amendment were to be approved later. She explained the Rural Development Area (RDA) classification of Washoe Valley within the Regional Plan did not allow municipal services, but a TMSA amendment was intended to bring in municipal water and sewer, and would take precedence over the RDA standards.

Commissioner Galloway questioned whether there was already some sort of municipal water in the area. Mr. Freund stated there were instances that would allow a community water or wastewater system within the RDA, such as the declaration of a public health emergency. He said there had been some clustering previously approved in the Lightening W Development that would not be allowed under the current rules. He noted there were certain fine points and the Health Department could allow septic systems on 1-acre parcels if the zoning was in place prior to 2003. He pointed out the case of *Serpa v. Washoe County* established 5-acre minimum zoning related directly to water issues. Commissioner Galloway wondered what would happen if wells went dry. Mr. Freund said the County would have to work with the State Engineer and the Department of Water Resources in order to find a way to provide water supply to the area, and it was likely the Regional Plan would also have to be dealt with. Commissioner Galloway commented that people buying new lots created by any zoning change in the RDA that was not yet approved for TMSA should take that into account when making their decision to purchase. Mr. Freund agreed and stated the TMSA definition specified areas that were likely to be served with municipal services within the 20-year scope of the Regional Plan. He acknowledged there were some conflicting policies in place that would have to be rectified under such circumstances as wells going dry.

Commissioner Humke referred to Mr. Naylor's suggestion during public comment that Mr. Weston believed he was given bad advice by Washoe County in making his application. He asked the Westons' representative to confirm or deny the allegation. Mr. Walter indicated he could not be sure where Mr. Naylor was getting his information, but it was true that staff had recommended to Mr. Weston that he do different things on numerous occasions.

Commissioner Weber wondered whether the developer could turn to the City of Reno. Mr. Freund observed it was not impossible, but would require all three jurisdictions coming together to amend the 2007 Regional Plan in order to move the properties north of the Ophir Road/Weston properties into Reno's TMSA. He pointed out there was a fair amount of distance between the Ophir Road properties and the Rhodes Road boundary of the Reno TMSA. He stated the Regional Plan was not scheduled for another update between the three jurisdictions until 2012. He expressed hope that the jurisdictions had reached a significant settlement in 2007 by defining territories for each jurisdiction's growth. He indicated any developer-initiated request would have to become a request by the City of Reno to amend the Regional Plan, which would be acted upon by all three jurisdictions and would also take some agreement by the intervening property owners.

Commissioner Jung inquired as to whether Mr. Weston could request annexation to the City of Reno. Mr. Freund said it would be a noncontiguous annexation. Commissioner Jung questioned whether there had been recent approval of a noncontiguous development. Mr. Freund said the City of Reno approved a development through their planning jurisdiction that was already designated as their TMSA or SOI under State law. He noted noncontiguous annexation was a little bit different circumstance. He indicated the wording of State law was a bit unclear and the Legislature

had not been receptive during its last session to clarifying the acceptability of voluntary noncontiguous annexations. He acknowledged noncontiguous annexations could take place if they were part of a program of annexation, and commented the City of Sparks had used that in the past. Commissioner Galloway clarified with Mr. Freund that the City of Reno approved Spring Mountain for development, but did not annex it.

Commissioner Humke stated there had been correspondence from a developer's attorney alleging a Washoe Valley property owner asked for the same treatment by Community Development staff as that received by Mr. Weston and was denied. He asked whether the situation was similar to the one Mr. Weston was in and, if so, whether the allegation was true. Mr. Freund replied he had just seen the correspondence and had not yet had the opportunity to research the matter. He indicated there were some fundamental changes and one particular policy change in the Area Plan Update that came about as a result of the Serpa Decision. Commissioner Humke questioned whether he knew of any other such property owners who requested similar treatment and were denied. Mr. Freund stated he could not list any at this point and was not aware of any in the same circumstances during the approximately six years he had been with the County. He noted there had been some requests to establish things such as equestrian centers or tourist destination resorts, but nothing involving the division of land to the degree proposed for the Ophir Road properties or to parcels less than 5 acres. He confirmed for Commissioner Humke that work on the South Valleys Area Plan Update had been going on for about four years.

Commissioner Jung disclosed meetings with several citizens and with an agent for the Weston project. She commented the four-year struggle in the South Valleys area was related to a professional belief among the staff that clustered planning to preserve true open space was the way a community should look, and it was poor planning to have individual sewers and wells, and one house per 5 acres. She reminded staff they should use the term "open space" correctly. She pointed out their professional belief rubbed up against the public's concern that municipal services were the harbinger of massive increases in growth and development. She suggested the Community Development staff and the Board of County Commissioners needed to come up with some sort of policy that would result in good planning, but would also protect and preserve the quality of life and the character of communities. She stated it was possible to support an excellent planning idea for a specific number of units, with the contingency that it did not indicate a high correlation to further growth and development. She said she would support Commissioner Humke's recommendation for the Area Plan with that being kept in mind.

Commissioner Galloway said he liked Option C in that it immediately conformed to the current Regional Plan and would not require any Regional Plan amendment to be found in conformance. He hoped staff would proceed forthwith to seek the conformance review because he saw no way that it could be turned down.

Commissioner Humke thanked Mr. Jim Griel, a Washoe Valley resident who provided a conservation easement for 115 acres of his land.

On motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, it was ordered that:

- The Amendment to the South Valleys Area Plan (CP08-005) and the Washoe County Comprehensive Plan under Agenda Item 24 was approved with the option for the Ophir Road properties known as Option C, (shown on page 10 of Appendix A of the staff report, also known as the staff report to the Planning Commission dated November 5, 2008). The Washoe Valley portion of the plan and its associated Land Use Plan map reflect proposed character management areas and will introduce an updated map series and revised table of uses.
- Approval of the Area Plan Amendment was predicated on the Board of County Commissioners having made Findings 1 through 7, as shown on page 13 of the staff report.
- The Community Development Department was directed to avail itself of certain technical amendments as to the trails and mapping issues raised by property owner Dave Metts.
- No action was taken related to Item 2 regarding the Truckee Meadows Service Area (TMSA), as outlined on pages 3 through 5 of the staff report. It was noted the motion approving the Area Plan Amendment was specifically predicated on no extension of TMSA onto the Ophir Road properties.
- No action was taken related to Item 3 regarding traffic concerns, as outlined on pages 5 and 6 of the staff report.
- The Chair was authorized to sign the Resolution Adopting the Amended South Valleys Area Plan (CP08-005), a Part of the Washoe County Comprehensive Plan. The Resolution for same is attached hereto and made a part of the minutes thereof. Such signature by the Chair was to be made only after a determination of conformance with the 2007 Regional Plan by the Truckee Meadows Regional Planning Commission.
- If the amended South Valleys Area Plan (CP08-005) is determined to be in conformance with the Truckee Meadows Regional Plan, the prior amendments to the Pleasant and Steamboat Valley portions of the South Valleys Area Plan will be incorporated, with the amendments relating to the Washoe Valley portion of the South Valleys Area Plan, into a single document known as the South Valleys Area Plan.

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 indicated there was an upcoming meeting of the Regional Transportation Commission (RTC). He said the RTC previously approved the Southeast Connector on a split vote. He noted the Reno-Sparks Convention & Visitors Authority approved the sky bridge from the Atlantis Casino property to the Convention Center, which was now open and ready for business.

Commissioner Weber announced she would attend a Board of Directors’ meeting for the Nevada Association of Counties. She regretted she would be unable to attend a meeting of the Western Regional Water Commission and noted there was no provision for alternates to attend in her place.

Chairman Larkin stated he would be attending meetings of the Regional Planning Governing Board and the Truckee River Flood Project Coordinating Committee, as well as a breakfast with the members of the Washoe County Legislative Delegation. He requested an agenda item for a demonstration by the Nevada Army Guard, showing their ability to provide real-time feeds into any location for the purpose of emergency disaster operations.

Commissioner Jung requested staff look into a missing stop sign reported at the intersection of Buck Drive and North Valleys Boulevard. She explained construction of a nearby subdivision had been discontinued, but removal of the stop sign had caused mass confusion. She also requested that staff contact the Nevada Department of Transportation regarding speed limits through a construction zone on U.S. Highway 395 North. She indicated only one sign was posted and those entering from a subsequent on-ramp did not know what the speed limit was in the construction zone. She noted there was a patch of graffiti on the stop sign at Military Road in Stead. Commissioner Jung announced she would be attending meetings of the Organizational Effectiveness Committee and the Golden Valley Property Owners Association. She said there was a community compost pile that was causing confusion with Health Department approval because it was a demonstration project. She said she would be working with the community in Golden Valley and the Health Department to resolve the issues. She stated she would attend a formal inspection at the Golden Valley Air Force JROTC, a Reno Fire badge pinning, and a Sun Valley CAB meeting. She announced she would “flip the switch” at the Washoe County Tree Lighting Ceremony at Rancho San Rafael Park. She commended Brooke Howard of the Sheriff’s Office for organizing the annual Christmas on the Corridor, which would deliver presents to needy families living in the weekly motels on Fourth, Fifth and Sixth Streets.

Commissioner Weber asked Commissioner Jung to contact the Sun Valley General Improvement District about the community compost situation, indicating they had also done work on a similar project.

* * * * *

7:30 p.m. There being no further business to discuss, on motion by Commissioner Humke, seconded by Commissioner Jung, which motion duly carried, 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
Lisa McNeill, Deputy County Clerk*

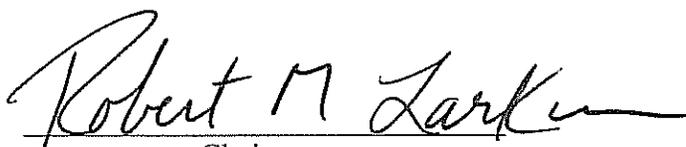
RESOLUTION--Authorizing an expenditure of District 1 Special Funds for costs associated with the Tune In To Kids Fair for Tune In To Kids.

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

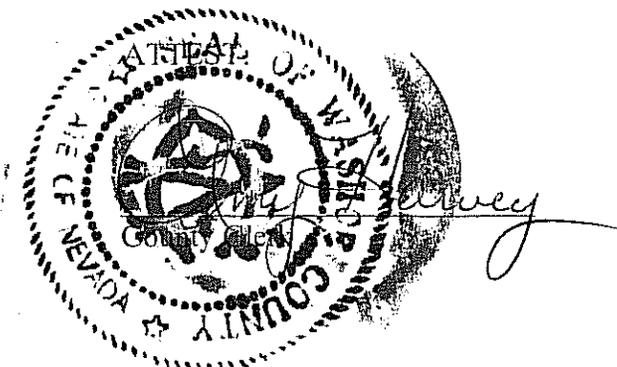
WHEREAS, The Board of Commissioners of Washoe County has determined that a certain amount of money is available in Fiscal Year 2008/2009 to make an expenditure of no more than \$1,850 for District 1 Special Funds be provided to Tune in to Kids. Tune in to Kids plans to use funds for the Tune In To Kids Fair; being held at Idlewild Park. More specifically they will apply the funds toward educating parents on media and the importance of being involved with their children. and that this expenditure will provide a substantial benefit to the inhabitants of Washoe County, now, therefore, be it

RESOLVED, By the Board of Commissioners of Washoe County that the Board hereby grants an expenditure of District 1 Special Funds to for costs associated with public programs for Tune In To Kids for Fiscal Year 2008/2009 in the amount of \$1,850.

Adopted this 9th day of December, 2008.


Chairman

08-12-08



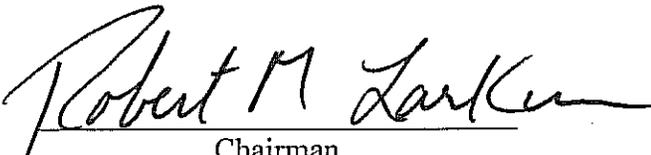
RESOLUTION--Authorizing an expenditure of District 1 Special Funds for costs associated with public programs for HAWC.

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

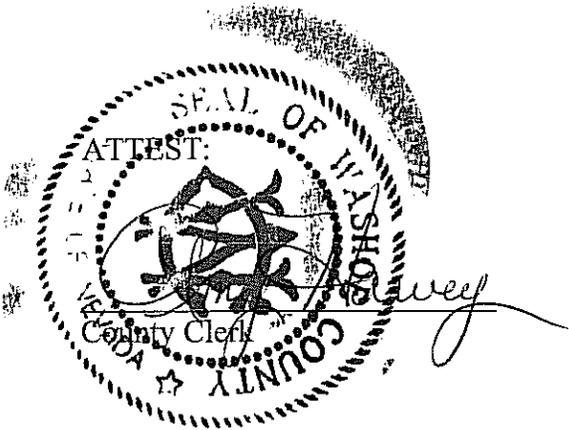
WHEREAS, The Board of Commissioners of Washoe County has determined that a certain amount of money is available in Fiscal Year 2008/2009 to make an expenditure of no more than \$1,850 for expenses related to updating x-ray technology and equipment for HAWC and that this expenditure will provide a substantial benefit to the inhabitants of Washoe County, now, therefore, be it

RESOLVED, By the Board of Commissioners of Washoe County that the Board hereby grants an expenditure of District 1 Special Funds to for expenses related to updating x-ray technology and equipment for HAWC for Fiscal Year 2008/2009 in the amount of \$1,850.

Adopted this 9th day of December, 2008.


Chairman

08-12-08



RESOLUTION

**A RESOLUTION TO AUGMENT THE 2008/2009
BUDGET OF THE GENERAL FUND
(FUND 1001)**

WHEREAS, the revenues of the General Fund were adopted in the amount of \$312,070,059 on July 1, 2008; and

WHEREAS, said additional resources are as follows: Federal Payment in Lieu of Taxes (PILT) funds received year-to-date of \$3,115,126 were \$1,171,656 in excess of adopted FY 09 budgeted PILT revenue of \$1,943,470; and

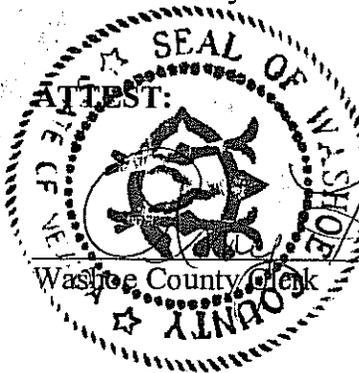
WHEREAS, there is a recommendation to allocate \$250,000 of Federal Payment in Lieu of Taxes (PILT) funds to the 2010 National Association of Counties (NACo) annual conference hosted by Washoe County and up to \$40,000 of Commission and Non-County employee travel in support of NACo activities;

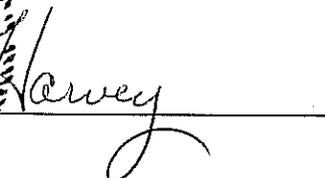
Now, therefore, it is hereby **RESOLVED**, that the FY 09 General Fund budget shall augmented by appropriating \$250,000 for use in the General Fund in cost center 100100, account 710100 and \$40,000 in cost center 100100, account 711210 for a total expenditure augmentation of \$290,000; and further augmented in cost center 199999, account 431300 for a total revenue augmentation of \$290,000 thereby increasing the General Fund's total adopted expenditure appropriations from \$294,127,387 to \$294,417,387, with no change in opening fund balance.

BE IT FURTHER RESOLVED, that the County Clerk is hereby directed to distribute copies of this Resolution to the Department of Taxation, State of Nevada, the Washoe County Comptroller and the Washoe County Budget Division.

ADOPTED this 9th day of Dec., 2008.


Chairman
Washoe County Commission




Washoe County Clerk

08-1268

**RESOLUTION OF SUPPORT
ROUND 9 STATE QUESTION 1 GRANT APPLICATION**

WHEREAS, The State Question 1, approved by Nevada voters in 2002, calls for \$200,000,000 in funding in support of clean water, parks and wildlife across the state; and

WHEREAS, The property in Spanish Springs contains 215 acres of upland and wetland area with important wildlife and plant habitat and is well suited for a wildlife wetland preserve; and

WHEREAS, The value of the land and water is estimated at \$4,257,872; and

WHEREAS, The Kiley Ranch Preservancy Foundation is a non-profit corporation founded in 2008 to acquire, manage, preserve and share the natural resource values of the Kiley Ranch Wildlife Wetland Preserve in perpetuity; and

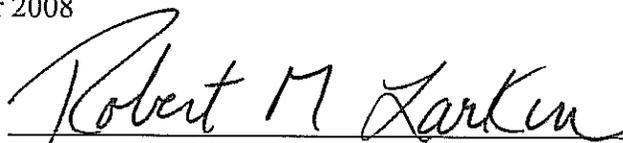
WHEREAS, The Kiley Ranch Preservancy Foundation seeks to pursue funding through Round 9 of the Nevada Division of State Lands Conservation and Resource Protection Grant Program for \$2,128,935 with the 50% match from Kiley Ranch Communities; and

WHEREAS, the Washoe County Regional Parks and Open Space Department is in support of the proposed wildlife wetland preserve to preserve the existing habitat, retain the natural water purification of water flows to the Truckee River and educate the public on threatened and endangered species here in Nevada and the importance of wetland areas for nesting birds; now, therefore, be it

08-12-08

RESOLVED that the Washoe County Board of County Commissioners supports an application by the Kiley Ranch Preservancy Foundation for State Question 1 grant funding in the amount of \$2,128,935 for purchase of land and water on approximately 215 acres in Spanish Springs.

Adopted this 9th Day of December 2008



Robert M. Larkin, Chairperson
Washoe County Board of County Commissioner



A RESOLUTION AMENDING THE REGIONAL ROAD IMPACT FEE GENERAL ADMINISTRATIVE MANUAL AS REFERRED TO WASHOE COUNTY BY THE REGIONAL TRANSPORTATION COMMISSION OF WASHOE COUNTY ON MAY 16, 2008, AND OTHER MATTERS RELATING THERETO.

WHEREAS, the Regional Transportation Commission of Washoe County ("RTC") recently adopted amendments to the Regional Road Impact Fee General Administrative Manual ("RRIF GAM"); and

WHEREAS, the Washoe County Development Code incorporates the RRIF GAM by reference and provides that it can be amended by a resolution approved by the RTC Board and the Governing Bodies of each Participating Local Government.; and

WHEREAS, there is a need to amend the RRIF GAM to appropriately reference the date of the amendments approved by the RTC on May 16, 2008; and

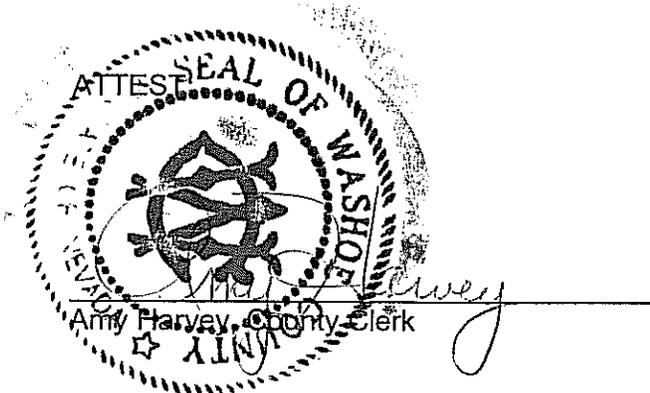
NOW, THEREFORE, BE IT RESOLVED that the Washoe County Commission, based on the actions of the RTC to approve amendments to the RRIF GAM, does hereby adopt those amendments as referred to Washoe County by the RTC on May 16, 2008 without prejudice to the final disposition of the proposed amendments.

ADOPTED this 9th day of December, 2008.

WASHOE COUNTY BOARD OF COUNTY COMMISSIONERS

Robert M Larkin

Robert M. Larkin, Chairman



08-1283

Summary - a resolution authorizing the County Finance Director to arrange for the sale of the Washoe County, Nevada General Obligation (Limited Tax) Building Bonds (Additionally Secured by Pledged Revenues).

RESOLUTION NO 08-1284

A RESOLUTION AUTHORIZING THE COUNTY FINANCE DIRECTOR TO ARRANGE FOR THE SALE OF THE WASHOE COUNTY, NEVADA GENERAL OBLIGATION (LIMITED TAX) BUILDING BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES) IN THE MAXIMUM PRINCIPAL AMOUNT OF \$10,000,000 FOR THE PURPOSE OF FINANCING BUILDING PROJECTS, INCLUDING THE SPARKS JUSTICE COURT; AND PROVIDING OTHER DETAILS IN CONNECTION THEREWITH.

WHEREAS, the Board of County Commissioners (the "Board") of Washoe County, Nevada, (the "County," and the "State," respectively), proposes to issue up to \$10,000,000 of general obligation bonds of the County in one or more series (the "Bonds") for the purpose of paying all or a portion of the cost of acquiring, constructing, improving and equipping of building projects, including, but not limited to courts, records, county employees, structures, fixtures, furniture and equipment therefore, and all appurtenances and incidentals necessary, useful or desirable for any such facilities as set forth in NRS 244A.019 (the "Project"); and

WHEREAS, such Bonds will be additionally secured by a pledge of 15% of certain proceeds of liquor taxes, tobacco taxes, real property transfer taxes, basic governmental services tax and basic and supplemental sales taxes distributed to the County (the "Pledged Revenues"); and

WHEREAS, the Board determines that it is necessary and advisable that the County incur a bonded indebtedness pursuant to NRS 244A.011 to 244A.065, inclusive (the "Project Act") and the Local Government Securities Act, NRS 350.500 to 350.720, inclusive (the "Bond Act"), for the purpose of paying all or a portion of the cost of the Project.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY, NEVADA:

Section 1. This resolution shall be known and may be cited by the short title "2008 Building Bond Sale Resolution."

08-1284

Section 2. The County Finance Director or his designee is hereby authorized to arrange for the issuance and sale of the Bonds in a total aggregate principal amount of not more than \$10,000,000, in accordance with the Project Act and the Bond Act.

Section 3. The County Finance Director or his designee is authorized to specify the terms of the Bonds, the methods of their sale, the final principal amount of the Bonds (not in excess of \$10,000,000), the terms of their repayment and security therefor, and other details of the Bonds, and if deemed appropriate by the County Finance Director or his designee, to advertise the Bonds for sale, subject to the ratification by the Board by the adoption of a bond ordinance or ordinances specifying the Bond terms and details and approving their sale (the "Ordinance").

Section 4. The officers of the County are hereby authorized to take all action necessary or appropriate to effectuate the provisions of this resolution, including without limitation, assembling of financial and other information concerning the County, the Project, the Pledged Revenues and the Bonds, and, if deemed appropriate by the Finance Director or his designee, preparing and circulating a preliminary official statement, a notice of bond sale for the Bonds, or both, in the forms specified by the Finance Director, or his designee. The Finance Director or his designee is authorized to deem the official statement or preliminary official statement to be a "final" official statement on behalf of the County for the purposes of Rule 15(c)2-12 of the Securities and Exchange Commission.

Section 5. The Finance Director shall, after arranging for the sale of the Bonds, shall present the proposed final terms of the Bonds to the Board for its approval by adoption of the Ordinance, which shall not be effective until after the expiration of the 90-day petition period as set forth in NRS 350.020(3).

Section 6. The officers of the Board be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution.

Section 7. All resolutions, or parts thereof, in conflict with the provisions of this resolution, are hereby repealed to the extent only of such inconsistency. This repealer shall not be constructed to revive any resolution, or part thereof, heretofore repealed.

Section 8. If any section, paragraph, clause or other provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such

OC-1284

section, paragraph, clause or other provision shall not affect any of the remaining provisions of this resolution.

Section 9. This resolution shall become effective and be in force immediately upon its adoption.

PASSED AND APPROVED this December 9, 2008.

Robert M Larkin

Chairman

(SEAL)
Attest:
Amy Harvey

County Clerk

08-1254

STATE OF NEVADA)
) ss.
COUNTY OF WASHOE)

I am the duly chosen, qualified and acting Clerk of Washoe County (the "County"), in the State of Nevada, and do hereby certify:

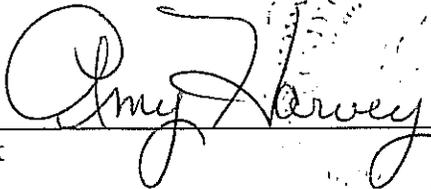
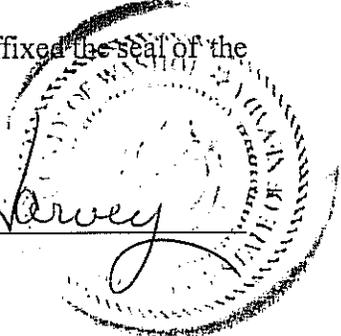
1. The foregoing pages constitute a true, correct and compared copy of a resolution of the Board of County Commissioners (the "Board") adopted at a meeting of the Board held on December 9, 2008 (the "Resolution").

2. The members of the Board voted on the Resolution as follows:

Those Voting Aye:	Jim Galloway Dave Humke Robert M. Larkin Kitty Jung Bonnie Weber
Those Voting Nay:	<u>none</u>
Those Absent:	<u>none</u>

3. The original of the Resolution has been approved and authenticated by the signatures of the Chairman of the Board and myself as County Clerk and has been recorded in the minute book of the Board kept for that purpose in my office, which record has been duly signed by the officers and properly sealed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the County this December 9, 2008.


Clerk 

(SEAL)

08-1284

The undersigned does hereby certify:

1. All members of the Board were given due and proper notice of the meeting held on December 9, 2008.

2. Public notice of such meeting was given and such meeting was held and conducted in full compliance with the provisions of NRS 241.020. A copy of the notice of meeting and excerpts from the agenda for the meeting relating to the Resolution, as posted no later than 9:00 a.m. on the third working day prior to the meeting, on the County's website, and at the following locations:

- (i) Washoe County Administration Complex
1001 East Ninth Street, Building A
Reno, Nevada
- (ii) Washoe County Courthouse-Clerk's Office
Virginia and Court Streets
Reno, Nevada
- (iii) Washoe County Central Library
301 South Center Street
Reno, Nevada
- (iv) Sparks Justice Court
630 Greenbrae Drive
Sparks, Nevada

is attached as Exhibit "A".

3. Prior to 9:00 a.m. at least 3 working days before such meetings, such notice was mailed to each person, if any, who has requested notice of meetings of the board in compliance with NRS 241.030(3)(b) by United States Mail, or if feasible and agreed to by the requestor, by electronic mail.

IN WITNESS WHEREOF, I have hereunto set my hand this December 9, 2008.



Manager

08-1284

EXHIBIT "A"

(Attach Copy of Notice of Meeting)

08-12-84

COUNTY COMMISSIONERS

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

COUNTY MANAGER

Katy Simon

**ASSISTANT
DISTRICT ATTORNEY**

Paul Lipparelli

AGENDA

WASHOE COUNTY BOARD OF COMMISSIONERS

COMMISSION CHAMBERS - 1001 E. 9th Street, Reno, Nevada

December 9, 2008

2:00 p.m.

NOTE: Items on the agenda without a time designation may not necessarily be considered in the order in which they appear on the agenda. Items may be moved to or from the Consent Agenda at the beginning of the Board Meeting or may be voted on in a block.

The Washoe County Commission Chambers are accessible to the disabled. If you require special arrangements for the meeting, call the County Manager's Office, 328-2000, 24-hours prior to the meeting.

Public Comment during the Commission Meeting on December 9, 2008 will be for all matters, both on and off the agenda, and be limited to two minutes per person. Additionally, public comment of two minutes per person will be heard during individual action items on the agenda. Persons are invited to submit comments in writing on the agenda items and/or attend and make comment on that item at the Commission meeting.

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.

The County Commission can deliberate or take action only if a matter has been listed on an agenda properly posted prior to the meeting. During the public comment period, speakers may address matters listed or not listed on the published agenda. The Open Meeting Law does not expressly prohibit responses to public comments by the Commission. However, responses from Commissioners to unlisted public comment topics could become deliberation on a matter without notice to the public. On the advice of legal counsel and to ensure the public has notice of all matters the Commission will consider, Commissioners may choose not to respond to public comments, except to correct factual inaccuracies, ask for County staff action or to ask that a matter be listed on a future agenda. The Commission may do this either during the public comment item or during the following item: **"*Commissioners'/Manager's Announcements, Requests for Information, Topics for Future Agendas and Statements Relating to Items Not on the Agenda"**.

08-1284

23. Hearing regarding the intent of the Board of County Commissioners of Washoe County, Nevada, to issue General Obligation (Limited Tax) Building Bonds [\$10,000,000] (additionally secured by pledged revenues) and following the public hearing, recommendation to approve and authorize Chairman to execute a Resolution authorizing the County Finance Director to arrange for the sale of the Washoe County, Nevada General Obligation (limited tax) building bonds (additionally secured by pledged revenues) in the maximum principal amount of \$10,000,000 for the purpose of financing building projects, including the Sparks Justice Court; and providing other details in connection therewith--Finance. (Commission District 4.)
24. Comprehensive Plan Amendment Case No. CP08-005 - Washoe Valley Portion of the South Valleys Area Plan Update - Community Development--To consider an amendment to the South Valleys Area Plan and the Washoe County Comprehensive Plan - the Washoe Valley portion of the plan and to consider the report of the Planning Commission to the Board as provided in NRS 278.220 (4). This update will amend Area Plan policy language as it relates to the area commonly known as Washoe Valley and its associated Land Use Plan map to reflect proposed character management areas and will introduce an updated map series and revised table of uses. The Washoe Valley portion of the South Valleys Planning Area is comprised generally of the unincorporated areas of the southern portion of Washoe County, bounded on the west by the Forest and Tahoe planning areas, on the north by the Steamboat and Pleasant Valley portions of the South Valleys planning area, on the east by Storey County, and on the south by Carson City.

And If Approved

Authorize the Chair of the Board of County Commissioners to sign the Resolution Adopting the Amended South Valleys Area Plan (CP08-005), a part of the Washoe County Comprehensive Plan. Such signature by the Chair to be made only after a determination of conformance with the 2007 Regional Plan by the Truckee Meadows Regional Planning Commission. If this Comprehensive Plan Amendment is adopted and determined to be in conformance with the Truckee Meadows Regional Plan, the prior amendments to the Pleasant and Steamboat Valley portions of the South Valleys Area Plan will be incorporated with these amendments, relating to the Washoe Valley portion of the South Valleys Area Plan, into a single document known as the South Valleys Area Plan. (Commission District 2, Commissioner Humke.)

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End Of Scheduled Public Hearings

- *25. 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).
26. Possible Closed Session for the purpose of discussing negotiations with Employee Organizations per NRS 288.220.
27. Emergency Items.
28. Adjournment.



WASHOE COUNTY COMMISSION

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

**RESOLUTION
ADOPTING THE AMENDED SOUTH VALLEYS AREA PLAN (CP08-005),
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 SOUTH VALLEYS AREA PLAN, a part of the Washoe County Comprehensive Plan, were held on July 15, 2008; October 7, 2008; and November 5, 2008 by said Planning Commission;

WHEREAS, The Washoe County Planning Commission has found that the SOUTH VALLEYS AREA PLAN, a part of the Washoe County Comprehensive Plan, 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 SOUTH VALLEYS 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 SOUTH VALLEYS AREA PLAN, was first held on May 21, 1991, with the most recent amendment to the SOUTH VALLEYS AREA PLAN being held on September 9, 2008 and December 9, 2008 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 SOUTH VALLEYS 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;

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WHEREAS, A public hearing for the review of conformance of the Washoe County Comprehensive Plan, including the SOUTH VALLEYS AREA PLAN, was first held on October 23, 1991, with the most recent amendment to the SOUTH VALLEYS AREA PLAN being held on _____, 200_, 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 SOUTH VALLEYS 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 SOUTH 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 ___ day of _____, 200_.

WASHOE COUNTY COMMISSION

Robert M. Larkin, Chair

ATTEST:

Amy Harvey, County Clerk

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