

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

TUESDAY

10:00 A.M.

MARCH 2, 2010

PRESENT:

**David Humke, Chairman**  
**Bonnie Weber, Vice Chairperson**  
**Bob Larkin, Commissioner**  
**Kitty Jung, Commissioner**  
**John Breternitz, Commissioner**

**Amy Harvey, County Clerk**  
**Dave Childs, Assistant County Manager**  
**Melanie Foster, Legal Counsel**

The Washoe County Board of Commissioners convened at 10:10 a.m. in special 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:

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

**10-184      AGENDA ITEM 3 – PROCLAMATION**

**Agenda Subject: "Proclamation--March 2010 as Professional Social Work Month--Social Services. (All Commission Districts.)"**

Commissioner Jung read and presented the Proclamation to Kevin Schiller, Social Services Director. Mr. Schiller thanked the Board for the Proclamation. He said it was the staff standing behind him who got everything done whether it was doing investigations on possible child abuse or neglect or serving seniors and the homeless. He stated he wanted to recognize them because they did not get a lot of thanks from the clients they served, but he noted they were rewarded with each successful outcome and success. He said they were what made him and the County look good.

In response to the call for public comment, Sam Dehne said the work the social workers did was one of the most important things that kept the community going, and he applauded all of them.

On motion by Commissioner Breternitz, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 3 be adopted.

**10-185            AGENDA ITEM 4 – PROCLAMATION**

**Agenda Subject: “March 11, 2010 as a Day to Celebrate Over Six Million Senior Meals Served and acknowledge staff and volunteers of Washoe County Senior Services and Bateman Senior Meals for their tireless efforts to meet the needs of Washoe County’s growing senior population--Senior Services. (All Commission Districts.)”**

Chairman Humke stated he used to serve on the Senior Services Advisory Board, which Commissioner Jung now served on. He read aloud the Proclamation. He spoke about partaking of meals at the Senior Services Center once a month and enjoying good fellowship and good food. He noted the recommended contribution for the meals was \$4.00 if the person was under sixty and \$2.00 if the person was over sixty.

Grady Tarbutton, Senior Services Director, invited the Commissioners to join the celebration on March 11, 2010 at 11:30 a.m. He noted it took 25 years to reach six million meals served. He advised a study conducted by a Leadership Academy student found that eight out of the twenty families she contacted had senior issues. He stated aging was an issue the entire community was facing. He noted Governor Jim Gibbons issued a press release just prior to the special session that announced funding for adult day services, including the Daybreak program, which was being restored. He stated the Governor indicated that one of the main responsibilities of State government was to ensure the most vulnerable people in the community were served.

Mr. Tarbutton introduced Amber Martin, City of Reno Senior Liaison. He said the Neil Road site was the first new meal site opened since the middle of the 1990’s. He noted the provider of the meals was Bateman Senior Meals out of Oregon, and Dan Crafts was here as their representative along with their local Manager, Katy Laxalt. He said they did 1,000 meals a day and 220,000 meals a year, which was quite a contribution.

Mr. Tarbutton said he would like to recognize the Assistance League, which had been a partner with Washoe County Senior Services for a long time. He said pantry bags were handed out once a month to seniors and those bags were possible due to the Assistance League’s fundraising and the volunteers preparing the bags. Nola Jones, Assistance League Reno-Sparks Food Pantry Chairman, noted the number of bags prepared was up to 316 and each person received one bag of perishable food and one of non-perishable food. Sharon Gold announced she would become the Chairman of the Food Pantry in June 2010.

Mr. Tarbutton advised Nevada was 18th in “Food Insecurity” and it was due to the partnerships with the organizations in this community and across the State that the ranking was not lower. He said one of their key partners, the Northern Nevada Food Bank, could not be present today.

Mr. Tarbutton stated the Retired and Senior Volunteer program was a new partner with Senior Services. He advised they wrote and submitted a grant to the federal government two weeks ago to fund a home-delivered meal program. He said it was hoped that volunteers could be used to deliver meals in the community over the next three years if the grant was funded. He stated that grant would provide the ability to serve more people.

In response to the call for public comment, Sam Dehne noted he had consumed some of the six million meals. He congratulated the paid staff and the volunteers who did all of the work.

On motion by Commissioner Jung, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 4 be adopted.

**10-186            AGENDA ITEM 5 – PUBLIC COMMENT**

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

Jeff Church stated he spent last week in court regarding a lawsuit on a development issue in the Fawn Lane area where he lived. He said the judge issued a ruling that was not favorable to the past practices of Washoe County; and he hoped no further taxpayer time or money would be wasted on appeals, because he felt it was a good ruling.

Mr. Church advised the issue that came out of the court was the County had a practice, according to sworn testimony, of removing requirements behind closed doors that were made in public meetings and were subject to the Nevada’s Open Meeting Law. He clarified by stating committees and boards made decisions and then Community Development or Engineering staff changed those requirements behind closed doors. He said as an example, a plan included a hiking trail; but the requirement to build the hiking trail was removed by someone working for Washoe County without any public comment or notice. He requested this matter be looked into and that someone get back to him with an answer. He felt this apparently common practice was unacceptable. He did not believe there was any corruption involved, but the practice created a perception of impropriety.

Chairman Humke directed the County Manger and Legal Counsel to meet with Mr. Church to discuss his allegations so an investigation could begin at the staff level.

Sam Dehne advised he was supporting Harry Reid's bid to be reelected to the United States Senate.

**10-187            AGENDA ITEM 6 – COMMISSIONERS'/MANAGER'S ANNOUNCEMENTS**

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

Commissioner Weber said the proponents creating a General Improvement District (GID) to obtain the Northgate Golf Course property had obtained 46.4 percent, or 129 signatures, and were 57 signatures short of having the signatures required by April 13, 2010.

Commissioner Weber said she would be making a presentation regarding what was happening at the Cold Springs Seniors Gathering place tomorrow at the Senior Advisory Board meeting. She noted she would be making that presentation to the Parks Commission next month and then to this Board.

Chairman Humke read from a *Reno Gazette-Journal* article about the City of Reno's retiring Deputy Police Chief Jim "J.J." Johns because he felt some of Chief Johns' career milestones were noteworthy. A copy of the article was placed on file with the Clerk. He congratulated Chief Johns on his career and the great work he did, and noted he served on the Southwest Citizens Advisory Board (CAB).

Dave Childs, Assistant County Manager, advised Agenda Item 7A was being pulled. He reminded everyone the next Board of County Commissioners' meeting would March 23, 2010.

**10-188            AGENDA ITEM 10 – COMMUNITY DEVELOPMENT**

**Agenda Subject: "Discussion and possible direction or comment on funding options for the Fiscal Year 2010/11 Washoe County portion of the budget for the Truckee Meadows Regional Planning Agency for transmittal to the Regional Planning Governing Board for possible consideration at its March 11, 2020 Meeting--Community Development. (All Commission Districts)"**

Dave Childs, Assistant County Manager, said this item was before the Commission because staff from the Cities of Reno and Sparks and Washoe County felt it would be helpful for the three entities' governing bodies to provide direction regarding potential funding options prior to the Regional Planning Governing Board (RPGB)

adoption of the Truckee Meadows Regional Planning Agency's (TMRPA) budget. He stated there was no desire to get into the details of how the RPGB and the TMRPA operated, but to give the Commission the opportunity to provide comments at a higher level. He noted the RPGB had asked staff to come back with options for possible revenue contribution reductions of 10, 15, or 20 percent. He also noted the reductions in the last two years had been approximately 10 percent each year and the County's Community Development Department's budget reduction was 28 percent last year.

Chairman Humke asked if a briefing was desired from the Regional Planning staff. Commissioner Breternitz commented a high-level briefing on the budget was provided to the RPGB, but no detailed decisions had been made by them. He stated the consensus at the RPGB meeting was to take the budget back to the Cities and the County for them to have discussions regarding the level of funding they could support, and then discussions would occur regarding what that meant for the RPGB.

Commissioner Breternitz stated the County was looking at cutting its budget by 10 percent, and he suggested that should be a starting point in looking at the County's funding of the TMRPA.

Commissioner Larkin said the direction of the RPGB was for staff to work amongst themselves and it was unfortunate Adrian Freund, Community Development Director, was not present, because he felt Mr. Freund would have had some budget advice for the Commission. He felt this agenda item was to give Mr. Freund direction regarding what staff had worked out. Bob Webb, Planning Manager, said he spoke with Mr. Freund and his recommendation was for the Commission to recommend at least a 10 percent reduction based on the Department's budget and conversations with Regional. Mr. Freund felt that would be inline with the 9.1 percent structural deficiency the County faced. Mr. Childs said he felt staff had not yet met to work through the question based on conversations with Mr. Freund.

Commissioner Breternitz believed the County needed to come up with what would be right, but a point would be reached where the County would have to work with the other entities that were in the same boat. He believed at least a 10 percent reduction made sense. He did not want to get into a fight regarding the percentage, so he felt a minimum should be set and the County's representatives on the Board should be allowed to work with the other members towards resolution.

Rosanna Coombes, Regional Planning Director, asked if Commissioner Larkin's question related to internal discussions by County staff or about discussions across jurisdictions. Commissioner Larkin stated he understood Ms. Coombes would meet with Mr. Freund; John Hester, Community Development Department Director for the City of Reno; and Armando Ornelas, City Planner for the City of Sparks, and would present their conclusions at the next RPGB meeting. He said it appeared Mr. Freund wanted to solicit some comments from the Commissioners. Commissioner Larkin asked if Ms. Coombes had worked with all three entities to come up with a consensus regarding a recommendation. Ms. Coombes replied the intent was to work towards a consensus.

She said she met with Mr. Freund and Mr. Ornelas to discuss a strategy for going forward, but Mr. Hester was out of town. She advised they each indicated they wanted to go to their individual Commission or Council to get some feedback prior to coming together to discuss providing a recommendation to the RPGB.

Ms. Coombes said at this stage, Mr. Freund was recommending a 10 percent cut, the City of Sparks was recommending 15 percent, and the City of Reno was recommending 10 percent; but the City Manager could possibly bump the cut up to 20 percent. She indicated she was fearful of ending up with different recommendations, and she felt there needed to be a dialogue between the jurisdictions before the RPGB meeting. She stated the City of Sparks would not be meeting until next Monday to discuss this, and she had no idea if the City Council would concur with the staff recommendation. She noted Mr. Hester had indicated he had no idea when this item would go before the Reno City Council. She advised she did not know if she would be in the position of bringing the jurisdictions together prior to the RPGB meeting. She was doing everything she could to get everyone in a room to reach a common perspective.

Commissioner Breternitz felt the last thing anyone wanted was a protracted discussion. He proposed the motion set the percentage as a minimum, which would provide some flexibility in working with the other entities.

Commissioner Weber asked what authority Regional Planning was under. Ms. Coombes replied Regional Planning was established through Statute, Chapter 278. She said Chapter 278 provided the authority for the establishment of the RPGB, the Planning Commission and a director. It also created a number of duties for the RPGB and the Planning Commission and authorized the RPGB to establish regulations that would allow it to undertake those duties. She noted the RPGB also participated in a number of Interlocal Agreements, such as the one that set up the terms and conditions for funding the agency. She said the Interlocal Agreement reiterated some things that were already in Statute, for example, the funding splits.

Commissioner Weber said the funding for the TMRPA was not available. She asked if it was time to send a message that the TMRPA could not be funded, because she was not sure if and how it could be done. Ms. Coombes stated completely abolishing the TMRPA would have to go to the Legislature because the TMRPA was established in Statute. She advised TMRPA did not have a bill draft request (BDR), so it would be incumbent upon one of the investing partners to set aside a BDR to do that. She stated the budget being discussed was for the next fiscal year, which would begin in July. She said the next Legislative Session would not occur until next spring and, if abolishing TMRPA was desired, it could not be implemented until the end of that Legislative Session.

Commissioner Weber noted there had been some discussion regarding the possibility of bringing together the Regional Transportation Commission (RTC) and the TMRPA; and she felt there should be discussions to at least negate that idea or that of totally abolishing the TMRPA. Ms. Coombes advised there had been discussions between the RPGB and the RTC's Board regarding a possible merger. She noted there were a

number of options available if the Boards wanted to merge, which would require Legislative action. She recommended if the jurisdictions wanted to do that or abolish the TMRPA, those decisions would need to be made sooner rather than later because it would take a lot of work between now and when the BDR's would have to be prepared to make either change.

Commissioner Breternitz stated he supported having discussions on how to have the same bang with less money. He reminded the other Commissioners there had been a vote regarding merging the Boards of the RTC and the RPGB. He said the vote was almost unanimous in not doing that at that time because the mix and the missions were different. He said he was supportive of having that discussion, but it would not happen next week. He felt if this Commission wanted to look at changing the legislation that founded the RPGB that could be done, but right now the Commission was obligated to discuss the budget.

Commissioner Larkin asked if establishing a range between 10-20 percent would be adequate for staff to continue negotiations. Mr. Webb replied it would be.

There was no response to the call for public comment.

Dave Childs advised the members of the RPGB would probably do as much of the negotiation as staff would, and he suggested the motion include them. Commissioner Larkin stated the specific direction from the RPGB was for the staff of the three entities to bring back a proposal. He believed the range was specific direction and was sufficient direction to staff.

On motion by Commissioner Larkin, seconded by Commissioner Breternitz, which motion duly carried, it was ordered that staff be directed to work with a range of a 10-20 percent reduction in funding the 2010/11 Washoe County portion of the budget for the Truckee Meadows Regional Planning Agency (TMPRA).

#### **CONSENT AGENDA ITEMS 7B THROUGH 7D**

Commissioner Larkin requested 7A, which was pulled, not be put into the Consent Agenda when it came back before the Board. He also requested there be information in the staff report regarding any similar equipment the other two entities had and a full vetting of any rental equipment available throughout the region.

#### **10-189      AGENDA ITEM 7B – MANAGER/SPARKS JUSTICE COURT**

**Agenda Subject:** “Approve Interlocal Agreement between the County of Washoe and the Justices of the Peace of the Township of Sparks deferring creation of the third judicial seat for Sparks Township Justice Court; and if approved, authorize the Chairman to execute Interlocal Agreement [\$94,500 for Fiscal Year 2010/11]-- Manager/Sparks Justice Court. (Commission Districts 3, 4 and 5.)”

Judge Susan Deriso, Sparks Township Justice Court, stated she and Judge Kevin Higgins were the only judges, but the Court had been eligible to have a third judge since 2001. She said since then, every two years, they had given up that third position along with the accompanying support staff, which saved approximately \$300,000 a year. She said they worked hard and loved the Court, their jobs and the community. She advised this year they were asking for a small concession in exchange for giving up the third judge because they desperately needed a clerk. She said even though the State nixed the new building, she and Judge Higgins appreciated the help of Commissioners Larkin and Weber in trying to get the new building built. Commissioner Weber said the Commissioners appreciated everything the Judges had given up. Judge Deriso stated they understood how things worked and they were very proud of their hardworking staff. She said the numbers indicated the Sparks Township Justice Court was the third busiest in the State and they could use the third judge, but they were lucky to have another judge help out two days a week.

Commissioner Breternitz asked what would happen if the debt service payments were suspended on the project to construct a new court facility. John Berkich, Assistant County Manager, replied the payments would continue and were included in the County's General Fund budget. He stated the Court of Administrative Assessment (AA) fees had been used in the past to help support paying a portion of that debt, but the General Fund would continue to service the debt without the AA fees.

There was no response to the call for public comment.

On motion by Commissioner Larkin, seconded by Commissioner Breternitz, which motion duly carried, it was ordered that Agenda Item 7B be approved, authorized, and executed. The Interlocal Agreement for same is attached hereto and made a part of the minutes thereof.

**10-190            AGENDA ITEM 7C(1) – JUVENILE SERVICES**

**Agenda Subject: “Accept continuation grant [\$25,000 – no County match] from Annie E. Casey Foundation to support activities related to the replication of the Juvenile Detention Alternatives Initiative; and if accepted, direct Finance to make appropriate budget adjustments. (All Commission Districts.)”**

There was no response to the call for public comment.

On motion by Commissioner Larkin, seconded by Commissioner Breternitz, which motion duly carried, it was ordered that Agenda Item 7C(1) be accepted and directed.

**10-191            AGENDA ITEM 7C(2) – JUVENILE SERVICES**

**Agenda Subject: “Approve Interlocal Contract between the State of Nevada (Nevada Commission on Peace Officer's Standards and Training (P.O.S.T.)) and**

**Washoe County (Department of Juvenile Services) to provide our agency cadet(s) with Peace Officer training so as to meet the minimum standards for basic P.O.S.T. certification (training is conducted at the Nevada POST academy in which the cadet is enrolled; and if approved, authorize Chairman to execute the Contract. (All Commission Districts.)”**

Commissioner Larkin asked why the Sheriff’s P.O.S.T. academy was not being used for the Peace Officer training. Frank Cervantes, Juvenile Services Division Director, explained the State academies were typically used because they offered Category 2 training, which was what most of the Juvenile Probation Officers were. The academy the regional law enforcement officers used was a Category 1. Commissioner Larkin noted the \$325 fee was minimal, but he asked if the travel costs were still 40 hours. Mr. Cervantes said the cadets would live at the academy during the week and would come home for the weekends. Mr. Cervantes stated there was a contract and he would have to get those numbers.

Commissioner Larkin asked how much it would cost the Sheriff’s Office to establish the Category 2 P.O.S.T. Mr. Cervantes stated he was not sure because the State’s Category 2 P.O.S.T. had been in existence for some time. He said the High Sierra Academy had been used in the past when there was no Category 2 training in Carson City, but he felt the cost was significantly more than the cost for using the Carson academy. Commissioner Larkin said the fee might be higher, but he did not believe the cadets would be paid per diem and travel if they went to the academy here. Mr. Cervantes said he would clarify the per diem.

There was no response to the call for public comment.

Commissioner Larkin requested Agenda Item 7C(2) be brought back when all of the information was available.

**10-192      AGENDA ITEM 7C(3) – JUVENILE SERVICES**

**Agenda Subject: “Acknowledge report on status of project funded with a grant from State of Nevada, Office of Criminal Justice Assistance, Community Oriented Policing supporting “Fight Crime Invest in Kids” by Washoe County’s Sheriff’s Office in collaboration with Washoe County Juvenile Services. (All Commission Districts.)”**

There was no response to the call for public comment.

On motion by Commissioner Larkin, seconded by Commissioner Breternitz, which motion duly carried, it was ordered that Agenda Item 7C(3) be acknowledged.

**10-193            AGENDA ITEM 7D – SHERIFF**

**Agenda Subject: “Approve creation of an Intermittent Hourly Sheriff’s Support Specialist Booking Central Control as evaluated by the Job Evaluation Committee in order to reduce payment of overtime expenses in Booking and Central Control areas of the Detention Bureau caused by current staffing shortages due to budget constraints by allowing use of trained employees who have retired or been laid off as intermittent hourly Sheriff’s Support Specialist Booking Central Control; and if approved, direct Human Resources and Finance to make the necessary adjustment--Sheriff. (All Commission Districts.)”**

Commissioner Larkin stated his question related to the Manager’s presentation to the Board last July, which indicated many of these position adjustments would be coming to the Board throughout the year because they were part of the negotiated budget. He asked if this request was part of the budget negotiations. Debby Campbell, Detention Operations Manager, replied it was not. She explained this was being requested because there were so many open positions and the request would alleviate some of the mandatory overtime required because the Booking and Central Control areas of the Detention Bureau operated 24-hours a day, seven days a week. She said 16 people per shift were need to fill the positions in Booking and Central Control and only 14 were bid last bid, which meant there was no relief when someone called in sick or went on vacation. She said using retirees or laid-off staff would save in overtime and staff wear and tear. She advised the position had been approved by the Job Evaluation Committee (JVC).

Ms. Campbell said once the budget was done, the intent was to fill the minimum staffing requirement, but it was not the intent to replace FTE’s with the Intermittent Hourly positons. Commissioner Larkin stated the Board made it clear there would be no new positions. Ms. Campbell replied there were seven open positions and the hope was a few of those positions could be filled so the amount of overtime being used would not be necessary nor would the intermittent hourly positions. She said the question could not be answered until she knew what the total final budget would be.

Ms. Campbell advised there were liability issues with people staying in the intake area, people not getting released as quickly, and keeping officers from other agencies longer because it took longer to process a booking.

Commissioner Larkin said he looked forward to seeing how this would work. Ms. Campbell said she would let the Commission know.

There was no response to the call for public comment.

On motion by Commissioner Larkin, seconded by Commissioner Breternitz, which motion duly carried, it was ordered that Agenda Item 7D be approved and directed.

**10:19 a.m.** The Board convened as the Board of Trustees for the South Truckee Meadows General Improvement District (STMGID).

**10:27 a.m.** The Board reconvened as the Board of County Commissioners with all members present.

**10-194            AGENDA ITEM 9 – PUBLIC WORKS**

**Agenda Subject:** “Recommendation to approve an Amendment to the Interlocal Cooperative Agreement with Regional Transportation Commission to allow additional work within Washoe County’s 2009 Slurry Seal Program [not to exceed \$420,000]; and if approved, authorize Public Works Director to execute the necessary documents--Public Works. (All Commission Districts.)”

There was no response to the call for public comment.

On motion by Commissioner Breternitz, seconded by Commissioner Larkin, which motion duly carried, it was ordered that Agenda Item 9 be approved, authorized, and executed. The Amendment to the Interlocal Cooperative Agreement for same is attached hereto and made a part of the minutes thereof.

**10-195            AGENDA ITEM 11 – FINANCE**

**Agenda Subject:** “Possible status report and direction to staff on Fiscal Year 2010/11 Budget Development--Finance.”

No update was provided.

**10-196            AGENDA ITEM 12 – GOVERNMENT AFFAIRS**

**Agenda Subject:** “Discussion and possible direction to staff regarding legislative interim committees, studies and reports of the Nevada Legislature, including but not limited to the Legislative Review of Nevada’s Revenue Structure, the Legislative Interim Study on Powers Delegated to Local Governments, the Legislative requirement that certain local governmental entities submit a report to the Legislature concerning the consolidation or reorganization of certain functions, and such other legislative committees, studies, reports and possible bill draft requests as may be deemed by the Chair or the Board to be of critical significance to Washoe County--Government Affairs. (All Commission Districts.)”

John Slaughter, Management Services Director, provided the Board with a preliminary summary of the just concluded Legislative Session, which was placed on file with the Clerk. He said the full report on the special session’s impact on Washoe County would be available within the next few days.

Mr. Slaughter stated the good news was that AB2 would allow the County to establish department hours of operation, which would include the Marriage License Bureau. He said Amy Harvey, County Clerk, would be coming before the Board in late March or early April with recommendations. Chairman Humke asked what the effective date of the legislation would be. Mr. Slaughter replied it was effective immediately upon passage and approval, but all of the bills were being reviewed by the Governor's Office.

Commissioner Jung asked if the Department Heads were being asked to assess and provide any recommendations based on the ability to deviate from State mandated hours. Mr. Slaughter explained the existing Statute being amended dealt only with the departments of the elected officials, and they would be requested to review the impact of the amendment on their departments. Commissioner Jung suggested those departments should include that information in their budget updates.

Mr. Slaughter said the County's largest exposure going into the special session related to Child Protective Services and the integration budget. He said the State did not sweep the \$2 million as the County was afraid it would. He stated page 2 of the summary provided the details on what was projected to happen.

Mr. Slaughter discussed the impact of AB3 on the Health Department's fund for a Healthy Nevada on page 2 of the summary.

Chairman Humke asked if any of the sweeps impacted local accounts. Mr. Slaughter discussed the two local government sweeps that only impacted Clark County. Chairman Humke asked if Mr. Slaughter heard any discussions regarding using one-time funding sources for ongoing revenue sources and if doing so would create problems in the future. Mr. Slaughter replied it would. He acknowledged everyone knew there were a lot of band-aids in the State's revised budget and that there would be a \$3 billion shortfall for the next biennium. He said many of the one-time fixes would have to be revisited or abandoned.

Mr. Slaughter discussed the other possible impacts listed on pages 2 and 3. Chairman Humke asked if all of the mining claim fees went to the State and would there be a fee allowance for the Recorder's Office for collecting those fees. Mr. Slaughter replied there was no fee allowance and all fees went to the State.

Mr. Slaughter said AB5, the "Jobs Bill" for road construction, was first seen when it was introduced as a bill draft, some quick hearings were held, and it was approved. He discussed the three revenue sources and explained 20 percent of the revenue collected would go to Washoe County through the Regional Transportation Commission (RTC) for road construction projects.

Mr. Slaughter stated after discussion regarding Nevada Revised Statute (NRS) 288, a resolution urged local government employees and their organizations to work together to mutually address the budget shortfall issues. He said the Assembly added that, during the next session, the Open Meeting Law environment of the

negotiations would be addressed. Chairman Humke asked if there was any language urging local governments to go to public meeting employee negotiations. Mr. Slaughter replied he did not recall whether or not that was included.

Mr. Slaughter said there was an undercurrent throughout the special session regarding water. He acknowledged water was a very complicated issue with many interested parties. He stated the Legislature decided to approve a Statement of Legislative Intent, which meant the State Water Engineer should start conducting hearings and prepare to bring a bill draft request "BDR" addressing water to the next session or to a possible special session.

Commissioner Jung felt the County dodged a big bullet, but the writing was on the wall for the next regular session. She noted she had been terrified the State would see the County as a source to fill the State's budget hole when the County was experiencing such a hard time, but the work of Mr. Slaughter and other staff during the Legislative Session paid off.

Chairman Humke asked if anyone anticipated the need for another special session. Mr. Slaughter replied not that he was aware of, but there could be a need to fix some things in the budget bill that were not caught on the floor. He reiterated the Legislators left the door open for a special session regarding water.

Chairman Humke expressed his thanks to Mr. Slaughter and Commissioner Larkin, who was the Commission's Legislative Liaison. He also thanked the County's lobbyists. Mr. Slaughter thanked the whole team, which included Kevin Schiller, Social Services Director. He noted he heard over and over the Legislators expressing their thanks to Mr. Schiller and their admiration on how he grasped and was able to explain the fiscal impacts of Legislative actions on Social Services. Chairman Humke also extended his thanks to Mr. Schiller and all other staff.

Commissioner Larkin stated the Economic Forum was required to meet annually to make the revenue projections and the next meeting would be in May to make the forecast for the remainder of Fiscal Year 2010/11. He felt the County was not out of the woods yet.

In response to the call for public comment, Ms. Harvey stated she requested the chapels provide her with data regarding their usage of the Marriage License Bureau, so she could compile the data to bring to the Board at the first meeting in April. Chairman Humke asked if she anticipated AB 2 would be signed. Ms. Harvey replied she did, and she would move forward as soon as it passed. She hoped the Board would look at the bill from a business perspective, and she would bring forward a plan that would be fiscally neutral or would provide some cost savings as per AB 2.

**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 and Visitors Authority, Debt Management Commission, District Board of Health, Truckee Meadows Water Authority, Organizational Effectiveness Committee, Investment Management Committee, Citizen Advisory Boards).

Commissioner Jung advised the Organizational Effectiveness Committee meeting was cancelled this month due to the lack of a quorum. The Open Space and Regional Parks Committee meeting was in the Commission Chambers at 2:30 p.m. today and the Senior Services Advisory Committee would meet March 3, 2010 at 3:00 p.m. in the Senior Services Center. She said the Shared Services Committee would be meeting on March 4th at 9:00 a.m. at a location yet to be determined. Dave Childs, Assistant County Manager, said staff was still looking for a date because the other entities could not make March 4th, and he was hoping it could be held on March 15th. Commissioner Jung stated the delays were discouraging. She indicated the District Board of Health budget meeting would also be on March 4th at 1:00 p.m. in their conference room. She asked if someone could fill in for her at the Washoe County School District’s Oversight Panel on March 9th at 11:30. She indicated it looked like she had no takers. She noted Commissioner Larkin would be attending the Joint Fire Advisory Board (JFAB) meeting next week.

Commissioner Breternitz said on March 10, 2010, he would be speaking to the Leadership Reno/Sparks class about getting involved in local government. He believed the budget would be the hot topic at the Regional Planning Governing Board (RPGGB) on March 11th. He advised the next Truckee Meadows Water Authority (TMWA) meeting would be on March 17th.

Commissioner Weber stated she was not able to attend the Verdi/West Truckee Meadows Citizen Advisory Board (CAB) meeting next Wednesday, but Commissioner Breternitz would be attending. She said she would not be at the RPGGB meeting on Thursday, and she asked Chairman Humke to attend if he could. She stated she would not be able to attend the Nevada Works Board meeting on Friday, nor could Commissioner Jung. She said the alternate had been John Berkich, Assistant County Manager, in the past.

**10-198            AGENDA ITEM 14 – CLOSED SESSION**

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

There was no closed session.

\*   \*   \*   \*   \*   \*   \*   \*   \*   \*   \*

**11:59 a.m.**    On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, Chairman Humke order the meeting be adjourned.

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**DAVID E. HUMKE**, Chairman  
Washoe County Commission

**ATTEST:**

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

*Minutes Prepared by  
Jan Frazzetta, Deputy County Clerk*

## **INTERLOCAL AGREEMENT BETWEEN WASHOE COUNTY AND THE JUSTICES OF THE PEACE OF THE TOWNSHIP OF SPARKS**

**This Interlocal Agreement** is made and entered into this 2<sup>nd</sup> day of March, 2010 by and between Washoe County, a political subdivision of the State of Nevada (hereinafter "County"), and the Justices of the Peace of the Township of Sparks (hereinafter "Sparks Justice Court").

**Whereas**, Chapter 277 of the Nevada Revised Statutes authorizes public agencies to enter into interlocal and cooperative agreements with each other for the performance of government functions; and

**Whereas**, pursuant to NRS 4.202, the Sparks Justice Court qualifies for an additional third Justice of the Peace to be elected at the November 2010 general election; and

**Whereas**, pursuant to NRS 4.020, a Justice Court may waive filling the additional Justice of the Peace seat, if in the majority opinion of the justices the caseload does not warrant the additional seat; and

**Whereas**, in the absence of the additional Justice of the Peace, the increased use of services of pro tem judges to provide coverage for judge absences and ensure the timely hearing of cases for the public and the addition of new court staff will enable Sparks Justice court to process its cases efficiently and without delay; and

**Whereas**, in light of the consideration contained in Paragraph 1 below, the Justices of the Peace of the Sparks Township have waived filling the additional Justice of the Peace seat at the November 2010 election and a copy of that waiver is attached hereto and incorporated herein as Exhibit A to this Agreement.

**Now, therefore**, it is hereby mutually agreed as follows:

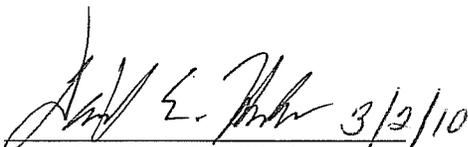
1. In return for the waiver contained in Exhibit A, County agrees that the following provisions are effective as of July 1, 2010:
  - a. An additional \$3,400 in professional services for fiscal year 2011 to fund coverage provided by senior and pro temp judges. This funding will be continued until the third judicial seat is added.
  - b. To fund a Deputy Clerk II position at approximately \$58,500, effective July 1, 2010.
  - c. To the reclassification of the Court Administrator with personnel costs at approximately \$25,600, effective July 1, 2010.
  - d. To the reclassification of the Judges' Secretary with personnel costs at approximately \$7,000, effective July 1, 2010.
  - e. To suspend payments by the Court of Administrative Assessment fees (AA) in support of debt service on the suspended project to construct a new court facility.
  - f. The court will use AA fees to fund senior and pro tem judge costs in excess of those amounts appropriated in the General Fund.

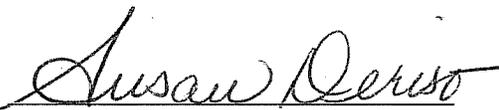
2. This Agreement contains all the commitments and agreements of the parties, and oral or written commitments not contained herein shall have no force or effect to alter any term or condition of this Agreement, unless modified in accordance with Paragraph 4 below. It is expressly agreed and understood that the 2010 waiver by Sparks Justice Court is not precedent and has no effect upon any future decision whether to fill the third judicial seat.
3. This Agreement shall terminate without further action of the parties on December 31 of the even-numbered calendar year in which the third judicial seat is opened for election following the Sparks Justice Court decision not to file a statutory waiver.
4. This Agreement may be amended or modified only by the mutual written agreement of the parties which has been ratified in accordance with law.
5. In case any one or more of the terms, sentences, paragraphs or provisions contained herein shall for any reason be held to be invalid, illegal, or non-enforceable, in any respect, such invalidity, illegality, or non-enforceability shall not affect any other terms, sentences, paragraphs, or provisions and this Agreement shall be construed as if such invalid, illegal, or non-enforceable provision had never been contained herein.
6. A waiver of any breach of any provision of this Agreement by any party shall not be construed to be a waiver of any preceding or succeeding breach.
7. This Agreement shall be governed, interpreted and construed in accordance with the laws of the State of Nevada and venue for any action based upon its terms and the parties' performance thereunder shall be in the Second Judicial District Court of Washoe County.

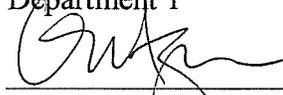
IN WITNESS WHEREOF, the parties have set their hands with the intent to be bound.

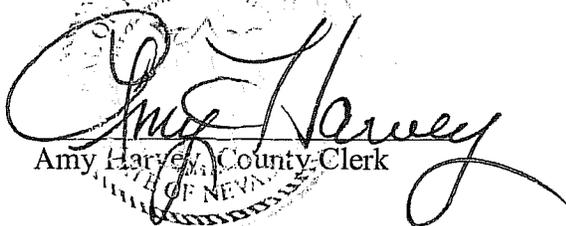
WASHOE COUNTY

SPARKS JUSTICE COURT

  
David E. Humke, Chairman

  
Susan Deriso, Justice of the Peace  
Department 1

  
Kevin Higgins, Justice of the Peace  
Department 2

ATTEST: COUNTY CLERK  
  
Amy Harvey, County Clerk

AMENDMENT No. 1  
to  
Interlocal Cooperative Agreement for Reimbursement

This amendment is entered into this 16<sup>th</sup> day of April, 2010 by and between Washoe County, Nevada (hereinafter "COUNTY") and the Regional Transportation Commission of Washoe County (hereinafter "RTC").

*WHEREAS*, COUNTY and the RTC entered into an "Interlocal Cooperative Agreement for Reimbursement" on May 18, 2009 which provided that the RTC would include certain Washoe County roads in its 2009 Preventative Maintenance, Slurry Seal Program (hereinafter "Program") and that the COUNTY would reimburse the RTC for actual costs related to those improvements; and

*WHEREAS*, Article 7 of said Agreement allows the Agreement to be amended upon mutual agreement by the parties; and

*WHEREAS*, COUNTY wishes to add additional roads to the Program and the RTC is willing to accept said roads and provide the designated improvements.

*NOW, THEREFORE*, the parties agree as follows:

1. That Exhibit A of the May 18, 2009 Agreement is hereby modified to include the additional roadways and improvements set out in Exhibit 1 to this Amendment. The cost of said improvements are estimated to cost \$420,000.00.
2. That except as amended herein, all other provisions of the May 18, 2009 Agreement shall remain in full force and effect.

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**IN WITNESS WHEREOF**, the above named parties have hereunto set their hands and executed the Amendment the date first written above.

WASHOE COUNTY

REGIONAL TRANSPORTATION COMMISSION  
OF WASHOE COUNTY

BY: 

BY: 

Dan St. John, Director  
Department of Public Works

David Aiazzi, Chairman

Attest:

Approved as to Legality and Form:

BY: 

BY: 

Washoe County Clerk

RTC Chief Legal Counsel

