AGENDA

WASHOE COUNTY BOARD OF COMMISSIONERS

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

December 12, 2006
12:30 p.m. - note time change

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 12, 2006 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 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".
Washoe County Commission Meeting - December 12, 2006

Pursuant to NRS 241.020, the Agenda for the Commission Meeting has been posted at the following locations: Washoe County Administration Building (1001 E. 9th Street, Bldg. A), Washoe County Courthouse-Clerk’s Office (Court and Virginia Streets), Washoe County Central Library (301 South Center Street) and Sparks Justice Court (630 Greenbrae Drive). At the meeting after salute to the flag and roll call, the Board of County Commissioners may vote on the following items as the Board and, ex-officio, as the Board of Fire Commissioners for the Truckee Meadows Fire Protection District, as the Board of Fire Commissioners for the Sierra Fire Protection District, and/or the Board of Trustees of either the Lawton/Verdi or South Truckee Meadows General Improvement Districts.

Support documentation for the items on the agenda, provided to the Washoe County Board of Commissioners is available to members of the public at the County Manager’s Office (1001 E. 9th Street, Bldg. A, 2nd Floor, Reno, Nevada) and on the County’s website at www.washoecounty.us.

Unless otherwise indicated by asterisk (*), all items on the agenda are action items upon which the Board of County Commissioners will take action.

The Washoe County Board of Commission may take a short break every 1 1/2 hours.

12:30 p.m.  *1. Salute to the flag.

*2. Roll call.

3. Approval of the agenda for the Board of County Commissioners’ meeting of December 12, 2006, including consideration of taking items out of sequence, deleting items and adding items which require action upon a finding that an emergency exists.

4. Discussion and possible direction to staff regarding possible proposals for projects on Washoe County’s Pioneer Site as they may affect the scope of design for a parking structure on that site and other information that may affect the requirements for the design of said parking structure--Public Works.


6. Introduction of new Washoe County employees.

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

*8. 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.

*9. 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.)

10. Consent Items.

A. Approve minutes for the Board of County Commissioners’ meetings of October 17 and 24, 2006.
10. B. Cancel December 26, 2006 Washoe County Commission Meeting.

C. Water Resources.

(1) Appoint E. Sue Saunders to fill seat #4 on the South Truckee Meadows General Improvement District Local Managing Board to serve until the first Monday in January 2009.

(2) Approve and authorize the 2003-2006 Central Truckee Meadows Remediation District Program remediation fee correction reimbursements [$1,512.15].

(3) Accept the Deed for the Donovan Well Parcel from Shadow Ridge 192, LLC; and, if accepted, authorize Chairman to sign the Deed and direct the Engineering Manager to record the Deed.

D. Approve expenditure from County Commission District 3 Special Funding Account [$600] to Great Basin Group of the Toiyabe Chapter of the Sierra Club to assist in paying for use of the Ranch House at Bartley Ranch for eight monthly educational program meetings and execute Resolution necessary for same (requested by Commissioner Sferrazza).

E. Approve expenditure from County Commission District 5 Special Funding Account [$1,000] to the Northern Nevada Chapter of the American Red Cross to provide assistance to the victims of the Mizpah Hotel fire; and if approved, execute Resolution necessary for same (requested by Commissioner Weber).

F. Approve and authorize Chairman to execute Licensing Agreement between the County of Washoe and the County of Clark County for the Clark County Legislative Tracking Application (legislative tracking software) [no cost to Washoe County] -- Management Services.

G. Senior Services.

(1) Approve Resolution for disposal of one surplus used Electric Kiln by donation from the Department of Senior Services to the Incline Village General Improvement District in accordance with NRS 224.1505.

(2) Authorize purchase of refreshments for a Department of Senior Services Holiday Event using donations provided by Lend-A-Check (not to exceed $100); and if authorized, direct Finance Department to make appropriate budget adjustments.

(3) Accept cash donations [$450] from Hobey’s Casino and Charles Celland for Christmas and Thanksgiving holiday gifts for seniors in the Adult Day Care Program and at the Sun Valley Senior Center; and if accepted, direct Finance Department to make appropriate budget adjustments.
10. **H. Assessor.**

   (1) Roll change request due to a statute change for 2006/2007 Real Property Tax Roll and authorize Chairman to execute Exhibit A [cumulative amount of reduction $12,919.03].

   (2) Roll change requests for errors discovered for the 2004/2005, 2005/2006, 2006/2007 secured tax roll as outlined in Exhibits A, B and C, supported by additional information found in the individual roll change request forms (on file in the County Manager’s Office) [cumulative amount of reduction $69,012.13].

11. **Regional Parks and Open Space.**

   (1) Accept cash donations [$37,025] from various businesses, organizations and individuals for the Department of Regional Parks and Open Space programs and facilities, accept donation of an oil on canvas painting of historical significance to Rancho San Rafael Regional Park [valued at $3,000]; and if accepted, direct Finance Department to make appropriate budget adjustments.

   (2) Approve the 2007 Fee Schedule for the Department of Regional Parks and Open Space.

12. **Appearance: Duncan Associates and Dyett & Bhatia**

    Presentation of Final Development Code Assessment Report; possible acceptance of the report, direction on Development Code issues to be included in possible revision of current Code; and authorize Department of Community Development to prepare and circulate Request for Proposals for revision of current Code--Community Development.

13. **Recommendation to accept list of all Washoe County claims indicating bills allowed by the Board of County Commissioners for Fiscal Year ended June 30, 2006 [$535,572,109.78], and further direct the Comptroller’s office to present the list one time for public record in a newspaper published in Washoe County, per NRS 354.210--Finance/Comptroller.**

14. **Recommendation to approve the Interlocal Agreement between the County of Washoe, Tahoe Regional Planning Agency, Tahoe Transportation District, USDA Forest Service (Lake Tahoe Basin Management Unit), State of Nevada (Division of Transportation), State of Nevada (Division of State Lands), State of Nevada (Division of State Parks), Carson City Parks and Recreation Department, Douglas County Parks and Recreation Department and the Incline Village Improvement District for the implementation of the Lake Tahoe Bike Path Project; and if approved, authorize the Chairman to sign the Agreement upon presentation--Regional Parks and Open Space. TO BE HEARD BEFORE AGENDA ITEMS 14 AND 15.**
14. Recommendation to accept a grant [$146,956 - County match $146,956 met through previously constructed bicycle and pedestrian projects in Incline Village] from Nevada Division of State Lands, Conservation and Resource Protection (Q-1) Grant Program to complete the Phase-1 study for the Lake Tahoe Bike Path Project; and if accepted, authorize the Regional Parks and Open Space Director to execute all appropriate grant related documents and direct the Finance Division to make all necessary financial adjustments--Regional Parks and Open Space. **TO BE HEARD AFTER AGENDA ITEM 13 AND BEFORE AGENDA ITEM 15.**

15. Recommendation to approve Agreement Regarding November 2002 State Question 1: Parks and Open Space Bond Issue - Lake Tahoe Bike Path Project Funding between the County of Washoe and the Tahoe Regional Planning Agency (TRPA) allowing TRPA to contract directly with the consultant to complete Phase-1 of the Lake Tahoe Bike Path Project; and if approved, authorize the Chairman to execute the Agreement--Regional Parks and Open Space. **TO BE HEARD AFTER AGENDA ITEMS 13 AND 14.**

16. Discussion and action on Roads Dry Storage Buildings – Option 1: Approve transfer of $160,254.78 from General Fund Contingency Account to Public Works Construction Fund; direct Budget Division to make budget adjustments; award of Base Bid and Alternate B to the lowest responsive and responsible bidder [staff recommends KW Western in the amount of $301,481.00]; and if approved, authorize Chairman to execute contract documents upon presentation; OR Option 2: Reject all bids--Public Works.

17. Discussion and action on Detention Facility Door Control System Upgrade – Approve transfer of $195,700 from General Fund Contingency Account to Public Works Construction Fund; direct Budget Division to make budget adjustments; award Sole Source Contract to Prism Systems Corporation [$900,700]; and if approved, authorize Chairman to execute contract documents upon presentation--Public Works.

18. Discussion of due diligence findings and, if supported, proceed with acquisition and remodeling of 224 Edison Way and 230 Edison Way [not to exceed $4,600,000]; authorize Director of Public Works to execute all agreements, notices, escrow instructions, deeds, checks and warrants as may be necessary to accomplish the acquisition of the subject properties in the name of and on behalf of Washoe County; approve Resolution authorizing an interfund loan [not to exceed $4,600,000] from the General Fund (1001) to the Public Works Construction Fund (4002); direct Finance Department to make appropriate adjustments; and, direct Finance Department to begin the medium-term financing process--Public Works.

19. Recommendation to approve and authorize the Chairman to execute the Right of Entry/Easement Agreement and Right of Way Application between Washoe County and the Reno-Sparks Indian Colony; authorize payment of the 2002 appraised amount [$293,000] pursuant to the September 28, 1999 Agreement; authorize connection fee and monthly fee credits [$147,000]; and, authorize compensation [$213,543] in lieu of construction/installation of a 30-foot wide access across the flood control channel associated with the North Spanish Springs Floodplain Detention Facility--Water Resources.
20. Recommendation to approve Settlement of the Inverse Condemnation Complaint filed by Eagle Peak, Inc., and Mark Liebsch against Washoe County, and the related Counterclaim for Condemnation filed by Washoe County [$375,000]--Water Resources.

21. Review and advisory recommendation to the Truckee Meadows Regional Planning Commission on an application by Silverwing Development to request Amendment to the boundaries of the Washoe County Truckee Meadows Services Area for three parcels in Sun Valley (APN's: 035-023-06, 035-023-08, 035-023-09)--Community Development.

22. Review and advisory recommendation to the Truckee Meadows Regional Planning Commission on an application by Susanne Larsen to request Amendment to the boundaries of the Washoe County Truckee Meadows Service Area for one parcel in Spanish Springs (APN 076-401-19)--Community Development.

23. Review and prioritization of Washoe County applications for SAFETEA-LU Enhancement Funds for 2007-2008--Community Development.

24. Discussion, direction and possible action regarding Infill Incentive Proposals and opportunities for Washoe County involvement, including those related to the updated Truckee Meadows Regional Plan--Community Development. (Continuation of Item 21 from November 28, 2006 Commission Meeting.)

25. Status report on the State of Nevada review of child fatalities in Washoe County, conducted by the National Center for Child Death Review--District Attorney.

26. Possible suspension of Commission rules to allow reconsideration of Fraud, Waste and Abuse Hotline Policy and Procedures, adopted August 23, 2005; and if approved, discussion and possible action regarding content of Fraud, Waste and Abuse Hotline Policy and Procedures (requested by Commissioner Sferazza).

27. 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--Government Affairs.

28. Recommendation to donate surplus trees to the United Way of Northern Nevada and the Sierra for use as Christmas Trees by nonprofit agencies and their clients; and if approved, authorize Chairman to execute Resolution memorializing the donation.

4:00 p.m. 29. Sierra Fire Protection District.

See separate agenda.

4:15 p.m. 30. Truckee Meadows Fire Protection District.

See separate agenda.
5:30 p.m. **Public Hearings. (Note: Items listed under this heading only will be heard at or after the noted time. In no case will they be heard before the stated time. Due to public testimony and discussion, time expended on the items in this category can vary.)**

31. **Second reading and adoption of an Ordinance amending the Washoe County Code by creating the office of Alternate County Public Defender and other matters properly related thereto.** (Bill No. 1501)

32. **Comprehensive Plan Amendment Case Number CP06-013, FF-One, LLC – Pyramid Mercantile (Spanish Springs Area Plan) – Community Development.**

A request to amend the Spanish Springs Area Plan, being a part of the Washoe County Comprehensive Plan. The amendment request would re-designate Assessor’s Parcel Numbers 076-402-01 (±12.22-acres) and 076-402-02 (±12.84-acres) from the land use category of General Rural (GR) to Neighborhood Commercial (NC). The subject properties are located at the southeast corner of Pyramid Highway and Calle de la Plata just across from the Spanish Springs Business Park, and approximately 2-miles north of Eagle Canyon Drive and Pyramid Highway. The subject parcels are within the Truckee Meadows Service Area (TMSA), and within the Area of Interest of the City of Sparks, as identified by the 2002 Truckee Meadows Regional Plan, and therefore subject to the Cooperative Planning standards. The subject parcels are located within Section 19, T21N, R21E, MDM, Washoe County, Nevada. The property is within Washoe County Commission District 4 and within the Spanish Springs Citizen Advisory Board boundary. To reflect the changes requested within this application and to maintain currency of general area plan data, administrative changes to the area plan are proposed. These administrative changes include: a revised map series with updated parcel base and revised table of land uses.

And if approved, authorize the Chairman to sign the Resolution for the updated area plan after a determination of conformance with the Regional Plan by the Truckee Meadows Regional Planning Agency.

33. **Amendment of Conditions Case No. AC06-012 (Amendment of Special Use Permit Case Number SB04-004 for David Mollenberg Grading) – Community Development.**

To consider the request of the applicant to modify the approved grading plans and remove two conditions of approval placed upon Special Use Permit Case Number SB04-004 (David Mollenberg Grading) by the Washoe County Board of Commissioners during their September 26, 2006 action to modify the special use permit in lieu of revocation of the permit for cause, specifically grading in excess of that permitted. The applicant is requesting to allow the building pad to be lowered to the elevation of 5016 feet instead of the 5020 feet approved, the applicant is requesting to eliminate the requirement for temporary irrigation for re-vegetation areas and required trees, and the applicant is requesting the modification of grading within and placement of fill material within the natural drainage-way, to the north of the building pad.

**AND**
33. Variance Case No. VA06-0024 (David Mollenberg Grading)--Community Development.

To vary the maximum final slope adjacent to a proposed driveway, to access a single-family residence and adjacent to the building pad, from 2:1 horizontal to vertical to 1:1 horizontal to vertical.

The above Special Use Permit and Variance is located approximately one-half mile east of the intersection of Pembroke Drive and Man Of War Drive along an unimproved dirt road. The ±40-acre parcel is designated General Rural (GR) in the Southeast Truckee Meadows Area Plan, and is situated in a portion of Section 20, T19N, R20E, MDM, Washoe County, Nevada. The property is located in the Southeast Truckee Meadows Citizen Advisory Board boundary and Washoe County Commission District No. 2. (APN: 051-010-03).

END OF SCHEDULED PUBLIC HEARINGS

34. 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).

35. Emergency Items.

36. Adjournment.