

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

1:00 P.M.

MARCH 14, 2006

PRESENT:

Bob Larkin, Chairman
Bonnie Weber, Vice Chairman*
Jim Galloway, Commissioner
David Humke, Commissioner
Pete Sferrazza, Commissioner

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

The Board met in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. Following the Pledge of Allegiance to the flag of our Country, the Clerk called the roll and the Board conducted the following business:

06-247 AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Commissioner Weber absent, Chairman Larkin ordered that the agenda for the March 14, 2006 meeting be approved.

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried with Commissioner Weber absent and Commissioner Sferrazza voting "no," Chairman Larkin ordered that this item be reopened to take public comment.

Sam Dehne, local resident, objected to the Clerk not being asked if there was any public comment prior to the vote. He requested the time limit be changed to three minutes to make it consistent with the rest of the community. He objected to the Board going into closed session for a housekeeping action while citizens cooled their heels. He suggested the closed session should be put on a different day or at the end of the meeting. Mr. Dehne complained about Item 14B, Appeal Case No. AX06-002, Pembroke Commercial, Special Use Permit SW05-023, being heard after three other items at 5:30 p.m. He stated citizens would have to wait without knowing when the Board would get to the item. He said the applicant had asked the item be deferred, which could leave citizens waiting for a couple hours only to have it pulled; and the item should be pulled now.

Gary Schmidt, local resident, stated he agreed with Mr. Dehne's comments. He said this Chair and the previous Chair were grossly negligent in giving appropriate consideration to public comment. He commented on why the new sign-in system did not work very well and suggested what Chairman Larkin should do to rectify the situation. He said public comment was not done consistently, and it was abusive of the public's right to speak. Mr. Schmidt believed the agenda did not have enough time specifics, which made people needlessly sit through hours and hours of hearings. He noted, for the record, that Counsel was not present; and he objected to proceeding without Counsel, which he believed was required by State Law.

***2:29 p.m.** Commissioner Weber arrived during Mr. Schmidt's comments.

Commissioner Sferrazza indicated work cards had been handled prior to the start of the Board meeting. He said the District Attorney had advised that the meeting should be started before hearing the work card permit appeal. He stated the criticism was without foundation because the Board was doing what was required.

On motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that the agenda for the March 14, 2006 meeting be approved.

06-248 WORK CARD PERMIT APPEAL – BRYNDA LARSEN

On motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried, the Board convened in closed session in the Caucus Room to hear testimony as to why the work card should or should not be granted.

The appellant, Brynda Larsen, was present to offer testimony during the closed session. Also present were Debi Campbell, Records Manager, and Roxanna Silva, Chief Records Clerk, Washoe County Sheriff's Office.

At the conclusion of the closed session, the Board returned to the Chambers and reconvened in open session with Commissioners Galloway and Weber temporarily absent.

On motion by Commissioner Humke, seconded by Commissioner Sferrazza, which motion duly carried with Commissioners Galloway and Weber temporarily absent, the Board ordered that the appeal be neither granted nor denied. It was felt this application should not have come forward to the Board of County Commissioners because the appropriate ordinance was not applicable in this situation. It was further ordered that any portion of the applicant's fee that had not already been spent through other agencies, such as the Federal Bureau of Investigation, be returned by the Sheriff's Office to the applicant. It was also ordered that the school be notified that, if approval had been in the Board's jurisdiction, it would have been granted.

Katy Singlaub, County Manager, read the following statement: “The Open Meeting Law does not require a public body to tolerate comments that are willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational, or amounting to personal attacks.” She said Section 8.05 of the Nevada Open Meeting Law manual states, “The Chair of a public body may, without the vote of the public body, declare a recess to remove a person who is disrupting the meeting.”

Juanita Cox, local resident, read her comments into the record, a copy of which was placed on file with the Clerk along with a copy of the articles she referenced.

Sam Dehne, local resident, continued his objection to public comment being two minutes, which limited the freedom of speech of citizens, and to televising the backsides of citizens. He discussed the term point-of-order and wondered why Commissioner Sferrazza voted against reopening the agenda item. He commented on there being no citizens in the room.

2:31 p.m. Commissioner Weber returned to the meeting during Mr. Dehne’s public comment.

Gary Schmidt, local resident, discussed his March 2nd appearance before the Washoe County Board of Adjustment on an alleged criminal violation of the Development Code for displaying two antique fire engines on his eight-acre residential yard off Andrew Lane. He read the Board of Adjustment policy concerning speakers and their representatives appearing before the Board signing an affidavit that their testimony was under oath. He had objected when County staff started testifying without signing the oath. He stated the District Attorney’s Counsel opined that only the appellant and his witnesses had to testify under oath. Mr. Schmidt requested all County agents and witnesses be sworn under oath that they would testify truthfully before the Board of Adjustment. He said the County had violated State law and the Board’s policy by refusing to identify the alleged complaining party. He alleged the County also engaged in enforcement by a complaint only policy in criminal Development Code matters.

Katherine Snedigar, local resident, presented her notice and demand for the production of the Constitutional Oath of Office for officers of the County, a copy of which was placed on file with the Clerk.

David Akola, local resident, read part of a letter into the record that he sent to the Commissioners dated March 14, 2006, a copy of which was placed on file with the Clerk. The letter addressed his concerns about a petition to make Sky Canyon Drive a public road and the harassment by neighbors using Sky Canyon Drive.

Michael Clarkson, local resident, continued reading Mr. Akola’s letter.

Later in the meeting, Sam Dehne, local resident, objected to the concept of the consent agenda as it was being used because it was created for mundane housekeeping items. He said some of the amounts went up as high as \$90,000 and some did not have numbers, which usually meant it was a large amount. He felt some of the items in consent should be pulled out and discussed, allowing citizens more than the two minutes allowed for the consent agenda as a whole.

COMMISSIONERS'/MANAGER'S ANNOUNCEMENTS

Commissioner Humke asked staff to examine the Sierra Nevada Community Access Television (SNCAT) contract, based on the citizen complaint as to the televised portion of this meeting, to determine if the complaint was a reason to declare a breach.

Chairman Larkin requested status reports on Curnow Canyon Road and Sky Canyon Drive. Katy Singlaub, County Manager, acknowledged his request and stated she had already referred it to Public Works and the Sheriff's Office.

06-250 **NAMING OF AN UNNAMED PRIVATELY MAINTAINED
PUBLIC EASEMENT – CRAVIASCO LANE – PUBLIC WORKS**

Upon recommendation of the Regional Street Naming Committee, on motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried with Commissioner Galloway temporarily absent, Chairman Larkin ordered that the naming of an unnamed privately maintained public easement as Craviasco Lane be approved effective immediately. It was noted this easement is located south off Pembroke Drive, east of South McCarran Boulevard.

06-251 **NAMING OF AN UNNAMED PRIVATELY MAINTAINED
PUBLIC EASEMENT – TUNNA TUHUGI ROAD – PUBLIC
WORKS**

Upon recommendation of the Regional Street Naming Committee, on motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried with Commissioner Galloway temporarily absent, Chairman Larkin ordered that the naming of an unnamed privately maintained public easement as Tunna Tuhugi Road be approved effective immediately. It was noted this easement is located one street east of Serpentine Road in Palomino Valley.

06-252 **PROFESSIONAL SERVICES AGREEMENT – LIONEL SAWYER
& COLLINS – FEDERAL LEGISLATIVE SERVICES –
MANAGEMENT SERVICES**

Juanita Cox, local resident, stated she did not like to see retroactive anything, especially in government.

Katy Singlaub, County Manager, stated the previous contract with Lionel Sawyer & Collins terminated in December 2005. She said the firm continued working for the County even though there was no contract. She indicated the reason the contract was not renewed earlier was some external issues needed resolution, which was not done in a timely manner.

Upon recommendation of John Slaughter, Management Services Director, through Ms. Singlaub, on motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried with Commissioner Galloway temporarily absent, it was ordered that an agreement between Washoe County and Lionel Sawyer & Collins, concerning federal legislative services for the period retroactive to January 1, 2006 ending June 30, 2007 in the amount of \$90,000 plus approved expenses, be approved and Chairman Larkin be authorized to execute the same.

06-253 EMPLOYEE WORKPLACE WELLNESS PROGRAM PLAN ACCEPTANCE

Upon recommendation of Michelle Kling, Workplace Wellness Task Force Chairman, Joanne Ray, Human Resources and Workforce Development Director, and Jim Jeppson, Risk Manager, through Katy Singlaub, County Manager, on motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried with Commissioner Galloway temporarily absent, Chairman Larkin ordered that the definitive plans for the Employee Workplace Wellness Program be approved. It was further ordered that the County Manager be authorized to execute Requests for Proposals to solicit bids for a third-party wellness program provider and a Wellness Coordinator.

06-254 RECLASSIFICATION REQUESTS – HUMAN RESOURCES

Upon recommendation of Joanne Ray, Human Resources Director, through John Berkich, Assistant County Manager, on motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried with Commissioner Galloway temporarily absent, Chairman Larkin ordered that the following reclassification requests submitted through the job evaluation and classification process be approved:

Reclassification of Existing Position:

| Department | Current Position | Pay Grade | Recommend Job Class | New Pay Grade |
|-----------------------|--------------------------------|------------------|----------------------------|----------------------|
| Facilities Management | Building Maintenance Assistant | G | Facility Technician | K |
| Water Resources | Office Assistant II | E | Office Support Specialist | H |

| Pay Grade | Hourly Rate | Annual Salary |
|------------------|--------------------|---------------------------|
| E | \$15.03 - \$19.53 | \$31,262.40 - \$40,622.40 |
| G | \$16.73 - \$21.74 | \$34,798.40 - \$45,219.20 |

| Pay Grade | Hourly Rate | Annual Salary |
|------------------|--------------------|---------------------------|
| H | \$17.65 - \$22.95 | \$36,712.00 - \$47,736.00 |
| K | \$21.11 - \$27.47 | \$43,908.80 - \$57,137.60 |

**06-255 FINANCIAL REPORT - GOVERNMENTAL FUNDS - ENDED
JANUARY 31, 2006 – COMPTROLLER**

Upon recommendation of Kathy Garcia, Comptroller, on motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried with Commissioner Galloway temporarily absent, it was ordered that the Financial Report (unaudited) for Washoe County Governmental Funds for the seven months ended January 31, 2006 be accepted. It was noted that the report was for information only regarding the County’s financial activity for the first seven months for the fiscal year.

**06-256 GRANT ACCEPTANCE – NEVADA DEPARTMENT OF HUMAN
RESOURCES, HEALTH DIVISION – PUBLIC AWARENESS
CAMPAIGN – SEXUAL ASSAULT AND RAPE PREVENTION –
DISTRICT ATTORNEY**

Upon recommendation of Victoria Jakubowski, Fiscal Compliance Officer, through Richard Gammick, District Attorney, on motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried with Commissioner Galloway temporarily absent, Chairman Larkin ordered that the grant to the District Attorney’s Office from the Nevada Department of Human Resources, Health Division, in the amount of \$14,265 to launch a public awareness campaign targeting college-aged males to address sexual assault and rape prevention be approved. It was noted no match was required for this grant. It was further ordered that the Finance Department be directed to augment Internal Order 10451 in the amount of \$14,265 and it be divided into the following General Ledger Accounts:

| Account | Description | Amount |
|----------------|--------------------|---------------|
| 710546 | Advertising | \$6,650 |
| 710502 | Printing | \$2,115 |
| 710300 | Operating | \$5,550 |

**06-257 SECURITY AGREEMENT – NEVADA STATE CONTRACTORS
BOARD – SHERIFF**

Upon recommendation of Lou Gazes, Sergeant, through Dennis Balaam, Sheriff, on motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried with Commissioner Galloway temporarily absent, it was ordered that the Security Agreement between the Washoe County Sheriff’s Office and the Nevada State Contractors Board, concerning providing uniformed Deputy Sheriffs for security, be approved and Chairman Larkin be authorized to execute the same. It was noted there was no fiscal impact to the County, as the estimated security costs of \$3,300 would be reimbursed.

**06-258 DONATION – AMES/TRUE TEMPER LAWN & GARDEN
DISTRIBUTION CENTER – SHERIFF**

Upon recommendation of Craig Callahan, Assistant Sheriff, through Dennis Balaam, Sheriff, on motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried with Commissioner Galloway temporarily absent, Chairman Larkin ordered that the donation of tools valued at approximately \$16,984 from the Ames/True Temper Lawn & Garden Distribution Center be accepted with the gratitude of the Board.

06-259 CASH AND JUROR FEE DONATIONS – SOCIAL SERVICES

Upon recommendation of Mike Capello, Social Services Director, on motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried with Commissioner Galloway temporarily absent, Chairman Larkin ordered that the following cash donations in the amount of \$20,702.05 and the juror fee donations in the amount of \$400.00 be accepted with the gratitude of the Board:

General Donations:

| Cash Donors | Amount |
|---|---------------|
| Unknown | \$18.20 |
| James and William Feeney | \$250.00 |
| Soroptimists International | \$1,000.00 |
| Marsh Hughes | \$25.00 |
| Joyce Durbin | \$30.00 |
| David Parker and Bridget Ryan | \$250.00 |
| Suzan and Steven Brophy | \$500.00 |
| Griffin and Brande Wood | \$300.00 |
| Katherine Myers | \$100.00 |
| Northern Nevada Confederation of Clubs | \$3,000.00 |
| Unknown | \$5.32 |
| Vicki Anderson | \$100.00 |
| Alan Kingsley | \$50.00 |
| Robert Daniels | \$150.00 |
| United Way of Northern Nevada | \$822.93 |
| Sherry and Brad Lencioni | \$100.00 |
| Kathy Carter, Michelle Poché, John Berkich, John Slaughter, John Sherman, Joanne Ray, Rita Lencioni, Dan Burk, Matt Beckstedt, Dr. Mary Anderson, Kim Gunn, Michael Capello | \$250.00 |
| Unknown | \$19.60 |
| Loretta and Gary Fox | \$35.00 |
| Paul S. Anderson | \$50.00 |
| Victoria Grey | \$155.00 |
| The Nicholas B. Dederer and Robin S. Dederer Trust | \$500.00 |

| Cash Donors | Amount |
|--|---------------|
| Unknown | \$26.00 |
| Gregory and Sara Shorin | \$1,085.00 |
| Ronna Herman | \$300.00 |
| Diana Reed | \$10.00 |
| David Zerweck and Catherine Juon | \$50.00 |
| Robert and Kathleen Kane | \$50.00 |
| Kirsten Sorensen | \$50.00 |
| Pete Cladianos, Jr. and Althea Cladianos | \$50.00 |
| Mwizenge and Elizabeth Tembo | \$50.00 |
| Rick and Deborah Richardson | \$50.00 |
| Margaret McDonald | \$100.00 |
| Robert Blair, Jr. and Cathy Blair | \$155.00 |
| Scott and Carmen Robert | \$155.00 |
| Suzanne Gabelick-Baerlocher | \$160.00 |
| Vern and Stephanie Allen | \$200.00 |
| Susan Zerweck | \$500.00 |
| Geraldine Strab | \$530.00 |
| Tahoe Dream Company | \$300.00 |

Recruitment and Training Donations:

| Cash Donors | Amount |
|-----------------------------|---------------|
| Lamb Foundation | \$1,000.00 |
| Jennifer J. Janzen | \$20.00 |
| Scott Maryott | \$20.00 |
| Fred Zolakar | \$15.00 |
| Gary G. Linscheid | \$20.00 |
| Patricia Armer | \$20.00 |
| Tracy Fox | \$40.00 |
| Sylvia Freedman | \$15.00 |
| James Burdick | \$20.00 |
| Chris Wirtanen | \$40.00 |
| Rachel Anderline | \$80.00 |
| Paula Millsapps | \$60.00 |
| Caroline Stimson | \$40.00 |
| Tom Josephsen | \$30.00 |
| Brian Baker | \$60.00 |
| Phil Lewis | \$60.00 |
| Silver Legacy Casino Resort | \$300.00 |
| Barbara Klipfel | \$75.00 |
| Richard Meier | \$15.00 |
| Deborah Zalokar | \$15.00 |
| Peter French | \$20.00 |

| Cash Donors | Amount |
|------------------------------------|---------------|
| Laurel Saito | \$15.00 |
| Timothy Davis | \$25.00 |
| Laura Blais | \$25.00 |
| Sandra Peroglio | \$15.00 |
| John Linton | \$15.00 |
| Jeffrey Haas | \$40.00 |
| Cory Neill | \$40.00 |
| Gail Conkey | \$40.00 |
| Rebecca Bosshart | \$25.00 |
| Amy Sandvik | \$25.00 |
| Christine Saldivar | \$25.00 |
| Brett and Karen Coleman Foundation | \$1,000.00 |
| Donna Bak | \$25.00 |
| Humma Oster | \$25.00 |
| Robert Wesley | \$25.00 |
| Thomas Rawlings | \$25.00 |
| Joe Bowen | \$25.00 |
| Kelle Brogan | \$75.00 |
| Lisa Foelsch | \$100.00 |
| Mishelle Bradford | \$20.00 |
| Richard Crawford | \$15.00 |
| Chris Santor | \$30.00 |
| Mark Halle | \$25.00 |
| Rosie Basterrechea | \$20.00 |
| Sandra Schumacher | \$20.00 |
| Karrie Craig | \$20.00 |
| Jeri Starkey | \$20.00 |
| Dena Schmidt | \$20.00 |
| Robert Coleman | \$20.00 |
| Leslie Gonzalez | \$20.00 |
| Melissa Taveira | \$20.00 |
| Nancy Thiele | \$15.00 |
| Binnie McLemore-Lopez | \$30.00 |
| Lorrie Kalos-Gunn | \$50.00 |
| Ann Boeser | \$15.00 |
| Margarita Larkins | \$20.00 |
| David Fish | \$15.00 |
| Lisa Rassuchine | \$25.00 |
| Alethea S. Rudd | \$25.00 |
| John Brandoff | \$25.00 |
| Roger N. Hanson | \$45.00 |
| Ann E. Jeton | \$50.00 |

| Cash Donors | Amount |
|---------------------------------------|---------------|
| Jennifer Chandler | \$50.00 |
| Tina M. Leslie | \$30.00 |
| Shannon K. Kimberlindonahui | \$25.00 |
| Emerson W. Read, Jr. | \$50.00 |
| Cynthia H. Brock | \$50.00 |
| Ronald Burke | \$20.00 |
| Gerald R. Hubbard | \$20.00 |
| Laurie Crom | \$45.00 |
| Michael David Jennings | \$50.00 |
| Karl Nieberlein | \$35.00 |
| Candice Bennett | \$20.00 |
| Caryn S. Elder | \$20.00 |
| Leslie H. Admirand | \$20.00 |
| David M. Turner | \$20.00 |
| Vivian Olds | \$20.00 |
| C. Diane Christensen | \$20.00 |
| Paul Sisson | \$50.00 |
| The Active Network | \$250.00 |
| IGT | \$500.00 |
| Rosalynnda Carlton | \$25.00 |
| Sharon G. Freier | \$25.00 |
| High Sierra Lumber | \$720.00 |
| Paul C. Magenheimer | \$25.00 |
| Linda M. Gardner | \$25.00 |
| The Active Network | \$90.00 |
| Kristia Samuelson | \$25.00 |
| Charter Communications | \$500.00 |
| Sierra Association of Foster Families | \$1,800.00 |
| Corrin Keck | \$100.00 |
| On Your Mark Event Management | \$100.00 |
| Ginny McBride | \$20.00 |
| Washoe Medical Center | \$300.00 |

It was further ordered that the Finance Department be directed to make the following budget adjustments for fiscal year 2005/06:

| Cost Object/Account | Description | Amount of Increase |
|----------------------------|-------------------------------------|---------------------------|
| 20026-484000 | General Donations | \$11,532.05 |
| 20095-484000 | Foster Care Donations | \$9,170.00 |
| 20224-484000 | Juror Donations | \$400.00 |
| 20026-710500 | General Donations/Other Expense | \$11,532.05 |
| 20095-710500 | Foster Care Donations/Other Expense | \$9,170.00 |
| 20224-710500 | Juror Donations/Other Expense | \$400.00 |

06-260

EXPENDITURE – WORKING LUNCH – SENIOR ADVISORY BOARD – SENIOR SERVICES

Sam Dehne, local resident, commented \$42.00 was not much for a large number of people. He recommended holding the meetings at the Senior Center, so lunch would be free.

Commissioner Sferrazza stated the Senior Advisory Board attendees were volunteers, and the working lunch was for a review requested by this Board. He said the Board meets at the Senior Center and eats there, which was why the cost for the lunch was relatively inexpensive.

Upon recommendation of Marietta Bobba, Senior Services Director, through John Berkich, Assistant County Manager, on motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried with Commissioner Galloway temporarily absent, Chairman Larkin ordered that the expenditure for food for the February 17, 2006 working lunch meeting of the Senior Advisory Board in the amount of \$42.24 be approved. It was further ordered that the Finance Department be directed to reallocate the amount of \$42.24 from the Department's Administration Account 250110-710500, Other Expense, into the Administration Account 250110-710872, Food and Beverage.

06-261

ACCEPTANCE OF PROPOSAL – FOOD AND BEVERAGE MANAGEMENT SERVICES – WASHOE GOLF COURSE – RFP 2501-06 – PURCHASING

This was the time to consider proposals received in response to Request for Proposal (RFP) No. 2501-06 for Food and Beverage Management Services for the Washoe Golf Course for the Purchasing Department. The Notice to Proposers for receipt of sealed proposals was published in the *Reno Gazette-Journal* on September 19, 2005. Proof was made that due and legal Notice had been given.

One proposal was received from Odette's Catering.

Upon recommendation of Charlene Collins, Buyer, through John Balentine, Purchasing and Contracts Administrator, and Doug Doolittle, Regional Parks and Open Space Director, on motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried with Commissioner Galloway temporarily absent, Chairman Larkin ordered that the proposal submitted by Odette's Catering, in response to Request For Proposal No. 2501-06 for Food and Beverage Management Services for the Washoe Golf Course be accepted. It was further ordered that the Purchasing and Contracts Administrator be authorized to execute a revenue generating agreement with Odette's Catering for a three year period commencing on approximately March 15, 2006 through March 14, 2009 with one additional three year renewal option.

06-262

WATER RIGHTS DEED – TRUCKEE MEADOWS WATER AUTHORITY – SELECTED PARCELS ON ANITRA DRIVE – WATER RESOURCES

Upon recommendation of Vahid Behmaram, Water Rights Manager, and Paul Orphan, Engineering Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried with Commissioner Galloway temporarily absent, it was ordered that the Water Rights Deed for a portion of 8.08 acre-feet of water from an underground source from Permit 60351 between Washoe County, as Grantor, and the Truckee Meadows Water Authority, as Grantee, for the benefit of selected parcels located on Anitra Drive in southwest Reno, be approved and Chairman Larkin be authorized to execute the Water Rights Deed.

06-263

POSITION CREATION – WATER MANAGEMENT PLANNER – WATER RESOURCES

Upon recommendation of Jim Smitherman, Water Resources Program Manager, and Jeanne Ruefer, Planning Division Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried with Commissioner Galloway temporarily absent, Chairman Larkin ordered that the full-time, permanent Water Management Planner position within the Department of Water Resources to assist staff in carrying out the increasing Regional Water Planning Commission workload be approved. It was noted the position was to be funded by the Regional Water Management Fund.

06-264

CORRECTION OF FACTUAL ERRORS – ASSESSOR

Upon recommendation of Susan Goodlett, Principal Account Clerk, on motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried with Commissioner Galloway temporarily absent, it was ordered that the following Roll Change Requests correcting factual errors and the Order directing the Treasurer to correct the error be approved and Chairman Larkin be authorized to execute the same.

| PROPERTY OWNER | PARCEL NO. | AMOUNT | ROLL |
|--------------------------------|------------|---------------|--------------|
| Glendale Properties LLC | 034-010-62 | [-\$9,006.12] | 2005 Secured |
| Williams Communications Inc. | 010-045-16 | [-\$5,383.47] | 2005 Secured |
| Williams Communications Inc. | 010-045-16 | [-\$2,287.58] | 2004 Secured |
| Williams Communications Inc. | 010-045-16 | [-\$2,281.23] | 2003 Secured |
| John O. & Despina M. Swendseid | 009-471-04 | [-\$2,372.46] | 2005 Secured |
| Somerset 21 Associates LLC | 232-503-08 | [-\$3,587.72] | 2005 Secured |
| Terry H. Gerard et al | 023-710-09 | [-\$2,177.35] | 2005 Secured |
| Matley Lane LLC | 013-321-33 | [-\$2,170.46] | 2005 Secured |
| Steven A. Mack TR | 004-074-28 | [-\$1,002.77] | 2005 Secured |

| PROPERTY OWNER | PARCEL NO. | AMOUNT | ROLL |
|--|-------------------|---------------|-------------------------------------|
| Steven A. Mack TR | 004-074-28 | [-\$1,001.26] | 2004 Secured |
| Steven A. Mack TR | 004-074-28 | [-\$988.98] | 2003 Secured |
| Marcia A. Joseph | 050-395-04 | [-\$703.55] | 2005 Secured |
| Reno-Sparks Indian Colony | 012-301-04 | [-\$659.46] | 2005 Secured |
| Kelly Rae | 011-335-11 | [-\$518.72] | 2005 Secured |
| Joanne H. Waller | 018-340-03 | [-\$456.78] | 2005 Secured |
| Joanne H. Waller | 018-340-03 | [-\$417.74] | 2004 Secured |
| Rebecca L. Walker | 402-073-18 | [-\$293.34] | 2005 Secured |
| William L. & Beverly Morrison TR | 082-611-03 | [-\$269.31] | 2005 Secured |
| Kristen C. Zimmerman | 082-533-07 | [-\$259.43] | 2005 Secured |
| Kristen C. Zimmerman | 082-533-07 | [-\$236.97] | 2004 Supplemental |
| Nicholas G. Maiocco et al | 125-492-01 | [-\$187.87] | 2005 Secured |
| Nicholas G. Maiocco et al | 125-492-01 | [-\$182.40] | 2004 Secured |
| Nicholas G. Maiocco et al | 125-492-01 | [-\$264.30] | 2003 Secured |
| Kenneth & Patricia Kurtz | 018-261-04 | [-\$153.12] | 2003 Secured |
| Kenneth & Patricia Kurtz | 018-261-04 | [-\$54.32] | 2004 Secured |
| Kenneth & Patricia Kurtz | 018-261-04 | [-\$22.57] | 2005 Secured |
| Edward J. & Dee Etta Berg | 085-151-38 | [-\$143.31] | 2005 Secured |
| Laurence O. Woods Jr. ETAL | 026-720-06 | [-\$64.02] | 2005 Secured |
| Richard G. & Debra L. Carmichael et al | 140-122-04 | [-\$61.53] | 2004 Supplemental Improvements Only |
| Richard G. & Debra L. Carmichael et al | 140-122-04 | [-\$59.80] | 2005 Secured |
| Sierra Pacific Power | 002-553-01 | [-\$6.38] | 2005 Secured |
| Justin & Alexandra Goodman | 402-083-05 | [-\$0.00] | 2005 Secured |
| MJM Properties LLC | 012-161-35 | [-\$0.00] | 2005 Secured |

06-265 PURCHASE DUMP VOUCHERS FROM WASTE MANAGEMENT – GREAT TRUCKEE MEADOWS CLEANUP – MANAGEMENT SERVICES/GRANTS ADMINISTRATOR

Lynda Nelson, Regional Parks and Open Space Natural Resource Planner, stated the dump vouchers would be sent to 30,000-50,000 residents of unincorporated Washoe County for use during April 2006 at the Lockwood and Reno transfer stations. She said the City of Reno sends out approximately 30,000 dump vouchers, as does the City of Sparks.

Commissioner Weber stated she hoped the Board would support the vouchers because citizens do use them. She said the County's open spaces needed to be cleaned up. She commended the City of Reno for their support of the County's cleanup effort on April 22nd.

In response to Commissioner Humke, Ms. Nelson discussed the plans for the cleanup, the sponsors, and indicated a minimum of 500 volunteers would be needed.

2:53 p.m. Commissioner Galloway returned to the meeting.

Christi Cakiroglu, Keep Truckee Meadows Beautiful Executive Director, indicated she was excited about the project, which was the first of its kind for this area. She hoped the Board would approve of the vouchers and that a large number of volunteers would participate.

Commissioner Weber said the County should continue advertising the event because there was a lot of trash that needed to be cleaned up. She indicted enforcement should be worked on further down the road.

Gary Schmidt, local resident, criticized the County for not being a good citizen when it came to recycling. He suggested providing separate receptacles for metals, aluminum, and trash during the cleanup. He thought a public information and education program should be included in this item because there were places that steel, aluminum, and newspaper could be taken for free so they would not go into the landfill. He said in the case of aluminum and other metals, citizens could even get paid for them.

Katy Singlaub, County Manager, commented the County had been named the number one local government for its waste reduction and recycling efforts five times.

Upon recommendation of Gabrielle Enfield, Grants Administrator, through John Slaughter, Management Services Director, on motion by Commissioner Weber, seconded by Commissioner Humke, which motion duly carried, Chairman Larkin ordered that the purchase of \$10,000 in dump vouchers from Waste Management for the citizens of unincorporated Washoe County to participate in the Great Truckee Meadows Community Cleanup be approved. It was further ordered that the transfer of funding from Contingency to the Community Support fiscal year 2005/06 budget be approved and the Finance Department be directed to make the following budget adjustments:

| Account | Description | Amount of Increase/ Decrease |
|----------------|-----------------------|---|
| 189000-820000 | Contingency | (\$10,000) |
| 181100-710100 | Professional Services | \$10,000 |

**06-266 ORDINANCE NO. 1287 - BILL NO. 1471 –GENERAL
OBLIGATION (LIMITED TAX) PUBLIC SAFETY BONDS –
SERIES 2006 – BUILDING PROJECTS**

Sam Dehne, local resident, said he favored improving the jail facilities, but this item gave carte blanche for using the \$12.5 million for other purposes. He felt any other specific purposes should be named.

On motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, Chairman Larkin ordered that Ordinance No. 1287, Bill No. 1471, entitled, "**AN ORDINANCE AUTHORIZING THE ISSUANCE BY THE COUNTY OF ITS NEGOTIABLE "WASHOE COUNTY, NEVADA, GENERAL OBLIGATION (LIMITED TAX) PUBLIC SAFETY BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 2006," IN THE MAXIMUM PRINCIPAL AMOUNT OF \$12,500,000 FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, IMPROVING AND EQUIPPING BUILDING PROJECTS WITHIN THE COUNTY, INCLUDING JAIL FACILITIES; PROVIDING THE FORM, TERMS AND CONDITIONS OF THE BONDS AND OTHER DETAILS IN CONNECTION THEREWITH; PROVIDING FOR THE LEVY AND COLLECTION OF ANNUAL GENERAL (AD VALOREM) TAXES FOR THE PAYMENT THEREOF; ADDITIONALLY SECURING THEIR PAYMENT BY A PLEDGE OF CERTAIN REVENUES; PROVIDING OTHER MATTERS RELATING THERETO; ADOPTING IT AS IF AN EMERGENCY NOW EXISTS; AND PROVIDING THE EFFECTIVE DATE HEREOF,"** be approved, adopted and published in accordance with NRS 244.100.

06-267 RESOLUTION – INTENT TO ISSUE GENERAL OBLIGATION (LIMITED TAX) PARK BONDS SERIES 2006 – FINANCE

Sam Dehne, local resident, said the true cost of paying off the bonds should be explained to the citizens, which he calculated would be in the order of \$60 million. He explained his objections to the money being spent to buy the land. He asked if the \$60 million bond would be cancelled if this deal did not go through.

In response to Commissioner Galloway, Katy Singlaub, County Manager, commented this item would come back to the Board on April 25th for a public hearing.

Commissioner Sferrazza said he understood Mr. Dehne's concern, but the acquisition of this property would open Ballardini Ranch to the general public. He said the citizens approved the acquisition as part of the bond issue, and he supported it.

Commissioner Weber discussed the annual debt service and indicated she did not support issuing the bonds.

Katy Singlaub, County Manager, stated four votes were required for passage.

Upon recommendation of John Sherman, Finance Director, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried with Commissioner Weber voting "no," it was ordered that the following resolution be adopted and Chairman Larkin be authorized to execute the same:

RESOLUTION NO. 06-267

A RESOLUTION OF INTENT RELATING TO GENERAL OBLIGATION (LIMITED TAX) PARK BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES) SERIES 2006 IN THE MAXIMUM PRINCIPAL AMOUNT OF \$35,175,000 FOR THE PURPOSE OF FINANCING PARK PROJECTS, INCLUDING ACQUISITION OF BALLARDINI RANCH; PROVIDING OTHER MATTERS PROPERLY RELATED THERETO.

WHEREAS, Washoe County in the State of Nevada (the "County" and the "State", respectively) is a county duly organized and created under the provisions of Nevada Revised Statutes ("NRS") Section 243.340; and

WHEREAS, the Board of County Commissioners of the County (the "Board") has determined and hereby declares that the public interest, health and welfare necessitates acquiring, constructing, improving and equipping, operating and maintaining park projects as provided in NRS 244A.039, including, but not limited to, structures, fixtures, furniture and equipment therefore, and all appurtenances and incidentals necessary, useful or desirable for any such facilities (the "Project"); and

WHEREAS, pursuant to NRS Sections 244A.011 through 244A.065, inclusive, and pursuant to chapter 350 of NRS and all laws amendatory thereof which includes the Local Government Securities Laws, being Sections 350.500 through 350.720, NRS, and all laws amendatory thereof, the County is authorized to borrow money and to issue general obligation bonds of the County for the purpose of defraying wholly or in part the cost of the Project; and

WHEREAS, the Board proposes to issue up to \$35,175,000 of general obligation park bonds of the County (the "Bonds") for the Project; and

WHEREAS, such Bonds will be additionally secured by a pledge of 15% of certain revenues received by the County and allowed to be pledged pursuant to Section 360.698 of NRS (the "Pledged Revenues"); and

WHEREAS, based on a revenue study previously presented to the Board, the Board has determined and hereby determines that the "Pledged Revenues" will at least equal the amount required in each year for the payment of interest and principal on the Bonds; and

WHEREAS, the Board proposes to incur this general obligation without an election unless a petition signed by the requisite number of registered voters of the County is presented to the Board requiring the Board to submit to the qualified electors of the County for their approval or disapproval the following proposal:

**GENERAL OBLIGATION (LIMITED TAX) PARK BONDS
ADDITIONALLY SECURED BY PLEDGED REVENUES
PROPOSAL:**

Shall the Board of County Commissioners of Washoe County in the State of Nevada, be authorized to incur a general obligation indebtedness on behalf of the County by the issuance at one time, or from time to time, of the County's general obligation (limited tax) park bonds, in one series or more, in the aggregate principal amount of not exceeding \$35,175,000 for the purpose of financing, wholly or in part, the acquisition, construction, improvement and equipment of park projects as provided in NRS 244A.039, the bonds to mature commencing not later than five (5) years from the date or respective dates of the bonds and ending not later than thirty (30) years therefrom, to bear interest at a rate or rates not in excess of the statutory maximum rate in effect at the time bonds are sold, to be payable from general (ad valorem) taxes (except to the extent pledged revenues and other moneys are available therefor), and to be issued and sold at par, or below or above par, and otherwise in such manner, upon such terms and conditions, and with such other detail as the Board may determine, including at its option but not necessarily limited to provisions for the redemption of bonds prior to maturity without or with the payment of a premium?

(the "Proposal"); and

WHEREAS, pursuant to NRS Sections 350.011 to 350.0165, inclusive, the Board has submitted the Proposal to the Debt Management Commission of Washoe County (the "Commission"); and

WHEREAS, the Commission has heretofore approved the Proposal; and

WHEREAS, subsection 3 of NRS Section 350.020 in effect provides that if the payment of a general obligation of the County is additionally secured by pledged revenues, and the governing body (i.e., the Board) determines that the pledged revenues will at least equal the amount required in each year for the payment of interest and principal, the County may incur the general obligation without an election, unless a petition requesting an election signed by not less than 5% of the registered voters in the County is presented to the Board within 90 days after the publication of a notice of the adoption of this resolution of intent; and

WHEREAS, Subsection 3 of NRS Section 350.020 also requires that a public hearing be held before the Bonds are issued.

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

Section 1. This resolution shall be known as and may be cited by the short title "Resolution of Intent to Issue 2006 Park Bonds" (this "Resolution").

Section 2. All action heretofore taken (not inconsistent with the provisions of this Resolution) by the Board and the officers of the Board directed:

- (a) Toward the Project to be financed by the Bonds; and
- (b) Toward the issuance of the Bonds to defray, in part, the cost thereof, be, and the same hereby is, ratified, approved and confirmed.

Section 3. The County and the officers of the County be, and they hereby are, authorized and directed to publish a notice of the adoption of the resolution of intent relating to the Board's proposal to issue the Bonds in a newspaper of general circulation in the County, at least once, such notice to be published in substantially the form placed on file with the Clerk.

Section 4. The County Clerk is authorized and directed to publish once, at least 10 days before the date of the public hearing described in the following notice, in a newspaper of general circulation in the County a notice of public hearing, at least as large as 5 inches high by 4 inches wide, in substantially the form placed on file with the Clerk.

Section 5. A public hearing on the Bonds is hereby ordered to be held before the Board at the time, date and place specified in the notice set forth in Section 4 hereof, or as otherwise specified by the Finance Director of the County.

Section 6. The Bonds, in the event no petition is filed during the period allowed by NRS Section 350.020(3), shall be authorized by an ordinance or ordinances to be effective after the expiration of the above specified period of publication.

Section 7. The authority to issue the Bonds designated in the Proposal set forth in the notice shall be deemed and considered a continuing authority to issue and deliver the Bonds designated in such Proposal at one time or from time to time, in one series or in more than one series, all as ordered by the Board. Neither the partial exercise of the authority so conferred nor the lapse of time shall be considered as exhausting or limiting the full authority so conferred.

Section 8. 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 9. 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 10. 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 section, paragraph, clause or other provision shall not affect any of the remaining provisions of this resolution.

Section 11. This resolution shall become effective and be in force immediately upon its adoption.

06-268 **RECOMMENDATION – NAMING UNNAMED MOUNTAIN PEAK TO METZKER PEAK – NEVADA STATE AND U. S. BOARD OF GEOGRAPHIC NAMES**

Commissioner Galloway said J.K. Metzker was the master of the wagon party that crossed Nevada in 1846. He said the name was compatible with Nevada's history.

On motion by Commissioner Sferrazza, seconded by Commissioner Humke, which motion duly carried, it was ordered that the geographic name proposal received from the Nevada State Board on Geographic Names and the U.S. Board of Geographic Names to name an unnamed mountain peak to Metzker Peak to commemorate J. K. Metzker be recommended for approval and Chairman Larkin be authorized to execute the Geographic Name Proposal Recommendation form and forward it to the Nevada State Board on Geographic Names. It was noted the mountain peak was located approximately 4.5 miles northwest of Vya and six miles north of Fortynine Mountain in northern Washoe County.

06-269 **LEGISLATIVE ISSUES – LEGISLATIVE AFFAIRS**

Katy Singlaub, County Manager, stated the Commissioners participated in a joint meeting on Friday, March 10th along with the Boards of the Truckee Meadows Water Authority (TMWA), the Sun Valley General Improvement District, and the Local Managing Board of the South Truckee Meadows General Improvement District, during which the SCR 26 Subcommittee discussed what it was trying to accomplish. She said the assembled boards ratified a recommendation by Commissioner Humke to form a joint Technical Advisory Committee comprised of the staffs of each of the water purveyors to formulate recommendations on issues such as water rights acquisition, conservation and water management. She stated it was proposed the Technical Advisory Committee would provide reports to the Regional Water Planning Commission and to function under their auspices. She said the Regional Water Planning Commission would provide reports to the subcommittee of purveyors. She stated that proposal would be presented to the SCR 26 Subcommittee at its next meeting on March 15th in the Commission Chambers.

Chairman Larkin said he would be the primary speaker on Wednesday, so any additions or corrections should be channeled to the Manager.

In retrospect, Commissioner Humke felt if the interim study had recommended that the water entities sit down together, the process would be further along. He gave credit to TMWA for calling Friday's meeting. He said during the meeting the water purveyors discovered areas of common concern. He gave credit to the Manager for the suggestion for the Technical Advisory Committee, which had been one of the missing puzzle pieces for delivering good clean water to the citizens of the County. He stated SCR 26 was beneficial in that it brought the water entities together to discuss the issues.

Commissioner Galloway commented on Chairman Larkin being the lead speaker, but indicated a representative from each of the other entities may put forward additional comments. He said it indicated the entities were in agreement on this.

Commissioner Weber echoed Commissioner Humke's comments. She said it was interesting when everyone realized that the Legislature did not need to spell out what needed to be done, and that the entities working together could make it work.

Gary Schmidt, local resident, discussed Chairman Larkin's interference with the business of the Board of Equalization (BOE), which was being discussed at various levels at the State. He requested the Commission avoid any such interference in the future by clarifying the law. He believed, as did others, that the law was clear because it stated the actions of the BOE would be determined by its members. He commented on scheduling and the confusion of the two panels.

06-270 REPORTS AND UPDATES FROM COUNTY COMMISSIONERS

Commissioner Weber reminded everyone about the Graffiti Summit at the Reno Livestock Events Center on Saturday, March 18th. She believed the graffiti issue was taking over the community, and the participation of the elected officials in the summit acknowledged there was a problem. She said further down the road there should be discussion on whether there should be stiffer penalties, but Saturday was designed to be more of an educational process and a way to gather citizen input. She commented on what citizens could do to help, and she encouraged participation in Neighborhood Watch programs. She also reminded everyone about the Great Truckee Meadows Cleanup on April 22nd and thanked the Commissioners for their support of the vouchers.

Commissioner Weber said she attended the North Valleys Citizen Advisory Board (CAB) meeting on March 13, and the CAB moved the area plan forward by a 4-2 vote. One of the dissenters felt smaller details needed to be included in the plan. She commended Eric Young, Planner, for attending all of the meetings including those at rural locations; and she thanked Steve Bradhurst, Water Resources Director, for attending on his day off. She also thanked the community for attending and providing input.

Chairman Larkin commended Commissioner Weber for taking the initiative on the Graffiti Summit. He said it was an important issue in the community, and the Commission needed to keep it at the forefront. He said graffiti should be called what it is, and it is vandalism.

Commissioner Galloway informed the public that the Regional Planning Governing Board would be having a special meeting Thursday, March 16th at 6:00 p.m. at the Siena Hotel Spa and Casino in the upstairs ballroom to consider an appeal to the recent action by the Regional Planning Commission not to proceed with certain amendments to the 2002 Regional Plan. He discussed his concerns that were documented in an e-mail to Adrian Freund, Community Development Director, dated March 10, 2006, which was placed on file with the Clerk.

In response to Commissioner Sferrazza, Commissioner Galloway stated he could attend the Truckee Meadows Water Authority meeting tomorrow.

Commissioner Sferrazza said he brought back DVD's and handouts from the National Association of Counties (NACO). He voted for the catastrophic tree bill at the meeting because the majority of the Commissioners supported it even though he did not. He indicted his only problem with the bill was the language about trees having a problem with mortality, which he felt could be any tree. He stated the bill was passed unanimously and was moving forward with other resolutions. Commissioner Sferrazza reminded the public of his Town Hall meeting scheduled for March 30th at 6:00 p.m.

3:30 p.m. The Board took a brief recess.

4:05 p.m. The Board reconvened as the Board of Fire Commissioners for the Sierra Forest Fire Protection District followed by the Truckee Meadows Fire Protection District.

4:45 p.m. The Board of County Commissioners reconvened.

**06-271 PLANNING WORKING GROUP FOR PLACE-BASED PLANNING
– TAHOE BASIN – PATHWAYS 2007 REGIONAL PLAN UPDATE**

Commissioner Galloway said he had nominations for the Planning Working Group. He requested one alternate be appointed, and he be given authority to appoint one additional future member out of the applications rather than delaying something the Tahoe Regional Planning Authority (TRPA) was eager to pursue. He explained there had been confusion about how many people could be appointed, which was finally resolved by TRPA, Incline Village General Improvement District (IVGID), and the County. It was decided that the two agencies paying for staff, etc. should each have six representatives. He said the Fire Board at Incline Village had not taken any action on whether it would contribute anything. He felt there would not be anything improper in appointing one of their board members or someone they requested to the Planning Working Group if they did.

Commissioner Galloway explained the Group was similar to a focus group because it would not make decisions but react to proposals put forth by the facilitator and the core-planning group for land use planning in Incline Village/Crystal Bay.

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, Chairman Larkin ordered that John K. Bain, Daniel N. Salerno, Guy L. Burge Jr., Roger W. Norman, Diane Severance, and David S. Zeigler be appointed to the Planning Working Group for Place-Based Planning in the Tahoe Basin under Interlocal Agreement with the Tahoe Regional Planning Agency for the Pathways 2007 Regional Plan Update. It was further ordered that the same alternate as IVGID appointed, Eugene G. Murrieta, be appointed as alternate. It was also ordered that Commissioner Galloway be directed to appoint no more than one additional person in the future.

4:50 p.m. The Board recessed until the start of the public hearings.

06-272 **ORDINANCE NO. 1288 BILL NO. 1466 AMENDING PROVISIONS
RELATED TO WCC CHAPTER 110 – DEVELOPMENT CODE**

5:30 p.m. This was the time set in a Notice of Public Hearing published in the *Reno Gazette Journal* on March 3, 2006 to consider the second reading and adoption of Bill No. 1466. Proof was made that due and legal Notice had been given.

The Chairman opened the public hearing by calling on anyone wishing to speak for or against adoption of said Ordinance.

Juanita Cox, local resident, said she spoke before the Planning Commission and disagreed with their staff report. She stated criminal charges must stand on clear language, and she discussed the provision of the name of an accuser.

Katherine Snedigar, local resident, stated a third party was not the target of an investigation; and the principal person accused in an investigation had the right to know who his accuser was. She said the public had been deprived access to Article 106, proving the County was attempting to take her property.

Gary Schmidt, local resident, discussed Exhibit M, stating it was in violation of a resolution adopted March 2003. He said, per an Attorney General opinion, County Code could not make anything confidential.

***5:48 p.m.** Commissioner Sferrazza returned to the meeting.

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

Michael Harper, Planning Manager, noted trespassing signs and balloons were not addressed in the changes. He said the first change was the deletion of all

references to the term “off-premise signs” and replace it with “billboard”. He said the second change was to remove the term “on-premise signs”. He stated the District Attorney’s Office requested confidentiality changes based upon State law; and the transition process was used to permit the transition from the old Chapter 110 to the current Chapter 110, bringing the County into compliance. Mr. Harper stated property owners were given a seven-year period to utilize the old zoning until the new zoning came into affect. He said all new zoning was adopted according to State law and had been properly noticed.

Due to loud comments made by Ms. Snedigar from the audience, Chairman Larkin warned her that verbal personal attacks on staff members could be cause for removal from a meeting. Ms. Snedigar said she did not understand. Chairman Larkin requested a Deputy Sheriff to explain the rule to Ms. Snedigar. The Deputy attempted to explain the rule; however, Ms. Snedigar said she did not understand who was being addressed. Chairman Larkin told Ms. Snedigar if she interrupted proceedings one more time, a recess would be called; and she would be escorted from the meeting.

Mr. Harper said notices were sent out each year to affected property owners.

Melanie Foster, Legal Counsel, stated any pending criminal investigation was deemed to be confidential; and the reason for the confidentiality provision was to reflect State law. She stated the District Attorney had always advised that initial investigations were confidential.

In response to Commissioner Sferrazza, Mr. Harper said Scenic Nevada was aware of the changes and noted the transition process ceased in 1998.

In response to Commissioner Weber, Mr. Harper explained the County had eliminated one of the maps used for regulating land use. He said the Zoning and Land Use maps were combined into the Master Plan map. He said the District Attorney had proposed giving property owners a transition period and noted approximately 70 percent of the zoning did not change.

In response to Commissioner Humke’s reference to an email from Valerie Harper, Mr. Harper said State law set the number of times the Master Plan could be amended; and noticing of proposed changes to that plan was required. Commissioner Humke asked about the provision that “failure of the Planning Commission to hold a public hearing or take action within the timeframes provided...shall constitute a recommendation of approval of the comprehensive plan amendment application”. Mr. Harper said this went beyond what State law required and noted this manner of approval had never happened.

Commissioner Galloway said there were statutory requirements that Planning Commissions must act on in regard to certain applications and asked if there were any such requirements for comprehensive plan amendments. Mr. Harper said

specific timeframes for holding hearings were outlined, but penalties for failure to do so were not.

In response to Commissioner Galloway, Ms. Foster said a lawsuit could be brought if no action were taken if a person could prove a governmental entity had not acted within a prescribed timeframe and the action was time sensitive. Commissioner Galloway preferred no change or for the Board to remain silent on the matter. Mr. Harper explained this was not a change brought before the Planning Commission or this Board. Commissioner Galloway asked for it to be considered at a future meeting.

In response to Commissioner Weber, Mr. Harper said there were provisions that exempted agricultural property from certain nuisance challenges.

Based on the following findings, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, it was ordered that Ordinance No. 1288, Bill No. 1466, **“AN ORDINANCE AMENDING PROVISIONS RELATING TO WASHOE COUNTY CODE CHAPTER 110, ARTICLE 106, REGULATORY ZONES, TO DELETE THE TRANSITION PROCESS; ARTICLE 216, SPANISH SPRINGS AREA TO DELETE REFERENCES TO BILLBOARDS; ARTICLE 304, USE CLASSIFICATION SYSTEM, TO INCLUDE THE APPROPRIATE REFERENCE TO ARTICLE 330 FOR ANIMAL SALES AND SERVICES; ARTICLE 306, ACCESSORY USES AND STRUCTURES, TO MORE ACCURATELY DEFINE THE COVERAGE AREA FOR ACCESSORY STRUCTURES; CONTENTS OF DIVISION 5 TO CHANGE THE REFERENCE OF ARTICLE 502 TO BILLBOARD REGULATIONS AND ARTICLE 504 TO SIGN REGULATIONS; CONTENTS OF DIVISION 5 TO CHANGE THE REFERENCE OF ARTICLE 502 TO BILLBOARD REGULATIONS AND ARTICLE 504 TO SIGN REGULATIONS; ARTICLE 500, TITLE AND CONTENTS, TO CHANGE THE REFERENCE OF ARTICLE 502 TO BILLBOARD REGULATIONS AND ARTICLE 504 TO SIGN REGULATIONS; ARTICLE 502, OFF-PREMISE SIGN REGULATIONS, TO CHANGE THE TITLE TO BILLBOARD REGULATIONS, SUBSTITUTE THE TERM BILLBOARD FOR OFF-PREMISE SIGN THROUGHOUT THE ARTICLE, TO ADD PROVISIONS FOR DISCONTINUED BILLBOARDS; ARTICLE 504, ON-PREMISE SIGN REGULATIONS, TO DELETE IN THE TITLE AND IN THE BODY OF THE ARTICLE THE TERM ON-PREMISE; ARTICLE 606, PARCEL MAPS, TO CONFORM THE NOTICING OF A SECOND PARCEL MAP TO THAT OF A TENTATIVE SUBDIVISION MAP; ARTICLE 806, VACATIONS AND ABANDONMENTS OF EASEMENTS OR STREETS, TO CONFORM THE NOTICING TO A TENTATIVE SUBDIVISION MAP APPLICATION WHEN COMBINED WITH SAID APPLICATION; ARTICLE 820, AMENDMENT OF COMPREHENSIVE PLAN, TO CHANGE THE NUMBER OF TIMES AN AMENDMENT CAN OCCUR TO FOUR (4) AND DEFINE THE EXEMPTION OF AN APPLICATION FROM THIS NUMBER, PERMIT THE DIRECTOR OF COMMUNITY DEVELOPMENT TO INITIATE A MINOR AMENDMENT, DEFINE THE REQUIREMENTS FOR CONDUCTING A NEIGHBORHOOD**

MEETING FOR AN AMENDMENT, DEFINE THE PROVISIONS FOR MINOR AMENDMENTS; ARTICLE 902, DEFINITIONS, TO DELETE THE DEFINITION OF LIMITED FLOODING AREA; ARTICLE 910, ENFORCEMENT, TO PERMIT AN EXTENSION OF TIME FOR COMPLIANCE WITH A NOTICE OF VIOLATION, TO CHANGE THE REFERENCE FROM ZONING ENFORCEMENT OFFICER TO CODE ENFORCEMENT OFFICER, TO DEFINE WHEN NOTICE OF A COMPLAINT MAY BE CONSIDERED FOR THE SOLE USE OF THE DIRECTOR OF COMMUNITY DEVELOPMENT; ARTICLE 912, ESTABLISHMENT OF COMMISSIONS, BOARDS AND HEARING EXAMINERS, TO DELETE THE PROVISION THAT A PLANNING COMMISSIONER MAY HOLD NO OTHER PUBLIC OFFICE; ARTICLE 916, ESTABLISHMENT OF COMMITTEES, TO CHANGE THE TERM OF APPOINTMENT FOR CERTAIN MEMBERS FROM ONE YEAR TO A TERM OF OFFICE FOR FOUR YEARS WITH ONE PERMITTED RE-APPOINTMENT, AND OTHER MATTERS PROPERLY RELATING THERETO”, be approved, adopted and published in accordance with NRS 244.100:

FINDINGS

1. The amendments to Article 106 delete procedures no longer permitted by law;
2. The amendments to Articles 304 and 306 clarify provisions of the code;
3. The amendments to Contents of Division 5 and Article 500 clarify the intent of the two regulatory articles contained in Division 5;
4. The amendments to Article 502 address discontinued billboards;
5. The amendments to Article 216 and Article 504 change terminology to clearly reflect the intent of the article’s provisions;
6. The amendments to Articles 606, 806 and 820 implement changes made to Nevada Revised Statutes;
7. The amendments to Article 902 and 910 clarify provisions of the code;
8. The amendment to Article 912 brings the appointment of planning commissioners into conformance with Nevada Revised Statute;
9. The amendment to Article 916 provides for desired experience on the design review committee;
10. The amendments are in substantial compliance with the policies and action programs of the Washoe County Comprehensive Plan;
11. The amendments will not adversely impact the public health, safety, or welfare, and will promote the original purposes for the Development Code as expressed in Article 818, Adoption of Development Code;
12. The amendments respond to conditions that were not foreseen at the time that the Development Code was adopted;
13. This recommendation is based upon due and careful consideration of the information provided in the staff report, other written testimony received and the testimony presented at the public hearing; and

14. The Washoe County Board of County Commissioners gave reasoned consideration to the information transmitted from the Washoe County Planning Commission and to the information received during the public hearing.

**06-273 ORDINANCE NO. 1289 BILL NO. 1467 AMENDING WCC
CHAPTER 60 – FIRE CODE - APPROVAL OF BUSINESS
IMPACT STATEMENT**

5:30 p.m. This was the time set in a Notice of Public Hearing published in the *Reno Gazette Journal* on March 3, 2006 to consider the second reading and adoption of Bill No. 1467. Proof was made that due and legal Notice had been given.

The Chairman opened the public hearing by calling on anyone wishing to speak for or against adoption of said Ordinance.

Juanita Cox, local resident, said the Board was going along with World Bank doctrine and was taking private property rights away.

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

On motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Larkin ordered that Ordinance 1289, Bill No. 1467, **“AN ORDINANCE AMENDING CHAPTER 60 OF THE WASHOE COUNTY CODE BY ADOPTING THE 2003 EDITION OF THE INTERNATIONAL FIRE CODE WITH AMENDMENTS”** be approved, adopted and published in accordance with NRS 244.100 effective July 1, 2006, and the Business Impact Statement related to the proposed amendment to Washoe County Code Chapter 60 be approved.

**06-274 ORDINANCE NO. 1290 - BILL NO. 1468 – AMENDING WCC
CHAPTER 110 – DEVELOPMENT CODE**

5:30 p.m. This was the time set in a Notice of Public Hearing published in the *Reno Gazette Journal* on March 3, 2006 to consider the second reading and adoption of Bill No. 1468. Proof was made that due and legal Notice had been given.

The Chairman opened the public hearing by calling on anyone wishing to speak for or against adoption of said Ordinance.

Dan Salerno, Planning Commission Member, said he would like to see the maximum square footage deleted. He discussed existing garages and structures converted to another use, stating there were many conditions that restricted property use at Lake Tahoe. Mr. Salerno wanted these two items eliminated or have the ordinance sent back to the Planning Commission. He also requested the Board appoint someone to the vacant Planning Commission seat.

Gary Schmidt, local resident, supported the comments of Mr. Salerno.

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

Commissioner Galloway said this modifier would apply only in the Lake Tahoe area. He asked if there was anything that would prevent someone from having a two-car garage that allowed for storage of a snow thrower. Mr. Salerno said the square footage could accommodate a snow thrower and two cars but would not accommodate a boat or snowmobile. In response to Commissioner Galloway, Mr. Salerno said an additional garage that met all of the normal requirements would not be prohibited.

Eva Krause, Planner, said another garage could be built as long as it was not on the front property line. She explained people used the modifier to build a two-car garage on the front of their property line then converted the previous garage into living space. She said this was a way to expand the house without going through the variance process. She stated an additional garage or storage shed could be built as long as it met the setbacks. Commissioner Galloway asked if a three or four car garage could be built under this ordinance. Ms. Krause said a variance would be needed if the garage was to be placed in the front yard setback; however, if there was enough land behind the setback, that could be done.

Based on the following findings, on motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that Ordinance 1290, Bill No. 1468, **“AN ORDINANCE AMENDING PROVISIONS RELATING TO WASHOE COUNTY CODE, CHAPTER 110, ARTICLE 220, 406 AND 902, BY LIMITING THE SIZE OF GARAGES BUILT ON THE FRONT PROPERTY LINE, TO INCLUDE SETBACK REQUIREMENTS FROM STREETS, MODIFICATION OF DETACHED ACCESSORY STRUCTURES CITING REQUIREMENTS; ARTICLE 406 BUILDING PLACEMENT STANDARD, TO REQUIRE A SETBACK ON ANY EASEMENT THAT IS MAINTAINED BY THE COUNTY; ARTICLE 902 DEFINITIONS, TO CLARIFY THAT A CORNER LOT MAY EXIST WHEN ONE STREET CURVES AROUND A LOT BUT DOES NOT FRONT ON TWO OR MORE STREETS; AND OTHER MATTERS PROPERLY RELATING THERETO,”** be approved, adopted and published in accordance with NRS 244.100:

FINDINGS

1. The amendments to Article 220 and 406 clarify provisions of the code;
2. The amendments to Article 902 add terminology to better reflect the intent of the article’s provisions;
3. The amendments are in substantial compliance with the policies and action programs of the Washoe County Comprehensive Plan;

4. The amendments will not adversely impact the public health, safety, or welfare, and will promote the original purposes for the Development Code as expressed in Article 818, Adoption of Development Code;
5. The amendments respond to conditions that were not foreseen at the time that the Development Code was adopted;
6. This recommendation is based upon due and careful consideration of the information provided in the staff report, other written testimony received, and testimony presented at the public hearing; and
7. The Washoe County Board of County Commissioners gave reasoned consideration to the information transmitted from the Washoe County Planning Commission and to the information received during the public hearing.

06-275 ORDINANCE NO. 1291 - BILL NO. 1469 – AMENDING WCC
CHAPTER 80 – QUALIFIED APPRAISERS – COUNTY
PROPERTY

5:30 p.m. This was the time set in a Notice of Public Hearing published in the *Reno Gazette Journal* on March 3, 2006 to consider the second reading and adoption of Bill No. 1469. Proof was made that due and legal Notice had been given.

The Chairman opened the public hearing by calling on anyone wishing to speak for or against adoption of said Ordinance. There being no response, the hearing was closed.

In response to Commissioner Sferrazza, Tom Gadd, Public Works Director, said a conflict of interest provision was covered in State law. He said an appraiser would be required to sign a contract with Washoe County that outlined this provision, and he did not believe an appraiser could be eliminated for previously appraising a piece of property. Commissioner Sferrazza commented he could not represent an individual and the County as a lawyer without the consent of the County and felt it should be the same in this instance.

Katy Singlaub, County Manager, said disclosure language would be added to the policy; however, it would not be included in the ordinance.

In response to Commissioner Galloway, Melanie Foster, Legal Counsel, said changes to the ordinance could be made; however, the procedure set in statute provided little ability to vary it. Commissioner Galloway read section 3.2b. He asked if someone was disciplined or fined, could that be taken as evidence the individual had violated professional standards. He also asked what would happen in regard to vague allegations. Ms. Foster believed the language regarding professional standards was taken from State law and said allegations that were vague generalities would not be considered. Commissioner Galloway asked what the legal grounds were if a person disclosed they had previously appraised a property. Mr. Gadd said an agreement for appraisal services, which an appraiser would be required to sign, was being prepared in concert with the

District Attorney's Office; and many of these issues would be addressed in that contract. Commissioner Galloway said he would like to see the agreement.

In response to Commissioner Sferrazza, Mr. Gadd said he would look into whether there was a similar policy in place for purchasing property.

Ms. Singlaub stated the ordinance was established to implement State statute. She said, if the Board would like staff to come back with a discussion on purchasing property, she would put that on a future agenda.

On motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, Chairman Larkin ordered that Ordinance 1291, Bill No. 1469, **“AN ORDINANCE AMENDING CHAPTER 80 OF THE WASHOE COUNTY CODE (PUBLIC WORKS, BUILDING AND SAFETY; COUNTY PROPERTY) BY ADDING SECTIONS ESTABLISHING THE PROCEDURES FOR CREATING AND AMENDING A LIST OF QUALIFIED GENERAL APPRAISERS TO CONDUCT APPRAISALS OF REAL PROPERTY OFFERED FOR SALE OR LEASE BY THE COUNTY AND A PROCESS FOR THE SELECTION OF APPRAISERS; AND OTHER MATTERS PROPERLY RELATED THERETO,”** be approved, adopted and published in accordance with NRS 244.100.

**06-276 ORDINANCE NO. 1292 - BILL NO. 1470 – AMENDING
COMPENSATION SCHEDULE – SOUTH TRUCKEE MEADOWS
GENERAL IMPROVEMENT DISTRICT**

5:30 p.m. This was the time set in a Notice of Public Hearing published in the *Reno Gazette Journal* on March 3, 2006 to consider the second reading and adoption of Bill No. 1470. Proof was made that due and legal Notice had been given.

The Chairman opened the public hearing by calling on anyone wishing to speak for or against adoption of said Ordinance. There being no response, the hearing was closed.

On motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that Ordinance 1292, Bill No. 1470, **“AN ORDINANCE AMENDING THE COMPENSATION SCHEDULE FOR MEMBERS OF THE LOCAL DISTRICT MANAGING BOARD FOR THE SOUTH TRUCKEE MEADOWS GENERAL IMPROVEMENT DISTRICT, AND AMENDING THE NAME OF THE INCUMBENT FOR SEAT #3 ON THE LOCAL MANAGING BOARD TO REFLECT CURRENT MEMBERSHIP. THIS ORDINANCE REPEALS ORDINANCE NO. 1258,”** be approved, adopted and published in accordance with NRS 244.100.

**APPEAL CASE NO. AX06-002 – SPECIAL USE PERMIT CASE
NO. SW05-023 – PEMBROKE COMMERCIAL CENTER -
COMMUNITY DEVELOPMENT**

5:30 p.m. This was the time set in a Notice of Public Hearing mailed to affected property owners on March 3, 2006 to consider the appeal of the denial by the Washoe County Planning Commission of the Pembroke Commercial Center, Special Use Permit Case No. SW05-023. Proof was made that due and legal Notice had been given.

The Chairman opened the public hearing by calling on anyone wishing to speak for or against Appeal Case No. AX06-002.

Rae Burnet, local resident, said she had heard about the expected peak load of Starbucks but not the proposed sandwich shop. She had been informed regarding hours of operation but not deliveries. She said the conditions, covenants, and restrictions have been obsolete for at least 20 years, and residents have been told they are null and void. She said this project would hurt the neighborhood.

Jim Wodke, local resident, said traffic was already terrible; and this project would exacerbate it. He said people used his driveway for a turn-a-round and noted numerous accidents in the area. He asked the Board to disapprove the project.

Wesley Carmean, local resident, opposed the project noting the Citizen Advisory Board, as well as the Planning Commission, rejected it. He said residents received a letter from the developer, stating they did not have to come to today's hearing because the developer was asking to postpone it. He indicated there would be an issue with drainage onto his property, and access to the subject property was bad.

Dave and Chris Jackson, local residents, opposed the project and wanted to maintain their current lifestyle.

Kathy Jackson, local resident, read a letter into the record opposing the project. She noted there were no sidewalks, and safety would be impacted.

Gary Schmidt, local resident, did not think a Starbucks could be placed in a Medium Density Suburban (MDS) area. He said the appeal for the business must be to the neighborhood not highway traffic.

Karen Wodke, local resident, opposed the project and thought it was undesirable for this property.

Michael Ferrigno, Washoe County resident, said he owned the mini-mart across from the proposed project and discussed traffic issues.

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

Commissioner Humke asked why the applicant requested a deferral. Sandra Monsalvè, Community Development, said the applicant requested more time to gather information. Ken Krater, Consultant, said the key partner and owner could not attend this meeting and wanted to be present to address concerns.

Commissioner Humke asked what type of businesses would fill the vacant spaces. Mr. Krater said they had commitment from Starbucks and a national sandwich shop. He said the other two were still vacant, but they were committed to bringing in neighborhood friendly businesses.

Commissioner Galloway asked if all of the properties around the subject site were residential. Ms. Monsalvè said the area was zoned MDS, and the majority of properties in that area were developed with single-family homes. Commissioner Galloway asked for a map showing zoning when this issue came back before the Board.

Chairman Larkin asked if this area was across from the Reno City limits and what the potential for annexation was. Ms. Monsalvè said the County had indicated they would like to keep the project within the unincorporated area, but there was potential for annexation.

Commissioner Humke moved to uphold the denial by the Planning Commission. There was no second, and the motion died.

On motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried with Commissioner Humke voting “no,” Chairman Larkin ordered this matter be continued to April 11, 2006.

Commissioner Weber encouraged the people present to attend the next meeting.

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7:17 p.m. There being no further business to come before the Board, the meeting adjourned.

ROBERT M. LARKIN, Chairman
Washoe County Commission

ATTEST:

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

*Minutes Prepared by
Jan Frazzetta and Jill Shelton
Deputy County Clerks*