

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

TUESDAY

2:00 P.M.

MARCH 21, 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:

**06-278      AGENDA**

Sam Dehne, local resident, objected to the meeting starting 15 minutes late. He voiced his disapproval of the camera angles used for certain individuals who spoke during public comment. He said it was not fair that citizens could not speak on the Airport Authority item.

Gary Schmidt, Washoe County resident, commented the Board should go through each item as it was presented on the agenda. He disapproved of the way the Board dealt with the consent agenda.

In accordance with the Open Meeting Law, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, Chairman Larkin ordered that the agenda for the March 21, 2006 meeting be approved.

**06-279      INTRODUCTION OF NEW WASHOE COUNTY EMPLOYEES**

Chairman Larkin invited approximately 16 new Washoe County employees to come forward and introduce themselves to the Board. The Board members welcomed the new employees.

**06-280      PUBLIC COMMENT**

County Manager Katy Singlaub stated the Open Meeting Law did not require a public body to tolerate comments that were willfully disruptive of the meeting

by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational, or amounting to personal attacks. Ms. Singlaub noted Section 8.05 of the Nevada Open Meeting Law manual stated, "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."

Sam Dehne, local resident, said he objected to the Regional Planning Governing Board holding a meeting at the Siena and stated the quality of the television recording was not good. He commented citizens should be allowed to respond to the Airport Authority presentation, and he said a new tower was not needed at the airport.

Katherine Snedigar, area resident, discussed the World Bank Water Report; and she gave a history of water and water rates in Washoe County.

Gary Schmidt, Washoe County resident, submitted a 2002 resolution concerning public records and an opinion from the Nevada Attorney General regarding that document. He read from the resolution emphasizing confidentiality, access to public records, and the responsibility of each department to know the law in the area that each department operated. He said the Attorney General's opinion stated the County Code could not make a document confidential.

Juanita Cox, Sparks resident, commented free speech was evident at an event this past weekend as people gathered in support of and opposition to freedom and peace. She noted no Commissioners were in attendance, but law enforcement was present.

### **COMMISSIONERS'/MANAGER'S ANNOUNCEMENTS**

Commissioner Humke requested an agenda item concerning the County voluntarily submitting to an outside audit of its water resources functions. He asked that the finding of the audit be reported to the Commission and the public and for the agenda item to come forward as soon as possible. He announced there would be a meeting of the Commission on Aging in Carson City on March 30, 2006. He commended Governor Kenny Guinn for his recent trip to visit Nevada troops in Afghanistan, Iraq, and Kuwait.

Commissioner Weber reported on the Graffiti Summit that was held on March 18, 2006. She said the event allowed the public to see that the elected officials recognized the graffiti problem in the community. She stated she would like to see the elected officials come together to discuss issues and ways to curb or defeat the vandalism occurring in neighborhoods. Commissioner Weber requested the graffiti issue come before the Commission, and she asked the District Attorney to make an appearance to address concerns from the public that vandals were getting off too easy.

Chairman Larkin commented on his attendance at a recent Reno Rodeo Foundation luncheon. He said he attended the recent dedication of the Veteran's Memorial at Powning Park with Commissioner Weber and Reno Mayor Bob Cashell.

Chairman Larkin requested staff research if the County could provide any assistance to that memorial.

Commissioner Galloway noted an item would be coming before the Board concerning a request that a feasibility and cost study regarding undergrounding utilities be funded. He said there were funds set aside to assist in undergrounding existing above ground utility lines, and he commented on how the funds could be allocated. Commissioner Galloway announced there would be a public hearing regarding Ballardini Ranch on March 28, 2006. He requested an agenda item on that date that would allow for the option to proceed with a resolution to issue the debt. He asked that the Board hold the two meetings necessary to follow a normal process for debt issuance no later than May 9, 2006 and not passed May 23, 2006.

Commissioner Sferrazza remarked he attended the North Valleys Neighborhood Advisory Board (NAB) meeting with Commissioner Weber on March 20, 2006. He said the primary topics were code enforcement and street repairs in the North Valleys. He asked staff to review the survey that was being completed regarding the Strategic Plan. He inquired if there was a possibility to extend the period of the survey to gain senior input because the survey did not reflect seniors in the community. Commissioner Sferrazza announced he would be holding a Town Hall meeting for District 3 in the Commission Chambers at 6:00 p.m. on March 30, 2006.

County Manager Katy Singlaub commented the County had received an upgrading of its bond rating this past week to AA, which was the highest bond rating for any local government in the history of Northern Nevada.

**06-281      APPEARANCE – RENO-TAHOE AIRPORT AUTHORITY TRUSTEES**

Larry Martin and Randi Thompson, Reno-Tahoe Airport Authority Trustees, gave a PowerPoint presentation updating the Board on the Reno-Tahoe International Airport. Trustee Martin discussed the relocation status of the air traffic control tower and noted the tower was 50 years old. He spoke about the advantages of the new tower.

Commissioner Weber inquired about the Stead Airport. Trustee Martin said the manager of the Stead Airport was proactive in his approach to operating the airport. He commented the runway had been updated and repaved, and they were anticipating additional hangars and a new instrument landing system.

Commissioner Galloway asked if any routes had been lost. Trustee Martin responded some routes had been lost, but there had been offsetting replacements.

Brian Kulpin, Public Affairs Manager, commented on the loss of Northwest Airlines and said staff was working hard to gain more air service for the area.

Commissioner Sferrazza asked where the new hotel would be located and about the status of the Brookside Golf Course. Trustee Thompson said the hotel property was located in front of the airport, and she confirmed Brookside Golf Course would be closing. She said the airport had talked with the City of Reno because they had been the leaseholder, and they were responsible for finding an alternative for the people who had been playing at Brookside. She commented the Federal Aviation Administration (FAA) requested the airport make the best use of the land available.

Commissioner Sferrazza inquired what the Brookside Golf Course property would be used for. Mr. Kulpin explained the new control tower would be located on that parcel. He said the three remaining acres could be marketable for development purposes to bring in additional revenue to the airport. Commissioner Sferrazza stated he would favor not marketing those three acres but using them for a public purpose.

Commissioner Humke inquired about the relationship between the airport and the Transportation Security Administration (TSA). Trustee Thompson said the airport had an excellent working relationship with the manager who ran the TSA in Reno. Commissioner Humke asked about the association the airport had with the Truckee River Flood Project Coordinating Committee. Mr. Kulpin confirmed the airport planner worked closely with the Committee, and the affiliation was strong.

In response to Chairman Larkin, Trustee Martin talked about the instrument landing system (ILS) and noted revenues were lost when the system broke down and impacted flights. Chairman Larkin asked about the greeting video in the baggage claim area, and he requested a unified governmental presence be considered. Trustee Thompson commented the airport would like to have Commissioner presence in that area.

Sam Dehne, area resident, spoke from the audience two times; and Chairman Larkin informed him that he was out of order each time he spoke. Chairman Larkin warned Mr. Dehne that one more outburst would lead to him being escorted out of the facility.

Commissioner Galloway pointed out Trustee Martin was a former FAA employee. Chairman Larkin asked the Trustees to keep the Board informed about the progress of the new control tower.

#### **DISCUSSION ON CONSENT AGENDA**

Katherine Snedigar, area resident, commented on the consent agenda and said the County was spending large amounts of money. She pointed out the County would be losing money due to property tax roll backs, and she inquired how the costs would be covered.

**06-282            TRAINING FOR NON-COUNTY EMPLOYEES - JUVENILE SERVICES**

Upon recommendation of Mary Ann Woolley, Juvenile Services Division Director, through Michael Pomi, Juvenile Services Director, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, Chairman Larkin ordered that the attendance at a training in San Jose, California on March 28, 2006 of seven Juvenile Detention Alternatives Initiative (JDAI) Self-Inspection Community Team members be approved. It was noted the seven individuals were volunteering to serve on the Self-Inspection team, and they were not Washoe County employees. It was further noted the estimated cost of travel was \$1,005, and it would be paid through the JDAI grant.

**06-283            AGREEMENT – INTER-TRIBAL COUNCIL OF NEVADA – PURCHASE OF MEALS – SENIOR SERVICES**

Upon recommendation of Marietta Bobba, Senior Services Director, through John Berkich, Assistant County Manager, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, it was ordered that a fiscal year 2005/06 agreement between Washoe County and the Inter-Tribal Council of Nevada, concerning the purchase of meals from the Washoe County Senior Services for the period retroactive from July 1, 2005 through June 30, 2006 with automatic renewal option for two consecutive years, be approved and Chairman Larkin be authorized to execute the same.

**06-284            BUDGET ADJUSTMENTS - FY 2005/06 – TIRE FEE PROGRAM – CREATION OF POSITION - HEALTH**

Commissioner Sferrazza asked about the \$1.00 per tire recycling fee. He said he recently bought tires, and the fee was \$4.00 per tire. He inquired about the use of the remaining \$3.00.

Eileen Coulombe, Administrative Health Services Officer, responded she did not know the use of the remaining \$3.00.

Upon recommendation of Patsy Buxton, Health Analyst, through Ms. Coulombe, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, Chairman Larkin ordered that the following budget adjustments to the District Health Department Fiscal Year 2005/06 Tire Fee NRS 444A.090 (restricted order #20269) Program budget be approved, and the creation of one Public Service Intern position (PC #TBD), as evaluated by the Job Evaluation Committee, be authorized and the Finance Department be directed to make the following budget adjustments:

ACCOUNT NUMBER	DESCRIPTION	AMOUNT OF INCREASE/ (DECREASE)
2002-IO-20269-701130	Pooled Positions	\$3,000
	<b>Total Increases</b>	<b>\$3,000</b>
2002-IO-20269-710100	Professional Services	(\$3,000)
	<b>Total Decreases</b>	<b>(\$3,000)</b>

**06-285      BUDGET AMENDMENTS - FY 2006/07 – NEVADA HISPANIC SERVICES PROGRAM – CREATION OF POSITION - HEALTH**

Upon recommendation of Patsy Buxton, Health Analyst, through Eileen Coulombe, Administrative Health Services Officer, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, Chairman Larkin ordered that the following amendments totaling an increase of \$14,418 in both revenue and expenses to the District Health Department Fiscal Year 2006/07 Nevada Hispanic Services – Substance Abuse Mental Health Services Administration (SAMHSA) Grant Program (internal order #TBD) budget be approved and the creation of one .60 FTE benefits eligible (24 hours per week) Disease Intervention Specialist position (PC#TBD), as evaluated by the Job Evaluation Committee, be authorized and the Finance Department be directed to make the following budget adjustments:

ACCOUNT NUMBER	DESCRIPTION	AMOUNT OF INCREASE/ (DECREASE)
<b>2002-IO-TBD-431100</b>	<b>Federal Revenue</b>	<b>\$14,418</b>
2002-IO-TBD-701120	Part-time	\$ 8,227
-705210	Retirement	\$ 1,659
-705230	Medicare	\$ 119
-705320	Workmens Comp	\$ 358
-705330	Unemployment Comp	\$ 55
-711504	Equipment < \$10,000	\$ 4,000
	<b>Total Expenditures</b>	<b>\$14,418</b>

**06-286      BUDGET AMENDMENTS - FY 2005/06 – RADON AWARENESS GRANT PROGRAM - HEALTH**

Juanita Cox, Sparks resident, discussed radon and said she did not support the item. She stated the money could be given to seniors, children, or library programs.

Upon recommendation of Patsy Buxton, Health Analyst, through Eileen Coulombe, Administrative Health Services Officer, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, Chairman Larkin ordered that the following amendments totaling an increase of \$5,000 in both revenue and expenses to the District Health Department Fiscal Year 2005/06 National Association of

Counties Research Foundation (NACoRF) – Model County Radon Awareness Grant Program (IN# 10527) budget, in support of Professional Services and Operating Supplies funded by an Agreement from NACoRF, be approved and the Finance Department be directed to make the following budget adjustments:

<b>ACCOUNT NUMBER</b>	<b>DESCRIPTION</b>	<b>AMOUNT OF INCREASE/ (DECREASE)</b>
<b>2002-IN-10527-431100</b>	<b>Federal Revenue</b>	<b>\$5,000</b>
2002-IN-10527-710100	Professional Services	\$2,000
-710300	Operating Supplies	\$ 500
-710500	Other Expense	\$2,500
	<b>Total Expenditures</b>	<b>\$5,000</b>

**06-287            LEASE AGREEMENT – CITY OF RENO – MILLS B. LANE JUSTICE CENTER – PUBLIC WORKS**

Sam Dehne, area resident, asked about a number that was listed in the staff report. He questioned if it was a dollar figure. He commented there was more and more money being dedicated to the Mills B. Lane Justice Center. He said that was voted down by the citizens, and now it was costing twice as much to build.

County Manager Katy Singlaub explained the Mills B. Lane Justice Center was a project that was recommended by the Citizens Justice Facilities Working Committee. She said the item was not related to the bond issue that was defeated by voters, and she clarified it was not funded from bonds. Ms. Singlaub verified the number (161500) that Mr. Dehne questioned was an account cost center number and not an amount of money.

Commissioner Galloway stated the bond issue presented to the public was for an entire Justice Center, which included new District Court buildings. He said this item had nothing to do with the issue that was voted down.

Upon recommendation of Mike Turner, Facility Management Division Director, through Tom Gadd, Public Works Director, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the Lease Agreement between Washoe County and the City of Reno, concerning the occupancy arrangement of the new Mills B. Lane Justice Center on a month-to-month term commencing upon receipt of the Certificate of Occupancy until completion of the final governing agreement, in counterpart, be approved and Chairman Larkin be authorized to execute the same. It was noted the funds are available in Public Works Facility Management Division [161500] for the maintenance and operation of this facility.

06-288

**LEASE AGREEMENT – WELLS FARGO BANK, N.A. – OFFICE SPACE - PUBLIC DEFENDER – PUBLIC WORKS**

Upon recommendation of Mike Turner, Facility Management Division Director, through Tom Gadd, Public Works Director, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, it was ordered that a Lease Agreement between Washoe County and Wells Fargo Bank, N.A., concerning a sixty (60) month term for office space for the Public Defender commencing July 1, 2006 through June 30, 2011, be approved and Chairman Larkin be authorized to execute the same. It was noted connectivity, systems furnishings, tenant improvements, and relocation funding is available in the Public Works Facility Management cost center [161510-710600] for this fiscal year. It was further noted the annual lease costs in the amount of \$358,457 have been requested in the Public Defender's lease cost center [124100-710700] for fiscal year 2006/07.

06-289

**FIRST AMENDMENT TO LEASE AGREEMENT – HIGH SIERRA COMMUNICATIONS, INC. – PUBLIC WORKS**

In response to Commissioner Sferrazza, Craig Harrison, Telecommunication Manager, explained the original lease payment was \$800 a month; and the current lease payment was approximately \$850. He said in the original contract, if the contract was bought out, the County was obligated to sign an agreement with the new agency under the same terms of the original contract. Mr. Harrison stated the County did not buy out the agreement because that was not offered. He noted High Sierra Communications, Inc. bought it out, and the conditions of their contract made it better for the County to run the site. He noted there were options for extending it.

Upon recommendation of Mike Turner, Facility Management Division Director, through Tom Gadd, Public Works Director, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, it was ordered that a First Amendment to Lease Agreement between Washoe County and High Sierra Communications, Inc., a Nevada Corporation, concerning amending the name of Lessor due to sale of the property known as Peavine Peak, be approved Chairman Larkin be authorized to execute the same. It was further ordered that the responsibility for the communications shelter located on Peavine Peak be accepted. It was noted funds are available in Public Works 800 MHz Internal Order [IN20261-710600].

06-290

**AWARD OF BID – DISTRICT ATTORNEY CLASSROOM AV PROJECT – MILLS B. LANE JUSTICE CENTER – BID NO. PWP-WA-2006-138 – PUBLIC WORKS**

Commissioner Galloway asked about the funding for this item, and County Manager Katy Singlaub explained the funds would come from a budgeted account.

This was the time to consider award of the bid for the District Attorney Classroom AV Project (Mills B. Lane Justice Center) for the Public Works Department. The Notice to Bidders for receipt of sealed bids was published in the *Reno Gazette-Journal* on February 10, 2006. Proof was made that due and legal Notice had been given.

Bids were received from the following vendors:

General Communications  
Exhibit One Corporation  
Quantum Audio Video

Upon recommendation of David Solaro, Capital Projects Division Director, through Tom Gadd, Public Works Director, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, it was ordered that Bid No. PWP-WA-2006-138 for the District Attorney Classroom AV Project (Mills B. Lane Justice Center) for the Public Works Department be awarded to the low, responsive, responsible bidder, Exhibit One Corporation, in the amount of \$176,418.34, and Chairman Larkin be authorized the contract documents upon presentation.

**06-291            COOPERATIVE AGREEMENT – CITY OF RENO – FEDERAL FISCAL YEAR 2006 JUSTICE ASSISTANCE GRANT FUNDS - SHERIFF**

Upon recommendation of Jim Lopey, Assistant Sheriff, and Tami Cummings, Administration, through Dennis Balaam, Sheriff, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the acceptance of the Cooperative Agreement between Washoe County, on behalf of the Washoe County Sheriff's Office, and the City of Reno, on behalf of the Reno Police Department, concerning the management and disposition of the Federal Fiscal Year (FFY) 2006 Justice Assistance Grant Funds, be approved and Chairman Larkin be authorized to execute the same.

**06-292            DONATIONS – BENDIX/KING KT-76A TRANSPONDER – ALASKA HYDRAULICS AIRCRAFT TUG - SHERIFF**

Commissioner Galloway acknowledged the donations for the Washoe County Sheriff's Office Regional Aviation Enforcement Unit (RAVEN) Program, and he thanked the donors.

Upon recommendation of Sergeant Russ Pedersen, Search & Rescue, through Dennis Balaam, Sheriff, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, Chairman Larkin ordered that the donations of a used Bendix/King KT-76A Transponder valued at \$500 from Michael J. Hoke and a used Alaska Hydraulics Aircraft Tug valued at \$1,000 from E.R.A.

Helicopters for the Washoe County Sheriff's Office RAVEN Program be accepted with the gratitude of the Board.

**06-293            DONATIONS – SOLE SOURCE JUSTIFICATION PURCHASE – SEARCH AND RESCUE - SHERIFF**

Commissioner Galloway acknowledged the donations for the Washoe County Sheriff's Office Search and Rescue Program, and he thanked the donors.

Upon recommendation of Sergeant Russ Pedersen, Search & Rescue, through Dennis Balaam, Sheriff, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, Chairman Larkin ordered that the \$5,500 donation from the Washoe County Honorary Deputy Sheriff's Association and the \$14,000 donation from the Helen Close Charitable Foundation for the Washoe County Sheriff's Office Search and Rescue Program for the purchase of a Complete "Centurion" Splash Proof System and additional equipment by Marine Sonic Technology, Ltd. be accepted with the gratitude of the Board. It was further ordered that the sole source justification purchase be approved and the Finance Department be directed to make the following budget adjustments:

<b>Increase Revenues</b>	<b>Amount</b>
20050-484000 (Search & Rescue Donations-Donations)	\$19,500
<b>Increase Expenditures</b>	
20050-781004 (Search & Rescue Donations-Equipment > \$10,000)	\$19,500

**06-294            STATUS REPORT – TRUCKEE RIVER FLOOD MANAGEMENT PROJECT**

Upon recommendation of Naomi Duerr, Truckee River Flood Management Project Director, and Paul Urban, Truckee River Management Project Manager, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, Chairman Larkin ordered that the status report on the Truckee River Flood Management Project be accepted.

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Sam Dehne, area resident, spoke from the audience; and Chairman Larkin informed him he was out of order. Chairman Larkin warned Mr. Dehne that one more outburst would lead to him being escorted out of the facility. Mr. Dehne continued to speak from the audience, and Chairman Larkin asked the Deputy to escort Mr. Dehne from the premises.

**3:25 p.m.** Chairman Larkin called for a recess.

**3:32 p.m.** The Board reconvened with all members present.

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**06-295** **CITY OF SPARKS – TOURISM IMPROVEMENT DISTRICT –  
LEGENDS AT SPARKS MARINA - FINANCE**

Armando Ornelas, City of Sparks Redevelopment Manager, gave an overview of the 145-acre project planned for the Sparks Marina (Legends at Sparks Marina). He reviewed the map of the intended redevelopment area. He noted the project would be financed using a combination of private equity and debt and several public-financing sources. He stated the public-financing sources would include the sales tax anticipation revenue (STAR) bonds, car rental fee bonds if the AAA baseball stadium was included, a special assessment district for the provision of basic infrastructure, and property tax increment financing through the City of Sparks Redevelopment Agency. Mr. Ornelas updated the Board on the status of the project. He confirmed the City had been pursuing this project for approximately two years, and the Sparks City Council and the Sparks Redevelopment Agency approved a disposition development and financing agreement on March 20, 2006. He explained that agreement was the contractual blueprint for moving forward with pursuit of the project with a developer. Mr. Ornelas detailed the steps of the project that were outlined in the staff report dated March 12, 2006. He confirmed the City of Sparks would issue bonds only after all the steps were completed. He acknowledged individuals who were involved with the project and present at the meeting.

John Sherman, Finance Director, further reviewed the staff report giving detail on the financing of the project. He discussed the market study and the fiscal impact study that were completed regarding the project. Mr. Sherman commented on the information about jobs that was provided by the fiscal impact study. He explained the tables that spelled out the Incremental Revenue and Expenditures. He addressed the options provided in the staff report that the Board could choose to consider as comments to the City. He concluded that the trends were positive at the end of the analysis.

Chairman Larkin and Mr. Sherman discussed the Incremental Population Increase Due to Job Creation statistics provided in the staff report. Chairman Larkin asked about Mr. Sherman's conclusions concerning the project; and Mr. Sherman said he used conservative estimates in his analysis, and the numbers trend positive. Mr. Sherman stated there would be an impact on population growth and retail sales generated; however, the question was about the degree of impact on Washoe County. He confirmed he attempted to be conservative in defining that.

Commissioner Galloway said he believed there would be an impact on population growth, and he voiced concerns about the sales tax revenues. Mr. Sherman stated in the study it was concluded tourists would generate 56 percent of the taxable

sales. Commissioner Galloway questioned how the other amount could be anything but a diversion from one shopping venue to another. Mr. Sherman confirmed there was much discussion on that point. Commissioner Galloway remarked a shopping center expert came before the Board on another issue; and it was pointed out that with every project that was on the books to be built, the Reno area would have twice the national average of retail space per person compared to the United States average. He said he was not sure it was right to call the sales tax generated "new." Commissioner Galloway commented he was concerned this project may not be the draw that it would need to be.

Commissioner Sferrazza acknowledged he did not support STAR bonds. He said he did not see any hard data to support the conclusion that 56 percent of the sales would be sales taxed to visitors. He asked if that data had been requested and furnished, or was it a judgment call by the people who did the study.

Mr. Sherman responded the City provided the County the McClure's Market Study. He added this was the first time for a project like this in Washoe County.

Mr. Ornelas explained the Legends proper, that was more analogous to the types of retail that were proposed for the Legends at Sparks Marina, was still under construction and would open later this year. He confirmed, before the Sparks City Council considered a finding of preponderance, the City had asked McClure to provide additional supporting data for the conclusions that were drawn in that study. He noted McClure was doing additional research.

Commissioner Sferrazza asked why the County should use tax dollars that would normally go into the general fund of the County to subsidize this business. He inquired why the County should support a 75 percent subsidy for this business if only 56 percent was coming from tourists and 44 percent was coming from residents. He asked about the costs involved.

Mr. Ornelas explained how the City looked at the overall cost of the project with the developer, and he discussed the costs involved for the various entities.

Commissioner Humke inquired about the 75 percent allowed by SB 306 concerning sales tax. He asked Mr. Sherman to comment on the public policy raised by Commissioner Sferrazza. Mr. Sherman said he was not involved in the legislative discussion on why 75 percent would be the maximum amount of sales tax that could be used as an inducement versus the requirement that only a preponderance of the increase in sales tax had to be due to tourists. In further response to Commissioner Humke, Mr. Sherman explained the public policy behind SB 306 was to provide tax incentives for unique developments to promote economic growth in the State of Nevada. He said it was the decision of the Commission to place any conditions on the project.

Chairman Larkin commented the Board needed to address any negative impacts to Washoe County. He stated there may be negative impacts initially, but the overall trend was positive. He remarked the City of Sparks should have a hand in the

retail sales of the region. He said he would like to see the center set one retail outlet against another because that was what free enterprise was all about. Chairman Larkin noted the Washoe County School District restriction involved the City and the School District working together if any negative impacts came about. He hoped a motion would include feedback to this Commission in order to plan for impact mitigation if it was necessary.

Commissioner Galloway stated, in the interest of caution and because it could be removing retail customers from one place to another, he did not want to go above 56 percent of the revenues coming out of the STAR bonds. He declared the Board would not participate in an increased property tax, and neither would the School District, except if a specific relief provision was made in the arrangement. He said he did not believe it was a free market if one competitor was subsidized and not another. He affirmed the make or break for him was the 56 percent.

Ms. Singlaub clarified RED Development, the proposers of the bonds, had done an extensive financial analysis. She said it was not a situation where the Board could recommend to them what the amount of the STAR bonds would be. She confirmed they were applying for 75 percent.

Geno Martini, City of Sparks Mayor, stated the City was willing to work with the County on any negative impacts. He said he did not think there would be any, but the Sparks City Council committed the same thing to the School District. He said the project was important for the City and the region.

Mike Carrigan, City of Sparks Councilmember, voiced his support of Mayor Martini's comments. He noted, in regard to property tax, there was a carve out for the School District in the City's Redevelopment District.

In response to Commission Galloway, Mr. Sherman explained there was a provision in State law for a voter approved property tax operating override or a voter approved property tax supported debt; however, the redevelopment agencies did not get any of that money after 1996. He recognized there was a carve out, and he gave examples. He confirmed the local school support tax would be impacted. Commissioner Galloway noted there was no additional provision for Washoe County as there was for the School District. He emphasized that 56 percent would be safer, and the developer would have to come up with more equity.

Commissioner Sferrazza said he favored the comments of Commissioner Galloway. He acknowledged he did not support STAR bonds because of their interference in the free market system. He said the County should not be subsidizing businesses, and this would set a bad precedent for Washoe County and the State.

Commissioner Humke said he supported the STAR bonds legislation. In this case, he believed the public policy analysis was satisfied by the fact that 56 percent

of the sales tax dollars would be borne by out-of-state tourists. He disclosed he visited the shopping center in Kansas City in conjunction with an earlier project in 2003.

Commissioner Weber acknowledged her support of the STAR bonds legislation. She commented this was a good project, and the County should support it. She did not believe the County would be subsidizing private enterprise by supporting the project.

Gary Schmidt, Washoe County resident, stated homes should be built outside the McCarran circle; and regional centers should be built inside the McCarran circle as planned. He said this project was nothing more than bad planning, sprawl, and degradation to the community. He commented it would be a violation of regional policy to build the baseball stadium in that area.

Commissioner Sferrazza asked that the City of Sparks share with the County a survey regarding what percentage of the sales tax out-of-state tourists generated after the completion of the project. He said the information could be used for future projects.

On motion by Commissioner Galloway, seconded by Chairman Larkin, which motion duly carried, it was ordered that staff be directed to forward the diverse comments from the Commissioners to all of the public entities involved in the project and that the City of Sparks be directed to provide future data to the County concerning the project.

**06-296            AGREEMENT – CARMEN GROUP – FEDERAL LOBBYING SERVICES – TRUCKEE RIVER FLOOD MANAGEMENT PROJECT**

Commissioner Sferrazza asked why this agreement was needed when the County had other lobbying services.

Naomi Duerr, Truckee River Flood Management Project Director, said the Truckee River Flood project faced two external challenges. She explained one challenge was working through the political and complicated process the U.S. Army Corps of Engineers (Corp) had established in order to get a project authorized and funded. She added the second challenge was to convince the rest of the Country, through the Corp, to spend \$75-million to fund this project. She noted the project had also requested services of Marcus Faust, federal lobbyist. Ms. Duerr stated the Carmen Group specifically focused on working with the Corp. She affirmed the head of their Water Resources section had worked with a number of other Corp funded projects to get them from the process of initiation to final approval. She said the Carmen Group had specialized expertise, and she detailed items the Carmen Group had accomplished for the County while under contract. She stated the agreement was not to exceed \$170,000, she confirmed she kept a close eye on the bills, and she noted there were added requirements to the contract to require monthly reporting to her. Ms. Duerr further explained there was

a recommended increase in the amount of the agreement from \$120,000 to \$170,000 because the project was in the final year of moving through the Corp process to achieve a Chief's Report. She said the time period was critical. She concluded the Carmen Group was doing a job that the other lobbyists could not do for the project.

Commissioner Sferrazza asked about the length of the agreement. Ms. Duerr replied the agreement would go through March 2007. She replied the project was expecting approval of the Chief's Report six months after that date, and staff would evaluate at the end of this agreement if a final six months would be necessary. Commissioner Sferrazza commented it would be inappropriate for the Carmen Group to hold discussions with Congress because that was the work of Mr. Faust.

In response to Commissioner Galloway, Ms. Duerr explained the representative from the Carmen Group worked the entire Corp process for the County. She said who was there to speak to the Corp impacted the decisions they made.

Commissioner Humke stated the contract was for the Carmen Group to work directly with the Corp and the Assistant Secretary of the Army's Office; and that was set out in Exhibit A, Scope of Services. He said there would be only a coordinative effort with the other lobbyists. He noted Ms. Duerr suggested she could do this work, but she was needed here to work on the project. Commissioner Weber agreed with Commissioner Humke's comments.

Commissioner Sferrazza questioned the agreement where it stated the Carmen Group would work with Congress. He said it was inconsistent with the Scope of Work that was included later.

Ms. Duerr commented when members of the Congressional staff had questions about the Corp process, the representative from the Carmen Group was right there to answer their questions. She said Mr. Faust would not be the right person to call on in that situation.

Juanita Cox, area resident, spoke against the agreement and asked how many lobbyists the County needed. She believed the work could be done at home or in conjunction with other approved agreements.

Katherine Snedigar, local resident, stated the Corp was prohibited from doing any flood control work unless certain criteria were met. She questioned why the County did not have a signed contract. She said she was concerned the County was paying for it before the funding was in place.

Gary Schmidt, Washoe County resident, asked if there had been a study on how many dollars in lobbying efforts were spent for every dollar of federal money that was sent back to the taxpayers in local communities. He said the \$170,000 should be spent on the project itself.

County Manager Katy Singlaub pointed out this constituted less than 1/10 of a percent of the local share of the project costs. She stated it was a necessary expenditure to ensure that the taxpayers of the United States were willing to share in the investment with the local taxpayers of Washoe County.

In response to Chairman Larkin, Ms. Duerr explained there was a point at which a Project Cooperation Agreement would be signed; and that was the formal agreement with the Corp that laid out the timeframes for the project, sub-projects, and cost sharing. She said the Corp had a specific process laid out that allowed for advanced work, as long as the proper procedures were followed. She noted the Corp was involved because of the size of the project, and it went beyond local resources and expertise. Ms. Duerr confirmed the Truckee River crossed two states and fell under the provisions of the federal government. She said the Corp had original jurisdiction on anything that happened along the Truckee River.

In response to Commissioner Sferrazza, Ms. Duerr verified staff was researching to make sure that the regulations and processes that needed to be followed were understood. Ms. Duerr stated she was initiating a series of meetings in the next 30 days to meet with the local governments to solicit from them the projects they wanted to recommend. She said those would be brought back to the Truckee River Flood Project Coordinating Committee to have them sign off on any early work projects.

Commissioner Sferrazza asked if the Board could obtain copies of the Carmen Group's billings, their hourly work, and Ms. Duerr's concurrence that the work was legitimate. Ms. Duerr agreed.

Upon recommendation of Ms. Duerr, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, it was ordered that an agreement between Washoe County and the Carmen Group, concerning federal lobbying services for a 12-month period plus related travel expenses in the amount not to exceed \$170,000, be approved and Chairman Larkin be authorized to execute the same.

**06-297      AMENDMENT TO AGREEMENT – UNIVERSITY OF NEVADA  
SYSTEM, BOARD OF REGENTS – PARCEL OF LAND –  
TRUCKEE RIVER FLOOD MANAGEMENT PROJECT**

Commissioner Galloway asked about the interest involved.

Naomi Duerr, Truckee River Flood Management Project Director, explained in June the Board authorized the purchase of 55 acres. She said the Board also authorized Steve Bradhurst, Water Resources Director, and herself to negotiate the agreement. She said close to the last settlement point they deposited the money with the escrow agent. She clarified the process involved the escrow agent refunding the interest to the County, the County cutting another check for \$1.1-million, and there would be a refund of interest that the other money had accrued.

Upon recommendation of Ms. Duerr, on motion by Commissioner Humke, seconded by Chairman Larkin, which motion duly carried, it was ordered that an agreement between Washoe County and the University of Nevada System, Board of Regents (UNR), authorizing the Truckee River Flood Project Department Director, or a delegated staff member, to submit and sign an amendment to the purchase agreement to purchase the parcel located at the northwest corner of Mill Street and McCarran Boulevard, 5305 Mill Street, APN 012-320-02 (approximately 60 acres) owned by UNR on behalf of the Truckee River Flood Project at a price not-to-exceed \$13,200,000, the amount tentatively negotiated with the Board of Regents staff, be approved. It was further ordered that the issuance of a check for the remaining amount of the purchase price of the parcel, less the amount held in escrow for the purchase of the parcel (\$12,100,000) and any accrued interest, a total of \$1.1-million, be authorized. It was also ordered that the County Manager or the Truckee River Flood Project Department Director be authorized to execute any documents required to complete the purchase of the parcel (APN 012-320-02), including an agreement to lease water rights to serve the parcel.

**06-298                    RESOLUTION – SOUTHERN NEVADA PUBLIC LAND  
MANAGEMENT ACT – ROUND VII – PARKS**

County Manger Katy Singlaub explained the revision to the staff report removed the Incline Lake's five-acre parcel because it was already submitted in Round VI. She said it was included in the 777 acres that had been submitted and endorsed by the Executive Committee and forwarded to Washington D.C. for approval under the Southern Nevada Act (SNA).

Commissioner Galloway asked if dialog could be re-opened with the U.S. Forest Service (USFS) on one nomination that was not approved in Round VI. He said that nomination involved several acres on Lake Tahoe near Crystal Bay. He inquired if anything else could be included in Round VII.

Kristine Bunnell, Park Planner, said staff did not have a date concerning when the nominations were due. She explained Washoe County worked with the Bureau of Land Management (BLM) and the USFS to nominate the list before the Board. She stated the BLM and the USFS had to weigh in on each of the nominations and be willing to promote them. She remarked the property at Lake Tahoe was discussed at the tri-counties meetings; however, the BLM and the USFS did not have an appetite to move forward on that again. Commissioner Galloway said Washoe County and the Tahoe Regional Planning Agency (TRPA) supported that acquisition, and he asked for it to be added to the list.

Ms. Singlaub suggested the Board put forward a comment that, if the USFS would be a willing agency, the County would be willing to submit that again. Commissioner Galloway desired to have dialog with the USFS concerning the property, and Ms. Bunnell said she would set up a meeting.

Commissioner Galloway stated the Board could pass a motion that said the County would include the denial parcel at Crystal Bay if the USFS should become a willing agency.

Commissioner Sferrazza asked about the Winnemucca Ranch property, and he questioned the use of Southern Nevada Public Land Management Act monies in this case. He understood the property owners wanted some of the BLM parcels in the middle of the ranch to be added to the ranch in exchange for that property. Ms. Bunnell agreed there were parallel processes going on with the Winnemucca Ranch owners. She said the owners were meeting with the BLM to discuss land exchanges; however, the BLM asked the County to include these acres in Round VII.

Commissioner Sferrazza stated, when the Open Space Plan was reviewed, he discovered a lot of the checkerboard properties owned by Nevada Land Resources were selling for \$100 to \$500 an acre. He said he would like the County to look at some of those lands as a willing seller because it would be relatively cheap today. He noted there was discussion about acquiring the checkerboard parcels in the Pah Rah Range. He questioned why these were not on the list.

Ms. Singlaub commented the properties to be purchased under the SNA had to meet the criteria of being environmentally sensitive and at-risk. She agreed with Commissioner Sferrazza that it was good to buy all the land the County could, but conditions were involved.

Chairman Larkin asked that the Winnemucca Ranch property identified on the resolution be renamed to Black Canyon/Newcomb Lake to avoid confusion.

Commissioner Humke moved that the Washoe County Resolution for Round VII submittals be adopted and Chairman Larkin be authorized to execute the same. It was noted that execution of the Resolution would provide continued County support for protection of environmentally sensitive lands, preserve natural, cultural, and historical amenities within the community, and aid in maintaining access to federal lands through the Southern Nevada Public Land Management Act program administered by the BLM. It was also noted the Crystal Bay property would be added when the USFS became a willing agency. Commissioner Galloway seconded the motion.

Juanita Cox, area resident, asked that the private property above Palomino Valley and the Pah Rah Range areas be taken off the lists. She said the owners were being forced out by the Board's action, and that action would constitute a taking. She asked the Board to correct and remedy their private property ownership.

Gary Schmidt, Washoe County resident, said he was opposed to changing the identification of the Winnemucca Ranch property. He stated changing the name was not appropriate, and it would create more confusion and deception.

In response to Chairman Larkin, Melanie Foster, Legal Counsel, clarified takings occurred when the government deprived an individual of property without payment. She said these parcels involved cases where there were willing sellers, and they were business transactions.

On call for the question, the motion passed on a 5-0 vote adopting the following resolution:

**RESOLUTION**  
**SOUTHERN NEVADA PUBLIC LAND MANAGEMENT ACT — ROUND VII**

**WHEREAS**, The Southern Nevada Public Land Management Act of 1998 provides, from proceeds derived from the orderly disposal of certain Federal lands in Clark County, Nevada, acquisition opportunities for environmentally sensitive lands throughout the State of Nevada; and

**WHEREAS**, The 3.944 acre GALENA CREEK PARK/GALENA FOREST property is considered unique as an in-holding within the Galena Creek Regional Park and adjacency to United States Forest Service land, wildlife habitat, scenic views, Mt. Rose Scenic Byway, Washoe County and U.S. Forest Service trail potential, and furthermore its preservation would help safeguard water quality and watershed protection in the Galena Canyon; and

**WHEREAS**, The 69.14-acres WINTERS RANCH/OPHIR CREEK property is considered important as the last of this larger land purchase and for its mule deer wintering habitat, public access to adjacent U.S. Forest Service lands, as a key trail connection point between Davis Creek and Bowers Mansion Regional Parks and as part of the scenic view shed of Bowers Mansion historic site; and

**WHEREAS**, the 80-acre SIERRA HUNTER CREEK property is dominated by a high mountain meadow within a pristine forested area and is considered unique for its high forested, and natural resource values, its habitat for Black Bear, mule deer and for habitat for a number of specially designated species, and for its recreational trail value with connections to the Hunter Creek Trail system; and

**WHEREAS**, The 90-acre SPRENGER/GRANITE HILLS/NEVADA LAND CONSERVANCY property is considered important for protection of water quality and essential mule deer, antelope, and golden eagle habitat associated with pristine open desert adjacent to the Peterson Mountain Natural Area, and White Lake Playa, and Fort Sage Mountains and as a scenic backdrop to the US-395 corridor; and

**WHEREAS**, The 350-acre WINTERS RANCH/BOWERS VIEWSHED property is considered unique for its wildlife habitat, high potential for prehistoric and historic artifacts, recreation opportunities, and for the preservation of the meadows and scenic corridor along US 395 and its adjacency to other Bureau of Land Management and Winters Ranch acquisitions within the Washoe Valley; and

**WHEREAS**, The approximate 4029-acres of the BLACK CANYON/NEWCOMB LAKE property, located within the Virginia Mountain Range is

considered unique for its adjacency to Black Canyon, Cottonwood Canyon, the Hungry Valley Recreation Area, Tule Peak, Incandescent Rocks, and Wildcat Hill, in its protection of mule deer, golden eagle, antelope, sage grouse lex habitats, that also include spring and canyon riparian habitats, its potential for historic, natural, and cultural resource preservation and interpretation, and is significant for its recreational trail, mountain and desert Viewshed and access values; and

**WHEREAS**, The 11.99 acre US-395/STEAMBOAT BUCKWHEAT property, located adjacent to Bureau of Land Management property contains crucial Steamboat Buckwheat Habitat, the Steamboat Buckwheat is a Federally Endangered Species, and this property is considered highly valuable, unique, and will contribute to the preservation of the species; and

**WHEREAS**, There is broad public support for the protection of the above properties within Washoe County and the Washoe County Board of County Commissioners remain committed to the implementation of the Washoe County Regional Open Space Plan adopted by Washoe County, the City of Reno, and the City of Sparks in 1994; now therefore be it

**RESOLVED**, that the Washoe County Board of County Commissioners support the acquisition and future protection of these environmentally sensitive lands, located throughout Washoe County, through the Southern Nevada Public Land Management Act program administered by the Bureau of Land Management.

**06-299            ALTERNATE PUBLIC DEFENDER'S OFFICE – PUBLIC DEFENDER**

Jeremy Bosler, Public Defender, stated it was time for the County to consider the creation of an Alternate Public Defender's Office in lieu of a contract system. He confirmed the current conflict contract would expire on July 1, 2007. He referenced a letter authored by Jack Alian, current contractor of the conflict contract, dated March 20, 2006, in which Mr. Alian took exception to the characterizations made in the narrative that was provided in the staff report dated February 27, 2006. Mr. Bosler verified John Berkich, Assistant County Manager, would be setting up a meeting with Mr. Alian and himself to resolve their differences. He noted, regardless of the information contained in Mr. Alian's response, it did not change the fact that the new office was necessary.

Mr. Bosler explained in both the United States and Nevada State Constitutions communities were obligated to provide for indigent defense services. He said State and County governments could be sued if they failed to provide adequate funding, and he gave examples. Mr. Bosler compared the efficiencies of the Public Defender's Office to a contract system and pointed out the contract system presented a liability and limited the amount of fiscal responsibility the governing agency could exert over the conflict contract system. He outlined the Public Defender's Office staff as presented in the staff report. He remarked the Public Defender's Office resolved over 10,000 cases at approximately \$527 per case; and that amount included salaries,

investigations, and the costs involved with representing the person charged in an offense. Mr. Bosler discussed the limitations of the current conflict contract system in Washoe County. He stressed it did not require Mr. Alian to provide training, staff review, and no minimum educational or training experience levels were spelled out in the contract for his attorneys. He stated it did not allow the County to exercise performance management or fiscal supervision over the affairs of the conflict attorneys. He said an Alternate Public Defender's Office could realize cost savings for the County by retiring the Alian contract and the Specialty Court contract. The new office could minimize the exposure to the County of lawsuits, limit liability for inadequate funding for indigent services, limit the vulnerability of the County for extraordinary costs for murder cases above seven (contract limit at seven) and capital cases. Mr. Bosler recognized this would allow the County to take an action that would ensure the public's confidence in the judicial system and the integrity of the fact-finding process.

Commissioner Humke emphasized no one present was criticizing the current contractor for conflict services. He said the contract that was approved by the Board was extended to Mr. Alian, and he signed the contract. He commented the contract was negotiated out, it had limitations on homicide cases, it did not contain an account for special services for expert fees, and those items would be cured through this agency approach. Mr. Bosler confirmed he was not disapproving of Mr. Alian's performance or representation, but there remained certain weaknesses with a conflict contract. He added the number of cases going through the contract system had grown to such a level that it could not be managed by a system of independent contractors.

Chairman Larkin remarked under the contract currently there was no push to meet the American Bar Association (ABA) standards. He asked if there would be pressure to meet the ABA standards if an alternate division was created. Mr. Bosler replied at some point the County would have to realize that caseload limits drive the quality of the product provided. He stated the proposal was consistent with the current services provided by the Public Defender's Office. Chairman Larkin inquired, if a new division was established, would an outside agency still be needed for cases of significant conflict. He asked about the costs that would be involved. Mr. Bosler responded it was estimated that there would be 120-150 cases a year, and they could be resolved for less than \$150,000. He added the current preference would be to have the State Public Defender's Office handle that tertiary conflict program. He noted those negotiations were ongoing, and that would be the optimal arrangement. Chairman Larkin and Mr. Bosler discussed the fiscal impact of the new office. Chairman Larkin asked what the biggest risks were; and Mr. Bosler said he was concerned with the ABA standards, the National Advisory Committee's recommendation on caseload limits, and outside suits filed on behalf of inmates because they did not believe they were being provided adequate counsel.

Commissioner Sferrazza asked if this office would be completely independent from the Public Defender's Office and created independently of the Public Defender. Mr. Bosler agreed. Commissioner Sferrazza remarked someone else would have to take over the budget and the proposal in the future. Mr. Bosler commented there

was case law in California that supported one public defender administratively overseeing the budget of an alternate office; however, he did not believe that would be the best practice.

Melanie Foster, Legal Counsel, pointed out when Mr. Bosler took this job he also took on the job of being the contract administrator. She said the Public Defender had been the designated contract administrator of the conflict contract. Commissioner Sferrazza said he had objected to that before, but his objections did not go anywhere.

In response to Commissioner Sferrazza, Mr. Bosler stated there were no current tertiary conflicts because Mr. Alian could assign a different independent contractor to cover the cases. Mr. Bosler explained the Nevada Bar did not view Chinese walls as adequate separation of attorneys, so he did not believe that was an option that could be exercised.

Commissioner Sferrazza asked if the Public Defender's Office was involved in Family Court. Mr. Bosler confirmed the office had attorneys involved in Family Court. Commission Sferrazza inquired about the cost of the Alian contract. Mr. Bosler responded the County was spending \$916,000 per year for fiscal years 2004-2007 for Mr. Alian to provide for all the conflicts in the Family Court Division. Mr. Bosler concluded his proposal involved waiting until the end of Mr. Alian's contract and having a three-month transition period to begin to accept cases and become fully operational.

Commissioner Sferrazza pointed out the current conflict contract was not a low bid contract, and no bidding occurred.

Juanita Cox, area resident, supported a move for justice and the restoration of the public's confidence in the system. She commented on past public frustration with the conflict attorney and the District Attorney.

Gary Schmidt, Washoe County resident, stated he would support the concept of the creation of an Alternate Public Defender's Office. He stressed the District Attorney should have nothing to do with the new office.

Commissioner Humke commented Mr. Bosler was assisting the County Manager's Office in creating a budget for this new function, and he saw this as appropriate. He stressed the problems of the past were not being replicated with this process.

Commissioner Galloway moved to direct the County Manager to proceed with this and to outline a plan whereby the cost per case might be reduced in the future as the caseload grew. He noted a truly independent office concerning the budget, the hiring of staff, and other relationships with other offices would be sought. Commissioner Humke seconded the motion.

Commissioner Sferrazza asked for a review of the budget and assurance that the hiring process for this new office would not involve the current Public Defender or the District Attorney.

Chairman Larkin commented he was not convinced of the ABA standards. He encouraged the Public Defender, in the establishment of this new office and his own office, to establish benchmarks within the ranks of the talent and needs in the local community. He said the public policy issue was the benchmarking, and he would fully entertain that the Commission would be engaged with that benchmarking for those kinds of workloads. He stated he did not want two offices going back and forth concerning caseloads.

Commissioner Galloway remarked the motion directed the County Manager to proceed, and there was no intent by the Board to specify the number of attorneys required.

Commissioner Sferrazza commented the current caseload of the Public Defender's Office would be a good place to start in establishing caseload for the new office.

On call for the question, the motion passed on a 5-0 vote.

**06-300**      **LEGISLATIVE ISSUES - SCR 26 SUBCOMMITTEE ACTIVITIES**  
**- LEGISLATIVE AFFAIRS**

County Manager Katy Singlaub stated there was no update on legislative issues or bill draft requests.

Chairman Larkin commented on the SCR 26 Subcommittee meeting he attended last week. He said the following representatives were in attendance: Mike Carrigan, Truckee Meadows Water Authority (TMWA) Chairman and City of Sparks Councilmember, Steve Cohen, South Truckee Meadows General Improvement District (STMGID), and Diana Langs, Sun Valley General Improvement District (SVGID). He explained he presented the diagram the entities agreed on at the joint meeting with the Board of County Commissioners, TMWA, STMGID, and SVGID on March 10, 2006. Chairman Larkin noted the diagram included a Technical Committee that had been convened by Steve Bradhurst, Water Resources Director, and acknowledged by the SCR 26 Subcommittee. He announced they would meet on March 22, 2006. He discussed the potential roles of the Technical Committee. Chairman Larkin stated the SCR 26 Subcommittee was concerned about the accountability of the Technical Committee and that an entity would be required in order to have facilitation between acquisition management and conservation. He confirmed dialog would begin at the March 22, 2006 meeting as to the make up of the Technical Committee and their role and duties. He added a next step would be to ask the Regional Water Planning Commission what they believed their role was regarding conservation management and water acquisition.

John Slaughter, Management Services Director, verified the April meeting of the SCR 26 Subcommittee had been cancelled, and the next meeting would be held on May 12, 2006.

Commissioner Galloway asked if there should be a future agenda item to approve or confirm the actions of the Technical Committee. Melanie Foster, Legal Counsel, stated she would check into that.

Chairman Larkin said the Technical Committee would report back to the Commission on March 28, 2006. He added there was no direction given as to who should specifically be on the Technical Committee.

Commissioner Humke stated the Board directed technical staff to meet and confer with the other technical staffs of the other purveyors; however, they were not directed to take any action. He said the Technical Committee was asked to comply with the Open Meeting Law. Commissioner Humke hoped the Technical Committee could meet under the ordinances established by Washoe County and the various purveyors so that by the time the 2007 session of the Legislature opened, there would be a body of work to present to them. He added it would be positive to have a letter or resolution supporting the Technical Committee.

### **REPORTS/UPDATES FROM COUNTY COMMISSION MEMBERS**

Commissioner Humke reported on a recent Regional Transportation Commission (RTC) meeting. He said one project that was discussed would be located at the intersection of Kietzke and Neil Road. He explained it would be a cooperative project because the Nevada Department of Transportation (NDOT) offered \$500,000 to the RTC to put in a round-a-bout. He said the Reno-Sparks Convention and Visitors Authority (RSCVA) and the District Health Board would be holding meetings later in the week.

Commissioner Weber announced a V&T (Virginia and Truckee) Railway event in Carson City at the Railway Museum on March 23, 2006. She asked for an update from Waste Management due to citizen complaints she had been receiving.

Chairman Larkin stated at a recent RTC meeting a resolution was passed to implement Wi-Fi in two bus routes within the next 8-10 weeks. He said that would be a total of eight buses with the technology.

Commissioner Galloway commented on his attendance at the Truckee Meadows Water Authority (TMWA) Board meeting. He said there was discussion about the cost study and compensation plan and other matters involving the budget. He noted the complete salary restructuring did not mention bonuses, and that presented a concern. Commissioner Galloway stated the Truckee River Fund was part of the proposed budget, and it included another \$1-million that would be more than one percent of people's utility

bills. He suggested TMWA should not be doing this involuntary charity when they were under criticism. He believed it should not be funded. He remarked it was suggested that it be set up to be voluntary and various methods were offered. He confirmed the TMWA Board did not proceed with the items, and no action was taken. Commissioner Galloway reported he would attend the Tahoe Regional Planning Agency (TRPA) meeting on March 22, 2006. He noted a preview of the Pathways 2007 Regional Plan update for TRPA's Regional Plan would be presented.

Commissioner Sferrazza confirmed he would be in attendance at the April TMWA meeting. He said he attended a recent RSCVA finance meeting, and the possible acquisition of the Liberty Bell property was discussed. He commented there was dialogue concerning the release of part of the money that the County currently held to ensure that the bond payments were made. He remarked that issue would be coming to this body in the near future, and the RSCVA Board would discuss it further at the meeting on March 23, 2006.

County Manager Katy Singlaub announced the grand opening of the Regional Animal Services Center would be held on March 25, 2006 from 12:00 p.m. to 5:00 p.m. She invited all to attend the event.

### **COMMUNICATIONS AND REPORTS**

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

#### **COMMUNICATIONS:**

- 06-301**      A.      An agreement between Washoe County District Health and QS Technologies, Inc., for software maintenance, in the amount of \$14,875.56. The agreement was signed on February 22, 2006.
- 06-302**      B.      Revision of the District Board of Health Regulations Governing Sewage, Wastewater, and Sanitation, District Health Department, The revision was approved January 26, 2006 by the Washoe County District Board of Health.
- 06-303**      C.      Resolution Establishing a New County Tax Refund Policy For Taxpayer Property (BCC Meeting on September 14, 2004, Item 04-961).

#### **REPORTS – FINANCIAL (December 31, 2005)**

- 06-304**      A.      Grand View Terrace General Improvement District

**06-305            REPORTS – MONTHLY (FEBRUARY 2006)**

- A.     County Clerk
- B.     Court Clerk

**06-306            REPORTS – QUARTERLY (DECEMBER 2005)**

- A.     Washoe County School District

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There being no further business to come before the Board, the meeting adjourned at 6:07 p.m.

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**ROBERT M. LARKIN**, Chairman  
Washoe County Commission

**ATTEST:**

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

*Minutes Prepared by  
Lori Rowe, Deputy County Clerk*