

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

2:00 P.M.

APRIL 18, 2006

PRESENT:

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

Amy Harvey, County Clerk
Katy Singlaub, County Manager
John B. Rhodes, Legal Counsel

ABSENT:

Pete Sferrazza, Commissioner

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:

06-394 AGENDA

Sam Dehne, local resident, commended the Board for following the agenda as printed and for decreasing the size of the consent agenda. He requested to speak on Item 12C.

In accordance with the Open Meeting Law, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Commissioner Sferrazza absent, Chairman Larkin ordered that the agenda for the April 18, 2006 meeting be approved with the following change: **Delete** Item 12C, update, discussion, and possible approval of a funding request by Truckee Meadows Growth Task Force.

06-395 INTRODUCTION OF NEW WASHOE COUNTY EMPLOYEES

Chairman Larkin invited approximately 13 new Washoe County employees to come forward and introduce themselves to the Board. The Board members welcomed the new employees.

2:20 p.m. Commissioner Humke temporarily left the meeting.

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."

Mike Cabrera, Sierra Nevada Tissue Bank (SNTB), acknowledged they were the local tissue bank in Reno. He commented on the National Organ Transplant Act and remarked SNTB was working with area hospitals to locate a kidney transplant center in Reno. He asked for support from the Commissioners and invited everyone to visit the center.

Guy Felton, Reno resident, commented on the Board's refusal to address the business of the people.

Sam Dehne, local resident, objected to the two-minute time limit for public comment and the positions of the cameras during the meetings. He voiced his opposition to the acquisition of Ballardini Ranch and offered his Gooseberry Mine for \$50-million.

Susan Seidl, Reno resident, stated growth was the single greatest threat to the community's quality of life. She said the people should be asked if they want their tax dollars used to support growth.

Gary Schmidt, Washoe County resident, read a document concerning his request to reschedule his appeal from the April 25, 2006 meeting to a June meeting.

COMMISSIONERS'/MANAGER'S ANNOUNCEMENTS

Commissioner Galloway commented on a recent meeting he and Commissioner Humke attended with Regional Parks and Open Space and the United States Forest Service (USFS) to discuss the Galena Visitor Center. He noted visitor centers by the USFS were currently on hold unless a waiver was granted; however, the USFS was considering this project because it would be a joint venture.

Commissioner Weber announced the Great Truckee Meadows Community Clean-up on April 22, 2006. She invited everyone to participate. She said the City of Reno hosted a bus tour of the City at a recent Neighborhood Advisory Board (NAB) meeting. She suggested this could be done through the Citizen Advisory Boards (CAB's) to tour areas of Washoe County. Commissioner Weber questioned why the graffiti at the skateboard park was not reported, and she asked for a report on the situation. She said NAB members were upset because of the length of time the graffiti remained at the park.

Chairman Larkin asked for a report concerning tissue donation.

County Manager Katy Singlaub announced Commissioner Galloway was recently named "Scot of the Year." She said he was honored with the Silver Thistle Award for his service to the community. Commissioner Galloway commented he was honored to receive the award.

Ms. Singlaub confirmed she would look into the situation concerning the graffiti at the skateboard park. She said Washoe County responded within 24 hours after receiving a report. She added staff would strengthen procedures to make sure the reports occurred.

06-397 APPEARANCE - NEVADA ASSOCIATION OF COUNTIES

Norman Frey, Nevada Association of Counties (NACO) President, thanked Commissioners Galloway and Weber for their service and participation in NACO. He commented Commissioner Sferrazza served well as the National Association of Counties (NACo) representative. He acknowledged Commissioner Sferrazza garnered the 2010 NACo Convention for Reno, Nevada. Mr. Frey added all the Commissioners were active members of the organization, and they were appreciated.

Andrew List, Executive Director of NACO, discussed items that NACO was considering for the Legislative agenda. He explained signatures were no longer being gathered for the unfunded mandate initiative petition due to the cost. Mr. List commented on the costs of unfunded mandates to the counties and NACO's approach to dealing with them. He talked about possible bill draft requests (BDR's) that could come forward concerning public officials receiving opinions from the Attorney General and the public records law that required the removal of social security numbers from public records. Mr. List said an increase in court fees would be brought forward as some fees had not been raised in years. He explained how NACO was working on issues surrounding possessory use taxes and commented on Dillion's Rule. He acknowledged the salaries of elected officials would be brought forward because they had not increased in four years.

Mr. List recognized franchise fees and post-retirement health benefits (AB286) would be two issues on the Legislative agenda. He said NACO would be following those matters. He commented an interim committee would possibly recommend that AB286 be repealed. He mentioned the issues NACO was aware of at the federal level that included the Community Development Block Grant program and Byrne and Justice Assistance grants.

Commissioner Galloway commented local governments were hard pressed because there was no protection concerning unfunded mandates. He agreed that franchise fees were critical to the counties. He questioned if NACO considered support to place the current legislation concerning the property tax relief measure into the Constitution. Commissioner Galloway confirmed every county in Nevada had completed

a Community Wildfire Protection Plan (CWPP), but there was no money to fund the plans. He said many hazards were located on federal land, and federal officials might consider using Southern Nevada Public Lands Management Act funds to endow money that could be used by the public agencies to implement those plans on federal and public lands.

Mr. List stated there were many options on the floor concerning the property tax relief measure in 2005. He said NACO was neutral on the issue, and their position was to give it time to work before doing anything radical. He remarked the Bureau of Land Management (BLM) sponsored the CWPP's. He acknowledged signing off on them made Washoe County eligible for federal funds, and Nevada was the first state nationwide to have every county with a CWPP in place. Mr. List commented leaders in Washington D.C. declared that funds from the Southern Nevada Public Lands Management Act would not be made accessible.

Jenny Welsh, Policy Advisor NACO, distributed a CD entitled, "Closing Meth Labs: Recovering the Costs of Environmental Clean-up." She commented on the handout outlining upcoming NACO conferences.

Gary Schmidt, Washoe County resident, commented the current property tax relief for citizens was flawed. He supported expanding the access to legal opinions from the Attorney General's Office to elected officers and all public sector boards and commissions.

3:08 p.m. Commissioner Humke returned to the meeting.

Sam Dehne, local resident, commented on property tax relief. He said the goal should be to reduce taxes the citizens pay.

The Commissioners thanked the NACO representatives for their attendance at the meeting.

06-398 **MINUTES**

On motion by Commissioner Weber, seconded by Commissioner Galloway, which motion duly carried with Commissioner Sferrazza absent, Chairman Larkin ordered that the minutes of the regular meeting of January 24, 2006, the special meeting of February 9, 2006, and the regular meeting of February 14, 2006 be approved.

06-399 **FOOD EXPENDITURES – COUNSELING COMPLIANCE PROGRAM ISSUES RETREAT – RENO JUSTICE COURT**

Upon recommendation of Darin Conforti, Court Administrator, through Judge Hal Albright, on motion by Commissioner Weber, seconded by Commissioner Galloway, which motion duly carried with Commissioner Sferrazza absent, Chairman

Larkin ordered that food expenditures for a Counseling Compliance Program Issues Retreat held on March 17, 2006 in the amount of \$198.76 be retroactively approved.

06-400 AGREEMENT – EPI-USE AMERICA, INC. – CONSULTING SERVICES – WINNET SERVICE CENTER/LABOR RELATIONS

Chairman Larkin inquired about the use of the \$56,980.

County Manager Katy Singlaub explained EPI-USE America, Inc. was a programming firm that the County used for SAP implementation. She clarified the company would be adjusting the SAP programs to accommodate the change in staffing and scheduling for peace officers and other Sheriff's Office and County personnel.

Susan Seidl, Reno resident, voiced her concern about the amount of money Washoe County spent on consultants. She said someone should look hard at the program if it was going to cost \$56,000 to make the shift changes.

Upon recommendation of Cory Casazza, Information Technology (IT) Manager, WINnet Service Center, and Steve Watson, Labor Relations Manager, through John Berkich, Assistant County Manager, on motion by Commissioner Weber, seconded by Commissioner Galloway, which motion duly carried with Commissioner Sferrazza absent, it was ordered that a professional service agreement between Washoe County and EPI-USE America, Inc. (sole source vendor), concerning consulting services for the implementation of 9/80 shifts and 84 hour bi-weekly shifts in the amount of \$56,980, be approved and Chairman Larkin be authorized to execute the same.

06-401 INTRASTATE INTERLOCAL CONTRACT – DEPARTMENT OF PUBLIC SAFETY – SHERIFF

Upon recommendation of Debra Campbell, Records Manager, Sheriff's Office, through Dennis Balaam, Sheriff, on motion by Commissioner Weber, seconded by Commissioner Galloway, which motion duly carried with Commissioner Sferrazza absent, it was ordered that an Intrastate Interlocal Contract Between Public Agencies between the Washoe County Sheriff's Office, the Department of Public Safety, Highway Patrol Division, and the Records and Identification Bureau for the Washoe County Sheriff's Office access to the NCIC/NCJIS/NLETS/CLETS criminal justice computer systems be approved and Chairman Larkin be authorized to execute the same.

06-402 VOLUNTEER APPRECIATION BREAKFAST – SENIOR SERVICES

Sam Dehne, local resident, commented Tommy Clark had been volunteering at the Senior Center once a month for the past four years; and he had not received an invitation to the breakfast.

Upon recommendation of Marietta Bobba, Senior Services Director, on motion by Commissioner Weber, seconded by Commissioner Galloway, which motion duly carried with Commissioner Sferrazza absent, Chairman Larkin ordered that a Volunteer Appreciation Breakfast for all volunteers at the Washoe County Senior Services, to be held April 26, 2006 at an approximate cost of \$210, be approved. It was noted the cost was already included in the Department's fiscal year 2005/06 budget.

**06-403 TRANSFER – CONTINGENCY ACCOUNT – SHERIFF'S OFFICE
– IMPLEMENTATION OF BACKGROUND CHECKS POLICY
AND PROCEDURE – FINANCE**

Upon recommendation of Patrick Morton, Fiscal Analyst, through Lisa Gianoli, Budget Manager, on motion by Commissioner Weber, seconded by Commissioner Galloway, which motion duly carried with Commissioner Sferrazza absent, Chairman Larkin ordered that a transfer of up to \$53,409 from the Washoe County Contingency account to the Washoe County Sheriff's Office (WCSO) fiscal year 2005/06 budget to begin the implementation of the Washoe County Background Checks Policy and Procedure on behalf of the Human Resources Department be approved. It was further ordered that the Finance Department be directed to make the following budget adjustments:

Account Number	Description	Amount of Increase or Decrease
189000-820000	Contingency	(\$53,409)
150420-701301	Pooled positions	\$20,239
150420-781004	Equipment >10,000	\$26,920
150420-710500	Other expense	\$ 6,250

**06-404 RESIGNATION – APPOINTMENT - TRUCKEE RIVER FUND
ADVISORY COMMITTEE**

On motion by Commissioner Weber, seconded by Commissioner Galloway, which motion duly carried with Commissioner Sferrazza absent, Chairman Larkin ordered that the resignation of Arlan Melendez from the Truckee River Fund Advisory Committee be accepted and Daryl "Doug" Gardipe be appointed as his replacement.

**06-405 APPOINTMENTS – SUGGESTION AWARD COMMITTEE –
MANAGEMENT SERVICES**

On motion by Commissioner Weber, seconded by Commissioner Galloway, which motion duly carried with Commissioner Sferrazza absent, Chairman Larkin ordered that Stephanie Kruse and Bud Fujii be appointed to the Suggestion Awards Committee for two-year terms beginning May 1, 2006 and ending on April 30, 2008.

**RESOLUTION - ARTOWN SPONSORSHIP – WAIVE
PERFORMANCE BASED GRANT AGREEMENT –
MANAGEMENT SERVICES**

Commissioner Galloway commented on the amount of sponsorship and questioned if that was a precedent staff believed the County could maintain. He asked if there was a way to do this that did not cause them to rely on that amount in future years.

County Manager Katy Singlaub explained Artown was being charged for the use of County facilities as they expanded. She said the County was trying to create the opportunity for Artown to use the facilities through this sponsorship, and the County would gain the public and community relations support for having been a sponsor.

Commissioner Galloway questioned if the \$25,000 was close to the amount of fees Artown may have been paying in the past.

John Slaughter, Management Services Director, said he did not have the exact numbers Commissioner Galloway was asking for; however, he confirmed Artown would be paying the fees because they could not be waived.

Commissioner Galloway requested that it be made clear that the money was available this year, but it may not be in subsequent years. Ms. Singlaub commented the sponsorship amount would be negotiated with Artown on a regular basis.

Sam Dehne, local resident, supported the sponsorship of Artown.

Commissioner Humke stated the County would want to look at this sponsorship every year on its own merits and within the funds available. He pointed out Artown generated many dollars for the Washoe County economy.

Upon recommendation of Julie Skow, Administrative Assistant II, through Mr. Slaughter, on motion by Commissioner Weber, seconded by Commissioner Galloway, which motion duly carried with Commissioner Sferrazza absent, it was ordered that a request for sponsorship of Artown in the amount of \$25,000 be approved. It was further ordered that the Community Support policy requirement for a performance-based grant agreement between Washoe County and Artown for this budget year be waived due to the necessity of providing funding to Artown in time to meet the deadline for printing Artown promotional materials. It was also ordered that the following resolution be adopted and Chairman Larkin be authorized to execute the same:

RESOLUTION – Authorizing the Grant of Public Money to Artown

WHEREAS, NRS 244.1505 provides that a board of county commissioners may expend money for any purpose which will provide a substantial benefit to the inhabitants of the county and that a board may make a grant of money to a

private organization, not for profit, or to a governmental entity, to be expended for a selected purpose; and

WHEREAS, The Board of County Commissioners of Washoe County has determined that a certain amount of money is available in Fiscal Year 2005/2006, to make a grant of money to Artown to assist with supporting Artown – Reno Summer Arts Festival, and that by providing this grant of money a substantial benefit will be provided to the inhabitants of Washoe County; now, therefore, be it

RESOLVED, By the Board of Commissioners of Washoe County that the Board hereby grants to Artown, a grant for Fiscal Year 2005/2006 in the amount of \$25,000.

06-407 STATUS REPORT – TRUCKEE RIVER FLOOD MANAGEMENT PROJECT

Upon recommendation of Naomi Duerr, Truckee River Flood Management Project Director, on motion by Commissioner Weber, seconded by Commissioner Galloway, which motion duly carried with Commissioner Sferrazza absent, Chairman Larkin ordered that the March status report on the Truckee River Flood Management Project be accepted.

06-408 CORRECTION OF FACTUAL ERRORS – ASSESSOR

Chairman Larkin inquired about the errors for the large items.

Van Yates, Appraiser III, explained the parcels were originally based on comparable sales on a per acre basis. He said it became apparent that the values needed to be reduced when additional information was received on the physical restrictions and the allowable use for the parcels.

Upon recommendation of Susan Goodlett, Principal Account Clerk, on motion by Commissioner Weber, seconded by Commissioner Galloway, which motion duly carried with Commissioner Sferrazza 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
Section 25 LTD	514-010-84	[-\$39,552.42]	2005 Secured
Section 25 LTD	514-010-81	[-\$39,020.75]	2005 Secured
Canyon Hills	512-010-04	[-\$14,106.97]	2005 Secured
Canyon Hills	512-010-03	[-\$10,021.97]	2005 Secured
Canyon Hills	512-010-07	[-\$10,021.97]	2005 Secured
Devere E. & Marion A. Barker TR	512-010-13	[-\$7,869.97]	2005 Secured
Canyon Hills	512-010-06	[-\$5,120.49]	2005 Secured
Fred & Joan Sauer	055-292-25	[-\$1,695.57]	2005 Secured

**HEALTH BENEFITS PROGRAM – FISCAL YEAR 2006/07 –
RISK MANAGER**

Commissioner Galloway asked about AB286 and any impacts it would have to the County in the current year.

Jim Jeppson, Risk Manager, explained there was legislation in 2003 that ordered all public entities to roll retiree loss experience into the same pool of experience as regular employees. He noted AB286 leveled out the rates for retirees. He said he was not familiar with any specific legislation in 2005 that impacted retirees. Mr. Jeppson added AB286 also ordered the public employee benefit plan to bill non-state public entities for a share of the premium for any retiree participating in the public employee benefit plan that had experience with a non-state public entity. He stated the public employee benefit plan was splitting the premium that was paid by a retiree and billing back part of that premium to the non-state public entity. He confirmed the County was subsidizing the premiums.

Commissioner Galloway asked about new employees and their retirement benefits. Mr. Jeppson clarified the County subsidized the retiree premium for employees who were hired after 1997.

Chairman Larkin commented on changes to the prescription co-pays and increased premiums for the Hometown Health Plan. Mr. Jeppson explained the Insurance Negotiating Committee elected to continue with the Hometown Health Plan that was selected last year. He said the plan would continue without any changes, but the premium to the County had increased. Chairman Larkin asked about the alternative approaches to group health care mentioned in the staff report dated March 29, 2006. Mr. Jeppson replied the County had a good program for employees and retirees; however, with the escalating costs of health care and the increase in premiums to the County, he wanted to make sure Washoe County had the best possible plan. He desired to look at different ways to fund the program or diverse ways for employees and retirees to secure their medical benefits. Chairman Larkin and Mr. Jeppson discussed the overall increases for the Health Benefits Program.

Chairman Larkin referenced the staff report and asked if the increasing number of County retirees was considered. Mr. Jeppson replied the County had an actuary study performed every year to determine what the total actuary liability would be for the retiree health benefit program. Chairman Larkin commented on the fees in other vendor contracts. He hoped staff was diligent in scrutinizing those vendors and ensuring that their costs were kept in check with consumer price indexes or other reasonable indexes. He stressed it was important that the vendors not gain an unfair advantage because of their position with the County. Mr. Jeppson confirmed the contracts were pursuant to requests for proposals (RFP's). He noted stop-loss insurance was one of the County's high cost items, and he was not sure what would happen to that insurance. He said the County planned to participate in a program with the Nevada Health Care Coalition after the renewal date of July 1, 2006. He explained it was a contingent profit-

sharing program, but the County could not incorporate that into the rates because it had no experience with it yet.

Commissioner Galloway asked if the Nevada Association of Counties (NACO) prescription card was relevant to the self-funded health plan. Mr. Jeppson stated it had no impact on the plan because it was designed for the uninsured. Commissioner Galloway said he was concerned about unfunded liability for future retiree health benefits. Mr. Jeppson replied the County had received two actuarial reports, and staff was awaiting a report this week on unfunded liability for police and fire benefits under worker's compensation.

In response to Commissioner Galloway, Mr. Jeppson explained the stop-loss policy under the Health Benefits Program operated on an individual claim basis; and the County's exposure was limited to \$175,000 per claim, per year, and then the stop-loss would begin. He remarked the contingent profit-sharing plan would protect the County with the stop-loss of \$175,000, and it would give the County an opportunity to gain some of the premium back.

Upon recommendation of Mr. Jeppson, through John Sherman, Finance Director, on motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried with Commissioner Sferrazza absent, Chairman Larkin ordered that the Health Benefits Program for employees, retirees, and dependents for fiscal year 2006/07, to include changes in benefits recommended by the Insurance Negotiating Committee for a total cost of \$33,692,000, be approved. It was further ordered that the Risk Manager be authorized to execute insurance contracts and service agreements necessary to continue the Program.

06-410 BILL NO. 1476 – SUPPLEMENT NO. 9 TO THE WASHOE COUNTY CODE

John Rhodes, Legal Counsel, explained this was the process by which all ordinances that had been adopted since February 2004 were physically put into the binders that constitute the Washoe County Code. He said this was done on a periodic basis and was not a new procedure.

Gary Schmidt, local resident, questioned Legal Counsel's explanation and commented ignorance of the law was no excuse in Washoe County.

Bill No. 1476, entitled, "**AN ORDINANCE ADOPTING SUPPLEMENT NUMBER 9 TO THE WASHOE COUNTY CODE AND ALL CLERICAL AND TECHNICAL CORRECTIONS MADE THEREIN,**" was introduced by Commissioner Galloway, the title read to the Board and legal notice for final action of adoption directed.

STATUS REPORT – DAMAGE CLUSTERS – DECEMBER 31, 2005
FLOOD EVENT – WATER RESOURCES

County Manager Katy Singlaub thanked staff for the tremendous job on the report and acknowledged the teamwork involved to complete it.

Jeanne Ruefer, Water Resources Planning Manager, described the map of the flooded areas caused by the flood event on December 31, 2005. She commented Water Resources and Public Works investigated the 15 damage clusters that were reported in the unincorporated area. She reviewed the agenda memorandum dated March 23, 2006 summarizing staff findings and possible mitigation actions that could be implemented.

Commissioner Galloway commented he did not see how a stormwater utility could operate for the unincorporated area. He asked about pursuing a Truckee Meadows Stormwater Utility. He commented he would like the District Health Department to be considered as a vehicle for doing this. Ms. Singlaub replied staff desired to have a broader discussion with the Board on this issue and various options for a stormwater utility. She remarked the District Health Department would not be the vehicle as a joint powers authority replacing Water Resources and the County's hydrogeologists.

Commissioner Weber and Ms. Ruefer discussed what occurred in Lemmon Valley during the flood event.

Dave Price, County Engineer, confirmed there were a number of culverts that exceeded their capacity during the flood; and additional analysis needed to be performed to see if the existing ditches and culverts could be upgraded. He believed they could not be upsized to take the magnitude of that storm, but the situation could be improved.

Commissioner Weber asked about the River Bend area. Ms. Ruefer said that area was not listed on their map. She explained there could have been damage in the area; however, no investigation occurred because it was not reported.

Commissioner Humke inquired if the next step was to deal with each area individually, and Ms. Ruefer agreed. He commented on different areas and stated he was looking forward to moving on with the individualization of each of the areas.

In response to Commissioner Galloway, Ms. Ruefer confirmed the information had been shared with the West Truckee Meadows Citizen Advisory Board (CAB); and she commented on their concerns. She verified the damage within the McCarran ring was investigated by the City of Reno. Ms. Ruefer stated she would inquire if a report was prepared and would share it with the West Truckee Meadows CAB if it was available.

Chairman Larkin was concerned about the La Posada area in Spanish Springs, Warm Springs, and Wadsworth. Ms. Ruefer explained these assessments were based upon reports that were called into the Emergency Operations Center (EOC) and reports that Water Resources or Public Works received subsequent to the close down of the EOC. She recognized there was flooding that took place in Spanish Springs, but there were no reports of damage to property from either Spanish Springs or Warm Springs.

Tom Gadd, Public Works Director, stated Public Works was aware of the La Posada issue; and a supplemental report could be prepared on it because efforts have been made to correct that for future flooding through pumps and other engineering feats.

Commissioner Humke asked if the ditch companies were solvent and if they could perform the needed maintenance functions. Ms. Ruefer replied the ditch companies were solvent because they collected fees from shareholders and water rights holders. She explained the fees were for the operation and maintenance of the ditches for the purpose of transmitting irrigation water.

Gary Schmidt, Washoe County resident, commented on area 14 on the map and stated the map that was presented should depict the entire area.

Commissioner Humke moved to accept the status report on the damage clusters caused by the December 31, 2005 flood event and to direct staff to take action that was necessary to provide mitigations with due haste. Commissioner Galloway seconded the motion.

On call for the question, the motion passed on a 4-0 vote with Commissioner Sferrazza absent.

**06-412 ALLOCATION OF FUNDS – UNDERGROUNDING UTILITIES –
COMMUNITY DEVELOPMENT**

Mike Harper, Planning Manager, commented on the agenda memorandum dated March 30, 2006. He referenced the "Edison Electric Institute" report within the staff report and pointed out the approaches to undergrounding utilities in various states.

Commissioner Galloway commended staff for the excellent report. He said Washoe County had money to underground utility lines, and decisions needed to be made concerning allocation of funds and what to do with the preliminary design of projects. He proposed acceptance of an initial allocation by Commission District and for preliminary design costs to be paid out of the common pot. He noted preliminary design was not overly expensive.

Chairman Larkin stated undergrounding was expensive and costs escalated rapidly. He favored deliberation on an alternative where the priority would be established at the Commission level. He supported a methodical approach rather than a formula.

Commissioner Weber remarked the project should be looked at as a whole. She did not support Commissioner Galloway's approach to divide the money because she would like to see it on a project basis.

Commissioner Humke stated this process should go back to the basics to look at how the franchise fee was generated, what it was set aside for, and to consider the policy to discover if the funds could be used better in another area. He said this threshold question should be addressed before moving forward with undergrounding.

Commissioner Galloway stated the money the Board voted to set aside was intended to pay for distribution lines that were antiquated and above ground. He said the most unattractive sights would be selected and the costs limited. He stressed this was not meant to pay for new transmission lines. He noted this would have a positive impact on residents and tourism in Nevada.

Adrian Freund, Community Development Director, added this funding source was a way the Commissioners could express their preferences for local distribution and low voltage transmission projects in their areas.

Chairman Larkin expressed he would like staff to encourage a prioritization of projects and be project oriented rather than District oriented.

Commissioner Humke referenced the "Edison Electric Institute" report and asked if it was true that nine out of ten times contractors bury power lines in this jurisdiction. Mr. Freund replied it was a requirement in the Development Code that local service be undergrounded. He pointed out distribution facilities were not automatically required to be undergrounded.

In response to Commissioner Humke, Mr. Harper stated the law requiring undergrounding of all utilities began in the early 1980's; and it required any subdivision after that date to have undergrounding. Mr. Freund acknowledged the ratepayers carry the cost for maintenance of a buried line.

Mr. Harper verified staff would bring back a matrix of issues that the Board could prioritize, which would assist staff with the development of a project list.

Chairman Larkin requested the opportunity to evaluate the criteria within the matrix before the next step would be taken.

Commissioner Galloway desired that the Commission support the smaller amount of money that was needed to complete a feasibility study. He asked the Board to keep in mind that the \$3.5-million would increase over time.

Gary Schmidt, Washoe County resident, commented on undergrounding and stated the current demands of the market were driving power lines underground.

06-413

**CONSULTANT ANALYSIS – UNDERGROUNDING UTILITIES –
CRYSTAL BAY – COMMUNITY DEVELOPMENT**

In response to Chairman Larkin, Mike Harper, Planning Manager, stated this would give staff a sense of what an analysis should look like. He explained the \$25,000 could come from the undergrounding fund or the mitigation fund for Crystal Bay.

Commissioner Galloway proposed that the \$25,000 come from the undergrounding mitigation funds. He remarked the County Manager could have approved the item; however, it was brought forward to the Board because it involved a policy issue. He asked if staff would select the contractor. Mr. Harper concurred and said there were two competent proposers who would be able to provide an assessment and a template.

Commissioner Humke commented the template would reflect the value attributed to aesthetics versus public safety for the various projects.

Commissioner Galloway said the process could be refined as it progressed. He noted staff could apply their proposed matrix to the results of the study and adjust the criteria as needed.

Commissioner Galloway moved that staff be authorized to contract for professional services for the analysis of the Crystal Bay undergrounding with financing from the undergrounding funds. Chairman Larkin seconded the motion.

On call for the question, the motion passed on a 4-0 vote with Commissioner Sferrazza absent.

**FUNDING REQUEST - TRUCKEE MEADOWS GROWTH TASK
FORCE**

It was noted this item was pulled during the approval of the agenda.

Susan Seidl, Reno resident, urged the Board to survey the citizens of Washoe County and find out what they think about growth. She said that would impact the decisions being made.

06-414

**REFRESHMENTS – POLICY MEETINGS – TRUCKEE RIVER
FLOOD MANAGEMENT PROJECT**

County Manager Katy Singlaub noted the Flood Project Coordinating Committee asked to be eliminated from the refreshment list.

Upon recommendation of Naomi Duerr, Truckee River Flood Management Project Director, on motion by Commissioner Galloway, seconded by

Commissioner Weber, which motion duly carried with Commissioner Sferrazza absent, Chairman Larkin ordered that an expenditure at the existing per diem rate for the provision of refreshments for participants at meetings sponsored by the Truckee River Flood Management project including the Flood Project Working Group (FPWG) meetings and other significant policy meetings sponsored by the Truckee River Flood Management project during fiscal year 2005/06 be approved. It was noted the amount expended in fiscal year 2005/06 would not exceed \$1,200.

06-415 RESOLUTION – PURCHASE AGREEMENT – NEVADA LAND CONSERVANCY – 85 NORTH EDISON WAY – TRUCKEE RIVER FLOOD PROJECT

Upon recommendation of Naomi Duerr, Truckee River Flood Management Project Director, and Paul Urban, Truckee River Flood Management Project Manager, on motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried with Commissioner Sferrazza absent, it was ordered that the following resolution be adopted and Chairman Larkin be authorized to execute the same:

**TRUCKEE RIVER FLOOD MANAGEMENT PROJECT
EARLY LAND ACQUISITION
RESOLUTION NO. 2004-1
(85 North Edison Way - Acquisition of Land)**

WHEREAS, On March 11, 2003 the Board of County Commissioners (BCC) approved the "Land Acquisition and Early Project Implementation Plan" for the Truckee River Flood Management Project; and

WHEREAS, On September 23, 2003 the BCC approved the "Early Land Acquisition Plan --Real Property List," dated September 5, 2003, for the Truckee River Flood Management Project; and

WHEREAS, On September 23, 2003 the BCC approved an agreement with The Nevada Land Conservancy (NVLC) to purchase certain properties, including the parcel at 85 North Edison, to implement the Early Land Acquisition Plan; and

WHEREAS, On September 14, 2004 the BCC approved a resolution approving the use of a list of appraisers for appraising land to be purchased by NVLC and assigned to Washoe County for use in the Truckee River Flood Management Project; and

WHEREAS, On November 8, 2005 the BCC approved the latest revision to the "Early Land Acquisition Plan — Real Property List" now being referred to as the "Flood Control Parcel List" and the parcel at 85 North Edison Way is on this list; and

WHEREAS, Under their agreement with Washoe County to Implement the Early Land Acquisition Plan NVLC has negotiated a purchase agreement with the

owners of the parcel at 85 North Edison Way, comprised of approximately 1.01 acres of land and a building constructed in 1974 containing 43,821 square feet of commercial space; and

WHEREAS, as part of the implementation of the Early Land Acquisition Plan NVLC desires to assign the purchase of the parcel at 85 North Edison Way to Washoe County before the transaction closes;

NOW, THEREFORE, be it resolved that Naomi Duerr, the Director of the Truckee River Flood Management Department, is hereby authorized to execute and deliver any and all instruments and funds, including without limitation, contracts, agreements, notices, escrow instructions, deeds, leases, checks, and warrants as may be necessary or appropriate to accomplish the acquisition of the parcel at 85 North Edison Way in the name of and on behalf of Washoe County.

It was noted the amount of the purchase agreement was \$960,000.

06-416 RESOLUTION – PURCHASE AGREEMENT – NEVADA LAND CONSERVANCY – 195 NORTH EDISON WAY – TRUCKEE RIVER FLOOD PROJECT

Upon recommendation of Naomi Duerr, Truckee River Flood Management Project Director, and Paul Urban, Truckee River Flood Management Project Manager, on motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried with Commissioner Sferrazza absent, it was ordered that the following resolution be adopted and Chairman Larkin be authorized to execute the same:

**TRUCKEE RIVER FLOOD MANAGEMENT PROJECT
EARLY LAND ACQUISITION
RESOLUTION NO. 2004-1
(195 North Edison Way - Acquisition of Land)**

WHEREAS, On March 11, 2003 the Board of County Commissioners (BCC) approved the "Land Acquisition and Early Project Implementation Plan" for the Truckee River Flood Management Project; and

WHEREAS, On September 23, 2003 the BCC approved the "Early Land Acquisition Plan --Real Property List," dated September 5, 2003, for the Truckee River Flood Management Project; and

WHEREAS, On September 23, 2003 the BCC approved an agreement with The Nevada Land Conservancy (NVLC) to purchase certain properties to implement the Early Land Acquisition Plan; and

WHEREAS, On September 14, 2004 the BCC approved a resolution approving the use of a list of appraisers for appraising land to be purchased by NVLC

and assigned to Washoe County for use in the Truckee River Flood Management Project; and

WHEREAS, On November 8, 2005 the BCC approved the latest revision to the "Early Land Acquisition Plan — Real Property List" now being referred to as the "Flood Control Parcel List" and the parcel at 195 North Edison Way is on this list; and

WHEREAS, Under their agreement with Washoe County to Implement the Early Land Acquisition Plan NVLC has negotiated a purchase agreement with the owners of the parcel at 195 North Edison Way, comprised of approximately 1.0 acres of land and a building constructed in 1973 containing 14,870 square feet of commercial space; and

WHEREAS, as part of the implementation of the Early Land Acquisition Plan NVLC desires to assign the purchase of the parcel at 195 North Edison Way to Washoe County before the transaction closes;

NOW, THEREFORE, be it resolved that Naomi Duerr, the Director of the Truckee River Flood Management Department, is hereby authorized to execute and deliver any and all instruments and funds, including without limitation, contracts, agreements, notices, escrow instructions, deeds, leases, checks, and warrants as may be necessary or appropriate to accomplish the acquisition of the parcel at 195 North Edison Way in the name of and on behalf of Washoe County.

It was noted the amount of the purchase agreement was \$1,100,000.

06-417 RESOLUTION – PURCHASE AGREEMENT – NEVADA LAND CONSERVANCY – 105 NORTH EDISON WAY – TRUCKEE RIVER FLOOD PROJECT

Upon recommendation of Naomi Duerr, Truckee River Flood Management Project Director, and Paul Urban, Truckee River Flood Management Project Manager, on motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried with Commissioner Sferrazza absent, it was ordered that the following resolution be adopted and Chairman Larkin be authorized to execute the same:

**TRUCKEE RIVER FLOOD MANAGEMENT PROJECT
EARLY LAND ACQUISITION
RESOLUTION NO. 2004-1
(105 North Edison Way - Acquisition of Land)**

WHEREAS, On March 11, 2003 the Board of County Commissioners (BCC) approved the "Land Acquisition and Early Project Implementation Plan" for the Truckee River Flood Management Project; and

WHEREAS, On September 23, 2003 the BCC approved the "Early Land Acquisition Plan --Real Property List," dated September 5, 2003, for the Truckee River Flood Management Project; and

WHEREAS, On September 23, 2003 the BCC approved an agreement with The Nevada Land Conservancy (NVLC) to purchase certain properties to implement the Early Land Acquisition Plan; and

WHEREAS, On September 14, 2004 the BCC approved a resolution approving the use of a list of appraisers for appraising land to be purchased by NVLC and assigned to Washoe County for use in the Truckee River Flood Management Project; and

WHEREAS, On November 8, 2005 the BCC approved the latest revision to the "Early Land Acquisition Plan — Real Property List" now being referred to as the "Flood Control Parcel List" and the parcel at 105 North Edison Way is on this list; and

WHEREAS, Under their agreement with Washoe County to Implement the Early Land Acquisition Plan NVLC has negotiated a purchase agreement with the owners of the parcel at 105 North Edison Way, comprised of approximately 1.12 acres of land and a building constructed in 1973 containing 22,235 square feet of commercial space; and

WHEREAS, as part of the implementation of the Early Land Acquisition Plan NVLC desires to assign the purchase of the parcel at 105 North Edison Way to Washoe County before the transaction closes;

NOW, THEREFORE, be it resolved that Naomi Duerr, the Director of the Truckee River Flood Management Department, is hereby authorized to execute and deliver any and all instruments and funds, including without limitation, contracts, agreements, notices, escrow instructions, deeds, leases, checks, and warrants as may be necessary or appropriate to accomplish the acquisition of the parcel at 105 North Edison Way in the name of and on behalf of Washoe County.

It was noted the amount of the purchase agreement was \$1,305,000.

06-418 LEGISLATIVE ISSUES - SCR 26 SUBCOMMITTEE ACTIVITIES
- LEGISLATIVE AFFAIRS

Commissioner Galloway mentioned the compelling picture from the staff report on Item 12B. He asked if staff could be authorized to explore if a legislator would be willing to propose state contributions if undergrounding of that area took place.

County Manager Katy Singlaub confirmed staff would look into that.

In response to Chairman Larkin, Ms. Singlaub verified staff had been in discussions with Andrew List, Executive Director of the Nevada Association of Counties (NACO) and NACO staff concerning the issues brought forward during their appearance.

REPORTS/UPDATES FROM COUNTY COMMISSION MEMBERS

Chairman Larkin announced the Washoe County Leadership Institute would begin on April 20, 2006.

COMMUNICATIONS AND REPORTS

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

COMMUNICATIONS:

- 06-419** A. A Service Renewal Agreement between the Washoe County Information Technologies Department, for the Washoe County Sheriff's Department, and Appriss, Inc., for the renewal of the original VINE Service Agreement in the annual amount of \$25,618.08. The agreement was signed on March 23, 2006.
- 06-420** B. Revision of the District Board of Health Regulations Governing Well Construction, District Health Department, The revision was approved January 26, 2006 by the Washoe County District Board of Health.
- 06-421** C. A Notice of Completion between the Washoe County Department of Water Resources and Burdick Excavating Company, Inc., State Contractor's License No. 0022629/002629A, for the Mt. Rose Tank #4 in Washoe County, was published in the *Reno Gazette-Journal* on March 8, 15, and 22, 2006.
- 06-422** D. Transfer of the Agreement for Brokerage and Consulting Services for the Washoe County Health Benefit Program to ABD Insurance and Financial Services with the same terms as the terminating agreement. The agreement was approved and signed on February 24, 2006.
- 06-423** E. Amendment #4 to the Agreement for an Emergency Child Protection Shelter Operator at Kids Kottage and Kids Kottage Too between Washoe County and Adams & Associates for the one-year term of July 1, 2005 to June 30, 2006. The agreement was signed on July 15, 2005.

06-424 F. Executed non-exclusive agreement for Counseling and Evaluation Services between Washoe County and provider, Mary Flynn, to provide counseling, evaluation, and educational services for children and families being served by the Children's Division of Social Services (BCC Meeting on September 28, 2004, Item 04-1012).

06-425 **REPORT – MONTHLY (MARCH 2006)**

A. Court Clerk

06-426 **REPORTS – QUARTERLY (MARCH 2006)**

A. Court Clerk

REPORTS – ANNUAL FINANCIAL (FY ENDING JUNE 30, 2005)

06-427 A. City of Sparks

06-428 B. Regional Transportation Commission

06-429 C. Truckee Meadows Water Reclamation Facility

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There being no further business to come before the Board, the meeting adjourned at 6:00 p.m.

ROBERT M. LARKIN, Chairman
Washoe County Commission

ATTEST:

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

*Minutes Prepared by
Lori Rowe, Deputy County Clerk*