

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

2:00 P.M.

JUNE 13, 2006

PRESENT:

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

ABSENT:

Bob Larkin, Chairman

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:

06-581 AGENDA

In response to the call for public comment, Sam Dehne objected to the two-minute time limit for speakers. Gary Schmidt stated he was not in favor of the two-minute rule given to public comments.

In response to Vice Chairman Weber, Melanie Foster, Legal Counsel, replied it was within the Board's authority to determine the rules and procedures. She said the Open Meeting Law did not impose a set time limit.

Commissioner Sferrazza stated he did not support the statement read by the County Manager preceding public comments.

In accordance with the Open Meeting Law, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried with Chairman Larkin absent, Vice Chairman Weber ordered that the agenda for the June 13, 2006 meeting be approved.

06-582 PUBLIC COMMENTS

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."

Guy Felton spoke on Free Speech and the Open Meeting Law.

Sharon Gustavson read a statement concerning the proposed nuisance ordinance, which was placed on file with the Clerk.

Sam Dehne commented on the voting system in the County.

Gary Schmidt remarked the Board was out of touch with the community.

COMMISSIONERS'/MANAGER'S ANNOUNCEMENTS

Commissioner Galloway said he would have an agenda item coming forward concerning an airport shuttle service for the Lake Tahoe area. He stated he would request District 1 funds to help subsidize the shuttle service.

Commissioner Sferrazza requested a card be sent to Judge Chuck Weller on behalf of the Board expressing get-well wishes.

Commissioner Humke voiced his concerns about the recent events that occurred downtown and conveyed his best wishes to Judge Weller and his family. He announced his attendance of the Army National Guard Change-in-Command Ceremony on June 3, 2006. Commissioner Humke congratulated the outgoing command staff and stated the National Guard was a different Guard from when he served.

Vice Chairman Weber requested updates from the Information Technology Advisory Committee (ITAC) and the Pacific Technologies, Inc. (PTI) Committee.

Katy Singlaub, County Manager, said she met with Judge Weller's family and had conveyed the Board's concerns and well wishes. She noted Courthouse Security was in the process of conducting a security audit commissioned by the Courts and the Jail to evaluate court security. Ms. Singlaub said discussion, planning implementation, phasing, and prioritization was set to begin June 22, 2006.

DISCUSSION ON CONSENT AGENDA

In response to the call for public comment, Sam Dehne stated he was disappointed with the size of the consent agenda. Gary Schmidt objected to the approval of the consent agenda. Andy Manor thanked the Board for having County staff attend Citizen Advisory Board meetings and answering citizens' questions.

In response to Vice Chairman Weber, Melanie Foster, Legal Counsel, replied the consent agenda was a commonly used mechanism exercised by many entities.

**06-583 FINANCIAL REPORT - GOVERNMENTAL FUNDS -
COMPTROLLER**

Upon recommendation of Kathy Garcia, Comptroller, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Chairman Larkin absent, Vice Chairman Weber ordered that the Financial Report for Washoe County Governmental Funds for the ten months ended April 30, 2006 - Unaudited be accepted.

**06-584 RECEIPT OF THE REPORT OF SALE – DELINQUENT SPECIAL
ASSESSMENT SALE – TREASURER**

Upon recommendation of Linda Jacobs, Deputy Treasurer, through Bill Berrum, Treasurer, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Chairman Larkin absent, Vice Chairman Weber ordered that the receipt of the Report of Sale on June 22, 2006 for the Delinquent Special Assessment Sale be acknowledged. It was noted the sale was cancelled as all delinquencies had been paid.

06-585 DISINTERMENT OF HUMAN REMAINS - HEALTH

Upon recommendation of Lori Cooke, Health Analyst, through Eileen Coulombe, Administrative Health Services Officer, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Chairman Larkin absent, it was ordered that the request from Carl D'Amato to disinter and remove the remains of Thomas Roman Schroeder, his brother-in-law, who died on June 20, 1991 be approved. It was noted that the death certificate indicated the death was not due to a communicable disease.

**06-586 EXPENDITURE - ENHANCED 911 FUND - ENTERPRISE
SOLUTION - 911 EMERGENCY RESPONSE ADVISORY
COMMITTEE**

Upon recommendation of Tom Miller, 911 Emergency Response Advisory Committee Chair, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Chairman Larkin absent, Vice Chairman Weber ordered that the expenditure of \$21,491.36 from the Enhanced 911 Fund to SBC for the Enterprise Solution mapping network for the Reno, Sparks and Incline Village Public Safety Answering Points be approved.

06-587

RECLASSIFICATION REQUESTS - HUMAN RESOURCES

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

Reclassification of existing positions:

Department	Current Position	Pay Grade	Recommended Job Class	New Pay Grade
Public Works-Telecommunications	Electronics Technician (two positions)*	K	Radio Network Engineer I and II	K and L Respectively
Public Works-Telecommunications	Systems Administrator	L	Radio Network Administrator	N
County Manager-WINnet	Network Engineer II (two positions)	L(M)	Basis Administrator I and II	N and O respectively

*Reclassification of the two Electronic Technician positions are specific to the positions assigned to the Washoe County Regional Communication System (WCRCS) 800 MHz radio system. One position is filled and the other is vacant.

Pay Grade	Hourly Rate	Annual Salary
K	\$21.11-\$27.47	\$43,908.80-\$57,137.60
L	\$22.58-\$29.34	\$46,966.40-\$61,027.20
L(M)	\$23.73-\$30.84	\$49,358.40-\$64,147.20
N	\$25.02-\$32.53	\$52,041.60-\$67,662.40
O	\$26.49-\$34.43	\$55,099.20-\$71,614.40

06-588

APPROVE AND CERTIFY BUDGETS AND SPECIAL ASSESSMENT OF TAX RATES - FINANCE

Upon recommendation of Anna Heenan, Senior Fiscal Analyst, through John Sherman, Finance Director, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Chairman Larkin absent, Vice Chairman Weber ordered that the following budgets as requested by the State of Nevada Department of Conservation and Natural Resources be approved:

Pleasant Valley Groundwater Basin (cost center 663000)	\$ 1,500.00
Cold Springs Valley Groundwater Basin (cost center 663000)	\$ 3,000.00
Washoe Valley Groundwater Basin (cost center 663000)	\$ 1,906.44
Warm Springs Valley Groundwater Basin (cost center 663000)	\$ 5,013.47

Lemmon Valley Groundwater Basin (Fund 7012 cost center 990012)	\$12,000.00
Truckee Meadows/Sun Valley Groundwater Basin	\$30,000.00

It was further ordered that:

- The County Clerk be directed to attest the certificates, which were placed on file with the Clerk, and submit them to the State Engineer with copies to the Treasurer’s Office, Assessor’s Office, Comptroller’s Office and the Budget Division.
- The County Assessor be directed to enter the amount of the charge or charges on the assessment roll against the claimants and the property or acreage served.
- The Treasurer be directed to bill and collect the special tax rates and/or assessments requested by the State Engineer.
- The Comptroller be directed to pay approved amount of \$12,000 to the Department of Conservation and Natural Resources for Lemmon Valley from the Lemmon Valley U.W.B. Fund (7012).
- The Comptroller be directed to pay approved amounts to the Department of Conservation and Natural Resources for Pleasant Valley (\$1,500), Cold Springs (\$3,000), Washoe Valley Groundwater Basin (\$1,906.44), and Warm Springs Valley Groundwater Basin (\$5,013.47) from the Water Resources Fund Regional Water Planning account 663000-710200.

06-589 EXPENDITURE - CHILDREN’S SERVICES ACCOUNT - SOCIAL SERVICES

Mike Capello, Social Services Director, explained the funding provided case managers and supervisors access to the account in order to assist families in crisis; however, it could not exceed \$300 per family without receiving authorization from the Children Services Division Director. He said each unit of caseworkers received approximately \$8,000 annually to expend and all the payments were made directly to vendors.

Upon recommendation of Mr. Capello, through John Berkich, Assistant County Manager, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Chairman Larkin absent, Vice Chairman Weber ordered that the Social Services Department be authorized to expend up to \$181,000 in fiscal year 2006/07 from Children’s Services account, 710714 Referral Services, concerning emergency payment of food and support services to benefit children and families in order to promote keeping families intact.

06-590 CONTRACT NEGOTIATIONS - WORKPLACE WELLNESS PROGRAM

Upon recommendation of Michelle Kling, Workplace Wellness Task Force Chair, Joanne Ray, Human Resources Director, and Jim Jeppson, Risk Manager, through Katy Singlaub, County Manager, on motion by Commissioner Humke, seconded

by Commissioner Galloway, which motion duly carried with Chairman Larkin absent, Vice Chairman Weber ordered that the County Manager be authorized to proceed with contract negotiations with the preferred vendor. It was further ordered that a three-year contract be brought back to the Board for future consideration for implementation of the workplace wellness program.

**06-591 EMERGENCY MANAGEMENT PROGRAM AUDIT REPORT -
INTERNAL AUDIT**

Upon recommendation of Kathy DeValk, Internal Auditor, through Katy Singlaub, County Manager, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Chairman Larkin absent, Vice Chairman Weber ordered that the performance audit report on the Emergency Management Program be accepted.

06-592 APPOINTMENT - AUDIT COMMITTEE - INTERNAL AUDIT

On motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Chairman Larkin absent, Vice Chairman Weber ordered that Timothy Chu be appointed to the Washoe County Audit Committee as an At-Large member for a two year term effective July 1, 2006 through June 30, 2008.

**06-593 REAPPOINTMENT - WASHOE-STOREY CONSERVATION
DISTRICT - MANAGER**

On motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Chairman Larkin absent, Vice Chairman Weber ordered that Jim Shaffer be reappointed to the Washoe-Storey Conservation District Board of Directors with a term ending June 30, 2008.

**06-594 MEALS FOR COMMISSION MEETINGS/RETREATS -
MANAGER**

Upon recommendation of Rita Lencioni, Assistant to the County Manager, through Katy Singlaub, County Manager, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Chairman Larkin absent, Vice Chairman Weber ordered that the expenditure at the existing per diem rate for meals to be provided to the Commission, staff and other public board members for fiscal year 2006/07, concerning Board of County Commission regular, special and joint meetings, workshops and retreats in the amount of \$8,500, be approved.

**06-595 REAPPOINTMENT - AIRPORT NOISE ADVISORY PANEL -
MANAGER**

On motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Chairman Larkin absent, Vice Chairman

Weber ordered that Ron Nicholson be reappointed to the Airport Noise Advisory Panel with a term ending May 31, 2008.

**06-596 REFRESHMENTS - STRATEGIC PLANNING RETREATS -
MANAGEMENT SERVICES**

Upon recommendation of Julie Skow, Administrative Assistant II, through John Slaughter, Management Services Director, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Chairman Larkin absent, Vice Chairman Weber ordered that expenditures at the regular per diem rate for refreshments for fiscal year 2006/07 for participants of Strategic Planning Retreats be approved. It was noted the amount expended in fiscal year 2006/07 would not exceed \$900.

**06-597 MEALS - NORTHERN AREA MANAGERS ROUNDTABLE
MEETINGS - MANAGEMENT SERVICES**

Upon recommendation of Julie Skow, Administrative Assistant II, through John Slaughter, Management Services Director, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Chairman Larkin absent, Vice Chairman Weber ordered that the expenditure at the existing per diem rate for the provision of meals for participants of Northern Area Managers Roundtable meetings during fiscal year 2006/07 be approved. It was noted the amount expended in fiscal year 2006/07 would not exceed \$500.

**06-598 REFRESHMENTS - HUMAN SERVICES CONSORTIUM AND
TRIUMVIRATE MEETINGS - MANAGEMENT SERVICES**

Upon recommendation of Julie Skow, Administrative Assistant II, through John Slaughter, Management Services Director, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Chairman Larkin absent, Vice Chairman Weber ordered that the expenditure at the existing per diem rate for the provision of refreshments for participants of Washoe County Human Services Consortium and Triumvirate meetings during fiscal year 2006/07 be approved. It was noted the amount expended in fiscal year 2006/07 would not exceed \$800.

**06-599 MEALS - ORGANIZATIONAL EFFECTIVENESS COMMITTEE -
MANAGEMENT SERVICES**

Upon recommendation of Julie Skow, Administrative Assistant II, through John Slaughter, Management Services Director, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Chairman Larkin absent, Vice Chairman Weber ordered that the expenditure at the existing per diem rate for the provision of meals for participants of Organizational Effectiveness Committee meetings during fiscal year 2006/07 be approved. It was noted the amount expended in

fiscal year 2006/07 would not exceed \$500.

**06-600 AWARD OF BID - BACKUP EMERGENCY GENERATOR
ADDITION - BID NO. 2541-06 - PUBLIC WORKS**

This was the time to consider award of the bid for a new Backup Emergency Generator Addition for the Washoe County Longley Lane Equipment Maintenance Facility for the Public Works Department. The Notice to Bidders for receipt of sealed bids was published in the *Reno Gazette-Journal* on April 20, 2006. Proof was made that due and legal Notice had been given.

Bids were received from the following vendors:

Venture Electric
Action Electric Inc.
Merit Electric

Upon recommendation of Michael Sullens, Senior Buyer, through John Balentine, Purchasing and Contracts Administrator, Jim Burke, Chief of Building Operations, Facility Management Division, and Tom Gadd, Public Works Director, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Chairman Larkin absent, Vice Chairman Weber ordered that Bid No. 2541-06 for a new Backup Emergency Generator Addition for the Washoe County Longley Lane Equipment Maintenance Facility for the Public Works Department be awarded to Venture Electric in the net amount of \$80,710.

**06-601 PURCHASE - TORO GROUNDSMASTER 580-D 4WD TURF
MOWER - PARKS**

Upon recommendation of Michael Sullens, Senior Buyer, through John Balentine, Purchasing and Contracts Administrator, Rosemarie Entsminger, Fiscal Compliance Officer, and Doug Doolittle, Regional Parks and Open Space Director, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Chairman Larkin absent, Vice Chairman Weber ordered that the Regional Parks and Open Space Department be authorized to sole source the purchase of one Toro Groundsmaster 580-D 4WD Turf Mower to Turf Star, Inc. in the amount of \$65,502.29. It was further ordered that the Finance Department be authorized to make the following budget adjustments:

ACCOUNT NUMBER	DESCRIPTION	AMOUNT OF INCREASE
Decrease Expenditure		
C140630-701130	North Valley Maintenance-Pooled Positions	\$40,000
C140610-701130	South Valley Maintenance-Pooled Positions	\$20,000

Increase Expenditure		
C140630-781004	North Valley Maintenance-Equipment over \$10,000	\$70,000

06-602 REPORT - WHITE HOUSE CONFERENCE ON AGING - 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 with Chairman Larkin absent, Vice Chairman Weber ordered that the report on the White House Conference on Aging from the Washoe County Senior Services Advisory Board be accepted. It was further ordered that a position advocating for and supporting local implementation of the resulting resolutions which are compatible with the Strategic Plan for Seniors Living in Washoe County and are feasible for local action be adopted.

06-603 RESOLUTION - DONATION/GRANT - ACCESS TO JUSTICE FOUNDATION/SENIOR LAW PROJECT

Commissioner Galloway acknowledged the donation and extended the gratitude of the Board to the donors.

Upon recommendation of Marietta Bobba, Senior Services Director, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Chairman Larkin absent, it was ordered that the donation from the Access to Justice Foundation in the amount of \$500 be accepted. It was further ordered that the following Resolution be adopted and Vice Chairman Weber be authorized to execute the same:

RESOLUTION

Authorizing the Grant of Public Money to Nevada Legal Services

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 Washoe County Access to Justice Foundation has donated \$500.00 to the Senior Services Law Project with the condition that \$125.00 of the donation be given to Nevada Legal Services to assist in supporting a legal intern at the Family Law Self-Help Center over the summer; and

WHEREAS, The Board of County Commissioners of Washoe County hereby finds that use of the funds to support a legal intern at the Family Law Self-Help Center will provide a substantial benefit 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 Nevada Legal Services a donation for fiscal year 2005/2006 in the amount of \$125.00 to be used to support a legal intern in the Family Self-Help Center.

**06-604 SUPPLEMENTAL GRANT - DIVISION OF AGING SERVICES -
MEDICATION MANAGEMENT PROGRAM - 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 with Chairman Larkin absent, Vice Chairman Weber ordered that the supplemental grant award from the Division of Aging Services for the period of September 29, 2005 through September 28, 2006, concerning a Medication Management program for seniors and their caregivers, in the amount of \$3,000 with \$529 in-kind County match, be accepted. It was further ordered that the Finance Department be directed to make the appropriate budget adjustments.

**06-605 INTERLOCAL MUTUAL AID AGREEMENT - VARIOUS
AGENCIES - SHERIFF**

In response to the call for public comment, Sam Dehne expressed surprise that there was no interlocal agreement in effect.

Katy Singlaub, County Manager, stated this agreement dated back to 1998. She explained contracts were periodically reviewed and renewed.

Upon recommendation of James Lopey, Assistant Sheriff, through Dennis Balaam, Sheriff, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Chairman Larkin absent, it was ordered that an Interlocal Mutual Aid agreement between Washoe County, the Board of Regents of the Nevada System of Higher Education, Truckee Meadows Community College, and the City of Reno be approved and Vice Chairman Weber be authorized to execute the same.

**06-606 GRANT/AGREEMENT - BUREAU OF ALCOHOL AND DRUG
ABUSE/BRISTLECONE FAMILY RESOURCES - SHERIFF**

Upon recommendation of Scott Chamberlain, Sergeant, through Dennis Balaam, Sheriff, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Chairman Larkin absent, it was ordered that the grant award from the Bureau of Alcohol and Drug Abuse (BADA) for citizens brought in for Civil Protective Custody to the Washoe County Detention Facility, in the

amount of \$120,000 with no County match, be accepted. It was further ordered that a Substance Abuse Evaluation and Referral Services agreement between Washoe County and Bristlecone Family Resources, in the amount of \$120,000 for July 1, 2006 through June 30, 2007, be approved and Vice Chairman Weber be authorized to execute the same. It was also ordered that the Budget Division be directed to make the following budget adjustments:

ACCOUNT NUMBER	DESCRIPTION	AMOUNT OF INCREASE
Increase Revenues		
10143-432100	State BADA-State Grants	\$120,000
Increase Expenditures		
10143-710100	State BADA-Professional Services	\$120,000

06-607 DEED OF COMBINATION - DETENTION FACILITY EXPANSION - PUBLIC WORKS

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 with Chairman Larkin absent, it was ordered that the Deed of Combination for the Detention Facility Expansion be approved and Vice Chairman Weber be authorized to execute the deed upon presentation.

06-608 ADDITIONAL TESTING AND INSPECTION SERVICES - MILLS B. LANE JUSTICE CENTER - PUBLIC WORKS

Vice Chairman Weber stated she would abstain from the vote because her husband was employed by Stantec Consulting.

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 with Chairman Larkin absent and Vice Chairman Weber abstaining, it was ordered that the additional Testing and Inspection Services for the Mills B. Lane Justice Center by Stantec Consulting, in the amount of \$87,041, be approved. It was further ordered that the Public Works Director be authorized to execute the necessary documents.

06-609 FACILITY USE AGREEMENT - VETERANS OF FOREIGN WARS - VERDI POST 10053 - LEASE OF SPACE - 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 with Chairman Larkin absent, it was ordered that a facility use agreement between Washoe County and

the Veterans of Foreign Wars of the United States (VFW), Verdi Post No. 10053, a Nonprofit Nevada Corporation, concerning the continued use of space in the VFW building by the Verdi Township Citizen Advisory Board for the period July 1, 2006 through June 30, 2007, in the amount of \$960 for fiscal year 2006/07, be approved and Vice Chairman Weber be authorized to execute the same. It was noted funds were available in the Community Development Department budget 116430-710500.

**06-610 LEASE AGREEMENT - SILVER STATE CAL RIPKEN
BASEBALL INC. - NORTH VALLEYS REGIONAL CONCESSION
BUILDING - 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 with Chairman Larkin absent, it was ordered that a 12-month lease agreement between Washoe County and Silver State Cal Ripken Baseball Inc., a Nevada Nonprofit Corporation, concerning the North Valleys Regional Concession Building, be approved and Vice Chairman Weber be authorized to execute the same. It was noted that the operational expenses are anticipated not to exceed \$500 annually, and the funding is available in Public Works Facility Management Division utility cost center 161300-711010 and custodial cost center 161700-710200.

**06-611 WATER RIGHTS DEED -TRUCKEE MEADOWS WATER
AUTHORITY**

Upon recommendation of Vahid Behmaram, Water Rights Manager, and Paul Orphan, Engineering Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Chairman Larkin absent, it was ordered that the Water Rights Deed between Washoe County and Truckee Meadows Water Authority for the benefit of Nevada Tri Partners be approved and Vice Chairman Weber be authorized to execute the same.

**06-612 U.S. DEPARTMENT OF THE INTERIOR - BUREAU OF LAND
MANAGEMENT RIGHT-OF-WAY GRANT - SERIAL NO. N-80614
- WATER RESOURCES**

Upon recommendation of Alan Reich, Licensed Engineer, and Paul Orphan, Engineering Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Chairman Larkin absent, it was ordered that the U.S. Department of the Interior, Bureau of Land Management Right-Of-Way Grant Serial Number N-80614 be approved and Vice Chairman Weber be authorized to accept and execute the same.

06-613 APPLICATION AMENDMENTS - FOREST SERVICE SPECIAL USE PERMIT CAR93 - WATER RESOURCES

Upon recommendation of Thomas Kelly, Senior Engineer, and Paul Orphan, Engineering Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Chairman Larkin absent, it was ordered that Application Amendments No. 2 and No. 3 to the U.S. Department of Agriculture, Forest Service Special Use Permit CAR93 be approved and Vice Chairman Weber be authorized to execute the same.

06-614 AGREEMENT EXTENSION - OPHIR LAKES SUBDIVISION (CASEY RANCH AKA WINTERS RANCH) - COMMUNITY DEVELOPMENT

Upon recommendation of Sharon Kvas, Community Development Planning Manager, through Adrian Freund, Community Development Director, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Chairman Larkin absent, it was ordered that an agreement between Washoe County and Ophir Lakes Subdivision (Casey Ranch aka Winters Ranch), concerning an additional one-year period to June 1, 2007, be approved and Vice Chairman Weber be authorized to execute the same. It was noted that an extension would provide a significant public benefit if the extensions ultimately facilitate the final two parcels for acquisition of the Casey Ranch aka Winters Ranch as open space.

06-615 REAPPOINTMENTS - EAST TRUCKEE CANYON CITIZEN ADVISORY BOARD

On motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Chairman Larkin absent, Vice Chairman Weber ordered that Daniel Fair and Sandra Wagner be reappointed as At-Large members to the East Truckee Canyon Citizen Advisory Board (CAB) with terms beginning on July 1, 2006 and ending June 30, 2008. It was further ordered that Bill Clegg be reappointed as the City of Fernley Ex-Officio representative to the East Truckee Canyon CAB with a term beginning July 1, 2006 and ending when the City of Fernley recommends a different representative. It was also ordered that LeRoy Goodman be reappointed as the Lyon County Ex-Officio representative to the East Truckee Canyon CAB with a term beginning on July 1, 2006 and ending when Lyon County recommends a different representative.

06-616 REAPPOINTMENT/APPOINTMENT - GERLACH/EMPIRE CITIZEN ADVISORY BOARD

On motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Chairman Larkin absent, Vice Chairman Weber ordered that Sylvia Fascio be reappointed and Frank Peach be appointed as At-

Large members to the Gerlach/Empire Citizen Advisory Board with terms beginning on July 1, 2006 and ending on June 30, 2008.

06-617 APPOINTMENT - NORTH VALLEYS CITIZEN ADVISORY BOARD

On motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Chairman Larkin absent, Vice Chairman Weber ordered that John Mumme be appointed as an At-Large member to the North Valleys Citizen Advisory Board with a term beginning on July 1, 2006 and ending on June 30, 2008.

06-618 REAPPOINTMENT/APPOINTMENTS - SPANISH SPRINGS CITIZEN ADVISORY BOARD

On motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Chairman Larkin absent, Vice Chairman Weber ordered that Vaughn Hartung be reappointed and Nick Zufelt, Kimberly Dawson, and Michael Helton be appointed as At-Large members to the Spanish Springs Citizen Advisory Board with terms beginning on July 1, 2006 and ending on June 30, 2008.

06-619 REAPPOINTMENT - SUN VALLEY CITIZEN ADVISORY BOARD

On motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Chairman Larkin absent, Vice Chairman Weber ordered that Garth Elliott be reappointed as an At-Large member to the Sun Valley Citizen Advisory Board with a term beginning on July 1, 2006 and ending on June 30, 2008.

06-620 REAPPOINTMENTS - VERDI TOWNSHIP CITIZEN ADVISORY BOARD

On motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Chairman Larkin absent, Vice Chairman Weber ordered that Gene Gardella and Andrea Manor be reappointed as At-Large members to the Verdi Township Citizen Advisory Board with terms beginning on July 1, 2006 and ending on June 30, 2008.

06-621 REAPPOINTMENT - WARM SPRINGS CITIZEN ADVISORY BOARD

On motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Chairman Larkin absent, Vice Chairman Weber ordered that Philip Anderson be reappointed as an At-Large member to the Warm

Springs Citizen Advisory Board with a term beginning on July 1, 2006 and ending on June 30, 2008.

06-622 DONATIONS - VARIOUS BUSINESSES - PARKS

Commissioner Galloway acknowledged donations from various donors and extended the gratitude of the Board. He requested the names of all the donors be listed on the County Web page.

Upon recommendation of Rosemarie Entsminger, Fiscal Compliance Officer, through Doug Doolittle, Regional Parks and Open Space Director, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Chairman Larkin absent, Vice Chairman Weber ordered that the cash donations from various businesses, organizations, and individuals for the Regional Parks and Open Space Department programs and facilities, in the amount of \$80,502, be accepted. It was further ordered that the donation of a life-size fiberglass horse for the May Great Basin Adventure be accepted. It was also ordered that the Finance Department be directed to make the following budget adjustments.

ACCOUNT NUMBER	DESCRIPTION	AMOUNT OF INCREASE
Increase Revenue		
Fund 404, IN20027-484000	Old Huffaker Brick Path	\$ 5,065
Gen. Fund, IN20020-484000	Noxious weed eradication program	30,000
Fund 264, IN20034-484000	May Arboretum	33,947
Gen. Fund IN20020-484000	Various general park donations	11,490
Increase Expenditure		
Fund 404, IN20027-710205	Huffaker-Repairs/Maint.	\$ 5,065
Gen. Fund, IN20020-710100	Noxious weed eradication program	30,000
Fund 264, IN20034-484000	May Arboretum	33,947
Gen. Fund, IN20020-484000	Various general park donations	11,490

2:55 p.m. The Board recessed.

3:00 p.m. The Board reconvened.

06-623 BILL NO. 1485 - AMENDING WCC CHAPTER 53 - PROHIBITING POSSESSION OF MARIJUANA

In response to the call for public comment, Sam Dehne disagreed with the terminology describing an ounce or less of marijuana.

Judge Edward Dannan, Justice of the Peace, Department 2, Reno Justice Court, explained in 2001 the Nevada Legislature reduced the penalties for possession of one ounce or less of marijuana as part of a major bill. He said NRS 453.3361 allowed

local governments to adopt ordinances to keep the same fine that was imposed by NRS. Judge Dannan commented this ordinance would allow the imposed fines to be placed in a special account within the General Fund to be dispersed for alcohol and drug treatment programs to subsidize people who could not afford drug treatment. He said the Statute had been in existence since 2001 but had never been enacted. Judge Dannan indicated this ordinance would keep fines within the County for use in those programs.

In response to Commissioner Galloway, Judge Dannan stated as part of the 2001 decriminalization process there was now no jail time for a first and second offense possession of marijuana.

Commissioner Galloway requested the ordinance be made permissive for second offense possession and allow for drug treatment.

Bill No. 1485, entitled, "**AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY PROHIBITING THE POSSESSION OF ONE OUNCE OR LESS OF MARIJUANA; PROVIDING CRIMINAL PENALTIES FOR POSSESSION THEREOF; PROVIDING THAT FINES IMPOSED FOR THE POSSESSION OF ONE OUNCE OR LESS OF MARIJUANA MUST BE DEPOSITED IN A SPECIAL ACCOUNT IN THE COUNTY GENERAL FUND; PROVIDING THAT THE MONEY IN THE ACCOUNT MUST ONLY BE DISBURSED AT THE DIRECTION OF A COURT; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO,**" was introduced by Commissioner Humke, the title read to the Board and legal notice for final action of adoption directed.

06-624 RESOLUTION - NEVADA LAND CONSERVANCY - TRUCKEE RIVER MANAGEMENT PROJECT

Katy Singlaub, County Manager, said this parcel had been listed on the early land acquisition adopted list; and the Nevada Land Conservancy had been contracted to help with the administrative details.

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 with Chairman Larkin absent, it was ordered that following Resolution be adopted and Vice Chairman Weber be authorized to execute the same:

**TRUCKEE RIVER FLOOD MANAGEMENT PROJECT
EARLY LAND ACQUISITION
RESOLUTION NO. 2004-1
(17 Lockwood Drive - 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 17 Lockwood Drive, 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 17 Lockwood Drive (Monday Property APN 084-080-12) 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 17 Lockwood Drive, comprised of approximately 1.11 acres of land and a 58-year old duplex building; and

WHEREAS, as part of the implementation of the Early land Acquisition Plan NVLC desires to assign the purchase of the parcel at 17 Lockwood Drive 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 17 Lockwood Drive in the name of and on behalf of Washoe County.

06-625 AGREEMENT - SHELTER PLUS CARE AWARD - U.S.
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Upon recommendation of Gabrielle Enfield, Grants Administrator, through John Slaughter, Management Services Director, on motion by Commissioner Humke, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Larkin absent, it was ordered that the *Shelter Plus Care* award from the U.S. Department of Housing and Urban Development, in the amount of \$286,080, be accepted. It was further ordered that Vice Chairman Weber be authorized to sign the agreement accepting the award and the Finance Department be directed to make the appropriate budget adjustments. It was noted that Washoe County would provide matching funds in the amount of \$286,080 (\$57,216 per year, over a term of five years).

06-626 **PURCHASE - JUNIPER NETWORK'S BRAND NETWORK
ROUTER AND SWITCHES - INFORMATION TECHNOLOGY**

Commissioner Galloway asked if this was a departure from past practices. Matt Beckstedt, Information Technology (IT) Director, replied these same switches and routers were in the 9th Street complex and the Mills B. Lane Justice Center. He said they were purchased as needed in order to get the best price. Commissioner Galloway asked if would it be possible to anticipate the annual purchase. John Balentine, Purchasing and Contracts Administrator, explained there was a fluxuation of the materials used for these units that could cause an increase in the price. Mr. Beckstedt added the warranty began when the units were purchased.

Upon recommendation of Michael Sullens, Senior Buyer, through Mr. Balentine, Mr. Beckstedt, and John Blanke, IT Manager, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Chairman Larkin absent, Vice Chairman Weber ordered that the purchase of Juniper Network's brand network router and switches hardware from Fusion Storm for the Core Network Router Upgrade Project (PW920273) and Data Infrastructure (C108820) for Washoe County, in the amount of \$147,741.36, be authorized.

06-627 **AWARD OF BID - TECHNICAL SUPPORT SERVICES
PERSONNEL - BID NO. 2537-06 - INFORMATION
TECHNOLOGY**

This was the time to consider award of the bid for Technical Support Services on behalf of the Information Technology Department. The Notice to Bidders for receipt of sealed bids was published in the *Reno Gazette-Journal* on April 6, 2006. Proof was made that due and legal Notice had been given.

In response to Commissioner Sferrazza, Katy Singlaub, County Manager, replied the comparable cost for a County employee to perform the work was estimated between \$17.65 and \$22.95 per hour plus benefits. She said it would be comparable to what was paid for a contract. Matt Beckstedt, Information Technology (IT) Director, said he met yearly with the Budget Department to discuss this issue and to review the question. He said it was not consistent work to justify a full-time staff member. Commissioner Sferrazza stated he would not support the item since he felt additional staff was needed in this department.

Ms. Singlaub clarified there were full-time employees who do PC installation. She said there were extraordinary requirements when dozens of PC's had to be implemented at the same time. Ms. Singlaub explained the constant workload was planned out for the full-time employees and work would be contracted out during peak workloads.

Bids were received from the following vendors:

Onsite Technical Services
MCSS, Ltd.
Pana Wholesale
Vista International Operations, Inc.
Link Technologies
Integrated Support Strategies

Upon recommendation of Michael Sullens, Senior Buyer, through John Balentine, Purchasing and Contracts Administrator, Mr. Beckstedt, and John Blanke, IT Manager, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Chairman Larkin absent and Commissioner Sferrazza voting "no," Vice Chairman Weber ordered that Bid No. 2537-06 for Technical Support Services on behalf of the Information Technology Department be awarded to MCSS Ltd., at the contracted rate of \$30.00 per hour and an estimated annual amount of \$249,600 to \$374,400 depending on the hours and number of technical support personnel utilized. It was further ordered that the Purchasing and Contracts Administrator be authorized to execute a two-year agreement with MCSS, Ltd. with the County retaining a one-year renewal option.

**06-628 AWARD OF BID - 2006/07 OVERLAY PAVING - BID NO. PWP-
WA-2006-237 - PUBLIC WORKS**

This was the time to consider award of the bid for the 2006/07 Overlay Paving of Selected Paved Streets for the Public Works Department. The Notice to Bidders for receipt of sealed bids was published in the *Reno Gazette-Journal* on May 5, and 12, 2006. Proof was made that due and legal Notice had been given.

In response to the call for public comment, Sam Dehne remarked about the cost for the paving of selected streets. He questioned who selected the streets to be paved.

Tom Gadd, Public Works Director, explained the process to select streets for overlay and slurry seal.

Commissioner Galloway asked if the streets were selected on the base bid plus the alternates. Mr. Gadd replied it was determined by the base bid.

Commissioner Sferrazza stated he was not in support of the bid because there were no streets in District 3 that were scheduled to be overlaid. Mr. Gadd said there was only 18 miles of County roads within his District. He said between Washoe County, the Regional Transportation Commission (RTC), and the City of Reno there was approximately \$20-million worth of projects that were completed in District 3 over the last year. Commissioner Sferrazza stated Mr. Gadd convinced him to change his vote.

Vice Chairman Weber inquired if the County was combining services with the other entities for road maintenance. Mr. Gadd said staff was in the process of establishing an interlocal agreement with the other entities including RTC. He stated there were a number of agreements with the Cities of Reno and Sparks that were developed over past years to share equipment.

Bids were received from the following vendors:

Sierra Nevada Construction
Granite Construction
Q & D Construction

Upon recommendation of Greg Belancio, Licensed Engineer, through Mr. Gadd, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Chairman Larkin absent, Vice Chairman Weber ordered that Bid No. PWP-WA-2006-237 for the 2006/07 Overlay Paving of Selected Paved Streets for the Public Works Department be awarded to the low, responsive, responsible bidder, Sierra Nevada Construction Company, for the base bid, Alternate No. 1 and Alternate No. 3 and option 4 only for \$1,659,121. It was further ordered that Vice Chairman Weber be authorized to execute the documents upon presentation.

06-629 AGREEMENT - STANTEC CONSULTING, INC. - TESTING AND INSPECTION SERVICES - PUBLIC WORKS

Vice Chairman Weber stated she would abstain from the vote because her husband was employed by Stantec Consulting.

Upon recommendation of Greg Belancio, Licensed Engineer, through Tom Gadd, Public Works Director, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Chairman Larkin absent and Vice Chairman Weber abstaining, it was ordered that an agreement between Washoe County and Stantec Consulting, Inc., concerning PWP-WA-2006-236 Testing and Inspection Services for the 2006/07 Paving of Selected Paved Streets in Washoe County, in the amount of \$41,962, be approved and Vice Chairman Weber be authorized to execute the same.

06-630 RENEWAL OF CONTRACT - PWP-WA-2006-236 - INTERMOUNTAIN SLURRY SEAL, INC. - PUBLIC WORKS

In response to Commissioner Galloway, Tom Gadd, Public Works Director, replied there was a 30 percent increase in prices within the past year. Greg Belancio, Licensed Engineer, said the suppliers sent certified letters about the increases.

In response to the call for public comment, Sam Dehne stated he was in support of the contract.

Upon recommendation of Mr. Belancio, through Mr. Gadd, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Chairman Larkin absent, it was ordered that renewal of the three-year option contract with Intermountain Slurry Seal Inc., for the 2006/07 Slurry Seal of Selected Streets, in the amount of \$1,757,800, be approved. It was further ordered that Vice Chairman Weber be authorized to execute the documents upon presentation.

06-631 AGREEMENT - MARVIN E. DAVIS AND ASSOCIATES - TESTING AND INSPECTION SERVICES - PUBLIC WORKS

Upon recommendation of Greg Belancio, Licensed Engineer, through Tom Gadd, Public Works Director, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Chairman Larkin absent, it was ordered that an agreement between Washoe County and Marvin E. Davis and Associates Geotechnical, concerning Testing and Inspection Services for the 2006/07 Slurry Seal of Selected Streets in Washoe County, Nevada, PWP-WA-2006-236, in the amount of \$43,458, be approved and Vice Chairman Weber be authorized to execute the documents upon presentation.

06-632 PURCHASE - DAILEY-WELLS COMMUNICATIONS - RADIO EQUIPMENT - PUBLIC WORKS

Upon recommendation of Craig Harrison, Telecommunications Manager, through Tom Gadd, Public Works Director, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried with Chairman Larkin absent, Vice Chairman Weber ordered that the purchase of the five-channel Enhanced Digital Access Communications System (EDACS) 800MHz radio equipment from Dailey-Wells Communications, to be installed on Mt. Rose in support of the Washoe County Regional Communications System (WCRCS), in the amount of \$212,706.45, be approved. It was noted that the funding for this purchase was provided through the Department of Homeland Security (DHS) grant.

06-633 BILL NO. 1486 - AMENDING WCC CHAPTER 110 - IMPACT FEES

Bill No. 1486, entitled, "AN ORDINANCE AMENDING WASHOE COUNTY CODE, CHAPTER 110, DEVELOPMENT CODE, ARTICLE 706, IMPACT FEES, TO PERMIT AN ANNUAL INCREASE IN THE REGIONAL ROAD IMPACT FEE BY A PERCENTAGE EQUAL TO THE AVERAGE ANNUAL PERCENTAGE OF INCREASE IN THE CONSUMER PRICE INDEX FOR WEST URBAN CONSUMERS FOR THE PRECEDING 5 CALENDAR YEARS; OR BY 4.5 PERCENT, WHICHEVER IS LESS WITH THE FOLLOWING EXCEPTIONS: NO INCREASE SHALL OCCUR WITHIN A TWELVE MONTH PERIOD FOLLOWING ACTION BY THE COUNTY TO ADOPT ANY REVISIONS TO THE REGIONAL ROAD IMPACT FEE LAND USE ASSUMPTIONS IN ACCORDANCE WITH NRS 278B.290; OR THE

ADOPTION OF ANY ORDINANCE THAT AMENDS THE REGIONAL ROAD IMPACT FEE SYSTEM CAPITAL IMPROVEMENT PLAN; OR ANY ACTION THAT OTHERWISE INCREASES THE IMPACT FEE; AND OTHER MATTERS PROPERLY RELATING THERETO," was introduced by Commissioner Humke, the title read to the Board and legal notice for final action of adoption directed.

06-634 PROFESSIONAL RECORDING SECRETARIAL SERVICES - INDEPENDENT CONTRACTOR AGREEMENTS - COMMUNITY DEVELOPMENT

Upon recommendation of Bob Webb, Planning Manager, through Adrian Freund, Community Development Director, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried with Chairman Larkin absent, it was ordered that the fiscal year 2006/07 professional recording secretarial services for the Washoe County Citizen Advisory Boards be approved. It was further ordered that the Independent Contractor Agreements for both Allayne Donnelly-Everett, dba Specialized Secretarial Services, in the amount of \$66,156, and Pamela Fox, dba Trifox, in the amount of \$27,950, be approved. It was also ordered that Vice Chairman Weber be authorized to execute the agreements on behalf of the Board.

06-635 WATER RIGHTS APPLICATION 73505 - WATER RESOURCES

Upon recommendation of Vahid Behmaram, Water Rights Manager, and Paul Orphan, Engineering Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried with Chairman Larkin absent, it was ordered that Water Rights Application 73505 be reviewed and Vice Chairman Weber be authorized to recommend approval of the subject application to the Nevada State Engineer.

06-636 RESOLUTION - SPANISH SPRINGS SEWER PROJECT - WATER RESOURCES

Upon recommendation of Jerry McKnight, Finance and Customer Service Manager, through John Sherman, Finance Director, and Steve Bradhurst, Water Resources Director, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Chairman Larkin absent, it was ordered that the following resolution be adopted and Vice Chairman Weber be authorized to execute the same:

RESOLUTION NO. 06-636

A RESOLUTION CONCERNING THE FINANCING OF SEWER PROJECTS IN SPANISH SPRINGS; DIRECTING THE CLERK TO NOTIFY THE WASHOE COUNTY DEBT MANAGEMENT

COMMISSION OF THE COUNTY'S PROPOSAL TO ISSUE ITS WASHOE COUNTY, NEVADA GENERAL OBLIGATION (LIMITED TAX) SEWER BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES) IN THE MAXIMUM PRINCIPAL AMOUNT OF \$4,600,000 TO EVIDENCE SUCH BORROWING; SETTING FORTH THE INTENT TO REIMBURSE CERTAIN EXPENDITURES WITH BOND PROCEEDS; PROVIDING CERTAIN DETAILS IN CONNECTION THEREWITH; AND PROVIDING THE EFFECTIVE DATE HEREOF.

WHEREAS, Washoe County, Nevada (the "County") was created as a county pursuant to Section 243.340 of Nevada Revised Statutes ("NRS"), and, pursuant to NRS 244A.011 to 244A.065, inclusive (the "County Bond Law"), is authorized to acquire, improve, equip, operate and maintain sewer projects within the County, including facilities pertaining to the County sewerage system and drainage and flood control projects as provided in NRS 244A.0505 (the "Project"); and

WHEREAS, the Board of County Commissioners (the "Board") of the County proposes to issue the County's general obligation (limited tax) sewer bonds additionally secured by pledged revenues (the "Bonds"); and

WHEREAS, pursuant to NRS 350.020(3) (subject to the approval of the proposal to issue general obligations by the Washoe County Debt Management Commission), proposes to adopt and publish notices of public hearing and adoption of a resolution of intent to issue the Bonds additionally secured by pledged revenues of the County's sewer projects, sewer system and water system (the "Pledged Revenues"); and

WHEREAS, the Board hereby makes a finding that the Pledged Revenues will at least equal the amount required in each year for the payment of interest on and principal of the Bonds; and

WHEREAS, the Board proposes to issue the Bonds without an election unless a petition signed by the requisite voters of the County representing the requisite assessed value of the taxable property of the County is presented to the Board requiring the Board to submit to the qualified electors of the County for their approval or disapproval the following proposal:

GENERAL OBLIGATION SEWER BOND ADDITIONALLY SECURED BY PLEDGED REVENUES PROPOSAL:

Shall the Board of County Commissioners of Washoe County in the State of Nevada, be authorized to incur a general obligation indebtedness on behalf of the County by the issuance at one time, or from time to

time, of the County's general obligation (limited tax) sewer bonds, in one series or more, in the aggregate principal amount of not exceeding \$4,600,000 for the purpose of financing, wholly or in part, the acquisition, construction, improvement and equipment of sewer projects, including, but not limited to, facilities pertaining to a County sewerage system, including drainage and flood control projects as provided in NRS 244A.0505, the bonds to mature commencing not later than five (5) years from the date or respective dates of the bonds and ending not later than thirty (30) years therefrom, to bear interest at a rate or rates not in excess of the statutory maximum rate in effect at the time bonds are sold, to be payable from general (ad Valorem) taxes (except to the extent pledged revenues and other moneys are available therefore), and to be issued and sold at par, and otherwise in such manner, upon such terms and conditions, and with such other detail as the Board may determine, including at its option but not necessarily limited to provisions for the redemption of bonds prior to maturity without or with the payment of a premium?

(the "Bond Proposal"); and

WHEREAS, subsection 1 of NRS 350.014 provides, in relevant part, as follows;

"1. Before any proposal to issue general obligation debt...may be submitted to the electors of a municipality, or before any other formal action may be taken preliminary to the issuance of any general obligation debt, the proposed incurrence...must receive the favorable vote of two-thirds of the members of the [debt management] commission of each county in which the municipality is situated...";

WHEREAS, subsection 1 of NRS 350.0145 provides, in relevant part, as follows:

"1. The governing body of the municipality proposing to incur general obligation debt...shall notify the secretary of each appropriate commission, and shall submit a statement of its proposal in sufficient number of copies for each member of the commission..."

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

Section 1. Based on the revenue study presented to the Board, the Board hereby finds that no increase in the rate of an ad valorem tax is anticipated to be necessary for the payment of the Bonds described in the Proposal for the term thereof (the "Finding"), and requests the Washoe County Debt Management Commission (the "Commission") to approve the Proposal and the Finding.

Section 2. All action, proceedings, matters and things heretofore taken, had and done by the Board, and the officers thereof (not inconsistent with the provisions of this resolution) directed toward the Project and the financing thereof, and the same hereby is, ratified, approved and confirmed.

Section 3. The County Clerk shall be, and she hereby is, authorized and directed to notify immediately the Secretary of the Washoe County Debt Management Commission of the County's Proposal, and to submit to said Secretary a statement of the Proposal in sufficient number of copies for each member of the Commission. The County Director of Finance is authorized to update or amend the County's plan for capital improvements if necessary to reflect the Project and the Bonds and the Project to be financed thereby and to file the information as required by NRS 350.013 to the extent required to comply with NRS 350.013.

Section 4. In order to permit the County to reimburse itself for prior expenditures relating to the Project with the proceeds of Bonds, the Board hereby determines and declares as follows:

(a) The County reasonably expects to incur expenditures with respect to the financing of the Project prior to the issuance of Bonds and to reimburse those expenditures from the issuance of Bonds; and

(b) The maximum principal amount of Bonds expected to be used to reimburse such expenditures is \$4,600,000.

Section 5. All resolutions, or parts thereof, in conflict with the provisions of this resolution, are hereby repealed to the extent only of such inconsistency. This repealer shall not be constructed to revive any resolution, or part thereof, heretofore repealed.

Section 6. If any section, paragraph, clause or other provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or other provision shall not affect any of the remaining provisions of this resolution.

Section 7. This resolution shall become effective and be in force immediately upon its adoption.

DISCUSSION - ADMINISTRATION OF OATHS - DISTRICT ATTORNEY

Melanie Foster, Legal Counsel, said only the Board of Equalization (BOE), the Board of Adjustment (BOA), and the Planning Commission have any process in place for administering oaths. She explained the BOE conducts a group swearing in of staff at the beginning of their hearing process, and the Clerk swears in individual petitioners as they appear. Ms. Foster said the BOA and the Planning Commission have adopted rules, but they were not strictly followed as stated in the agenda memorandum dated June 1, 2006. She said there were no other County boards that routinely required the swearing in of people appearing before them.

Commissioner Sferrazza asked which boards and commissions did this Board have the authority to require oaths be taken. Ms. Foster said the procedure to adopt the rules and regulations for the BOA and the Planning Commission were in Statute. She said the process was in the Development Code and set by Ordinance. Commissioner Sferrazza stated he was concerned about the County Commission and those that had decision-making power that would affect property or criminal rights.

In response to the call for public comment, Gary Schmidt stated he was in favor of boards administering oaths and swearing in witnesses.

Ms. Foster said the majority of opinion of the failure to swear in witnesses during an administrative proceeding was deemed to be a due process violation; however, the majority of opinion throughout the Country was that it was not.

Commissioner Galloway said, if there were no findings that this was mandated, he did not believe there was a reason to implement another level of swearing in. He suggested the Attorney General opine on the question.

Ms. Foster said the BOA had a process in place, but it was not enforced. She explained the rule stated the request to speak form shall contain the following: an affidavit that the speaker was under oath by final testimony declaration and that he/she has provided truthful statements.

Commissioner Galloway asked if it were appropriate to advise or suggest that the rule be enforced. Ms. Foster replied it would be appropriate.

Vice Chairman Weber inquired if the Board could give direction rather than a motion. Ms. Foster replied the Board could do either.

Commissioner Sferrazza said he requested this item because he believed there should be oaths administered in quasi-judicial proceedings. He moved to direct staff to draft a policy requiring persons appearing in front of the County Commission and other boards be sworn in prior to testifying before a quasi-judicial proceeding, and staff

request the BOE, the BOA, and the Planning Commission consider that as well. The motion failed due to the lack of a second.

Commissioner Galloway moved to direct staff to prepare a memo to be signed by the Chairman, on behalf of the Board, to remove the process to swear in individuals from their list of rules. The motion failed due to a lack of a second.

Commissioner Sferrazza was concerned that without oaths people would be free to lie with impunity. Commissioner Galloway was concerned about scaring people into silence.

Vice Chairman Weber explained a discussion had ensued regarding a policy pertaining to the administration of oaths to persons addressing County boards and testifying before them. She referenced the staff report and asked if the Board was going to make a policy or move on.

Commissioner Sferrazza agreed with Commissioner Galloway that this might discourage someone from testifying but indicated no one gets prosecuted for a mistake of fact. He explained perjury was a willful crime.

Commissioner Galloway said two motions were presented and neither received a second. He said, concerning the BOA and the Planning Commission, the questions of rules should be dealt with through Community Development.

06-638 RESOLUTION - NAME CHANGE - SIERRA FOREST FIRE PROTECTION DISTRICT

Upon recommendation of Melanie Foster, Assistant District Attorney, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried with Chairman Larkin absent, it was ordered that the following resolution be adopted and Vice Chairman Weber be authorized to execute the same:

**RESOLUTION
CHANGING THE NAME OF SIERRA FOREST FIRE PROTECTION DISTRICT
TO SIERRA FIRE PROTECTION DISTRICT**

WHEREAS, the Sierra Forest Fire Protection District, formerly known as the Clark-McNally Fire District (hereinafter the "District"), is a district created pursuant to chapter 473 of the Nevada Revised Statutes for the purpose of receiving federal aid for fire suppression activities; and

WHEREAS, that portion of the District that is within Washoe County has been jointly operated, managed and funded by the Nevada Division of Forestry and the Washoe County Commission, acting as the Board of Directors of Sierra Forest Fire Protection District; and

WHEREAS, Washoe County, the District, the Nevada Division of Forestry, and the State of Nevada Department of Conservation and Natural Resources are entering into a Cooperative Agreement whereby the District's day to day operations, firefighting response, emergency medical response and all related administrative and ministerial functions will be transferred to the Board of Directors of the District; and

WHEREAS, changing the name of the reorganized District is necessary to avoid confusion with other fire districts operated by Nevada Division of Forestry outside the geographic boundaries of Washoe County.

NOW THEREFORE, it is hereby resolved by the Board of Directors that the Sierra Forest Fire Protection District shall henceforth be known as the Sierra Fire Protection District.

06-639 RESOLUTION/COOPERATIVE AGREEMENT - SIERRA FIRE PROTECTION DISTRICT- PROVISION OF FIRE SERVICES

Upon recommendation of Melanie Foster, Assistant District Attorney, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Chairman Larkin absent, it was ordered that the Cooperative Agreement between Washoe County and Sierra Fire Protection District, State of Nevada Department of Conservation and Natural Resources, and the Nevada Division of Forestry, concerning the provision of fire services, to be effective July 1, 2006, be approved. It was further ordered that the following resolution be ratified and Vice Chairman Weber be authorized to execute the agreement and the resolution:

RESOLUTION

RATIFYING COOPERATIVE AGREEMENT FOR PROVISION OF FIRE SERVICES BETWEEN WASHOE COUNTY, SIERRA FIRE PROTECTION DISTRICT, STATE OF NEVADA DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES, AND THE NEVADA DIVISION OF FORESTRY

WHEREAS, Washoe County, Sierra Fire Protection District, State of Nevada Department of Conservation and Natural Resources, and the Nevada Division of Forestry are entering into a Cooperative Agreement for Provision of Fire Services; and

WHEREAS, chapter 277 of the Nevada Revised Statutes requires that public agencies approve cooperative agreements by resolution.

NOW THEREFORE, be it resolved by the Board of County Commissioners of Washoe County that the Cooperative Agreement for Provision of Fire Services between Washoe County, Sierra Fire Protection District, State of Nevada

Department of Conservation and Natural Resources, and the Nevada Division of Forestry is hereby ratified.

06-640 RESOLUTION/COOPERATIVE AGREEMENT - SIERRA FIRE PROTECTION DISTRICT - ADMINISTRATIVE AND SUPPORT SERVICES

Upon recommendation of Melanie Foster, Assistant District Attorney, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Chairman Larkin absent, it was ordered that the Cooperative Agreement between Washoe County and the Sierra Fire Protection District, concerning Administrative and Support Services to be effective July 1, 2006, be ratified. It was further ordered that the following resolution be adopted and Vice Chairman Weber be authorized to execute the agreement and the resolution:

RESOLUTION

RATIFYING COOPERATIVE AGREEMENT FOR ADMINISTRATIVE AND SUPPORT SERVICES BETWEEN WASHOE COUNTY AND SIERRA FIRE PROTECTION DISTRICT

WHEREAS, Washoe County and Sierra Fire Protection District are entering into a Cooperative Agreement for Administrative and Support Services; and

WHEREAS, chapter 277 of the Nevada Revised Statutes requires that public agencies approve cooperative agreements by resolution.

NOW THEREFORE, be it resolved by the Board of County Commissioners of Washoe County that the Cooperative Agreement for Administrative and Support Services between Washoe County and Sierra Fire Protection District is hereby ratified.

06-641 LEGISLATIVE ISSUES – LEGISLATIVE AFFAIRS

John Slaughter, Management Services Director, noted staff had a list of potential bill draft requests (BDR's) that would be brought to the Board in July and August. He stated the full list would be presented for discussion and approval in August.

Commissioner Galloway discussed a staff report that was presented at the last meeting of the water purveyors concerning a state created entity that would take care of new and existing water resources. He pointed out the joint body took no action on that report. He stated this body should remedy that by taking an action addressing the fact that the entities had a report on the existing water resources issue, and the finding was that there was no net gain in a state created entity to control those existing resources.

Commissioner Galloway acknowledged conjunctive use was working well, and the existing resources were close to being fully allocated.

County Manager Katy Singlaub presented documents entitled, "Washoe County Water Rights Information" and "Summary of Washoe County Position on Possible Consolidation of Water-related Services." She noted staff was seeking no change of the Board's position today because Chairman Larkin was absent.

Commissioner Galloway confirmed he was not intending to change any position. He suggested passing a motion stating that the issue had been examined, a detailed report was received, and it was not necessary to create a new entity that took control of existing water resources or the operation of the utilities based on that report.

Ms. Singlaub reviewed the documents as presented and confirmed the reports would be sent to SCR 26 Subcommittee. She noted the summary was a reflection of discussions by the Board and the adoption of the Interlocal Agreement outline on May 4, 2006 and updated on June 1, 2006. She commented the Commission would not have another meeting before the SCR 26 Subcommittee's final meeting on June 20th, and the summary was intended to clarify the Board's position for them.

Commissioner Sferrazza asked about the Vidler project and the Winnemucca Ranch water rights.

Ms. Singlaub commented Water Resources staff would need to be contacted to respond to Commissioner Sferrazza's questions, and she requested the item be continued until later in the meeting.

Vice Chairman Weber commented no motion should be made with Chairman Larkin absent. She agreed the discussion should be continued.

Commissioner Galloway reiterated his request for the Board to address the staff report, and he inquired about the boundaries.

Ms. Singlaub verified the language concerning the boundaries came from what was adopted on May 4, 2006.

In response to the call for public comment, Susan Seidl suggested a BDR on the issue of government employees lying. Gary Schmidt remarked at the Sun Valley General Improvement District (SVGID) meeting last week Senator Mark Amodei stated the exclusion of existing water would not be acceptable. Barry Bouchard commented the last meeting of the water purveyors went well, and he encouraged the Board to hang in there.

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Later in the meeting, Steve Bradhurst, Water Resources Director, went over the presented documents in detail. He pointed out the water rights held in trust for development as designated by the dedicating party for Washoe County included acre feet for the Vidler Project. He explained the water rights owned by the purveyor and not committed or held in trust for Washoe County included the Winnemucca Ranch water rights. Mr. Bradhurst stressed the importance of Items B and C as listed on the "Washoe County Water Rights Information" document. He said the new entity should not be involved with water rights already required to serve existing development or held in trust. He stated the new entity should focus on Items B and C. He reviewed the "Meeting Notice and Agenda" for the SCR 26 Subcommittee's meeting of June 20, 2006.

In response to Commissioner Galloway, Ms. Singlaub asked the Board to confirm the document entitled, ""Summary of Washoe County Position on Possible Consolidation of Water-related Services." She conferred with Mr. Bradhurst, and he believed that was a fair summary of the previous positions that the Board had taken. She clarified under "Boundaries" the intent was that the boundaries of the proposed Regional Water Entity would generally include southern Washoe County, not including Gerlach and the Lake Tahoe area.

Commissioner Galloway moved that the Board reaffirm their position as described in the summary document provided by staff and with the changes read by the County Manager. Commissioner Humke seconded the motion.

Mr. Bradhurst pointed out the statement on the summary that said, "Washoe County endorses the Southern Nevada Water Authority Model." Ms. Singlaub commented it was important for the Legislature to know what the Board supported, and that was a position the Board had taken previously.

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

Commissioner Sferrazza moved that Washoe County reaffirm its position that the new entity would not control or manage any of the water rights covered under Item A, as shown on the "Washoe County Water Rights Information" document, but it would seek to develop or acquire new water rights under Items B and C. Commissioner Galloway seconded the motion.

Commissioner Galloway requested the chart and materials presented at the Joint Purveyors meeting on June 1, 2006 by Donald Mahin, P.E., dated May 23, 2006, be sent to the SCR 26 Subcommittee. Vice Chairman Weber requested the summary comments by Mr. Bradhurst be included in relation to the "Washoe County Water Rights Information" document. Ms. Singlaub confirmed she would include a cover letter with the documents to include that information. Commissioner Humke stressed the importance of the details presented by Mr. Bradhurst. Commissioner Sferrazza was agreeable to the requests as the maker of the motion.

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

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5:25 p.m. The Board recessed.

5:55 p.m. The Board reconvened with all members present.

06-642 ADMINISTRATIVE ENFORCEMENT PROCESS – DEVELOPING NUISANCE REGULATIONS - COMMUNITY DEVELOPMENT

Adrian Freund, Community Development Director, stated this process involved departments in the County that had a role in enforcing the current nuisance codes. He acknowledged the work of the District Attorney's Office to examine innovative ways to deal with code enforcement procedures. He recognized the process related to the goals of the Board to improve public safety, security, health, and to support clean and safe neighborhood communities. Mr. Freund said staff viewed this as community improvement through enhanced management of nuisances in the County. He noted one aspect in the future could be to tailor nuisance ordinances, requirements, and procedures to the individual communities within the County.

Bob Webb, Planning Manager, presented a PowerPoint presentation concerning the creation of an administrative enforcement process and/or developing nuisance regulations. He confirmed staff was seeking the Board's concurrence that this was a beginning point to start working on enabling ordinances to regulate the procedures. Mr. Webb referenced the agenda memorandum dated May 2, 2006 that gave further details about code enforcement methods.

Vice Chairman Weber asked if staff had considered forming a committee involving citizens and Code Enforcement Officers. She favored monthly input from staff and citizens throughout the next several months on this matter.

Mr. Webb commented the timelines were only projections, and citizen groups had worked with staff in the past on issues.

Commissioner Galloway commented a second goal of the process should be to enhance and preserve the quality of life in the community. He asked who the Administrative Health Officer would appeal to. Mr. Webb noted staff was proposing the appeal would go through the court system. Commissioner Galloway commented on administrative abatement. He believed it would be better to have the Administrative Health Officer go to court for a ruling that he could abate; and, if there was a necessity to abate earlier, he should seek that authority from the County Commission. He stated this matter should not go to another committee until there was a draft ordinance.

Commissioner Humke referenced various parts of the staff report. He requested that Truckee Meadows Fire Protection District and Sierra Fire Protection District be included in the internal working group. He inquired if there was an equal protection problem concerning character to modify countywide nuisances where appropriate and asked that the District Attorney work on that issue. Commissioner Humke inquired if there would be a gradual change from a complaint-based system to proactive enforcement. He asked who the system would be directed at and who would be tagged with the responsibility. He inquired if this was a back door approach to a noise ordinance.

Mr. Webb clarified staff recommended the process remain complaint driven; however, that could be changed if the Board desired. He commented the staff recommendation was addressing non-construction activity related noise only. Mr. Freund confirmed this was intended to address noises that were within the code and non-construction noise.

Commissioner Sferrazza remarked a public nuisance should include what people stored inside their properties, especially if it was a property that had a common wall. He asked staff to look into that. He commented a property owner should have the ability to store inoperable vehicles on their property if they were not unsightly. Commissioner Sferrazza emphasized the importance of analyzing these matters before enforcement would start. He said the County needed to be careful to not interfere with the personal lives of citizens. He stated all people in a specific area should accept the definition of a nuisance if there would be area modifiers.

Mr. Freund confirmed the County currently did not have a housing code that would control or manage the appearance of structures. He said that would come back to the Board in the future if it was considered.

Vice Chairman Weber commented a strict ordinance would be difficult in unincorporated Washoe County. She supported the idea of area specific regulations or communities coming up with their own ideas of what they wanted. She asked how many Code Enforcement Officers there were in the County.

Mr. Webb explained Community Development had three Code Enforcement Officers for the entire County that responded to land use, zoning, and business license cases. He could not give numbers for the other agencies. He confirmed one officer responded to complaints in Incline Village and another officer acted on complaints in Gerlach.

In response to the call for public comment, Gene Brockman stated the current system did not work; and he favored development codes for specific areas. Garth Elliott declared the people of Sun Valley wanted to generate their own standards and be involved in the process. Susan Seidl supported area specific ordinances and read her suggestions that were placed on file with the Clerk. David Heuss said he did not have conditions, covenants, and restrictions (CC&R's) where he lived; and he did not want

them. John Burnett gave a PowerPoint presentation concerning Washoe County's need for updated nuisance regulations. Laura Mijanovich stated the American Civil Liberties Union (ACLU) did not have a position on the standards that should be applied as to what constituted a nuisance. Lois Avery said the system needed to be fair and consistent, and she supported having a committee examine the ordinance once it was drawn up. Aaron Schumacher talked about a former County employee's actions concerning code enforcement and said it was time for the Sheriff's Office to follow the law as laid out in the Nevada Revised Statutes (NRS). Katherine Snedigar discussed the definition of a public nuisance. Barry Bouchard stated he would not want the County to establish CC&R's. Gary Schmidt remarked the Commission should not force their standards on him or his neighbors. Juanita Cox stated the system needed to remain complaint driven, and solid ordinances must be established that followed the NRS.

In response to Commissioner Galloway, Mr. Brockman said he had not heard the anonymous complaint issue discussed in the Crystal Bay/Incline Village community; and he had no opinion on that. He commented CC&R's should be considered in the development of community standards, and he favored response to complaints versus a proactive approach.

Mr. Freund remarked various communities would define area standards. In regard to area plan updates, he explained staff went to the communities and asked about the characteristics that made those areas unique. He commented the statements from community members gave staff some foundation for potential ordinances that would address the varying character of the areas. Mr. Freund confirmed that was the process staff would like to see, and it could not move forward until all the area plan updates were completed. He said it was a balancing act because of the equal protection issue; however, at the same time, staff was assured there was a legal foundation for moving ahead with ordinances that met the specific character of each area.

Commissioner Sferrazza asked about the current procedures regarding anonymous complaints. Mr. Webb commented staff had not addressed the anonymity issue. He explained Community Development accepted anonymous complaints; however, the District Health Department required a person to give their name and telephone number in order to file a complaint.

Commissioner Humke commented neighborhood surveys would be important. He mentioned there could be many neighborhoods defined within one area plan. He suggested a matrix for each neighborhood that could be tied into offensive nuisance materials. Commissioner Humke said it would be vital to link the regulations to the density of different areas. He requested interim reporting to the Commission by staff. He asked why complaints from the community were directed at Community Development only.

Vice Chairman Weber inquired why there were no constructive comments in the staff report from the Warm Springs Citizen Advisory Board (CAB) meeting on April 3, 2006. Mr. Webb stated he was not at the meeting, but it was reported to him from several staff sources that those in attendance were brutal toward the staff member

that was at the meeting. He said the comments amounted to personal attacks on the representative. Mr. Webb offered the names of staff members the Board could contact if they wanted further confirmation about the meeting.

Vice Chairman Weber asked how agricultural areas would be addressed. Mr. Webb replied agricultural had a broad definition, and the totality of the NRS needed to be examined for what classified as an agricultural use. Vice Chairman Weber commented the process should draw from the area plans.

Mr. Freund stated the current regulations were not designed to meet specific communities, but that was part of the proposal. He noted Community Development received the focus of complaints because they were usually the first ones to respond to a complaint. Commissioner Humke commented he meant no disrespect for the Community Development Department with his question.

Commissioner Galloway and Melanie Foster, Legal Counsel, discussed the equity issue of complaints. Commissioner Galloway stated he would like a policy that would allow for equity in handling complaints, and he offered suggestions. Ms. Foster commented how the Commission wanted to instruct officers to enforce the code was up to them. Commissioner Galloway added he was trying to find a middle ground between a complaint driven system and a proactive approach. Ms. Foster confirmed a middle ground would be difficult to fashion.

County Manager Katy Singlaub confirmed the issues regarding content and enforcement of the regulations would be brought back to the Board. She said staff noted Commissioner Galloway's concerns and suggestions.

In response to Commissioner Galloway, Mr. Freund explained anyone could file a complaint; and staff would investigate to verify if the condition existed. He said persons who were the subject of a complaint were reluctant to cross-file complaints against their neighbors. Mr. Freund stressed the importance of specific guidelines for Code Enforcement Officers. He acknowledged in communities across the country where proactive enforcement existed, there was policy guidance from the governing body as to specific areas of the community that they would like to see that proactive enforcement carried out.

Commissioner Humke asked if it would be acceptable to have no definition for a nuisance in a specific area. Ms. Foster commented different grounds for enforcement within one political jurisdiction have been upheld when there was a sound geographic or similar reason for doing so. She said it might not work to adopt different nuisance ordinances that would be totally unrelated.

Vice Chairman Weber asked about some abandoned vehicles along a roadway. She inquired why it took so long for something to be done to remove them. Mr. Webb explained the process and said it could be months until there was resolution if the case went into the court system.

Commissioner Galloway inquired if a change in the State law was necessary in order to issue a civil citation with a fine, in lieu of a court appearance, with an additional deadline to abate 30 days. Ms. Foster stated the Commission would not have the authority to impose those kinds of fines. Commissioner Galloway asked the Commission to consider if they would want to ask for the ability to do that through the Legislature. He requested staff provide an example of a middle ground between pure complaint and proactive enforcement. He said it would be important to find out what areas wanted to opt out and to identify standards that would be required by all areas.

Vice Chairman Weber requested staff come back toward the end of July with additional information and input from the CAB's. She asked if an online survey could be conducted.

Mr. Freund confirmed staff would pour over the comments and report back to the Board. Ms. Singlaub verified an online survey could be completed to gather information on the subject matter.

06-643 INTERFUND LOAN – CONSTRUCTION FUND – WATER RESOURCES

5:30 p.m. This was the time set to conduct a public hearing in order to make certain determinations in connection with an interfund loan from the County's Department of Water Resources Construction Fund (the "Construction Fund") to the Department of Water Resources Spanish Springs Stormwater Detention Project Fund (the "Spanish Springs Fund") in the maximum principal amount of \$4,600,000 (the "Loan") to effect the Project. The County expects to reimburse itself for expenditures relating to the Project with the proceeds of general obligation sewer bonds.

Vice Chairman Weber opened the public hearing by calling on anyone wishing to speak. There being no response, the hearing was closed.

Jerry McKnight, Finance and Customer Service Manager, requested the date of the resolution be corrected to read June 13, 2006. He noted the item was deferred from an earlier time, and he asked for this technical correction.

Upon recommendation of Mr. McKnight, through John Sherman, Finance Director, and Steve Bradhurst, Water Resources Director, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried with Chairman Larkin absent, it was ordered that the date be corrected to June 13, 2006, the following resolution be adopted, and Vice Chairman Weber be authorized to execute the same:

RESOLUTION NO. 06-643

**A RESOLUTION MAKING CERTAIN DETERMINATIONS
IN CONNECTION WITH AN INTERFUND LOAN UP TO**

**\$4,600,000 TO BE MADE FOR THE PURPOSE OF
CONSTRUCTING A SPANISH SPRINGS STORM SEWER
PROJECT; AND PROVIDING THE EFFECTIVE DATE
HEREOF AND DIRECT THE FINANCE DEPARTMENT
TO MAKE THE APPROPRIATE ADJUSTMENTS.**

WHEREAS, Washoe County (the "County") was created as a county pursuant to Section 243.340 of Nevada Revised Statutes ("NRS"), and, pursuant to NRS 244A.011 to 244A.065, inclusive is authorized to acquire, improve, equip, operate and maintain sewer projects within the County, including facilities pertaining to the county sewerage system and drainage and flood control projects as provided in NRS 244A.0505 (the "Project"); and

WHEREAS, the Board of County Commissioners (the "Board") proposes to issue general obligation sewer bonds (the "Bonds") additionally secured by pledged revenues of the County's sewer projects, sewer system and water system (the "Pledged Revenues"); and

WHEREAS, the County wishes to make an interfund loan from the County's Department of Water Resources Construction Fund (the "Construction Fund") to the Department of Water Resources Spanish Springs Stormwater Detention Project Fund (the "Spanish Springs Fund") in the maximum principal amount of \$4,600,000 (the "Loan") to effect the Project and expects to reimburse itself for expenditures relating to the Project with the proceeds of the Bonds; and

WHEREAS, NRS 354.6118 (the "Act"), requires the County to make certain determinations before making an interfund loan; and

WHEREAS, pursuant to the Act, a public hearing was duly held on the date hereof.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY
BOARD OF THE COUNTY OF RENO, NEVADA:**

Section 1. Pursuant to the Act, the County hereby determines at the public hearing that:

(a) A sufficient amount of money is available for the Loan and that money is not restricted as to its use; and

(b) The Loan will not compromise the economic viability of the Construction Fund from which the money is loaned.

Section 2. Pursuant to the Act, the County hereby establishes at the public hearing that:

(a) The money will be on loan from the Construction Fund for a period of time not to exceed a year or until such time as the proceeds of the Bonds are received by the County, which is expected to be November, 2006, whichever occurs sooner.

(b) The cash interfund transaction for this loan is as follows:

<u>Water Resources Construction Fund 566C - #5158</u>	<u>Increase</u>
<u>Decrease</u>	
Due from Spanish Springs Stormwater Detention Project Fund #5153	\$4,600,000
Cash	
\$4,600,000	
<u>Water Resources Spanish Springs Stormwater Detention Project</u>	
<u>Project Fund #5153</u>	
Cash	\$4,600,000
Due to Public Works Construction Fund	
\$4,600,000	

(c) The terms and conditions for repaying the Loan shall be payment in full of the Loan from the proceeds of the Bonds on the date of delivery of the Bonds, together with interest accruing thereon at the rate of five (5) percent per annum on the outstanding principal amount transferred from the Construction Fund to the Spanish Springs Fund (not to exceed \$4,600,000) from the dates of such transfers until the date the Loan is paid in full.

Section 3. The County Finance Director and other officers of the County are hereby authorized to make the Loan and file a copy of this resolution with the State of Nevada Department of Taxation.

Section 4. All action, proceedings, matters and things heretofore taken, had and done by the County and the officers thereof in connection with the Bonds and the Loan (not inconsistent with the provisions of this resolution) be, and the same hereby are, ratified, approved and confirmed.

Section 5. All resolutions, or parts thereof, in conflict with the provisions of this resolution, are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any resolution, or part thereof, heretofore repealed.

Section 6. If any section, paragraph, clause or other provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or other provision shall not affect any of the remaining provisions of this Resolution.

Section 7. This Resolution shall be in full force and effect on its passage and approval.

06-644 ORDINANCE NO. 1300 - BILL NO. 1480 - AMENDING WCC
CHAPTER 15 – CREATION OF AN ACCOUNT - ASSESSOR

5:30 p.m. This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on June 2, 2006 to consider second reading and adoption of Bill No. 1480. Proof was made that due and legal Notice had been given.

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

On motion by Commissioner Humke, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Larkin absent, Vice Chairman Weber ordered that Ordinance No. 1300, Bill No. 1480, entitled, "**AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY CREATING AN ACCOUNT IN THE COUNTY GENERAL FUND TO BE DESIGNATED AS THE ACCOUNT FOR THE ACQUISITION AND IMPROVEMENT OF TECHNOLOGY IN THE OFFICE OF THE COUNTY ASSESSOR AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO,**" be approved, adopted and published in accordance with NRS 244.100.

06-645 ORDINANCE NO. 1301 - BILL NO. 1481 - AMENDING
ORDINANCE NO. 1000 – DISTRICT NO. 24 (GROUNDWATER
REMEDATION)

5:30 p.m. This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on June 2, 2006 to consider second reading and adoption of Bill No. 1481. Proof was made that due and legal Notice had been given.

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

Commissioner Galloway stated this was a routine adjustment, and it was done according to formula.

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried with Chairman Larkin absent, Vice Chairman Weber ordered that Ordinance No. 1301, Bill No. 1481, entitled, "**AN ORDINANCE AMENDING ORDINANCE NO. 1000 IN ORDER TO CHANGE THE BOUNDARIES OF DISTRICT NO. 24 (GROUNDWATER REMEDIATION); AND PROVIDING OTHER MATTERS RELATING THERETO,**" be approved, adopted and published in accordance with NRS 244.100.

06-646 ORDINANCE NO. 1302 - BILL NO. 1482 – IMPOSING A FEE ON PARCELS - DISTRICT NO. 24 (GROUNDWATER REMEDIATION)

5:30 p.m. This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on June 2, 2006 to consider second reading and adoption of Bill No. 1482. Proof was made that due and legal Notice had been given.

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

Commissioner Galloway commented a fee must be imposed when boundary adjustments occurred.

On motion by Commissioner Galloway, seconded by Vice Chairman Weber, which motion duly carried with Chairman Larkin absent, it was ordered that Ordinance No. 1302, Bill No. 1482, entitled, "**AN ORDINANCE IMPOSING A FEE ON THE PARCELS OF LAND IN WASHOE COUNTY, NEVADA DISTRICT NO. 24 (GROUNDWATER REMEDIATION) TO PAY THE COSTS OF DEVELOPING AND CARRYING OUT A PLAN FOR REMEDIATION; AND PRESCRIBING OTHER MATTERS RELATING THERETO,**" be approved, adopted and published in accordance with NRS 244.100.

06-647 ORDINANCE NO. 1303 - BILL NO. 1483 – DEVELOPMENT AGREEMENT CASE NO. DA06-001 – WARM SPRINGS RANCH

5:30 p.m. This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on June 2, 2006 to consider second reading and adoption of Bill No. 1483. Proof was made that due and legal Notice had been given.

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

In response to Commissioner Sferrazza, Don Young, Senior Planner, stated the development agreement was for a 750-lot subdivision. He said water would be dedicated at the time of the final map recordation, and water rights were available within the basin. He clarified the applicant was Palomino Valley Associates.

Commissioner Galloway asked why staff was recommending the extension of the subdivision map.

Mr. Young explained the sewer treatment plant that was required for the subdivision had been running into difficulties. He stated the development agreement

would allow the tentative subdivision map to remain alive for another two years and provide the opportunity to resolve the issues. Mr. Young noted this item was approved by the Planning Commission, and there was no appeal or objections to it. He added there was no one present objecting to the extension.

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried with Chairman Larkin absent, Vice Chairman Weber ordered that Ordinance No. 1303, Bill No. 1483, entitled, "**AN ORDINANCE PURSUANT TO NEVADA REVISED STATUTES 278.0201 THROUGH 278.0207 APPROVING THE INITIAL DEVELOPMENT AGREEMENT CASE NO. DA06-001 FOR WARM SPRINGS RANCH - TENTATIVE SUBDIVISION MAP CASE NO. TM04-005 APPROVED BY THE PLANNING COMMISSION OF WASHOE COUNTY ON JUNE 29, 2004,**" be approved, adopted and published in accordance with NRS 244.100.

06-648 ORDINANCE NO. 1304 - BILL NO. 1484 - DEVELOPMENT AGREEMENT CASE NO. DA06-002 – TENTATIVE PARCEL MAPS

5:30 p.m. This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on June 2, 2006 to consider second reading and adoption of Bill No. 1484. Proof was made that due and legal Notice had been given.

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

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried with Chairman Larkin absent, Vice Chairman Weber ordered that Ordinance No. 1304, Bill No. 1484, entitled, "**AN ORDINANCE PURSUANT TO NEVADA REVISED STATUTES 278.0201 THROUGH 278.0207 APPROVING THE INITIAL DEVELOPMENT AGREEMENT CASE NO. DA06-002 FOR TENTATIVE PARCEL MAPS APPROVED BY THE PARCEL MAP REVIEW COMMITTEE OF WASHOE COUNTY,**" be approved, adopted and published in accordance with NRS 244.100.

REPORTS/UPDATES FROM COUNTY COMMISSION MEMBERS

Commissioner Galloway announced there would be a Debt Management Commission (DMC) meeting June 15, 2006. He commented once a year the Southwest Truckee Meadows Citizen Advisory Board (CAB) invited him to a meeting because a portion of his District was within their boundary. He said that meeting would be on June 15th. Commissioner Galloway remarked the Board would be receiving a memo of recommendation from the West Truckee Meadows CAB. He said they unanimously voted to recommend that the Commission proceed with the acquisition of all Ballardini

land that was available under the Settlement Agreement. He added their recommendation further urged that any additional Ballardini land that became available in the future be acquired.

Commissioner Humke stated the Regional Transportation Commission (RTC) would not be meeting on June 16th, due to a lack of a quorum. He said there would be a breakfast to honor Gary Kelly, CEO of Southwest Airlines, on June 22, 2006. He said the Reno-Sparks Convention and Visitors Authority (RSCVA) meeting would commence after the breakfast.

Commissioner Sferrazza noted that breakfast would be hosted by the Airport Authority.

Vice Chairman Weber announced the Reno Rodeo would begin on June 15, 2006. She said the Washoe County School District Bond Oversight Committee meeting would be held on June 15th.

County Manager Katy Singlaub said she would be in Washington D.C. June 16-19, 2006 to meet with Congressional Delegation staff. She asked the Commissioners to forward any issues of concern, and she would convey them.

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There being no further business to come before the Board, the meeting adjourned at 8:35 p.m.

BONNIE WEBER, Vice Chairman
Washoe County Commission

ATTEST:

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

*Minutes Prepared by
Stacy Gonzales and Lori Rowe
Deputy County Clerks*