

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

2:00 P.M.

OCTOBER 16, 2007

PRESENT:

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

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

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

County Manager Katy Singlaub stated: "The Chairman and Board of County Commissioners intend that their proceedings should demonstrate the highest levels of decorum, civic responsibility, efficiency and mutual respect between citizens and their government. The Board respects the right of citizens to present differing opinions and views, even criticism, but our democracy cannot function effectively in an environment of personal attacks, slander, threats of violence, and willful disruption. To that end, the Nevada Open Meeting Law provides the authority for the Chair of a public body to maintain the decorum and to declare a recess if needed to remove any person who is disrupting the meeting, and notice is hereby provided of the intent of this body to preserve the decorum and remove anyone who disrupts the proceedings."

07-1186 AGENDA ITEM 3 – AGENDA

Agenda Subject: "Approval of the agenda for the Board of County Commissioners' meeting of October 16, 2007, including consideration of taking items out of sequence, deleting items and adding items which require action upon finding that an emergency exists."

Katy Singlaub, County Manager, indicated that public comment was expected on item 9G(2) and staff recommended it be removed from the consent agenda.

In response to the call for public comment, Guy Felton discussed why he believed the Commission had no standing to adopt its agenda.

Sam Dehne complained that the Commission rarely started its meetings at the time printed on each agenda and objected to the two-minute limitation on public comment.

Commissioner Weber clarified that Agenda Item 11, which listed Commission Districts 3 and 4, also pertained to Commission District 5.

In accordance with the Open Meeting Law, on motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 3 be approved with the following change: item 9G(2) was removed from the consent agenda.

AGENDA ITEM 4 – INTRODUCTION OF NEW EMPLOYEES

Agenda Subject: "Introduction of new Washoe County employees."

Chairman Larkin invited approximately 17 new Washoe County employees to come forward and introduce themselves to the Board. The Board members welcomed the new employees.

07-1187 AGENDA ITEM 5 – PRESENTATION OF CERTIFICATES

Agenda Subject: "Presentation of Excellence in Public Service Certificates honoring Washoe County employees who have completed essential employee development courses."

Katy Singlaub, County Manager, recognized the following employees for successful completion of the Excellence in Public Service Certificate Programs administered by the Human Resources Department:

Essentials of Management Development

Jeffrey Kangas, Recreation Specialist I, Parks Department
Maizie Pusich, Attorney, Public Defender's Office

Essentials of Personal Effectiveness

Charlene Glass, Payroll/Personnel Clerk, Sheriff's Office

Essentials of Support Staff

Elaine Anagnostou, Office Support Specialist, Human Resources
Eileen McNeill, Unity Clerk, Social Services
Elizabeth McKay, Account Clerk II, Public Guardian's Office

07-1188 AGENDA ITEM 6 – PUBLIC COMMENT

Agenda Subject: "Public Comment. Comment heard under this item will be limited to two minutes per person and may pertain to matters both on and off the

Commission agenda. The Commission will also hear public comment during the individual action items, with comment limited to two minutes per person. Comments are to be made to the Commission as a whole."

Guy Felton declared the Chairman should follow the Board's policy before removing individuals from a meeting for violations in decorum. He complained about the sound system in the Commission Chambers and questioned the reliability of voting machines.

Sam Dehne referred to Reno's new baseball team as the "Reno Ka-Chings," after the slot machines for which Reno was famous.

Gary Schmidt placed handouts and photographs on file with the Clerk concerning notices of violation for inoperable junk vehicles.

AGENDA ITEM 7 – COMMISSIONERS'/MANAGER'S ANNOUNCEMENTS

Agenda Subject: "Commissioners'/Manager's Announcements, Requests for Information, Topics for Future Agendas and Statements Relating to Items Not on the Agenda. (No discussion among Commissioners will take place on this item.)"

Commissioner Weber asked for an item to be included on the Board's December 11, 2007 agenda concerning the Silver Lake Volunteer Fire Department's Community Room. She requested reconsideration at the meeting on November 13, 2007 for David Mollenberg's amendment of conditions, Case No. AC07-012. Katy Singlaub, County Manager, agreed to check with staff on scheduling and add the item to the first available agenda date. Commissioner Galloway asked a procedural question regarding reconsideration of agenda items. Commissioner Weber clarified her request for an agenda item to make a motion for reconsideration at the November 13, 2007 meeting, followed by an agenda item at a subsequent meeting where the reconsideration would actually take place if the first motion passed.

Commissioner Galloway announced two meetings of the Human Services Triumvirate, one to discuss policies and appointments to its advisory board and a second to discuss the criteria for granting awards, which are given in January 2008.

07-1189 AGENDA ITEM 8 – PURCHASING DEPARTMENT

Agenda Subject: "Acknowledge that the Washoe County Purchasing Department was awarded its 12th consecutive "Achievement of Excellence in Procurement Award" for 2007 by the National Purchasing Institute (N.P.I.) on Wednesday, September 19, 2007."

Chairman Larkin presented the award and congratulated Department Head John Balentine and his team. Mr. Balentine thanked the Commissioners and pointed out

that the conditions for receiving the award changed every year, ensuring the recipient remained on the cutting edge of technology.

In response to the call for public comment, Sam Dehne complimented the staff of the Purchasing Department and hoped they could use their skill to alleviate the County's budget shortfall.

Gary Schmidt commended the employees of the Purchasing Department.

On motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that Agenda Item 8 be acknowledged.

DISCUSSION – CONSENT AGENDA

Agenda Item 9G(2) was removed from the consent agenda to be considered for a separate vote.

In response to the call for public comment, Sam Dehne complimented the Commissioners and the County Manager for the relatively short size of the consent agenda.

07-1190 AGENDA ITEM 9A – MINUTES

Agenda Subject: "Approve minutes for the Board of County Commissioners' meeting of September 18, 2007."

In response to the call for public comment, Gary Schmidt requested each of the County Commissioners state whether they read the minutes word for word prior to approving them. He questioned Commissioner Jung being listed as an affirmative vote to approve the previous minutes.

On motion by Commissioner Weber, seconded by Commissioner Galloway, which motion duly carried, Chairman Larkin ordered that Agenda Item 9A be approved.

07-1191 AGENDA ITEM 9B – HUMAN RESOURCES

Agenda Subject: "Accept a donation [\$1,000] for the Washoe County Scholarship Fund; and if accepted, direct the Finance Department to make the appropriate budget adjustments."

On behalf of the Board, Commissioner Galloway thanked County Manager Katy Singlaub for her generous donation.

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Galloway, which motion duly carried, Chairman Larkin ordered that Agenda Item 9B be accepted and directed.

07-1192 AGENDA ITEM 9C – DISTRICT ATTORNEY'S OFFICE

Agenda Subject: "Approve payments [\$6,692.00] to vendors for assistance of 40 victims of sexual assault and authorize Comptroller to process same. NRS 217.310 requires payment by the County of total initial medical care of victims and of follow-up treatment costs of up to \$1,000 for victims, victim's spouses and other eligible persons."

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Galloway, which motion duly carried, Chairman Larkin ordered that Agenda Item 9C be approved.

07-1193 AGENDA ITEM 9D – PUBLIC WORKS DEPARTMENT

Agenda Subject: "Award of Informal Bid for the Coroner's Office Re-roof project to the lowest responsive and responsible bidder (staff recommends Alpine Roofing Company, Inc.)[\$53,940.00]; and if awarded, authorize the Public Works Director to execute the necessary documents."

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Galloway, which motion duly carried, Chairman Larkin ordered that Agenda Item 9D be awarded, authorized and executed.

07-1194 AGENDA ITEM 9E – CHIEF MEDICAL EXAMINER'S OFFICE

Agenda Subject: "Accept the Paul Coverdell Forensic Science Improvement Act Grant award [\$93,468 with no County match required] from the Office of Justice Programs; and if accepted, authorize the Medical Examiner to sign the grant agreement and direct the Finance Department to make appropriate budget adjustments."

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Galloway, which motion duly carried, Chairman Larkin ordered that Agenda Item 9E be accepted, authorized and directed.

07-1195 AGENDA ITEM 9F – ASSESSOR'S OFFICE

Agenda Subject: "Approve roll change requests for errors discovered for the 2007/2008, 2006/2007, 2005/2006, 2004/2005, secured and unsecured tax rolls as outlined in Exhibit A; and if approved, authorize Chairman to execute orders listed on the exhibits and direct the Washoe County Treasurer to correct the errors [cumulative amount of reduction \$4,916.83]."

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Galloway, which motion duly carried, Chairman Larkin ordered that Agenda Item 9F be approved, authorized, executed and directed.

07-1196 AGENDA ITEM 9G(1) – DEPARTMENT OF WATER RESOURCES

Agenda Subject: "Approve and authorize the Chairman to execute two Water Rights Deeds between Utilities Inc. of Nevada and Washoe County transferring 3.03 acre-feet of groundwater rights to support the Cold Springs YMCA; and direct the Water Rights Manager to record said Deeds (District 5)."

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Galloway, which motion duly carried, Chairman Larkin ordered that Agenda Item 9G(1) be approved, authorized, executed and directed.

07-1197 AGENDA ITEM 9G(2) – DEPARTMENT OF WATER RESOURCES

Agenda Subject: "Approve adjustments to the 1996 service territory boundaries between Truckee Meadows Water Authority and Washoe County for parcels located in the Golden Valley and Lemmon Valley areas (Districts 3 and 5)."

Vahid Behmaram, Water Rights Manager, stated the proposed service territory adjustments were presented to the North Valleys Citizen Advisory Board (CAB) and the Golden Valley Homeowners Association (HOA). He related that the Golden Valley HOA wished to limit the scope of the boundary adjustment to the area south of Golden Valley Road, remain within Washoe County's service territory, and request a notification process for all parcels subject to the adjustments.

Mr. Behmaram stated the examination of boundaries by Washoe County and the Truckee Meadows Water Authority (TMWA) was prompted by a request to place a single parcel located north of Golden Valley Road on TMWA service. He explained service area boundaries were typically adjusted based on which utility had the necessary infrastructure and, since TMWA and the Sun Valley General Improvement District (SVGID) both had infrastructure in the area, it was unlikely that Washoe County would

extend infrastructure into the same area in the future. Mr. Behmaram pointed out the developments to the south of Golden Valley Road and the high school to the west were located in the TMWA service area and the properties to the east were part of SVGID. He noted there was a new water line going in along Golden Valley Road to augment TMWA service and provide a second source of supply to SVGID. He explained that residents of any service area in the State who were using domestic wells would not be forced to use municipal service as long as their wells were functioning properly.

Mr. Behmaram stated it was staff's recommendation to move forward with the service territory adjustment as outlined in the staff report, based on State requirements that utilities must consider what was best for their customers and best for the utilities, financially and otherwise. He indicated there had not been a requirement in the past for notification to parcel owners subject to boundary adjustments.

Mary Harcinske, representing the Golden Valley property owners, pointed out the location of the TMWA water line, which was indicated on maps attached to the staff report. She stated specific agreements were negotiated during construction of the North Valleys High School to ensure that the Golden Valley property owners would not be included in the TMWA service area. She indicated the property owners put a lot of money into recharge and into their own water systems. Ms. Harcinske pointed out there was only one property owner who wanted TMWA service and asked the Commission to uphold prior agreements by keeping the property owners to the north of Golden Valley Road within the Washoe County service area.

Chairman Larkin asked if there would ever be an inter-tie between Washoe County and TMWA for properties that remained in the Washoe County service area if their wells were to fail. Mr. Behmaram stated it would be difficult to justify the cost of putting in a wholesale point of connection, a wholesale meter, and entering into the necessary agreements for such a small geographic area. Chairman Larkin asked Ms. Harcinske if the property owners understood that point and wondered who would service them if their wells were to fail. Ms. Harcinske indicated the property owners had historically taken the position they did not want municipal water service and would have the option to redrill their wells in the event of failure. She said the property owners had invested in three recharge wells, paid for water allocations, and were getting injection service. Ms. Harcinske believed it made sense to change boundaries to the south of Golden Valley Road since those properties were not getting the benefit of the recharge project. Chairman Larkin asked how she thought the Commission should deal with the single property owner's request. Ms. Harcinske could not answer that but reiterated the request that the other property owners to the north of Golden Valley Road not be placed into a service area they did not want.

3:00 p.m. Commissioner Humke temporarily left the meeting.

In response to a question by Commissioner Weber, Mr. Behmaram observed that the boundary adjustment would not change anything for those who were on domestic wells and the recharge program would remain in place. He suggested the Board

had the option of changing the scope of adjustment to all parcels south of Golden Valley Road and the one parcel that requested TMWA service. Mr. Behmaram explained, in the event of well failure, the State Engineer's office would examine the area to see if municipal water service was available before approving or denying a permit to deepen or redrill a well. Because of their proximity to the new water line, it was his opinion the well owners on Golden Valley Road might not be granted the option to deepen or redrill their wells, no matter what service area they were located in.

Commissioner Galloway asked if it could also be said the County would never provide water service to the parcels directly north that would remain in its service area. Mr. Behmaram pointed out they did not have quite the same proximity to the water line on Golden Valley Road and suggested the question might be better addressed by engineers who could discuss requirements for the easements that would be necessary to provide service. He stated it was his understanding the project to extend the TMWA water line all the way down Golden Valley Road would definitely go forward.

In response to a question by Commissioner Jung, Mr. Behmaram said the cost of infrastructure to provide new water service was always borne by the homeowners who benefited from it. He pointed out it would be illogical for the County to bring in a new water line parallel to an existing one.

3:06 p.m. Commissioner Humke returned to the meeting.

Commissioner Weber suggested the agenda item should be continued until all affected property owners were given an opportunity to provide input.

Commissioner Jung wondered if it could be made a policy that affected property owners must always be notified. Chairman Larkin pointed out the Board was not agendized to set such a policy but staff could bring back a report to discuss policy issues at a future meeting.

Commissioner Galloway asked if well owners would be assessed for the cost of the new water line if their parcels were changed to the TMWA service area. Mr. Behmaram stated he did not believe so, although he could not speak for TMWA. He said there might be some sort of retroactive assessment for those who connected to TMWA service. Commissioner Galloway asked Mr. Behmaram to obtain definite answers about assessments for all the residents who might be affected by a service area change.

In response to the call for public comment, Gary Schmidt opposed adjustment of the service area boundary.

Chairman Larkin identified two separate areas for the Board to consider in its motions, three parcels on Military Road in Lemmon Valley and the group of parcels on Golden Valley Road in Golden Valley. The parcels were identified on a series of maps attached to the staff report, which was on file with the Clerk.

In response to a question by Commissioner Weber, Mr. Behmaram stated the County received no objections to the proposed service territory adjustment on Military Road, which was requested by a single developer.

Discussion ensued about the parcels located in the Golden Valley area. Commissioner Galloway suggested that all the affected property owners should be notified. Commissioner Jung moved to continue the agenda item as it pertained to parcels located in the Golden Valley area, as well as to direct the Department of Water Resources to notify all affected property owners and make staff available to answer their questions or provide information. Commissioner Galloway seconded the motion.

Commissioner Humke asked if notifying the property owners would establish a precedent and Mr. Behmaram indicated it probably would. Chairman Larkin pointed out the Commission was not establishing policy as part of this agenda item and staff had been asked to bring back a report on a future agenda item to discuss policy issues. Commissioner Humke expressed concern that the Board not establish a policy by setting a precedent.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, Chairman Larkin ordered that the adjustments to the 1996 service territory boundaries for parcels on Military Road in Lemmon Valley be approved as identified on the second map attached to the staff report for Agenda Item 9G(2).

On motion by Commissioner Jung, seconded by Commissioner Galloway, which motion duly carried, Chairman Larkin ordered that Agenda Item 9G(2) be continued as it pertained to parcels located in the Golden Valley area and identified on the third map attached to the staff report, that staff be directed to notify all affected property owners, and that staff be available to answer questions or provide information on request of the affected property owners prior to further consideration by the Board.

07-1198 AGENDA ITEM 10 – APPEARANCE

Agenda Subject: "Dorothy Timian-Palmer, P.E., Chief Operating Officer, Vidler Water Company – Fish Springs Ranch Overview and Project Status."

Dorothy Timian-Palmer, President of the Vidler Water Company, thanked the Board for taking time to hear the project update. She also thanked the staff of the Department of Water Resources, who had been wonderful to work with.

David Merrill, Vice President of Project Engineering, conducted a PowerPoint presentation, which was placed on file with the Clerk. He displayed an aerial map showing the water line route for the project. Mr. Merrill described progress on the infrastructure for the project, which would connect the new water line from Fish Springs Ranch with the County's water line in Lemmon Valley. He expected construction to be 100 percent complete by the end of January 2008.

Chairman Larkin clarified with Mr. Merrill that the entire line would be pressurized and water would be flowing once construction was complete.

In response to Commissioner Galloway's question, Ms. Timian-Palmer stated the Company conducted a stock sale to fund the project.

Commissioner Weber commended those responsible for the project and pointed out that the concerns of her constituents had been promptly and thoroughly addressed throughout the process.

Commissioner Galloway asked if there would be a period of time when Washoe County would be able to use the water for recharge. Ms. Timian-Palmer stated that, until the water was dedicated to homeowners, it was available for temporary use in other projects.

Chairman Larkin observed that the Fish Springs project set the standard for water importation projects in terms of private financing. He congratulated the Vidler Water Company for bringing a private for profit enterprise in to benefit the public.

No action was taken on this item.

07-1199 AGENDA ITEM 11 – DEPARTMENT OF WATER RESOURCES

Agenda Subject: "Recommendation to approve and authorize the Chairman to execute upon receipt the Infrastructure Dedication Agreement between the County of Washoe and Fish Springs Ranch, LLC, enabling Fish Springs Ranch, LLC to proceed with its water importation project from Fish Springs Ranch in Honey Lake Valley to the North Valleys (Lemmon Valley and Golden Valley). (Districts 3 and 4)"

Rosemary Menard, Director of the Water Resources Department, commented there was roughly \$100,000,000 of infrastructure, which would be dedicated to Washoe County. The County would operate and maintain the infrastructure for the benefit of the community. She stated there would be a number of opportunities for the County to use excess capacity in the water line over the next few years until household demand increased.

Chairman Larkin clarified with Ms. Menard that item 5.2 of the Agreement, which gave both Fish Springs Ranch and Washoe County the right to expand infrastructure and set the terms for doing so, did not in any way imply that either party was obligated to expand capacity. Chairman Larkin summarized the essence of the Agreement was that the Vidler Water Company built the line and privately financed it but the County would now take on ownership, maintenance and operation of the line. Ms. Menard stated a rate structure would be developed to cover the operation and maintenance costs for the facility when customers were brought on line.

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 11 be approved, authorized and executed as recommended.

07-1200 AGENDA ITEM 12 – MANAGEMENT SERVICES

Agenda Subject: "Introduction and first reading of an Ordinance amending the Washoe County Code by revising certain provisions of the County Suggestion Program."

Amy Harvey, County Clerk, read the title of the ordinance (Bill No. 1530).

In response to a question by Commissioner Galloway, David Ybarra, Suggestion Program Coordinator, stated the Board would continue to make decisions about the composition of the Program Committee.

Commissioner Galloway introduced the ordinance.

DISCUSSION – BLOCK VOTE

The Board consolidated Agenda Items 13, 14, 15, 16 and 18 into a single block vote.

07-1201 AGENDA ITEM 13 – PURCHASING DEPARTMENT

Agenda Subject: "Recommendation to award Washoe County Bid #2609-08, Law Enforcement Uniforms & Accessories for the Washoe County Sheriff's Department to the lowest responsive, responsible bidder meeting specifications, Miller's School Jackets; and if awarded, approved an alternative vendor for various brands of line items to Uniformity Inc., as alternative vendor will provide more fitting options for the officers. Uniformity was the second low bidder [approximate amount \$90, 000.00 per year, approximately \$180,000.000 for the two years, depending upon actual requirements, as this a requirement type of contract]. This award shall run from the date of bid award for 24 months, with Washoe County retaining an option for a one year extension."

There was no public comment on this item.

On motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that Agenda Item 13 be awarded and approved as recommended.

07-1202 AGENDA ITEM 14 – REGIONAL PARKS AND OPEN SPACE

Agenda Subject: "Recommendation to approve Agreement between the County of Washoe and Tahoe Regional Planning Agency regarding November 2002 State Question 1: Parks and Open Space Bond Issue - Lake Tahoe Bike Path Project Funding [\$1,252,516] to complete Phase Two-Feasibility Study and Phase Three-Environmental Study; and if approved, authorize Chairman to execute Agreement upon presentation."

There was no public comment on this item.

On motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that Agenda Item 14 be approved, authorized and executed as recommended.

07-1203 AGENDA ITEM 15 – DEPARTMENT OF WATER RESOURCES

Agenda Subject: "Recommendation to review Water Rights Applications 76102 and 76103 proposing to change the point of diversion of 8.668 acre-feet of water from Glenbrook Creek located in Douglas County to a point of diversion from Lake Tahoe in Washoe County, and authorize the Chairman to recommend approval of the subject applications to the Nevada State Engineer."

Commissioner Galloway said it was his impression that water from Glenbrook Creek would be diverted to an end point of use in Washoe County at Lake Tahoe. Vahid Behmaram, Water Rights Manager, agreed and indicated Glenbrook Creek was a tributary of Lake Tahoe. He stated they were considered to be one and the same resource by the State Engineer, who could allow the same quantity of water to be diverted directly from the Lake rather than from the Creek based on existing water rights.

There was no public comment on this item.

On motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that Agenda Item 15 be approved and authorized as recommended.

07-1204 AGENDA ITEM 16 – DEPARTMENT OF WATER RESOURCES

Agenda Subject: "Recommendation to review Water Rights Applications 75838 through 75841, changing the points of diversion of 1,028.34 acre-feet of ground water rights from Storey County to points of Diversion within Washoe County, and authorize the Chairman to recommend approval of the subject applications to the Nevada State Engineer."

Chairman Larkin requested that future agenda items include a map in the staff report when the locations described in the agenda subject were not very precise. He

clarified with Vahid Behmaram, Water Rights Manager, that the water in question originated in Washoe County and had been going to Storey County, but the application to the State Engineer was to divert the water back to Washoe County for quasi-municipal use.

There was no public comment on this item.

On motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that Agenda Item 16 be approved and authorized as recommended.

07-1205 AGENDA ITEM 18 – DEPARTMENT OF WATER RESOURCES

Agenda Subject: "Recommendation to award a bid for the Huffaker Hills Effluent Reservoir Phase I Liner Improvements Project to A & K Earth Movers, Inc., the lowest responsive, responsible bidder, [\$1,988,316]; if approved, authorize the Chairman to execute the contract documents upon receipt; and authorize the Engineering Manager to issue the Notice to Proceed. (District 2)"

There was no public comment on this item.

On motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that Agenda Item 18 be awarded, approved, authorized, executed and issued as recommended.

07-1206 AGENDA ITEM 17 – DEPARTMENT OF WATER RESOURCES

Agenda Subject: "Recommendation to approve and authorize the Department of Water Resources to execute Change Order No. 3 [\$742,593.43] for the North Spanish Springs Floodplain Detention Facility, increasing the contract amount to \$8,595,979.03 (District 4)."

Jeanne Ruefer, Water Resources Planning Manager, explained the very large and important public safety project was somewhat unique for Washoe County to undertake and summarized the scope of work being done. She noted the facilities would tie in with City of Sparks' improvements located downstream. Ms. Ruefer outlined that the change order request would include the cost of fencing the facility, opportunistic costs to add a water line for future use, and some additional clean-up items. She listed several items that were not identified in the original bid, including utility locations either not shown or located incorrectly on the original map used when the bid was awarded. Ms. Ruefer commented that the Regional Transportation Commission was running into some of the same utility map issues with its road project on La Posada and Eagle Canyon. She referred to a status report on the Spanish Springs Flood Control Project and a table delineating costs for each of the program elements, which was placed on file with the Clerk. Ms. Ruefer pointed out that, after reimbursement from the Parks and Water Resources Departments for services related to their projects, the total cost of the change

order was approximately 1.7 percent greater than the cost originally estimated for the entire project.

In response to questions by Commissioner Galloway, Ms. Ruefer stated AMEC Infrastructure engineered the project and staff was in negotiations with them regarding possible engineering mistakes. Commissioner Galloway clarified that approval of this agenda item did not mean the County was giving up any claim to reimbursement for possible engineering mistakes.

Chairman Larkin thanked Ms. Ruefer for providing him with weekly reports on the project. He commented that the public was being very patient in spite of the disruption caused by various construction projects in the area.

Ms. Ruefer mentioned that, upon completion of the project, the County would submit a "Letter of Map Revision Request" to the Federal Emergency Management Agency (FEMA) to remove the affected areas from the 100-year flood plain.

There was no public comment on this item.

On motion by Commissioner Galloway, seconded by Chairman Larkin, which motion duly carried, it was ordered that Agenda Item 17 be approved and authorized as recommended.

07-1207 AGENDA ITEM 19 – DEPARTMENT OF WATER RESOURCES

Agenda Subject: "Discussion and possible direction to staff on issues related to financing methods and practices for water and wastewater infrastructure projects that provide sewer collection systems or community water systems for residential customers in Washoe County's water and sewer service areas where these needs are currently being met by on-site septic systems or domestic wells. (All Districts)"

Rosemary Menard, Director of the Department of Water Resources, stated the agenda item was brought forward in response to concerns over the lack of a financing mechanism for infrastructure on residential projects involving a small number of customers. She indicated the Department planned to take a general look at financing mechanisms, rate structures and capital facility charges over the next six to eight months.

Commissioner Galloway suggested, as one idea, some type of "streamlined" special assessment district that was backed by a line of credit if the project was too small to justify the issuance of bonds. He pointed out this could allow loan installments to be paid from user fees, avoid tying up County funds, and spare the users a large one-time connection fee.

Ms. Menard stated it was current practice for users to pay nothing until they actually hooked up to a system. She added that users could be denied permits for their domestic well or septic system after it failed if there were municipal services close to their

property. Ms. Menard wondered if Commissioner Galloway's suggestion would require property owners to pay even if they were not connected to a municipal system. Commissioner Galloway proposed they would pay installments on their property tax bill over a period of ten to twenty years for the infrastructure they had access to, which increased the value of their property. He did not agree with charging a hook-up fee until a user actually connected to the system.

Chairman Larkin referred to the background section of the staff report, which indicated the County's current policy limited the use of special assessment districts to projects with a minimum cost of \$1,000,000. Katy Singlaub, County Manager, responded that there was nothing hard and fast about the \$1,000,000 amount, although there was a threshold below which it became difficult to put a project together for financing on a single project. She said that Ms. Menard was looking at alternatives such as packaged financing for more than one project at a time to spread out the costs of bond counsel and bond issuance. Ms. Singlaub agreed with Chairman Larkin that small numbers of people in a special assessment district increased the risk of financing, which sometimes led to increased financing requirements and project costs.

Chairman Larkin asked Commissioner Galloway if he was seeking to review the \$1,000,000 limitation policy. Commissioner Galloway stated he wanted to find out, under the law, if it was possible to establish some kind of credit line and then issue bonds or to use bonds to establish an enterprise fund and then use the return on the enterprise fund to repay the bonds.

Ms. Menard observed the community would be facing a variety of situations that would require creative mechanisms in order to make it financially feasible for property owners on failing septic systems and wells to convert to municipal service. She said staff was looking to identify a range of alternatives to help the community make the kind of progress that would become necessary.

In response to a question by Chairman Larkin, Ms. Singlaub encouraged a general review of the County's special assessment district policy, as well as a report on other potential financing mechanisms.

Commissioner Galloway suggested the report include any recommended changes to State law.

There was no public comment on this item.

On motion by Commissioner Galloway, seconded by Chairman Larkin, which motion duly carried, staff was directed to undertake further study concerning Agenda Item 19 and provide a report to the Board identifying methods of financing small water and wastewater infrastructure projects in a manner that would lessen the financial burden on the utility customer and on Washoe County; that they investigate alternative ways to structure special assessment districts and explore financing methods in addition to bond issuance; and that the report also address relevant issues of State law.

AGENDA ITEM 20 – REPORTS/UPDATES

Agenda Subject: "Reports/updates from County Commission members concerning various boards/commissions they may be a member of or liaison to (these may include, but not be limited to, Regional Transportation Commission, Reno-Sparks Convention & Visitors Authority, Debt Management Commission, District Board of Health, Truckee Meadows Water Authority, Organizational Effectiveness Committee, Investment Management Committee, Citizen Advisory Boards)."

Commissioner Humke stated he attended a meeting of the Reno-Sparks Convention and Visitors Authority's (RSCVA) Facilities Committee where the need for capital improvements to the Reno-Sparks Livestock Events Center was a topic of discussion, as well as possible consolidation of staff for the three agencies involved under one private sector management team. He indicated the date of the Regional Transportation Commission meeting to discuss the CitiCenter property issue was likely to change. Commissioner Humke stated that the District Board of Health continued to work diligently on their budget.

Commissioner Weber announced her attendance at a dedication of the Silver Lake Volunteer Fire Department's Community Room. She planned to attend a meeting of the RSCVA Special Events Committee. Commissioner Weber stated she would be unable to attend an upcoming RSCVA meeting and asked Commissioner Jung to attend as first alternate.

Chairman Larkin noted there had been a meeting of the Interim Western Regional Water Commission (IWRWC), which received a letter from the Legislative Counsel Bureau indicating it was the intent of the State Legislature to empower a Local Managing Board member to sit on the Western Regional Water Commission. He indicated the IWRWC authorized staff to draft a joint powers agreement and circulate it among the four governing bodies. Chairman Larkin characterized the agreement as conservative in nature, stating it explicitly provided no rights of eminent domain or taxation.

Commissioner Galloway commented there would be a meeting of the Open Space and Regional Parks Commission where the East Truckee Canyon Park District 2C Master Plan would be discussed, as well as general highlights of planning and construction projects.

Commissioner Jung reported she read a proclamation at the Desert Research Institute on behalf of Washoe County. She served as alternate at a meeting of the Regional Planning Governing Board and was planning to attend an upcoming Central Citizen Advisory Board meeting. Commissioner Jung was unable to attend meetings of the Washoe County School District Construction and Revitalization Advisory Committee and the Regional Housing Task Force. Commissioner Humke agreed to check his schedule to see if it was possible for him to fill in.

AGENDA ITEM 21 – CLOSED SESSION

Agenda Subject: "Possible Closed Session for the purpose of discussing negotiations with Employee Organizations per NRS 288.220."

Assistant District Attorney Melanie Foster advised that a motion to adjourn the Commission meeting must be made after the closed session but could take place in the Caucus Room.

On motion by Commissioner Humke, seconded by Commissioner Jung, which motion duly carried, Chairman Larkin ordered that the Board go into closed session per NRS 288.220 for the purpose of discussing negotiations with employee organizations, and that a motion to adjourn the meeting take place in the Caucus Room at the conclusion of the closed session.

4:23 p.m. The Board left the Commission Chambers to convene in closed session in the Caucus Room.

5:15 p.m. The Board concluded its closed session.

COMMUNICATIONS AND REPORTS

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

COMMUNICATIONS:

- 07-1208** Confirmation letter to City of Sparks Councilmember Ron Smith on his reappointment to the Regional Planning Governing Board.
- 07-1209** Confirmation letter to City of Sparks Councilmember Ron Schmitt on his reappointment to the Regional Planning Governing Board.
- 07-1210** Fully executed Contract, No. 3336, Project No. SP-HQ-1201 (015), Replacement of the Exterior Windows at the District II Headquarters Building, Washoe County, Bison Construction, Contractor.
- 07-1211** Fully executed Grant of Easement for Sanitary Sewer Interceptor (Pleasant Valley Interceptor Project Phase 2) between Washoe County and Ann Louise Dudgeon, APN 050-111-08. (BCC meeting February 27, 2007, Item No. 07-274).
- 07-1212** Fully executed Grant of Easement for Sanitary Sewer Interceptor (Pleasant Valley Interceptor Project Phase 2) between Washoe County and Ryan and Jenny Ramsdell, APN 017-371-03. (BCC meeting February 27, 2007, Item No. 07-274).

- 07-1213** Fully executed Grant of Easement for Sanitary Sewer Interceptor (Pleasant Valley Interceptor Project Phase 2) between Washoe County and Effie Boegle, APN 017-320-05. (BCC meeting January 23, 2007, Item No. 07-104).
- 07-1214** Fully executed Grant of Easement for Sanitary Sewer Interceptor (Pleasant Valley Interceptor Project Phase 2) between Washoe County and World Properties, Inc., APN 045-310-10. (BCC meeting January 23, 2007, Item No. 07-104).
- 07-1215** Fully executed Grant of Easement for Sanitary Sewer Interceptor (Pleasant Valley Interceptor Project Phase 1) between Washoe County and Dorothy Towne, APN 017-020-01, (BCC meeting October 10, 2006, Item No. 06-1133).
- 07-1216** Fully executed Grant of Easement for Sanitary Sewer Interceptor (Pleasant Valley Interceptor Project Phase 1) between Washoe County and Dorothy Towne, APN 017-020-18, (BCC meeting October 10, 2006, Item No. 06-1133).
- 07-1217** Fully executed Grant of Easement for Sanitary Sewer Interceptor (Pleasant Valley Interceptor Project Phase 1) between Washoe County and Dorothy Towne, APN 017-301-28, (BCC meeting October 10, 2006, Item No. 06-1133).
- 07-1218** Fully executed Easement Agreement for Pleasant Valley Interceptor Project between Washoe County and Reno Land Holdings, LLC, a Nevada limited liability company; APN's 017-011-02; 017-011-03; 017-011-23, (BCC meeting November 13, 2006, Item No. 06-1276).
- 07-1219** Fully executed Northern Nevada Law Enforcement Academy Interlocal Agreement between the Washoe County Sheriff's Office, City of Reno on behalf of the Reno Police Department, the City of Sparks on behalf of the Sparks Police Department, and the Board of Regents of the Nevada System of Higher Education on behalf of the Truckee Meadows Community College. (BCC meeting June 20, 2006, Item No. 06-671.)
- 07-1220** A Local Emergency Planning Committee (LEPC) Grant Program Contract between Washoe County and the Renown Regional Medical Center dated August 8, 2007.
- 07-1221** A Local Emergency Planning Committee (LEPC) Grant Program Contract between Washoe County and the Renown Regional Medical Center dated August 21, 2007.
- 07-1222** A Local Emergency Planning Committee (LEPC) Grant Program Contract between Washoe County and the City of Reno through the Reno Fire Department dated August 22, 2007, concerning the 2007 State Emergency

Response Commission (SERC), Hazardous Materials Emergency Preparedness Mid-Cycle Training.

07-1223 A Local Emergency Planning Committee (LEPC) Grant Program Contract between Washoe County and the City of Reno through the Reno Fire Department dated August 22, 2007, concerning the 2008 State Emergency Response Commission (SERC) grant.

07-1224 A Local Emergency Planning Committee (LEPC) Grant Program Contract between Washoe County and the Washoe County District Board of Health dated August 23, 2007, concerning the 2007 State Emergency Response Commission (SERC), Hazardous Materials Emergency Preparedness Mid-Cycle Training.

07-1225 Letter from Community Development dated September 23, 2007, concerning the resignation of John Burnett from the Cold Springs Canyon Citizen Advisory Board.

07-1226 Assessors 2007/08 Change Log for Washoe County pursuant to NAC 361.310(4).

REPORTS

07-1227 Monthly Report, August 2007 – Clerk of the Court

07-1228 Financial Statement, June 2007 – Gerlach General Improvement District.

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5:16 p.m. There being no further business to come before the Board, the meeting was adjourned.

ROBERT M. LARKIN, Chairman
Washoe County Commission

ATTEST:

AMY HARVEY, County Clerk
and Clerk of the Board of
County Commissioners
Minutes Prepared by Lisa McNeill