

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

2:00 P.M.

JANUARY 8, 2008

PRESENT:

**Bob Larkin, Chairman**  
**Bonnie Weber, Vice Chairperson**  
**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:

**08-05            AGENDA ITEM 3 – ELECTION OF CHAIRMAN**

**Agenda Subject:** "Election of Chairman of the Board of Washoe County Commissioners."

Commissioner Weber stated it had been a pleasure working with Chairman Larkin in 2007 and nominated him to serve as Chairman for 2008. Commissioner Jung seconded the nomination. Chairman Larkin thanked the Commissioners and accepted the nomination.

In response to the call for public comment, Sam Dehne recommended Commissioner Galloway for the position of Chairman.

Commissioner Galloway commented he would not be seeking office in the coming term and felt that a Chairman remaining in office would have more influence with other elected officials.

The motion to reelect Commissioner Larkin as Chairman for 2008 carried unanimously.

**08-06            AGENDA ITEM 4 – ELECTION OF VICE CHAIRPERSON**

**Agenda Subject:** "Election of Vice Chairperson of the Board of Washoe County Commissioners."

Commissioner Jung referred to the Commission as a well-oiled machine. She complimented Commissioner Weber on her past performance and nominated her to continue as Vice Chairperson for 2008. Chairman Larkin seconded the nomination. He referred to the Board as "a fine Commission team" and complimented each of the Commissioners.

In response to the call for Public Comment, Sam Dehne suggested the Board reconsider Commissioner Galloway for Chairman or Vice Chair. He then nominated the Sheriff's Deputy in the back of the room.

The motion to reelect Commissioner Weber as Vice Chairperson for 2008 carried unanimously.

**08-07            AGENDA ITEM 5 – 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 individual action items, with comment limited to two minutes per person. Comments are to be made to the Commission as a whole."**

County Manager Katy Singlaub read the following statement: "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."

In response to the call for Public Comment, Guy Felton spoke about decorum and the Nevada Open Meeting Law.

Mark Foxwell spoke against spending tax dollars on Planned Parenthood's "Street Smart" program, under Agenda Item 8.

Roger Edwards of the Golden Valley Property Owners was disappointed that the County's Mission Statement was not posted in the newly remodeled Chambers. He suggested the agenda notices sent to citizens should spell out any potential for annexation or other ramifications that could affect their neighborhoods.

Sam Dehne thanked the employees of Washoe County and the City of Reno who worked proactively over the weekend to protect the community from blizzards and flooding.

**2:26 p.m.** Commissioner Humke temporarily left the meeting.

Lynn Chapman, State Vice President of the Nevada Families/Eagle Forum, expressed the organization's opposition to giving public money to Planned Parenthood and urged the Board to vote against Agenda Item 8. She submitted her comments in writing, which were placed on file with the Clerk.

**2:28 p.m.** Commissioner Humke returned to the meeting.

Don Nelson, President of Nevada Life, was opposed to Agenda Item 8.

**08-08            AGENDA ITEM 6 – 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.)"**

Katy Singlaub, County Manager, advised the Board that Agenda Item 17 had been pulled and would come back to the Board on January 22, 2008.

Commissioner Weber said she attended the Board's January 2008 Retreat and would soon be sworn in as President-Elect for the Nevada Association of Counties (NACO). She talked about a meeting of the Nevada Commission for the Reconstruction of the V&T Railway, where the appointment of alternates for Board members who could not attend meetings was discussed. She recommended that other Board members view the "awesome" swimming pools and facilities at the Carson City Community Center.

Chairman Larkin congratulated Commissioner Weber on being President-Elect for NACO. He reported formally signing the previously approved Cooperative Agreement with the Reno-Sparks Indian Colony and Wal-Mart Stores Inc. during a celebration to kick off the levee/floodwall construction project. He indicated there was outstanding turnout at the event, which was also attended by Commissioner Jung.

Commissioner Galloway also wished everyone a Happy New Year. He talked about a meeting he had with staff about the division of larger subdivisions into smaller ones under circumstances that did not require a subdivision map or a public hearing. The issue was raised by the West Truckee Meadows Citizen Advisory Board (CAB), which had been affected by several such divisions. Commissioner Galloway asked staff to review the criteria and collect comments from the CAB before considering a staff update to the Board.

Commissioner Jung mentioned her attendance at the kick-off ceremony for the aforementioned levee project, where she and Chairman Larkin also participated in a briefing by Senator Reid about the Truckee River Flood Project. She agreed with the citizen who pointed out during public comment that the County's Mission Statement should be posted in the Commission Chambers.

Ms. Singlaub responded that, due to budget considerations, the decision was made after remodeling to display the Mission and Vision Statements on the computer display screens. She assured the Board that staff would be reminded of the decision.

Commissioner Jung requested a future agenda item to look at the County's environmental impact policy, including the use of double-sided printing to save paper, lighting/heating/cooling systems, alternative energy issues, and recycling programs. She also wanted to make sure that the janitorial service was actually recycling items sorted into the recycle bins by staff.

#### **CONSENT AGENDA (ITEMS 7A THRU 7N(4))**

#### **08-09      AGENDA ITEM 7A – MINUTES**

**Agenda Subject: "Approve minutes for the Board of County Commissioners' meeting of November 20, 2007."**

There was no public comment on this item.

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that Agenda Item 7A be approved.

#### **08-10      AGENDA ITEM 7B - SENIOR SERVICES**

**Agenda Subject: "Accept amended grant award reducing original award of \$65,600 by \$29,347 to \$36,253 (with no County match) for Fiscal Year 2007/08 from Division for Aging Services for the Caregiver Supportive Services Program; and if accepted, direct Finance Department to make appropriate budget adjustments. (All Commission Districts)"**

In response to the call for public comment, Sam Dehne objected to reducing the grant award and suggested money be diverted from the Planned Parenthood program in Agenda Item 8 to the Senior Services grant.

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that Agenda Item 7B be accepted and directed.

**08-11            AGENDA ITEM 7C - DISTRICT ATTORNEY'S OFFICE**

**Agenda Subject: "Approve payments [\$8,157.53] to vendors for assistance of 41 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 Galloway, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that Agenda Item 7C be approved and authorized.

**08-12            AGENDA ITEM 7D – TELECOMMUNICATIONS DIVISION**

**Agenda Subject: "Approve Amendment No. 2 to AT&T Maintenance Service Agreement between Washoe County and SBC Global Services, Inc., dba AT&T Global Services ("AT&T") (retroactive from January 1, 2008 to December 31, 2008) and agree to year four of the five year maintenance agreement, Request For Proposal #2447-04, to support the Public Safety Answering Point system [\$88,637.88 split between Fiscal Years 2007/08 and 2008/09]; and if approved, authorize the Chairman to execute the Amendment. (All Commission Districts)"**

There was no public comment on this item.

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 7D be approved, authorized and executed.

**08-13            AGENDA ITEM 7E - PURCHASING DEPARTMENT**

**Agenda Subject: "Award of Bid #2605-07--Computer and Fax Supplies for Washoe County and Joinder Agencies to Ram Discount Computer Supplies, the lowest, responsive, responsible bidder, meeting specifications, terms and conditions [estimated annual amount \$68,870.61]; and if awarded, authorize Purchasing and Contracts Administrator to execute an agreement for the balance of Fiscal Year 2008, with three single year renewals providing pricing does not increase beyond that allowed in the bid. (All Commission Districts)"**

There was no public comment on this item.

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that Agenda Item 7E be awarded, authorized and executed.

08-14

**AGENDA ITEM 7F – 911 EMERGENCY RESPONSE ADVISORY COMMITTEE**

**Agenda Subject: "Accept 911 Emergency Response Five-Year Strategic Plan as recommended by the 911 Emergency Response Advisory Committee. (All Commission Districts)"**

Chairman Larkin clarified that a recommendation on page two of the Audit Report was for an independent audit of the committee funding every two years.

Commissioner Galloway observed the Report was produced by consultants and asked whether County staff ever conducted a review of the information. County Manager Katy Singlaub replied that the County's internal audit did not go into a great level of detail for this specific fund but all funds within the County's purview were subject to detailed sampling by external auditors.

Ms. Singlaub called attention to a recommendation in the Report to hire a full-time administrative analyst and emphasized that the action under consideration was for the Board to accept the report itself without approving any of the specific recommendations. She stated that more evaluation would be required to consider the position being recommended. Commissioner Galloway requested a memo directing staff to use wording in future agenda items that made it clear the Board was not authorizing the recommendations in a given report, such as: "acknowledge receipt" rather than "accept report". Ms. Singlaub said she checked with legal staff and there was probably not a material difference between acknowledging receipt and accepting a report. She assured Commissioner Galloway that she understood the distinction and the Board's action on the agenda item was not in jeopardy.

There was no public comment on this item.

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that Agenda Item 7F be accepted. It was noted that acceptance of the report did not include approval of the specific recommendations made in the report.

08-15

**AGENDA ITEM 7G - SOCIAL SERVICES DEPARTMENT**

**Agenda Subject: "Approve increase in Adult Group Care Rate from \$1,014 to \$1,028 per month effective January 1, 2008. (All Commission Districts)"**

In response to the call for public comment, Sam Dehne agreed with the rate increase.

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that Agenda Item 7G be approved.

**08-16                    AGENDA ITEM 7H – DEPARTMENT OF WATER RESOURCES**

**Agenda Subject: "Approve and authorize Chairman to execute Water Right Grant Deeds and associated Agreements between Desert Oasis Management, Inc., JAG Enterprises, LLC, Finger Revocable Trust and Georgiade Family Trust as Grantors and Washoe County as Grantee, conveying and banking 278.80 acre feet of ground water rights to Washoe County in support of Feather River Estates located in the Stampmill area; and if approved, direct Water Rights Manager to record all documents. (Commission District 4)"**

There was no public comment on this item.

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 7H be approved, authorized, executed and directed.

**08-17                    AGENDA ITEM 7I - ASSESSOR'S OFFICE**

**Agenda Subject: "Approve Roll Change Request for clerical error in the 2006/07 Personal Property Tax Roll for R R Donnelley & Sons Company, Identifier 2524092; and if approved, authorize Chairman to execute Order [amount of reduction in tax revenue \$93,652.33]. (Commission District 5)"**

In response to the call for public comment, Sam Dehne recommended closer examination of all clerical errors for properties on the tax roll.

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 7I be approved, authorized and executed.

**08-18                    AGENDA ITEM 7J – MANAGEMENT SERVICES/COMMUNITY SUPPORT ADMINISTRATOR**

**Agenda Subject: "Authorize payment [\$35,327] to Tahoe Regional Planning Agency pursuant to the Tahoe Regional Planning Compact (Article VIII, Public Law 96-551, December 1980). (All Commission Districts)"**

There was no public comment on this item.

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that Agenda Item 7J be authorized.

**08-19**                    **AGENDA ITEM 7K – RENO AND SPARKS JUSTICE COURT ADMINISTRATORS**

**Agenda Subject:** "Authorize pre-approval for issuance of Requests for Proposals for a new case management system for Reno Justice Court and Sparks Justice Court. (All Commission Districts)"

There was no public comment on this item.

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that Agenda Item 7K be authorized.

**08-20**                    **AGENDA ITEM 7L - PUBLIC WORKS DEPARTMENT**

**Agenda Subject:** "Approve appointment of Jeff H. Cruess, P.L.S. as County Surveyor effective January 7, 2008, and authorize \$84,094.40 as annual compensation [\$40.43/hour) effective January 7, 2008, pursuant to Washoe County Code Section 5.119.3. (All Commission Districts)"

There was no public comment on this item.

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 7L be approved and authorized.

**08-21**                    **AGENDA ITEM 7M(1) - COMMUNITY DEVELOPMENT**

**Agenda Subject:** "Appoint Janet Buckley as an At-Large member to fill an unexpired term to June 30, 2009 on the Central Citizen Advisory Board. (Commission District 3, Commissioner Jung)"

There was no public comment on this item.

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 7M(1) be approved.

**08-22**                    **AGENDA ITEM 7M(2) - COMMUNITY DEVELOPMENT**

**Agenda Subject:** "Appoint James Georges as an At-Large member (District 5) to fill an unexpired term to June 30, 2009 on the Sun Valley Citizen Advisory Board. (Commission District 5, Commissioner Weber)"

There was no public comment on this item.

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 7M(2) be approved.

**08-23            AGENDA ITEM 7N(1) - SHERIFF'S OFFICE**

**Agenda Subject: "Accept donation [\$602] from various individuals for the Community Emergency Response Team Program; and if accepted, authorize Finance to make necessary budget adjustments. (All Commission Districts)"**

On behalf of the Board, Commissioner Galloway thanked the following individuals for their generous donations: Pat Rosaschi, Jim Sepulveda, Robert Smith, Rita Lencioni, Lynne Bonine, Karen Solberg, Steven Rawson, Yollie Valderama and Shari Baughman.

There was no public comment on this item.

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that Agenda Item 7N(1) be accepted and authorized.

**08-24            AGENDA ITEM 7N(2) - SHERIFF'S OFFICE**

**Agenda Subject: "Accept donations to the Washoe County Sheriff's Incline K-9 Program [\$1,400] and to the Reno Patrol K-9 Program [\$500]; and if accepted, authorize Finance to make necessary budget adjustments. (All Commission Districts)"**

On behalf of the Board, Commissioner Galloway thanked the following individuals and organizations for their generous donations: Shirley Dale, The Reeces, The Goldbergs, JKC Enterprises, Inc., and Patti Kelly. He noted that Shirley Dale had long been an organizer of the annual picnic to support the Incline Sheriff's Station.

There was no public comment on this item.

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that Agenda Item 7N(2) be accepted and authorized.

**08-25            AGENDA ITEM 7N(3) - SHERIFF'S OFFICE**

**Agenda Subject: "Accept Office of Community Oriented Policing Services Grant Award from Department of Justice [\$16,000 - no cash match] to cover overtime costs for the Regional Street Enforcement Team; and if accepted, direct Finance to make necessary budget adjustments. (All Commission Districts)"**

There was no public comment on this item.

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that Agenda Item 7N(3) be accepted and directed.

**08-26            AGENDA ITEM 7N(4) - SHERIFF'S OFFICE**

**Agenda Subject: "Accept Grant Award [\$12,526.44 - no County Match], Project 97004HL4, from Nevada Division of Emergency Management to purchase four sets of night vision goggles for the Washoe County Sheriff's Office Incline Substation and Washoe County Sheriff's Office Tactical SWAT Team; and if accepted, direct Finance to make necessary budget adjustments. (All Commission Districts)"**

There was no public comment on this item.

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that Agenda Item 7N(4) be accepted and directed.

**DISCUSSION – AGENDA ITEMS 8 AND 9**

The Board consolidated its consideration of Agenda Items 8 and 9. Please see minute items 08-27 and 08-28 below for the final motions related to each of the agenda items. Jennifer Stoll-Hadayia, Public Health Program Manager, and Jennifer Howell, Sexual Health Program Coordinator, were present to answer questions on behalf of the District Health Department.

Chairman Larkin clarified that the \$47,500 listed for Fiscal Year 2008 under Agenda Item 8 was for the current 2007-08 fiscal year. Ms. Stoll-Hadayia explained the grant cycle for both agenda items was based on two calendar years and the total amounts received were broken out to match the County's fiscal year calendar.

In response to Chairman Larkin's questions about the Request for Proposal (RFP), Ms. Howell stated a third proposal was received from A Rainbow Place, a gay/lesbian/transgender community center. She said the RFP was distributed through the Human Services Consortium, the media, and the membership of the Northern Nevada HIV/AIDS/STD Planning Council, which was comprised of different stakeholders in the community and included at least one faith-based member, the Greater Light Christian Center. Ms. Howell indicated no applications were received from faith-based organizations. She said there was some interest from Bristlecone but the organization opted not to apply for funds after attending an applicants' workshop. She clarified that ACCEPT, a 501c(3) organization associated with the Greater Light Christian Center, decided not to apply for funds because they did not feel they had the infrastructure to comply with all of the requirements of the intense evidence-based program. Ms. Howell emphasized it was strongly recommended by the federal funding source and mandated by the State that the subgrants be used to fund evidence-based programs as defined by the

Centers for Disease Control (CDC). Chairman Larkin confirmed with Ms. Howell there was nothing to preclude a faith-based organization from operating an evidence-based program.

Chairman Larkin referred to an objective for Agenda Item 8 to implement the Street Smart curriculum to at least 54 unduplicated high-risk youth at a cost of \$190,000 over two years. He noted it was not possible to determine from the information provided precisely what would be accomplished and whether the dollars spent represented a good “bang for the buck”. Ms. Stoll-Hadayia explained there was known to be a reduction in risk associated with programs that maintained fidelity to the Street Smart curriculum model, which was tested through rigorous evaluation and research across the Country. She indicated data was available from other communities where the curriculum had been implemented and the program had to demonstrate an ability to change behavior in order to be considered an evidence-based intervention by the CDC. She assured the Commissioners the Health Department would be monitoring and tracking disease incidence to see how the program changed behaviors in the community. Chairman Larkin questioned whether the available data would be directly comparable to the local community. As a taxpayer, he thought the amount of money proposed to serve a small number of individuals was a “spendy” proposition. Ms. Howell remarked that, if one looked at costs related to Chlamydia infection, for example, there was a savings of \$12.00 in direct medical expenses for every \$1.00 spent on prevention. She observed there were similar comparisons for other sexually transmitted diseases (STD’s). Chairman Larkin noted there was no such detailed information included in the staff reports before him and he was not prepared to move forward with the recommended programs without that level of information. He stated, although the grants were based on federal funding, that it was all taxpayer money and should be accounted for. Ms. Howell offered to provide additional information to the Commissioners. She said the cost to purchase medication for an HIV-positive individual was approximately \$12,000 per year, which did not include other direct medical expenses and indirect expenses. Ms. Howell suggested there would be a significant savings in treatment costs if the program reduced risky behavior and prevented HIV infection in 54 individuals.

Commissioner Weber expressed her appreciation that the items were not placed on a consent agenda and the Board could discuss them. She recalled a previous discussion where the Street Smart program came up and statistics were provided by the Health Department. She indicated it did not make sense to her, given a nationwide budget crunch, to spend \$379,000 of taxpayer dollars to impact a small group of people. With respect to Agenda Item 8, Commissioner Weber said she had previously been convinced that Planned Parenthood was not funding abortions but was contacted by many individuals since that time who were asking that no taxpayer dollars be used to fund Planned Parenthood programs. She also had issues with the funding request covering multiple years instead of one year at a time. She remarked she was not certain the appropriate funding was going to the appropriate folks who actually needed it. Commissioner Weber stated she wanted to share publicly that she was previously given some facts but did not believe she was given all of the facts and all of the information.

Commissioner Humke disclosed that he served on the Board of Health. He clarified with Ms. Stoll-Hidayia that the items under consideration were approved by the Board of Health on a consent agenda and stated he did not recall any questions being raised at the time. For the benefit of the public, he explained that what took place in the District Health Department was dictated by statute and by the State Health Department, and the State in turn followed mandates issued by the CDC and the federal government.

Commissioner Humke asked if it was correct to say these were evidence-based programs based on national models designed to reduce behaviors that could lead to the acquisition of STD's. Ms. Howell replied that both programs were part of the CDC's Diffusion of Effective Behavioral Interventions Project ([www.CDC.gov](http://www.CDC.gov) and [www.EffectiveInterventions.org](http://www.EffectiveInterventions.org)), were proven models, and were considered to be effective interventions across the Country as long as the core functions of the model were maintained. Commissioner Humke wondered whether Planned Parenthood was involved with the authorship of the models. Although she was not sure about these particular programs, Ms. Howell explained such models were usually developed by university teams who conducted scientific research in community settings and replicated the programs to demonstrate their effectiveness. She described the design as sort of a "program in a box" that could be replicated by organizations in multiple communities.

Commissioner Humke inquired as to why Bristlecone did not apply for funding. Ms. Howell said she received an email indicating their Board decided it would veer away from the organization's mission because the program had to be focused on HIV and could not be used to supplement other programs. Commissioner Humke remarked that was unfortunate because Bristlecone worked with numerous kids and people who were part of the so-called "at risk population" for dangerous practices.

Commissioner Humke referred to an item on page 4 of the Notice of Subgrant Award Contract attached to the staff reports, which indicated that the Washoe County District Health Department would "provide technical assistance upon written request from the subgrantee". He interpreted that to mean that staff would provide technical assistance to a brand new private nonprofit organization if an award was made. Ms. Howell stated it was part of the Health Department's role to give technical assistance to the entire community, whether they were awarded or not. She pointed out technical assistance provided by the District's sexual health program could run the gamut from program design to program evaluation, including things such as how to establish referrals from one organization to another, or how to implement an evidence-based or other promising program with fidelity and what would be needed to do that.

Commissioner Humke asked what would happen if the Commission did not accept the grant funds. Ms. Stoll-Hadayia replied the funds to be subgranted were part of a larger subgrant agreement received from the State Health Division that supported the District's entire HIV program. Ms. Howell remarked the subgrant had already been accepted and executed between the District Health Department and the State Health Division, so the District would not be following the subgrant contract naming the District as the fiscal agent for the funds. She stated there was a mandate from the CDC for the

local community to decide, through an intense planning process, how HIV prevention funds should be spent and on what target populations. She pointed out there were very high risk HIV-positive and HIV-negative populations that Planned Parenthood and the Nevada AIDS Foundation had access to who would not receive services and would not be given the tools to potentially decrease their risk behaviors related to HIV and STD's. Commissioner Humke wondered if there would be a violation of a federal contract if the County started down the trail of not accepting subparts for treatment and prevention services. Ms. Stoll-Hadayia indicated the subgrant to the District Health Department was from the State Health Division and there were goals within the subgrant to provide funding to the community through this process, so she surmised there would be a violation of the State subgrant contract.

Commissioner Humke wondered who funded the salaries of those who managed these District Health processes. Ms. Stoll-Hadayia clarified she was the only person involved in the HIV program who was funded through local Washoe County tax dollars and pointed out that Ms. Howell and the rest of the team were funded through the subgrant received from the State, which was in turn provided through CDC dollars. Commissioner Humke observed the federal grant effectively required the District to fund Ms. Stoll-Hadayia's salary. Ms. Stoll-Hadayia agreed but emphasized she also worked on other programs in addition to HIV.

Commissioner Humke noted the process of selection could be more vigorous and suggested a community organization was needed to try to perform in this area to give more folks a chance. He pointed out there was an existing executive order, which probably rose to the level of statute, that encouraged faith-based organizations to apply for all of these federal grant categories. Commissioner Humke stated there had to be a process on the part of a public agency to encourage and develop such programs, and he thought assistance could be provided to help start 501c(3) private nonprofit organizations that could become adequate applicants for grant-funded programs.

Commissioner Jung pointed out the \$379,176 cost for both programs worked out to be approximately \$4,000 per person per year for the number of individuals reached directly over two years. She said this was a worthwhile investment of tax dollars when compared to the \$12,000 per person per year cost just for medication expenses in HIV-positive individuals if those same people were out in the community encountering multiple sex partners, which was an unfortunate part of their high-risk culture. She suggested that staff would have a much easier time presenting their programs and the Commissioners could make a much better argument for allocating tax dollars if more robust data were included in the staff reports. Commissioner Jung commented the data was out there and many who worked in the field were familiar with it, but the general public needed to see the numbers in order to understand the tax cost as well as the human cost. Commissioner Jung stated the current Director of the CDC was appointed under an administration that was quite conservative as compared to others in the past. She noted the money for these types of programs was tight, both in the community and nationwide, and faith-based programs had received a tremendous amount of funding from the CDC and from the current federal administration. She expressed respect for those who voiced

opposition during public comment based on their faith and values, and hoped they would respect the positions of others. In a perfect world, she remarked that all of us would wait until marriage before engaging in sexual intercourse and we could also trust that spouses would remain monogamous.

Commissioner Galloway revisited the objectives of the Street Smart program in Agenda Item 8. In addition to the 54 unduplicated high-risk youth who would participate in the full program, he identified a goal to make 1,000 risk reduction contacts with individuals who would not get the full program but might still receive the message. He asked if the individuals served would be those most in need of the service or if there was a way to determine that. Ms. Howell replied that an outside objective review committee determined that the Street Smart program should emphasize reaching the highest of the highest risk individuals. Commissioner Galloway pointed out those individuals who were active drug users and/or very promiscuous represented a danger to other people if they did not modify their behavior. Ms. Howell said that was particularly true if they did not know their HIV and STD status.

Commissioner Galloway questioned whether there was any experience to show these types of programs sometimes exceeded their objectives for the minimum number of people reached. Ms. Howell stated that was often the case and related that the Voces program, an evidence-based program operated by Nevada Hispanic Services, increased from reaching 50 to 100 people per year to over 400 people per year.

Commissioner Galloway wondered whether other programs would be in jeopardy if the subgrant funds were not approved and the grant contract with the State was violated. Ms. Stoll-Hadayia indicated they would need to have a conversation with the State, which had not taken place. She stated the funds would most likely revert back to the State and be redistributed, either to Clark County or elsewhere in the State.

Commissioner Galloway asked if disease monitoring occurred under the Nevada AIDS Foundation's program or under some other program. Ms. Howell explained the names of the 15 HIV-positive individuals who would be counseled by the Nevada AIDS Foundation would not be known because of confidentiality laws, but every newly reported HIV/AIDS case was informed about the Nevada Revised Statutes pertaining to the intentional transmission of HIV. She indicated that disease investigators would go out and talk to any individuals involved if someone in the community brought up an issue concerning someone who was HIV positive. Ms. Howell observed that was done under a surveillance program, which was under the larger State subgrant funding. Commissioner Galloway wondered if program results were monitored to the extent that the number of people served could be increased in the future should the programs prove to be highly successful. Ms. Howell replied that was possible with increased funds. Commissioner Galloway surmised it might be possible to achieve a greater "bang for the buck" if the programs had the capacity to expand and serve more participants in the future under a single program director who was already receiving a salary.

Chairman Larkin asked what was encompassed by the expenditure categories listed in the staff reports as “other”. Ms. Stoll-Hadayia clarified the category generally included activities to recruit and retain program participants, such as food at an intervention meeting, as well as limited coverage for rent, telephone or childcare expenses in order to alleviate barriers for program attendance. Chairman Larkin asked Ms. Stoll-Hadayia if she would make a statement on the record that none of the funds for the two programs would in any way be used for or associated with abortions. Ms. Stoll-Hadayia unequivocally agreed. Ms. Howell added there was a federal law prohibiting such use of the funds, so none of the money could be used for abortion services. Ms. Stoll-Hadayia indicated that was true no matter who the grantee was.

In response to a question by Chairman Larkin, Assistant District Attorney Melanie Foster reminded the Commissioners that their role in the approval of matters coming from the District Board of Health was ministerial. Under the Interlocal Agreement that created the District, she explained the Commission was limited to running such matters through the budget process and to the monetary approvals necessary to run the County Departments, but the Commission did not have the authority to override the District Board of Health. She stated the ability to make public policy decisions regarding what health programs to participate in and what programs to fund belonged exclusively to the Board of Health. Ms. Foster acknowledged it was certainly appropriate for Commissioners to ask about measurement and how the moneys were being used. She recommended, if the Board had a true policy issue, that they clearly direct comments to Commissioner Humke and send him back to the Board of Health with those comments. Chairman Larkin commented the ministerial role would include any investigations into waste, corruption or misbehavior in relationship to these particular items. Ms. Foster said there were a number of options available in such circumstances, regardless of what program was involved, and it would be correct to first send concerns about any program back to the government agency involved.

Commissioner Weber read the following language that was included in the Resolutions before the Board for Agenda Items 8 and 9: “WHEREAS, Pursuant to NRS 244.1505, Washoe County may grant money to a nonprofit organization for any purpose which will provide a substantial benefit to the inhabitants of the county,” and “WHEREAS, Washoe County finds that these prevention services provide a substantial benefit to the inhabitants of the county.” She declared she could not support anything for these two programs and did not believe substantial benefit was provided to the inhabitants of the County, given the community had a population of over 400,000 people.

Commissioner Humke wondered if an agenda item was needed to discuss legislative priorities regarding the Board’s ministerial duties. He suggested it might be time to petition the State Legislature to dissolve the District Board of Health so the Commission was not saddled with Board of Health actions. He described the process as “standardless”.

Chairman Larkin clarified that ministerial did not mean custodial; it meant the Commission was vested with the authority to investigate or ask questions where there

was a potential for waste, fraud, abuse, misbehavior or misappropriation. He observed it was a requirement of the Board's ministerial duties, not just to ask, but to demand the appropriate information. He said he had not heard anything in the current discussion to suggest the Commissioners were substituting their judgment for that of the Board of Health. He believed it was valuable and fruitful to have these kinds of discussions, so staff would know what kind of information should be brought before the Commission, regardless of the policies of the District Health Department.

Chairman Larkin placed the burden on the faith-based community to "step up to the plate". He remarked it was unacceptable to have HIV and AIDS being transmitted in the community and, if the only two available conduits to try to stop that were the two organizations that qualified for these programs, then the Commission had a public health obligation to approve their proposals. He emphasized he was not arguing whether one vehicle was superior to another and had pleaded with the faith-based community for three years to come forward with more help. He stated his door was always open if they needed assistance. Chairman Larkin clarified he only had two options, to vote "no" or to vote "yes", and legal counsel was telling him he would be in potential violation of his ministerial duty if he voted "no".

Chairman Larkin requested that Commissioner Humke, the Commission's representative to the Board of Health, pull items such as these out of consent, and that he fully investigate and ask questions about why more faith-based operations were not solicited or included in the final selection process for grant funds. He did not believe it was good enough to say a single faith-based organization did not have the resources to implement the program, and suggested something should be done to help faith-based organizations obtain the resources to allow their participation.

In response to the call for public comment, Lynn Chapman of the Nevada Families/Eagle Forum observed a lot of money was spent on education to help different risk pools and questioned how much should continue to be spent. As a taxpayer, she said she felt like she was being blackmailed by her own government.

Don Nelson of Nevada Life shared that his organization was concerned about these people as well, but did not think the CDC or Planned Parenthood had been particularly effective. He agreed with Chairman Larkin that faith-based organizations should step up and offered to talk to pastors and others he knew in the community. He believed the community would answer the call if they knew grant funds were available.

Melissa Clement identified herself as the President of Nevada Right to Life, as well as a taxpayer and the parent of three children in Washoe County. She voiced compassion for the difficult job done by those at the Health Department. She was concerned about the risk faced by her daughter and others who would get the message that sex was safe if a condom was used, which was not true for HPV. She believed there was no component of abstinence in these programs and felt the Commission should take a closer look at the number of dollars going to Planned Parenthood.

Commissioner Galloway asked staff to respond to the comment about teaching the use of condoms and abstinence. Ms. Howell indicated the programs taught that abstinence was a method of preventing HIV and STD infections, and condoms were a safer alternative but nothing was 100 percent effective except abstinence. Commissioner Galloway questioned whether statements were made during these programs that condoms would prevent certain diseases that they in fact would not prevent. Ms. Howell said she would have to review the curriculum, but direction could be provided to community organizations as part of the Health Department's oversight. She agreed with Commissioner Galloway that the Health Department was charged with making sure none of the programs gave out inaccurate information. Ms. Stoll-Hadayia pointed out that staff conducted observations of the interventions being provided as part of their monitoring process to ensure the programs were maintaining fidelity to the curriculum. She noted that an agency would receive corrective action if they were observed to be giving out inaccurate information. She assured Commissioner Galloway that condoms were promoted as a safer alternative but not as being completely safe and stated that abstinence was included in the STD/HIV messaging as part of a comprehensive sexuality education approach.

Commissioner Weber wondered how people who objected to the subgrant funding could most effectively share their concerns. Ms. Foster explained the ministerial role the Commissioners were given was that of running the Health Department, which essentially limited them to "rubber stamping" decisions made by the Board of Health on how to spend money that was budgeted and what programs to approve. She emphasized the Commission was given no discretion to determine what programs the Health Department could participate in. Ms. Foster advised interested citizens to go through the County website to the District Health Department's website, where the agendas for Board of Health meetings were posted. She indicated that citizens could ask to be put on agenda mailing lists. She noted the Board of Health was comprised of seven members, including one elected and one non-elected appointee from each of the three government entities (Reno, Sparks and Washoe County), and one member appointed by the Board of Health.

Commissioner Weber asked if there was information to show how much funding went to Planned Parenthood Mar Monte for various programs over the course of one year. Ms. Stoll-Hadayia said she could provide information about how much funding came through the Health Department. Michelle Kling, Division Director of Community and Clinical Health Services, clarified that the District Health Department used an objective review process to subgrant Title X funds to Planned Parenthood Mar Monte, but there were no local Washoe County dollars provided to Planned Parenthood.

Commissioner Weber questioned whether programs similar to Street Smart were already being offered by the Washoe County School District, which would result in a duplication of services. Ms. Kling assured Commissioner Weber there was no such duplication. Ms. Stoll-Hadayia pointed out the Street Smart program was intended to reach the highest of the highest risk youth and young adults, who were not likely to be attending school. She said the individuals targeted were those who were homeless, who were runaways on the street, or were in juvenile detention.

Commissioner Weber expressed her understanding and thanked staff for their comments, but indicated she could not personally support these programs.

Commissioner Humke moved that the Commission not approve Agenda Item 8. The motion failed when there was no second.

Commissioner Jung moved to approve Agenda Items 8 and 9 and Commissioner Galloway seconded the motion.

Chairman Larkin indicated he would agree with the allocation of the funds with some reluctance because he had a ministerial duty to do so. He asked the Commission's representative to the Board of Health to request a detailed analysis of why faith-based organizations were not participating in these types of programs and requested that a report identifying all barriers and obstacles that represented an impediment to the participation of faith-based organizations as full partners be brought back to the Board of Health, who in turn would report to the Commission.

Commissioner Humke described the Interlocal Agreement that formed the District Board of Health as faulty. He stated most of the Board members were unelected officials who were doctors, with one business representative on the Board. He requested legislative changes in the make-up of the Board of Health. He said he would take the issues back to the Board of Health, although it was very frustrating to do so. Commissioner Humke indicated he would vote to approve the programs. He commented there were a host of diseases that were out of control across the Country, including tuberculosis. Although there was no question the public health function must be performed, Commissioner Humke thought it could be performed better.

Commissioner Weber thanked Commissioner Humke for his service on the Board of Health. She wondered if faith-based organizations were not submitting applications because the federal grant money might tie their hands in other ways. She referred to the point made that abstinence-based programs did not need to be faith-based and hoped those programs were being promoted. She reiterated she would not be supporting the motion because she did not agree with the finding in the Resolutions that the funding provided a substantial benefit to the inhabitants of Washoe County.

Commissioner Galloway did not see any incompatibility between promoting abstinence and also providing counseling for people who would not practice abstinence. He stated there was a need for programs at both levels. Commissioner Galloway said he would support the motion and his support was not based solely on his ministerial duty.

**08-27            AGENDA ITEM 8 - DISTRICT HEALTH DEPARTMENT**

**Agenda Subject: "Recommendation to approve grant funded Fiscal Year 2007/08 Purchase Requisition #3000008869 to Planned Parenthood Mar Monte [total**

**amount \$190,000 (\$47,500-Fiscal Year 2008, \$95,000-Fiscal Year 2009, \$47,500-Fiscal Year 2010)] pertaining to the Street Smart program; and if approved, authorize Chairman to execute Resolution necessary for same. (All Commission Districts)"**

See above for a summary of the discussion related to Agenda Items 8 and 9, which were consolidated by the Board.

On motion by Commissioner Jung, seconded by Commissioner Galloway, which motion duly carried on a 4-1 vote with Commissioner Weber voting "no", it was ordered that Agenda Item 8 be approved, authorized and executed. The Resolution for same is attached hereto and made a part of the minutes thereof.

**08-28            AGENDA ITEM 9 - DISTRICT HEALTH DEPARTMENT**

**Agenda Subject: "Recommendation to approve grant funded Fiscal Year 2007/08 Purchase Requisition #3000008868 to Nevada AIDS Foundation, Inc. [total amount \$189,176 (\$47,294-Fiscal Year 2008, \$94,588-Fiscal Year 2009, \$47,294-Fiscal Year 2010)] pertaining to the Comprehensive Risk Counseling and Services program; and if approved, authorize Chairman to execute Resolution necessary for same. (All Commission Districts)"**

See above for a summary of the discussion related to Agenda Items 8 and 9, which were consolidated by the Board.

On motion by Commissioner Jung, seconded by Commissioner Galloway, which motion duly carried on a 4-1 vote with Commissioner Weber voting "no", it was ordered that Agenda Item 9 be approved, authorized and executed. The Resolution for same is attached hereto and made a part of the minutes thereof.

**4:03 p.m.**        Chairman Larkin declared a brief recess.

**4:30 p.m.**        The Board convened simultaneously as the Board of Washoe County Commissioners and the Board of Fire Commissioners for the Truckee Meadows Fire Protection District with all members present.

**08-29            AGENDA ITEM 23 – MANAGEMENT SERVICES/FIRE SERVICES COORDINATOR**

**Agenda Subject: "Discussion and possible approval of a Memorandum of Understanding between Washoe County and the Truckee Meadows Fire Protection District regarding the terms of use and operation of the community room located in facilities owned by the Truckee Meadows Fire Protection District and used as a volunteer fire station by the Silver Lake Volunteer Fire Department; and if approved, authorize Chairman to execute Memorandum of Understanding. Requested by Commissioner Weber (Commission District 5)."**

Division Chief Marty Scheuerman outlined some of the history behind the fire station used by the Silver Lake Volunteer Fire Department. He stated the community elected to utilize Alturas Mitigation Funds for expansion of an existing Truckee Meadows Fire Protection District (TMFPD) volunteer station on Red Rock Road and the creation of a community/training room within the facility. He explained the agenda item before the Board was to discuss how best to administer the use of the completed community room. Chief Scheuerman provided an amendment to the proposed Memorandum of Understanding (MOU) attached to the staff report, which was placed on file with the Clerk. He pointed out the only change to the MOU was in paragraph 2 under the Terms of Use section of the agreement. There was currently no charge for use of the community room but staff would be analyzing costs and developing a fee schedule for non-Fire District uses. He indicated the Silver Lake Volunteer Fire Department was willing to be responsible for administration, scheduling and clean-up of the room, and the TMFPD would be responsible for maintenance and upkeep because the facility was an asset of the TMFPD. Chief Scheuerman said the fee schedule was intended to take into account any extra costs for heating and air conditioning, as well as any liability coverage recommended by Risk Management.

Commissioner Galloway asked if there was community acceptance of the amendment to the MOU. Kurt Latipow, Fire Services Coordinator, noted the change reflected original discussions with members of the community. He clarified the original intent had been to allow use of the room at no charge but a look at the costs of operation indicated that would not be possible. The MOU amendment provided for community use of the room at no charge until fee schedule and risk management concerns could be adequately addressed. Commissioner Galloway clarified with Mr. Latipow that the fee schedule would reflect such things as utility costs and would not include clean-up or maintenance costs because the volunteers would take responsibility for that. Commissioner Galloway said he hoped the fees would only reflect incremental costs; for instance, if the room was normally heated there was no incremental cost difference when it was in use. Chief Scheuerman anticipated that any fees would be minimal and strictly related to the cost of operating the facility as a community center rather than for fire station use.

In response to a question by Commissioner Weber, Chief Scheuerman explained the TMFPD was not allowed to expend funds for non-Fire District related activities. Accordingly, the fees would be used to defray extraordinary costs for things such as liability coverage. Commissioner Weber pointed out a minor typographical error in paragraph 10 under the Terms of Use section of the MOU. She clarified with Chief Scheuerman that the Silver Lake Volunteer Fire Department would take reservations for the community room.

Commissioner Weber acknowledged the participation of Commissioner Galloway and many others in some of the 30 to 40 meetings that took place over the course of time on behalf of the community room project. Chief Scheuerman agreed that all of the Commissioners involved worked very hard to bring the project to fruition.

Commissioner Weber asked the volunteer firefighters and other members of the Silver Lake community who attended the meeting in support of the agenda item to stand and be recognized.

In response to the call for public comment, John Howe, President of the Board of Directors for the Silver Lake Volunteer Fire Department, thanked the Commission on behalf of those present in the audience. He talked about some of the history behind the Silver Lake Volunteer Fire Station. Mr. Howe submitted his comments in writing, which were placed on file with the Clerk.

Catherine Tangren voiced her support for having the TMFPD assigned to manage the community room.

Commissioner Galloway suggested the language in the amended MOU be changed to require review and approval of the fee schedule by the Board prior to implementation. Chief Scheuerman clarified it was always the intent of the TMFPD to bring the final fee schedule back before the Board.

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 23 be approved, authorized and executed, with the following statement added in front of the first sentence of paragraph 2 under the Terms of Use section in the Memorandum of Understanding: "Pending a determination by staff and approval by the Board of Fire Commissioners of the appropriate cost and fee schedule,..."

**4:51 p.m.** The Board adjourned as the Board of Fire Commissioners for the Truckee Meadows Fire Protection District and remained in session as the Board of Washoe County Commissioners.

### **BLOCK VOTE - AGENDA ITEMS 10, 13, 14, 15, AND 16**

The Board consolidated Agenda Items 10, 13, 14, 15 and 16 into a single block vote.

### **08-30 AGENDA ITEM 10 - ASSESSOR'S OFFICE**

**Agenda Subject: "Request to approve Roll Change Request for clerical error in the 2007/08 Personal Property Tax Roll for Specialty Financial Corp, Identifier 2150042; and if approved, authorize Chairman to execute Order [amount of reduction in tax revenue \$112,577.33]. (Commission District 1)"**

Commissioner Galloway clarified the values in the staff report with Mark Stafford, Senior Appraiser for the Assessor's Office, for the aircraft that was incorrectly assessed twice.

There was no public comment on this item.

On motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 10 be approved, authorized and executed.

**08-31            AGENDA ITEM 13 - PURCHASING DEPARTMENT**

**Agenda Subject: "Recommendation to award Bid #2626-08--Janitorial Services at Washoe County Sheriff's Office to Qual-Econ U.S.A., Inc, the lowest, responsive, responsible bidder, meeting specifications, terms and conditions [\$8,425 per month - estimated annual value of contract is \$101,100]; and if awarded, authorize Purchasing and Contracts Administrator to execute a one-year agreement with two single year renewal options. (Commission District 3)"**

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, authorized and executed.

**08-32            AGENDA ITEM 14 - PURCHASING DEPARTMENT**

**Agenda Subject: "Recommendation to award Bid #2627-08--Janitorial Services at Washoe County New Court House to Qual-Econ U.S.A., Inc, the lowest, responsive, responsible bidder, meeting specifications, terms and conditions [\$8,652 per month - estimated annual value of contract is \$103,824]; and if awarded, authorize Purchasing and Contracts Administrator to execute a one year agreement with two single year renewal options. (Commission District 3)"**

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 awarded, authorized and executed.

**08-33            AGENDA ITEM 15 - PUBLIC WORKS DEPARTMENT**

**Agenda Subject: "Recommendation to award bid for the 230 Edison Way property Tenant Improvement project, to the lowest responsive and responsible bidder, (staff recommends Farr Construction) [\$134,786]; and if awarded, authorize Chairman to execute contract documents upon presentation. (Commission District 2)"**

There was no public comment on this item.

On motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 15 be awarded, authorized and executed.

**08-34            AGENDA ITEM 16 - DISTRICT ATTORNEY'S OFFICE**

**Agenda Subject: "Recommendation to authorize acceptance of donation from E.L. Cord Foundation [\$150,000] to cover additional facility construction costs on the C.A.R.E.S./S.A.R.T. Facility; and if accepted, authorize Finance to make necessary budget adjustments. (All Commission Districts)"**

On behalf of the Board, Commissioner Galloway thanked the E. L. Cord Foundation for their very generous donation.

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 authorized and accepted.

**08-35            AGENDA ITEM 11 – WATER RESOURCES**

**Agenda Subject: “Recommendation to approve adjustments to the 1996 service territory boundaries between Truckee Meadows Water Authority and Washoe County for parcels located in the Golden Valley area - Water Resources. (Commission Districts 3 and 5.) Continued from October 16, 2007 Commission meeting. To be heard before agenda item #12.”**

**4:59 p.m.**        Commissioner Humke temporarily left the meeting.

Vahid Behmaram, Water Rights Manager, stated the Board requested staff notify all property owners of the proposed change from Washoe County’s water service territory to that of the Truckee Meadows Water Authority (TMWA) during the October 16, 2007 meeting. He advised he sent out a letter on October 31, 2007 to the 51 property owners that explained the change and gave the residents until the end of November to contact him. He said he also offered to facilitate a meeting between the staffs of TMWA and the County to answer any technical issues the residents might have. He said two property owners responded they wanted the change to occur because they wanted to abandon their wells and connect to the water system. Mr. Behmaram indicated he received a voice mail from one property owner on Rolling Ridge Road opposing the change today. He explained she did not provide a reason or a number where she could be reached, only that she wanted the Board informed of her opposition to the change. He recommended the adjustment be made to the 1996 service territory boundaries based on the responses received.

Katy Singlaub, County Manager, stated there was an e-mail received from Roger Edwards through the County's web site. She said he asked about the relationship between TMWA's service area and the City of Reno's Sphere of Influence (SOI) regarding possible annexation.

Mr. Behmaram noted there were properties within the cities that the County served and properties within the County that TMWA served; neither resulted in any changes to local government boundaries.

Chairman Larkin indicated the public was terribly confused about the relationships, and he asked Adrian Freund, Community Development Director, to provide an explanation.

Mr. Freund explained people from the area above Golden Valley Road were sensitive to being included in the City's SOI or being annexed.

Mr. Freund said with respect to TMWA's service area, it was not co-terminus with the SOI of the City, which was called the Truckee Meadows Service Area/SOI (TMSA/SOI) as defined in the 2007 Regional Plan. He stated there were many areas within the County's service area that were served by TMWA and there were areas within TMWA that were served by the Water Resources Department. He reiterated they were not co-terminus in any respect and, in fact the TMSA designation was determined by the plan adopted by the Regional Planning Governing Board.

Mr. Freund indicated there was a process to make changes to the TMSA, and there were also areas that were brought into the City's SOI a number of years ago that had not been annexed. He said generally it was the practice of the City of Reno to annex raw land rather than developed land simply because they would have to take on all of the service responsibilities associated with developed land.

In response to Chairman Larkin, Mr. Freund confirmed the water services area did not have any direct influence on the designation of an area as part of someone's SOI and/or TMSA in the Regional Plan. Chairman Larkin commented land could be outside of either one of those and could be annexed as long as they were contiguous with the annexation body. Mr. Freund agreed. Chairman Larkin said it was an urban myth that the designation of either one of those was a precursor to annexation. Mr. Freund said in the past there was concern that, because of the makeup of a governing body of a particular body, there could be a connection to the SOI of a particular city. He stated that was not true because they were totally separate processes and entities.

Commissioner Jung asked what a TMSA designation allowed that a TMWA designation did not. She said she understood a TMSA did bring water and, therefore, the ability for a developer to make the case that they could go towards a higher density. Mr. Freund said the TMSA designation in the Regional Plan was designed to reflect those areas with the potential to increase densities so municipal services would be required. He explained the Regional Plan contained, in terms of density, descriptions of

the TMSA and the Rural Development Area (RDA). He said an RDA did not allow any division of parcels into less than five acres. He explained the TMSA did not speak to service provision, but there were policies in the Regional Plan that addressed concurrency and timing of services. Mr. Freund stated there was no direct relationship between including an area in a jurisdiction's TMSA and who would provide the services. He said there were areas in the TMSA that had no services and would most likely not have them for many years.

Commissioner Jung asked if it was true that people who wanted to develop their property with a higher density could apply to be designated as part of the TMSA. Mr. Freund replied they had to apply to be part of the TMSA because, in the context of the Regional Plan, if they were not part of the TMSA they would be part of an RDA.

Commissioner Jung asked if there would be the potential for a developer to piggyback upon the premise of someone wanting to be in a TMSA if the boundaries in Golden Valley were taken over by TMWA. Mr. Freund replied that was true and that was, in part, because those areas were already in the TMSA or at least these parcels were as far as he knew. Commissioner Jung noted the two areas in Golden Valley were two completely different neighborhoods with one being a subdivision and the other having a rural feel. She said citizens were concerned that having TMWA come through there would affect the quality of life for the citizens on the north side of Golden Valley Road. She understood the subdivision getting the designation opened the door for a developer to approach Washoe County or the City of Reno further down the road and say it would be an easy development because there was already water.

**5:06 p.m.** Commissioner Humke returned to the meeting.

Commissioner Jung asked if there was any way to protect the people on the north side of Golden Valley Road if the Board approved this adjustment. She felt there should be balance between the needs of the people who had wells with poor quality and the people on the north side of Golden Valley Road. She did not want to open a door that would be very difficult to close once open. Mr. Freund replied the only vehicle to change zoning in this area, which could lead to more intense subdivision applications being entertained, would be through a Comprehensive Plan Amendment for the areas within the County. He believed these parcels were already within the TMSA, which would require them to do a Comprehensive Plan Amendment that would come before this Board for approval.

Mr. Freund recalled there were a couple of areas, both in and adjacent to the County's jurisdiction, on the northern side of Golden Valley Road, which were subdivided over the last five years. He commented there might not be any large parcels within the parcels being discussed that could be subdivided any further than current zoning allowed.

Commissioner Galloway said originally there was a prohibition by the State Engineer against a subdivision because there was no water service. He asked if that

had gone away. Mr. Behmaram replied development relied on individual domestic wells prior to the water system coming to this area, which required water rights dedication. He said water rights were minimal at best in Lemmon Valley. He explained the State Engineer would not appropriate additional water; therefore, there would not be any additional water to accomplish intensification. Commissioner Galloway felt it was because the State Engineer was saying the area was over pumped, but that prohibition went away because there was a water system in the area. He asked which TMSA the parcels were in. Mr. Freund said he recalled the parcels indicated on the map with an arrow would be going to TMWA and were already in Reno's SOI. He further discussed which areas were in which TMSA.

Commissioner Galloway said there were two TMSA's but both allowed the possibility of high density development as long as the zoning was changed. Mr. Freund agreed, and he indicated the minimum lot size in the area predominately in the County's jurisdiction was one acre, while the area south of Golden Valley Road was developed prior to 2002 with a minimum of one acre or larger. Commissioner Galloway felt the point was many of them were larger than one acre. He explained the concern was the creation of minor subdivisions. He said a minor subdivision was where a large lot of four acres could be carved into four separate lots. He noted minor subdivisions would not come before the County Commission, the Planning Commission, or anybody. Mr. Freund replied that was true. Commissioner Galloway suggested examining the criteria for allowing those subdivisions. He said they could not be stopped, but criteria could be changed.

Commissioner Galloway felt it was possible to make the argument that if the water service was made available without doing different zoning, it could encourage a bunch of minor subdivisions. Mr. Freund agreed there could be parcel mapping on parcels above the minimum size. Commissioner Galloway asked if there was a Comprehensive Plan Amendment for the part in Reno coming that would designate most of 20,000 acres taken into the Reno SOI as a special plan area, which he felt would not provide any assurance about what the zoning would be. Mr. Freund said that only applied to a new SOI and this was an old SOI. Commissioner Galloway said zoning could be changed in any case, and it would not be up to the County what the zoning would be south of Golden Valley Road. Mr. Freund said by-and-large that was true. He stated over the last five years, the homeowner's associations had a direct role in negotiating the lot sizes and so forth. Commissioner Galloway indicated he wished there were a way to obtain better assurances that people's neighborhoods would not be totally changed in character.

Mr. Freund reiterated the Comprehensive Plan Amendment would come through the Board. Commissioner Galloway said that only was for the little bunch above the road and one or two of the larger lots could do minor subdivisions. Mr. Freund said he believed those were still zoned General Rural.

Commissioner Jung asked if there was any way to put into language something that would prohibit this in the future. She indicated she was not just thinking

about what could happen in a year, but what could happen in 10 years. She said it could be possible that none of the current Board members would still be here to recall that this was not what the Board wanted to happen. Melanie Foster, Assistant District Attorney, said in 10 years, the ability of a property owner to develop their property would be decided in accordance with the processes of law that exist at that time. She said that could indeed include recognizing existing services and other factors. She stated if the Board wanted to act on this item in accordance with staff's request, the Board could make a complete record to make it clear that it was being done to afford relief to folks with wells who could have problems. She explained the Board could not, as part of its action today, legally restrict the rights of anyone to make the request to develop their property in accordance with law.

Commissioner Galloway asked where the one parcel with well problems was in relation to the water line. Mr. Behmaram replied the water line went down Golden Valley Road, which was put in to benefit the Sun Valley General Improvement District (GID).

Commissioner Galloway suggested taking baby steps if it was allowed under the agenda item because he had too many unanswered questions. Mr. Behmaram said he understood Commissioner Galloway's concerns and those of the residents; but, if it was a Washoe County line, this change would not be needed because the water line already existed as did the potential for intensification. Mr. Behmaram said the scope of the item could be amended to limit it to the one parcel. Commissioner Galloway felt that would buy some time and, because it was a smaller parcel, he was not worried about a four-lot split. Mr. Behmaram advised that only doing the one parcel created the potential of coming before the Board multiple times.

Chairman Larkin said the next agenda item would be the policy. He asked if the Commissioners wanted this to be the Board's policy that these items be brought before the Board on a micro-management basis. Commissioner Galloway said they still had to come to the Board every time. He said there could be a concern about doing something wholesale and possibly regretting it or taking a baby step to help one parcel. Chairman Larkin said the Department of Water Resources brought these to the Board all the time and this was not a unique operation. He was concerned with giving Mr. Behmaram direction on how these should be packaged. Mr. Behmaram replied he had to come before the Board whether it was one parcel or fifty. Commissioner Galloway commented that Mr. Behmaram had not come before the Board with fifty separate parcels every time. He suggested if this happened again, the agenda item should be broad enough so the Board did not have to do all or nothing. He said many times he voted to do all of the area and this was the only time he hesitated to do so because it was one of the few areas with large lots.

Commissioner Jung asked if Item 12 was being discussed. Chairman Larkin said no because Item 11 had to be done first, but it was bleeding over because policy was being set for Item 12 in terms of direction for Mr. Behmaram.

Chairman Larkin felt what should be looked at was the most efficient way to get the water line that was already there to properties with failing wells. He commented State law required anyone with a failed well to hook up to a municipal water service whether it was TMWA or the Department of Water Resources. He said if wells failed on parcels not in the TMWA Service Area, then they would have to be dealt with by the Commission on an individual basis. He stated he did not want to make that kind of a policy decision. He understood the apprehension about future growth, but the Board had to address issue of the folks with failing wells.

Commissioner Jung said she had concerns whether the role of government was to save people from themselves. She noted one person had asked to be in on this and staff determined that all of these other people needed it as well. Mr. Behmaram said that was not what staff determined. He indicated it was determined that TMWA was the most suitable water provider if they wished to connect to it. He indicated TMWA had the facilities and the County did not because the furthest south the County came was Lemmon Drive. He explained the only reason the area was blocked out was because it made sense and because Washoe County would never be able to provide water service within that boundary.

Chairman Larkin guaranteed that next week there could be five more parcels to approve if the Board only approved the one parcel today. He said that would make it policy by failure, not proactive management. He stated what Mr. Behmaram was bringing before the Board was the proactive nature of the water services, not planning. He said the Board controlled the planning intensity by the changes in the zoning that come before the Board. He stated if an entity south of the County's area wanted to intensify, they still had to go through the Regional Planning Governing Board to get that change. He stated Commissioner Galloway's point about the larger parcels indicated there needed to be a policy about them. He indicated the Board did not need to hold the water services hostage to that situation. He commented it was only a question of when the wells would fail, not if.

Commissioner Weber said the Board should look to the Commissioner whose district this was in because she knew the property owners. She agreed the Board needed to be proactive, but she supported Commissioner Jung for listening to her constituents who had concerns and a life style they wanted to maintain. Today, she felt the Board should approve the one property. Chairman Larkin reiterated it would be policy by failure rather than being proactive. Commissioner Weber understood, but she did not feel it was a bad thing to wait.

Commissioner Galloway suggested continuing the policy discussion to take into account if this would alter the character of the existing community. He indicated the Board would always try to take care of the well failure cases and it was not an either or situation. He said there could be a policy where certain situations were always taken care of and others where the Board could consider other factors. He indicated this issue could get pretty detailed with zoning matters and possible subdivisions. He felt staff

should take these comments and massage the policy draft a bit, which they needed some time to do.

Mr. Behmaram noted there were instances where a residence needed to connect on an emergency basis because the well failed. He said with the line there, it would be difficult to explain to them they had to wait. Commissioner Galloway stated he was suggesting the property with the failed well be taken care of right now. Chairman Larkin commented there would be another Terri Shannon sitting before the Board crying because she was out of water for three weeks due to the Board's policy. Commissioner Galloway said her issue was who would pay for it.

Commissioner Galloway stated the law was clear that a property owner must hook up if they were within a certain distance of a water line, which this lot was, and the well could not be deepened. He stated right now there was only one property that needed to hook up, some Commissioners had issues they wanted resolved, and he wanted to respect Commissioner Jung's concerns.

Chairman Larkin indicated he was not diminishing Commissioner Jung's concerns or that of her constituents, but he sensed an almost irrational policy being developed based on the potential for future growth. He felt the entire County had to be considered because, if the Board makes this decision, a precedent was being set that could have unintended consequences. He felt what the Board was ready to do was not good government.

Commissioner Galloway felt there was a health policy that was very similar. He said if someone was dying they got to go to the emergency room right now but other people had to go to the hospital admission desk to show how they would pay for their medical care. He did not feel that was a lack of a policy, but was a policy that divides cases into emergency and non-emergency.

Commissioner Humke commented that typified what was described as the failure policy. He said it accurately described medical care but did not mean it should be replicated with the water policy.

In response to the call for public comment, Mr. Edwards, representing the Golden Valley Property Owner's Association, discussed the depth of the wells were originally drilled in the area and the fact that depth meant the wells were destined to fail. He said no new wells were being drilled and the water recharge program was bringing the water level up in the wells drilled since around 1994. He stated the one bad well was on a fault line and had different soil. He discussed the City of Reno's water service area and that the Association had been fighting the TMSA encroachment since 1994. He felt there was a direct relationship between service areas and the City's SOI. He said his survey of failed wells indicated they were drilled improperly. He discussed the water line next to the school and the tank up on the hill. He asked if there would be a difference between tying into County water by the school and tying into City water.

Darrin Price indicated this was not the only well failing in the area. He stated the Sun Valley GID pursued a secondary wholesale point into the District because there was no alternate source of water, which meant stored water would have to be used if the water line was severed. He discussed the Sun Valley GID's water source and its water tank. He noted he was coming before this Board next month to ask that the entire Sun Valley hydrobasin be recognized because the GID was tired of coming before the Board property-by-property when there was no other water purveyor to service the properties. He mentioned he was here today because the GID was negotiating with a few properties near the tank that would be coming before the Board. He stated those wells were failing because of water quality not depth.

Commissioner Galloway asked if the properties Mr. Price was discussing were in the Sun Valley hydrobasin and the area being recharged was in another hydrobasin. Mr. Price confirmed that was correct. Commissioner Galloway said he did not feel Mr. Price needed to feel threatened. He indicated most of the time he had no problem dealing with larger pieces at one time. He did not feel these wells could be compared because they were in different hydrobasins. Mr. Price said there would be 111 small and large properties that would be included in the request, which he felt was similar to what was here today.

Mr. Behmaram said there was no doubt the proliferation of water and sewer systems would promote growth. He stated that was not the issue today, because the water line existed no matter what service area it was and someone could capitalize on the existing infrastructure. He felt that was where planning issues came in.

Mr. Behmaram explained the difference between TMSA and TMWA was TMSA was purely a planning phenomena and TMWA was strictly driven by infrastructure. In answer to Mr. Edwards' question, he said the line by the school was not the County's line. He said the County's infrastructure ended where Scolari's was on Lemmon Drive. He acknowledged there were discussions with Ryder Homes about developing the Tobler Subdivision. He said the County would execute a wholesale water agreement, and it would remain in the County's service area.

Commissioner Weber said she did not see evidence that this had to be done today. She felt the Board should look at this issue seriously and should set policy. She believed the Board should take care of the one property owner and not do the whole area today.

Chairman Larkin said he was not opposed to an individual wanting to stick their parcel into the TMWA service area, but it was not policy. He felt Mr. Behmaram would have to assure people that this was not an extension of intensification, but protection.

In response to Chairman Larkin, Rosemary Menard, Water Resources Director, indicated there were two responses to the letter sent out about hooking up, but

only one response indicated their well failed. Mr. Behmaram said the Donners indicated they had quality and quantity problems while the other party showed interest.

On motion by Commissioner Jung, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the Truckee Meadows Water Authority (TMWA) water service area be extended to one parcel (APN 552-084-02) so they could be connected per their request and that staff not see this as a policy decision.

In response to Katy Singlaub, County Manager, Mr. Behmaram said the property was owned by Ron and Phyllis Donner, APN 552-084-02, located at 3475 E. Golden Valley Road.

**08-36            AGENDA ITEM 12 – WATER RESOURCES**

**Agenda Subject: “Recommendation to consider, and direct staff to adopt the revised Policy Statement regarding the approval process for adjustments to the 1996 water service territory boundaries between Truckee Meadows Water Authority and Washoe County. (All Commission Districts.) To be heard after agenda item #11.”**

Commissioner Galloway moved to continue this item so the Commissioners could write down some ideas. Chairman Larkin suggested giving specific direction to Vahid Behmaram, Water Rights Manager.

Commissioner Jung assumed from the staff report, one of the policy decisions was to no longer notify the Neighborhood Advisory Boards (NAB’s) and Citizen Advisory Boards (CAB’s) when these requests were made. Mr. Behmaram confirmed that was his proposal. Commissioner Jung asked if he could explain why. Mr. Behmaram said if all of the property owners were being notified, he did not see what was accomplished by notifying the NAB’s and CAB’s. Commissioner Jung disagreed with that assertion because Roger Edwards found out about this hearing through his Homeowner’s Association (HOA). In terms of policy, she had a real problem with not going to the NAB’s, CAB’s, and the HOA’s because that was the way many people got their information. Mr. Behmaram said it was only a proposal.

Commissioner Galloway requested adding to the continuance that staff consider some of the neighborhood character concerns. He stated immediate attention would be paid to emergencies, but the broader areas would need to consider the effect on the community in the near term. He noted Commissioners could also give suggestions directly to the staff. He suggested bringing the policy back in sixty days.

Rosemary Menard, Water Resources Director, stated this issue was not isolated to this particular parcel. She indicated staff would be bringing Franktown Estates in Commissioner Humke’s District before the Board on January 22, 2008. She said Commissioner Humke had similar concerns about the “if you build it they will come” problem associated with providing water service. She felt any conversation about policy had to recognize that the issue did not just affect one area.

With respect to the idea that somehow the County could be a wholesale service provider to parcels that have a pipeline in front of the house, Ms. Menard indicated it meant the County would have to be a wholesale service provider to each individual meter coming off that line. She felt that was not a good idea. Commissioner Galloway interjected a smaller line would have to be built. Ms. Menard said either that or have a repeat of the Verdi situation where TMWA owned everything up to the meter and the County owned everything past the meter, which was not ideal.

Commissioner Galloway suggested continuing this item until after the Franktown matter was heard because additional insights might be gained.

Chairman Larkin indicated this was really a larger issue, which was why the Western Regional Water Commission was established. He felt it was appropriate for those Commissioners to be fully briefed on the intricacies of this policy because it was a big deal. Ms. Menard agreed. After the Franktown hearing, Chairman Larkin suggested holding a workshop at a Commission meeting on this item. Commissioner Galloway agreed there should be a workshop after the Franktown issues were vetted, and it would also give him more time to communicate with staff regarding issues.

Ms. Menard noted the staff report focused on notification issues, which were very different from the neighborhood character issues currently being discussed. She felt it important to recognize there was a notification issue. She said staff was fine with going to the NAB's and CAB's in addition to doing direct notifications.

Mr. Behmaram asked if he should still come before the Board in February with the Sun Valley changes. Chairman Larkin replied as many examples as possible should be brought before the Board to help frame the issues for the Commissioners. Commissioner Galloway agreed.

Mr. Behmaram commented that many of these changes were made under the policy established in the 1996 agreement. He emphasized there had never been any complaints about past changes. He asked the Board to consider that the policy was working if there were no negative impacts as a result of the many changes made from TMWA to the County or from the County to TMWA.

Commissioner Humke felt it was important to redirect Water Resources' staff to work with Community Development staff because the "800 pound gorilla in the room" was that water service was the precursor to SOI change and annexation. He felt people deserved to have notice of these things.

Commissioner Jung said Mr. Behmaram mentioned the policy had worked since it was written; but, to prepare for the workshop, she wanted some data so she could see what happened, when it changed, and what the timeline looked like. She felt this would give the Commissioners a better idea on how to preserve these neighborhoods by

knowing when the threshold was passed that made it pretty much a done deal, which she feared was the case for this neighborhood.

In response to the call for public comment, Roger Edwards stated his bill came from Water Resources and they provided him with water to recharge his well. He asked how he was not in a County serviced area. He stated it was a complex issue and the Board could solve it if they had a magic wand.

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 12 be closed and a workshop be held on the same matters after the Franktown matters were considered by the Board. It was further ordered that the Water Resources Department continue to bring the Board the cases in the pipeline so the Commissioners could better refine their thinking on these matters.

**08-37            AGENDA ITEM 18**

**Agenda Subject: “Request to authorize the Judicial Retirement Plan as a retirement plan option for Justices of the Peace and direct the Human Resources Department to take any necessary actions to effectuate this option (requested by Justices of the Peace Lynch, Graham, and Tiras).”**

Commissioner Humke said he discussed this with Judge Lynch, and he suggested continuing this item since two of the three Judges could not be here tonight due to snow.

Commissioner Galloway said he would like to hear from Judge Lynch. He said staff pointed out the Judicial Compensation issue would come back in July, by which time the budget would be worked out. He asked if Judge Lynch had a date this could be continued to. Judge Lynch replied she and Judge Tiras were hopeful it could be acted upon before February 15, 2008. She said there were some constraints because vesting was five years in the Judicial Public Employees Retirement System (PERS), which meant PERS could go back six weeks so they would collect February 15th for a January 1, 2008 start date. She said, if in fact this plan was approved for that period, then at least she and Judge Tiras would both vest in this one term. She said if it was enacted later and they did not run again or were not reelected, they would not receive any benefits because of not vesting with only three or four years in the plan.

Commissioner Galloway agreed with the request to continue this item until February 2008.

On motion by Commissioner Humke, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 18 be continued until February 2008.

Katy Singlaub, County Manager, clarified it would be February 12, 2008.

**6:12 p.m.** The Board temporarily recessed.

**7:01 p.m.** The Board returned with all Commissioners present.

**08-38** **AGENDA ITEM 27**

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

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, it was ordered that the Closed Session just held for the purpose of discussing negotiations with Employee Organizations per NRS 288.220 be retroactively authorized.

**08-39** **AGENDA ITEM 24**

**5:30 p.m.**

**Agenda Subject:** “Second reading and adoption of an Ordinance adopting Supplement No. 11 to the Washoe County Code and all clerical and technical corrections made therein. (Bill No. 1536)”

The Chairman opened the public hearing. There was no response to the call for public comment. The Chairman closed the public hearing.

On motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, Chairman Larkin ordered that Ordinance No. 1357, Bill No. 1536, entitled, “AN ORDINANCE AMENDING ADOPTING SUPPLEMENT NO. 11 TO THE WASHOE COUNTY CODE AND ALL CLERICAL AND TECHNICAL CORRECTIONS MADE THEREIN,” be approved, adopted and published in accordance with NRS 244.100.

**08-40** **AGENDA ITEM 25 – COMMUNITY DEVELOPMENT**

**5:30 p.m.**

**Agenda Subject:** “**Comprehensive Plan Amendment Case No. CP07-006--Southwest Truckee Meadows Area Plan Update - Community Development.** An amendment to the Southwest Truckee Meadows Area Plan that provides a wholesale update of the Southwest Truckee Meadows Area Plan, establishing updated goals and policies relating to Land Use, Transportation, Scenic, Recreational and Cultural Resources, Natural Resources (Air, Land and Water), and establishing specific findings, criteria and thresholds for future amendments; amending the Land Use Plan map to reflect certain land use changes within proposed character management areas; and establishing an updated map series to include a Land Use Plan map, Character Management Plan map, Recreational Opportunities Plan map, Public Services and Facilities Plan map, Streets and Highway Systems Plan map, and Development

**Suitability map. The Southwest Truckee Meadows Planning Area is comprised generally of the unincorporated areas of the southern portion of Washoe County, bounded on the west by the Toiyabe National Forest, on the north by the Truckee River, on the east by I-580 and South Virginia Street, and on the south by the Steamboat Hills and the Mt. Rose Highway. And if approved, to authorize the Chair of the Board of County Commissioners to sign the Resolution Adopting the Amended Southwest Truckee Meadows Area Plan (CP07-006), a part of the Washoe County Comprehensive Plan. Such signature by the Chair to be made only after a determination of conformance with the Regional Plan by the Truckee Meadows Regional Planning Agency. (Commission Districts 1 and 2.)”**

The Chairman opened the public hearing.

Commissioner Galloway asked if the Plan included the area south of the Mt. Rose Highway in which the owners of some parcels had requested substantial changes of use to commercial where previously there was none. Lisa Brosnan, Assistant Planner, replied this area included the Mt. Rose Highway Scenic Corridor and there were no changes proposed for the portions of the corridor in the Plan. In response to Commissioner Galloway, Eric Young, Planner, explained all of the Southwest Truckee Meadows Area Plan was north of the Mt. Rose Highway and all of the issues to which Commissioner Galloway referred were either south of the corridor as it runs east and west or in the Forest Area Plan, outside of the area Commissioner Galloway was referring to.

Commissioner Galloway noted no public was here, and he asked if staff felt there was public acceptance of the Plan. Ms. Brosnan replied the Plan went through the Citizen Advisory Board (CAB) process and the Southwest Truckee Meadows CAB voted on and approved the Plan on November 15, 2007. She said it went before the Planning Commission on November 20, 2007 and there was no opposition to the Plan. She felt the residents were very happy with the Plan, and she discussed the input that led to the current Plan.

In response to Commissioner Galloway, Ms. Brosnan said the Plan did go before the West Truckee Meadows CAB. She indicated on the day they were to vote on the Plan there were a lot of concerns. She said a specific area was created for the West Truckee Meadows in the Plan, and all of their concerns were addressed although there was no vote by the CAB. Commissioner Galloway asked if there was any further communication with the CAB members regarding the Plan. Ms. Brosnan replied she sent copies of the draft to individual CAB members and asked them to contact herself or Mr. Young if they had any further concerns, but no one had contacted them. Commissioner Galloway stated he had heard no complaints from the members of the CAB, and he trusted they had their opportunity. He felt staff understood the issues because he was aware of some of the issues that came up.

Mr. Young confirmed after the changes the West Truckee Meadows CAB requested were made, a revised draft was sent to the CAB along with an invitation to attend the Southwest Truckee Meadows CAB meeting in case the West Truckee

Meadows CAB members wanted any further discussion. He said none of the West Truckee Meadows CAB attended the meeting, which staff believed indicated they were happy with the revisions.

There was no response to the call for public comment. The Chairman closed the public hearing.

In response to Commissioner Galloway, Ms. Brosnan said the limit was four amendments a year to the area plan. Commissioner Galloway said if some burning issue was unresolved, there could be the possibility of an amendment. Ms. Brosnan said that was correct. Commissioner Galloway requested the adopted Plan go back to the CAB along with the information that there was the ability for a limited number of amendments in case there was a problem and that an amendment could cover more than one issue.

Chairman Larkin asked if this was the fourth or fifth character area plan done. Mr. Young said plans were done for Spanish Springs, North Valleys, Sun Valley, Southeast, and Southwest making this the sixth. He felt the concept was going well and was accepted by the community and the CAB members. He said they liked the idea that they could try to define and shape the character of their community and that the concept of character was moved to the front of the discussion instead of being an afterthought. He said there was a whole lot more to discuss when land use changes were proposed along with these updates. He felt the reason the chambers was not packed tonight with people on either side or the issue was there were no land use changes brought forward with this Plan. He said staff was doing an internal review of the process and how staff could better advance ideas about land use changes.

In response to Chairman Larkin, Mr. Young replied Warm Springs would probably be the next plan done.

Commissioner Galloway indicated the CAB would be meeting next week, and he saw no reason the Plan could not be circulated under his Commissioner's report so he could verify there were indeed no burning issues. He said if something was omitted and the Board approved the Plan today, he did not feel he could meet the findings to reconsider the Plan. He wanted to personally tell the members of the CAB that if something was omitted they needed to tell him right now what it was.

Mr. Young said when Ms. Brosnan attended the CAB meeting where there was no vote, she obtained a list of issues which staff responded to with a revised plan. He stated they were asked if they still had issues to attend the Southwest Truckee Meadows CAB. He said staff could provide those comments to the Commissioners along with the changes that were made and the reason why any changes were not responded to. Commissioner Galloway said that would take time and, in the meantime, the meeting would take place. Mr. Young said he could send that to Commissioner Galloway within the next couple of days. Commissioner Galloway said he could recap the whole thing at the meeting and, if someone felt something was wrong, they could get with him so he could make a decision and approve the Plan. He stated he was afraid there would be no

basis for changing anything once the Plan was approved unless there were changed conditions. Mr. Young replied that was a very interesting finding Commissioner Galloway brought up, but the definition for changed conditions was very broad.

Commissioner Galloway stated he was very impressed that no one had problems so far, but felt he could not approve the Plan until he could make sure next Monday that it was fine with everybody. He indicated he wanted to continue this item to the last meeting of this month if it was possible. Mr. Young replied it was possible as long as it was date certain.

Katy Singlaub, County Manager, asked for confirmation that if it was date certain it did not have to be republished. Melanie Foster, Assistant District Attorney, believed it did not have to be republished, but she would confirm it. Mr. Young noted it was not just publishing, but all of the noticing that Community Development had to do as well. He said the practice had been it was covered if it was continued to a date certain. Commissioner Galloway clarified it would still be on the agenda, but the noticing would not have to be redone.

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, Chairman Larkin ordered Agenda Item 25 be continued to the last meeting in January 2008.

**08-41            AGENDA ITEM 19**

**Agenda Subject: “Designation of an individual to serve as an Alternate on the Washoe County Board of Equalization, with a term to be determined by the County Commission. (All Commission Districts.)”**

Chairman Larkin noted the members were appointed and it was time to appoint an alternate.

In response to Commissioner Weber, Melanie Foster confirmed the alternates received the same amount of money a regular member received; and, in the past, the Clerk’s Office would contact an alternate if a regular member could not attend. She explained that the appointment of alternates was for one year per statute.

Commissioner Weber said she supported Philip Horan last time, but Linda Woodland was also from her District. Chairman Larkin said to fill the alternate position, the Manager’s Office made inquiries of the people who submitted applications to be regular members of the County Board of Equalization, and Mr. Horan was the only response. He said that did not mean the other two individuals on the list would not be interested in being a regular member, but they did not express an interest in being an alternate.

Commissioner Galloway asked if Ms. Woodland responded that she was not interested in being an alternate. Katy Singlaub, County Manager, said she understood

Mr. Horan was the only one who responded at all. Commissioner Galloway said the work of the Board was imminent. Chairman Larkin said if nothing was done, it left the Board in peril if someone did not show up or there was a resignation.

On motion by Commissioner Weber, seconded by Commissioner Galloway, which motion duly carried, Chairman Larkin ordered that Philip Horan be appointed as an Alternate to the Washoe County Board of Equalization.

**08-42            AGENDA ITEM 20**

**Agenda Subject: “Discussion and possible action with regard to the County Commissioners serving on various boards/commissions.”**

Katy Singlaub, County Manager, stated the Commissioners were provided with a summary of the assignments to the various boards and commissions.

Chairman Larkin discussed the Commission’s rules on Commissioners serving more than two terms on a Board or Commission

Commissioner Humke said he wanted to go with the status quo. Commissioner Weber agreed because she felt none of her assignments had been more than two years except for possibly the Nevada Works Board, which she liked serving on. Chairman Larkin agreed he did not want to make any changes.

Commissioner Galloway noted adjustments were made not even six months ago when Commissioner Jung was seated. He said he was looking forward to the first meeting he would be attending of the Audit Committee on January 15, 2008. Chairman Larkin said Commissioner Galloway was also appointed to the Investment Committee. Commissioner Galloway asked if he could get the date of the meeting. He said he was particularly interested in the Audit Committee, but if someone wanted the Investment Committee he would be willing to give it to the Commissioner, but he was willing to do it. Chairman Larkin said he had not heard anyone else express an interest.

Commissioner Jung said she was satisfied with her appointments.

Commissioner Galloway asked if the Board wanted to consider, contingent on if the Nevada Commission for the Reconstruction of the V&T Railway allowed an alternate, dealing with it then or now. Commissioner Weber said the Board should wait until legal counsel advised that Commission at its next meeting.

Commissioner Humke noted Commissioner Jung attended the Reno-Sparks Convention and Visitors Authority (RSCVA) meeting when Commissioner Weber could not attend. He said he had proposed a separate agenda item to allow alternates, which was defeated. He stated Counsel recommended against it.

On motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried, it was ordered that the current assignments be ratified.

**08-43            AGENDA ITEM 21**

**Agenda Subject: “Discussion and possible action with regard to the Rules and Procedures for the Washoe County Board of Commissioners pertaining to the 2008 Washoe County Board of Commissioners.”**

Katy Singlaub, County Manager, stated the Commissioners were provided with the existing rules dated January 9, 2007 and recapped the discussion at yesterday’s retreat on Item Number 2, Placement of an Item on a Board Meeting Agenda by a Board Member/Removal of Items from Agenda.

Commissioner Galloway asked if the Manager was suggesting the discussed wording change be incorporated into the third and fourth lines. Ms. Singlaub replied that from the second sentence the words “the other Commissioners, Commission staff and” would be deleted leaving it to read “the County Manager...” Commissioner Galloway asked if “who would then inform the other Commissioners” should be added. Ms. Singlaub said it was added to the Communication Policy, but it could be put in here as well. Chairman Larkin said he believed it was agreed to mimic the language in the Communication Policy so they were exactly the same. Ms. Singlaub confirmed she would put it in both places.

On motion by Commissioner Galloway, seconded by Commissioner Jung, which motion duly carried, it was ordered to adopt Agenda Item 21 as amended to mimic the Communication Policy and there were no other changes.

**08-44            AGENDA ITEM 26**

**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 Humke said tomorrow he would meet with the Senior Services Advisory Board at the City of Reno Neighborhood Center. He said Regional Transportation Commission (RTC) would have extra meetings to process the road impact fee issue over the course of the next two months.

Commissioner Weber said tomorrow there would be a meeting with County staff and other folks about the National Association of Counties meeting that would be held in Washoe County in 2010. She said there was a lot to do over the next two years and it was important to get moving on it. She stated there would be a Sun Valley Citizen Advisory Board (CAB) meeting on Saturday at the Community Center at 9:00 a.m.

Chairman Larkin said there would be a Truckee Meadows Flood Project Coordinating meeting this Friday that Commissioner Humke would also attend.

Commissioner Galloway advised there would be a Regional Planning Governing Board meeting on Thursday. He said the County Manager was tasked with coming up with a timeframe for the County to achieve its density target for the County's Truckee Meadows Service Area (TMSA). He stated it struck him that requirement was not being put on other entities. He felt the task was very difficult because he was not sure all of the data was available to do it, so any timeframe would be dependent on other people completing population forecasts and some other things. He felt the Manager was placed in a very awkward position. He reminded the Commissioners that their financial disclosure statements must be filed by the 15th.

Commissioner Jung said the Housing Task Force meeting would be Friday at 1:00 p.m. She hoped either the County or City Manager would be there to explain their position, which the person in charge of the Housing Task Force was not very clear about.

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**7:40 p.m.** There being no further business to discuss, on motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that the meeting be adjourned.

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

**ATTEST:**

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

*Minutes Prepared by  
Lisa McNeill and Jan Frazzetta,  
Deputy County Clerks*

Clerk

RESOLUTION: Authorizing grant of funds to Planned Parenthood Mar Monte

WHEREAS, The Washoe County District Board of Health made the determination to fund the HIV prevention efforts of Planned Parenthood Mar Monte through a Notice of Subgrant Award on December 13, 2007; and

WHEREAS, By virtue of the Interlocal Agreement creating it, the Washoe County Health District uses the same financial policies and procedures that are used for County Departments; and

WHEREAS, Pursuant to NRS 244.1505, Washoe County may grant money to a nonprofit organization for any purpose which will provide a substantial benefit to the inhabitants of the county; and

WHEREAS, Washoe County desires to provide money to Planned Parenthood Mar Monte to provide an intensive small group intervention to prevent HIV/AIDS and other sexually transmitted infections among high risk youth ages 11-18 years; and

WHEREAS, Washoe County finds that these prevention services provide a substantial benefit to the inhabitants of the county;

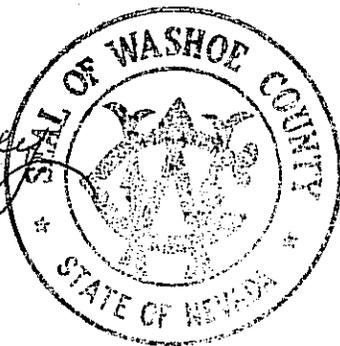
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY, that the Board hereby enters into the Purchase Requisition to provide funds to Planned Parenthood Mar Monte for the purposes set forth in the attached Notice of Subgrant Award.

Adopted this 8<sup>th</sup> day of January, 2008.

*Robert M Larkin*  
Robert M. Larkin, Chairman  
Washoe County Commission

ATTEST:

*Amy Harvey*  
Washoe County Clerk





**WASHOE COUNTY COMMISSION**

1001 E. 9th Street  
P.O. Box 11130  
Reno, Nevada 89520  
(775) 328-2005

**RESOLUTION**

**ADOPTING THE AMENDED SOUTHWEST TRUCKEE MEADOWS AREA PLAN (CP07-006),  
A PART OF THE WASHOE COUNTY COMPREHENSIVE PLAN**

WHEREAS, Sections 278.150, 278.170 and 278.210, Nevada Revised Statutes, specify that the Washoe County Planning Commission may prepare, adopt and amend a master (comprehensive) plan for all or any part of the County, subject to County Commission approval;

WHEREAS, Section 278.160, Nevada Revised Statutes, specifies that the master plan shall include the following subject matter or portions thereof as deemed appropriate: community design, conservation plan, economic plan, historic properties preservation plan, housing plan, land use plan, population plan, public buildings, public services and facilities, recreation plan, safety plan, seismic safety plan, solid waste disposal plan, streets and highways plan, transit plan, and transportation plan, and such other plans as judged necessary;

WHEREAS, A public hearing on the adoption of the amended SOUTHWEST TRUCKEE MEADOWS AREA PLAN, a part of the Washoe County Comprehensive Plan, was held on November 20, 2007, by said Planning Commission;

WHEREAS, The Washoe County Planning Commission has found that the SOUTHWEST TRUCKEE MEADOWS AREA PLAN, a part of the Washoe County Comprehensive Plan, and the most recent amendment, together with the applicable maps and descriptive matter, provide a long-term general plan for the development of the County including the subject matter currently deemed appropriate for inclusion in the Comprehensive Plan, and has submitted the amendment to the SOUTHWEST TRUCKEE MEADOWS AREA PLAN to the Board of County Commissioners, Washoe County, with the recommendation for approval and adoption thereof;

WHEREAS, Section 278.220, Nevada Revised Statutes, specifies that the Board of County Commissioners of Washoe County, Nevada, may adopt and endorse plans for Washoe County as reported by the Planning Commission, in order to conserve and promote the public health, safety and general welfare;

WHEREAS, A public hearing on the adoption of the Washoe County Comprehensive Plan, including the SOUTHWEST TRUCKEE MEADOWS AREA PLAN, was first held on May 21, 1991, with the most recent amendment to the SOUTHWEST TRUCKEE MEADOWS AREA PLAN being held on January 8, 2008 by the Board of County Commissioners of Washoe County, Nevada;

WHEREAS, at the conclusion of the public hearing, the Board of County Commissioners endorsed the amendment to the SOUTHWEST TRUCKEE MEADOWS AREA PLAN, a part of the Washoe County Comprehensive Plan, pursuant to Section 278.0282, Nevada Revised Statutes, for conformance review with the Truckee Meadows Regional Plan;

WHEREAS, A public hearing for the review of conformance of the Washoe County Comprehensive Plan, including the SOUTHWEST TRUCKEE MEADOWS AREA PLAN, was first held on October 23, 1991, with the most recent amendment to the SOUTHWEST TRUCKEE MEADOWS AREA PLAN being held on \_\_\_\_\_, 2008, by the Truckee Meadows Regional Planning Commission, at which time the plan was deemed in conformance with the Truckee Meadows Regional Plan; and

WHEREAS, The amendment to the SOUTHWEST TRUCKEE MEADOWS AREA PLAN, a part of the Washoe County Comprehensive Plan, which is in conformance with the Truckee Meadows Regional Plan, has completed all the necessary requirements for adoption as specified in the Nevada Revised Statutes and Article 820, Amendment of Comprehensive Plan, of the Washoe County Development Code; now, therefore, it is hereby

RESOLVED, BY THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY, NEVADA, That the Board does hereby adopt and endorse the amended SOUTHWEST TRUCKEE MEADOWS AREA PLAN, a part of the Washoe County Comprehensive Plan, to serve as a guide for the orderly growth and development of Washoe County, Nevada.

ADOPTED This 8th day of January, 2008.

WASHOE COUNTY COMMISSION

Robert M. Larkin, Chair

ATTEST:

Amy Harvey, County Clerk

*Clerk*

RESOLUTION: Authorizing grant of funds to Nevada AIDS Foundation, Inc.

WHEREAS, The Washoe County District Board of Health made the determination to fund the HIV prevention efforts of Nevada AIDS Foundation, Inc. through a Notice of Subgrant Award on December 13, 2007; and

WHEREAS, By virtue of the Interlocal Agreement creating it, the Washoe County Health District uses the same financial policies and procedures that are used for County Departments; and

WHEREAS, Pursuant to NRS 244.1505, Washoe County may grant money to a nonprofit organization for any purpose which will provide a substantial benefit to the inhabitants of the county; and

WHEREAS, Washoe County desires to provide money to Nevada AIDS Foundation, Inc. to provide one-on-one prevention case management to HIV positive and HIV negative individuals ; and

WHEREAS, Washoe County finds that these prevention services provide a substantial benefit to the inhabitants of the county;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY, that the Board hereby enters into the Purchase Requisition to provide funds to Nevada AIDS Foundation, Inc. for the purposes set forth in the attached Notice of Subgrant Award.

Adopted this 8<sup>th</sup> day of January, 2008.

*Robert M Larkin*  
Robert M. Larkin, Chairman  
Washoe County Commission

ATTEST:  
*Amy Harvey*  
Washoe County Clerk

