

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

TUESDAY

10:00 A.M.

FEBRUARY 10, 2009

PRESENT:

**David Humke, Chairman**  
**Bonnie Weber, Vice Chairperson**  
**John Breternitz, Commissioner**  
**Kitty Jung, Commissioner**

**Amy Harvey, County Clerk**  
**Katy Simon, County Manager**  
**Melanie Foster, Legal Counsel**

ABSENT:

**Bob Larkin, Commissioner**

The Board convened at 10:17 a.m. 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:

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

**09-118      AGENDA ITEM 3**

**Agenda Subject:    “Resolution of Recognition and Appreciation--Marty Scheuerman.”**

Chairman Humke read and presented the Resolution to Truckee Meadows Fire Protection District, Division Chief Marty Scheuerman. Chief Scheuerman thanked the Board for all the support and encouragement throughout the years.

In response to the call for public comment, Sam Dehne applauded Chief Scheuerman for a stellar career.

On motion by Commissioner Weber, seconded by Commissioner Breternitz, which motion duly carried with Commissioner Larkin absent, Chairman Humke ordered that Agenda Item 3 be adopted. The Resolution for same is attached hereto and made a part of the minutes thereof.

**09-119            AGENDA ITEM 4**

**Agenda Subject: “Proclamation--February 15-21, 2009 as National Engineers Week in Washoe County.”**

Commissioner Breternitz read and presented the Proclamation to Dan St. John, Public Works Director. Mr. St. John thanked the Board for the recognition and introduced several engineers who were present.

There was no response to the call for public comment.

On motion by Commissioner Breternitz, seconded by Commissioner Jung, which motion duly carried with Commissioner Larkin absent, Chairman Humke ordered that Agenda Item 4 be adopted. The Proclamation for same is attached hereto and made a part of the minutes thereof.

**09-120            AGENDA ITEM 5**

**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.”**

Sam Dehne stated his objection to the decorum statement read at the beginning of each meeting.

Michael Jacobus, Reno Disc Golf Association President, updated the Board on the successful Disc Golf Course located in Rancho San Rafael Park. He invited the Board to tour the facility and to attend the tournament scheduled for February 21, 2009.

**09-121            AGENDA ITEM 12 – SPARKS JUSTICE COURT/RENO JUSTICE COURT**

**Agenda Subject: “Recommendation to approve Agreement for Software and Services between the County of Washoe (Reno Justice Court and Sparks Justice Court) and Sustain Technologies, Inc. for lease and implementation of software, training and support of the eCourt Case Management System for an initial five-year term [not to exceed \$825,655.53 - Fiscal Year 2009/10 costs of \$488,900 paid from**

**Administrative Assessment Fund]; and approve Professional Services Agreement for Court Case Management System Implementation Project Management between the County of Washoe (Reno Justice Court and Sparks Justice Court) and National Center for State Courts to provide project management assistance in the implementation of the new case management system [not to exceed \$100,000]; and if all approved, authorize Chairman to execute both Agreements. (All Commission Districts.)”**

Judge Kevin Higgins, Sparks Justice Court, conducted a PowerPoint presentation, which was placed on file with the Clerk, highlighting the need for the new case management software, the bids received and reviewed by the National Center for State Courts, the five finalists that were identified after evaluations, demonstrations from the top two finalists, the needs of the Cities of Reno and Sparks Justice Courts, shared information between courts, other criminal justice agencies and the public, interfaces with the County’s SAP financial system, crossroads system used by Washoe County Sheriff’s Department and customizable application without associated vendor costs. Judge Higgins stated these were not General Fund monies.

In response to the call for public comment, Sam Dehne stated he was in support of the new case management system.

Chairman Humke inquired about Temporary Protection Orders (TPO’s), and asked if the new system would allow the Courts to connect with Family Court. Judge Higgins replied connecting with Family Court had not been discussed. He explained three separate courts issued TPO’s so it was not always clear where the TPO was being issued. He commented the Courts were working on achieving better communication with all the Courts. Judge Higgins indicated the new system had an open interface allowing other agencies the ability to review a web-based browser to see if a TPO had been previously issued.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried with Commissioner Larkin absent, it was ordered that Agenda Item 12 be approved, authorized and executed.

**09-122            AGENDA ITEM 6**

**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 Simon, County Manager, stated agenda Item 7J(4), the Leadership in Energy and Environmental Design (LEED) Services Contract would be pulled. She said Agenda Items 2C and 2D, labor agreements, on the Sierra Fire Protection District agenda would be pulled.

Commissioner Weber stated she had concerns regarding how the agenda would be prepared during the Legislative session in order to ensure the County Commission had a quorum. She also questioned if the time change for Board meetings would ensure an appropriate justification for the meetings.

Chairman Humke announced that he would attend the Senate Assembly Taxation Committee to discuss the initiative from Governor Jim Gibbons to transfer four cents ad valorem tax revenue from the County budget to the State of Nevada.

Commissioner Jung requested a matrix or data on the efficiency for the County Commission meeting time changes and the number of meetings held per month.

Commissioner Breternitz requested that shared services and a task force for shared services be placed on a future agenda. Ms. Simon stated that would be agendized on a future agenda.

Ms. Simon said if the Board had any additional ideas for a matrix concerning the new meeting times to present them to her office. She stated staff had supplied the Board an estimate of what a Board meeting cost; however, there was no matrix available at the time.

#### **CONSENT AGENDA – AGENDA ITEMS 7A THROUGH 7K(3)**

Katy Simon, County Manager, stated agenda Item 7J(4), Leadership in Energy and Environmental Design (LEED) Services Contract would be pulled.

#### **09-123      AGENDA ITEM 7A - PURCHASING**

**Agenda Subject: “Authorize Purchasing Department to release a Request for Proposal for Independent Audit Services for Fiscal Year 2009 with the provision for two successive annual renewal options, solely at the discretion of the Board of County Commissioners and the County Manager, for Washoe County, Sierra Fire Protection District and Truckee Meadows Fire Protection District. (All Commission Districts.)”**

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Commissioner Breternitz, which motion duly carried with Commissioner Larkin absent, Chairman Humke ordered that Agenda Item 7A be authorized.

#### **09-124      AGENDA ITEM 7B - ASSESSOR**

**Agenda Subject: “Roll Change requests for adjustment for destruction of property and clerical errors in the 2008/09, 2007/08, 2006/07, 2005/06 Personal Property Tax**

**Rolls; and if approved, authorize Chairman to execute Order for same (cumulative amount of reduction in tax revenue \$3,585.92). (All Commission Districts.)”**

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Commissioner Breternitz, which motion duly carried with Commissioner Larkin absent, it was ordered that Agenda Item 7A be approved, authorized, executed and directed.

**09-125      AGENDA ITEM 7C – SENIOR SERVICES**

**Agenda Subject: “Accept cash donations [\$6,471.15] for the period October 1, 2008 through December 31, 2008 for the second quarter of Fiscal Year 2008/09; and if accepted, direct Finance to make appropriate budget adjustments. (All Commission Districts.)”**

On behalf of the Board, Commissioner Jung thanked the various donors for their generous donations.

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Commissioner Breternitz, which motion duly carried with Commissioner Larkin absent, Chairman Humke ordered that Agenda Item 7C be accepted and directed.

**09-126      AGENDA ITEM 7D – DISTRICT HEALTH**

**Agenda Subject: “Approve amendments [increase of \$25,000 in both revenue and expenses] to the adopted Fiscal Year 2008/09 Tobacco Prevention and Education Program Budget (IN 10010); and if approved, direct Finance to make appropriate budget adjustments. (All Commission Districts.)”**

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Commissioner Breternitz, which motion duly carried with Commissioner Larkin absent, Chairman Humke ordered that Agenda Item 7D be approved and directed.

**09-127      AGENDA ITEM 7E - FINANCE**

**Agenda Subject: “Acknowledge appropriation adjustments within the Public Works Construction Fund (no fiscal impact). (All Commission Districts.)”**

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Commissioner Breternitz, which motion duly carried with Commissioner Larkin absent, Chairman Humke ordered that Agenda Item 7E be acknowledged.

**09-128            AGENDA ITEM 7F – COMMUNITY DEVELOPMENT**

**Agenda Subject: “Appoint Warren Brighton as an At-Large (District 5) member to fill an unexpired term to June 30, 2010 on the Sun Valley Citizen Advisory Board. (Commission District 5.)”**

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Commissioner Breternitz, which motion duly carried with Commissioner Larkin absent, Chairman Humke ordered that Warren Brighton be appointed as an At-Large member on the Sun Valley Citizen Advisory Board to fill an unexpired term to June 30, 2010.

**09-129            AGENDA ITEM 7G – SOCIAL SERVICES**

**Agenda Subject: “Approve Amendment #1 to Contract between the County of Washoe and the State of Nevada, Department of Health and Human Services, Division of Child and Family Services, relating to Fiscal Procedures (no fiscal impact); and if approved, authorize Chairman to execute Amendment #1. (All Commission Districts.)”**

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Commissioner Breternitz, which motion duly carried with Commissioner Larkin absent, it was ordered that Agenda Item 7G be approved, authorized and executed.

**09-130            AGENDA ITEM 7H - SHERIFF**

**Agenda Subject: “Approve Memorandum of Understanding (MOU) between the County of Washoe (Sheriff’s Office-Consolidated Bomb Squad) and U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) concerning establishing and defining a partnership between the parties that will result in the operation and administration of an online secure Internet based intelligence and information system, which will be used by the parties for the collection, analysis and dissemination of incidents involving arson and the suspected criminal misuse of explosives through ATF's United States Bomb Data Center Bomb Arson Tracking System software application; and if approved, authorize Chairman to execute MOU. (All Commission Districts.)”**

There was no response to the call for public comment.

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

**09-131            AGENDA ITEM 7I – TECHNOLOGY SERVICES**

**Agenda Subject:** “Approve purchase of annual software maintenance for ‘Eagle Recorder’ and ‘Eagle Quick Docs’ from Tyler Technologies, Inc. [\$53,884 retro to December 2008]; and if approved, authorize Purchasing to approve the purchase requisition to Tyler Technologies, Inc. for same. (All Commission Districts.)”

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Commissioner Breternitz, which motion duly carried with Commissioner Larkin absent, Chairman Humke ordered that Agenda Item 7I be approved and authorized.

**09-132            AGENDA ITEM 7J(1) – PUBLIC WORKS**

**Agenda Subject:** “Adopt and execute Resolution accepting the findings of the Environmental Assessment for the I 580 Meadowood Complex Improvements Project and, accept the I 580 Meadowood Split Diamond Interchange and the selection of alternative H-1 as the preferred alternative for construction of the I 580 Meadowood Mall Way Interchange. (Commission District 2.)”

Bill Vann, Regional Transportation Commission (RTC) Senior Engineer, explained this was a State required proforma resolution of support for large projects that were federally and State funded. He said the final design should be completed by April of 2009 and then bid the project by the summer of 2009. He said if stimulus monies arrived the indications from the State were that this would be the number one project in the north. However, if that source of funding fell through, the State would consider funding this project with RTC-5 bonding initiative funds, if those successfully passed through the State Legislature.

Chairman Humke asked if the concept was for a full freeway interchange. Mr. Vann explained the project was a new bridge over Meadowood Mall Way. He said the existing interchange at Neil Road would split and the two existing ramps would be closed and moved to Meadowood Mall Way with frontage roads on either side of the freeway connecting those ramps. Chairman Humke said based on the two possible revenue sources what was the best scenario for schedule. Mr. Vann replied the bid could be awarded in August 2009 and work could begin within two months; therefore estimating a 24 month construction schedule.

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Commissioner Breternitz, which motion duly carried with Commissioner Larkin absent, it was ordered that Agenda Item 7J(1) be adopted, authorized and executed. The Resolution for same is attached hereto and made a part of the minutes thereof.

**09-133            AGENDA ITEM 7J(2) – PUBLIC WORKS**

**Agenda Subject: “Authorize Public Works Director to negotiate a possible Interlocal Access, Repair and Maintenance Agreement between the County of Washoe and the City of Reno with regard to the Last Chance and Steamboat Ditches. (Commission Districts 1 and 2.)”**

Commissioner Breternitz asked if the County reviewed whether it would be beneficial to contract with the City of Reno to handle the ditch maintenance and repair in the unincorporated areas as well as within the City. Dan St. John, Public Works Director, indicated that had been suggested. He said the intent of this item was to ensure staff was headed in the right direction. He added as part of a broader effort to review opportunities for shared services between the agencies the suggestion would be explored. Mr. St. John clarified, with respect to the ditches, this item would approve the concept for interlocal agreements being discussed between the City and the County. Commissioner Breternitz requested the cost benefits be reviewed if the City performed those services or whether it would be more effective if those services were shared.

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Commissioner Breternitz, which motion duly carried with Commissioner Larkin absent, Chairman Humke ordered that Agenda Item 7J(2) be authorized.

**09-134            AGENDA ITEM 7J(3) – PUBLIC WORKS**

**Agenda Subject: “Approve additional services to Construction Management Services Contract with K.B. Foster for the Crystal Bay Utilities Undergrounding Project [\$47,200 - restricted funds]; and if approved, authorize Public Works Director to execute necessary documents. (Commission District 1.)”**

Commissioner Breternitz inquired about the initial contract being limited to 45 days of observation. Dan St. John, Public Works Director, explained at the beginning of design a single engineering contract was developed. He stated at that point the best projection was that construction would be a 45-working day time period. However, once the project had been designed and coordination completed with the utility companies, staff realized it would take more than the original 45 days. Mr. St. John said it was recognized that staff would have to return with a request for additional services. He indicated at this point the County only paid for what was performed.

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Commissioner Breternitz, which motion duly carried with Commissioner Larkin absent, Chairman Humke ordered that Agenda Item 7J(3) be approved, authorized and executed.

**09-135            AGENDA ITEM 7J(5) – PUBLIC WORKS**

**Agenda Subject: “Authorize request to go to bid for janitorial services for the Washoe County High Security Buildings under one contract. (All Commission Districts.)”**

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Commissioner Breternitz, which motion duly carried with Commissioner Larkin absent, Chairman Humke ordered that Agenda Item 7J(5) be authorized.

**09-136            AGENDA ITEM 7J(6) – PUBLIC WORKS**

**Agenda Subject: “Approve termination of Ground Lease dated August 11, 2006 between Washoe County and The Children’s Cabinet, Inc.; and further, authorize Chairman to accept and execute a Quitclaim Deed from The Children’s Cabinet, Inc., a Nevada Non-profit, to Washoe County, transferring the new recreation facility for youth served by The Children’s Cabinet on County-owned land adjacent to the Family Resource Center (1090 S. Rock Boulevard) [costs related to utilities, custodial, landscaping and maintenance of the facility are estimated to be \$65,000 for Fiscal Year 2008/09]. (Commission District 2.)”**

Commissioner Breternitz asked if it was envisioned that the County would receive the building back. Dan St. John, Public Works Director, replied it had always been envisioned for the County to regain the building. Commissioner Breternitz asked if the County would have control over the use of the facility. Katy Simon, County Manager, commented the arrangement would allow a managed partnership and enable the Children’s Cabinet, the Kids Kottage, and the McGee Center to use that facility. She said the County would own and maintain the building. She explained there would not be any public use of the facility because of confidential arrangements concerning children and noted this was not a public recreational facility. Commissioner Breternitz inquired what the cost would be of taking over the operation and maintenance of the building. Ms. Simon replied the cost was estimated at \$65,000 for the year. She acknowledged that the County was grateful to the Reno Rodeo Foundation for contributing \$2 million to build the facility.

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Commissioner Breternitz, which motion duly carried with Commissioner Larkin absent, it was ordered that Agenda Item 7J(6) be approved, authorized and executed.

**09-137            AGENDA ITEM 7K(1) – WATER RESOURCES**

**Agenda Subject: “Approve and authorize Chairman to execute a document (Consent To and Acceptance of Assignment) transferring an Interlocal Agreement with the University of Nevada, Reno for groundwater monitoring using satellite images, which is supported by the Regional Water Management Fund, from Washoe County to the Western Regional Water Commission, which now has authority for the Fund. (All Commission Districts.)”**

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Commissioner Breternitz, which motion duly carried with Commissioner Larkin absent, it was ordered that Agenda Item 7K(1) be approved, authorized and executed.

**09-138            AGENDA ITEM 7K(2) – WATER RESOURCES**

**Agenda Subject: “Approve Agreement for Professional Consulting Services between the County of Washoe and Marcus G. Faust, P.C. for congressional and federal agency lobbying services for a 12-month period [\$51,527.40 plus related travel expenses]; and if approved, authorize Chairman to execute same. (All Commission Districts.)”**

Chairman Humke asked if Mr. Faust had any additional contracts with the County. Katy Simon, County Manager, replied Mr. Faust represented the Department of Water Resources and the Flood Project for congressional lobbying. She added Mr. Faust was recognized as one of the premier water lobbyists federally and in the State.

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Commissioner Breternitz, which motion duly carried with Commissioner Larkin absent, it was ordered that Agenda Item 7K(2) be approved, authorized and executed.

**09-139            AGENDA ITEM 7K(3) – WATER RESOURCES**

**Agenda Subject: “Award bid for constructing Lemmon Valley - Heppner Subdivision Community Development Block Grant project to Mike’s Trenching, Inc. (the lowest, responsive, responsible bidder) [\$66,157.70]; and if awarded, authorize Chairman to execute the Contract and authorize Acting Engineering Manager to issue the Notice to Proceed. (Commission District 5.)”**

Commissioner Weber read an e-mail into the record from Katrina Johnston, which was placed on file with the Clerk. She remarked a meeting was held with residents of the Heppner Subdivision and stated many residents in attendance were angry. She commended the Department of Water Resources (DWR) staff for answering all their questions and concerns. Commissioner Weber stated additional information and contacts could be found on the District 5 webpage and the website of DWR.

Ben Hutchins, Finance and Customer Services Manager, indicated a community meeting was held where many concerns were raised from the citizens. He said many people knew the wells had been declining over the course of 50+ years. He remarked staff was in the process of compiling specific information and supporting documentation demonstrating the public outreach that occurred concerning communication with the residents, answers to how those supporting decisions were made, why those decisions were made and how it fit into the timing. Mr. Hutchins explained many residents were upset because they would be forced to hookup and the expenses that would entail. He said a citizen's task force would be formed to discuss those concerns and arrive at solutions. Mr. Hutchins indicated staff was applying for several grants to aid some homeowners who qualified. He noted there was a tight deadline and explained the project had to be completed, spent and final invoice in hand by the end of March or funding would be lost.

Commissioner Weber clarified residents were not being forced to hookup. Mr. Hutchins concurred. Commissioner Weber said during the informational meeting it was discussed that between five and 15 wells went dry in the Heppner Subdivision each year, but noted there were resources through DWR that could help those residents look to the future and plan for the future of their wells. She believed that DWR did an excellent job moving forward in helping the residents understand the future for their own property.

Commissioner Breternitz inquired what the hookup fee would be for the residents. Mr. Hutchins replied the hookup fee was \$12,500. He explained if the County was successful in securing federal funds, the hookup fee would be approximately \$9,600. He said in addition to the hookup fee there was also the onsite cost, originally estimated at \$8,000 before the bid, but now that estimate would be revised to \$6,000. Mr. Hutchins said the community was concerned if a resident paid the \$12,500 hookup fee, then grants were secured in the future, would a refund be provided from the grant money to those residents who had already paid. Commissioner Breternitz asked what the monthly service fee would be once hooked up. Mr. Hutchins replied that would depend on consumption, but in other surrounding subdivisions the average service fee was approximately \$67 a month.

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Commissioner Breternitz, which motion duly carried with Commissioner Larkin absent, it was ordered that Agenda Item 7K(3) be awarded, authorized and executed.

**09-140            AGENDA ITEM 8 – RISK MANAGEMENT**

**Agenda Subject: “Recommendation to authorize Finance Director to renew the excess liability insurance policy with Insurance Company of the State of Pennsylvania [\$133,379] and pay broker fee [\$16,391] to Wells Fargo Insurance Services.”**

There was no response to the call for public comment.

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

**09-141            AGENDA ITEM 9 – PUBLIC WORKS**

**Agenda Subject: “Recommendation to approve Change Order No. 4 to Z7 Development for the Crystal Bay Utilities Undergrounding Project [\$115,763.67 - restricted funds]; and if approved, authorize the Public Works Director to execute necessary documents. (Commission District 1.)”**

Commissioner Breternitz stated this was approximately a \$1 million contract. He said when the previous change orders were added, 15 percent of the original contract was based on a change order. He remarked over the course of the project, there were changes in methods or means, and major deletions and additions, which was usually done to save money. Commissioner Breternitz asked why there was an overall 15 percent change and additional costs for the project. Dan St. John, Public Works Director, explained some of the most difficult projects could involve the remodeling of existing buildings and undergrounding in areas of extensive development. He said after digging began there were many more boulders and rocks in the area than anticipated. Mr. St. John said when protracted negotiations began excavation was not provided for in the bid documents so additional money was needed to deal with the unknown conditions encountered underground.

Commissioner Breternitz asked if the test results and/or bore logs were provided to the contractor prior to bid. Mr. St. John replied those were not provided. Commissioner Breternitz stated that was a mistake. He asked if there was a conversation with the utility companies prior to bid so their needs would be incorporated in the drawings. Mr. St. John said the utility companies reviewed and approved the final construction drawings; however, later changed their minds as to what was needed.

Chairman Humke asked if the County absorbed the cost when utility companies changed their minds. Mr. St. John replied that was correct. He explained the utilities added conduit in some locations where additional conduits were needed. Chairman Humke asked what utilities were notified. Mr. St. John indicated the two phone companies, NVEnergy and Charter Communications.

There was no response to the call for public comment.

On motion by Chairman Humke, seconded by Commissioner Weber, which motion duly carried with Commissioner Larkin absent, it was ordered that Agenda Item 9 be approved, authorized and executed.

### **BLOCK VOTE**

The following agenda items were consolidated and voted on in a block vote: Agenda Items 10, 11 and 13.

#### **09-142      AGENDA ITEM 10 – PUBLIC WORKS**

**Agenda Subject: “Recommendation to authorize the request of grant funds [\$1,750,000 with no County match] from the U.S. Forest Service; authorize request of water quality mitigation funds [\$1,000,000 with no County match] from Tahoe Regional Planning Agency, if needed, to supplement any shortfalls in grant funding for the Fairview/Country Club Phase III (EIP 230A) and Fairway Phase III (EIP 231D) Water Quality Improvement Project; and direct Finance to make appropriate budget adjustments. (Commission District 1.)”**

There was no response to the call for public comment.

On motion by Commissioner Breternitz, seconded by Commissioner Jung, which motion duly carried with Commissioner Larkin absent, it was ordered that Agenda Item 10 be authorized and directed.

#### **09-143      AGENDA ITEM 11 – TRUCKEE RIVER FLOOD MANAGEMENT PROJECT**

**Agenda Subject: “Recommendation to approve Agreement for Professional Engineering Services between the County of Washoe and Manhard Consulting, Ltd. to develop a Phase-1 study on the Sun Valley Watershed as part of the development of the Regional Hydrologic Model [not to exceed \$195,000 from the 1/8 cent sales tax dedicated to the Truckee River Flood Project]; and if approved, authorize Chairman to execute Agreement. (All Commission Districts.)”**

There was no response to the call for public comment.

On motion by Commissioner Breternitz, seconded by Commissioner Jung, which motion duly carried with Commissioner Larkin absent, it was ordered that Agenda Item 11 be approved, authorized and executed.

**09-144            AGENDA ITEM 13 - MANAGER**

**Agenda Subject: “Recommendation to authorize Purchasing Department to issue purchase orders in amounts up to \$100,000 each per Fiscal Year for indigent defense counsel retained to provide services pursuant to the District Court’s approved plan as required by ADKT No. 411.”**

There was no response to the call for public comment.

On motion by Commissioner Breternitz, seconded by Commissioner Jung, which motion duly carried with Commissioner Larkin absent, it was ordered that Agenda Item 13 be authorized.

**09-145            AGENDA ITEM 14 – GOVERNMENT AFFAIRS**

**Agenda Subject: “Discussion and direction to staff regarding legislation or legislative issues proposed by legislators, by Washoe County or by other entities permitted by the Nevada State Legislature to submit bill draft requests, or such legislative issues as may be deemed by the Chair or the Board to be of critical significance to Washoe County. (All Commission Districts.)”**

Katy Simon, County Manager, distributed an update, which was placed on file with the Clerk.

John Berkich, Assistant County Manager, said the County received information that there were amendments being proposed by Clark County to the Court Fee bill and would prefer discussion be deferred until the amendments were completed.

Commissioner Jung requested a way to have the information relayed to the other Board members when a Commissioner or the Manager spoke before the Legislature. Chairman Humke remarked that could be difficult to remark on the response when it was a solicited presentation and not speaking on a bill. Ms. Simon remarked e-mail summaries were distributed to the Board as to what was presented and noted feed back was provided after the Joint Ways and Means Finance meeting on the Regional Stimulus bill.

Chairman Humke asked if the Legislative updates were posted on the County’s website. Ms. Simon said staff would begin to place those updates on the website.

There was no response to the call for public comment.

There was no action on this item.

**Agenda Subject:** “Establishment of Budget policy committee, including, but not limited to, mission, timeframe, composition and appointment of members (continued from February 3, 2009 Special Meeting of the Washoe County Board of Commissioners).”

Katy Simon, County Manager, stated the committee may be comprised of two County Commissioners, two members of the Organizational Effectiveness Committee (OEC), two elected department heads, two representatives of and selected by the bargaining associations, two appointed department heads, John Sherman, Finance Director, the County Manager and staff from the budget division.

Darin Conforti, Budget Manager, stated given the magnitude of the current economic crisis, the intent behind forming the Policy Committee was to allow the County to engage in a fundamental discussion about how the budget would be built for the next year based on broad guidelines established by this Committee. He indicated time was of the essence for the formation of this Committee and explained it would be a limited Committee to help establish policy. He said since there were statutory timelines that needed to be met for adoption of the budget he suggested the Committee meet quickly. Mr. Conforti said the Committee would terminate after the purposes of establishing policies for this budget was completed.

Commissioner Jung recommended a partnership approach. She suggested including within the mission a way to integrate the recent citizen survey and to bridge gaps from other entities.

Chairman Humke asked how the Committee members would be appointed. Ms. Simon explained the proposal was for the Board to identify two Commissioners and confirm selections recommended by the other groups.

After discussion, it was first determined that Chairman Humke and Commissioner Larkin would represent the Board. It was also determined that Commissioner Weber would be the alternate, Commissioner Jung would be the second alternate and Commissioner Breternitz seated as the third alternate.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried with Commissioner Larkin absent, it was ordered that direction be provided to staff on the establishment of a Budget Policy Committee including but not limited to mission, time-frame, composition and appointment of Chairman Humke and Commissioner Larkin and that the other groups would bring back their recommendations to the Board for confirmation.

**09-147            AGENDA ITEM 19 – CLOSED SESSION**

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

**12:20 p.m.**    On motion by Commissioner Jung, seconded by Commissioner Weber, which motion duly carried with Commissioner Larkin absent, it was ordered that the Board go to closed session for the purpose of discussing negotiations with Employee Organizations per NRS 288.220.

**1:15 p.m.**    The Board convened as the Board of Fire Commissioners for the Sierra Fire Protection District (SFPD) with Chairman Humke and Commissioner Larkin Absent. Vice Chairperson Weber assumed the gavel.

**1:35 p.m.**    The Board adjourned as the SFPD Fire Commissioners and convened as the Board of Trustees for the South Truckee Meadows General Improvement District (STMGID) with Chairman Humke and Commissioner Larkin absent.

**1:38 p.m.**    The Board adjourned as the Board of Trustees for STMGID and reconvened as the Board of County Commissioners with Chairman Humke and Commissioner Larkin absent.

**1:39 p.m.**    The Board recessed.

**6:05 p.m.**    The Board reconvened with Commissioner Larkin absent. Chairman Humke was present and resumed the gavel.

**PUBLIC HEARINGS**

**09-148            ORDINANCE NO. 1391 - BILL NO. 1570 – COMMUNITY DEVELOPMENT**

**Agenda Subject: “Second reading and adoption of Ordinance pursuant to Nevada Revised Statutes 278.0201 through 278.0207 approving Development Agreement Case No. DA08-007 for Tentative Subdivision Map Case No. TM06-008 for Eagle Canyon VI Subdivision as previously approved by the Board of Washoe County Commissioners. (Bill 1570) and if adopted, authorize Chairman to execute the Development Agreement between the County of Washoe and Spanish Springs Associates Limited Partnership.”**

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

On motion by Commissioner Jung, seconded by Commissioner Breternitz, which motion duly carried with Commissioner Larkin absent, Chairman Humke ordered that Ordinance No. 1391, Bill No. 1570, entitled, "**AN ORDINANCE PURSUANT TO NEVADA REVISED STATUTES 278.0201 THROUGH 278.0207 APPROVING DEVELOPMENT AGREEMENT CASE NO. DA08-007 FOR TENTATIVE SUBDIVISION MAP CASE NO. TM06-008 FOR EAGLE CANYON VI SUBDIVISION AS PREVIOUSLY APPROVED BY THE BOARD OF WASHOE COUNTY COMMISSIONERS,**" be approved and published in accordance with NRS 244.100.

\* \* \* \* \*

Later in the meeting, per the request from Legal Counsel, Chairman Humke reopened this item. Commissioner Jung clarified that the motion included adoption of the Ordinance and the Chairman to execute the same. The seconder agreed. The motion passed with Commissioner Larkin absent.

**09-149            AGENDA ITEM 18**

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

Commissioner Weber said there was a Regional Planning Governing Board (RPGB) meeting scheduled for February 12, 2009. She stated she would attend a Nevadaworks meeting on February 13, 2009. Commissioner Weber requested the Manager schedule a special Citizen Advisory Board (CAB) Chair meeting to discuss efficiency of the CAB's.

Chairman Humke said there were two Regional Transportation Commission (RTC) meetings scheduled for February 12, 2009 to discuss rate and route changes. He said Assistant Secretary of the Army, John Paul Woodley Jr. who was in charge of the Corp of Engineers, would tour the Flood Control Projects. Chairman Humke said he attended the Senate Taxation Committee at the Legislature and noted the testimony went well.

Commissioner Jung said the Organizational Effectiveness Committee (OEC) would meet February 11, 2009 and discuss the consideration of possible day and time changes for the OEC. She stated she would attend the Nevada Association of Counties (NACO) Legislative reception on February 12th. Commissioner Jung indicated her intern would attend the local Food Network meeting, which was a Network that examined safe local food sources in the event of a disaster. She said the Sun Valley CAB meeting was scheduled for February 14th.

Commissioner Breternitz reported on a Debt Management Commission (DMC) meeting where officers were elected. He also attended the District 1 CAB meeting and stated he was pushing for more efficiency of those meetings in the hopes of raising attendance. He said the West Truckee Meadows CAB would have a joint meeting with the Ward 1 Neighborhood Advisory Board from the City of Reno.

Melanie Foster, Legal Counsel, requested returning to Agenda Item 17 to clarify that the motion was for adoption and to authorize the Chairman to execute the same.

\* \* \* \* \*

**AGENDA ITEM 21 – ADJOURNMENT**

**6:15 p.m.** There being no further business to come before the Board, on motion by Commissioner Jung, seconded by Commissioner Breternitz, which motion duly carried with Commissioner Larkin absent, it was ordered that the meeting be adjourned.

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**DAVID HUMKE**, Chairman  
Washoe County Commission

**ATTEST:**

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

*Minutes Prepared by:  
Stacy Gonzales, Deputy County Clerk*

## RESOLUTION

**WHEREAS**, the State of Nevada, in cooperation with the Federal Highway Administration, the Washoe County Regional Transportation Commission, and the City of Reno, have conducted specific studies to determine the need and preferred alternative for constructing a new Split Diamond Interchange at I 580 Meadowood Mall Way, and;

**WHEREAS**, Washoe County acquiesce the study process to determine the preferred alternative for the I 580 Meadowood Complex Improvements Project, and;

**WHEREAS**, NRS 408.250 of the Nevada Revised Statutes provides that the Department of Transportation of the State of Nevada is authorized to do all things necessary to carry out the cooperation and programs contemplated by the Intermodal Surface Transportation Efficiency Act, its amendments and supplements pertaining to the design, location, construction and improvements of transportation facilities, and;

**WHEREAS**, NRS 408.403 of the Nevada Revised Statutes provides that upon a resolution of the Board of Directors of the Nevada State Department of Transportation, the Department, under the provisions of Chapter 408, may lay out, establish, acquire, open, construct, reconstruct, improve, maintain, repair, regulate, vacate or abandon freeways with the approval of the Board of County Commissioners of the county in which a freeway is proposed and with the approval of the City Council of any incorporated city directly affected thereby, and;

**WHEREAS**, the Director of the Nevada Department of Transportation has submitted the Environmental Assessment to the Washoe County Regional Transportation Commission and the City of Reno, and;

**WHEREAS**, the proposed project to be reconstructed is located within the County of Washoe, Nevada, and the City of Reno, Nevada, and;

**WHEREAS**, the Environmental Assessment identifies the I 580 Meadowood Complex Improvement Project and the selection of alternative "H-1" as the preferred alternative for construction of the I 580 Meadowood Mall Way Interchange.

**NOW, THEREFORE, BE IT RESOLVED** by the County of Washoe, that Washoe County does hereby acquiesce the findings of the Environmental Assessment for the I 580 Meadowood Complex Improvements Project and, pursuant to said NRS 408.403 herein above mentioned, does hereby accept the I 580 Meadowood Split Diamond Interchange and the selection of alternative "H-1" as the preferred alternative for construction of the I 580 Meadowood Mall Way Interchange.

Adopted this 10<sup>th</sup> day of Feb., 2009

ATTEST

Washoe County Clerk

David E Humke, Chair

BOARD OF COUNTY COMMISSIONERS

## PROCLAMATION

**WHEREAS**, The National Engineers Week is traditionally observed during the week in February that encompasses the actual birth of the first U.S. Engineer, George Washington; and

**WHEREAS**, The National Engineers Week is dedicated to ensuring a diverse and well-educated engineering workforce by increasing public understanding and appreciation of engineers' contribution to society and encouraging younger generations to learn more about this exciting field; and

**WHEREAS**, The support of an informed community is essential to the success of engineering projects and services such as streets and highways; public buildings and parks; engineering and survey; refuse disposal; potable water, wastewater, and stormwater systems; and

**WHEREAS**, The community's health, safety, welfare and comfort greatly depends on these programs and services; and

**WHEREAS**, The dedicated and skilled personnel who plan, design, build, operate, and maintain this infrastructure form an important part of the foundation upon which the County's prosperity and well-being are built; and

**WHEREAS**, The efficiency of the qualified and dedicated civil servants who staff Engineering Departments across the nation, including the Washoe County Engineering Division which have been an integral part of our daily lives for 40 years, are materially influenced by the people's attitude and understanding of the importance of the work they perform; now, therefore, be it

**PROCLAIMED**, By the Board of Commissioners of Washoe County, Nevada, that February 15-21, 2009, is designated as "NATIONAL ENGINEERS WEEK" in the County of Washoe, and we call upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the contribution which engineers make every day to our health, safety, comfort and quality of life.

ADOPTED this 10th day of February, 2009.

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David E. Hunke, Chairman

# RESOLUTION OF RECOGNITION AND APPRECIATION

WHEREAS, Marty Scheuerman has served the Truckee Meadows Fire Protection District and Washoe County for 30 years; and

WHEREAS, During those years he held every position within the fire service including that of Chief of the Truckee Meadows Fire Protection District; and

WHEREAS, Marty Scheuerman's leadership has encouraged and enhanced the fire service collaboration and coordination throughout the County, moving the region forward in providing integrated services that have enhanced safety for the region; and

WHEREAS, Marty Scheuerman's commitment and dedication have made him trusted, respected and appreciated by citizens, fire service professionals and others; and

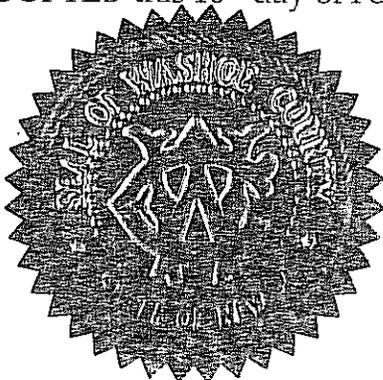
WHEREAS, Marty Scheuerman, through his dedication and leadership, helped develop and implement the Interlocal Agreement between the Truckee Meadows Fire Protection District and the City of Reno that resulted in a consolidation of services and administration, improving service throughout the district; and

WHEREAS, Marty Scheuerman, through his leadership and support of Washoe County's goals and objectives to improve public safety, has been an integral partner in the County achieving those goals; and

WHEREAS, Marty Scheuerman throughout his entire fire service career has demonstrated dedication, professionalism and leadership; now, therefore, be it

RESOLVED, That the Washoe County Board of Commissioners extends its sincere appreciation to Marty Scheuerman for the contributions he has made to the County, the fire service throughout the region and the citizens of Washoe County through his leadership, dedication and vision. The Board also wishes Marty every success and satisfaction in his future endeavors, both personal and professional.

ADOPTED this 10<sup>th</sup> day of February 2009.



*[Handwritten Signature]*  
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Chairman

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