

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

TUESDAY

10:00 A.M.

OCTOBER 26, 2010

PRESENT:

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

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

The Washoe County Board of Commissioners convened at 10:05 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:

County Manager Katy Simon stated: "The Chairman and the 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."

**10-964      AGENDA ITEM 3 - PROCLAMATION**

**Agenda Subject: "Proclamation--November 2010 as Pancreatic Cancer Awareness Month requested by Commissioner Humke. (All Commission Districts.)"**

Commissioner Breternitz read and presented the Proclamation to Virginia and Stuart Jed. Ms. Jed thanked the Board for proclaiming November as Pancreatic Cancer Awareness Month. Currently, she explained her husband was battling Pancreatic Cancer and noted that the survival rate for this form of cancer was 6 percent after five years. Ms. Jed urged the Board to wear purple during their November meeting to show support and awareness for Pancreatic Cancer. She indicated Pancreatic Cancer had the only single digit survival rate and since there were no means of early detection, 75

percent of people diagnosed with this form of cancer would not survive within the first year of diagnosis.

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried with Commissioner Larkin absent, it was ordered that Agenda Item 3 be approved.

**10-965            AGENDA ITEM 4 - RESOLUTION**

**Agenda Subject: “Resolution of Appreciation--honoring Tom Lo.”**

Commissioner Jung read and presented the Resolution of Appreciation to Tom Lo, retired Information Technology (IT) Manager for Technology Services. Mr. Lo thanked the Board for their leadership and support. He remarked it had been an honor and a privilege to work for Washoe County.

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Breternitz, which motion duly carried with Commissioner Larkin absent, it was ordered that Agenda Item 4 be adopted.

**10-966            AGENDA ITEM 5 - RESOLUTION**

**Agenda Subject: “Resolution--recognizing Washoe County School District’s Door to Door for Student Achievement campaign. (All Commission Districts.)”**

Chairman Humke read and presented the Resolution to Dr. Heath Morrison, Washoe County School District Superintendent and Estela Levario Gutierrez, School Board Trustees President.

Ms. Levario Gutierrez thanked the Board for their recognition. She said the School Board was on a pathway to reform and change and explained this program was one of many strategies that would be used.

Dr. Morrison commented under the leadership of the Board of Trustees, the School District was dedicated to improving the quality of education across the school community. He said the most transparent way to show that improvement was how the graduation rate was approached. Dr. Morrison said there was a morale imperative concerning the 64,000 students in the District, which was to have all students walk across the stage and receive a diploma that would enable a passport for a better tomorrow. As a result of the door-to-door campaign last year, the graduation rate increased by seven points, which equated to a 63 percent graduation rate. However, there was still much more work to be accomplished. He said there was an economic imperative to have

students graduate, because if a student did not graduate they would earn less than half of what a graduate would earn over their lifetime. He indicated if the male graduation rate increased by 5 percent in the State that would generate \$28 million to the economy. Dr. Morrison acknowledged the goal was to have every child graduate.

In response to the call for public comment, Sam Dehne applauded the efforts of the School District to improve attendance.

**\*10:27 a.m.** Commissioner Larkin arrived.

Garth Elliott said it was important for the County to have an educated work force.

On motion by Commissioner Jung, seconded by Commissioner Breternitz, which motion duly carried, it was ordered that Agenda Item 5 be adopted.

**10-967      AGENDA ITEM 6 – EXCELLENCE IN PUBLIC SERVICE**

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

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

**Essentials of Management Development**

Kobe Harkins, Sr. Technology Systems Developer

Adam Hopkins, Lieutenant

Genoveve Stowell, Librarian II

**Essentials of Personal Effectiveness**

Susy Valdespin, Legal Secretary

**10-968      AGENDA ITEM 7 – APPEARANCE**

**Agenda Subject: “John Hargrove, Energy Efficiency and Conservation Program Manager, NV Energy. Presentation of rebates [\$594,686] for solar installations at four Washoe County facilities. (All Commission Districts.)”**

John Hargrove, Energy Efficiency and Conservation Program Manager, NV Energy, applauded Washoe County for their energy efficiency and renewable energy efforts. He presented a rebate check to the Board in the amount of \$594,686 for the Solar Installations at four Washoe County facilities. He indicated that the rebate program had 800 similar projects completed across the State, totaling six million watts worth of power. He said because the Solar Program was so successful, there were now programs to

support the development of wind resources, small hydro resources and solar water heating.

Dan St. John, Public Works Director, said this was the first major project for solar installations and the partnership with NV Energy was critical, as was the success of gaining grants through the stimulus funds. He commended Michael Del Ostia, Project Manager, and Dave Solaro, Assistant Public Works Director, for their diligence and expertise. Mr. St. John said with the acceptance of the rebates, the Capital Improvement Fund would be reimbursed money that was utilized to fund the project to this point.

Mr. Del Ostia stated the four facilities that received the solar installations were: the Northwest Library; Buildings A and B of the County Complex; and, the Senior Center.

In response to the call for public comment, Sam Dehne stated his support for the work of NV Energy. He began speaking about the upcoming General Election and the City of Reno mayoral race.

Chairman Humke reminded the speaker to stay on topic. Mr. Dehne loudly declared that he was on topic.

**10:39 a.m.** Due to a citizen outburst, Chairman Humke declared a recess.

**10:56 a.m.** The Board returned with all members present.

There was no action taken on this item.

**10-969 AGENDA ITEM 8 – 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.”**

Bill Fine commented on the impending decision by the City of Reno to not open the downtown Ice Rink this winter season. He urged citizens to contact the City and convince officials that they needed to locate funds to open the Ice Rink.

Garth Elliott spoke on a recent press release from the City of Sparks concerning sustainability. He said the County needed to take a department-by-department approach in order to justify the existence of certain departments.

Bob Ackerman remarked on the status of the Arrowcreek Fire Station. He said the design package would soon be submitted to the County for approval and citizens hoped for a quick review of the design to ensure a speedy bid process.

Gary Schmidt submitted an article from the *Sparks Tribune* that referenced a particular lawsuit, which was placed on file with the Clerk. He stated his distain for candidate signs that were placed on private property without the owner's consent.

Sam Dehne discussed the upcoming General Election and the voting process.

Cliff Low stated it was time for citizens to know where each of the Commissioners stood on the matters of fire protection and emergency medical services within the Sierra Fire Protection District (SFPD) and the Truckee Meadows Fire Protection District (TMFPD).

**10-970            AGENDA ITEM 9 – ANNOUNCEMENTS**

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

Commissioner Jung said the Regional Parks and Open Space Department received \$1 million in Southern Nevada Public Land Management Act (SNPLMA) funds. She explained those funds would be used to build a trailhead for the Ballardini area, and she thanked Senator Harry Reid for helping to receive those funds. Commissioner Jung requested an update from the Ruby Pipeline, LLC, concerning their commitment to use local labor. In the staff report for that item, she requested the previous comments and promises be included that were made from executives of the Ruby Pipeline.

In response to Commissioner Jung's concerns, Commissioner Weber remarked that she had met with Operating Engineers of the Ruby Pipeline and was told there were over 300 local employees. Commissioner Jung stated she was aware of the number of Operating Engineers, but indicated jobs were promised across all labor unions, specifically the drill pumping stations, which she declared did not have one worker from Nevada. Commissioner Breternitz commented when this item was heard, there was an effort to place a requirement that the Ruby Pipeline adhere to the promises made; however, the Board was informed by legal counsel that requirement could not be made.

Commissioner Weber requested an item to discuss State Statutes regarding the ability to combine the Board of Adjustment and the Planning Commission. She reminded citizens that early voting would end on October 29, 2010 and, in the future, requested a discussion to consider shortening the number of days for early voting.

Chairman Humke said he received a letter from Senator John Lee, which was placed on file with the Clerk, thanking the Board for allowing his presentation. Senator Lee asserted his awareness of Washoe County and the other 16 counties concerns with the sweeping of revenues from local government and stated his commitment to prevent that from happening. Chairman Humke said, due to recent localized flooding, he

received a citizen concern about foot bridges being washed out in the Anderson Park vicinity and requested staff look into the matter. On a sad note, Chairman Humke expressed the condolences of the Board for the recent passing of Sierra Fire Protection District Chief Michael Greene's father-in-law.

Commissioner Breternitz announced that he attended the inauguration for Assistant County Manager Dave Childs to the Presidency of the International City/County Management Association (ICMA). He stated this showed the professionalism and respect members of the County's senior staff had amongst their peers. Commissioner Breternitz requested a status report on the modification of the volunteer application, but noted an agenda item was not warranted.

### **CONSENT AGENDA**

#### **10-971 AGENDA ITEM 10A**

**Agenda Subject:** "Approve minutes for the Board of County Commissioners' meetings of June 22 and September 28, 2010."

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 10A be approved.

#### **10-972 AGENDA ITEM 10B – ASSESSOR'S OFFICE**

**Agenda Subject:** "Approve roll change requests, pursuant to NRS 361.768 and NRS 361.765, for errors discovered for the 2007/2008, 2008/2009, 2009/2010, 2010/2011, secured and unsecured tax rolls as outlined in Exhibit A. If approved, authorize Chairman to execute orders listed on the exhibits and direct the Washoe County Treasurer to correct the error(s). [cumulative amount of decrease \$72,371.29] Parcels are in various districts as outlined in the exhibit(s)."

There was no public comment on this item.

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

#### **10-973 AGENDA ITEM 10C – CLERK'S OFFICE**

**Agenda Subject:** "Accept donation [\$2,062] to Washoe County Clerk's Office from the Historic Reno Preservation Society for the third reprint of "Washoe County Activities & Fun Facts" activity book; and if accepted, express appreciation for the donation and direct Finance to make appropriate budget adjustments. (All Commission Districts.)"

On behalf of the Board, Commissioner Weber thanked the Historic Reno Preservation Society for their generous donation.

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 10C be accepted and directed.

**10-974            AGENDA ITEM 10D - LIBRARY**

**Agenda Subject: “Accept State Collection Development Funds [\$20,184 - no local match required] for Fiscal Year 2011, for augmentation of Library Collections; and if accepted, authorize Library Director to sign grant award documents and direct Finance to make appropriate budget adjustments. (All Commission Districts.)”**

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 10D be accepted, authorized, executed and directed.

**10-975            AGENDA ITEM 10E - PURCHASING**

**Agenda Subject: “Award Bid No. 2753-11 for Elevator Preventative Maintenance and Repair, on behalf of the Facility Management Division of the Washoe County Public Works Department and the Washoe County School District (WCSD), to the lowest responsive, responsible bidders, Kone Inc., for Washoe County requirements [\$5,653 per month], and ThyssenKrupp Elevator Corporation for WCSD requirements [\$1,720 per month]; and if awarded, authorize Purchasing and Contracts Manager to execute a two-year agreement with a one-year renewal option on behalf of Washoe County [estimated value of the annual agreement for Washoe County requirements is \$67,836]. (All Commission Districts.)”**

Commissioner Breternitz commended the Facility Management Division of the Public Works Department and the Washoe County School District for working together to address similar maintenance issues.

There was no public comment on this item.

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

**10-976            AGENDA ITEM 10F – TREASURER’S OFFICE**

**Agenda Subject: “Acknowledge receipt of the Report of Sale – September 28, 2010 Delinquent Special Assessment Sale--sale cancelled as all delinquencies have paid. (Commission Districts 2, 4 and 5.)”**

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 10F be acknowledged.

**10-977            AGENDA ITEM 10G – TRUCKEE RIVER FLOOD MANAGEMENT PROJECT**

**Agenda Subject: “Acknowledge receipt of Truckee River Flood Management Project Status Report for September 2010. (All Commission Districts.)”**

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 10G be acknowledged.

**10-978            AGENDA ITEM 10H(1) – COMMUNITY DEVELOPMENT**

**Agenda Subject: “Appoint Larry Chesney as an At-Large member to fill an unexpired term to June 30, 2012, on the Warm Springs Citizen Advisory Board. (Commission District 4.)”**

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried, it was ordered that Larry Chesney be appointed as an At-Large member on the Warm Springs Citizen Advisory Board to fill an unexpired term to June 30, 2012.

**10-979            AGENDA ITEM 10H(2) – COMMUNITY DEVELOPMENT**

**Agenda Subject: “Authorize Chairman to execute Resolution pursuant to NRS 278.0272(7) to sponsor amendment of the Regional Utility Corridor Report, a part of the Truckee Meadows Regional Plan, for the creation of a new Utility Corridor associated with the San Emidio Geothermal Repower geothermal power plant upgrade project as shown in Exhibit A. (Commission District 5.)”**

Commissioner Weber indicated this Geothermal Plant was located in Gerlach, but she was unable to find the exact location within this staff report and previously had requested that locations be indicated in a staff report or agenda. Katy Simon, County Manager, replied she had informed staff that the Gerlach location was omitted and also reminded them that locations needed to be included in future staff reports.

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 10H(2) be authorized and executed. The Resolution for same is attached hereto and made a part of the minutes thereof.

**10-980            AGENDA ITEM 10I(1) - COMPTROLLER**

**Agenda Subject: “Acknowledge receipt of the Interim Financial Report for Washoe County Governmental Funds for the three months ended September 30, 2010 - Unaudited. (All Commission Districts.)”**

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 10I(1) be acknowledged.

**10-981            AGENDA ITEM 10I(2) - COMPTROLLER**

**Agenda Subject: “Approve revision to the policy on the Acquisition and Use of County-owned Cell Phones by removing Sections 3 and 4 of the policy. (All Commission Districts.)”**

Katy Simon, County Manager, explained as a result of federal legislation, Sections 3 and 4 of the policy would be removed, bringing County policy into alignment with the Internal Revenue Service (IRS) changes.

Sheri Mendez, Comptroller, explained with the new federal legislation, cell phones were removed from “listed property,” which previously required extensive record keeping concerning those phones. She said the Comptroller’s Office had been tracking the use of County-owned phones, whether personal or business, and every County-owned cell phone user was required to complete a log to be audited. In accordance with the IRS change, the County would now remove that requirement from employees who carried County-owned cell phones for business purposes. She indicated the remaining policy would stay intact.

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 10I(2) be approved.

**10-982            AGENDA ITEM 10J(1) – HUMAN RESOURCES**

**Agenda Subject: “Approve five-year renewal of the Administrative Services Agreement with The Hartford to continue to provide Washoe County’s Defined Contribution Plans through December 31, 2015; and if approved, authorize Director of Human Resources to execute same. (All Commission Districts.)”**

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 10J(1) be approved, authorized and executed.

**10-983            AGENDA ITEM 10J(2) – HUMAN RESOURCES**

**Agenda Subject: “Approve two mid-year reclassification requests (Sheriff’s Office and Registrar of Voters) submitted through the job evaluation and classification process [annual fiscal impact associated with these reclassifications is approximately \$15,139. (All Commission Districts.)”**

In response to Commissioner Weber’s concerns, Katy Simon, County Manager, explained staff was conducting an on-going process of reviewing County departments and programs that sometimes found cases of an employee vacating a position mid-year. Occasionally, when there were openings, staff would be reallocated making the County more efficient; however, pursuant to fair labor practices, reallocation of duties was required to go through the Job Evaluation Committee. She indicated these reclassifications were outside of the budget process.

In response to the call for public comment, Garth Elliott stated this equated to a \$15,000 raise for two employees who were already doing the jobs.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 10J(2) be approved.

**10-984            AGENDA ITEM 10J(3) – HUMAN RESOURCES**

**Agenda Subject: “Amend Reno Justice Court staff report approved by the Board of County Commissioners on October 12, 2010 to reduce approximately \$2,921 of the estimated \$90,000 Fiscal Year 2010/11 budget reduction through position vacancy(s).(All Commission Districts.)”**

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 10J(3) be amended.

**10-985            AGENDA ITEM 10K(1) – FIRE SERVICES COORDINATOR**

**Agenda Subject: “Acknowledge and accept Fire Management Assistance Grant [\$43,730.98] from the Federal Emergency Management Agency for costs related to fire suppression during the Red Rock 09 Wildland Fire which occurred July 15 2009. (Commission District 5.)”**

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 10K(1) be acknowledged and accepted.

**10-986            AGENDA ITEM 10K(2) – COMMUNITY RELATIONS**

**Agenda Subject: “Accept the collective donations of \$95,208 - [Grand Sierra Resort \$54,684; Peppermill \$26,604; and Atlantis \$13,920 in sponsorship funds for the National Association of Counties 2010 Conference; and if accepted, direct Finance to deposit the funds into the existing restricted NACo Conference Account # IN20049 within the Community Relations budget to be used for expenses related to the 2010 NACo conference. (All Commission Districts.)”**

On behalf of the Board, Commissioner Weber thanked the Peppermill, the Atlantis and the Grand Sierra Resorts for their generous donations.

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 10K(2) be accepted and directed.

**10-987            AGENDA ITEM 10K(3) – COMMUNITY SUPPORT ADMINISTRATOR**

**Agenda Subject: “Authorize payment [\$33,066] to Tahoe Regional Planning Agency for financial support 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 Breternitz, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 10K(3) be authorized.

**10-988            AGENDA ITEM 10K(4) – INTERNAL AUDIT**

**Agenda Subject:** “Acknowledge receipt of Department of Building and Safety Follow-Up Audit Report from the Internal Audit Division. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 10K(4) be acknowledged.

**10-989            AGENDA ITEM 10K(5) - MANAGER**

**Agenda Subject:** “Acknowledge receipt of update report on Regional Jobs Team. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 10K(5) be acknowledged.

**10-990            AGENDA ITEM 10K(6) – COMMUNITY SUPPORT ADMINISTRATOR**

**Agenda Subject:** “Acknowledge receipt of an update report on the status of the Washoe County American Recovery and Reinvestment Act 2009 (Stimulus) projects for July through September 2010. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 10K(6) be acknowledged.

**10-991            AGENDA ITEM 10L(1) – PUBLIC WORKS**

**Agenda Subject:** “Accept donation [\$108,745.86] for Fiscal Year 2010/11 from Ruby Pipeline LLC to be expended for repair of Rodeo Creek Road (Gerlach, Nevada); and if accepted, direct Finance to make appropriate budget adjustments. (Commission District 5.)”

On behalf of the Board, Commissioner Weber thanked Ruby Pipeline LLC for their generous donation.

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 10L(1) be accepted and directed.

**10-992            AGENDA ITEM 10L(2) – PUBLIC WORKS**

**Agenda Subject: “Accept monetary donations [\$4,791.22] from various individuals to Washoe County Regional Animal Services for the period July 1, 2010 – September 30, 2010 to be used for the humane care and treatment of sick and/or injured, stray or abandoned animals received; and if accepted, express appreciation for these thoughtful contributions and direct Finance to make appropriate budget adjustments. (All Commission Districts.)”**

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

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 10L(2) accepted and directed.

**10-993            AGENDA ITEM 10L(3) – PUBLIC WORKS**

**Agenda Subject: “Authorize Public Works Department to prepare contract documents and bid Remediation/Rancho San Rafael Project [funding source - Capital Improvement Fund. (Commission District 3.)”**

Commissioner Weber indicated this Project was also partially located in Commission District 5.

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 10L(3) be authorized.

**10-994            AGENDA ITEM 10M(1) – SENIOR SERVICES**

**Agenda Subject:** “Accept restricted grant given by the Barbara B. Clarke Family Fund at the Community Foundation of Western Nevada [\$2,500 - no County match required] to support the needs of seniors diagnosed with Macular Degeneration; and if accepted, direct Finance to make appropriate budget adjustments. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 10M(1) be accepted and directed.

**10-995            AGENDA ITEM 10M(2) – SENIOR SERVICES**

**Agenda Subject:** “Accept cash donations [\$4,995.15] for the period July 1, 2010 through September 30, 2010 for the first quarter of Fiscal Year 2010/11; and if accepted, direct Finance to make appropriate budget adjustments. (All Commission Districts.)”

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

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 10M(2) be accepted and directed.

**10-996            AGENDA ITEM 10M(3) – SENIOR SERVICES**

**Agenda Subject:** “Approve Memo of Understanding between Washoe County (Senior Services) and MetLife Foundation/Generations United to provide Intergenerational Technical Assistance to develop a program development plan; and if approved, authorize Chairman to execute the Memo of Understanding. (Commission Districts 3 and 5.)”

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 10M(3) be approved, authorized and executed.

**10-997            AGENDA ITEM 10N(1) – SHERIFF’S OFFICE**

**Agenda Subject:** “Approve Forensic Support Services Agreement between Washoe County (Washoe County Sheriff’s Office) and Washoe County School District (Washoe County School District Police Department) for Forensic Laboratory Analysis Service Fees for the term July 1, 2010 to June 30, 2011 [revenue \$18,565]; and if approved, authorize Chairman to execute Agreement. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 10N(1) be approved, authorized and executed. The Agreement for same is attached hereto and made a part of the minutes thereon.

**10-998            AGENDA ITEM 10N(2) – SHERIFF’S OFFICE**

**Agenda Subject:** “Approve donation of one Used Surplus 2004 Chevrolet Tahoe SUV, including Add-on Emergency Response Equipment (Light Bar, Siren, Controllers, etc.), from Washoe County Sheriff’s Office to Humboldt County Sheriff’s Office in accordance with NRS 244.1505, Section 2.(a). (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 10N(2) be approved.

**10-999            AGENDA ITEM 10N(3) – SHERIFF’S OFFICE**

**Agenda Subject:** “Approve donation of two Used Surplus 2006 Yamaha Chief Dual-Sport Police Motorcycles from Washoe County Sheriff’s Office to Humboldt County Sheriff’s Office in accordance with NRS 244.1505, Section 2.(a). (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 10N(3) be approved.

**10-1000          AGENDA ITEM 100(1) – SOCIAL SERVICES**

**Agenda Subject:** “Authorize Director of Social Services to accept additional federal Chafee Funds [\$44,435] from State Division of Child and Family Services to assist youth in making the transition from foster care to economic self-sufficiency; and if

**authorized, direct Finance to make appropriate budget adjustments. (All Commission Districts.)”**

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 100(1) be authorized and directed.

**10-1001      AGENDA ITEM 100(2) – SOCIAL SERVICES**

**Agenda Subject: “Accept cash donations [\$656.74] and juror fee donations [\$2,440]; and if accepted, authorize Department of Social Services to expend these funds to benefit children in care and families who are clients and direct Finance to make appropriate budget adjustments for Fiscal Year 2010/11. (All Commission Districts.)”**

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

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 100(2) be accepted, authorized and directed.

**11:32 a.m.**      The Board convened as the Board of Fire Commissioners for the Sierra Fire Protection District (SFPD).

**1:27 p.m.**      The Board adjourned as the SFPD Board of Fire Commissioners and convened as the Board of Fire Commissioners for the Truckee Meadows Fire Protection District (TMFPD).

**2:05 p.m.**      The Board adjourned as the TMFPD Board of Fire Commissioners and reconvened as the Board of County Commissioners.

**10-1002      AGENDA ITEM 20 - MANAGER**

**Agenda Subject: “Discussion and possible action on a request from Nevada Land LLC to extend the deadline to January 1, 2012 to refund the debt service reserve requirement in an amount not to exceed \$750,000, in connection with the issuance of the senior lien car rental fee revenue bonds for the minor league baseball stadium project. (All Commission Districts.) Continued from September 28, 2010 Commission meeting.”**

Garrett Gordon, Lewis and Roca, LLP representing Nevada Land, LLC, explained the request was to grant an extension to substitute the existing \$750,000 debt service reserve (DSR) for the car rental fee revenue bonds issued for the Reno Aces Baseball Stadium project. This extension would require Nevada Land to replace the DSR with another instrument on or before January 1, 2012. He said a letter was submitted to the Board on October 25, 2010 that was placed on file with the Clerk, which assured the Board that this would be the only request for an extension.

Commissioner Breternitz disclosed that he met with Mr. Gordon and Mr. Jerry Katzoff on this matter. He clarified the replacement would be on or before January 1, 2012, otherwise there would be a problem of a default on the bonds. He said the substitution of the debt service reserve could take place before, but no later than January 1, 2012 as not to have the potential for default. Mr. Gordon agreed and said that was duly noted.

Chairman Humke disclosed that he had phone conversations with Mr. Gordon. Commissioner Jung also disclosed that she met with Mr. Gordon and Mr. Katzoff on this issue.

There was no public comment on this item.

On motion by Commissioner Jung, seconded by Commissioner Breternitz, which motion duly carried, it was ordered that Agenda Item 20 be approved.

#### **10-1003      AGENDA ITEM 14 – APPEARANCE**

**Agenda Subject: “Jeff Hale, Engineering Director, Regional Transportation Commission. Presentation concerning Regional Transportation Commission’s Street and Highway Program; *and*, recommendation to approve Interlocal Cooperative Agreement between the County of Washoe, City Council of Reno, City Council of Sparks and Regional Transportation Commission of Washoe County for projects included in the Regional Transportation Commission’s Fiscal Year 2011/12 Regional Road Impact Fee Street and Highway Program of Projects, and the Fiscal Year 2011/12 Fuel Tax Street and Highway Program of Projects (no fiscal impact to Washoe County General Fund); and if approved, authorize Chairman to execute said Agreement. (All Commission Districts.)”**

Lee Gibson, Executive Director, Regional Transportation Commission (RTC), and Jeff Hale, RTC Engineering Director, conducted a PowerPoint presentation, which was placed on file with the Clerk. The presentation highlighted the RTC-5 Street and Highway Program, RTC-5 CY2010 Preventive Maintenance, Pavement Preservation Program and the Regional Road Impact Fee Projects.

Commissioner Jung stated the projects outlined were selected primarily through the Pavement Condition Index (PCI). Mr. Hale stated that was correct. He explained the roads that the RTC participated in for the maintenance program were

regional roads. He said structural and functional distresses were reviewed as well as the types of cracking that related to traffic volume, and then the streets were selected and prioritized. Commissioner Jung asked if the complaint records were requested from the different agencies once the PCI was determined. Mr. Hale replied complaint records were not part of that review, but levels of maintenance were considered.

There was no action taken or public comment on this item.

\* \* \* \* \*

Later in the meeting it was determined that action needed to be taken on this item. On motion by Commissioner Larkin, seconded by Commissioner Breternitz, which motion duly carried, it was ordered that Agenda Item 14 be approved, authorized and executed.

**10-1004      AGENDA ITEM 13 - APPEARANCE**

**Agenda Subject: “Travis Johnson, P.E. Manager, Electric Transportation & Emerging Technology, NV Energy. Presentation regarding electric vehicles: understanding the extent and benefits of the new electric vehicle market and how it affects our community. (Requested by Commissioner Jung.)”**

Travis Johnson, P.E. Manager, Electric Transportation & Emerging Technology, NV Energy, conducted a PowerPoint presentation, which was placed on file with the Clerk. The presentation highlighted plug-in vehicles, battery warranty, upcoming vehicles, affordability, energy costs, energy security, geothermal power in Nevada, Carbon Dioxide (CO2) emissions and air quality.

Commissioner Breternitz acknowledged he was a firm believer in the future of plug-in vehicles; however, much of the highway maintenance was performed on the collection of the Fuel Tax. He questioned if there was a significant increase in the number of electric vehicles, how would the roads continue to be maintained. Mr. Johnson replied there were various models being discussed and touched briefly on a few of those models. He said he did not have all the information available for those models, but if requested would supply that data to the Board.

Commissioner Weber shared that she used a scooter that was a plug-in vehicle.

Chairman Humke asked what the average unit cost was for installing the electric bays or charging stations and how that cost would be allocated. Mr. Johnson indicated the average cost for a charging bay was \$2,000 to \$4,000. He added that the Electric Power Institute (EPI) had an electric power pyramid that explained the allocation and where the major charging source would come from such as, home, employer charging stations or public stations.

There was no action taken or public comment on this item.

## **BLOCK VOTE**

The following agenda items were consolidated and voted on in a block vote: Agenda Items 15, 16, 17, 18 and 19.

**2:39 p.m.** Chairman Humke temporarily left the meeting during the reading of the block items. Vice Chairperson Weber assumed the gavel.

### **10-1005 AGENDA ITEM 15 – RISK MANAGEMENT/FINANCE**

**Agenda Subject:** “Recommendation to approve the Fiscal Year 2011 estimated annual assessment for Washoe County’s Self-funded workers’ compensation program for Fiscal Year 2010/11 to the State of Nevada, Division of Industrial Relations, in four installments of \$25,237.77 [total \$100,951.09]. (All Commission Districts.)”

Katy Simon, County Manager, remarked that the County’s Self-funded workers’ compensation program saved approximately \$1 million over a traditional workers’ compensation program.

There was no public comment on this item.

On motion by Commissioner Larkin, seconded by Vice Chairperson Weber, which motion duly carried with Chairman Humke temporarily absent, it was ordered that Agenda Item 15 be approved.

### **10-1006 AGENDA ITEM 16 – EMERGENCY MANAGEMENT**

**Agenda Subject:** “Recommendation to accept 2010 Department of Homeland Security Grant, State Homeland Security Program, Statewide Continuity of Operations & Government Project [\$620,000 - no County match required]; and if accepted, direct Finance to make appropriate budget adjustments. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Larkin, seconded by Vice Chairperson Weber, which motion duly carried with Chairman Humke temporarily absent, it was ordered that Agenda Item 16 be accepted and directed.

### **10-1007 AGENDA ITEM 17 – SOCIAL SERVICES**

**Agenda Subject:** “Recommendation to authorize the Director of Social Services to accept a grant [\$2,234,181 - County match \$248,242 (\$123,140 in-kind salary and benefits and \$125,102 in matching expenditures)] from the Federal Administration

for Children and Families to prevent long-term foster care for Federal Fiscal Year 2011 and recommendation to approve reimbursement of itemized costs to Action for Child Protection [\$1,004,820] and The Ruth Young Center for Families and Children at the University of Maryland [\$322,170] (costs included in the total grant award request); and if approved, direct Finance to make necessary budget adjustments. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Larkin, seconded by Vice Chairperson Weber, which motion duly carried with Chairman Humke temporarily absent, it was ordered that Agenda Item 17 be authorized, approved and directed.

**10-1008      AGENDA ITEM 18 – TRUCKEE RIVER FLOOD MANAGEMENT PROJECT**

**Agenda Subject:** “Recommendation to approve Amendment No. 1 to the Professional Services Agreement between the County of Washoe and Financial Consulting Solutions Group, Inc. to complete a flood funding area study and a regional cost-benefit analysis for the Truckee River Flood project [not to exceed \$200,000 - total contract amount not to exceed \$1,175,000] and authorize use of the 1/8 cent sales tax dedicated to the Truckee River Flood Project to fund such Agreement; and if approved, authorize Director of the Truckee River Flood Project to execute Amendment No 1. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Larkin, seconded by Vice Chairperson Weber, which motion duly carried with Chairman Humke temporarily absent, it was ordered that Agenda Item 18 be approved, authorized and executed.

**10-1009      AGENDA ITEM 19 – PUBLIC WORKS**

**Agenda Subject:** “Recommendation to approve in concept the Central Incline Village Phase II (portions of Environmental Improvement Program Projects #231A, 231B, 231C, 669A, 669B and 10068) Water Quality Improvement Project; and if approved, authorize the request of grant funds from the State of Nevada, Lake Tahoe Water Quality and Stream Environment Zone Grant Funds [estimated amount \$1,500,000 plus 3% of the total project cost for administration]; authorize Chairman to execute Resolution requesting State of Nevada, Lake Tahoe Water Quality and Stream Environment Zone Grant Funds; authorize Chairman to execute the Assurances certifying compliance with the regulations, policies, guidelines and requirements of the State of Nevada, Division of State Lands, Lake Tahoe Water Quality Grant Program; authorize the request of grant funds from the U.S. Forest Service [estimated amount \$1,500,000]; and, appoint Director of Public Works as agent for Washoe County. (Commission District 1.)”

There was no public comment on this item.

On motion by Commissioner Larkin, seconded by Vice Chairperson Weber, which motion duly carried with Chairman Humke temporarily absent, it was ordered that Agenda Item 19 be approved, authorized and executed. It was further ordered that the Public Works Director be appointed as agent for Washoe County. The Resolution for same is attached hereto and made a part of the minutes thereof.

**10-1010      AGENDA ITEM 21 – GOVERNMENT AFFAIRS**

**Agenda Subject: “Discussion and possible 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.)”**

There was no report given.

**10-1011      AGENDA ITEM 22 – REPORTS AND UPDATES**

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

Commissioner Larkin reported that during the Regional Planning Governing Board (RPGB) meeting there was a subcommittee of the RPGB and the Regional Transportation Commission (RTC), who were requested during a previous RPGB meeting to convene and discuss the financing of a possible collaboration with other entities. He explained this was to study the possible consolidation of the Boards, not the organizations, but the Boards of the Western Regional Water Commission (WRWC), the RPGB and RTC in an effort to collocate the meetings since many of the same individuals were on all those Boards. He noted that discussion concerning policy issues was scheduled for the Commission meeting of November 9, 2010. Commissioner Larkin announced the grand-opening of the RTC 4th Street Bus Station was scheduled for October 28, 2010 and invited the Commissioners to attend. He said the Flood Project Coordinating Committee (FPCC) moved their meeting to November 5, 2010 to accommodate members and noted at that meeting discussion would surround the Joint Powers Agreement.

**2:45 p.m.**      Chairman Humke returned to the meeting and assumed the gavel.

Commissioner Weber stated she would attend the open-house for Community Development scheduled for 4:00 p.m. today.

Chairman Humke announced that the FPCC Finance subcommittee would not meet in November.

Commissioner Jung said she attended the West of Wells Neighborhood Activist Cooperative meeting and would help the Co-op work on some traffic calming issues in the area. She also attended the Neil Road Recreation Center to review the electrical upgrades that had recently been completed. Commissioner Jung stated that she attended a RTC/Sun Valley Town Hall meeting concerning the Northeast Connector. She reported on the Board of Library Trustees meeting and explained a scanner for the Library had been developed from a library employee, through the Information Technology Department, which would save the County approximately \$300,000 a year. She also attended the Regional Jobs Team meeting, which she noted was becoming successful and encouraged the other Board members to attend. Commissioner Jung announced that she would present Teresa Benitez-Thompson to the 20 Under 40 celebration on November 4, 2010 and added that Ms. Thompson was chosen from 165 nominees to achieve this honor.

Commissioner Breternitz stated due to the upcoming holidays, the Tahoe Regional Planning Agency (TRPA) meetings had been changed to the third Wednesday and Thursday of the month, which placed him in conflict with the Truckee Meadows Water Authority (TMWA) Board meetings. He requested an alternate for the November and December TMWA meetings.

**10-1012      AGENDA ITEM 23 – CLOSED SESSION**

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

There was no closed session scheduled.

\* \* \* \* \*

**ADJOURNMENT**

**3:05 p.m.** There being no further business to discuss, on motion by Commissioner Larkin, seconded by Commissioner Weber, the meeting was adjourned.

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**DAVID E. 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  
ADOPTING TO SPONSOR AMENDMENT OF THE REGIONAL UTILITY  
CORRIDOR REPORT  
FOR THE CREATION OF A UTILITY CORRIDOR ASSOCIATED WITH THE  
SAN EMIDIO GEOTHERMAL REPOWER**

WHEREAS, The Regional Utility Corridor Report requires that all transmission lines of 60kV or greater shall be located within a utility corridor as identified in the Regional Utility Corridor Report;

WHEREAS, Section 278.026, Nevada Revised Statutes, specifies that a transmission line that carries 60 kilovolts or more represents a "Project of Regional Significance."

WHEREAS, A new utility corridor must be established in the Truckee Meadows Regional Plan, Regional Utility Corridor Report for the transmission line; Specifically, the San Emidio Geothermal Repower transmission line needed to support the geothermal power plant approved in Washoe County Special Use Permit case number SW10-002 prior to the review of conformance for the "Project of Regional Significance";

WHEREAS, The Special Use Permit process or equivalent is the primary vehicle for reviewing and establishing new utility corridors and facility sites;

WHEREAS, A public hearing on the approval of the Special Use Permit for the San Emidio Geothermal Repower geothermal power plant transmission line Case No. SW10-002 was held on August 3, 2010 by the Washoe County Planning Commission;

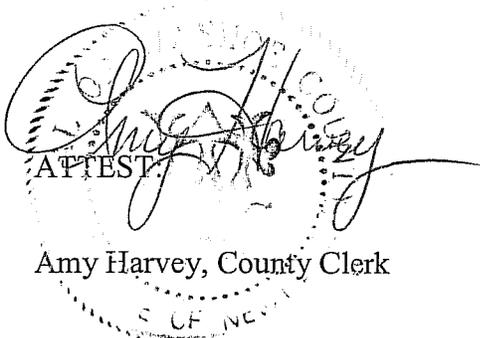
WHEREAS, The Washoe County Planning Commission approved the Special Use Permit for the San Emidio Geothermal Repower geothermal power plant transmission line on August 3, 2010;

RESOLVED, BY THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY, NEVADA That the Board does hereby sponsor the amendment of the Regional Utility Corridor Report, a part of the Truckee Meadows Regional Plan for the creation of a new utility corridor to support the San Emidio Geothermal Repower geothermal power plant transmission line.

ADOPTED this 26<sup>th</sup> day of October, 2010.

WASHOE COUNTY COMMISSION

  
David E. Humke, Chair

  
ATTEST:  
Amy Harvey, County Clerk

10-979

10H(2)

**FORENSIC SUPPORT SERVICES AGREEMENT  
BETWEEN  
WASHOE COUNTY ON BEHALF OF  
THE WASHOE COUNTY SHERIFF'S OFFICE  
AND  
WASHOE COUNTY SCHOOL DISTRICT  
ON BEHALF OF  
WASHOE COUNTY SCHOOL DISTRICT POLICE DEPARTMENT**

THIS AGREEMENT is made and entered by and between WASHOE COUNTY, on behalf of the WASHOE COUNTY SHERIFF'S OFFICE, hereinafter referred to collectively as WASHOE, and WASHOE COUNTY SCHOOL DISTRICT on behalf of WASHOE COUNTY SCHOOL DISTRICT POLICE DEPARTMENT, hereinafter referred to as USER.

**WITNESSETH:**

**WHEREAS**, pursuant to NRS 277.180, WASHOE and USER may, in the performance of their functions, use each other's facilities and services, with the consent of the other party and subject to such terms and conditions as the parties may agree upon; and

**WHEREAS**, USER desires to acquire the assistance of WASHOE in providing USER the use of WASHOE'S Forensic Support Facilities and Services;

**WHEREAS**, WASHOE desires to provide its assistance to USER in regard to the use of WASHOE'S Forensic Support Facilities and Services;

**NOW, THEREFORE**, based on the foregoing premises and the following covenants, terms and conditions, the parties hereto do hereby agree as follows:

**1. SERVICES PROVIDED:** Unless otherwise provided and/or amended by written agreement of the parties hereto, WASHOE shall provide for USER forensic analyses within the existing capabilities of WASHOE as set forth in Exhibit A attached hereto and hereby incorporated by reference. In this regard, it is the understanding and intent of the parties, as the capabilities of WASHOE change over time, to execute written amendments to this Agreement indicating any services no longer provided as well as to identify any new services to be provided and the cost thereof.

WASHOE staff shall be available, should USER require said staff, to participate in legal proceedings (discovery practice or court appearances) to testify as to any testing and certification services performed for USER pursuant to this Agreement.

A. For fiscal year 2010/2011 USER shall pay to WASHOE a fee of **\$18,565**, which fee shall entitle USER to the use of the forensic laboratory services currently within the capability of WASHOE as such are more fully set forth in Exhibit A attached hereto and hereby incorporated by reference. The annual fee shall be due and payable in full on or before August 15th of the fiscal year. Toxicology services shall continue to be invoiced quarterly. Toxicology services are not included in this Agreement. Any costs incurred for toxicology services shall be invoiced separately and shall be paid in addition to the annual fee paid by USER hereunder.

10-997  
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10/11

B. In the event, during any fiscal year covered by this Agreement, WASHOE shall increase its forensic laboratory services beyond those set-forth in Exhibit A, the parties agree to negotiate, in good faith, an increase in the annual fee charged by WASHOE to USER to compensate WASHOE for the provision of the additional forensic laboratory services to USER. Any such agreement shall be memorialized by a written addendum to this Agreement signed by both of the parties hereto. Any increase in the annual fee shall be due and payable in full within 30 days after execution of said addendum.

C. In the event that the governing body of the county fails to obligate any funds necessary to carry out the duties created hereunder beyond the county's then current fiscal year, this agreement shall terminate without charge, penalty, or sanction.

D. During the term of this Agreement, in the event that WASHOE shall be required to engage the consultation services of any outside forensic laboratory or specialist in order to provide USER with any additional expertise or equipment outside of the current capability of WASHOE to perform for USER, USER shall reimburse WASHOE in full for any costs or fees incurred as a result of said consultation. Any such consultation fees shall be due and payable in full within 15 days of USER'S receipt of billing by WASHOE for any such consultation services.

E. In the event that USER shall require the testimony of any of the staff of WASHOE in any legal proceedings in order to testify as to any testing or certification performed for USER pursuant to this Agreement, USER agrees to reimburse WASHOE for any compensation, benefits, travel and per diem costs incurred by WASHOE in providing said staff at the time, place and for the purposes required to assist USER. Any such reimbursement shall be due and payable in full within 15 days of USER'S receipt of billing by WASHOE for any such staff services.

**2. INDEMNIFICATION:** USER agrees to indemnify, defend and hold harmless WASHOE, its officers, employees, and agents, from and against any and all claims, demands, or actions by any person or entity which arise or result from any act or omission to act on the part of any officers, employees, or agents of USER in connection with the services to be provided pursuant to this Agreement.

WASHOE agrees to indemnify, defend and hold harmless USER, its officers, employees, and agents, from and against any and all claims, demands, or actions by any person or entity which arise or result from any act or omission to act on the part of any officers, employees, and agents of WASHOE in connection with the services to be provided pursuant to this Agreement.

The parties do not waive and intend to assert any liability limitations available under law, including but not limited to those defenses available under chapter 41 of Nevada Revised Statutes in all cases.

**3. MODIFICATION:** Any modification or amendment to this Agreement, in order to be binding upon the parties, must be in writing and be signed by both of the parties hereto.

**4. EFFECTIVE DATE AND RENEWAL:**

A. This Agreement shall be effective as of July 1, 2010 and terminate as of June 30, 2011.

B. Either party to this Agreement may terminate this Agreement at any time of the term of the Agreement by giving the other party to this Agreement 180 days prior written notice.

C. This Agreement may be renewed by the parties for any subsequent fiscal year by virtue of the parties' execution of a renewal agreement setting for the fiscal year for which the renewal shall be effective, the services to be rendered, and the costs and fees to be incurred by USER to WASHOE. Any such renewal shall be contingent upon the parties agreeing to the annual fee to be charged by WASHOE to USER.

DATE: 8/11/10

BY: Michael Harvey  
WASHOE COUNTY SHERIFF

WASHOE COUNTY BOARD OF  
COMMISSIONERS

DATE: 10/26/10

BY: [Signature]  
CHAIRMAN

DATE: 10/26/10

ATTEST: [Signature]  
WASHOE COUNTY CLERK



SEAL OF WASHOE COUNTY, NEVADA

USER

DATE: 9-13-10

BY: [Signature]

## Exhibit A

### Full Services Provided under the Forensic Science Division Contract

Forensic laboratory analysis services within the existing capabilities of the laboratory will include the following:

#### Trace Evidence

- Physical Match
- Headlamp on/off determination
- Unknown substances
- Arson
- Determination of human vs animal hair and suitability of hair for DNA testing

#### Confirmatory Stain Characterization

- Semen (presence of sperm cells)
- Seminal fluid (absence of sperm cells)

#### Solid Dosage/Seized Drugs (Drug Testing)

#### Shoeprint and Tire track Comparison

#### Firearms/Toolmark Examinations

- IBIS database
- Distance determination
- Comparative analysis
- Weapon function test
- Serial number restoration

#### Crime Scene Investigation

- Homicide
- Attempted Homicide
- Officer Involved Shootings
- Questionable deaths with detective on scene
- Kidnapping
- Child Abuse
- Sexual Assault with substantial bodily injury or unknown suspect
- Battery with a deadly weapon with substantial bodily injury
- Armed Robbery with substantial bodily injury
- Bank Robbery with substantial bodily injury
- Robbery, strong armed, with substantial bodily injury
- Fatal traffic accidents when vehicular homicide is suspected
- Homicide autopsy
- Does not include response to non-major crimes such as burglary, recovered stolen vehicle, evidence collection from officer at hospital, consensual sexual cases, single vehicle fatality or response to collect a piece of evidence in the absence of a CSI officer

## Latent Print Processing

- WIN/AFIS database

## Photo laboratory services

## DNA Analysis

- Homicide (up to 15 evidentiary samples and 10 reference samples)
- Sexual Crimes (with presence of sperm up to 3 evidentiary samples and 5 reference samples)
- Sexual Crimes (absence of sperm up to 5 evidentiary samples and 5 reference samples)
- Crimes against a person (up to 4 evidentiary samples and 5 reference samples)
- Property crimes (up to 2 evidentiary samples and 5 reference samples)
- DNA samples in addition to above limits can be processed at \$200.00 per sample

Forensic laboratory analysis services within the existing capabilities of the laboratory do NOT include the following:

- DNA analysis on weapons violations, possession of stolen property, found property, vandalism, controlled substances, and larceny unless extenuating circumstances are approved by the Laboratory Director or DNA Supervising Criminalist.
- DNA analysis of convicted offenders samples per NRS 176.0913. The funding for this analysis is provided through the \$150.00 fee collection per NRS 176.0915 and grant funding.
- While the laboratory will continue to analyze liquids and solids for the presence of controlled substances; Current personnel do not have the experience in the analysis of clandestine laboratories and therefore will not be able to provide detailed testimony on Clandestine Manufacture of Drugs. This inability is limited to drug analysis not crime scene response.
- Crime scene response to non-major crimes such as burglary, recovered stolen vehicle, consensual sexual cases, collection of evidence from officer at hospital, single vehicle fatality or response to collect a piece of evidence in the absence of a CSI officer
- Trace evidence analysis of fibers, glass, paint, hair and explosive materials

**RESOLUTION**

Resolution of the *Board of County Commissioners* approving the application for State of Nevada Lake Tahoe Water Quality and Stream Environment Zone Grant Funds.

**Project: Central Incline Village Phase II (Portions of EIP Projects #231A, 231B, 231C, 669A, 669B & 10068) Water Quality Improvement Project**

WHEREAS, the *County of Washoe County* is submitting an application to the Division of State Lands (the "Division") for financial assistance; and,

WHEREAS, the Nevada Tahoe Conservation District has been assigned to assist the administration of the program and development of procedures governing the program; and,

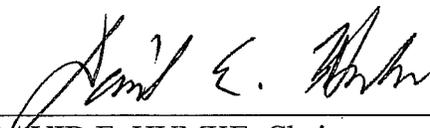
WHEREAS, the adopted procedures established by the Division require that the applicant must certify by resolution the approval of proposed project, application, including all understanding and assurances contained therein, and availability of matching funds prior to submission of said applications to the Division.

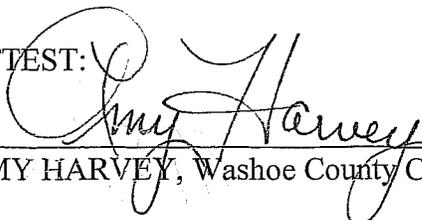
NOW THEREFORE, BE IT RESOLVED that the proposed *Central Incline Village Phase II (Portions of EIP Projects #231A, 231B, 231C, 669A, 669B & 10068) Water Quality Improvement Project* is approved for implementation;

BE IT FURTHER RESOLVED that the *Board of County Commissioners* does hereby certify that said agency can finance 100% of their share of the project.

BE IT FURTHER RESOLVED that the *Board of County Commissioners* does hereby appoint *Dan St. John, Director of Public Works* as agent of the *Board of County Commissioners* to conduct all negotiations, execute and submit all documents including applications, agreements, billing statements, and so on which may be necessary for the completion of the above project.

Introduced, passed and approved this 26<sup>th</sup> day of October, 2010.

  
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DAVID E. HUMKE, Chairman  
Board of County Commissioners

ATTEST:  
  
\_\_\_\_\_  
AMY HARVEY, Washoe County Clerk

10-1009

10/26/10  
#19