

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

TUESDAY

10:00 A.M.

APRIL 9, 2013

PRESENT:

David Humke, Chairman
Bonnie Weber, Vice Chairperson
Marsha Berkgigler, Commissioner
Vaughn Hartung, Commissioner

Nancy Parent, Chief Deputy Clerk
John Berkich, Assistant County Manager
Paul Lipparelli, Legal Counsel

ABSENT:

Kitty Jung, Commissioner

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:

13-269 AGENDA ITEM 3 – PUBLIC COMMENT

Agenda Subject: “Public Comment. Comment heard under this item will be limited to three 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 three minutes per person. Comments are to be made to the Commission as a whole.”

Elwood Miller, Professor and Associate Director Emeritus at the University of Nevada, Reno (UNR), spoke on behalf of the Cooperative Extension Citizens Advisory Board. He said former UNR President Joe Crowley stated that the transformational change that took place in the 1980’s and 1990’s resulted in the current organizational structure of the Cooperative Extension on the UNR campus. The success the Cooperative Extension had achieved could serve as a model to expand an outreach effort that would involve the entire University and, in doing so, would advance the visionary of the land grant mission. It was understood that the Cooperative Extension could never serve as the programmatic avenue to Nevada’s citizens for the entire University as long as it was administratively tethered to a single college, especially the College of Agriculture. For this reason, Mr. Crowley successfully elevated the administrative status of the Cooperative Extension and made it an academic unit on par with all other Colleges on the campus and was the platform from which the Cooperative Extension had effectively functioned for the past decade and a half. Professor Miller said a recent study had shown that the Cooperative Extension had been successful in

establishing working, collaborative arrangements with every College on the University campus and with every institution in the System of Higher Education. He appreciated the support from the Board of County Commissioners to the Cooperative Extension and always found that any hurdle could be overcome in the spirit of true partnership, mutual respect and a focused desire to meet the needs of the citizens in the County.

Pamela VanHoozer, Master Gardener, spoke in support of the Cooperative Extension and their impacts on the community. She said the Cooperative Extension was the most comprehensive outreach and engagement program at UNR and in the community. The Cooperative Extension excelled in resourcefulness and it would be a challenging task to find another entity that provided such a full spectrum for community outreach. She stated that the Cooperative Extension separated from the College of Agriculture in the 1990's and had continually provided University-based community resources. Their programs included: Living with Fire; Radon testing; pesticide safety; water quality; 4-H; Master Gardeners; small businesses; and, Nutrition in Schools, including Smart Choices, Small Steps for Big Changes and "Veggies for Kids." She stated that the nutrition programs addressed the public health epidemic of childhood obesity in schools where at least half the student body was eligible for free or reduced meals. The Cooperative Extension was a distinct and separate entity within the University, which provided University-based research by reaching out to problem-solve with clients through the processes established over the past 14 years. She distributed a package of information regarding all the programs, which was placed on file with the Clerk.

Glenn Slingland, Master Gardener, remarked that he had been in the green industry for over 40 years and was privileged to call himself a "Master Gardener." He spoke in support of keeping the Cooperative Extension separate from the College of Agriculture.

Judi Kleidon explained how the Master Gardener Program impacted her life, the joy she received from that program and the friends she made while participating. She was concerned about the programs ability to continue to offer continuing education after the substantial decrease in funding over the past year. She hoped the UNR President would consider an increase to the budget for the Cooperative Extension in the amount allocated from the Governor's proposed budget.

Bruce Rice stated specifics that the Master Gardener Program offered such as educational outreach and soil testing, which were beneficial to the community.

Dale Hildebrandt spoke in support of the Cooperative Extension and the many programs offered through that program. She thanked the Board for their support to ensure that the programs were available. She said the Cooperative Extension was a service that offered University-based information to the public and brought that level to a better understanding.

Joann Elston spoke on behalf of the 4-H program. She said the combination of the College of Agriculture and the Cooperative Extension had been done in the past; however, it did not work well for the 4-H program. The social part of the Cooperative Extension carried through the State as did agriculture, but were separate. She was opposed to those two being combined because a single dean would be overseeing both and felt that person would be partial to one section. She urged for the two Colleges to remain separate and continue to serve the State.

Marianne Merriam said she was a licensed Landscape Architect and that the Master Gardener program assisted her in the transition when she arrived. She stated that the program was a tremendous asset to the community.

Douglas Augustine recommended caution to the proposed combination of the College of Agriculture and the Cooperative Extension. He said several budget reductions being considered by UNR for the Cooperative Extension could include 4-H, Living with Fire, the Master Gardeners Program and the Radon Awareness Program. The mission of the Cooperative Extension was significantly different than the other Colleges and their work and projects spanned the disciplines while the separate identity complimented the University system.

Terri Thomas agreed with all the comments expressed concerning the Cooperative Extension. She shared her experiences through the Cooperative Extension and stated she was also a Master Gardener.

Gene Gardella spoke on the many mass shootings that had occurred within the past few years and the need for more stringent gun control.

Peggy Lear Bowen stated her concerns about the proposed combination of the College of Agriculture and the Cooperative Extension.

13-270 AGENDA ITEM 4 – ANNOUNCEMENTS

Agenda Subject: “Commissioners’/Manager’s Announcements, Requests for Information, Topics for Future Agendas, Statements Relating to Items Not on the Agenda and any ideas and suggestions for greater efficiency, cost effectiveness and innovation in County government. (No discussion among Commissioners will take place on this item.)”

John Berkich, Assistant County Manager, announced that Agenda Item 11 would be pulled from today’s agenda.

Commissioner Weber said numerous applications were being received for the Airport Authority vacancies. She asked if a subcommittee could be established to review and forward a practical number of applications to the Board for review and make a selection.

Commissioner Hartung reiterated his request for an update on the Regional Shooting Range to review protocol and budget. He also requested an agenda item updating SK Baseball's delinquent property taxes. He indicated that any action would be delayed until those taxes were rectified. He also suggested a breakdown of those taxes be included in the update.

Commissioner Berkbigler requested the Board have the opportunity to review the candidates for the Blue Ribbon Task Force that would be established to discuss regionalization of fire services.

Chairman Humke requested an agenda item dealing with Section 1905 (a)(A) of the Title XIX Social Security Act, which governed the Medicaid program and prohibits Federal Financial Participation (FFP), the federal match, for services provided to "inmates of a public institution" even if they were eligible for, and enrolled in, Medicaid. He said this was where the Affordable Care Act collided with the Medicaid program and felt a discussion was needed. He received letters concerning this topic from the Nevada Association of Counties (NACO) Executive Director Jeff Fontaine, which were placed on file with the Clerk.

In response to the request from Chairman Humke, Commissioner Berkbigler also requested the numbers that would be involved with the FFP and how those would impact the County.

13-271 AGENDA ITEM 5 - PROCLAMATION

Agenda Subject: "Proclamation--April 2013 as National County Government Month. (All Commission Districts.)"

Commissioner Weber read the Proclamation and presented a video entitled "Why Counties Matter."

There was no public comment on this item.

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

13-272 AGENDA ITEM 6 - PROCLAMATION

Agenda Subject: "Proclamation--April 14-20, 2013 as National Library Week. (All Commission Districts.)"

Commissioner Berkbigler read and presented the Proclamation to Arnie Maurins, Library Director, and Craig Franden, Second Judicial District Court.

Mr. Maurins thanked the Board for this Proclamation and thanked his staff on their dedication for the betterment of the community. He said the benefits the Library System produced through support of literacy and self-education were the result of the caring and hard work of the library employees. Mr. Franden also thanked the Board for the Proclamation.

There was no public comment on this item.

On motion by Commissioner Berkbigler, seconded by Commissioner Weber, which motion duly carried with Commissioner Jung absent, it was ordered that Agenda Item 6 be adopted.

13-273 AGENDA ITEM 7 - PROCLAMATION

Agenda Subject: “Proclamation--April 17, 2013 as Pathways to Aviation Day. (All Commission Districts.)”

Commissioner Hartung read and presented the Proclamation to Eric Henry, Reno Air Racing Foundation Chairman. Mr. Henry appreciated the Proclamation for the upcoming April 17th event.

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Weber, which motion duly carried with Commissioner Jung absent, it was ordered that Agenda Item 7 be adopted.

13-274 AGENDA ITEM 9 - APPEARANCE

Agenda Subject: “President Marc Johnson and Provost Kevin Carman, University of Nevada, Reno. Presentation and update regarding College of Agriculture Biotechnology & Natural Resources and Cooperative Extension proposal; and possible direction to staff.”

Marc Johnson, University of Nevada, Reno (UNR) President, appreciated the individuals that spoke earlier about the value of the Cooperative Extension to the community through the various programs. He confirmed that staff felt those programs were important and stated those programs would continue to be supported. He said the issue today was not about budgeting those programs or whether those programs would be sustained. The issue was a proposed administrative change to have the same person serve as the Director of the Cooperative Extension (UNCE), the Dean of the College of Agriculture Biotechnology & Natural Resources (CABNR), and the Director of the Agricultural Experiment Station. President Johnson remarked that UNR was a land grant University of Nevada, but a land grant university did not just teach students, they were also responsible for basic and applied research and were the only University with a direct responsibility to have community outreach in every county in the State.

President Johnson spoke about the budgetary situation and how the University organized themselves in response to the budget situation. In the last four years UNR had lost 35 percent of their State budget and he reviewed those significant reductions. When this was done, he said the administration was careful to protect their ability to maintain the extension educators in each county so that the office that represented the relationship between county government and the University could be maintained. The responsibilities were also maintained in all the public service agencies outlined in the NRS. He said the Cooperative Extension was very important to the land grant university system, but it was learned that outreach to the community was valuable to all the colleges. He said an outreach counsel helped all faculties understand that education and service in the community was an organized, academic activity that was rewarded along with their teaching and research activities. He said staff wanted to bring the entire University to the counties and the reason why the proposal would maintain the identity of the Cooperative Extension, the CABNR and the Agricultural Experiment Station. Those would be brought under one leadership to maintain a critical mass of expertise that understood the land grant mission. Under this proposal of combined leadership, President Johnson said the identity or the organization structure would not change for the Cooperative Extension and that a leadership position would be shared between the CABNR, the Experiment Station and the Cooperative Extension. The by-laws of the Cooperative Extension would be maintained separately to address the concerns of faculty whether they were tenured or how they would become tenured. He indicated that the budgets would continue to be separate, which were open for public review and that the Cooperative Extension funds would continue to be spent for outreach activities.

President Johnson stated he heard the concerns from the faculty about budget integrity and identity. He noted those concerns were understood and would be protected the implementation of the proposal.

Commissioner Weber explained that this discussion was held with the Nevada Association of Counties (NACO), and she believed that President Johnson was aware that NACO, although they did not take a vote, were not very supportive of the proposal. She said NACO also felt that President Johnson should not make the decision, rather the Board of Regents should make the decision.

Commissioner Berkbigler asked about the purpose that would be served by the proposal. President Johnson replied there was a single purpose. He said this proposal was not about money and would not cost anything because the current expenditures would be aligned to fit the new structure. The single purpose was to have a closer, programmatic coordination between the units on campus with the Cooperative Extension and allowing the Extension access to specialists across the University. Commissioner Berkbigler asked if under the current structure, as an independent college, did the Cooperative Extension have access to the other colleges. President Johnson replied there was access, but there was not the type of administrative support that was envisioned. He said if an Extension educator developed a needs assessment, that

assessment could come to the single leader who would have the responsibility to proactively identify resources in order to fulfill those needs. As it occurs now, requests were made, but it was helpful to have the administrative structure to actively seek those connections between Extension educators and other colleges on campus. Commissioner Berkgigler said the Elko County Commissioners also expressed concerns regarding how their Cooperative Extension would be impacted. She said other northern Nevada counties were concerned about how the on-going work and programs from the Cooperative Extension would be hindered. President Johnson stated the intention was not to hinder the Extension, but to expand.

Commissioner Hartung said autonomy of the program and the ability to operate in the community in an autonomous fashion had been expressed. He was concerned on how the 4-H program could be impacted and questioned why this proposal was not about funding. President Johnson said the faculty senate had convened and had arrived with a commissioned report. They discovered that a University of this size allowed great potential for collaboration, if indeed collaboration became an active part of the leadership and reached across departments and units to move out of the silos suffered over the past several years. He explained that was the reason some of the other units had been combined, which some would call autonomy which had positive and negative features. He stated that autonomy wanted to be maintained in the counties, but also to create opportunities to have active sharing of the critical mass or resources that remained at the University. Commissioner Hartung stated by creating a larger department would that would not create a larger silo. President Johnson stated the purpose was to review community needs and reach across the entire University in order to locate the resources for the county units.

Chairman Humke disclosed that he had spoken to President Johnson and other University individuals briefly about this issue. He said the County's budgeted portion to the Extension was 36 percent last year and was budgeted this year at 54 percent. He remarked that the County had made substantial reductions and had defunded over 700 positions because the revenues were not performing. President Johnson stated that the University did not ask for more money from the counties and asked only that they put in what could be afforded. He felt the counties had a great deal of say in what occurred in their Cooperative Extension programs because the Extension had been very good about having county Extension educators conduct county needs assessments and tailoring the program of Cooperative Extension to meet the needs of each county.

Commissioner Weber asked if layoff notices had been given to some Cooperative Extension employees. President Johnson replied that the last budget cut was identified in June 2011 and, because the University was disproportionately cutting the Cooperative Extension, the University placed a one-year additional \$2 million bridge fund allowing the Cooperative Extension an extra year to adjust to those reductions. He explained that those layoffs would not go into effect until June 30, 2013; however, they were already announced. Commissioner Weber felt it was important to state which individuals were being laid off and why because some of them were instrumental in many of the programs the County provided. President Johnson explained that the organization

would maintain their separation and reiterated the proposal would have a single leader for the two units. Commissioner Weber felt putting the two together was a done deal with the University not listening to the concerns. She inquired on the funding the County would give to the Cooperative Extension and, if those were tax dollars or commitment, how did those monies come about and how were they given to this program.

John Berkich, Assistant County Manager, said he requested that information from staff and would relay the information as soon as it was received. He noted it was a property tax assessment that was levied by the County and passed to the Cooperative Extension.

President Johnson explained when the budget cut target was provided to the Cooperative Extension, as an organization, they decided on the target and arrived at their own proposal about what positions would be retained and which individuals would remain or be laid off. He indicated that some of the individuals did not apply for a position; therefore, would not be given one of the positions to continue. He stated that all State-funded employees were allowed to apply for a smaller number of jobs.

Commissioner Berkbigler was concerned with a proposed dean for the merged department. She said that would be a key in how the Cooperative Extension continued to operate, assure the budgets remained separate and that current assets and services provided to and by the Cooperative Extension did not merge with the Agricultural Department. She commented that all constituents that contacted her were opposed to the proposal.

Commissioner Hartung agreed there was much dissention in the community since they felt the Cooperative Extension was being taken away from them. If UNR took over the Cooperative Extension as part of the CABNR, he asked if the exact program would remain with no changes. President Johnson replied it would be an evolving organization that arrived by conducting a periodic needs assessment in the County. He indicated the program would not be the same in the future, but Living with Fire, 4-H, and Master Gardener programs would remain since those were popular programs. Unfortunately, in this discussion, there was an implication made that a change of the administrative structure would harm the most valuable and most popular programs. He stated it would be silly on the part of the administration to not maintain the most popular programs. Commissioner Hartung asked if it would be a problem to leave the program alone. President Johnson stated staff was listening to comments and confirmed that the final decision had not been made.

In response to the call for public comment, Claudene Wharton, Cooperative Extension Communication Specialist, distributed information regarding the County's Cooperative Extension Programs, which was placed on file with the Clerk. She said 27 of those programs were youth programs, 11 were agricultural programs and the remaining fit into other programs. She clarified the model being proposed was a single dean that would also be the Director of the Extension with three Associate Deans below that person. It was the Director of the Cooperative Extension that held the financial

responsibilities for the Extension; however, the proposed super-dean would hold the financial responsibilities in the proposal.

Terri Thomas commented in Fiscal Year 2012 the one cent ad valorem tax raised \$1.267 million for the Cooperative Extension.

Wendy Stewart stated she had been involved with 4-H, Future Farmers of America (FFA), pesticide management, weed abatement, Master Gardeners, and Living with Fire for many years and had never seen the Cooperative Extension have a problem utilizing the University. She did not believe combining the Cooperative Extension with the CABNR would improve the Cooperative Extension for citizens of the County and/or the State.

Peggy Lear Bowen felt that the two entities needed to remain separate since they met different needs and provided different services.

In response to an earlier question from Commissioner Weber, Mr. Berkich replied that the estimated amount for next year as part of the one cent assessment on the property tax bill would be \$1.2 million.

Chairman Humke remarked that the University enjoyed the privilege of being named in the State's Constitution and that the Board of Regents had a certain constitutional separateness, not co-equal to a separate branch of government. Because the Board of Regents was a constitutionally authorized elected body that governed the University, the University system had a plus factor in the way the government worked. He indicated that the Board of County Commissioners (BCC) did not have much say on this proposal or the ad valorem tax. He said the real venue was to attend the Legislature and engage in the budget discussion.

Commissioner Hartung read an e-mail from Ann Bollinger that was sent to the Commission members. The e-mail was placed on file with the Clerk.

Commissioner Weber appreciated the time President Johnson gave to this issue. She had many constituents with many concerns about the Cooperative Extension remaining on their own. The decision was that of the University and hoped that citizens would contact their Legislators and voice their concerns. She suggested the Board forward a letter to the Board of Regents stating their concerns and that the BCC wanted to keep the Cooperative Extension separate.

Commissioner Berkbigler moved to direct staff to send a letter to the Board of Regents expressing the concerns voiced by the BCC and by their constituents on the proposed administrative change for the same person to serve as the Director of the Cooperative Extension (UNCE), the Dean of the College of Agriculture Biotechnology & Natural Resources (CABNR), and the Director of the Agricultural Experiment Station. Commissioner Hartung seconded the motion.

Commissioner Hartung also suggested including the information the Board received by the public as part of the decision making process. Chairman Humke added that the NACO Board receive a copy of the letter. Commissioner Berkbigler accepted the modifications to the motion. The seconder agreed.

On call for the question, the motion passed on a 4 to 0 vote with Commissioner Jung absent.

12:14 p.m. Commissioner Hartung temporarily left the meeting.

CONSENT AGENDA

13-275 AGENDA ITEM 8A

Agenda Subject: “Approve minutes for the Board of County Commissioners' February 11 and 26, 2013 meetings.”

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Berkbigler, which motion duly carried with Commissioners Hartung and Jung absent, it was ordered that Agenda Item 8A be approved.

13-276 AGENDA ITEM 8B – SHERIFF

Agenda Subject: “Approve [\$45,000, no County match] supplemental funds for 2010 Northern Nevada Drug Task Force Grant from High Intensity Drug Trafficking Areas through Las Vegas Metro Police Department. Grant term is 1/1/12 through 12/31/13. Funding will reimburse Washoe County Sheriff’s Office for overtime and investigative costs related to deputies assigned to the Northern Nevada Drug Task Force; and authorize Finance to make the necessary budget adjustments. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Berkbigler, which motion duly carried with Commissioners Hartung and Jung absent, it was ordered that Agenda Item 8B be approved, and authorized.

13-277 AGENDA ITEM 8C(1) – COMMUNITY SERVICES

Agenda Subject: “Approve a Resolution calling a hearing (to be set for May 14, 2013) on the amendment of the boundaries of District No. 24 (Groundwater Remediation/Central Truckee Meadows Remediation District) in Washoe County, Nevada; providing for a notice of hearing, and providing other matters properly related thereto. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Berkbigler, which motion duly carried with Commissioners Hartung and Jung absent, it was ordered that Agenda Item 8C(1) be approved. The Resolution for same is attached hereto and made a part of the minutes thereof.

13-278 AGENDA ITEM 8C(2) – COMMUNITY SERVICES

Agenda Subject: “Authorize the Community Services Department to advertise and solicit bid proposals for construction of the “Lois Allen School Sidewalk Project” [approximate amount \$58,075]. (Commission District 5.)”

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Berkbigler, which motion duly carried with Commissioners Hartung and Jung absent, it was ordered that Agenda Item 8C(2) be authorized.

13-279 AGENDA ITEM 8C(3) – COMMUNITY SERVICES

Agenda Subject: “Approve Interlocal Agreement between Washoe County and the Nevada Tahoe Conservation District to develop a Best Management Practices Program to support the environmental monitoring and assessment of water quality standards for Lake Tahoe’s Total Maximum Daily Load approved by the United States Environmental Protection Agency utilizing Washoe County’s Tahoe Regional Planning Agency Water Quality Mitigation funds in support of the work [\$20,000]. (Commission District 1.)”

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Berkbigler, which motion duly carried with Commissioners Hartung and Jung absent, it was ordered that Agenda Item 8C(3) be approved. The Interlocal Agreement for same is attached here to and made a part of the minutes thereof.

13-280 AGENDA ITEM 8C(4) – COMMUNITY SERVICES

Agenda Subject: “Accept Schools and Roads – Grants to States grant from the U.S. Forest Service [\$31,967.24, no County match] for the benefit of public roads within Washoe County; approve the transfer of grant funding from the Roads Fund to the Capital Improvement Fund; and direct Finance to make the appropriate budget adjustments. (Commission District 2.)”

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Berkbigler, which motion duly carried with Commissioners Hartung and Jung absent, it was ordered that Agenda Item 8C(4) be accepted and directed.

13-281 AGENDA ITEM 8C(5) – COMMUNITY SERVICES

Agenda Subject: “Approve Employee Housing Agreement between Washoe County and Curtis Pitts (Community Services Department, Roads Division employee) to allow occupancy within the County owned residence located at 625 B Mt. Rose Hwy, Incline Village, Nevada commencing April 10, 2013. (Commission District 1.)”

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Berkbigler, which motion duly carried with Commissioners Hartung and Jung absent, it was ordered that Agenda Item 8C(5) be approved.

13-282 AGENDA ITEM 8C(6) – COMMUNITY SERVICES

Agenda Subject: “Approve a State of Nevada Importer and Wholesale Dealer of Wine, Liquor and Beer License for Michael Johnson and Todd Johnson, dba Johnson Brothers of Nevada, Inc.; and, if approved, direct that each Commissioner sign the original copy of the State of Nevada *Application for License for Importer and Wholesale Dealer of Wine, Liquor, and Beer*. (Commission District 5.)”

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Berkbigler, which motion duly carried with Commissioners Hartung and Jung absent, it was ordered that Agenda Item 8C(6) be approved, directed and executed.

BLOCK VOTE

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

12:25 p.m. Commissioner Hartung returned.

13-283 AGENDA ITEM 16 – COMMUNITY SERVICES/SHERIFF

Agenda Subject: “Recommendation to approve a request to proceed with obtaining bid proposals for the purchase of nine replacement 2013 Harley-Davidson Police Motorcycles [approximate purchase price \$220,000] on behalf of Equipment Services for the Washoe County Sheriff’s Department; and, if approved, direct Purchasing to begin procurement process. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Berkbigler, which motion duly carried with Commissioner Jung absent, it was ordered that Agenda Item 16 be approved and directed.

13-284 AGENDA ITEM 17 – COMMUNITY SERVICES

Agenda Subject: “Recommendation to direct the Purchasing and Contracts Manager to award bids [amounts of \$100,000 or less] on the following projects approved by the Board of County Commissioners on February 26, 2013 for FY 13/14 annual contracts with one-year renewal options: (1) Street Cut Pavement Repair Project Contract – Truckee Meadows Area [approximate amount \$100,000, Funding Source – Roads Special Revenue Fund]; (2) Street Cut Pavement Repair Project Contract – Incline Village Area [approximate amount \$100,000, Funding Source – Roads Special Revenue Fund]; (3) County-wide Quality Assurance Roadway Testing and Inspection Annual Contract [approximate amount \$60,000, Funding Source – Roads Special Revenue Fund]; and (4) Professional Services contract for the annual inspection of portions of Washoe County roads in support of PAVER program analysis [approximate amount \$70,000, Funding Source – Roads Special Revenue Fund]; and submit to the Board of County Commissioners for award any project in excess of \$100,000. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Berkbigler, which motion duly carried with Commissioner Jung absent, it was ordered that Agenda Item 17 be directed and submitted.

13-285 AGENDA ITEM 18 - COMMUNITY SERVICES

Agenda Subject: “Recommendation to award bid to construct Fairview Fairway Phase III Water Quality Improvement Project to Rapid Construction Inc., the lowest responsive, responsible bidder [\$1,321,123.10 - Funded by Nevada Tahoe Bond Act and U.S. Forest Service Southern Nevada Public Lands Management Act – no County match required]. (Commission District 1.)”

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Berkbigler, which motion duly carried with Commissioner Jung absent, it was ordered that Agenda Item 18 be awarded.

13-286

AGENDA ITEM 19 – COMMUNITY SERVICES

Agenda Subject: “Recommendation to approve an increase in the contract amount for Professional Engineering Services with Poggemeyer Design Group for Washoe County, Nevada, Special Assessment District No. 32 (Spanish Springs Valley Ranches Roads) [\$133,000; for a total authorized amount not to exceed \$767,441]. (Commission District 4.)”

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Berkgigler, which motion duly carried with Commissioner Jung absent, it was ordered that Agenda Item 19 be approved.

13-287

AGENDA ITEM 10 – MANAGER/HUMAN RESOURCES

Agenda Subject: “Recommendation to provide staff direction regarding the method for appointing the next Registrar of Voters upon the retirement of Dan Burk effective June 21, 2013, to include consideration of directly appointing an individual as Registrar of Voters; appointing an individual as Acting Registrar of Voters for some defined period, with permanent appointment of a Registrar at the conclusion of that period; conducting an open competitive recruitment using the Washoe County Human Resources Department to lead the process; or conducting an open competitive recruitment using an outside search firm; or other option as identified by the Board of County Commissioners. (All Commission Districts.)”

Dan Burk, Registrar of Voters, recommended Luann Cutler be appointed as the Registrar of Voters upon his retirement. He said she had been with the County for 23 years and had the needed technical knowledge and hands-on experience. She would ensure the path that had begun in terms of building a respectful office during an election process and the integrity, honesty and openness of the process would continue under her guidance.

Commissioner Hartung commented that Ms. Cutler stepped in during the recent General Election when Mr. Burk fell ill. He said the continuity was there and that Ms. Cutler showed professionalism in front of the media and the community. She handled the process perfectly, and he felt to recruit someone else would be money ill spent.

Chairman Humke agreed and also supported the appointment of Ms. Cutler as the Registrar of Voters.

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Hartung, which motion duly carried with Commissioner Jung absent, it was ordered that Luann

Cutler be appointed as the Registrar of Voters effective June 21, 2013 or upon the retirement of Registrar Dan Burk.

Ms. Cutler thanked the Board for their confidence and stated she would continue to lead the office in the current vision.

13-288 AGENDA ITEM 13 – DISTRICT ATTORNEY

Agenda Subject: “Introduction and first reading of an Ordinance amending the Washoe County Code by adding new sections to Chapter 70 to harmonize with the new Nevada State legislation regarding the use, operation, ownership, and registration of off-highway vehicles (OHVs); to designate certain Washoe County paved roadways for OHV use and other matters properly relating thereto. (All Commission Districts.)”

Terry Shea, Deputy District Attorney, commented that new legislation went into effect on July 1, 2012 that regulated the use, operation, ownership and registration of Off-Highway Vehicles (OHV’s). The legislation allowed counties to designate certain roadways for use by OHV’s. On August 14, 2012, the County Commission approved an amendment to the Code by adding new sections to harmonize with the new legislation and to designate certain paved roadways for OHV use. After further review of the subject matter, staff was proposing an ordinance that required County residents to follow the State law enacted by the Legislature with a designation of County paved roadways with a speed limit of 35 miles per hour or less.

Chairman Humke asked if the Washoe County Sheriff’s Office (WCSO) would determine the designation. Mr. Shea replied that staff had met with the WCSO and it was determined that a place to begin would be to allow OHV’s on roads with a speed limit of 35 miles per hour or less.

Commissioner Weber asked if this ordinance would help law enforcement since it would allow citizens access to public lands by using certain roads. Mr. Shea could not answer that, but hoped that would be the case. He said the one regulatory aspect from the legislation gave the County the ability to decide which roads, if any, the County would limit OHV use.

Nancy Parent, Chief Deputy Clerk, read the title for Bill No. 1689.

Bill No. 1689, entitled, "**AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY ADDING NEW SECTIONS TO CHAPTER 70 TO HARMONIZE WITH THE NEW NEVADA STATE LEGISLATION REGARDING THE USE, OPERATION, OWNERSHIP, AND REGISTRATION OF OFF-HIGHWAY VEHICLES (OHVs); TO DESIGNATE CERTAIN WASHOE COUNTY PAVED ROADWAYS FOR OHV USE AND OTHER MATTERS PROPERLY RELATING THERETO,**" was introduced by Commissioner Hartung, and legal notice for final action of adoption was directed.

AGENDA ITEM 12 - FINANCE

Agenda Subject: “Recommendation to approve two recommendations from the Rules Committee to 1) rescind the preauthorization requirement for the release of bids and Requests for Proposals (RFPs) that have existing budget authority, and; 2) remove the requirement for vacancy appeal reviews. (All Commission Districts.)”

Sheri Mendez, Finance Director, explained that a Rules Committee had been established to review rules within the County in order to become more streamlined. She indicated that the vacancy appeal reviews were put into place during the height of the downturn which resulted in approximately 700 positions being eliminated. However, this process now delayed hiring, especially when departments needed personnel recruited and onboard in order to manage their mandated functions.

The other rule concerned spending for contracts. Ms. Mendez said the Board requested that before staff went to bid on anything above \$50,000 it come before the Board. The preauthorization requirement for the release of bids and that Requests for Proposals (RFPs) was being asked to be rescinded, but the Board would still have the opportunity to review contracts in excess of \$100,000 or if a project was not included in the budget process and above \$100,000.

Commissioner Weber commented that the Board had never heard about the Rules Committee and was concerned how that Committee had been established. Ms. Mendez explained during a department head meeting a streamlining process was brought forward. She said department heads were asked to appoint members to a Rules Committee to discuss which rules should be changed or omitted.

There was no public comment on this item.

On motion by Commissioner Berkbigler, seconded by Commissioner Hartung, which motion duly carried with Commissioner Jung absent, it was ordered that Agenda Item 12 be approved.

AGENDA ITEM 14 – COMMUNITY SERVICES

Agenda Subject: “Introduction and first reading of an Ordinance amending the Washoe County Code at Chapter 25 (Business Licenses, Permits and Regulations) by deleting provisions relating to penalties for delinquent liquor license fees and refunds for such fees; removing requirements for liquor licensee record keeping; deleting the regulations specific to Importers, Wholesalers of Intoxicating Liquors, Wine-making, Brew Pubs and Breweries; removing fees specific to various types of liquor licenses; and, moving these regulations and provisions into Washoe County Code Chapter 30 (Intoxicating Liquor and Gaming Licenses and Regulations). Recommendations include other matters properly relating thereto; and if supported, set the public hearing and second reading of the Ordinance for April 23, 2013 at 6:00 p.m. (All Commission Districts.)”

Nancy Parent, Chief Deputy Clerk, read the title for Bill No. 1690.

Bill No. 1690, entitled, "AN ORDINANCE AMENDING WASHOE COUNTY CODE CHAPTER 25 (BUSINESS LICENSES, PERMITS AND REGULATIONS) TO DELETE PROVISIONS RELATING TO PENALTIES FOR DELINQUENT LIQUOR LICENSE FEES AND REFUNDS FOR SUCH FEES; TO REMOVE REQUIREMENTS FOR LIQUOR LICENSEE RECORD KEEPING; TO DELETE THE REGULATIONS SPECIFIC TO IMPORTERS, WHOLESALERS OF INTOXICATING LIQUORS, WINE-MAKING, BREW PUBS AND BREWERIES; TO REMOVE FEES SPECIFIC TO VARIOUS TYPES OF LIQUOR LICENSES; AND, TO MOVE THESE REGULATIONS AND PROVISIONS INTO WASHOE COUNTY CODE CHAPTER 30 (INTOXICATING LIQUOR AND GAMING LICENSES AND REGULATIONS). RECOMMENDATIONS INCLUDE OTHER MATTERS PROPERLY RELATING THERETO," was introduced by Commissioner Weber, and legal notice for final action of adoption was directed.

The County Commission will convene as the County Liquor and Gaming Board for Agenda Item #15 only.

13-291 AGENDA ITEM 15 – COMMUNITY SERVICES

Agenda Subject: “Introduction and first reading of an Ordinance amending the Washoe County Code at Chapter 30 (Intoxicating Liquor and Gaming Licenses and Regulations) by consolidating sections addressing similar topics and removing duplicate sections; consolidating definitions into a single section; removing sections requiring Washoe County to issue gaming work permits; enabling the Board to establish appropriate fees by resolution and remove such fees from the ordinance; providing for new penalties for late payment of license fees; incorporating new civil and administrative methods of enforcement for violations of liquor and gaming license requirements or regulations (including criminal, civil, administrative actions and actions to suspend or revoke liquor or gaming licenses); inserting provisions that were deleted from WCC Chapter 25 (Business Licenses, Permits and Regulations) regarding recordkeeping, fees and licensing requirements for persons who provide, manufacture, or sell certain kinds of intoxicating liquors; adding special provisions for temporary liquor licenses, for persons who serve liquor in private clubs and at special events, and who provide liquor samples at grocery stores, and who provide liquor catering services; inserting regulations concerning the service of alcohol on charter buses and limousines; incorporating NRS provisions concerning the alcoholic beverage awareness program; allowing liquor or gaming license refunds; clarifying provisions regulating the complaint, investigation, inquiry, and Board action concerning liquor regulation violations; and, incorporating NRS provisions concerning investigation and action on complaints against persons who sell intoxicating liquor or hold gaming licenses in Washoe County. Recommendations include other matters properly relating thereto;

and if supported, set the public hearing and second reading of the Ordinance for April 23, 2013 at 6:00 p.m. (All Commission Districts.)”

Paul Lipparelli, Legal Counsel, noted that the Washoe County Sheriff was also a member of the County Liquor and Gaming Board, but indicated that the Sheriff was absent from the meeting.

Nancy Parent, Chief Deputy Clerk, read the title for Bill No. 1691.

Bill No. 1691, entitled, "**AN ORDINANCE AMENDING WASHOE COUNTY CODE CHAPTER 30 (INTOXICATING LIQUOR AND GAMING LICENSES AND REGULATIONS) TO CONSOLIDATE SECTIONS ADDRESSING SIMILAR TOPICS AND REMOVE DUPLICATE SECTIONS; TO CONSOLIDATE DEFINITIONS INTO A SINGLE SECTION; TO REMOVE SECTIONS REQUIRING WASHOE COUNTY TO ISSUE GAMING WORK PERMITS; TO ENABLE THE BOARD TO ESTABLISH APPROPRIATE FEES BY RESOLUTION AND REMOVE SUCH FEES FROM THE ORDINANCE; TO PROVIDE FOR NEW PENALTIES FOR LATE PAYMENT OF LICENSE FEES; TO INCORPORATE NEW CIVIL AND ADMINISTRATIVE METHODS OF ENFORCEMENT FOR VIOLATIONS OF LIQUOR AND GAMING LICENSE REQUIREMENTS OR REGULATIONS (INCLUDING CRIMINAL, CIVIL, ADMINISTRATIVE ACTIONS AND ACTIONS TO SUSPEND OR REVOKE LIQUOR OR GAMING LICENSES); TO INSERT PROVISIONS THAT WERE DELETED FROM WCC CHAPTER 25 REGARDING RECORDKEEPING, FEES AND LICENSING REQUIREMENTS FOR PERSONS WHO PROVIDE, MANUFACTURE, OR SELL CERTAIN KINDS OF INTOXICATING LIQUORS; TO ADD SPECIAL PROVISIONS FOR TEMPORARY LIQUOR LICENSES, FOR PERSONS WHO SERVE LIQUOR IN PRIVATE CLUBS AND AT SPECIAL EVENTS, AND WHO PROVIDE LIQUOR SAMPLES AT GROCERY STORES, AND WHO PROVIDE LIQUOR CATERING SERVICES; TO INSERT REGULATIONS CONCERNING THE SERVICE OF ALCOHOL ON CHARTER BUSES AND LIMOUSINES; TO INCORPORATE NRS PROVISIONS CONCERNING THE ALCOHOLIC BEVERAGE AWARENESS PROGRAM; TO ALLOW LIQUOR OR GAMING LICENSE REFUNDS; TO CLARIFY PROVISIONS REGULATING THE COMPLAINT, INVESTIGATION, INQUIRY, AND BOARD ACTION CONCERNING LIQUOR REGULATION VIOLATIONS; AND, INCORPORATING NRS PROVISIONS CONCERNING INVESTIGATION AND ACTION ON COMPLAINTS AGAINST PERSONS WHO SELL INTOXICATING LIQUOR OR HOLD GAMING LICENSES IN WASHOE COUNTY. RECOMMENDATIONS INCLUDE OTHER MATTERS PROPERLY RELATING THERETO,"** was introduced by Commissioner Hartung, and legal notice for final action of adoption was directed.

13-292 AGENDA ITEM 20 - TREASURER

Agenda Subject: “Update on Incline property tax refund process.”

John Berkich, Assistant County Manager, said the Board had the Treasurer’s written report.

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

13-293 AGENDA ITEM 21 – MANAGEMENT SERVICES

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.)”

John Berkich, Assistant County Manager, reviewed the 2013 Bills of Interest.

AB 46 *Washoe County School District Capital Projects funding.* Mr. Berkich said a work session was scheduled for April 9th and noted that the County would be taking a neutral position on this bill. He said the Committee would consider the original version and would require a two-thirds majority vote and, if approved, a resolution would come before the Board to impose the tax increases. He stated there was a proposed amendment to remove the two-thirds voting requirement and provide the School District Trustees with the authority to impose the taxes.

Commissioner Weber reiterated her concerns that a Board of Trustees could establish a fund for capital projects and then require the Board of County Commissioners to impose the taxes. Chairman Humke explained it was a proposed bill and, if passed, would be law.

Commissioner Berkbigler said she was informed that the sponsor of the bill had worked with the Legislative Counsel Bureau (LCB) and, in reviewing existing NRS, realized there was not a prohibition to allow this to happen. However, it clearly did not exist in the State where one entity was enforcing and requiring another entity to impose taxes when one was not a State legislature or a court. She said this would be precedent setting in the State of Nevada.

Chairman Humke indicated that the Board had been cautioned about this bill. He felt it would be amended on several instances and passing, if at all would happen, during the last day of the Session. He suggested the Legislators discuss this and forge the policy and, if there was a resulting law, the Commission would carry out that law.

Commissioner Berkbigler agreed there was nothing to be done until the position of the County's delegation was known.

Commissioner Hartung commented on the way the proposed amendment was written. He said there would be no difference other than the School Board having the ability to vote to impose those taxes. Commissioner Berkbigler understood that the amendment stated this would be a one-time opportunity, but that did not change precedent being set.

Commissioner Weber felt this was important to the public and if they wanted input they should contact their Legislators. Commissioner Hartung suggested this information be placed on the County's website with a link to the Nevada Legislature's website.

AB 75 *Changes the publication of property tax rolls.* Mr. Berkich said this was passed by the Committee and would allow Washoe County and Clark County to post the tax roll to the Internet resulting in significant savings.

AB 302 *Provides for the merger of NRS 474.460, fire protection districts.* Mr. Berkich said that the southern Legislators deferred to their northern colleagues. He said there were still many questions concerning this bill and staff would continue to monitor.

SB 229 *Repeals the provision of Senate Bill 271 of the 2011 Session.* Mr. Berkich said County staff testified as being neutral during a hearing. He said the Governor opposed this bill at this time.

Commissioner Berkbigler commented there were divided opinions on this bill, but the majority in Incline Village and Crystal Bay appeared to be concerned that if SB 271 was appealed the recent progress may be slowed. She received some information from the Tahoe Regional Planning Agency (TRPA) regarding what California was doing in their legislature.

SB 261 *Provides for the restrictions on door-to-door solicitors.* Mr. Berkich said the Washoe County Sheriff's Office (WCSO) supported the bill as did Code Enforcement Officers. Commissioner Weber asked if this bill would affect Girl Scouts selling cookies. Paul Lipparelli, Legal Counsel, stated that Section 5 of the bill appeared to make exceptions for non-commercial solicitations such as non-profit organizations that were tax exempt for selling goods and services where the entire proceeds of the sale went directly to the benefit of such organizations.

SB 272 *Provides for the revision of the boundary line between Storey County and Washoe County.* Mr. Berkich indicated that the County had not taken a position on this bill.

Commissioner Weber was concerned since the Storey County Commission would have the full ability to make the recommendation. She felt that should be between the two counties.

Mr. Lipparelli clarified that Section 3 of the bill indicated the bill became effective upon adoption of a resolution by the County Commissioners of Storey County and Washoe County. Mr. Berkich said the particulars would be jointly negotiated by both counties.

Mr. Lipparelli said the difficulty was that the bill proposed a change to the legal description of county boundaries, but that description needed to be completed by the Legislature. The way the bill read, the proposed change to the particular segments of the two counties would not go into effect until a resolution approving the change was adopted by both County Commissions and did not contemplate options where parts could be done by one or the other.

Mr. Berkich remarked that the imbalance would be negotiated, but the legislature would approve a boundary adjustment between the two counties; however, an amendment could be sought to allow for the actual land swap.

AB 441 Dan Burk, Registrar of Voters, explained that this bill dealt with Vote Centers and would be heard on April 11th before the Committee on Legislative Operations and Elections. After the Registrar developed and submitted a plan regarding ingress and egress, the bill gave the power to a board of county commissioners to decide if that plan would be implemented during an election.

Chairman Humke said the affect would be to apply early voting rules through the General Election. Mr. Burk stated that was correct. Chairman Humke asked if it was a State-wide rule for schools to close on elections days. Mr. Burk replied that Washoe County was the first county in the State to implement that closure.

Kevin Schiller, Social Services Director, reviewed and updated the Board on the following bills: **SB 314**, Bill of Rights for Parents; **SB 452**, Indigent Accident Fund; **AB 348**, Provisions related to foster care; and, **AB 55**, Imposes an additional penalty for attempting or conspiring to commit certain crimes against older or vulnerable persons.

In response to the call for public comment, Peggy Lear Bowen spoke on AB 46 and an experience she had while serving as an elected member to the State Board of Education.

2:01 p.m. The Board recessed.

5:05 p.m. The Board reconvened.

Agenda Subject: “Recommendation to provide direction to staff on Citizen Involvement Program including but not limited to number, frequency, purpose and structure of community advisory boards; and authorize staff to issue a request for proposals for contract administrative support for the boards; and continue the hold on the current advisory board meetings until approved structure can be implemented; and direct staff to return to the Commission with implementation plan and initial resolutions necessary to carry out Board direction on April 23, [possible fiscal impact of \$3,417 to be budgeted in FY 2013-2014]. (All Commission Districts.) Continued from March 26, 2013 Commission meeting.”

Nancy Leuenhagen, Community Relations Manager, and Sarah Tone, County Liaison, conducted a PowerPoint presentation, which was placed on file with the Clerk. The presentation defined the Open Meeting Law, showcased the Advisory Board Structure, and explained the next steps.

Commissioner Weber stated that the program was still too costly and she wanted a program that would reduce those costs. She hoped that contracted staff would be used more than County staff unless there were specific issues. Ms. Tone agreed that an administrative program for an Advisory Board program was expensive. She said two years ago the Citizens Advisory Board (CAB) program cost about \$124,000 a year. The new proposal for seven CAB's would be approximately \$94,000 a year, which proved to be a significant decrease and the proposal would use administrative contracts to help manage the program. Ms. Tone said the initial cost estimates were for seven CAB's, but any additional meetings or CAB's would increase that amount. Commissioner Weber stated while reducing the number of CAB's from 14 to seven and going from \$124,000, the high estimate of \$110,000 was not much of a reduction for the time taken to propose a new program. Ms. Tone explained that the estimate of \$110,000 would be for 14 CAB's meeting bi-monthly and the estimate of \$94,000 was for seven CAB's meeting bi-monthly. She said those costs accounted for a program coordinator working part-time to manage the administrative contracts.

Commissioner Berkbigler asked for the cost on each individual meeting. Ms. Tone replied the high estimate was \$4,317, which included staff time to administer all the programs, manage the data base for notification lists, the recording secretary contracts and managing the administrative costs, which was the largest cost of the program. Commissioner Berkbigler said it appeared that cost would decrease if the control of the meeting was outsourced and only use an in-house program analyst half-time. Ms. Tone explained last year there was a full-time employee managing that program, but currently those staff resources were not available. She expected a slight decrease in the program management by out-sourcing, but that needed to be confirmed with a Request for Proposal (RFP.)

In response to Commissioner Weber, Ms. Tone replied the in-house program analyst position was budgeted for the program as it stood and, as planned, would

need a full-time staff member, but at the moment that position was not available. Commissioner Weber doubted the numbers and suggested a breakdown of the costs since the public was not seeing the transparency in the proposed budget.

Commissioner Hartung said the \$4,317 per meeting consisted of one internal full-time administrative person including salary and benefits. Ms. Tone stated that was correct. Commissioner Hartung inquired on the amount of secretarial contracts. Ms. Tone replied that was budgeted annually at \$45,962 for three contracts and would be for 87 meetings.

Commissioner Hartung said the internal administrative person was the biggest expense next to the recording secretaries. He questioned if the CAB's could function without recording secretaries. He suggested the way to reduce the costs was by reducing the total number of meetings.

Commissioner Berkbigler suggested meetings be held on a quarterly basis for the Incline Village CAB to be supplemented by meetings she planned to implement also on a quarterly basis. She hesitated to say that the cost was too high to hold the meetings, because constituents felt the meetings were very important.

Commissioner Weber felt that the Verdi CAB would be interested in issue-oriented, quarterly meetings, but other CAB's in her District would not want quarterly meetings and were even unhappy with bi-monthly meetings. She remarked the way to reduce costs was to put more into the contracts and thought there was an internal program assistant. Ms. Tone indicated there was a program assistant that was allocated to work on the CAB programs part-time.

Chairman Humke felt the costs were not out of line or too high. He thought the costs were small when considering the number of citizens impacted. He suggested one CAB for District 2 and would prefer that CAB meet bi-monthly.

Commissioner Berkbigler explained that she needed two CAB's, one for the Incline Village area and one for the valley; however, she had not received any input from citizens on the frequency of meetings. She asked if it would be possible for each Commissioner to determine the number of meetings in their district. Ms. Tone replied that the meetings could be district specific.

Paul Lipparelli, Legal Counsel, replied it was a matter of Board policy to make the arrangements it saw fit, but that would need to be captured in some type of directive by the Board as a whole. The Open Meeting Law had to apply across the board to the configuration of CAB's such as meeting frequency.

Commissioner Berkbigler stated her concerns about taking this from staff and giving it to outside contractors, which may lose the continuity currently being received by citizens. Ms. Leuenhagen noted that the program fell within the Community Relations Department and the administration of the meeting would lie with the recording

secretaries, but the gathering of the information, e-mail list, organizing of events and specific topics would rest within the County's program assistant, the County's Liaison and herself.

Commissioner Weber said everything the contractors did was in relationship to the County. She hoped the conversation with the contractors could produce a relationship in the contracts to alleviate some of the program assistant's workload. She stated that the County had not always done a good job in collecting names and placing the word out to the community, which needed to be improved. Commissioner Weber said there were issues happening in communities where the citizens were unaware of those issues. She suggested an initial community meeting to ask the citizens their opinions on the frequency of meetings for that particular community and how those meetings should be conducted.

Commissioner Hartung preferred scheduling a general meeting with both of his CAB's for feedback as to frequency and structure. He would shy away from a district chairman because his two CAB's were very different, were geographically miles apart and it would be difficult for a district chair to travel between the two on a frequent basis. If a district chair position were created, he suggested they be reimbursed for fuel; however, that person may not understand all the issues in different sections of their district. In respect to attendance, he said notices could be mailed, but unless the topic affected that individual, most would not attend the meetings. He noticed that most citizens attended for developmental issues affecting their community.

In response to the call for public comment, Warren Brighten, Sun Valley CAB Chairman, stated the Sun Valley citizens wanted their CAB back with monthly meetings held on Saturday mornings. He said the residents considered those meetings their primary means of communication with the County and County staff. Mr. Brighten felt attendance had decreased because some sensed that County staff and the County Commissioners were not interested in what was occurring at the CAB's. He said it needed to be related that the information being gathered at those meetings was being forwarded to the Board or the appropriate staff member.

Lori Cusiak stated that CAB's were needed in order to allow citizens the ability to gather, collaborate and/or discuss various issues that affected their community. She was also concerned that Sun Valley was split between Districts 3 and 5, because she would want representation for District 5.

Commissioner Weber said Commissioner Jung would be the Commissioner for the Sun Valley CAB, but noted that both Commissioners would attempt to be present for those meetings and handle them as one community.

Commissioner Hartung would prefer to meet with his current CAB's to discuss what they preferred in regard to frequency and structure. He asked if the item on April 23rd was a must or could that discussion be postponed.

Mr. Lipparelli said the Commissioners were discussing the possibility of meeting with members of CAB's to solicit input. He explained that the terms of office for all current CAB members would expire on June 30th resulting in vacancies to all the CAB's. He indicated that some CAB's currently did not have quorums; however, if individual Commissioners were going to assemble CAB's that still had quorums, those meetings needed to be posted because those public entity CAB's had not been permanently disbanded.

Commissioner Hartung said it was incumbent upon the Board members to schedule meetings with their CAB's to receive the feedback on the schedule and the structure.

Ms. Tone remarked that 11 of the 14 current CAB's did not have a quorum and suggested informal meetings so that individuals would not need to be appointed. She confirmed there would be no appointees to any of the CAB's in July since all their terms would have expired in June. Ms. Tone explained that the recording secretary contract also needed to be revisited since those were about to expire.

Ms. Leuenhagen explained since the CAB meetings had been on pause; staff had organized meetings with the constituents, but those had not been under the Open Meeting Law.

In regard to District 2, Chairman Humke felt some sort of interface with Neighborhood Advisory Boards (NAB's) could be effective, but he did not want the District 2 CAB to become a NAB. He would recommend moving the meetings around the District to different locations.

Commissioner Weber shared that her CAB's would not travel to different locations. She said it was attempted, but had not been received favorably and the issues were too different. She said she would suggest the following for District 5:

- the Verdi CAB would prefer four meetings a year.
- the North Valleys CAB would consider meetings every other month with the option of cancelling the December/January meeting.
- the Warm Springs/Rural CAB may prefer quarterly meetings, but would begin with every other month.

Commissioner Weber said she would re-implement her "Coffee with your Commissioner," or something similar and reminded the Board that the Gerlach area now had a community organizer and would not be participating with a CAB.

Commissioner Hartung asked if the recording secretaries were asked to submit an estimate that included more duties. Ms. Leuenhagen replied that renegotiating with the contractors was part of the implementation plan. Commissioner Hartung asked if the Board had discussed changing the size of the CAB's. Ms. Leuenhagen stated that part of the process would be for the Board to decide the size of the CAB's.

Commissioner Weber shared that Commissioner Jung had wished for food to be available at her CAB meetings.

Ms. Tone stated that staff needed authorization to move forward with an RFP, continue the hold on the CAB program until the structure could be implemented and if the Board wanted staff to return on April 23rd with an implementation plan.

Commissioner Berkbigler suggested moving forward with implementing a new program. Commissioner Weber agreed. She said the Warm Springs CAB was scheduled to meet on May 6th and she hoped to have information for them. She would meet with the Verdi CAB on April 24th and then would schedule a meeting for June 10th for the North Valleys CAB members.

Commissioner Hartung said he would a meet with the East Truckee Canyon CAB on April 20th and hoped staff would contact the Spanish Springs CAB to schedule a meeting. He said his only question for his CAB's would be the frequency of meetings.

Ms. Leuenhagen confirmed that staff would return on April 23rd to discuss forming eight to nine CAB's after dissolving the current 14 CAB's and move forward with the new structure. She said there was direction from each Commissioner on how they would like to meet with their CAB's and then return for a discussion concerning the structure and appointing the CAB members.

There was no action taken on this item.

13-295 AGENDA ITEM 23

Agenda Subject: "Reports/updates from County Commission members concerning various boards/commissions they may be a member of or liaison to."

Commissioner Weber announced that she would be in Washington D.C. next week. She said the Regional Planning Governing Board (RPGB) was scheduled to meet on April 11th and the Regional Transportation Commission (RTC) was scheduled to meet on April 19th.

Commissioner Hartung reported that he toured the Cloud-Seeding operation for the Truckee Meadows Water Authority (TMWA) and the Western Regional Water Commission (WRWC), which was sponsored through the Desert Research Institute (DRI).

Commissioner Berkbigler said the Tahoe Regional Planning Agency (TRPA) was focused on area plans around Lake Tahoe. The first plan to be submitted would be from Douglas County.

13-296 AGENDA ITEM 24 – CLOSED SESSION

Agenda Subject: “Possible Closed Session for the purpose of discussing labor negotiations with Washoe County, Truckee Meadows Fire Protection District and/or Sierra Fire Protection District per NRS 288.220.”

There was no closed session scheduled.

13-297 AGENDA ITEM 26 – PUBLIC COMMENT

Agenda Subject: “Public Comment. Comment heard under this item will be limited to three 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 three minutes per person. Comments are to be made to the Commission as a whole.”

Peggy Lear Bowen spoke on the Senior Law Project. She said when she visited the Senior Law Project she was told that none of the grants had been applied for based on the action the County took for the Senior Law Project to become part of a privatized, non-profit organization. She stated that cost the County’s senior citizens a tremendous amount of legal support and stated many of the grants were not applied for and legal needs of the senior citizens in the community were not being met. She urged the Board to reconsider the privatization of the Senior Law Project allowing them to act as an independent entity without the Senior Services Director dictating what they could or could not apply for in regard to grants and hiring.

* * * * *

6:29 p.m. There being no further business to discuss, on motion by Commissioner Weber, seconded by Commissioner Hartung, which motion duly carried with Commissioner Jung absent, the meeting was adjourned.

DAVID E. HUMKE, Chairman
Washoe County Commission

ATTEST:

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

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

Summary - a Resolution calling a hearing on the amendment of the boundaries of District No. 24 (Groundwater Remediation).

RESOLUTION NO.

(of Washoe County, Nevada)

A RESOLUTION CALLING A HEARING ON THE AMENDMENT OF THE BOUNDARIES OF DISTRICT NO. 24 (GROUNDWATER REMEDIATION/CENTRAL TRUCKEE MEADOWS REMEDIATION DISTRICT) IN WASHOE COUNTY, NEVADA; PROVIDING FOR A NOTICE OF HEARING, AND PROVIDING OTHER MATTERS PROPERLY RELATED THERETO.

1. **WHEREAS**, the Board of County Commissioners (the “Board”) of the County of Washoe (the “County”) in the State of Nevada has created a district for the remediation of the quality of water (the “District” or “District No. 24”) pursuant to NRS §540A.250 through §540A.285; and
2. **WHEREAS**, subsection 3 of NRS §540A.250 provides that:
“The District created pursuant to this section must include, without limitation:
 - a. the area where the condition which requires remediation is determined by the Board to be present, or for which remediation is determined by the Board to be necessary, including any area to which the condition is expected to migrate unless remediation is carried out; and
 - b. if the Board determines that the condition which requires remediation affects the quantity or quality of drinking water within the region, the wholesale and retail service area of any provider of water that has used or uses for any portion of its supply wells located in the area described in paragraph (a)”;
3. **WHEREAS**, pursuant to NRS § 540A.250, the Board has had prepared for it a plan for remediation designated the “Central Truckee Meadows Remediation District Final Work Plan February 22, 1996” as updated by the “Central Truckee Meadows Remediation District Remediation Management Plan” dated October 28, 2002 (as updated, the “Plan for Remediation”); and

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4. **WHEREAS**, the Plan for Remediation has been submitted to the Division of Environmental Protection of the State of Nevada (the "Division") and approved by the Division pursuant to Subsection 1 of NRS §540A.260; and

5. **WHEREAS**, the Plan for Remediation indicates that, and based upon such plan the Board has determined that, the condition which requires remediation affects the quality of drinking water within the region; and

6. **WHEREAS**, the boundaries of the District therefore are to include the Wholesale and Retail Water Service Area of the Truckee Meadows Water Authority ("TMWA"), which is a provider of water service that has used and uses for a portion of its water supply, wells located in the area in which the condition that requires remediation is present; and

7. **WHEREAS**, the boundaries of the District were originally filed in the office of the County Clerk on September 16, 1997, and as so filed, were made the boundaries of the District (the "Original Boundaries") by Ordinance No. 1000, duly adopted by the Board on November 12, 1997; and

8. **WHEREAS**, Washoe County's Department of Water Resources/Community Services Department ("DWR/CSD") is a provider of water service that uses for a portion of its water supply a well or wells located in the area where the condition of PCE exists in the groundwater and where remediation is required as hereby determined by the Board; and

9. **WHEREAS**, the Original Boundaries have been amended; and

10. **WHEREAS**, the Board has determined and hereby determines to propose to further amend the boundaries of the District with respect to the fee collected in 2012 to exclude from the 2012 Boundaries of the District as amended through December 31, 2011 (the "2012 Fee Year Boundaries"), certain additional properties that did not receive water service involving water provided on a wholesale or retail basis by TMWA or that did not use a water supply provided by that portion of the DWR/CSD water system with a well or wells in the area where the condition of PCE exists in the groundwater and where remediation was required during 2011; and

11. **WHEREAS**, the Board has determined and hereby determines to propose to amend the 2012 Fee Year Boundaries of the District with respect to the fee collected in 2012, to add to and include such new properties added to the Wholesale and Retail Water Service Area of TMWA and to add to and include new properties added to that portion of the Water Service Area of DWR/CSD

with a well or wells in the area where the condition of PCE exists in the groundwater and where remediation was required in 2012; and

12. **WHEREAS**, the Board has determined and hereby determines to propose to amend the 2012 Fee Year Boundaries of the District with respect to the fee to be collected in 2013 to exclude from the 2012 Fee Year Boundaries of the District certain properties, which did not receive water service involving water provided on a wholesale or retail basis by TMWA or involving water provided by DWR/CSD within its Water Service Area with a well or wells in the area where the condition of PCE exists in the groundwater and where remediation was required during calendar year 2012; and

13. **WHEREAS**, each of the following will be filed with the County Clerk (the "Clerk") prior to the publication of a notice of hearing as hereinafter described:

(i) a list of the properties proposed to be excluded from the 2013 Fee Year Boundaries of the District with respect to the fees collected in 2012 as described in the 10th preamble hereto entitled "Second List of Properties to be excluded from 2013 Fee Year Boundaries of District No. 24" (the "Second 2012 Exclusion List"),

(ii) a description of the areas proposed to be added to the 2013 Fee Year Boundaries of the District as described in the 11th preamble hereto, entitled "2013 Description of Areas to be Added to District No. 24" (the "2013 Addition List"), and

(iii) a list of the properties proposed to be excluded with respect to the fee to be imposed in 2013 as described in the 12th preamble hereto, entitled "First List of Properties to Be Excluded from the 2013 Fee Year Boundaries of District No. 24" (the "First 2013 Exclusion List"); and

14. **WHEREAS**, pursuant to NRS §540A.262, the Board is required to hold a hearing before amending the boundaries of the District; and

15. **WHEREAS**, the Board desires to authorize publication of a notice of the hearing in accordance with NRS §540A.262.

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

Section 1. A hearing is hereby called on the proposed amendment to the boundaries of the District. The hearing shall be held not less than 15 days after the notice of hearing described herein is published. The Manager is authorized to schedule the hearing and request that the Clerk

publish the Notice described below after materials described in preamble 12 (the "Amendments") are filed in the office of the Clerk.

Section 2. Upon receipt of request from the Manager as provided in Section 1, the Clerk is hereby authorized and directed to publish a notice of hearing not less than 15 days prior to the hearing in a display advertisement which is at least 3" x 5" in size in a newspaper of general circulation in the County. The notice shall state that the description of the boundaries and the amendment to those boundaries is on file at the office of the Clerk for public examination. The notice shall be in substantially the following form:

**NOTICE OF PUBLIC HEARING
WASHOE COUNTY, NEVADA
DISTRICT NUMBER 24
(GROUNDWATER REMEDIATION)**

NOTICE is hereby given that the Board of County Commissioners of Washoe County, Nevada will hold a public hearing on May 14, 2013 at the hour of 6:00 p.m. at the Commission Chambers, Washoe County Administrative Complex, 1001 East Ninth Street, Reno, Nevada on a proposed amendment to the boundaries of Washoe County Nevada District No. 24 (Groundwater Remediation), which is a district for remediation of groundwater (the "District").

At the hearing all persons who desire to appear may appear and be heard concerning a proposed amendment to the boundaries of the District, and after the hearing the Board shall make such adjustments to the proposed boundary amendment as appear to be necessary, but the boundaries may not be expanded to include any property not included either in the proposed amendment as filed in the office of the County Clerk on April 9, 2013, or the 2012 Boundaries of the District specified in Ordinance No. 1462, adopted and approved on June 12, 2012 (the "Ordinance").

It is proposed that the boundaries of the District would be amended as follows:

1. The boundaries of the District with respect to the fee collected in 2012 shall be as they already exist as further amended by exclusion of the properties listed in the list entitled "Second List of Properties to be Excluded from the 2012 Boundaries of District No. 24" (the "Second 2012 Exclusion List"), now on file with the County Clerk, and

2. The boundaries of the District with respect to the fee to be collected in 2013 shall be the 2012 Boundaries of the District as established by the Ordinance adopted by the Board of County Commissioners on June 12, 2012, amended as follows:

(a) amended by the addition to the 2012 Boundaries of the District of the areas described in the "2013 Description of Areas to be added to District No. 24" (the "2013 Addition List"), now on file in the office of the County Clerk, and,

(b) amended by excluding those properties (whether included in the 2012 Boundary, or in the additions described in clause (a)) listed in the "First List of Properties to be Excluded from the 2013 Boundaries of District No. 24" (the "First 2013 Exclusion List"), now on file in the office of the County Clerk.

The proposed 2013 Fee Year Boundaries of the District, the Second 2012 Exclusion List, the 2013 Addition List, and the First 2013 Exclusion List, are on file in the office of the County Clerk for public examination.

The boundaries of the District are those specified by Subsection 3 of NRS §540A.250, which consist of the area where the condition which requires remediation is determined by the Board to be present or for which remediation is determined by the Board to be necessary, including any area to which the condition is expected to migrate unless remediation is carried out, and the wholesale and retail water service area of any provider of water that has used or uses for any portion of its supply wells located in the area where the condition which requires remediation is determined to be present. The District Boundary generally consists of the TMWA Wholesale and Retail Water Service Area and a portion of the DWR/CSD Service Area. This general description is, however, for the convenience of the readers of this notice only. A specific description of the boundaries of the District and the proposed amendments thereto are on file in the office of the County Clerk and reference is made to those descriptions to determine whether or not a property is or is not included or proposed to be included within the boundaries of the District.

Reference is made to the Plan for Remediation, the boundaries of the District and the proposed amendments to those boundaries on file in the office of the County Clerk for further information concerning the District and its boundaries. All owners of property within the boundaries of the District and all other persons interested are encouraged to appear at the hearing and present their views. Written testimony and comments may be filed at or before the hearing with the County Clerk.

IN WITNESS WHEREOF, the Board of County Commissioners have caused this notice to be published not less than 15 days prior to the hearing referred to above.

Dated this April 9, 2013.

BOARD OF COUNTY COMMISSIONERS OF
WASHOE COUNTY, NEVADA

(SEAL)

By _____
David Humke, Chairman

ATTEST:

/s/ Amy Harvey
County Clerk

Section 3. The Officers of the County are directed to effectuate the provisions of this resolution.

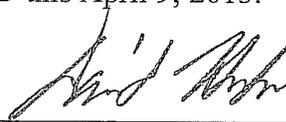
Section 4. All resolutions, or parts thereof, in conflict herewith are hereby repealed to the extent of such inconsistency.

Section 5. The invalidity of any provisions of this resolution shall not affect any remaining provisions hereof.

Section 6. This resolution may be amended in any manner, at any time by the Board. This resolution does not obligate the Board to proceed with the District or issue bonds.

Section 7. The Board has determined, and does hereby declare, that this resolution shall be in effect after its passage in accordance with law.

PASSED, ADOPTED AND APPROVED this April 9, 2013.



Chairman
Board of County Commissioners
Washoe County

(SEAL)

Attest:



Clerk

STATE OF NEVADA)
 : ss.
COUNTY OF WASHOE)

I, Amy Harvey, am the qualified and elected Clerk of Washoe County (the "County"), and in the performance of my duties as Clerk do hereby certify:

1. The foregoing pages are a true, correct and compared copy of a resolution adopted by Board of County Commissioners (the "Board") of the County at a meeting held on April 9, 2013. The original of the resolution has been approved and authenticated by the signatures of the Chairman of the Board and myself as County Clerk and sealed with the seal of the County, and has been recorded in the minute book of the Board kept for that purpose in my office.

2. Said proceedings were duly had and taken as therein shown. The following Commissioners were present at said meeting and voted on the resolution as follows:

Those Voting Aye:

Weber
Berkbigler
Hunkle

Nays:

NONE

Absent:

JUNG
HARTUNG

3. All members of the Board were given due and proper notice of such meeting.

4. Public notice of such meeting was given and such meeting was held and conducted in full compliance with the provisions of NRS §540A.262 and NRS §241.020. A copy of the notice of meeting and excerpts from the agenda for the meeting relating to the resolution, as posted by 9:00 a.m. at least 3 working days in advance of the meeting at:

- (i) Washoe County Administration Complex
1001 East Ninth Street
Reno, Nevada
- (ii) Washoe County Courthouse
Virginia and Court Streets
Reno, Nevada
- (iii) Washoe County Library
301 South Center Street
Reno, Nevada
- (iv) Justice Court
1675 E. Prater Way #107
Sparks, Nevada

is attached as Exhibit "A".

5. No later than 9:00 a.m. at least 3 working days before such meeting, such notice was mailed to each member of the Board and to each person, if any, who has requested notice of meetings of the Board in the same manner in which notice is required to be mailed to a member of the Board.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the County
this April 9, 2013.


County Clerk

(SEAL)

EXHIBIT "A"

(Attach Notice of Meeting and Agenda)

EXHIBIT "B"

(Attach Affidavit of Publication of Notice)

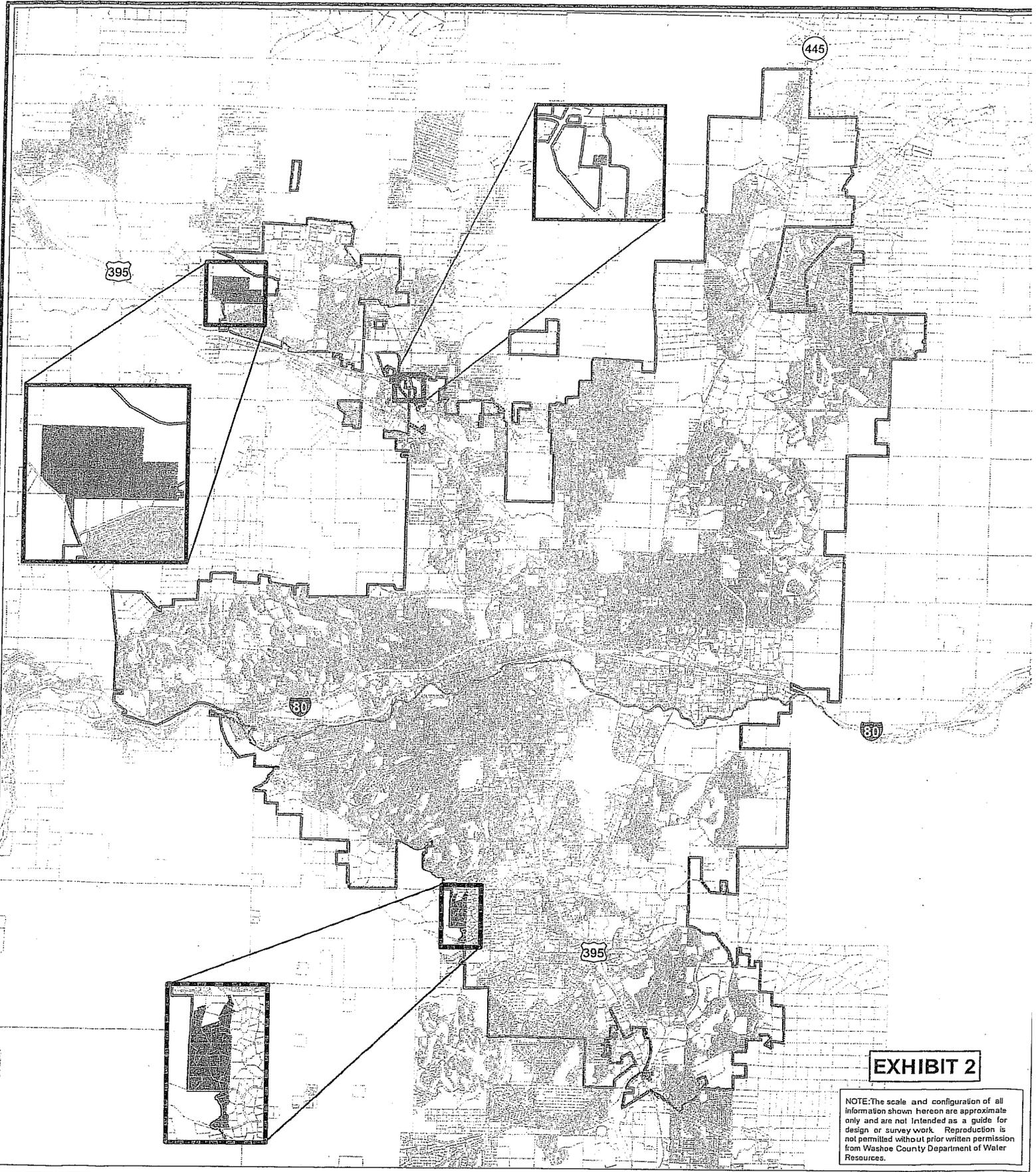


EXHIBIT 2

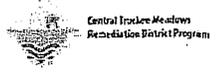
NOTE: The scale and configuration of all information shown hereon are approximate only and are not intended as a guide for design or survey work. Reproduction is not permitted without prior written permission from Washoe County Department of Water Resources.

-  Parcels added into the CTMRD Service Area Boundary
-  Parcels removed from the CTMRD Service Area Boundary
-  2012 Fee Year Boundary

**CENTRAL TRUCKEE MEADOWS
REMEDICATION DISTRICT
2013 FEE YEAR BOUNDARY**

(Parcels added or removed in calendar year 2012)

March, 2013



INTERLOCAL AGREEMENT

BETWEEN

WASHOE COUNTY, NEVADA

AND

THE NEVADA TAHOE CONSERVATION DISTRICT

This Interlocal Agreement ("Agreement") is entered into this 9th day of April ~~March~~, 2013 ("Effective Date") by and between Washoe County (the "County"), a political subdivision of the State of Nevada, and the Nevada Tahoe Conservation District (the "NTCD"), a political subdivision of the State of Nevada and organized under the provisions of N.R.S. Chapter 318.

RECITALS

WHEREAS, the parties are public agencies pursuant to N.R.S. 277.100 and N.R.S. 277.180(1) provides that any one or more public agencies may contract with any one or more other public agencies to perform any governmental service, activity, or undertaking which any of the contracting agencies is authorized by law to perform; and

WHEREAS, each party is authorized by the laws of the State of Nevada to perform or undertake governmental functions and responsibilities as separate legal entities; and

WHEREAS, the County and the NTCD will be able to provide more effective and efficient services by entering into this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants hereinafter set forth, the parties agree as follows:

- 1. EFFECTIVE DATE OF AGREEMENT AND TERM.** The term of this Agreement shall commence upon its Effective Date by approval and execution of the governing boards of both parties and will expire on December 31, 2014, unless sooner terminated in accordance with Paragraph 4 of this Agreement.
- 2. SERVICES PROVIDED.** NTCD or its authorized agents shall perform the services contained in the workplan attached as Exhibit "A" ("Services"). Services shall be performed by NTCD in accordance with Coordinated Best Management Practices ("BMP") Maintenance Program Development standards. The NTCD will use funds received from the County along with other funding sources to initiate a program that addresses the need for private party maintenance, as well as to support the local jurisdictions' goal of development of a framework to make Private Party BMP retrofit a sustainable component of the Lake Tahoe Total Maximum Daily Load (TMDL) approved by the United States Environmental Protection Agency on August 17, 2011. The TMDL is the subject of a proposed

13-279

cooperative arrangement among the Nevada Division of Environmental Protection, the Nevada Department of Transportation, Douglas County and Washoe County.

3. **PAYMENT FOR SERVICES.** The payment for Services shall not exceed \$20,000 and Services to be provided by NTCD are detailed in Exhibit "A."
4. **TERMINATION OF AGREEMENT.** Either party may terminate this Agreement without cause, provided that termination shall not be effective until thirty (30) days after the terminating party has served written notice upon the other party. The notice of termination may provide for the termination of all or only some of the services provided by NTCD to the County.
5. **CONFORMITY WITH COUNTY POLICIES.** The NTCD is entering into this Agreement with Washoe County with the understanding and agreement that NTCD shall comply with all County policies, procedures, processes and requirements of the Washoe County Purchasing Department.
6. **CONSTRUCTION OF AGREEMENT; GOVERNING LAW; ATTORNEYS FEES.** This Agreement shall be construed and interpreted according to the laws of the State of Nevada. In the event of any action for breach of, to enforce the provisions of, or otherwise involving this Agreement, each party shall bear its own attorneys' fees and costs incurred, including but not limited to, legal costs described in Nevada Revised Statutes Section 18.010 and costs of expert witnesses and consultants incurred by reason of such litigation. There shall be no presumption for or against the drafter in interpreting or enforcing the Agreement.
7. **COMPLIANCE WITH APPLICABLE LAWS.** The NTCD shall fully and completely comply with all applicable local, state and federal laws, regulations, orders, or requirements of any sort in carrying out the obligations of this Agreement.
8. **INDEMNIFICATION.** NTCD shall indemnify, defend and hold Washoe County harmless from and against any and all losses, claims, liabilities, damages to persons or property, costs and expenses, including reasonable attorneys' fees caused by any act or the omission of any act by NTCD or its agents or employees and which are made against or incurred by Washoe County resulting or arising from the performance of Services under this Agreement.
9. **SEVERABILITY.** The illegality or invalidity of any provision or portion of this Agreement shall not affect the validity of the remainder of the Agreement.
10. **NON-APPROPRIATION OF FUNDS.** All payments and services provided under this Agreement are contingent upon the availability of the necessary public funding. In the event that Washoe County does not receive the funding necessary to perform in accordance with the terms of the Agreement, the Agreement shall automatically terminate. Upon termination of this Agreement, with or without cause, Washoe County shall reimburse NTCD for all services it has provided under the workplan up to the date of termination. Washoe County shall not be liable, responsible or otherwise subject to penalty or loss for the failure to obtain additional funding sources or for the failure to budget for the necessary funding to

pay NTCD or its agents or for the failure to obtain or receive any grants, contributions or donations from other contributing governmental jurisdictions, federal or state, or from private entities or individuals.

- 11. **ASSIGNMENT.** The parties will neither accept assignment nor delegate any of the rights, obligations or duties conferred pursuant to the terms of this Agreement, unless by a prior, written assignment and/or delegation signed by the governing boards of both parties. This Agreement shall be binding upon and inure to the benefit of the parties' respective successors and assigns.
- 12. **ENTIRE AGREEMENT.** This Agreement constitutes the full and final agreement between the parties and shall not be modified except in writing and signed by both parties.
- 13. **NOTICE.** All written notices under the Agreement shall be mailed or hand delivered to the following officials at the addresses stated below:

Director
 Community Services Department
 Washoe County, State of Nevada
 1001 E. 9th Street
 Reno, NV 89512

Doug Martin
 District Manager
 Nevada Tahoe Conservation District
 Box 915
 Zephyr Cove, NV 89448

IN WITNESS WHEREOF, the parties hereto have caused this Interlocal Agreement between Washoe County and the Nevada Tahoe Conservation District to be executed.

On behalf of and with authority to sign for
 Washoe County:

On behalf of and with authority to sign for
 Nevada Tahoe Conservation District:

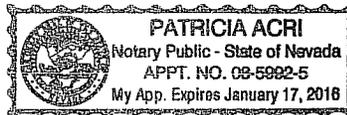
By: *David Humke* 4/9/13
 David Humke, Chairman (Date)

By: *Glen Smith* 3-29-13
 Glen Smith, Chairman (Date)

Attest:

Amy Harney
 Amy Harney
 Washoe County Clerk

STATE OF NEVADA)
 DOUGLAS) SS:
 COUNTY OF WASHOE)



On the 29th day of March 2013, personally appeared before me, a Notary Public, PATRICIA ACRI, who acknowledged that he/she executed the above instrument.

Patricia Acri
 NOTARY PUBLIC

EXHIBIT A

SCOPE OF WORK NEVADA TAHOE CONSERVATION DISTRICT BMP MAINTENANCE PROGRAM DEVELOPMENT

Washoe County, Nevada (County) requests assistance from the Nevada Tahoe Conservation District (NTCD) for a BMP maintenance program development in conjunction with the NTCD's funded efforts. It is the understanding of the County that these funds will be augmented in part with matching funds from other parties including EPA and possibly Douglas County.

Specific tasks required to be performed as a part of this project are as follows:

Coordinated BMP Maintenance Program Development (Listed as Task 5 of EPA/NTCD Community Watershed Planning Grant) As stated, the NTCD will use funds received with funds from other sources to initiate a program to address the need of private party maintenance, specifically to:

- Coordinate with Washoe and Douglas counties and associated stakeholder Project Advisory Committee (PAC) to begin planning for a maintenance program to be coordinated as appropriate with jurisdiction MOAs with NDEP regarding TMDL implementation.
- Use maintenance responsibility findings of EIP Catchment Credit Schedule in order to focus efforts and contact responsible parties to engage them in the program.
- Develop BMP maintenance programs at all levels.
- If desired by parties, initiate a BMP maintenance program with focus on individual parcels.
 - Set up tracking system for maintenance activities.
 - Determine BMP maintenance inspection guidelines.
 - Coordinate with local jurisdiction to determine incentives for property owners to perform in BMP maintenance.
 - Develop maintenance outreach program.
 - Utilize a qualified field staff to attempt to conduct field inspections and approach property owners for voluntary cooperation when BMP maintenance checklist shows there may be maintenance needs for the installed BMPs.
- Create a minimum of one BMP maintenance demonstration site showing examples of proper BMP maintenance.

Total Compensation: \$20,000 to be paid to the District on an accrual basis

The compensation assigned to each task is only an estimate and can be reallocated between tasks as necessary and upon written permission from the County.