

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

2:00 P.M.

AUGUST 23, 2005

PRESENT:

Bonnie Weber, Chairman
Bob Larkin, Vice Chairman
Jim Galloway, Commissioner*
David Humke, Commissioner
Pete Sferrazza, Commissioner

Amy Harvey, County Clerk
Katy Singlaub, County Manager
Paul Lipparelli, Legal Counsel

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

05-855 AGENDA

County Manager Katy Singlaub reviewed the potential changes to the agenda, and Commissioner Sferrazza requested a recess so he could evaluate the possible changes.

2:09 p.m. The Board recessed.

***2:15 p.m.** Commissioner Galloway arrived at the meeting, and the Board reconvened with all members present.

Chairman Weber explained the Commissioners report to the Manager's Office with questions and information before the meetings, and they suggest items that could be moved to consent. She requested the information with those requests be made available to the public at the meetings, and Ms. Singlaub confirmed that would be accessible in the future.

Discussion ensued concerning non-controversial items being moved to the consent agenda.

Sam Dehne, local resident, read bullets from the Open Meeting Law and stressed the agenda must be clear and complete. He stated the Board should resume Caucus meetings.

2:20 p.m. Commissioner Galloway temporarily left the meeting.

Gary Schmidt, Washoe County resident, declared Caucus meetings should be reinstated. He said the Commission was violating several laws by juggling items on the agenda, and the Board should move through the agenda in the order as presented.

In accordance with the Open Meeting Law, on motion by Commissioner Larkin, seconded by Commissioner Humke, which motion duly carried with Commissioner Galloway temporarily absent, Chairman Weber ordered that the agenda for the August 23, 2005 meeting be approved with the following changes: **Delete** Item 13, the Business Impact Statement related to the proposed ordinance to increase filing fees, 16F(2), an interlocal agreement regarding the Draft Truckee River Operating Agreement, and 18E, appointments to the Open Space and Regional Parks Commission.

2:27 p.m. Commissioner Galloway returned to the meeting.

05-856 **PUBLIC COMMENTS**

Guy Felton, area resident, read portions of the Open Meeting Law and declared there was nothing more important than following the law. He stated the Commissioners did not answer questions because they were intentionally hiding information about the people's business from the people, and he called them derogatory names.

Sam Dehne, local resident, commented on the Tahoe Reno Industrial Park, the 600 acres he owns in that area, and the resolution against the concept of the Patriot Act put forward by the Sparks City Council.

Al Hesson, Reno resident, read from various articles concerning the war in Iraq and commented on the leadership of President Bush.

Juanita Cox, area resident, read and presented statements regarding free speech, public comment, obeying the law, and unlawful enforcement activities of the government.

Gary Schmidt, Washoe County resident, gave report cards to each of the Commissioners, which graded them on citizenship and substance academia. He spoke negatively to the Board berating all members except Commissioner Sferrazza on their performance.

Katherine Snedigar, local resident, asked what action the Commission was taking concerning the Wildfire Mitigation Plan. She stated it was inaccurate, full of errors, and no one had come to the community to discuss it. She declared the State gave the County a mandate to send the Sheriff to pick up abandoned cows and strays, and she said the Board members were at risk for suits in their personal capacity because this mandate was not being enforced.

Later in the meeting, during consideration of the consent agenda, Commissioner Galloway requested the County Manager read the items that were moved into the consent agenda before the vote was taken.

COMMISSIONERS'/MANAGER'S ANNOUNCEMENTS

Commissioner Larkin presented a plaque to the Commission on behalf of the City of Sparks for the County's sponsorship of the Sparks Centennial.

Commissioner Galloway commented the Board had repeatedly reviewed with Legal Counsel and staff whether or not the Board was conducting the meetings in accordance with the Open Meeting Law. He said the Board was continually informed that they were in compliance with the Open Meeting Law. He suggested a standard statement be created and read before or after public comment at each meeting. Commissioner Galloway warned citizens about illegal conduct during meetings. He stated it would be a violation of the Open Meeting Law if the Board discussed and took action on something specific that was brought up by a citizen. He commented the Board did not approve the Wildfire Mitigation Plan, but sent it back to staff to amend and eliminate incorrect information.

Commissioner Sferrazza said he recently attended a meeting at the Spanish Springs Airport and was informed there was a potential problem in terms of code interpretation, which could be resolved by the Board of Adjustment. He asked staff to review and report on the matter of alleged harassment of airport employees by County staff. Commissioner Sferrazza commented on the tour of the City of Reno Redevelopment Area and requested staff express the Board's concerns to the Reno City Council. He noted the majority of the Commission was apprehensive about the Boomtown area being designated as a new redevelopment area.

Commissioner Humke commented the final approvals of the Moana Lane extension were discussed at a recent Regional Transportation Commission (RTC) meeting. He said RTC approved lighting for this roadway; and the completion of the extension would occur through a cooperative agreement between RTC, the City of Reno, and Sierra Pacific. Commissioner Humke thanked Councilmember Sferrazza for her letter of support, and Jackie Decker, citizen, for additional suggestions for safety on the roadway. He declared RTC was looking for support to improve the road from Moana Lane to Virginia Street and the intersection at Moana Lane and Kietzke Lane.

Chairman Weber requested use of \$500 of District 5 funds to support the Sun Valley Food Bank. She asked the Commissioners to consider a donation, as funds were needed to help families during the holidays. She acknowledged her support of the Northern Nevada Food Bank. She reported the new Sun Valley General Improvement District building was dedicated on August 18, 2005.

Commissioner Galloway asked for an agenda item concerning the use of approximately \$3,000 of District 1 funds for the purchase of portable bleachers for the

4-H Club and other groups that would be used at the Nevada State Fair. He asked staff to contact Greg Williams, Executive Director, to confirm the exact amount and requested it be on the earliest possible agenda.

Katy Singlaub, County Manager, commented she had directed staff to initiate the process for amendment of the Wildfire Mitigation Plan. She said she had received confirmation from Paul Hefner, Regional Fire Service Coordinator, that the work was underway. She said he was asked to visit the Citizens Advisory Boards and other citizen groups to inform them about the plan.

Commissioner Galloway commented citizens should submit specific concerns and changes regarding the plan, and Ms. Singlaub stated they could submit those to the Manager's Office or to Mr. Hefner.

05-857 2004 CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING - COMPTROLLER

County Manager Katy Singlaub congratulated Kathy Garcia, Comptroller, and staff on their outstanding achievement. She commented it was the 23rd year in a row the certificate had been awarded to the Comptroller.

Ms. Garcia read and presented the plaque to the Board. She acknowledged the Board for their support, and she recognized her staff for their dedicated efforts.

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, Chairman Weber ordered that the receipt of the 23rd annual Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association of the United States and Canada for the County's Comprehensive Annual Financial Report for the year ended June 30, 2004 be acknowledged and the award be returned to the Comptroller.

05-858 MINUTES

On motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried, Chairman Weber ordered that the minutes of the regular meeting of July 26, 2005 be approved.

05-859 APPOINTMENT – ORGANIZATIONAL EFFECTIVENESS COMMITTEE – MANAGEMENT SERVICES

On motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried, Chairman Weber ordered that Sam Males be appointed to the Organizational Effectiveness Committee (OEC) as a representative of District 2 with a term to expire December 31, 2007.

**05-860 APPOINTMENT – REGIONAL PLANNING COMMISSION –
COMMUNITY DEVELOPMENT**

On motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried, Chairman Weber ordered that William Weber be appointed to the Regional Planning Commission with a term from August 23, 2005 to June 30, 2008.

**05-861 REAPPOINTMENTS – RANCHO SAN RAFAEL ADVISORY
BOARD – PARKS**

Katy Singlaub, County Manager, corrected the staff report to read March 2003 instead of March 2005 under the previous action section. She said Karen Mullen, Regional Parks and Open Space Director, recommended staff return to the Rancho San Rafael Advisory Board and the Open Space and Regional Parks Commission to seek input as to what could be done to encourage participation in that advisory board.

On motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried, Chairman Weber ordered that Mary Winston, Sam Stern, and Dorismae Weber be reappointed as At-Large representatives and Frankie Lukasko be reappointed as the Neighborhood representative to the Rancho San Rafael Advisory Board with terms from July 1, 2005 to June 30, 2007.

05-862 RECLASSIFICATIONS – HUMAN RESOURCES

County Manager Katy Singlaub reviewed the agenda memorandum dated August 3, 2005 relating to the reclassification requests, and she noted the reasons for the increases in the salaries.

Upon recommendation of Joanne Ray, Human Resources Director, through John Berkich, Assistant County Manager, on motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried, Chairman Weber ordered that the following reclassifications submitted through the job evaluation and classification process be approved:

Department	Current Position	Pay Grade	Recommended Job Class	New Pay Grade
Human Resources	Senior Analyst	Q	Senior Analyst	P
Human Resources	Analyst II	N	Employment and Selection Manager	R
Public Works	Assistant Manager Roads Operations	O	Deputy Director of Public Works	U

05-863

**PURCHASE REQUISITION – CHILDREN'S CABINET AT
INCLINE VILLAGE - HEALTH**

Juanita Cox, local resident, commented private companies and groups should collect their own funding and not go to the government for their monies.

Commissioner Galloway said he shared the concerns of Ms. Cox regarding the giving of public money to private organizations. He emphasized State law confirmed the monies could only be given if there was a public benefit tied to the contribution. He favored establishing contracts with these organizations for specific tasks rather than giving general contributions.

County Manager Katy Singlaub remarked she serves on the Board of the Children's Cabinet in the Truckee Meadows, and the Children's Cabinet at Incline Village was a separate organization. She stressed she had no affiliation with the Children's Cabinet at Incline Village.

Chairman Weber confirmed she would be voting against the item because it was her personal belief that she could not support organizations that promote family planning. She said she would not speak against these organizations publicly, but she believed there were other organizations that would like the same opportunities given to these agencies.

Upon recommendation of Patsy Buxton, Health Analyst, through Eileen Coulombe, Administrative Health Officer, on motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried with Chairman Weber voting "no," it was ordered that the Purchase Requisition #3000003805 for fiscal year 2005/06 issued to Children's Cabinet at Incline Village pertaining to the Title X Family Planning Health Clinic on behalf of the Community and Clinical Health Services Division of the District Health Department in the amount of \$35,000 be approved.

05-864

**PURCHASE REQUISITION – PLANNED PARENTHOOD MAR
MONTE - HEALTH**

Katy Singlaub, County Manager, acknowledged the "Nevada Youth Risk Behavior Survey" and said the survey was used by the Washoe County School District to identify trends among young people that might be cause for alarm. She stated the report would be used by the Health Department to look at what issues needed to be addressed with youth in the community.

Commissioner Larkin voiced concerns about the "Methodology of the Youth Risk Behavior Surveillance System" that was presented to the Board. He asked what was being done regarding other high-risk behaviors and why this item was chosen from the report. He commented on the use of alcohol as reflected in the survey.

Ms. Singlaub pointed out this was one division of the Health Department that was dealing with this selected issue. She said that division was working on the problem that was their jurisdiction to address. She added staff works through the Juvenile Services Department and the School District, and she noted there were a variety of programs dealing with drug and alcohol abuse reduction.

Commissioner Larkin stated the report indicated these six risk factors, as outlined in the report, needed to be addressed jointly; and he asked for a future report on how the factors were being managed.

Chairman Weber confirmed she would be voting against the item because it was her personal belief that she could not support organizations that promote family planning. She said she would not speak against these organizations publicly, but she believed there were other organizations that would like the same opportunities given to these agencies.

Commissioner Sferrazza spoke in favor of the item because teen pregnancy was a critical issue in the community. He said it was important to give people a choice, and many people would not have access to family planning that was available to wealthier people without this program.

Commissioner Larkin requested an evaluation of the delivery methods concerning the six risk factors. He said the factors were critical to the overall community, and how the County approached these complex issues was vital. Commissioner Galloway agreed. Ms. Singlaub added she would like the Children's Cabinet included because the agency looked at a wide range of areas, such as: literacy, health, and risk behavior.

Upon recommendation of Patsy Buxton, Health Analyst, through Eileen Coulombe, Administrative Health Officer, on motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried with Chairman Weber voting "no," it was ordered that the Purchase Requisition #3000003806 for fiscal year 2005/06 issued to Planned Parenthood Mar Monte pertaining to the Title X Education Program on behalf of the Community and Clinical Health Services Division of the District Health Department in the amount of \$80,000 be approved.

**05-865 SUBLEASE AGREEMENT – ECOL PARTNERSHIP –
H.A.W.C. INC. – WIC PROGRAM - PUBLIC WORKS**

Upon recommendation of Mike Turner, Facility Management Division Director, through Tom Gadd, Public Works Director, on motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried, it was ordered that the Sublease Agreement between Washoe County and ECOL Partnership (Landlord), H.A.W.C. Inc. (Sublessor), concerning use of a portion of the building located at 1055 S. Wells Avenue for the Women, Infants, and Children (WIC) Program, be approved and Chairman Weber be authorized to execute the same. It was noted the sublease would

commence on September 1, 2005 and continue for a 36-month term at an annual expense of \$3,600. It was noted the funds are available in the Public Works Property Program cost center [161510-710600].

05-866 INTERNAL AUDIT – FRAUD, WASTE, AND ABUSE HOTLINE

Sam Dehne, local resident, stated there should not be internal audits, but only external audits. He declared a different audit team should be brought in each year.

Katy Singlaub, County Manager, said it was important to have an independent review, and she noted the Internal Audit Committee was made up of citizens who were appointed by the Board who had experience in auditing fraud, waste, and abuse. She explained the independent hotline would be voluntarily implemented; and it would allow for reporting by employees, citizens, or vendors of any fraud, waste, or abuse within Washoe County.

Commissioner Galloway agreed there should be external audits, and he requested staff look into that idea of rotating the auditor.

Commissioner Sferrazza said he serves on the Internal Audit Committee, and he asked that the reports come directly to the Commission in the future instead of through the County Manager.

Upon recommendation of Bill Mikawa, Internal Audit Manager, through Ms. Singlaub, on motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried, Chairman Weber ordered that the Fraud, Waste, and Abuse Hotline Policy and Procedure be approved.

05-867 ANNUAL REPORT - INTERNAL AUDIT DIVISION – FY 2004/05

Upon recommendation of Bill Mikawa, Internal Audit Manager, through Katy Singlaub, County Manager, on motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried, Chairman Weber ordered that the annual report from the Internal Audit Division for fiscal year 2004/05 be accepted.

05-868 SCHEDULE OF INTERNAL AUDITS – INTERNAL AUDIT DIVISION

Upon recommendation of Bill Mikawa, Internal Audit Manager, through Katy Singlaub, County Manager, on motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried, Chairman Weber ordered that the three-year audit schedule for the Internal Audit Division, submitted in accordance with Washoe County Code 15.560, be approved.

05-869 **AMENDMENT - TRUCKEE RIVER FLOOD MANAGEMENT
PROJECT COOPERATIVE AGREEMENT – DISTRICT
ATTORNEY**

County Manager Katy Singlaub commented representatives from Storey County and the Pyramid Lake Paiute Tribe would be added to the Truckee River Flood Project Coordinating Committee.

Upon recommendation of Melanie Foster, Assistant District Attorney, on motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried, it was ordered that the Amendment of the Truckee River Flood Management Project Cooperative Agreement, to change the total number of Coordinating Committee members to 22, to add a member appointed by the Storey County Commission and a member appointed by the Pyramid Lake Paiute Tribe to the non-decision-making members of the Committee, and to allow the designation of alternates by the decision-making non-elected Committee members be approved. It was further ordered that Chairman Weber be authorized to execute the same.

05-870 **TRUCKEE RIVER FLOOD PROJECT COORDINATING
COMMITTEE – NEW PROJECT DIRECTOR**

Upon recommendation of Michelle Pochè, Assistant County Manager, through Katy Singlaub, County Manager, on motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried, Chairman Weber ordered that the Truckee River Flood Project Coordinating Committee's selection of Naomi Duerr for the position of Truckee River Flood Management Project Director be approved.

05-871 **UNIFORM SYSTEM FOR JUDICIAL GRANT – JEFFERSON
AUDIO VIDEO SYSTEM - SPARKS JUSTICE COURT**

Sam Dehne, local resident, remarked on the number of grants received by Washoe County and said the County would be out of business without them.

Upon recommendation of Janine Baker, Sparks Justice Court Administrator, through Kevin Higgins, Justice of the Peace, on motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried, Chairman Weber ordered that the Uniform System for Judicial Records Grant award from the Administrative Office of the Courts, in the amount of \$29,500 with a cash match of \$21,517, be accepted. It was further ordered that a purchase requisition to Jefferson Audio Video Systems Inc. for the purchase and installation of Jefferson Audio Video Systems in Sparks Justice Court courtroom 2, in an amount not to exceed \$40,738, be approved. It was also ordered that the Finance Department be authorized to make the following budget adjustments:

Account Number	Description	Amount of Increase
IN 10496-432100	USJR Courtroom 1&2/State Grants	\$29,500
IN 10496-711504	USJR Courtroom 1&2/Equip <\$10,000	\$29,500

05-872 CORRECTION OF FACTUAL ERRORS - ASSESSOR

Upon recommendation of Susan Goodlett, Principal Account Clerk, on motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried, it was ordered that the following Roll Change Requests correcting factual errors and the Order directing the Treasurer to correct the error be approved and Chairman Weber be authorized to execute the same.

PROPERTY OWNER	PARCEL NO.	AMOUNT	ROLL
Donald P. Clark Ettr	007-303-01	[-\$3,283.75]	Secured
J. Robert & Carole K. Anderson	123-260-11	[-\$277.29]	Secured
Spanish Springs Investments LLC	007-217-05	[-\$174.58]	Secured
Wells Fargo Financial Leasing	2/190-489	[-\$51.53]	Unsecured

05-873 INTRASTATE INTERLOCAL CONTRACT – STATE OF NEVADA – INTENSIVE SUPERVISION PROGRAM – JUVENILE SERVICES

Katy Singlaub, County Manager, clarified the contract provided for two probation officers for two years with no local match for the County's Intensive Supervision Program. She explained the Intensive Supervision Program aimed to reduce the number of high-risk juveniles committed to institutions and to prevent long-term institutionalization of those youth.

Upon recommendation of Carol Galantuomini, Juvenile Services Division Director, through Leonard Pugh, Juvenile Services Director, on motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried, it was ordered that the intrastate interlocal contract between the Department of Juvenile Services and the State of Nevada, to provide funding for the salaries and benefits for two Probation Officers assigned to the Intensive Supervision Program for juvenile offenders for a two-year period from July 1, 2005 to June 30, 2007 in the amount of \$285,268, be approved. It was further ordered that the Chairman be authorized to execute the same. It was noted these monies are provided through Community Corrections Block Grant funding.

05-874 AWARD OF BID – SPRING CREEK NORTHEAST PHASE 2A WATER TRANSMISSION MAIN – PWP-WA-2005-310 WATER RESOURCES

This was the time to consider award of the bid for the Spring Creek Northeast Phase 2A Water Transmission Main for the Water Resources Department. The Notice to Bidders for receipt of sealed bids was published in the *Reno Gazette-Journal* on

July 20-21, 27-28, and August 3-4, 2005. Proof was made that due and legal Notice had been given.

Bids were received from the following vendors:

Northern Sierra Construction, Inc.
Z7 Development
B.M.S.W., Inc.
A&K Earthmovers, Inc.
Canyon Construction, Inc.

Upon recommendation of Alan Jones, Licensed Engineer, and Paul Orphan, Engineering Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried, Chairman Weber ordered that Bid No. PWP-WA-2005-310 for the Spring Creek Northeast Phase 2A Water Transmission Main for the Water Resources Department be awarded to Northern Sierra Construction, Inc. in the amount of \$844,855. It was further order that the Chairman be authorized to execute the contract documents upon receipt, and the Engineering Manager be authorized to issue the Notice to Proceed.

05-875 ADJUSTMENTS – 1996 SERVICE TERRITORY BOUNDARIES – WATER RESOURCES

County Manager Katy Singlaub commented the territory boundaries were located mainly in the Mogul/Verdi areas.

Upon recommendation of Vahid Behmaram, Water Rights Manager, and Paul Orphan, Engineering Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried, Chairman Weber ordered that adjustments to the 1996 service territory boundaries between Washoe County and Truckee Meadows Water Authority for APN 038-380-14, APN 038-380-15, APN 038-380-16, and APN 038-380-40 be approved.

05-876 ADJUSTMENTS – 1996 SERVICE TERRITORY BOUNDARIES – WATER RESOURCES

Katy Singlaub, County Manager, remarked the territory boundaries were located near Arrowcreek Parkway and South Virginia Street.

Upon recommendation of Vahid Behmaram, Water Rights Manager, and Paul Orphan, Engineering Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried, Chairman Weber ordered that adjustments to the 1996 service territory boundaries between Washoe County and Truckee Meadows Water Authority for

APN 044-320-12, APN 044-320-13, APN 044-320-45, and APN 044-320-49 be approved.

**05-877 AGREEMENT – LIFESTYLE HOMES, INC – CONNECTION OF
NANCY GOMES ELEMENTARY SCHOOL – WATER
RESOURCES**

County Manager Katy Singlaub recognized Lifestyle Homes, Inc. for their contribution to the project.

Upon recommendation of Joe Howard, Licensed Engineer, and Paul Orphan, Engineering Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried, it was ordered that an agreement between Washoe County and Lifestyle Homes, Inc., to facilitate the connection of Nancy Gomes Elementary School to the public wastewater system to eliminate the school's contribution to the nitrate contamination in Cold Springs Valley, be approved and Chairman Weber be authorized to execute the same.

**05-878 AWARD OF BID – 2005/06 STREET CUT PAVEMENT REPAIR
PROJECT - BID NO. PWP-WA-2005-324 – PUBLIC WORKS**

This was the time to consider award of the bid for the 2005/06 Street Cut Pavement Repair Project for the Incline Village area for the Public Works Department. The Notice to Bidders for receipt of sealed bids was published in the *Reno Gazette-Journal* on July 20, 2005. Proof was made that due and legal Notice had been given.

Bids were received from the following vendors:

Lakeside Paving
Blue Moon

Upon recommendation of David Price, County Engineer, through Tom Gadd, Public Works Director, on motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried, Chairman Weber ordered that Bid No. PWP-WA-2005-324 for the 2005/06 Street Cut Pavement Repair Project for the Incline Village area for the Public Works Department be awarded to Lakeside Paving in the amount of \$103,300. It was further ordered that the Chairman be authorized to execute the contract documents upon presentation.

05-879 **ENHANCEMENT GRANT – PYRAMID HIGHWAY PEDESTRIAN BIKE PATH - PARKS**

County Manager Katy Singlaub said the project was in the planning phase and would be implemented over several phases as the area developed. She remarked the bike path would improve safety along the Pyramid Highway.

John Bradbury, Spanish Springs resident, thanked Regional Parks and Open Space for pursuing the grant for the bike path. He commented on the enhanced safety it would bring to the area.

Upon recommendation of Kristine Bunnell, Park Planner, through Karen Mullen, Regional Parks and Open Space Director, on motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried, it was ordered that an Enhancement Grant in Federal TEA-21 funding from the Nevada Department of Transportation (NDOT) in the amount of \$415,924 be accepted. It was further ordered that a Stewardship Agreement between Washoe County and NDOT for receipt and expenditure of those funds to design and construct the Pyramid Highway Pedestrian and Bike Path be approved and Chairman Weber be authorized to execute upon presentation. It was also ordered that the Finance Department be directed to make the following budget adjustments:

Increase Fund 402-IN 10497 – 432100 (Federal Grant) \$415,924.
Increase Fund 402-PW920832-781080 (Project expense) \$415,924.

05-880 **GRANT – TREES FOR LAZY 5 REGIONAL PARK - PARKS**

County Manager Katy Singlaub remarked staff was pleased to receive this grant to support landscaping efforts at the Lazy 5 Regional Park.

John Bradbury, Spanish Springs resident, said citizens were looking forward to getting the new trees at the park, and he invited the Commissioners to help plant the trees in October.

Upon recommendation of Rosemarie Entsminger, Fiscal Compliance Officer, through Karen Mullen, Regional Parks and Open Space Director, on motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried, Chairman Weber ordered that a grant from the Nevada Division of Conservation and Natural Resources, Division of Forestry, Urban Forestry Grant Program for the purchase and planting of 47 trees, mulch, and tree care brochures at the Lazy 5 Regional Park in the amount of \$3,590 be accepted. It was further ordered that the Parks Director be authorized to execute all appropriate grant related documents and the Finance Department be directed to make the following budget adjustments:

Increase Fund 404-IN 10494 – 431100 (Federal Grants) \$3,590
Increase Fund 404-IN 10494 – 710371 (Horticulture Supplies) \$3,590

**ESTABLISH COMPENSATION – JUSTICE OF THE PEACE –
TOWNSHIP OF WADSWORTH – MANAGER'S OFFICE**

Katy Singlaub, County Manager, pointed out the Townships of Wadsworth and Gerlach were merged May 1, 2004.

Commissioner Sferrazza noted his concerns about hourly compensation, as specified in the agenda memorandum dated August 9, 2005. He said he had no problem with that as a methodology for computing a comparable salary, but he did not support tying the salary to hours worked because elected officials complete the job regardless of the number of hours required.

John Berkich, Assistant County Manager, agreed with Commissioner Sferrazza. He said this was a calculation to establish a fair and reasonable compensation for the amount of time necessary to complete the caseload for the Township of Wadsworth. He acknowledged it was roughly a half-time position.

Commissioner Galloway asked if the salaries, as outlined in the staff report, were based on the same methodology used to determine the salaries for the other Justices of the Peace. He inquired if that methodology was based on hours worked.

Mr. Berkich concurred, and he explained staff began with the assumption that the salaries for the Reno and Sparks Justices of the Peace were based on an average annual work year of 2,040 hours. In response to Commissioner Galloway, Mr. Berkich verified the Reno and Sparks Justices were paid twice as much because they were considered full-time positions. He confirmed the reference to hours could be taken out of the motion, and he expressed staff was attempting to establish this methodology for future use.

Chairman Weber acknowledged Judge Graham, Justice of the Peace of the Wadsworth Township, who was in attendance at the meeting. Chairman Weber inquired if the Justice of the Peace was an elected position and if the salary was posted at the time of an election. Mr. Berkich agreed. Chairman Weber noted concerns about the retroactive pay. Mr. Berkich explained in the calculation the adjustment in the salary was made to recognize the increase caseload due to the addition of Gerlach, and the growth in caseload since 2000 when the hours were first used to calculate the salary for this position. He noted while staff based the retroactivity as of May 1, 2004, Judge Graham assumed the responsibility for the Gerlach Court in September of 2003. Chairman Weber said she did not agree with the retroactive pay. Mr. Berkich offered the use of the word retroactive could be dropped from the motion, and the Board could set the salary effective as of May 1, 2004.

Commissioner Galloway asked if the other Justices received the same salary increase increments on the same dates, and Mr. Berkich confirmed the percentages were the same.

Juanita Cox, area resident, commented she had been an observer in this courtroom, and the Judge and staff performed excellent work. She said all of the courts deserve the salaries and percentages discussed under this item.

Upon recommendation of Mr. Berkich, through Ms. Singlaub, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, Chairman Weber ordered that the minimum compensation for the Justice of the Peace of the Township of Wadsworth be established in accordance with NRS 4.040 as follows:

1. Retroactively adjust the hours worked by the Wadsworth Justice of the Peace to 1,091 per year for purposes of salary computation.
2. An annual salary of \$58,369 be approved retroactively, effective May 1, 2004.
3. \$58,369 be confirmed as the minimum compensation for the position effective July 1, 2004.
4. Future increases in the salary of the Wadsworth Justice of the Peace be tied to the salaries paid to the Reno and Sparks Justices.
5. A five percent salary adjustment for the position be approved retroactively effective January 1, 2005, for an annual salary of \$61,292.
6. An additional five percent salary increase be approved effective January 1, 2006, for an annual salary of \$64,357.
7. A Memorandum of Understanding with the Wadsworth Justice of the Peace regarding the process the Board may consider when determining future salary adjustments for the position be approved.

05-882 **APPEARANCE – JOANNA AMBROZ – REGIONAL
TRANSPORTATION COMMISSION**

Tom Gadd, Public Works Director, explained the Public Works staff from Washoe County, Reno, Sparks, and the Regional Transportation Commission (RTC) had been working to develop a region wide process to select regional roads that were in need of rehabilitation or reconstruction. He said the selection process was designed to apply the right treatment to a regional road at the right time regardless of jurisdictional boundaries. Mr. Gadd introduced Joanna Ambroz, RTC Engineering; and he noted she was the individual mainly responsible for helping develop the process, along with the Public Works staff from Washoe County, Reno, Sparks, and RTC.

Ms. Ambroz presented a PowerPoint presentation entitled, "Regional Rehabilitation and Reconstruction Program" that outlined the new selection process for Rehabilitation and Reconstruction (R&R) of roads in the region. She commented on the accomplishment of the entire process.

The Board members asked several questions regarding the R&R selection process, and Ms. Ambroz provided the information.

Juanita Cox, area resident, suggested a regional utility group be formed to work with the R&R process. She said utility work needed to be completed before roads were finished.

Ms. Ambroz noted the utility organizations gathered on a regular basis to address concerns, and they reviewed projects for all types of pavement treatments. She said a project would be postponed to avoid cuts in brand new pavement.

Upon recommendation of Mr. Gadd, on motion by Commissioner Larkin, seconded by Commissioner Humke, which motion duly carried, Chairman Weber ordered that the Rehabilitation and Reconstruction process developed by staff from Washoe County, Reno, Sparks, and RTC be accepted and endorsed.

05-883 PURCHASE – THERMAL IMAGING CAMERAS – SHERIFF

County Manager Katy Singlaub stated the Falcon's Nest Program was a bid program through the State of Nevada, and the items were bid and competitively awarded.

Commissioner Sferrazza inquired how the cameras would be used and for what purpose. Sita Singh, Homeland Security Deputy, responded the four cameras would be used for surveillances in Search and Rescue situations and/or in Homeland Security related circumstances.

Commissioner Galloway asked if a warrant was needed to do this type of surveillance, and Deputy Singh verified a warrant was not required.

Lieutenant Kelly, Patrol Division, commented certain case law existed regarding these type of devices, and a search warrant would be required if they were used to look into a residence. He emphasized these cameras would be used for outdoor situations, and he gave examples.

Ms. Singlaub clarified the items were thermal imaging systems and not cameras that would take a detailed picture. She noted the cameras were totally passive and non-intrusive.

Upon recommendation of Jim Lopey, Assistant Sheriff, and Deputy Singh, through Dennis Balaam, Sheriff, on motion by Commissioner Galloway, seconded by

Commissioner Humke, which motion duly carried, Chairman Weber ordered that the purchases of Thermal Imaging Cameras (funded under the Office of Domestic Preparedness 2004 State Homeland Security Program) in the amount of \$42,000 and Personal Protective Equipment for local law enforcement (funded under the Office of Domestic Preparedness 2005 State Homeland Security Program) in the amount of \$70,308 be approved. It was further ordered that the Finance Department be authorized to make the following budget adjustment:

Thermal Imaging Cameras - Office of Domestic Preparedness 2004 Grant

\$16,064 budget authority in 10475-781004 [Washoe County Sheriff's Office SHSP-Equipment > \$10,000] needs to be moved to 10475-711504 [Washoe County Sheriff's Office SHSP-Equipment < \$10,000]. There is sufficient budget authority in 10475-781004 [Washoe County Sheriff's Office SHSP-Equipment > \$10,000] to cover the \$25,936 in items that are considered capital outlay.

Personal Protective Equipment - Office of Domestic Preparedness 2005 Grant

\$70,308 budget authority in 10488-710119 [Washoe County Sheriff LETPP FFY 05/Sub Recipient Payments] needs to be moved to 10488-711504 [Washoe County Sheriff LETPP FFY 05-Equipment < \$10,000] to cover this expense.

It was noted the items were supplied by the Nevada Department of Public Safety's Falcon's Nest Program.

05-884 SOLE SOURCE PURCHASE – COMMUNICATIONS/RADIO EQUIPMENT – SHERIFF

County Manager Katy Singlaub remarked the Purchasing Department checked with the Thomas Manufacturing Website, and they were unable to find any other manufacturer of such equipment.

Commissioner Sferrazza commented it appeared many of the Homeland Security items were coming in with sole source justifications, and he asked why that was the case.

Russ Pedersen, Sergeant, Regional Aviation Enforcement (RAVEN) Unit and Search and Rescue, explained that was the procedure they were previously following under state and federal guidelines, but now they would be going out to obtain bids.

Juanita Cox, area resident, said Sheriff Balaam assured her the helicopters were not being used to peer into the backyards of citizens. She said the purchases were good because they would assist with the safety of law enforcement as they apprehended offenders.

Gary Schmidt, Washoe County resident, voiced his support for the items and offered potential uses of thermal imaging cameras and helicopters. He remarked

elected officials and citizens must place necessary safeguards to prevent the abuse of technology.

Commissioner Galloway commented new privacy and legal issues become a factor with breakthroughs in technology. He stated elected officials and citizens should alert their Legislators if they see abuses.

Upon recommendation of Sergeant Pedersen, through Dennis Balaam, Sheriff, on motion by Commissioner Larkin, seconded by Commissioner Humke, which motion duly carried, Chairman Weber ordered that the sole source purchase and installation of new communications/radio equipment in RAVEN's Bell HH-1H "Huey" helicopter by Paravion Technology, Inc. from State Homeland Security (Office of Domestic Preparedness 2005) grant funding, in the amount of \$49,908.36 unbudgeted capital outlay, be approved. It was further ordered that the Finance Department be authorized to make the following budget adjustments:

Account/Title	Inc/(Dec)
10488-710119 [WC Sheriff LETPP FFY 05/Sub Recipient Payments]	(\$49,908.36)
10488-781004 [WC Sheriff LETPP FFY 05/Equipment > \$10,000]	\$49,908.36

05-885 PROFESSIONAL SERVICES AGREEMENT – PATRICK DOLAN
– PERSONNEL/LABOR ISSUES – SHERIFF

County Manager Katy Singlaub pointed out Patrick Dolan had represented the Sheriff's Office in labor issues that required a high degree of skill and experience. She clarified he supported the Sheriff's Office on matters of discipline and federal labor law, and he did not participate in labor negotiations.

Commissioner Sferrazza said this contract had not been through the Request for Proposal (RFP) process, and he asked why. He noted the Board adopted a rule that contracts would go out for RFP every three years.

Ms. Singlaub stated this item came directly from the Sheriff's Office, and the professional services agreement provided cost effective support to the Sheriff. She stated the Sheriff's Office was the County's largest department and had the greatest number of labor issues, and Mr. Dolan had provided excellent service to the Sheriff in this regard.

Commissioner Sferrazza asked if the established rule by the Board did not apply to the Sheriff's Office, and he inquired if it was correct that the District Attorney's Office was not capable of providing this service.

Paul Lipparelli, Legal Counsel, stated the attorney/client relationship was unique, and the Sheriff's Office expressed confidence in Mr. Dolan and in this relationship. He said for that reason it may bear exemption from the Board's usual rules as to competitive bidding of contracts. Mr. Lipparelli explained it would take the District

Attorney's Office a great amount of time to accumulate the expertise and experience in the Sheriff's Office labor matters to be in a position to replace Mr. Dolan's services. He affirmed the agreement worked, and the District Attorney's Office supported continuing the relationship.

Commissioner Galloway stated Mr. Dolan was almost a direct representative of the Sheriff, and he believed it would qualify for exemption to the extent that the Board could use discretion on these matters. He noted it was not uncommon for a certain number of key staff positions to be filled at the discretion of the Sheriff.

Commissioner Sferrazza declared he could not support the item without completing the RFP process. He said no department should be exempt from the requirements, and the purpose was to provide a competitive opportunity for all people in the community. He emphasized an RFP could be completed; Mr. Dolan was not an employee of the County; and he was not guaranteed lifetime employment.

Gary Schmidt, Washoe County resident, agreed with Commissioner Sferrazza's position. He stated departments should be able to select and hire counsel of their choice within reason and within the process of government.

Upon recommendation of Dianne Nicholson, Undersheriff, through Dennis Balaam, Sheriff, on motion by Commissioner Humke, seconded by Commissioner Larkin, which motion duly carried with Commissioner Sferrazza voting "no," it was ordered that a professional services agreement between Washoe County and Patrick Dolan, concerning personnel/labor issues for the period of July 1, 2005 to June 30, 2006 for fiscal year 2005/06 in the amount of \$75,000, be approved and Chairman Weber be authorized to execute the same.

Ms. Singlaub noted statute specifically exempts professional services agreements from having to be competitively bid. She said the Board had elected to establish a policy to place items out to bid. She confirmed professional services could be awarded to the best quality supplier, and it was provided in statute that it did not have to be the lowest provider.

05-886 PURCHASE – DATAWORKS MUGSHOT SYSTEM – SHERIFF

Katy Singlaub, County Manager, stated this purchase involved the upgrade of an existing system versus purchasing new equipment. She said the system linked to a nationwide database, and staff advised her it would be less expensive to upgrade the existing system as compared to buying a new one.

Upon recommendation of Mike Burdett, Buyer, through John Balentine, Purchasing and Contracts Administrator, Matt Beckstedt, Information Technology Director, and Dennis Balaam, Sheriff, on motion by Commissioner Humke, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Weber ordered that the purchase of the Dataworks "Mugshot" system from Dataworks, Inc. in the amount of

\$115,718 be approved. It was further ordered that the entire project, including interfaces to the existing Tiburon System by Tiburon and acquisition of server, pc's and printer hardware, as outlined in Attachment A to the agenda memorandum, be approved. It was also ordered that the Purchasing Contracts Administrator be authorized to execute subsequent vendor contracts for a total cost of \$180,989.65. It was noted the funds were budgeted for this fiscal year as part of the CIP technology project fund.

4:41 p.m. The Board recessed.

5:23 p.m. The Board reconvened with all members present.

05-887 **BILL NO. 1453 - AMENDING WCC CHAPTER 20 - INCREASING FILING FEES TO OFFSET COSTS OF PROVIDING PRO BONO PROGRAMS**

Bill No. 1453 entitled “AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY INCREASING A FILING FEE TO OFFSET COSTS OF PROVIDING PRO BONO PROGRAMS AND LEGAL SERVICES WITHOUT CHARGE TO ABUSED OR NEGLECTED CHILDREN AND VICTIMS OF DOMESTIC VIOLENCE,” was introduced by Commissioner Sferrazza, the title read to the Board, and legal notice for final action of adoption directed.

05-888 **TRUCKEE RIVER FLOOD PROJECT COORDINATING COMMITTEE**

Commissioner Sferrazza said he would withdraw as a representative on the Truckee River Flood Project Coordinating Committee.

On motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, Chairman Weber ordered that Commissioner Sferrazza be withdrawn as a representative on the Truckee River Flood Project Coordinating Committee and Commissioners Larkin and Humke be appointed. It was further ordered that Commissioner Sferrazza serve as first alternate, Commissioner Galloway second alternate, and Chairman Weber third alternate.

05-889 **SELECTION - 7TH MEMBER TRUCKEE MEADOWS WATER AUTHORITY BOARD - MANAGER**

Katy Singlaub, County Manager, read the proposed amendment concerning the Governing Body of the Truckee Meadows Water Authority (TMWA) as stated in the agenda memorandum dated August 10, 2005.

Commissioner Sferrazza supported the amendment and said the position of the 7th member needed to be filled. He remarked the amendment would place the County into the rotation for the 7th member every six years.

Chairman Weber remarked the 7th member should be appointed from the County. She said she was not in support of the rotation, but would consider the consensus of the Board.

Commissioner Galloway endorsed the proposal and said in the future there might be an opportunity to have more representation for the County.

Paul Lipparelli, Legal Counsel, said the Joint Powers Authority agreement could be amended and approved by each governing body of the three entities. He said this item indicated the Board supported a future action to amend the agreement, but not the act of amending the agreement itself.

Commissioner Galloway noted the Board was approving the amendment as written, thus preventing any further changes. Mr. Lipparelli said the Board could take action with regard to the selection of the 7th member and authorize the County Manager or the Chairman to sign an addendum to the Joint Powers Authority agreement pursuant to the language on the agenda.

Commissioner Larkin asked for the percentage of use by each entity. Ms. Singlaub replied she did not have the current statistics, but at the time TMWA was acquired from Sierra Pacific approximately 70,000 customers were in the TMWA service area. She said of those approximately 10,000 were residents of unincorporated Washoe County with the remainder divided between the Cities of Reno and Sparks.

Gary Schmidt, Washoe County resident, suggested non-elected officials be appointed to this Board.

Ms. Singlaub said since the inception of TMWA, the 7th member was required to be an elected official. She said originally it was approved by the Commission and the Cities of Reno and Sparks to have a 7th member selected by all three jurisdictions. Ms. Singlaub explained it was intended to build consensus and cooperation among the three jurisdictions.

Commissioner Galloway was concerned TMWA tended to make decisions with regard to benefiting one jurisdiction over another. He said an elected official should remain on the Board until that was resolved.

On motion by Commissioner Larkin, seconded by Commissioner Sferrazza, which motion duly carried with Commissioner Humke voting "no," Chairman Weber ordered that the staff report with the suggested wording in the proposed amendment be accepted. It was further ordered that the County Manager or the Chairman be authorized to sign any future interlocal agreement changes.

05-890

**RESOLUTION OF INTENT - GENERAL OBLIGATION
(LIMITED TAX) WATER BONDS - WATER RESOURCES**

Katy Singlaub, County Manager, remarked this resolution began the 90-day notice of intent to issue debt. She said these were general obligation water bonds additionally secured by pledged revenues and were fully funded by the ratepayers.

Jerry McKnight, Water Resources Finance Division Manager, said there was a provision in the bond covenant that stated, should the revenues decline or connection fees not be adequate, the rates could be raised in order to insure this continued to be paid by the ratepayers and not the general fund.

Upon recommendation of Mr. McKnight, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the following Resolution of Intent be adopted and Chairman Weber be authorized to execute the same:

RESOLUTION NO. 05-890

A RESOLUTION OF INTENT, PROPOSING THE ISSUANCE OF, AND AUTHORIZING THE PUBLICATION OF NOTICES RELATING TO GENERAL OBLIGATION (LIMITED TAX) WATER BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES) SERIES 2005 IN THE MAXIMUM PRINCIPAL AMOUNT OF \$65,000,000 FOR THE PURPOSE OF FINANCING THE FOLLOWING PROJECTS IN THE FOLLOWING APPROXIMATE PRINCIPAL AMOUNTS: LONGLEY LANE WATER TREATMENT FACILITY \$5,000,000, HIDDEN VALLEY WATER SYSTEM \$1,400,000, LEMMON VALLEY WATER SYSTEM \$1,150,000, SOUTH TRUCKEE MEADOWS WATER TREATMENT FACILITY \$41,000,000, SPANISH SPRINGS WATER SYSTEM \$7,750,000, PLEASANT VALLEY INTERCEPTOR, \$4,200,000, SPANISH SPRINGS WASTEWATER TREATMENT CAPACITY \$2,000,000 AND OTHER WATER SYSTEM IMPROVEMENTS \$2,500,000; PROVIDING THE MANNER, FORM AND CONTENTS OF THE NOTICES THEREOF; PROVIDING OTHER MATTERS PROPERLY RELATED THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF.

WHEREAS, Washoe County in the State of Nevada (the "County" and the "State", respectively) is a County duly organized and created under the provisions of Nevada Revised Statutes ("NRS") Section 243.340; and

WHEREAS, the County now owns and operates a municipal sewer system (the "Sewer System") and municipal water system (the "Water System"; collectively, the "Utility System"); and

WHEREAS, the Board of County Commissioners of the County (the "Board") has determined and hereby declares that the public interest, health and welfare necessitates acquiring, constructing, improving and equipping of water projects and sewerage projects within the County, including, but not limited to facilities pertaining to the County's Sewer System, Water System and drainage and flood control system as provided in NRS 244A.056 and 244A.0505 (the "Project"); and

WHEREAS, pursuant to NRS 244A.011 through 244A.065, inclusive, and pursuant to chapter 350 of NRS and all laws amendatory thereof which includes the Local Government Securities Laws, being 350.500 through 350.720, NRS, and all laws amendatory thereof, the County is authorized to borrow money and to issue general obligation bonds of the County for the purpose of defraying wholly or in part the cost of the Project; and

WHEREAS, the Board proposes to issue up to \$65,000,000 of general obligation water and sewer bonds of the County (the "Bonds") for the Project; and

WHEREAS, such Bonds will be additionally secured by a pledge of net revenues of the Utility System of which the Project is a part (the "Pledged Revenues"); and

WHEREAS, based on a revenue study previously presented to the Board, the Board has determined that the "Pledged Revenues" will at least equal the amount required in each year for the payment of interest and principal on the Bonds; and

WHEREAS, the Board proposes to incur this general obligation without an election unless a petition signed by the requisite number of registered voters of the County who together with any corporate petitioners represent the requisite assessed value of the taxable property of the County is presented to the Board requiring the Board to submit to the qualified electors of the County for their approval or disapproval the following proposal:

GENERAL OBLIGATION (LIMITED TAX) WATER AND SEWER BOND ADDITIONALLY SECURED BY PLEDGED REVENUES PROPOSAL:

Shall the Board of County Commissioners of Washoe County in the State of Nevada, be authorized to incur a general obligation indebtedness on behalf of the County

by the issuance at one time, or from time to time, of the County's general obligation (limited tax) water and sewer bonds, in one series or more, in the aggregate principal amount of not exceeding \$65,000,000 for the purpose of financing, wholly or in part, the acquisition, construction, improvement and equipment of water projects, including, but not limited to, facilities pertaining to a County water system as provided in NRS 244A.056 and sewerage projects, including, but not limited to, facilities pertaining to a County sewer system and drainage and flood control system as provided in NRS 244A.0505, such bonds to mature commencing not later than five (5) years from the date or respective dates of the bonds and ending not later than thirty (30) years there from, to bear interest at a rate or rates not in excess of the statutory maximum rate in effect at the time bonds are sold, to be payable from general (ad valorem) taxes (except to the extent pledged revenues and other moneys are available therefore), and to be issued and sold at par, or below or above par, and otherwise in such manner, upon such terms and conditions, and with such other detail as the Board may determine, including at its option but not necessarily limited to provisions for the redemption of bonds prior to maturity without or with the payment of a premium? (the "Proposal"); and

WHEREAS, pursuant to NRS 350.011 to 350.0165, inclusive, the Board has submitted the Proposal to the Debt Management Commission of Washoe County (the "Commission"); and

WHEREAS, the Commission has heretofore approved the Proposal; and

WHEREAS, subsection 3 of NRS 350.020 in effect provides that if the payment of a general obligation of the County is additionally secured by a pledge of the net revenues of a project to be financed by its issue, and the governing body (i.e., the Board) determines that the pledged revenues will at least equal the amount required in each year for the payment of interest and principal, the County may incur the general obligation without an election, unless a petition requesting an election signed by 5 percent of the registered voters in the County is presented to the Board within 90 days after the publication of a notice of the adoption of this resolution of intent; and

WHEREAS, Subsection 3 of NRS 350.020 also requires that a public hearing be held before the Bonds are issued.

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

Section 1. This resolution shall be known as and may be cited by the short title "Resolution of Intent to Issue 2005 Water and Sewer Bonds" (this "Resolution").

Section 2. All action heretofore taken (not inconsistent with the provisions of this Resolution) by the Board and the officers of the Board directed:

- (a) Toward the Project to be financed by the Bonds; and
- (b) Toward the issuance of the Bonds to defray, in part, the cost thereof, be, and the same hereby is, ratified, approved and confirmed.

Section 3. The County and the officers of the County be, and they hereby are, authorized and directed to publish a notice of the adoption of the resolution of intent relating to the Board's proposal to issue the Bonds in a newspaper of general circulation in the County, at least once, such notice to be published, was placed on file with the Clerk.

Section 4. The County Clerk is authorized and directed to publish once, at least 10 days before the date of the public hearing described in the following notice, in a newspaper of general circulation in the County a notice of public hearing, at least as large as 5 inches high by 4 inches wide, to be published, was placed on file with the Clerk.

Section 5. A public hearing on the Bonds is hereby ordered to be held before the Board at the time, date and place specified in the notice set forth in Section 4 hereof, or as otherwise specified by the Director of Finance of the County.

Section 6. The Bonds, in the event no petition is filed during the period allowed by NRS 350.020(3), shall be authorized by an ordinance or ordinances to be effective after the expiration of the above specified period of publication.

Section 7. The authority to issue the Bonds designated in the Proposal set forth in the notice shall be deemed and considered a continuing authority to issue and deliver the Bonds designated in such Proposal at one time or from time to time, in one series or in more than one series, all as ordered by the Board. Neither the partial exercise of the authority so conferred nor the lapse of time shall be considered as exhausting or limiting the full authority so conferred.

Section 8. The officers of the Board be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution.

Section 9. All resolutions, or parts thereof, in conflict with the provisions of this resolution, are hereby repealed to the extent only of such inconsistency. This

repealer shall not be constructed to revive any resolution, or part thereof, heretofore repealed.

Section 10. If any section, paragraph, clause or other provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or other provision shall not affect any of the remaining provisions of this resolution.

Section 11. This resolution shall become effective and be in force immediately upon its adoption.

**05-891 PROFESSIONAL SERVICES CONTRACT - CH2M HILL -
WATER RESOURCES**

Commissioner Galloway questioned awarding additional contracts to CH2M Hill for the water treatment facility in the South Truckee Meadows area. Rick Warner, Senior Licensed Engineer, replied CH2M Hill was awarded the contract for the Engineering Design work and Construction Management for the Longley Lane Treatment Facility, which was one of the 17 drinking water systems. He described the 17 water systems as stated in the agenda memorandum dated August 9, 2005. Mr. Warner said, within this professional services contract, CH2M Hill would consider three specific systems.

Paul Lipparelli, Legal Counsel, said this contract did not exceed the notice as stated on the agenda.

Mr. Warner said a provision in the professional services contract stated the company awarded this contract would also look at minor system improvements to the remaining water systems.

In response to Commissioner Sferrazza, Mr. Warner replied there was a formal request for proposal (RFP) issued in February of 2005; and staff received formal written proposals from two firms, CH2M Hill and HDR.

Commissioner Larkin was concerned the same staff members from CH2M Hill were involved in the other contracts the County recently awarded to them. He said the difference in the variances between the two bidding companies were minor, and the justification for moving to CH2M Hill did not appear to be warranted by the language included in the report. Commissioner Larkin said he was concerned the project team was the same team collaborating on other contracts the Board approved.

Commissioner Galloway commented he did not want to create a perception of one company receiving all the contracts. He remarked this was a two-person evaluation team and suggested a broader based team to include other parties.

Commissioner Sferrazza said he previously requested that a Commissioner be involved in evaluations as a normal practice and at least one Commissioner should serve on an RFP review.

In response to Commissioner Humke, Mr. Warner said comments from the consultants were always submitted. He said staff chose the most qualified firm regardless of previous contracts or on-going work. Commissioner Humke commented the scoring format had only two raters for the County.

Commissioner Galloway asked if staff could review the evaluations and include five reviewers; one appointed by the County Commission, two appointed by County management and two from the water division to determine scoring. Commissioner Galloway commented if the ratings achieved the same conclusion he would not have a problem approving.

Commissioner Sferrazza was concerned with the methodology. He said price was not a factor in selection in the private sector. He understood with an RFP a bid was not being done, but the price proposal for the cost should be one of the factors evaluated; and he did not see that in this RFP. He requested that be added to future RFP's. Mr. Warner stated the engineering profession had to base their selection on qualifications, not price.

Jerry McKnight, Water Resources Finance Division Manager, said there was a statute pertaining to the engineering profession in State law, which specifically precluded selection on price rather than qualifications. Mr. McKnight remarked if staff could not arrive at acceptable terms during those first negotiations with a bidder, they would proceed to the next qualified bidder. He said the engineering staff looked at what they believed a project would require professionally and negotiated that with the engineering firm. He said if that firm concurred within the realm of reasonableness, staff would make that recommendation to the Board.

Mr. Lipparelli reminded the Board this was a professional service. He said, other than the good judgment of the Commission, no requirement was needed by the County in awarding the contract. He said the Board may have a policy to require certain steps be taken to select those professionals, but there was no legal requirement for a bidding process.

Commissioner Larkin moved to delay this for 30 days, to direct staff to add a third evaluator with CH2M Hill and HDR, to have the HDR Engineering project staff's qualifications presented to the Board, and to return to the Board for review. Commissioner Humke seconded the motion.

Commissioner Galloway asked if the weightings were built into the requests for qualifications (RFQ's). Mr. Warner agreed. Commissioner Galloway requested the motion include two additional evaluators from Water Resources. Commissioners Larkin and Humke concurred.

Commissioner Sferrazza favored the previous system for all RFP's and RFQ's to have at least one Commissioner involved.

In response to Commissioner Larkin, Mr. Lipparelli said in the context of the professional services contract, it was not a concern for a Commissioner to sit on a review panel for a contract that would be voted on later. He said in a different context where the Board was required to award to a low bidder, it would be difficult for a Commissioner to sit on the evaluation process because the bidders would not know if the judgment of the Commissioner was formed after he or she performed their role as a screener, or if the Commissioner evaluated the bid after a due process period.

Commissioner Sferrazza said having a broader based review was a better practice.

On call for the question, the motion passed on a 5-0 vote.

05-892 **CONTRACT - PWP-WA-2005-323 - 2005/06 STREET CUT
PAVEMENT REPAIR PROJECT - PUBLIC WORKS**

Katy Singlaub, County Manager, noted proposals were solicited; however, none were received. She said staff returned to Granite Construction and received a proposal for the Incline Street Cut and Pavement repair project. Ms. Singlaub commented staff did not want to re-bid since work had to be completed by September.

Tom Gadd, Public Works Director, noted the contract awarded to Granite Construction last year included a provision for the contract to be extended an additional year.

Upon recommendation of David Price, Engineer, through Mr. Gadd, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that the 2005/06 Street Cut Pavement Repair Project for the Truckee Meadows Area be renewed to Granite Construction Company in the amount of \$165,300 and Chairman Weber be authorized to execute the contract documents upon presentation.

05-893 **PARKING SOLUTIONS - MILLS B. LANE JUSTICE CENTER**

Tom Gadd, Public Works Director, said parking for the Mills Lane Justice Center was an issue with the City of Reno. Mr. Gadd reviewed a presentation explaining the short-term and long-term parking solutions that would also be shown at the Reno City Council meeting on August 24, 2005.

Commissioner Humke asked if parking was referenced in the 2002 Interlocal Agreement. Mr. Gadd replied the Interlocal Agreement provides for 58 spaces for the City of Reno.

In response to Commissioner Sferrazza, Mr. Gadd replied there was sufficient space within the Galleria parking garage for the 58 spaces during the day. Commissioner Sferrazza asked about pursuing the surface parking with the variance. He said the Reno City Council would support that if the County had a long-term plan for the site for a specific period of time. Mr. Gadd responded staff was pursuing that, but the City of Reno and the Redevelopment Committee were not receptive. He said a new request for proposal (RFP) would be sent out that was more specific to a parking structure.

Commissioner Galloway inquired about tax-exempt bonds. Mr. Gadd said staff was working with Finance on the bond issue. He said the RFP was too broad and not focused on the real need of a parking structure that included retail space for the downtown area.

In response to Chairman Weber, Mr. Gadd said initially staff looked at paving the Pioneer lot. He said a better short-term solution would be to rent spaces for a year and build a parking structure, which could be built on the Pioneer property during an 18-month period. Chairman Weber asked, in the short-term, could the County consider off-site parking, a shuttle, incentives for ride sharing, or a lottery for employee parking. Mr. Gadd stated those issues had been discussed, and staff had tried to arrive at solutions to arrange shuttles; however, the cost would rise rapidly when other vehicles and people to operate those vehicles were involved.

Paul Lipparelli, Legal Counsel, commented because the Pioneer site was purchased with tax-exempt bonds, that property was subject to the 10 percent rule unless the County took down the old bonds and replaced them with new ones. He remarked the ownership of the problem belonged to the City and the County and needed to be solved through contributions of both entities.

In response to Commissioner Sferrazza, Mr. Gadd replied there were no defined parking requirements for Municipal Court. He said the agreement with the City of Reno was to provide them with 58 spaces of parking within 1,000 feet of the Mills Lane Justice Facility.

Katy Singlaub, County Manager, commented the City of Reno was seeking the Board's commitment to solving the long-term shared parking problem and noted the Board would ask the same commitment from the City.

Gary Schmidt, Washoe County resident, said this mess was an example of the government and their abuse of powers by ignoring the will of the people and wasting \$13-million of taxpayer money to buy the Pioneer site. Mr. Schmidt believed the Pioneer site was bought to bail out a good old boy from a failing casino.

Commissioner Galloway commented a previous Commission did not buy the Pioneer site to please a downtown property owner. He said the decision to keep the courts downtown was aimed at revitalizing a struggling downtown economy at that time.

Commissioner Sferrazza said the vote to purchase the property was done prior to any vote on the courthouse. He said the purchase of that property was not in violation of the vote of the people.

Chairman Weber requested this item return monthly via memorandum for updates.

05-894 ROUNDABOUT - EAGLE CANYON WAY AND ALENA DRIVE

Tom Gadd, Public Works Director, reviewed a presentation which answered inquiries previously brought by the Board relating to the proposed roundabout at the intersection of Eagle Canyon and Alena Drive.

Paul Kanitra, Reno Sparks Indian Colony, thanked the Engineering Department for working with the Colony over the past 30 days. He said the citizens of Hungry Valley were opposed to a roundabout.

John Bradbury, Spanish Springs Citizen Advisory Board (CAB) member, provided the Board with results of a survey presented to the Spanish Springs residents concerning the proposed roundabout.

Gary Schmidt, Washoe County resident, said this was a questionable area to place a roundabout.

Commissioner Larkin asked what would happen if the Board accepted the CAB recommendation of doing nothing. Mr. Gadd replied, if the Board chose not to install a roundabout, staff would return to the Planning Commission and request they remove condition 43, which was stipulated when the Planning Commission granted the special use permit to build the middle school. He said the School District had been eager to move along because the longer the County delayed, the cost would continue to increase. Mr. Gadd said the County had completed a map of the area and concluded it was wide enough for emergency vehicles entering the roundabout.

Commissioner Humke questioned how pedestrians would be treated under the three scenarios. Mr. Gadd replied a count was conducted before school and determined light pedestrian traffic existed. He said if a signal was present, pedestrians would cross with the light; however, with nothing done, pedestrians would cross Alena Drive rather than Eagle Canyon. He said with the roundabout pedestrians would only have to look one way to cross. Commissioner Humke commented the School District would benefit from monies throughout the year paid by the Colony. He asked if the School District discussed paying any of those funds to the County for the purpose of a traffic signal. Mr. Gadd replied no.

Commissioner Galloway said he favored the traffic signal as the long-term solution. He felt the roundabout would create pedestrian problems since it would not be adjustable to the traffic flow. Commissioner Galloway believed it was reasonable for the

Planning Commission to change the condition, but realized the School District was in the position to decline that change. Mr. Gadd replied the traffic signal did not meet warrants in accordance with the manual of Uniform Traffic Signals and Devices.

In response to Commissioner Sferrazza, Mr. Gadd said the current cost for a traffic signal was between \$300,000 and \$350,000.

Chairman Weber asked if the intersection had stop signs. Mr. Gadd replied it did not. Chairman Weber was concerned that a roundabout would not be conducive for pedestrians in that area.

Commissioner Larkin questioned if a time-phase traffic signal would accommodate the area. Mr. Gadd said flashing lights in the form of a signal typically confused motorists. Commissioner Larkin asked about the long-term solution at Eagle Canyon and Alena Drive. Mr. Gadd replied the long-term solution would be a roundabout because the development above the high school would not be completed before 2015. He said the roundabout offered a right-of-way device for that intersection.

Commissioner Galloway asked how a pedestrian would cross the roundabout. Clara Lawson, Engineer, demonstrated on a map where islands would be located within the roundabout for pedestrians.

Commissioner Sferrazza asked if nothing was done, could the County still receive the \$155,000 from the School District and bank it until a decision was made. Paul Lipparelli, Legal Counsel, replied staff had been in meetings with the School District and their only obligation was to build the equivalent of a roundabout; however, not at this intersection. He said there was no assurance the School District would voluntarily pay costs associated with a different traffic control device, nor pay the costs of a device two or three years from when their special use permit was granted. Mr. Lipparelli did not think it was necessary to change the special use permit, since the traffic signal was an option given to the School District by the Planning Commission in the special use permit. He said their contribution would be limited to the value of a roundabout at Missy Drive. Commissioner Sferrazza asked if the County could not require the School District to give \$155,000, could they change it to a traffic signal and have them give the County the amount of the roundabout. Mr. Gadd replied staff could accept the money from the School District and not necessarily do anything right away, but knowing that whatever was done in the future would cost more money.

Following further discussion, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried, Chairman Weber order that the \$155,000 from the School District be accepted and put into an appropriate account and the School District be released from their duty to the County. It was further ordered that the implementation of traffic control be delayed for up to one year.

**05-895 REVIEW - REGIONAL DEVELOPMENT STANDARDS -
COMMUNITY DEVELOPMENT**

On motion by Commissioner Sferrazza, seconded by Commissioner Humke, which motion duly carried, Chairman Weber ordered that the review of the compatibility and adjacency standards within Washoe County Development Code Article 434, Regional Development Standards within Cooperative Planning Areas and all of Washoe County, be deferred until a later date.

Chairman Weber requested a workshop be scheduled for discussion.

**05-896 RESOLUTIONS - NEVADA DIVISION OF STATE
LANDS/CONSERVATION AND RESOURCE PROTECTION
GRANT PROGRAM - PARKS**

Upon recommendation of Karen Mullen, Regional Parks and Open Space Director, through Michelle Poché, Assistant County Manager, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the following resolutions be adopted and Chairman Weber be authorized to execute the same:

**RESOLUTION OF SUPPORT
STATE QUESTION 1 GRANT APPLICATION**

WHEREAS, The State Question 1, approved by Nevada voters in 2002, calls for \$200,000,000 in funding in support of clean water, parks and wildlife across the state; and

WHEREAS, A portion of this funding is set aside for 50/50 matching grant applications for land acquisitions and trails; and

WHEREAS, The preservation of the historic Galena School House property, adjacent to Callahan Park will benefit residents and visitors alike by providing a picture into the past of the settlement of the Galena/Steamboat Area, and

WHEREAS, There is a broad public support with several agencies, interested citizens, and user groups partnering in the project; and

NOW, THEREFORE, be it resolved that the Washoe County Board of County Commissioners supports the Galena School House property grant application.

**RESOLUTION OF SUPPORT
STATE QUESTION 1 GRANT APPLICATION**

WHEREAS, The State Question 1, approved by Nevada voters in 2002, calls for \$200,000,000 in funding in support of clean water, parks and wildlife across the state; and

WHEREAS, A portion of this funding is set aside for 50/50 matching grant applications for land acquisitions and trails; and

WHEREAS, The Silver Lake land acquisition will provide an additional 307 acres which includes 294.5 acres of playa plus an additional 4.5 acres of mitigation wetland; and

WHEREAS, The Lear Family and the public would like to see Silver Lake protected for public use with a goal to provide for conservation and preservation of the wetland and wildlife habitat; and

WHEREAS, Silver Lake supporters includes the Nevada Land Conservancy, the Swan Lake Advisory Board, Lahonton Audubon, the Lear Family Trust and the Moya Olsen Lear Trust.

NOW, THEREFORE, be it resolved that the Washoe County Board of County Commissioners supports the Silver Lake land acquisition grant application.

**RESOLUTION OF SUPPORT
STATE QUESTION 1 GRANT APPLICATION**

WHEREAS, The State Question 1, approved by Nevada voters in 2002, calls for \$200,000,000 in funding in support of clean water, parks and wildlife across the state; and

WHEREAS, A portion of this funding is set aside for 50/50 matching grant applications for land acquisitions and trails; and

WHEREAS, The McCleary Ranch conservation easement would protect the entire 580 acre ranch for agricultural and wildlife habitat. A variety of wildlife depend on the open space and lush habitat including bear, mule deer, bobcat, cougar, red fox, and numerous neotropical bird species; and

WHEREAS, The McCleary Ranch is adjacent to land owned by the U.S. Forest Service and the State of Nevada. The ranch controls the senior water rights to McEwen Creek, including three artesian wells and utilizes several irrigation and agricultural wells; and

WHEREAS, The McCleary Ranch supporters include the Nevada Land Conservancy, Carson City, The Nature Conservancy, Natural Resource Conservation Service and the Nevada Department of Wildlife; and

NOW, THEREFORE, be it resolved that the Washoe County Board of County Commissioners supports the McCleary Ranch conservation easement grant application.

**RESOLUTION OF SUPPORT
STATE QUESTION 1 GRANT APPLICATION**

WHEREAS, The State Question 1, approved by Nevada voters in 2002, calls for \$200,000,000 in funding in support of clean water, parks and wildlife across the state; and

WHEREAS, A portion of this funding is set aside for 50/50 matching grant applications for the acquisition of land or interests in land; and

WHEREAS, The acquisition of interest in land within the Lake Tahoe Basin is necessary for the development of the Lake Tahoe Path System, which will provide an alternative travel facility for pedestrians and bicyclist on the East Shore within the Lake Tahoe Basin; and

WHEREAS, There is a broad public support with over 8 agencies partnering in the project; and

NOW, THEREFORE, be it resolved that the Washoe County Board of County Commissioners supports the Lake Tahoe Path System Interest in Land Acquisition grant application.

**RESOLUTION OF SUPPORT
STATE QUESTION 1 GRANT APPLICATION**

WHEREAS, The State Question 1, approved by Nevada voters in 2002, calls for \$200,000,000 in funding in support of clean water, parks and wildlife across the state; and

WHEREAS, A portion of this funding is set aside for 50/50 matching grant applications specifically for the development of the Lake Tahoe Path System; and

WHEREAS, Lake Tahoe Path System will provide an alternative travel facility for pedestrians and bicyclist on the East Shore within the Lake Tahoe Basin; and

WHEREAS, There is broad public support with over 8 agencies partnering in the project; and

NOW, THEREFORE, be it resolved that the Board of County Commissioners supports the Lake Tahoe Path System Design grant application.

**RESOLUTION OF SUPPORT
STATE QUESTION 1 GRANT APPLICATION**

WHEREAS, The State Question 1, approved by Nevada voters in 2002, calls for \$200,000,000 in funding in support of clean water, parks and wildlife across the state; and

WHEREAS, A portion of this funding is set aside for 50/50 matching grant applications for development of open space and habitat conservation plans; and

WHEREAS, The Spanish Springs Pah Rah Area located in east Washoe County contains significant archeological, cultural, flora, and wildlife resources not found in other areas of the State; and

WHEREAS, The Spanish Springs Pah Rah Area are home to a variety of big game species, upland game birds, and contains areas of critical habitat for a variety of raptors including Golden Eagles and Prairie Falcons; and

WHEREAS, The Spanish Springs Pah Rahs contain significant cultural resources yet to be investigated and recorded, and

WHEREAS, The Spanish Springs Pah Rahs are used by residents and visitors for motorized and equestrian recreation and an identified need for a comprehensive recreation and management plan to support long-term sustainable recreation use and access is desired; and

WHEREAS, There is broad support with several agencies, the Tribe, and user groups partnering in the project; and

NOW, THEREFORE, be it resolved that the Washoe County Board of County Commissioners supports the Spanish Springs Pah Rah Multi-use Trail Management Plan grant application.

**RESOLUTION OF SUPPORT
STATE QUESTION 1 GRANT APPLICATION**

WHEREAS, The State Question 1, approved by Nevada voters in 2002, calls for \$200,000,000 in funding in support of clean water, parks and wildlife across the state; and

WHEREAS, A portion of this funding is set aside for 50/50 matching grant applications for the construction of recreational trails, including hiking, equestrian, and bicycle trails; and

WHEREAS, The Washoe County Regional Parks and Open Space Department wishes to design and construction a portion of the adopted regional trails system located in the Washoe Valley to benefit the residents and visitors to Valley area; and

WHEREAS, There is broad public support with partnering by Federal, State, Local Agencies, user groups, and interested citizens in the project; and

NOW, THEREFORE, be it resolved that the Washoe County Board of County Commissioners supports the Washoe Valley Bike Trail Construction grant application.

**RESOLUTION OF SUPPORT
STATE QUESTION 1 GRANT APPLICATION**

WHEREAS, The State Question 1, approved by Nevada voters in 2002, calls for \$200,000,000 in funding in support of clean water, parks and wildlife across the state; and

WHEREAS, A portion of this funding is set aside for 50/50 matching grant applications for land acquisitions and trails; and

WHEREAS, The Spanish Springs Pah Rah Trailhead will provide parking, interpretive information, picnicking, and amenities for those accessing the Pah Rah Recreation Area.

WHEREAS, There is broad public support with several agencies, the Tribe, and user groups partnering in the project; and

NOW, THEREFORE, be it resolved that the Washoe County Board of County Commissioners supports the Spanish Springs Pah Rah Trailhead grant application.

**RESOLUTION OF SUPPORT
STATE QUESTION 1 GRANT APPLICATION**

WHEREAS, The State Question 1, approved by Nevada voters in 2002, calls for \$200,000,000 in funding in support of clean water, parks and wildlife across the state; and

WHEREAS, A portion of this funding is set aside for 50/50 matching grant applications for land acquisitions and trails; and

WHEREAS, The Brown's Creek Trailhead will provide parking, interpretive and trail access information to benefit residents and visitors to Galena Creek Watershed which includes Browns' Creek, Whites Creek and Galena Creek; and

WHEREAS, There is a broad public support with several agencies, interested citizens, and user groups partnering in the project; and

NOW, THEREFORE, be it resolved that the Washoe County Board of County Commissioners supports the Brown's Creek Trailhead grant application.

**RESOLUTION OF SUPPORT
STATE QUESTION 1 GRANT APPLICATION**

WHEREAS, The State Question 1, approved by Nevada voters in 2002, calls for \$200,000,000 in funding in support of clean water, parks and wildlife across the state; and

WHEREAS, A portion of this funding is set aside for 50/50 matching grant applications for land acquisitions and trails; and

WHEREAS, A need has been identified by Washoe County, the Bureau of Land Management, and the Friends of Hungry Valley to provide interpretive signage and access information to be located at high use areas within the Hungry Valley Recreation Area, for the benefit of residents and visitors enjoying motorized, equestrian, dog competitions and special or organized events; and

WHEREAS, There is broad public support with several agencies, interested citizens, and user groups partnering in the project; and

NOW, THEREFORE, be it resolved that the Washoe County Board of County Commissioners supports the Hungry Valley Recreation Area grant application.

**RESOLUTION OF SUPPORT
STATE QUESTION 1 GRANT APPLICATION**

WHEREAS, The State Question 1, approved by Nevada voters in 2002, calls for \$200,000,000 in funding in support of clean water, parks and wildlife across the state; and

WHEREAS, \$531,875 from the Regional Parks and Open Space Bond 2000 is set aside for 50/50 matching grant applications for land acquisitions and trails; and

WHEREAS, The Sun Valley Trailhead will provide parking, nature interpretation, picnicking and amenities, and

WHEREAS, There is broad public support with Sun Valley CAB and Washoe County Regional Parks and Open Space Commission endorsements for the project; and

WHEREAS, the public will have access to 343 acres of land with beautiful rock outcropping and wonderful view of the Sierras and Truckee Meadows, and

NOW, THEREFORE, be it resolved that the Washoe County Board of County Commissioners supports the Sun Valley Trailhead grant application.

**RESOLUTION OF SUPPORT
STATE QUESTION 1 GRANT APPLICATION**

WHEREAS, The State Question 1, approved by Nevada voters in 2002, calls for \$200,000,000 in funding in support of clean water, parks and wildlife across the state; and

WHEREAS, A portion of this funding is set aside for 50/50 matching grant applications for land acquisitions and trails; and

WHEREAS, The Peavine (Urrutia) Trailhead will provide parking, interpretive and trail access information to benefit residents and visitors to the Peavine area; and

WHEREAS, There is broad public support with several agencies, interested citizens, and user groups partnering in the project; and

NOW, THEREFORE, be it resolved that the Washoe County Board of County Commissioners supports the Peavine (Urrutia) Trailhead grant application.

**05-897 ACCEPTANCE - REGIONAL TRANSPORTATION COMMISSION
- VIRGINIA TRANSIT CORRIDOR PROJECT**

Upon recommendation of Chad Giesinger, Planner, through Adrian Freund, Community Development Director, on motion by Commissioner Sferrazza, seconded by Commissioner Larkin, which motion duly carried, Chairman Weber ordered that the Cooperating Agency status on the Virginia Transit Corridor (VTC) Project, be accepted. It was further ordered that the Community Development Director assign a Primary and Alternate staff member to the VTC project.

**05-898 REQUEST FOR BID - PHASE 3 NORTH VALLEY SPORTS
COMPLEX - PARKS**

Chairman Weber said the staff report shared the projects the Board was able to vote on except for the picnic shelter. Karen Mullen, Director of Parks and Open

Space, replied the picnic shelter would be an add alternate item for the bid procedure and staff would obtain an exact pricing on that bid alternate.

Upon recommendation of Rosemarie Entsminger, Fiscal Compliance Officer, through Ms. Mullen, on motion by Commissioner Galloway, seconded by Chairman Weber, which motion duly carried, it was ordered that staff be authorized to request bids, for Phase 3 improvements to the North Valley Sports Complex to include paving the parking area by the existing community building, construction of a new entrance road, landscaping, entry arch, installation of a restroom/concession building and the new picnic shelter as an add alternate. It was noted that design and construction is estimated at \$650,000. It was further ordered that the Finance Division be directed to make all necessary financial adjustments.

Decrease cost center 900820-781080 by \$650,000
Increase project PK052308-781080 by \$650,000

**05-899 REVIEW - CITIZEN ADVISORY BOARD STANDARD BYLAWS -
COMMUNITY DEVELOPMENT**

Chairman Weber commented the Chairpersons of the Citizen Advisory Boards (CAB) spend a lot of time and effort attending meetings and suggested the Board consider changing the by-laws to delete the portion stating a term limit of two consecutive years serving as Chairperson.

Amy Harvey, County Clerk, read an e-mail from Allayne Donnelly-Everett concerning the CAB by-laws.

Commissioner Galloway said to increase the depth of responsibilities, an experienced chair could obey these rules and help the new chair.

Chairman Weber said deleting the line involving term limits would allow the CAB to make that determination.

Commissioner Galloway remarked there was a reluctance to challenge an existing chairperson who would want to continue.

Commissioner Humke commented he was not in support of changing the by-laws. Commissioner Sferrazza supported the current system.

Commissioner Larkin thanked Chairman Weber for bringing this topic to the forefront for consideration.

05-900

**REVIEW - DRAFT ENVIRONMENTAL IMPACT STATEMENT -
NORTH VALLEYS RIGHT-OF-WAY PROJECTS - COMMUNITY
DEVELOPMENT**

Commissioner Galloway commented on item 13 which stated, "completely lacking in any substantive analysis." He asked was that limited to building a water supply line, the economic consequences of delivering water from point A to point B, or did that become an obligation of the person building the pipeline in a general sense.

Bill Whitney, Senior Planner, said the Bureau of Land Management (BLM) read the submitted comments and were not taking that analysis all the way. He said the Board did not need to forward additional comments to the BLM.

Commissioner Galloway stated the social and economic impacts of the Draft Environmental Impact Statement (DEIS) should be the macro impacts, not addressed to the fine detail, but supporting a certain amount of overall increase in population and overall increase in economic activity.

Upon recommendation of Mr. Whitney, through Adrian Freund, Community Development Director, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, Chairman Weber ordered that staff be directed to reaffirm the Board's comments to the BLM, and support adequate macro economic and social data impacts of the DEIS.

05-901

**JULY 2005 SUPPLEMENTAL DRAFT ENVIRONMENTAL
IMPACT STATEMENT - LAKE TAHOE SHOREZONE -
COMMUNITY DEVELOPMENT**

Bill Whitney, Senior Planner, reviewed the agenda memorandum dated August 8, 2005 and explained Alternative 6 as developed by the Tahoe Regional Planning Agency (TRPA).

In response to Commissioner Sferrazza, Mr. Whitney replied the different alternatives in the 2004 Environmental Impact Statement (EIS) had different versions of structure that could be built.

Commissioner Galloway reviewed the history on the policies of TRPA and said a moratorium would be justified for a limited time when new regulations were planned. He felt the comments on the original EIS were adequate.

Commissioner Larkin questioned if staff felt that the environmental affects were adequately described and captured within the supplemental draft and Mr. Whitney stated they were.

Upon recommendation of Mr. Whitney, through Adrian Freund, Community Development Director, on motion by Commissioner Galloway, seconded by

Commissioner Larkin, which motion duly carried, Chairman Weber ordered that no additional comments concerning Alternative 6 would be forwarded to TRPA.

05-902 2002 REGIONAL PLAN SETTLEMENTS

Commissioner Galloway inquired if the two Commissioners on the negotiating team would be expected to attend the upcoming court appearance. Chairman Weber replied they needed to be in attendance.

REPORTS/UPDATES FROM COMMISSION MEMBERS

Commissioner Galloway stated he was the Board's liaison on the Park Commission. He said since that item was not completed because interviews were not scheduled, he requested staff meet with him and Commissioner Humke to conduct those interviews so it could be placed on a future agenda. He suggested the Incline Village General Improvement District have a liaison seat on the Park and Open Space Advisory Commission so they could take part in discussions.

05-903 PERFORMANCE EVALUATION - COUNTY MANAGER

Commissioner Galloway remarked points were awarded on a scale of zero to five in evaluating the County Manager. He said the scored points were high, however, not perfect since there were areas for improvement. Commissioner Galloway stated overall the performance was great, and he suggested raising the County Manager's salary.

Katy Singlaub, County Manager, replied three years had passed without merit pay or a bonus. She would appreciate the Board entertaining such an offer. Ms. Singlaub shared County accomplishments, which have occurred over the past year.

Chairman Weber asked Ms. Singlaub what she would suggest as a bonus or merit pay. Ms. Singlaub replied in the past the Board generously extended the notion of a 10 percent bonus opportunity. She said, because there was always room for improvement, she would suggest less than 10 percent. Ms. Singlaub said extending the employment agreement by three years had been discussed. She said the length of the contract gave herself and the Board a sense of stability and the caveat to continue annual evaluations and compensation adjustments.

In response to Commissioner Larkin, Ms. Singlaub replied she had spoken with the senior leadership team of the County and realized systems needed to be in place concerning issue management and scenario planning. Commissioner Larkin agreed with the listing of 2005/06 goals and noted the Board would be amending and adding to those goals.

Commissioner Humke commented on the high score for communication skills. He said the goals were good for him as a Board member. He spoke on bonuses versus merit pay for management and remarked merit pay delivered a better message.

Commissioner Sferrazza said Ms. Singlaub had done an excellent job for the County; he was satisfied with her performance; and he would support a three-year contract extension. He remarked on being uncomfortable over the amount of increase in pay and a bonus. He said a three percent increase through a cost of living adjustment (COLA) and a bonus would be in excess of \$20,000, which is higher than some employee salaries.

Commissioner Galloway said counting on COLA for the base salary increase, and multiplying 10 percent by 88 percent, based on the evaluation score, the bonus amount would be \$15,765.

Chairman Weber said the bonus was necessary, and the Manager was doing an admirable job. She was concerned the score was based on the small number of respondents to the evaluation. Commissioner Galloway said the score given by the Board was the important one. Chairman Weber said the Board should take into consideration other State employees within the same position who received the COLA as well as bonuses. She believed when there was an exceptional person doing the job they should be rewarded.

Commissioner Larkin commented he was opposed fundamentally to bonuses and favored merit raises to reward exceptional performance.

Commissioner Humke would like to propose a combination of merit and bonus pay at some level. He believed the Manager had gone without a substantial increase for some time.

On motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried with Commissioner Sferrazza voting "no," it was ordered that the County Manager's contract be extended for a three year term, the Chairman be authorized to execute the same, and a bonus of \$15,765 be approved.

It was noted Commissioner Sferrazza would have voted in favor of the contract extension, but was opposed to the amount of the bonus.

* * * * *

There being no further business to come before the Board, the meeting adjourned at 10:05 p.m.

BONNIE WEBER, Chairman
Washoe County Commission

ATTEST:

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

*Minutes Prepared by
Lori Rowe, Deputy County Clerk
Stacy Gonzales, Deputy County Clerk*