

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

2:00 P.M.

AUGUST 28, 2007

PRESENT:

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

Amy Harvey, County Clerk
Katy Singlaub, County Manager
Melanie Foster, Legal Counsel

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

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

07-974 AGENDA

In response to the call for public comment, Sam Dehne said he approved of the agenda except for the two-minute time limit allowed for public speakers. Guy Felton stated he did not approve of the agenda because using the Sequoia Voting System the Board could not prove they were properly elected.

Gary Schmidt said he opposed the agenda since it did not allow for citizens to applaud, which was an ad hoc rule of the Board. Chairman Larkin warned Mr. Schmidt that he was not speaking on the approval of the agenda. Mr. Schmidt continued, and stated he was opposed to the approval of the agenda because the Chairman conducted and established a rule that was not noticed on the agenda.

2:23 p.m. Chairman Larkin called a recess to have Gary Schmidt removed from the meeting.

2:31 p.m. The Board reconvened.

In accordance with the Open Meeting Law, on motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that the agenda for the August 28, 2007 meeting be approved with the following change: **Delete** Item 12, Interlocal Agreement between Washoe County and the City of Sparks for the use of flood project funds, and Item 15, Appeal of Parcel Map Review Committee's Condition of approval requiring the paving of King Lane, Case No. PM06-055.

07-975 **PROCLAMATION - SEPTEMBER 2007 - SENIOR CENTER MONTH**

Commissioner Humke read the proclamation designating September 2007 as Senior Center Month. Jennifer Oliver, Senior Services Program Assistant, accepted the proclamation and thanked the Board for their support. She stated this was the first year the National Institute of Senior Centers designated an entire month to bringing forth awareness of the value of senior centers in communities.

In response to the call for public comment, Sam Dehne remarked on the proclamation and stated he performed charity concerts for seniors at senior centers.

On motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried, it was ordered that the following proclamation be adopted and the Chairman be authorized to execute the same:

PROCLAMATION

WHEREAS, Washoe County is home to approximately 59,353 Citizens 60 years or older who live, work, and volunteer in Washoe County; and,

WHEREAS, Older citizens have a wealth of wisdom and experience to offer and share with future generations; and,

WHEREAS, Senior Centers are designated as community focal points through the Older Americans Act; and,

WHEREAS, Senior Centers provide a valuable outlet for creative expression and community support to older citizens; and,

WHEREAS, Washoe County is implementing a ten-year strategic plan for its senior citizens; and,

WHEREAS, This is the 29th year marking the opening of Washoe County Senior Services Center in Reno; now, therefore be it

PROCLAIMED, By the Washoe County Board of Commissioners that September 2007 is designated as Senior Center Month.

PUBLIC COMMENTS

Will Brown explained he was a property owner in Spanish Springs who depended on a private well. He noted he was the chairman of a committee that represented approximately 300 Spanish Springs property owners, two-thirds of whom relied on private wells. He remarked the 1995 Spanish Springs Area Plan stated all new developments in the Spanish Springs Valley would be required to have water supplied from Sierra Power, which was now the Truckee Meadows Water Authority (TMWA). He said since that time many homes had been built; however, the promised water from TMWA was not delivered because a main with the proper carrying capacity had never been installed. Mr. Brown explained in the last three years 36 wells had been deepened or re-drilled in that area. He asked how the Board felt about this outrageous betrayal of the Spanish Springs residents, and he urged the Board to correct the situation.

Guy Felton spoke on democratic government, the sovereignty of the people, and the constitution.

Jan Chastain thanked the Board for forwarding the voting concerns to the Blue Ribbon Task Force. She spoke on the voting system the County utilized and the upcoming elections of 2008.

Sam Dehne spoke on President George Bush's visit where he addressed veterans and the pomp and circumstance that surrounded the President.

COMMISSIONERS/MANAGER'S COMMENTS

Katy Singlaub, County Manager, announced the County Citizen Leadership Academy would begin on September 13, 2007. She informed the Board that the Blue Ribbon Task Force discussion would be on the September 18, 2007 agenda.

Chairman Larkin stated he had received a letter from Elko County Commissioner John Ellison, the current President of the National Association of Counties (NACo), requesting Board members attend a benefit to honor Nevada's fallen heroes on September 29, 2007. He requested an agenda item related to the current financial crisis concerning home mortgages and the foreclosure rate to see how the region fared. Chairman Larkin remarked during a recent Spanish Springs Citizen Advisory Board (CAB) meeting he requested Water Resources Director Rosemary Menard prepare a status report on the water issues in Spanish Springs and have that placed on a future agenda.

Commissioner Galloway said the Tahoe Regional Planning Agency (TRPA) created a committee to deal with mitigation of fire danger and had scheduled a meeting for September 19, 2007.

Commissioner Weber announced that August 29, 2007 was "Good Neighbor Day". She commended the Volunteer Fire Departments for all of their hard work and requested a Proclamation of Appreciation be placed on a future agenda.

07-976 **MINUTES**

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that the minutes of the regular meeting of July 10, 2007 be approved.

07-977 **PROCLAMATION - OCTOBER 3, 2007 - ENERGY STAR
CHANGE A LIGHT DAY**

Upon recommendation of Mike Turner, Facility Management Division Director, on motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, it was ordered that the following Proclamation be adopted and the Chairman be authorized to execute the same:

PROCLAMATION

WHEREAS, Energy efficiency is important to the citizens of Washoe County because it saves consumers and businesses money and helps protect the environment by reducing greenhouse gas emissions and air pollution; and

WHEREAS, Energy efficiency supports Washoe County's priority/goal to preserve and enhance our quality of life; and

WHEREAS, ENERGY STAR is a joint program of the U.S. Environmental Protection Agency and the U.S. Department of Energy, whose mission is to help citizens and businesses save money and reduce greenhouse gas emissions through energy efficient products and practices; and

WHEREAS, Lighting accounts for 20 percent of a home electric bill; is the most frequently replaced product that runs on energy; and causes twice as much greenhouse gas emissions as the average car; and

WHEREAS, ENERGY STAR qualified Compact Fluorescent Lights (CFL) use two-thirds less energy than regular bulbs and prevent 450 pounds of greenhouse gas emissions over the life of the bulb; and

WHEREAS, ENERGY STAR qualified CFL's are inexpensive, providing \$30 in savings over the life of the bulb and an easy way to conserve energy; and

WHEREAS, ENERGY STAR has developed a national campaign to challenge every American to help change the world, one light--one energy-saving step--at a time; and

WHEREAS, ENERGY STAR has declared the first Wednesday of each October as **Change a Light Day**; now, therefore, be it

PROCLAIMED, By the Washoe County Board of County Commissioners that Wednesday, October 3, 2007 is **ENERGY STAR Change a Light Day** and encourages all citizens to commit to do their part to save energy and help reduce the risks of global climate change by replacing at least one light in their home with an ENERGY STAR qualified compact fluorescent light.

07-978 RESOLUTION - ELECTRIC KILN - SENIOR SERVICES TO SIERRA NEVADA COLLEGE - SENIOR SERVICES

Upon recommendation of Lee Derbyshire, Senior Services Interim Director, on motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, it was ordered that the following resolution be adopted and the Chairman be authorized to execute the same:

RESOLUTION

WHEREAS, Washoe County Senior Services provides services and programs to enhance and improve the quality of life for senior citizens in Washoe County; and

WHEREAS, Washoe County Senior Services has a functional kiln that has reached the end of its useful life to the department and is surplus to its needs; and

WHEREAS, Sierra Nevada College is a four-year, independent, non-sectarian liberal arts college in Washoe County; and

WHEREAS, Sierra Nevada College has expressed an interest in acquiring a kiln to use for art classes; and

WHEREAS, Washoe County Senior Services wishes to donate a kiln to Sierra Nevada College;

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

OF NEVADA, that we support the educational needs of youth in Washoe County and declare:

1. NRS 244.1505 provides that a board of county commissioners or its authorized representative may donate commodities, supplies, materials and equipment that the board determines to have reached the end of their useful lives to another governmental entity, to be used for any purpose which will provide a substantial benefit to the inhabitants of the county; and
2. The above mentioned surplus, used County equipment will be donated in "as is" condition to Sierra Nevada College; and
3. Sierra Nevada College, or its designee, will be responsible for picking up the equipment and transporting it to their facility;
4. This resolution shall be effective on passage and approval by the Washoe County Board of County Commissioners.

07-979 DAILY PAYMENT RATES - FOSTER CARE PROVIDERS - SOCIAL SERVICES

Chairman Larkin inquired about the fiscal impact concerning the change of fees. Michael Capello, Social Services Director, stated some analysis had been completed and it was difficult to forecast what the population would do. He explained he reviewed an example month and found that children placed in sibling homes versus the Kids Kottage would result in approximately half the cost. Mr. Capello said the intention was to shift some of the children out of the Kids Kottage and into family based homes.

Upon recommendation of Mr. Capello, on motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that the following daily payment rates for foster care providers who provide specialized foster care services to severely developmentally delayed children be approved:

- a rate between \$120 and \$150 per child based on the child's needs
- \$70 per child for homes reserved exclusively for sibling groups of three or more
- State Legislatively approved non-contract of \$22.45 per child for ages 0-12 years
- \$25.42 per child ages 13 years and older for fiscal year 2008
- \$26.45 per child for ages 0-12 years,
- \$29.42 per child ages 13 years and older for fiscal year 2009

07-980

**RELEASE AND CANCELLATION OF ACKNOWLEDGEMENT
AND COVENANT NOT TO SELL OR OTHERWISE TRANSFER
PROPERTY - STANLEY G. BERNARDINI - COMMUNITY
DEVELOPMENT**

Commissioner Weber asked if the 2004 agreement was still needed. Bob Webb, Planning Manager, explained initially it was a concurrent agreement between Washoe County and Stanley Bernardini where Mr. Bernardini agreed not to sell the property until the Code violations specific to the park mobile home were removed. Mr. Webb indicated the park mobile home had been removed making the primary intent of that agreement no longer on the property. He said staff felt it was in the best interest of the County and Mr. Bernardini to uncloud the title and remove the agreement in the event Mr. Bernardini chose to sell the property in the future. Commissioner Weber questioned if Mr. Bernardini was released from this agreement, but there were new violations, would the County have to start over. Mr. Webb explained if a complaint was received in the future, staff would return and address them as new problems and work with the property owner to correct them.

Melanie Foster, Legal Counsel, replied since Mr. Bernardini had brought his property into compliance the Board must release the pertinent conditions. She explained now that the property was cleared there was no legal basis to continue to lien this document in the chain of title for the property.

In response to Commissioner Galloway, Mr. Webb explained if the property owner had not complied the option would have been a misdemeanor criminal citation. He commented staff researched the Administrative Enforcement Ordinance the Citizen Committee had been diligently working on, and if that ordinance were adopted, it would provide other enforcement tools for enforcement agencies across the County to look at besides misdemeanor criminal citations.

Upon recommendation of Mr. Webb, on motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, it was ordered that the *Release and Transfer of Acknowledgement and Covenant Not to Sell or Otherwise Transfer Property* for Stanley G. Bernardini at 200 Ramsey Way, Reno, Nevada be approved and the Chairman be authorized to sign the *Release* on behalf of the Commission.

07-981

LIBRARIAN II POSITION - LIBRARY

In response to Commissioner Galloway, Dianne Varnon, Associate Library Director of Programs and Services, indicated the agenda item was misstated; however, the position was stated correctly in the staff report dated August 7, 2007, which read "and add a 15-hour position." She explained the intent was to change the position level of the Librarian II to a Librarian I.

Upon recommendation of Ms. Varnon, on motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that the conversion of a vacant full time Librarian II position (PCN 2074) at the Senior Center into a full time Librarian I, and the 15-hour a week partially benefited Library Aide, as evaluated by the Job Evaluation Committee, to achieve consistency in classification for managers of small branches, be approved. It was further ordered that a third person be assigned to a two-person branch to accommodate growth in public usage, with a possible cost of less than \$1,000.

07-982 SEXUAL ASSAULT MEDICAL CARE PAYMENT - DISTRICT ATTORNEY

In response to Commissioner Weber, Melanie Foster, Legal Counsel, explained State Law declared the amount paid was for emergency medical expenses and the further amount would be paid for after care.

Katy Singlaub, County Manager, remarked in the future the subject line would read, "total cost of initial medical care in addition to follow-up treatment of up to \$1,000."

Pursuant to NRS 217.310, on motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that payments with funds from the District Attorney's account designated Sexual Assault Victims Expenses be authorized for initial emergency medical care for 59 sexual assault victims in an amount totaling \$9,001.23 and for follow-up treatment (up to \$1,000) for victims, victim's spouses and other eligible persons as set forth in a memorandum from Christine McHardy, Program Assistant, District Attorney's Office, dated August 2, 2007.

07-983 STATUS REPORT - TRUCKEE RIVER FLOOD MANAGEMENT PROJECT - JULY 2007

Upon recommendation of Naomi Duerr, Truckee River Flood Management Project Director, on motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that the Truckee River Flood Management Project status report for July 2007 be accepted.

07-984 GRANT - NEVADA PUBLIC EDUCATION FOUNDATION - "READY FOR LIFE" COMMUNITY COLLABORATIVE - JUVENILE SERVICES

In response to the call for public comment, Sam Dehne commented he was in favor of youth services.

Commissioner Weber asked if the Nevada Public Education Foundation was a private foundation. Michael Martino, Juvenile Services Program Manager, replied it was a private non-profit foundation located in Las Vegas, Nevada. He explained the

County would be the fiscal agent for the Youth Services Development Committee, which was a multi-agency of approximately 20 non-profit government agencies that dealt with young adult issues. Mr. Martino said the \$60,000 would provide Washoe County the ability to contract with a private provider to bring this initiative to the County.

Katy Singlaub, County Manager, added this was an outgrowth of the Board's Youth Success Initiative directive in the County's Strategic Plan.

Commissioner Galloway thanked the Foundation on behalf of the Board for the Grant.

Chairman Larkin requested a presentation on the "Ready For Life" Initiative.

Upon recommendation of Mr. Martino, on motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that the 2007/08 Nevada Public Education Grant for the establishment of a "Ready For Life" Community Collaborative in Washoe County, in the amount of \$60,000 with no County match, be approved and the Finance Department be directed to make the following adjustments:

ACCOUNT NUMBER	INTERNAL ORDER/ACCOUNT NAME	AMOUNT OF INCREASE
Revenue		
484000	20296/Donations	\$60,000
Expenditures		
710400	20296/Payment to Agency	\$60,000

07-985 TRAVEL - JUVENILE DETENTION ALTERNATIVE INITIATIVE - JUVENILE SERVICES

Upon recommendation of Carol Galantuomini, Juvenile Services Division Director, on motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that the travel for one non-County employee serving on the Juvenile Detention Alternatives Initiative (JDAI) Committee to Portland, Oregon, concerning a site visit to the Multnomah County Juvenile Probation Department on September 6, 2007, in the estimated cost of \$460 to be paid from the JDAI Grant, be approved.

07-986 DISINTERMENT OF HUMAN REMAINS - HEALTH

In response to Commissioner Weber, Melanie Foster, Legal Counsel, replied on future agendas the name of the deceased could be listed in the subject line.

Upon recommendation of Lori Cooke, Fiscal Compliance Officer, on motion by Commissioner Galloway, seconded by Commissioner Weber, which motion

duly carried, it was ordered that the request from Richard Trent to disinter and remove the remains of Archibald J. Sneed, his father, who died on March 16, 1963 be approved. It was noted that the death certificate indicates the death was not due to a communicable disease.

07-987 AMENDMENTS - 2007/08 FAMILY PLANNING GRANT PROGRAM - HEALTH

Commissioner Weber thanked staff for including the background information and statistics concerning the grant.

Upon recommendation of Patsy Buxton, Fiscal Compliance Officer, on motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that the amendments in both revenue and expenses to the adopted fiscal year 2007/08 Family Planning Grant Program budget, funded by a Notice of Grant Award from the Department of Health and Human Services, totaling in a decrease of \$8,647.73 to bring the fiscal year 2007/08 adopted budget into alignment with the grant, be approved. It was further ordered that the Finance Department be directed to make the following budget adjustments:

ACCOUNT NUMBER	DESCRIPTION	AMOUNT OF INCREASE/ (DECREASE)
2002-IO-10025-431100	Federal Revenue	(\$8,647.73)
2002-IO-10025-710100	Professional Services	59.65
-710500	Other Expenses	(1,500.00)
-710872	Food Purchases	1,500.00
-710703	Biologicals	(\$ 8,707.38)
	Total Expenditures	(\$ 8,647.73)

07-988 PURCHASE REQUISITION/RESOLUTION - CHILDREN'S CABINET AT INCLINE VILLAGE - TITLE X FAMILY PLANNING HEALTH CLINIC PROGRAM - HEALTH

Chairman Larkin commented the Description of Services and Deliverables stated in the Washoe County District Health Department Title X Subgrant Award was excellent. He requested information on the services for clients that the County provided. Katy Singlaub, County Manager, replied Assistant County Manager John Berkich was in the process of compiling that information.

In response to Commissioner Weber, Stacy Hardie, Public Health Nurse Supervisor, replied the numbers for some diseases had increased because the Health Department had switched to a more sensitive test.

Upon recommendation of Patsy Buxton, Fiscal Compliance Officer, on motion by Commissioner Galloway, seconded by Commissioner Weber, which motion

duly carried, it was ordered that the grant funded fiscal year 2007/08 Purchase Requisition No. 3000008381 issued to Children's Cabinet at Incline Village, pertaining to the Title X Family Planning Health Clinic Program, in the total amount of \$70,000, \$35,000 for fiscal year 2008, and \$35,000 for fiscal year 2009, be approved and the Chairman be authorized to execute the following resolution necessary for same:

RESOLUTION

Authorizing grant of funds to Children's Cabinet at Incline Village

WHEREAS, The Washoe County District Board of Health made the determination to fund the family planning efforts of Children's Cabinet at Incline Village through a Notice of Subgrant Award on July 26, 2007; and

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

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

WHEREAS, Washoe County desires to provide money to Children's Cabinet at Incline Village to provide Title X Family Planning Health Clinics to the women of Incline Village, the area of North Lake Tahoe, and the surrounding Washoe County area; and

WHEREAS, Washoe County finds that these family planning services provide a substantial benefit to the inhabitants of the County:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY, that the Board hereby enters into the Purchase Requisition to provide funds to Children's Cabinets at Incline Village for the purposes set forth in the Notice of Subgrant Award that was placed on file with the Clerk.

07-989 GRANT - NEVADA JUVENILE JUSTICE COMMISSION - SHERIFF

Commissioner Humke disclosed he sat on the Nevada Juvenile Justice Commission.

Upon recommendation of Janice Blue, Patrol Division Captain, on motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that the grant award from the Nevada Juvenile Justice Commission, in the amount of \$8,000 with no County match, be accepted and the Budget Division be directed to make the following adjustments:

ACCOUNT NUMBER	DESCRIPTION	AMOUNT OF INCREASE
Increase Revenues		
10118-431100	Enforcing Underage Drinking Laws-Federal Grants	\$8,000
Increase Expenditures		
10118-701300	Enforcing Underage Drinking Laws-Overtime	\$8,000

07-990 GRANTS - JUSTICE ASSISTANCE - MULTI-JURISDICTIONAL GANG UNIT TASK FORCE - SHERIFF

Upon recommendation of Janice Blue, Patrol Division Captain, on motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that the two Justice Assistance Grant (JAG) Awards from the Department of Justice, Bureau of Justice Assistance, to the Multi-Jurisdictional Gang Unit Task Force to cover overtime costs, in the amount of \$10,500 with no County match, and to the Regional Street Enforcement Team to cover overtime costs, in the amount of \$6,500, be accepted and Finance be directed to make the following budget adjustments:

ACCOUNT NUMBER	DESCRIPTION	AMOUNT OF INCREASE
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Multi-Jurisdictional Gang Unit Task Force-\$10,500

Increase Revenues		
10546-431100	Multi-Jurisdictional Gang Unit-Federal Grants	\$10,500
Increase Expenditures		
10546-701300	Multi-Jurisdictional Gang Unit-Overtime	10,500

Regional Street Enforcement Team - \$6,500

Increase Revenues		
10547-431100	Regional Street Enforcement-Federal Grants	\$6,500
Increase Expenditures		
	Regional Street Enforcement-Overtime	6,500

07-991 GRANT - NEVADA DIVISION OF EMERGENCY MANAGEMENT - FY 2005 STATE HOMELAND SECURITY PROJECT NO. 97003HS5 - SHERIFF

Upon recommendation of Craig Callahan, Chief Deputy, and Tami Cummings, Administrative Assistant II, on motion by Commissioner Galloway, seconded

by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that the Grant Award from the Nevada Division of Emergency Management, FFY 2005 State Homeland Security Grant Project No. 97003HS5 to enhance the Washoe County Sheriff's Office Volunteer Tactical Physician's Program, in the amount of \$25,000, be accepted and Finance be directed to make the following budget adjustments:

ACCOUNT NUMBER	DESCRIPTION	AMOUNT OF INCREASE
Increase Revenues		
10607-431100	Physicians Tactical Unit-Federal Grants	\$25,000
Increase Expenditures		
10607-710509	Physicians Tactical Unit-Training	3,600
10607-711210	Physicians Tactical Unit-Travel	1,550
10607-711504	Physicians Tactical Unit-Equipment Non-Capital	19,850

07-992 AGREEMENT FOR CONTRACT - PATRICK D. DOLAN
-CONTRACT LEGAL SERVICES - SHERIFF

Upon recommendation of Todd Vinger, Chief Deputy, on motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, it was ordered that an agreement for contract between Washoe County and Patrick Dolan, concerning contract legal services as specified in the agreement, July 1, 2007 to June 30, 2008, in the amount of \$80,730, be approved and the Chairman be authorized to execute the agreement.

07-993 PURCHASE REQUISITION/RESOLUTION - PLANNED
PARENTHOOD MAR MONTE - HEALTH

In response to Commissioner Weber, Mary Brown, Community and Clinical Services Assistant Division Director, explained the services provided were the Male Investment Program, Youth Alert, and Peer Educator Training. She explained the training, driven by the questions from the youth in attendance, was to improve educational awareness, better decision-making, and better understanding of reproductive health needs.

There was no response to the call for public comment.

Upon recommendation of Patsy Buxton, Fiscal Compliance Officer, on motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, it was ordered that Purchase Requisition No. 3000008382 issued to Planned Parenthood Mar Monte pertaining to the Title X Education Program, in the amount of \$160,000, \$80,000 in fiscal year 2008 and \$80,000 in fiscal year 2009, be approved. It was further ordered that the following resolution be adopted and the Chairman be authorized to execute the same:

RESOLUTION

Authorizing grant of funds to Planned Parenthood Mar Monte

WHEREAS, The Washoe County District Board of Health made the determination to fund the family planning education efforts of Planned Parenthood Mar Monte through a Notice of Subgrant Award on July 26, 2007; and

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

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

WHEREAS, Washoe County desires to provide money to Planned Parenthood Mar Monte to provide medically accurate, age and culturally appropriate intervention designed to help prevent unintended pregnancy and sexually transmitted diseases among area adolescents; and

WHEREAS, Washoe County finds that these family-planning services provide a substantial benefit to the inhabitants of the County;

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

07-994 FORENSIC SUPPORT SERVICES CONTRACT - CITY OF SPARKS - FORENSIC SUPPORT SERVICES - SHERIFF

In response to Commissioner Galloway, Forensic Science Division Captain Don Means, explained this was an extension of an agreement between the Washoe County Sheriff and the City of Sparks Police Department. He said this agreement sunsetted and was renegotiated year-to-year between the current Sheriff and Chief of Police, both of which had changed several times during the duration of this agreement. Commissioner Galloway said there needed to be a date in the agreement when this came back to the Board. He suggested adding "renewable with 180 days prior written notice or terminates upon three years from date of execution." Captain Means stated that would be appropriate.

Undersheriff Todd Vinger commented the Sheriff's Office was currently in a department wide process of reviewing all of the contracts and bringing them up to date.

Commissioner Galloway remarked per policy of the Board they should all be backed up by a three-year termination date.

There was no response to the call for public comment.

Upon recommendation of Captain Means, on motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, it was ordered that a retroactive Forensic Services Contract between the Washoe County Sheriff's Office Crime Laboratory and the City of Sparks Police Department, concerning Forensic Laboratory Analysis Service Fees, for the term of July 1, 2006 to June 30, 2007, in the amount of \$129,500 renewable with 180 days prior written notice or terminates upon three years from date of execution, be approved and the Chairman be authorized to execute the same.

**07-995 GRANT - UNITED STATES DEPARTMENT OF JUSTICE,
BUREAU OF JUSTICE ASSISTANCE - SHERIFF**

There was no response to the call for public comment.

Upon recommendation of John Cryer, Executive Assistant to the Sheriff, on motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that the FFY 2006 Grant Award from the United States Department of Justice, Bureau of Justice Assistance to be used to purchase analytical software, equipment and training, audiovisual equipment, officer furniture and equipment, digital storage, communications equipment, safety equipment, recording equipment, and accident investigation equipment, in the amount of \$265,181 with no County match, be accepted and the Budget Division be directed to make the following budget adjustments:

ACCOUNT NUMBER	DESCRIPTION	AMOUNT OF INCREASE
Increased Revenues		
10519-431100	FFY 2006 SCAAP-Federal Contributions	\$265,181
Increased Expenditures		
10519-711504	FFY 2006 SCAAP-Equipment non-capital	137,181
10519-781004	FFY 2006 SCAAP-Equipment Capital	128,000

**07-996 ACCEPTANCE OF PROPOSAL - SIBLING FOSTER CARE
HOMES - RFP NO. 2591-07 - SHERIFF**

This was the time to consider proposals received in response to Request for Proposal No. 2591-07 for Sibling Foster Care Homes for the Social Services Department.

In response to Commissioner Weber, Michael Capello, Social Services Director, replied Anicia Beckwith had operated a number of children oriented programs including the Animal Discovery Center. He explained that was the name of the company Ms. Beckwith had incorporated. He indicated the sibling foster home component would not be directly connected to the foster home operation.

Commissioner Humke asked if foster care would be at the address listed in the staff report. Mr. Capello explained there were two homes; however, this particular home would be licensed separately as a facility. Commissioner Humke disclosed he had toured part of the operation.

There was no response to the call for public comment.

One proposal was received from Anicia Beckwith/Animal Discovery Center.

Upon recommendation of Charlene Collins, Buyer, on motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that the proposal submitted by Anicia Beckwith/Animal Discovery Center, the sole responding bidder, in response to RFP No. 2591-07 for Sibling Foster Care Homes for the Social Services Department, at a base rate of \$45.00 per day, \$25.00 per child/per day, and \$50.00 per child/per month for activities, for an estimated annual award amount of \$214,000, be accepted. It was further ordered that the Purchasing and Contracts Administrator be authorized to enter into a one-year agreement, commencing September 1, 2007 through August 30, 2008, with the provision for two, one-year extensions at the County's option.

**07-997 RESOLUTION - 2007 PRIVATE ACTIVITY BOND CAP -
NEVADA RURAL HOUSING AUTHORITY - COMMUNITY
DEVELOPMENT**

Eric Young, Planner, stated the Bond Cap was a volume of bonding authority that came to the State, which divided it between itself and the counties. He explained in Nevada the division was 50/50, with the State keeping 50 percent and the remaining 50 percent divided amongst the counties based on their pro rata population. He said within the State, Washoe County and the Cities of Reno and Sparks had the longest uninterrupted tradition of using this bonding authority. Mr. Young said the County had used these funds for affordable housing projects and made them available for those projects through the Nevada Department of Business and Industry, which identified affordable housing as the key element in industrial development. Mr. Young explained this year there was some inquires; however, applications were not submitted in a timely manner. He indicated this money needed to be allocated from the Board by September 1, 2007 or it would revert back to the State. He explained last year the County was contacted by the Nevada Rural Housing Authority (NRHA) who inquired if the County did not have any other use for the money, and if no other applications were submitted,

would the County consider participating in their program and allocating the bond authority to the NRHA. He stated their program was a first time homebuyer program that attempted to provide mortgages to qualified lenders in town and make mortgages at a lower rate. He said in addition, the program offered a 4 percent non-repayable grant for down payment purposes.

Commissioner Weber said this was an important project that the community should be aware of. She said what was being offered was a way for people to purchase homes; however, because of the different rates and interest rates people may lose their homes, and she wondered if there was a nexus with this program. Mr. Young replied there was a strong nexus under this program and explained it was only the responsible loans that were made available.

Gary Longaker, NRHA Executive Director, explained the State only received so much bonding capacity a year. He said Washoe County had helped approximately 68 families buy a home, but there was only so much bonding capacity which was issued on a first-come, first-serve basis. He commented in February 2006 the first program occurred for \$10 million and took 13 months to fund, the second program occurred in February 2007 for \$23 million which took four months to fund that program. He indicated the NRHA had not started using the allocation the County had transferred last year until the program closed two weeks ago for \$50 million, but anticipated that would move quickly.

There was no response to the call for public comment.

Upon recommendation of Mr. Young, on motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, it was ordered that the following resolution be adopted and the Chairman be authorized to execute the same:

RESOLUTION NUMBER 07-997

RESOLUTION OF THE BOARD OF COMMISSIONERS OF WASHOE COUNTY, NEVADA PROVIDING FOR THE TRANSFER OF THE COUNTY'S 2007 PRIVATE ACTIVITY BOND CAP TO THE NEVADA RURAL HOUSING AUTHORITY; AND OTHER MATTERS RELATED THERETO.

WHEREAS, pursuant to the provisions of Ch. 348A of the Nevada Revised Statutes ("NRS") and Ch. 348A of the Nevada Administrative Code ("NAC"), there has been allocated to Washoe County, Nevada (the "County" and the "State", respectively), the amount of \$5,219,748.38 in tax-exempt private activity bond cap for calendar year 2007 ("2007 Bond Cap"); and

WHEREAS, The Nevada Rural Housing Authority ("NRHA") has requested that the County transfer its 2007 Bond Cap to NRHA for the purpose of providing a means of financing the costs of single family residential housing that will

provide decent, safe and sanitary dwellings at affordable prices for persons of low and moderate income ("Single Family Mortgage Loan Program"); and

WHEREAS, the County is a local government as defined by NAC 348A.070; and

WHEREAS, Section 348A.180 of the NAC provides a procedure whereby the County may, by resolution, transfer to any other local government located within the same county, all or any portion of its 2007 Bond Cap; and

WHEREAS, pursuant to NRS 315.983(1)(a), NRHA is an instrumentality, local government and political subdivision of the State; and

WHEREAS, NRHA is located within Washoe County, pursuant to NRS 315.963, which defines NRHA's area of operation as "any area of the State which is not included within the corporate limits of a city or town having a population of 100,000 or more" (Area of Operation); and

WHEREAS, it is the intent of NRHA, to the extent tax-exempt private activity bond cap is available ("NRHA Bond Cap"), to match the 2007 Bond Cap transferred to NRHA pursuant to this Resolution for origination of loans in County accordance with the terms and conditions herein contained.

NOW, THEREFORE, the Board of County Commissioners of the County does hereby find, resolve, determine and order as follows:

Section 1. Recitals. The recitals set forth herein above are true and correct in all respects.

Section 2. Transfer of Private Activity Bond Cap. Pursuant to NAC 348A.180, County hereby transfers, 2007 Bond Cap in the amount of \$5,219,748.38 to the NRHA for its Single Family Mortgage Loan Program.

Section 3. Conditions on Transfer. The transfer made in Section 2 is subject to the conditions contained within this Section. Prior to using the 2007 Bond Cap outside of County, NRHA shall, through its Single Family Mortgage Loan Program, for a period of sixty (60) days make a commercially reasonable attempt to originate loans within County in an amount at least equal to the 2007 Bond Cap, plus any matching NRHA Bond Cap. After sixty (60) days of NRHA's using the 2007 Bond Cap for issuance of single family mortgage revenue bonds, all geographic conditions imposed by County on NRHA's use of the 2007 Bond Cap shall terminate, and NRHA shall be free to originate loans anywhere within its Area of Operation. NRHA will use the 2007 Bond Cap for single-family purposes in calendar year 2007, or carry forward any remaining amount according to the tax code for such purposes.

Section 4. Representative of County. Pursuant to NAC 348A.180(1), the Director may contact Richard F. Jost, Esq., on behalf of Jones Vargas, Special Counsel to NRHA regarding this resolution at (702) 862-3383 or in writing c/o Jones Vargas, 3773 Howard Hughes Parkway, Third Floor South, Las Vegas, Nevada 89109.

Section 5. Additional Action. The Chairman and the Clerk of the County are hereby authorized and directed to take all actions as necessary to effectuate the transfer of the 2007 Bond Cap, and carry out the duties of the County hereunder, including the execution of all certificates pertaining to the transfer as required by NAC Ch. 348A.

Section 6. Direction to NRHA. NRHA shall notify the Director in writing as soon as practicable of the occurrence or nonoccurrence of any term or condition that would affect the disposition of the 2007 Bond Cap.

Section 7. Representative of NRHA. Pursuant to NAC 348A.180(3), the Director may contact Richard F. Jost, Esq., on behalf of Jones Vargas, Special counsel to NRHA regarding this resolution at (702) 862-3383 or in writing c/o Jones Vargas, 3773 Howard Hughes Parkway, Third Floor South, Las Vegas, Nevada 89109.

Section 8. Obligations of County. This Resolution is not to be construed as a pledge of faith and credit of or by the County, or of any agency, instrumentality, or subdivision of the County. Nothing in this Resolution obligates or authorizes the County to issue bonds for any project or to grant approvals for a project or constitutes a representation that such bonds will be issued.

Section 9. Enforceability. If any section, paragraph, clause or 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 provision shall not effect any of the remaining provisions of this resolution. This resolution shall go into effect immediately upon passage.

07-998 **GRANT - NEVADA DIVISION OF STATE LANDS,**
CONSERVATION AND RESOURCE PROTECTION Q-1
PROGRAM - PARKS

Katy Singlaub, County Manager, thanked the State Public Lands for going above and beyond to make this money available to the County. She stated she was pleased with the partnership and excited to be part of the Legacy Project.

There was no response to the call for public comment.

Upon recommendation of Lynda Nelson, Regional Parks and Open Space Planning Manager, on motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that the grant from the Nevada Division of State Lands, Conservation and Resource Protection (Q-1) Grant Program to complete Phases 2 and 3 of the Lake Tahoe Bike Path Project, in the amount

of \$1,252,516, be accepted. It was further ordered that the Regional Parks and Open Space Director be authorized to execute all appropriate grant related documents and the Finance Department be authorized to make all necessary financial adjustments.

4:12 p.m. The Board recessed.

5:20 p.m. The Board convened as the Board of Trustees for the South Truckee Meadows General Improvement District.

5:53 p.m. The Board reconvened as the Board of County Commissioners with all members present.

07-999 **COMPREHENSIVE PLAN AMENDMENT CASE NO. CP05-004 –
SOUTH VALLEYS AREA PLAN UPDATE – COMMUNITY
DEVELOPMENT**

5:30 p.m. This was the time set to consider Comprehensive Plan Amendment Case No. CP05-004, South Valleys Area Plan Update: review and action on the Planning Commission's report prepared pursuant to NRS 278.220(4) on the issues raised and remanded by the Washoe County Commission on May 22, 2007.

Chairman Larkin opened the public hearing.

Adrian Freund, Director of Community Development, outlined events since the Commission's May 22, 2007 remand back to the Planning Commission.

5:55 p.m. Commissioner Humke temporarily left the dais.

5:56 p.m. Chairman Larkin temporarily left the dais, resulting in the lack of a quorum.

5:56 p.m. Chairman Larkin returned to the dais, completing a quorum.

Mr. Freund stated the Planning Commission reviewed each of the issues raised by the Board and recommended adoption of the updated Area Plan with no changes except the deletion of Policy SV.24.2 concerning diversion of water between hydrographic basins. He explained the Board's statutory options at this point were to adopt, deny, modify or continue.

5:58 p.m. Commissioner Humke returned to the dais.

Mr. Freund related new information received from staff at the Truckee Meadows Regional Planning Agency (TMRPA) suggesting that Washoe County might not have the capacity to accept new applications for amendment of its Truckee Meadows Service Area (TMSA) now that the Regional Plan Settlement Agreement had expired. He indicated that Washoe County staff disagreed with that analysis but the issue was still

pending. Therefore, if TMSA amendments related to the Area Plan were rejected and/or withdrawn, the individuals who filed those applications might look to a different jurisdiction for municipal services. Chairman Larkin noted that all of the Regional Plan Amendments and requirements of the Settlement Agreement were adopted at the July meeting of the Regional Planning Governing Board (RPGB), including population base numbers, and he thought that should satisfy the TMRPA. Mr. Freund stated that TMRPA staff believed the existing County TMSA was fully subscribed based on the formula for persons per acre. He commented there was a previous application from TMRPA staff indicating the County had some capacity to grow and County staff believed that should still stand.

Mr. Freund pointed out that the Board's denial of all or part of the updated Area Plan would take it back to the beginning of the lengthy update process. Chairman Larkin clarified with Mr. Freund and Assistant District Attorney Melanie Foster that no action or a tie vote of the Board would act as technical denials.

In response to a question by Commissioner Galloway, County Planner Eric Young clarified that the deletion of policy language concerning the transfer of water between hydrographic basins would apply to all areas covered by the South Valleys Area Plan. Mr. Freund pointed out the Board would need to formally accept the Planning Commission's recommendation on that point in order for the deletion of Policy SV.24.2 to occur.

Commissioner Humke asked if it was staff's recommendation that the Board hold TMSA approval in abeyance with respect to large land holdings in the Washoe Valley area. Mr. Freund stated it was the province of the RPGB to approve or deny TMSA amendments but the County Commission's advisory recommendation carried significant weight in that decision. In order to keep any related TMSA applications pending, he suggested the Board could provide staff direction and continue items for future consideration rather than denying them.

Mr. Young briefly reviewed the Planning Commission's discussion and recommendations, pointing out that the staff report referenced which sections of the updated Area Plan were addressed by each of the remand issues.

Commissioner Galloway stated he received very few negative comments about the Pleasant Valley and Steamboat sections of the updated Area Plan. He wondered what specific portions of the Plan would have to be changed to address concerns about building height restrictions in those areas. Mr. Young commented that Neighborhood Commercial zoning generally allowed heights of 60 feet. He explained that Goal 3, Policy 3.4 of the updated Area Plan required County staff to meet with the community after adoption to tailor specific site development standards. He suggested a modifier could be inserted in the Policy specifying a maximum height of 35 feet until the tailoring process was complete.

In response to the call for public comment, Marilyn Naylor of Scenic Nevada conducted a PowerPoint presentation, which was placed on file with the Clerk. She summarized the work done by various government agencies, community organizations and citizens to preserve the rural character of Washoe Valley. Ms. Naylor emphasized that Policy 1.1.5 of the Truckee Meadows Regional Plan designated Washoe Valley as a rural development area.

Hans Struffert, Chair of the West Washoe Valley Citizen Advisory Board, placed his comments on file with the Clerk. He expressed appreciation for the thousands of hours invested by staff but suggested the updated Area Plan did not describe a future that citizens wanted to see. On behalf of his group, Mr. Struffert asked the Board to remove the Specific Plan for the Weston/Lowden property from the general land use requirement on page 21, believing it set a dangerous precedent and created the impression of an entitlement. He requested the Board keep the TMSA out of Washoe Valley, not allow any new commercial zoning, and vote against the creation of high-density housing.

Bill Naylor of the East Washoe Valley Citizen Advisory Board placed a copy of his presentation on file with the Clerk. He discussed various types of existing and proposed land uses in the Old Washoe City historic district. Mr. Naylor asked the Board not to allow expansion of the current commercial area; to remove General Rural, Open Space and Residential land use codes from the Character Management Area and allow standard uses for these designations; to modify land use tables to allow only those uses that served the local community and maintained the rural character of Washoe Valley; and not to allow commercial land use changes to specific parcels as part of the updated Area Plan.

Thomas Hall, President of the West Washoe Valley Homeowners' Association, requested elimination of the Specific Plan for the Weston/Lowden property and asked the Board not to extend the TMSA into Washoe Valley.

Bob Rusk, Liaison for the East and West Washoe Valley Citizen Advisory Boards, agreed with Mr. Hall's requests. He emphasized there was no objection to the development of parcels using the resources available within those parcels.

Nancy Samon of the Washoe Valley Landowners' Association agreed with the previous speakers' comments. She stated it appeared staff had not been listening to the citizens during the process to update the Area Plan.

Linda Harrison was in favor of maintaining the existing commercial zoning for the Old Washoe City area.

Shirley Pollock expressed concern about the building densities allowed in the updated Area Plan.

Susan Juetten was opposed to the extension of new commercial zoning on a small "sliver" parcel located across from the intersection of Eastlake Boulevard and U.S. Highway 395 in Washoe Valley.

Willard Wilkinson spoke in favor of retaining the rural character of Washoe Valley.

Steve Gillett pointed out there were very limited rural areas left in Northern Nevada and objected to the high densities allowed in the updated Area Plan.

Ann York noted a large majority of Washoe Valley citizens were opposed to expansion of the TMSA into Washoe Valley, to the Specific Plan and to expansion of commercial areas.

David Harrison observed that staff had been resistant to revisiting issues raised by the citizens. He discussed fears that further development and expansion of the TMSA into Washoe Valley would be detrimental to the ambience of the Valley and that the Weston/Lowden development would ultimately be larger than proposed.

Richard Williamson, an attorney representing property owner John Serpa, placed his comments on file with the Clerk. In accordance with the Planning Commission's recommendation, he recommended deletion of policy SV24.2 regarding water transfers from the Washoe Valley hydrographic basin.

Monika Frank objected to the Specific Plan for Weston/Lowden, stating it was driven by two landowners, a good legal team and members of the County planning staff. She indicated that planning staff was not representing or speaking for the Washoe Valley community and asked that special interests not be allowed to redefine rural open space, rural character, rural development, TMSA boundaries or scenic Washoe Valley.

Carol Christensen placed her comments on file with the Clerk. She contrasted policies from the 2007 Regional Plan with policies from the Washoe Valley portion of the updated South Valleys Area Plan. Ms. Christensen emphasized that the 2007 Regional Plan defined rural development areas as being outside the TMSA and prohibited new development that would require municipal services in areas such as Washoe Valley.

James Greil pointed out that the Commission previously supported the nomination of a conservation easement on his property in Washoe Valley in order to support State Question 1 bond funding for open space. He hoped the Commission would not reverse its previous policies to support open space in Washoe Valley.

Kimberly Clark expressed her support for the updated South Valleys Area Plan and controlled growth.

Timothy Farrell identified himself as a Steamboat Valley business owner. He thought the Board should approve the Steamboat and Pleasant Valley portions of the updated Area Plan.

Ginger Pierce of Pleasant Valley indicated she was pleased with most aspects of the updated Area Plan.

Jane Countryman asked the Commissioners to support the efforts of those who currently lived in Washoe Valley and advocate only such development that was within the resources of the area.

Gary Houk observed that both the East Washoe Valley and West Washoe Valley Citizen Advisory Boards voted against the updated Area Plan as written. He pointed out the citizens were not trying to eliminate existing commercial properties, only to limit the expansion of new ones.

There being no one else wishing to speak, the Chairman closed the public hearing.

Commissioner Galloway, Chairman Larkin and Commissioner Humke each disclosed conversations they held with citizens and concerned parties regarding the updated Area Plan.

Commissioner Galloway indicated his willingness to separate the Steamboat/Pleasant Valley portions of the Plan from those portions concerning Washoe Valley, although he thought there should be a building height restriction in the commercial areas. He stated the Regional Plan allowed many development densities within the TMSA but only 5-acre lots outside the TMSA. Commissioner Galloway did not believe it was reasonable to approve the Specific Plan without more details upon which to base the decision.

Chairman Larkin also supported bifurcation of the Steamboat/Pleasant Valley portions of the updated Area Plan from those for Washoe Valley.

Commissioner Weber acknowledged more than 60 emails concerning the updated Area Plan.

Commissioner Humke stated the citizens were serious in their statements that they had not been treated right by planning staff. He referred to Monika Frank's written comments of August 27th, which were placed on file with the Clerk, and included a persuasive argument that Washoe Valley should be treated as one character management area in its entirety.

Commissioner Humke asked Mr. Freund to indicate where the line would be located if the Steamboat/Pleasant Valley portions of the updated Area Plan were approved separately from the portions for Washoe Valley. Mr. Freund and Mr. Young

referred to map 2 of Appendix B in the updated South Valleys Area Plan, which identified boundaries for the Pleasant Valley Rural Character Management Area and the Steamboat Rural Transition Mixed Use Character Management Area. Commissioner Galloway confirmed with Mr. Young that approving those two portions of the Plan would not inadvertently allow commercial development near the intersection of Eastlake Boulevard and U.S. Highway 395.

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that Comprehensive Plan Amendment Case Number CP05-004, South Valleys Area Plan Update, be approved with respect to those portions of the Plan text concerning the Pleasant Valley Rural Character Management Area and the Steamboat Valley Rural Transition Character Management Area, with the following changes and based on the following findings:

Changes:

1. An interim building height restriction of 35 feet was to be added pending the establishment of special site development, streetscape and architectural guidelines.
2. The Planning Commission's recommendation to delete Policy SV.24.2 concerning water transfers between hydrographic basins was upheld.

Findings:

1. The proposed amendment to the South Valleys Area Plan is in substantial compliance with the policies and action programs of the Comprehensive Plan.
2. The proposed amendment to the South Valleys Area Plan will provide for land uses compatible with existing and planned adjacent land uses, and will not adversely impact the public health, safety or welfare.
3. The proposed amendment to the South Valleys Area Plan responds to changed conditions that have occurred since the Board of County Commissioners adopted the plan, and the requested amendment represents a more desirable utilization of land.
4. The proposed amendment to the South Valleys Area Plan will promote the desired pattern for orderly physical growth of the County and guides development of the County based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services.
5. The Washoe County Planning Commission has reviewed the required regional findings in Article 822 for conformance with the Regional Plan, including Section 822.25, findings

- for Regional Form and Pattern; Section 822.35, findings for Concurrency, Timing and Phasing of Infrastructure; Section 822.40, findings for Public Service Levels and Fiscal Effect.
6. The Washoe County Planning Commission gave reasoned consideration to information contained within the staff report and information received during the public hearing.
 7. The Washoe County Board of County Commissioners gave reasoned consideration to the information transmitted from the Washoe County Planning Commission and to the information received during the public hearing.

Commissioner Humke delineated the four issues that remained problematic for Washoe Valley: (1) extension of the TMSA into Washoe Valley; (2) expansion of the Old Washoe City commercial areas; (3) the Specific Plan for the Weston/Lowden properties; and (4) inclusion of the Weston/Lowden parcels in the TMSA.

Commissioner Galloway pointed out the citizens he spoke to were not opposed to a limited number of "live-work" units for existing commercial properties in Old Washoe City but did not want the commercial area expanded and thought 14 units per acre was too many. He suggested something like two units per parcel would be more appropriate.

Chairman Larkin asked for clarification of the current TMSA boundary lines. Mr. Freund pointed out the Washoe County and City of Reno TMSA areas in Pleasant/Steamboat Valley on a map taken from the Weston/Lowden TMSA application, which was placed on file with the Clerk. Mr. Freund pointed out the TMSA boundaries for Reno, Sparks and Washoe County on Map 1 from the 2007 Regional Plan, which was placed on file with the Clerk. A discussion ensued concerning Future Service Areas that were not shown on the map.

Chairman Larkin indicated he would support a continuance for consideration of the Washoe Valley portions of the updated Area Plan and asked that staff specifically work out issues related to the TMSA. Commissioner Galloway suggested the TMSA boundaries would not be such an issue if the County had more flexibility to cluster development outside the TMSA boundary. He stated it would be helpful if there were a process that allowed the Commission to see all aspects of a developer's plan at the time approval of a plan amendment was requested.

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that the portions of the plan text and maps relevant to the Pleasant Valley Rural Character Management Area and the Steamboat Valley Rural Transition Character Management Area were adopted and that consideration of the portions of the South Valleys Area Plan Update pertaining to the East Washoe Valley Rural Character Management Area, West Washoe Valley Rural Character Management Area, Washoe Lake Natural Resources Character Management

Area and Old Washoe City Historic Mixed Use Character Management Area, for Comprehensive Plan Amendment Case Number CP05-004, were continued to a future meeting of the Board of Washoe County Commissioners. Staff was directed to work with concerned parties to further refine the updated Area Plan and address the following issues:

- no Specific Plan for the Weston/Lowden properties;
- no expansion of commercial zoning and more emphasis on special use permits;
- no high density (14 units per acre) zoning;
- reduced table of uses under General Rural zoning;
- uphold the Planning Commission's recommendation to delete Policy SV.24.2 concerning water transfers between hydrographic basins; and
- allow "live-work" multifamily units in existing commercial zones with a suggested limit of two units per parcel.

07-1000 **DISCUSSION/ADVISORY RECOMMENDATION – AMEND BOUNDARIES OF THE WASHOE COUNTY TRUCKEE MEADOWS SERVICE AREA (TMSA) – COMMUNITY DEVELOPMENT**

Chairman Larkin opened the public hearing.

In response to the call for public comment, Monika Frank and Ginger Pierce expressed opposition to extending the TMSA into Washoe Valley.

Chairman Larkin closed the public hearing.

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that consideration of an advisory recommendation to the Truckee Meadows Regional Planning Commission concerning an application by Weston/Lowden to amend the boundaries of the Washoe County TMSA be continued to a future meeting of the Board of Washoe County Commissioners pending the outcome of the Washoe Valley portions of the South Valleys Area Plan Update and resolution of possible issues related to Washoe County's capacity to amend its TMSA boundaries.

8:08 p.m. The Chairman declared a brief recess.

8:26 p.m. The Board reconvened with all members present.

**07-1001 ORDINANCE NO. 1342 – BILL NO. 1521 – DEVELOPMENT
AGREEMENT CASE NO. DA06-006 – COMMUNITY
DEVELOPMENT**

5:30 p.m. This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on August 20, 2007 to consider second reading and adoption of Bill No. 1521. Proof was made that due and legal Notice had been given.

County Clerk Amy Harvey read the title of the proposed Ordinance.

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

On motion by Commissioner Galloway, seconded by Chairman Larkin, which motion duly carried, it was ordered that Ordinance No. 1342, Bill No. 1521, entitled, "**AN ORDINANCE PURSUANT TO NEVADA REVISED STATUTES 278.0201 THROUGH 278.0207 ADOPTING THE DEVELOPMENT AGREEMENT CASE NO. DA06-006 FOR TENTATIVE PARCEL MAP CASE NOS. PM05-064, PM05-065 AND PM05-066, APPROVED BY THE PARCEL MAP REVIEW COMMITTEE OF WASHOE COUNTY ON OCTOBER 13, 2005,**" be approved, adopted and published in accordance with NRS 244.100. It was further ordered that Chairman Larkin be authorized to execute said development agreement.

**07-1002 ORDINANCE NO. 1343 – BILL NO. 1522 – DEVELOPMENT
AGREEMENT CASE NO. DA07-003 – COMMUNITY
DEVELOPMENT**

5:30 p.m. This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on August 20, 2007 to consider second reading and adoption of Bill No. 1522. Proof was made that due and legal Notice had been given.

County Clerk Amy Harvey read the title of the proposed Ordinance.

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

On motion by Commissioner Weber, seconded by Commissioner Humke, which motion duly carried, it was ordered that Ordinance No. 1343, Bill No. 1522, entitled, "**AN ORDINANCE PURSUANT TO NEVADA REVISED STATUTES 278.0201 THROUGH 278.0207 ADOPTING THE DEVELOPMENT AGREEMENT CASE NO. DA07-003 FOR TENTATIVE PARCEL MAP CASE NO. PM07-022, APPROVED BY THE PARCEL MAP REVIEW COMMITTEE OF WASHOE COUNTY ON MAY 10, 2007,**" be approved, adopted and published in

accordance with NRS 244.100. It was further ordered that the Chairman be authorized to execute said development agreement.

**07-1003 COMPREHENSIVE PLAN AMENDMENT CASE NO. CP07-002
AND SPECIFIC PLAN CASE NO. SP07-001 (FALCON RIDGE) –
SUN VALLEY AREA PLAN – COMMUNITY DEVELOPMENT**

Trevor Lloyd, Planner, explained the first part of the item under consideration was for a comprehensive plan amendment to change the land use designation of the 25.6-acre site from High Density Suburban to a Specific Plan regulatory zone and the second part of the item being considered was to adopt the Specific Plan. He gave a brief description of the Falcon Ridge development and the applicant's request to increase the allowable density to a total of 269 multifamily or single-family attached residential units. Mr. Lloyd stated the Planning Commission had approved the request. He indicated the Sun Valley Citizen Advisory Board recommended denial but would support the request if a traffic light could be installed at the project's entrance on El Rancho Drive.

In response to Chairman Larkin's questions, Mr. Lloyd noted residents would be limited to a right turn only when exiting and a dedicated center pocket for left-hand turns would be installed for entrance to the development. Additionally, the developer would be required to install a left-hand turn pocket at the entrance to Maynard Way. A discussion ensued about the impact on traffic patterns. Bruce Jenks with Jeff Codega Planning and Design pointed out that the site did not meet the warrants for a traffic signal under Regional Transportation Commission guidelines. Paul Solaegui with Solaegui Engineers, the applicant's traffic engineer, explained that traffic warrants were federal rules that dictated when a signal could be constructed and there were liability issues associated with maintaining the integrity of the warrants. Chairman Larkin asked what was planned to prevent residents from making a U-turn at Maynard Way. Mr. Solaegui stated there would be a safe turn pocket at Maynard Way and it might be possible to ensure there was enough room there for residents to safely turn around. Commissioner Galloway suggested a traffic circle. Mr. Solaegui expressed concern about the private developer's ability to acquire land for a right of way for that purpose and stated that a traffic signal would be more cost effective. Commissioner Weber emphasized that it was imperative for residents to have the ability to turn left onto El Rancho Drive. Chairman Larkin clarified with County Manager Katy Singlaub that Washoe County controlled the traffic warrants for the streets in question. He asked if the developer was amenable to paying for a traffic signal. Mike Raley with Jeff Codega Planning and Design indicated the developer was willing to pay a significant portion of the cost for a traffic signal. Ms. Singlaub observed that Public Works staff was not present to discuss the implications of a traffic signal. Commissioner Weber requested input from the residents impacted. Mr. Raley pointed out that the agenda item was to address zoning to a Specific Plan and the traffic issues could be addressed at the tentative map stage after working with the Public Works Department.

In response to the call for public comment, Garth Elliott, Chair of the Sun Valley Citizen Advisory Board, stated that his group was not in opposition to the high-density development. He stated more effort needed to be put into addressing traffic solutions before approving an increase to 269 units.

Mr. Jenks confirmed that the developer would pay for 75 percent of the traffic light if it could be approved through a condition on the tentative map. He submitted five letters of support for the project, which were placed on file with the Clerk.

Chairman Larkin asked if traffic conditions through a tentative map would come back before the Board for approval. Mr. Lloyd stated they would not, unless there was some type of appeal. Commissioner Galloway wondered why the Board would approve zoning without first seeing all the details of the plan. Mr. Lloyd was not sure if the Board had the authority to make detailed changes without sending the plan back to the Planning Commission. Chairman Larkin stated the project was a good one that would bring affordable housing into the community but it was necessary to make sure there was adequate infrastructure in place before the Board could approve it. Melanie Foster, Assistant District Attorney, said it would be appropriate for the Board to send the Specific Plan back to the Planning Commission with an indication of what modifications they wanted to see. Mr. Lloyd suggested it was possible to get the Specific Plan before the Planning Commission at their meeting on September 18, 2007 and bring it back to the Board of County Commissioners on September 25th. Mr. Jenks stated the timeline would work well and allow the developer to get the tentative map added to the Development Standards Handbook for the project.

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that Comprehensive Plan Amendment Case No. CP07-002 and Specific Plan Case No. SP07-001 (Falcon Ridge) be remanded to the Planning Commission for modification of the development standards to require a left turn exit solution compatible with normal safety practice before allowing development to proceed.

07-1004 PERFORMANCE EVALUATION – COUNTY MANAGER

Chairman Larkin pointed out the fourth quarter Management Accountability Project Performance Report contained in the staff report, as well as a summary of the County Manager's performance appraisal, highlights of team accomplishments for fiscal year 2006-07 and salary survey results for public chief executive officers.

County Manager Katy Singlaub thanked her staff for their efforts during a difficult year in which the budget had to be reduced by nearly ten million dollars. She highlighted some of her team's accomplishments over the last fiscal year.

Commissioner Galloway observed that the financial crunch was likely to recur and asked the Manager if she foresaw any need for the County to use its "rainy day"

fund. Ms. Singlaub did not anticipate the need for that. She stated there was an item planned on the Board's September agenda to provide a budget update with discussion and possible Board direction concerning prospective budget management strategies.

Commissioner Weber complimented Ms. Singlaub for assembling a great team and always being there to support the Commissioners.

Commissioner Humke agreed with Commissioner Weber's complimentary remarks. He observed one negative comment on Ms. Singlaub's performance appraisal concerning the "Ballardini fiasco". Commissioner Humke read a second comment from the appraisal: "Katy encourages her staff to be as creative and effective as possible," noting that sometimes her subordinate managers took their authority further than the Commissioners would like.

Chairman Larkin noted and praised a number of Ms. Singlaub's accomplishments. He identified two areas for improvement during fiscal year 2007-08: (1) move aggressively with plans for the Pioneer site, and (2) place the County in a significant leadership role in terms of diversification and financial arrangements as the economy continued to adjust.

Ms. Singlaub detailed some of the new goals and objectives for 2007-08, such as continuous process improvement and performance measurement/management in conjunction with the Baldrige initiative, focused County support of viable projects involving clean energy and biomass, and continued work on regional relations and regional collaboration.

Joanne Ray, Human Resources Director, referred to the salary survey for chief executive officers. She stated that a salary increase anywhere from 1 percent to 6 percent would be appropriate. Chairman Larkin commented that Ms. Singlaub's compensation looked slightly low when compared to the total amount of her budget and the number of employees managed. Commissioner Humke suggested the Board consider a bonus in addition to a salary increase. In response to Chairman Larkin's question, Ms. Ray indicated that Ms. Singlaub received an 8 percent bonus last year and the Board was authorized to give a bonus of up to 10 percent.

There was no public comment on this item.

On motion by Chairman Larkin, seconded by Commissioner Weber, which motion duly carried, it was ordered that the Washoe County Manager receive a 3 percent salary increase and an 8 percent bonus. It was further ordered that the Manager's contract be extended through July 31, 2009 with a salary review and performance evaluation to take place in one year.

Ms. Singlaub expressed her gratitude to the Board and stated that she would once again make a donation to the Employee Scholarship Program.

**REPORTS AND UPDATES FROM COUNTY COMMISSION
MEMBERS**

Chairman Larkin announced the first meeting of the Western Regional Water Commission.

Commissioner Weber noted there was an upcoming meeting to kick off planning for the 2010 convention of the National Association of Counties (NACo), as well as a picnic for the Nevada Association of Counties (NACO).

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9:45 p.m. There being no further business to come before the Board, the meeting was adjourned.

ROBERT M. LARKIN, Chairman
Washoe County Commission

ATTEST:

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

*Minutes Prepared by
Stacy Gonzales and Lisa McNeill
Deputy County Clerks*