

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

2:00 P.M.

OCTOBER 23, 2007

PRESENT:

Bob Larkin, Chairman
Jim Galloway, Commissioner*
David Humke, Commissioner
Kitty Jung, Commissioner

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

ABSENT:

Bonnie Weber, Vice Chairman

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:

07-1229 AGENDA

Agenda Subject: Approval of the agenda for the Board of County Commissioners' meeting of October 23, 2007, including consideration of taking items out of sequence, deleting items and adding items which require action upon a finding that an emergency exists.

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.

Ms. Singlaub explained per the request of the submitting agencies that items 7D, 10, 18, and 19 were pulled from the agenda.

In response to the call for public comment, Sam Dehne said he was opposed to the two-minute time limit for public speakers. Gary Schmidt opposed the approval of the agenda.

***2:15 p.m.** Commissioner Galloway arrived.

In accordance with the Open Meeting Law, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Commissioner Weber absent, Chairman Larkin ordered that the agenda for the October 23, 2007 meeting be approved with the following changes: **Delete** Item 7D, Professional Services Agreement for Diversion Court Life Skills Services; Item 10, Intrastate Interlocal Contract between the County of Washoe (Department of Social Services) and The State of Nevada, Department of Health and Human Services (DHHS), Division of Child and Family Services; Item 18, \$5,000,000 appropriation from the State General Fund through the State Department of Conservation and Natural Resources for Truckee River restoration; and Item 19, Development and Finance Agreement with the Reno-Sparks Indian Colony and Wal-Mart Stores Inc.

PUBLIC COMMENTS

Agenda Subject: Comment heard under this item will be limited to two minutes per person and may pertain to matters both on and off the Commission agenda. The Commission will also hear public comment during individual action items, with comment limited to two minutes per person. Comments are to be made to the Commission as a whole.

2:16 p.m. Commissioner Humke temporarily left the meeting.

Joe Harrelson spoke on an incident in Sun Valley.

Sam Dehne thanked the firefighters and public safety officials for their hard work concerning the southern California wild fires.

Gary Schmidt commented on the State Board of Equalization hearing he attended earlier in the day.

COMMISSIONERS'/MANAGER'S ANNOUNCEMENTS

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

Commissioner Galloway said the minutes of September 11, 2007 indicated he requested an update on legal obstacles regarding inmate work crews cleaning the freeways and apologized if he missed a reply to that request. Katy Singlaub, County Manager, stated she would follow-up to see if that request had been completed.

2:25 p.m. Commissioner Humke returned.

Commissioner Humke requested a future agenda item concerning information and/or dialogue on the County's response to Governor Gibbons' proposed budget cuts. Ms. Singlaub remarked she would provide a report to the Board as to the County's response to those cuts.

Ms. Singlaub announced as part of the San Jose State University Library School 40th accreditation anniversary celebration, Nancy Cummings, Library Director, was recognized as one of 40 outstanding alumni for her significant contributions to library and information systems.

07-1230 AGENDA ITEM 6A - COMMUNITY DEVELOPMENT

Agenda Subject: Proclamation - October 2007 as National Community Planning Month in Washoe County.

Katy Singlaub, County Manager, read and presented the Proclamation to Adrian Freund, Community Development Director. Mr. Freund thanked the Board for recognizing the planning process and smart-growth principles.

In response to the call for public comment, Gary Schmidt commented on the Proclamation.

On motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Commissioner Weber absent, Chairman Larkin ordered that Agenda Item 6A be adopted. See Proclamation attached hereto and made a part hereof.

07-1231 AGENDA ITEM 6B - TRUCKEE MEADOWS FLOOD PROJECT

Agenda Subject: Proclamation - November 3-10, 2007 as Flood Awareness Week.

Katy Singlaub, County Manager, read and presented the Proclamation to Naomi Duerr, Truckee River Flood Management Project Director. Ms. Duerr thanked the Board and invited the public to the 2007 Flood Expo scheduled for November 7, 2007 at the May Museum in Rancho San Rafael Regional Park.

There was no response to the call for public comment.

On motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Commissioner Weber absent, Chairman Larkin ordered that Agenda Item 6B be adopted. See Proclamation attached hereto and made a part hereof.

07-1232 AGENDA ITEM 6C - SENIOR SERVICES

Agenda Subject: Proclamation - November 2007 as National Family Caregivers Month.

Katy Singlaub, County Manager, read and presented the Proclamation to Diane Ross, Nevada Family Caregiver Coalition Chair. On behalf of the Coalition, Ms. Ross thanked the Board.

In response to the call for public comment, Sam Dehne commented on the Proclamation.

On motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Commissioner Weber absent, Chairman Larkin ordered that Agenda Item 6C be adopted. See Proclamation attached hereto and made a part hereof.

CONSENT AGENDA DISCUSSION

In response to the call for public comment, Sam Dehne and Gary Schmidt voiced their opinions on several of the consent agenda items.

07-1233 AGENDA ITEM 7A - MINUTES

Agenda Subject: Approve minutes for the Board of County Commissioners' meeting of September 11, 2007.

Commissioner Galloway requested a minor typographical correction on page 100 of the minutes.

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

07-1234 AGENDA ITEM 7B - HUMAN RESOURCES

Agenda Subject: Approve reclassification requests submitted through the job evaluation and classification process [decrease to Water Resources Fund of \$7,569 and an increase in the General Fund of \$8,570].

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried with Commissioner Weber absent, Chairman Larkin ordered that Agenda Item 7B be approved.

07-1235 AGENDA ITEM 7C - LIBRARY

Agenda Subject: Accept State Grant-in-Aid Funds [\$51,803] for Fiscal Year 2008, for the Augmentation of Library Collections, and direct the Finance Department to make the appropriate budget adjustments.

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

07-1236 AGENDA ITEM 7E(1) - PURCHASING DEPARTMENT

Agenda Subject: Award Bid No. 2617-08 for Elevator Preventative Maintenance and Repair, on behalf of the Facility Management Division of the Washoe County Public Works Department and the Washoe County School District (WCSD), to the lowest responsive, responsible bidder ThyssenKrupp Elevator Corporation, [monthly amount of \$7,035 (\$84,420 annually) for Washoe County's requirements, and \$1,755 per month (\$21,060 annually) for WCSD requirements]; and if awarded, authorize Purchasing and Contracts Administrator to execute a two-year agreement with a one-year renewal option on behalf of Washoe County. This award is County-wide and affects all Commission districts due to the inclusion of WCSD elevators.

In response to Chairman Larkin, Mike Sullens, Senior Buyer, replied a consultant was hired to review the requirements for the elevators, who then wrote the regulations ensuring reliability and better service that could prevent future repairs. He said in doing so, the cost had increased for all County elevators. He explained the elevators in the downtown courthouse were under the same provision since they recently came off warranty. Mr. Sullens noted the standard had changed for all 44 elevators located in the County.

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried with Commissioner Weber absent, Chairman Larkin ordered that Agenda Item 7E(1) be awarded, authorized and executed.

07-1237 AGENDA ITEM 7E(2) - PURCHASING DEPARTMENT

Agenda Subject: Award Bid #2596-07 for Janitorial Services at Washoe County Senior Services to Best Janitorial Services, Inc, the lowest, responsive, responsible bidder, meeting specifications, terms and conditions in the estimated amount of \$2,497 per month; and if awarded, authorize Purchasing and Contracts Administrator to execute a two-year agreement with one single year renewal option [estimated annual value \$29,964]. (Affects Commission District 3)

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried with Commissioner Weber absent, Chairman Larkin ordered that Agenda Item 7E(2) be awarded, authorized and executed.

07-1238 AGENDA ITEM 7F - WATER RESOURCES DEPARTMENT

Agenda Subject: Approve and authorize the Chairman to execute upon receipt the Second Amendment to Agreement Regarding the Purchase of Water Rights Pursuant to the Truckee River Water Quality Settlement Agreement between the City of Reno, the City of Sparks, and Great Basin Land and Water [\$24,000 annually]. (All Districts)

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

07-1239 AGENDA ITEM 7G - PUBLIC WORKS DEPARTMENT/TRUCKEE RIVER FLOOD PROJECT

Agenda Subject: Support report approved by the Flood Management Coordinating Committee and authorize hiring of one Facility Technician position to be assigned and budgeted in the Flood Project [cost is approximately \$70,000 annually, to be funded from the 1/8-cent sales tax appropriation (Cost Center 211001)]; and if approved, direct Finance and Human Resources to make the necessary adjustments.

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried with Commissioner Weber absent, Chairman Larkin ordered that Agenda Item 7G be supported, authorized and directed.

07-1240 AGENDA ITEM 7H - TRUCKEE RIVER FLOOD MANAGEMENT PROJECT

Agenda Subject: Accept Truckee River Flood Management Project Status Report for September 2007.

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried with Commissioner Weber absent, Chairman Larkin ordered that Agenda Item 7H be accepted.

07-1241 AGENDA ITEM 7I - MANAGEMENT SERVICES/EMERGENCY MANAGEMENT

Agenda Subject: Accept 2008 State Emergency Response Commission (SERC), Hazardous Materials Emergency Preparedness (HMEP) Grant [\$20,608.00 with no County match required] and authorize the expenditure of those funds to allow county and certain Non-County Employees to attend the HazMat Explo11

Conference & Exposition in Las Vegas, November 5-8, 2007; and if accepted, direct the Finance Department to make the appropriate budget adjustments.

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

07-1242 AGENDA ITEM 7J - MANAGER'S OFFICE

Agenda subject: Approve appointment of Grady Tarbutton as Director of Senior Services at an annual salary of \$99,000, to be effective November 5, 2007.

Katy Singlaub, County Manager, indicated a national search had been conducted for a Senior Services Director. She explained the department had an interim director, but since this department was an important County operation a permanent replacement needed to be appointed.

In response to Commissioner Galloway, Ms. Singlaub replied the hiring freeze previously implemented by the Board was not a "hard freeze". She explained in the past many adjustments had been made to that freeze based on the demands of the department. Ms. Singlaub remarked this position was advertised nationally prior to a more rigid hiring freeze being implemented, but agreed positions that could be held open continue to be for as long as possible. She said the Senior Services Department had a high service level that included many volunteers, contractors and daily food service making the Department a critical operation and an important role in the community.

Chairman Larkin asked how would this appointment differentiate from other appointments. Ms. Singlaub replied that would depend whether the County had the capacity organizationally to cover the functions in the absence of a director. She added from a service level, significant responsibilities and liabilities in the area of Senior Services determined that this position needed to be filled.

Commissioner Galloway said because Senior Services received many federal grants, would it be less sensitive to the revenue drops and/or the County General Fund. Ms. Singlaub replied because it was primarily funded by a dedicated property tax rate, ad valorem rate and federal and state grants as well as substantial donations it was less sensitive. Commissioner Galloway remarked since this did not set a policy by implication for other director vacancies he would support the appointment.

In response to the call for public comment, Sam Dehne remarked on the qualifications and attributes for a Senior Services Director.

On motion by Commissioner Galloway, seconded by Commissioner Jung, which motion duly carried with Commissioner Weber absent, Chairman Larkin ordered that Agenda Item 7J be approved.

07-1243 AGENDA ITEM 8 - LIBRARY

Agenda Subject: Recommendation to appoint one individual to the vacant Washoe County Library Board of Trustees seat, with a term effective October 23, 2007 to June 30, 2011.

Commissioner Galloway disclosed he had spoken to appointee Johnnie Pullman to see if she would seek reelection to the Washoe County School Board in which she replied she would.

Commissioner Humke moved to appoint Fred Lokken to the Washoe County Library Board of Trustees. Chairman Larkin seconded the motion.

Upon discussion, Commissioner Galloway stated he was leaning toward appointing Ms. Pullman. Commissioner Jung also indicated she would recommend appointing Ms. Pullman for the Trustee position.

Commissioner Humke amended the motion and moved to continue this item until November 13, 2007 when there would be a full Board. The seconder agreed.

On call for the vote, the amended motion passed 4 to 0 with Commissioner Weber absent.

3:11 p.m. The Board took a brief recess.

3:16 p.m. The Board returned.

07-1244 AGENDA ITEM 9 - RISK MANAGEMENT

Agenda Subject: Recommendation to approve payment of the estimated annual assessment for Washoe County's self-funded workers' compensation program for Fiscal Year 2007/2008 to the State of Nevada, Division of Industrial Relations, [in four installments of \$35,014.71 each, for a total of \$140,058.85].

Katy Singlaub, County Manager, indicated these were not discretionary expenditures, but a required payment the County made to the State.

Chairman Larkin asked why the States' cost increased 13.7 percent and the County's annual claim expenditures increased 16 percent. Jim Jeppson, Risk Manager, replied the Director of Industrial Relations (DIR) had a number of required operations funded by this assessment. He said the State Legislature reviewed and approved their budget enabling him to break down the cost increases among the various operations of the DIR; however, he would locate that information and return to the Board with that data. He said the biggest cost category continued to be the heart/lung claims for sheriff deputies. Mr. Jeppson indicated that was the largest single worker's compensation expense for any public entity that had police officers or firefighters. He stated during the

past three years, in which this assessment was based, 18 new heart claims had been accepted by the County. Mr. Jeppson explained the claims increased due to the testing becoming more comprehensive. He noted the medical conditions were being aggressively treated and explained prescription drugs, especially heart drugs, were expensive. Mr. Jeppson commented there was also an increase in the statutory compensation rate for loss time by legislative formula every year. He explained the compensation rate formed the basis for every payment made to an injured worker. Mr. Jeppson noted another significant factor was the adoption by the DIR of the fifth addition of the *American Medical Association Guides To The Evaluations Of Permanent Impairment*, which was used by rating physicians to establish a permanent disability. He said by adding a new factor this addition increased the ratings on back claims 60 percent. Mr. Jeppson acknowledged ratings were also added for subjective pain complaints and an activity factor for daily living, which were now compensatable under worker's compensation.

Commissioner Galloway asked if law enforcement was under a different standard and did they get presumption. Mr. Jeppson replied the presumption became effective in 1988 and that Nevada had a law that established conclusive presumption for police officer's and firefighters if they contracted any form of heart or lung disease that was conclusively presumed to have occurred on the job.

In response to the call for public comment, Sam Dehne voiced his opinion of the State Worker's Compensation benefits.

On motion by Commissioner Jung, seconded by Commissioner Galloway, which motion duly carried with Commissioner Weber absent, Chairman Larkin ordered that Agenda Item 9 be approved.

07-1245 AGENDA ITEM 12 - PUBLIC WORKS DEPARTMENT

Agenda Subject: Recommendation to accept donations [\$447,500] and award bid for “District Attorney C.A.R.E.S./S.A.R.T. facility” to the lowest, responsive and responsible bidder [staff recommends Building Solutions LLC \$1,125,265]; and if awarded, authorize Chairman to execute contract documents upon presentation; and direct Finance to make necessary adjustments.

Richard Gammick, District Attorney, conducted a PowerPoint presentation, which was placed on file with the Clerk, highlighting the Sexual Assault Response Team (S.A.R.T) and Child Abuse Response Evaluations (C.A.R.E.S) program's history, groundbreaking and finances. He recognized the following organizations for their contributions:

Washoe County Sheriff's Office
Washoe County School District Police Department
Washoe County Social Services
Washoe County District Health Department
University of Nevada, Reno, Police Department

Reno Police Department
Sparks Police Department
Northern Nevada Medical Center
Crisis Call Center

Mr. Gammick said this facility would service northern Nevada, all the contiguous northern California counties and Washoe County. He explained the other counties would be charged a fee to defray the cost; however, law enforcement agencies would not be charged.

Commissioner Jung commended Mr. Gammick and stated this service was needed in the community and would bring a level of compassion to the victims.

On behalf of the Board, Commissioner Galloway thanked the donors for their generous donations for the C.A.R.E.S/S.A.R.T facility.

In response to the call for public comment, Sam Dehne commended the program and the donors.

Chairman Larkin disclosed he sat on the Northern Nevada Medical Center Board.

On motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Commissioner Weber absent, Chairman Larkin ordered that Agenda Item 12 be accepted, awarded, authorized, executed and directed.

07-1246 AGENDA ITEM 11 - SOCIAL SERVICES DEPARTMENT

Agenda Subject: Recommendation to approve and authorize Chairman to execute Amendment #1 (non-monetary change) to Intrastate Interlocal Agreement with the Department of Health and Human Services, Division of Welfare and Supportive Services, and Washoe County (Department of Social Services) to maintain the Temporary Assistance to Needy Families (TANF)[funding at \$1,756,344 annually for Fiscal Years 2007-2008 and 2008-2009].

In response to the call for public comment, Sam Dehne commented on the amount accepted from the federal government.

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

07-1247 AGENDA ITEM 13 - PURCHASING DEPARTMENT

Agenda Subject: Recommendation to award Invitation to Bid # 2582-07, A Stocking & Inventory Program for Water Meters Boxes, Touch Read Lids and Misc. Water Work Supplies, to the only responsive bidder, Western Nevada Supply Co. [approximately \$120,000]. Since these items are used in new construction, renovation and maintenance of water lines throughout Washoe County exact requirements are unknown. This award shall run from the date of Bid Award through December 31, 2009 with Washoe County retaining option for a one-year extension, provided prices do not increase and service is satisfactory. (All Districts).

In response to Commissioner Galloway, Mike Sullens, Senior Buyer, replied the County had a contract for three years that expired recently for Water Meter Boxes, and Touch Read Lids where the prices were set. He said in the new contract the average price had increased 16.38 percent. He explained the County received excellent service from this vendor and staff felt the pricing was reasonable. Commissioner Galloway indicated there were three items that increased significantly. He asked rather than being locked in on those three items, could staff investigate alternatives allowing the Board to exclude those and award the remaining items. Mr. Sullens replied this was composed as a package, and he would need to check with the vendor in order to remove some of the items. Mr. Sullens suggested awarding the bid as a package; however, staff would follow-up with the vendor to inquire those questionable items.

There was no response to the call for public comment.

On motion by Commissioner Galloway, seconded by Commissioner Jung, which motion duly carried with Commissioner Weber absent, Chairman Larkin ordered that Agenda Item 13 be awarded.

07-1248 AGENDA SUBJECT 14 - WATER RESOURCES DEPARTMENT

Agenda Subject: Recommendation to award or reject a bid for monitoring well drilling (Phase 3) and construction in the Central Truckee Meadows to Boart-Longyear, [\$644,720]; and if awarded, authorize Chairman to execute the contract documents upon receipt and authorize the Program Manager to issue the Notice to Proceed. (District 3)

There was no response to the call for public comment.

On motion by Commissioner Galloway, seconded by Commissioner Jung, which motion duly carried with Commissioner Weber absent, Chairman Larkin ordered that Agenda Item 14 be rejected.

07-1249 AGENDA ITEM 16 - COMMUNITY DEVELOPMENT

Agenda Subject: Recommendation to authorize Chairman of the Board of County Commissioners to sign the Resolution Adopting the Amended South Valleys Area Plan (CP05-004), as to the areas known as Steamboat and Pleasant Valleys, a part of the Washoe County Comprehensive Plan, such signature by the Chairman to be made only after a determination of conformance with the Regional Plan by the Truckee Meadows Regional Planning Agency.

Katy Singlaub, County Manager, explained the County previously carved this area out of the South Valleys Area Plan; however, the remainder of that Plan was being brought back to the Board. She stated this went forward as approved and noticed to the public specific to the Steamboat and Pleasant Valleys.

There was no response to the call for public comment.

On motion by Commissioner Galloway, seconded by Commissioner Jung, which motion duly carried with Commissioner Weber absent, Chairman Larkin ordered that Agenda Item 16 be adopted and authorized. See Resolution attached hereto and made a part hereof.

07-1250 AGENDA ITEM 15 - COMMUNITY DEVELOPMENT

Agenda Subject: Development Code Amendment Case Number DCA07-008-Introduction and first reading of an Ordinance amending provisions relating to Washoe County Code Chapter 110, Article 306 by clarifying a maximum of two plumbing fixtures allowed in detached accessory structures, and other matters properly relating thereto.

In response to Chairman Larkin, Roger Pelham, Senior Planner, explained it was past practice to limit the number of plumbing fixtures to two in a detached accessory structure. He commented this was an artifact of the Uniform Building Code (UBC) that Washoe County no longer operated under. He explained the County now operated under the International Building Code (IBC), which was silent to the number of fixtures that constitute a structure as opposed to a dwelling. Mr. Pelham remarked this could apply to everyone who applied for a permit for a garage and be clearly codified that there could be two plumbing fixtures in a detached structure. Chairman Larkin asked how the County decided on two fixtures. Mr. Pelham reiterated it was an artifact of the UBC that three or more plumbing fixtures were a characteristic of a dwelling as opposed to two or fewer being a structure.

Commissioner Galloway stated there was a set policy where there could be a secondary residential unit, but the intent of this bill was to ensure that single-family zoning was not being violated. Mr. Pelham agreed.

Chairman Larkin said there was nothing that would prevent someone from establishing a business and apply for a variance under a Special Use Permit (SUP). Mr. Pelham replied if a business were established that required a SUP or another type of discretionary action this restriction would not apply. Chairman Larkin stated it would apply, but they would need to apply for a SUP. Mr. Pelham said if a SUP for a particular type of commercial activity was requested then this would not apply. He said the County never applied that limit of plumbing fixtures to a commercial structure. Chairman Larkin said if someone was putting a structure on their residence it would not be in a commercial zone, and if they wanted to place a structure that had three plumbing fixtures, they would have to come in and apply for a SUP. Mr. Pelham concurred.

Commissioner Humke asked how bids for hoses were treated under attached accessory structures. Mr. Pelham replied they were part of the utility development of the parcel.

In response to the call for public comment, Gary Schmidt remarked on detached accessory structures.

Bill No. 1531, entitled, "**AN ORDINANCE AMENDING PROVISIONS RELATING TO WASHOE COUNTY CODE CHAPTER 110, ARTICLE 306 BY CLARIFYING A MAXIMUM OF TWO PLUMBING FIXTURES ALLOWED IN DETACHED ACCESSORY STRUCTURES, AND OTHER MATTERS PROPERLY RELATING THERETO,**" was introduced by Commissioner Galloway, the title read to the Board and legal notice for final action of adoption directed.

4:06 p.m. The Board recessed.

4:29 p.m. The Board reconvened.

07-1251 AGENDA ITEM 17 - MANAGER'S OFFICE

Agenda Subject: Recommendation to accept the Sierra Front Working Group work-plan; authorize County staff to devote time to the effort; dedicate \$5,000 to the initial cost for a community-wide education and awareness program; as funds become available, contribute a minimum of \$50,000 for the installation of wildlife proof trash enclosures at Davis Creek Park; and offer County staff guidance on funding, potentially dedicating revenue from increasing park usage fees in conjunction with the increase in trash expenses.

Dave Childs, Assistant County Manager, reviewed the Board's direction given to staff during the September 11, 2007 meeting, which was to reconvene the Bear Working Group, to put together a work plan dealing with bear issues, funding alternatives for communication, and bear-proof containers. He indicated the Bear Working Group reconvened and the agencies involved in that Group were: the Nevada Department of Wildlife (NDOW), Washoe County Animal Control, Washoe County Community Relations, Community Development Department, the Washoe County Sheriff's Office

(WCSO), the County Manager's Office, Douglas County Code Enforcement, Incline Village General Improvement District (IVGID), Waste Management, and the Washoe County District Health Department, in addition staff had made inquiries to Carson City and the City of Reno. Mr. Childs stated the Sierra Front Bear Working Group 2007/08 Work Plan distributed to the Board and placed on file with the Clerk, highlighted the purpose, goal, measurement and methods of the Working Group. He stated the Board asked for several items in relation to funding such as a public information campaign. Mr. Childs explained the request for \$5,000 was to begin that campaign. He said the previously approved additional \$2 per night campground fee at Davis Creek Park, should be recommended toward bear-proof containers for that Park. He said staff would like the Board to adopt the Plan, direct staff to work with the agencies to implement the Plan, and consider funding an advertising and education campaign for the public.

Doug Doolittle, Regional Parks and Open Space Director, stated an appropriate use of the additional \$2 campground fee for Davis Creek Park would be toward food storage containers for that Park.

Mr. Childs demonstrated how the bear-proof container operated and noted there was a child safety latch located inside the container.

Commissioner Humke asked if the containers were currently being manufactured or were they a prototype. Mike Genera, Waste Management, replied they were currently manufactured and previously tested in Telluride, Colorado.

Commissioner Galloway asked if the education program would include a video that could be played on Sierra Nevada Community Access Television (SNCAT) and other public television stations. Mr. Childs stated this would be a multi-media approach. Commissioner Galloway inquired if the requested \$50,000 would be appropriated out of contingency or approve a plan by which \$50,000 would be spent and recovered by fees from certain campgrounds. Mr. Childs suggested the containers be approved and the County be reimbursed from the campground fees for approximately five years. Commissioner Galloway said then the motion should be to contribute \$50,000 out of a source to start a fund for bear-proof containers, which would be replenished by fees at certain campgrounds.

Mr. Childs clarified the \$50,000 indicated in the staff report was needed for food storage containers at Davis Creek Park. Mr. Doolittle explained there were currently locked trash containers at the Park for group use.

Chairman Larkin asked if there was a message to be conveyed to the public about feeding wildlife and the law of intermittent reinforcement. Mr. Childs said a no-feeding ordinance was needed to prohibit the public from feeding wild animals and indicated an ordinance would be coming before the Board in the future.

Katy Singlaub, County Manager, said the Board had appropriately identified that the contingency fund could be a source for the funding, but contingency

allocations had to be separately noticed on the agenda. She said during the first November Board meeting there would be recommendations for budget reductions. She asked that the park fee and the budget reductions for uses in other departments be discussed before definitive commitments were made for funding from a specific source. Chairman Larkin agreed and said the commitment of \$50,000 would not be made at the present time.

Commissioner Galloway requested when funding was discussed that separate or revolving funds for education and park facility improvements be included.

Commissioner Humke commented it was important to have a public information and education effort to make the public aware of the upcoming changes.

In response to the call for public comment, Gary Schmidt spoke on the "buddy system" when hiking in the outdoors.

On motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Commissioner Weber absent, Chairman Larkin ordered that Agenda Item 17 be accepted, directed and the \$5,000 from the Regional Parks and Open Space funds be approved.

5:10 p.m. The Board convened as the Board of Trustees for the South Truckee Meadows General Improvement District.

5:18 p.m. The Board recessed.

5:58 p.m. The Board reconvened.

07-1252 AGENDA ITEM 21 - COMMUNITY DEVELOPMENT

5:30 p.m.

Agenda Subject: Second reading and adoption of an Ordinance amending provisions relating to Washoe County Code Chapter 110, Articles 804, 806, 808 and 810 by clarifying persons with standing to appeal development decisions, and other matters properly relating thereto.

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 Commissioner Humke, which motion duly carried with Commissioner Weber absent, Chairman Larkin ordered that Ordinance No. 1346, Bill No. 1525, entitled, "**AN ORDINANCE AMENDING PROVISIONS RELATING TO WASHOE COUNTY CODE CHAPTER 110, ARTICLES 804, 806, 808 AND 810 BY CLARIFYING PERSONS WITH STANDING TO APPEAL DEVELOPMENT DECISIONS, AND OTHER**

MATTERS PROPERLY RELATING THERETO," be approved, adopted and published in accordance with NRS 244.100.

07-1253 AGENDA ITEM 22 - COMMUNITY DEVELOPMENT

5:30 p.m.

Agenda Subject: Second reading and adoption of an Ordinance amending provisions relating to Washoe County Code Chapter 110, Article 100, Introduction and Organization: Title and Contents, to allow for the rejection of incomplete applications; Articles 804, Variances, 808, Administrative Permits, 810, Special Use Permits, 820, Amendment of Comprehensive Plan for the notification of military installations of certain planning applications and Article 902, Definitions, to define a military installation; Article 312, Fabricated Housing, to amend the age of a manufactured home allowed in a residential zoning district from 5 years to 6 years; Article 606, Parcel Maps, to allow exceptions to the requirement of a parcel map for agricultural property; Article 306, Accessory Uses and Structures, to require a meter for use of a domestic well for a detached accessory dwelling; Article 806, Vacations and Abandonments of Easements or Streets, to require noticing to utilities and cable antenna television providers of vacations and abandonments of easements; Article 322, Group Care Facilities, to amend the distance between care facilities; Articles 302, Allowed Uses, and 304, Use Classification System, to add a definition of condominium hotels, Article 810, Special Use Permit, to add the requirement of a special use permit for hazardous material; and other matters properly relating thereto (DCA07-010).

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 Commissioner Jung, which motion duly carried with Commissioner Weber absent, Chairman Larkin ordered that Ordinance No. 1347, Bill No. 1526, entitled, "AN ORDINANCE AMENDING PROVISIONS RELATING TO WASHOE COUNTY CODE CHAPTER 110, ARTICLE 100, INTRODUCTION AND ORGANIZATION: TITLE AND CONTENTS, TO ALLOW FOR THE REJECTION OF INCOMPLETE APPLICATIONS; ARTICLES 804, VARIANCES, 808, ADMINISTRATIVE PERMITS, 810, SPECIAL USE PERMITS, 820, AMENDMENT OF COMPREHENSIVE PLAN FOR THE NOTIFICATION OF MILITARY INSTALLATIONS OF CERTAIN PLANNING APPLICATIONS AND ARTICLE 902, DEFINITIONS, TO DEFINE A MILITARY INSTALLATION; ARTICLE 312, FABRICATED HOUSING, TO AMEND THE AGE OF A MANUFACTURED HOME ALLOWED IN A RESIDENTIAL ZONING DISTRICT FROM 5 YEARS TO 6 YEARS; ARTICLE 606, PARCEL MAPS, TO ALLOW EXCEPTIONS TO THE REQUIREMENT OF A PARCEL MAP FOR AGRICULTURAL PROPERTY; ARTICLE 306, ACCESSORY USES AND STRUCTURES, TO REQUIRE A METER FOR USE OF A DOMESTIC WELL FOR A DETACHED

ACCESSORY DWELLING; ARTICLE 806, VACATIONS AND ABANDONMENTS OF EASEMENTS OR STREETS, TO REQUIRE NOTICING TO UTILITIES AND CABLE ANTENNA TELEVISION PROVIDERS OF VACATIONS AND ABANDONMENTS OF EASEMENTS; ARTICLE 322, GROUP CARE FACILITIES, TO AMEND THE DISTANCE BETWEEN CARE FACILITIES; ARTICLES 302, ALLOWED USES, AND 304, USE CLASSIFICATION SYSTEM, TO ADD A DEFINITION OF CONDOMINIUM HOTELS, ARTICLE 810, SPECIAL USE PERMIT, TO ADD THE REQUIREMENT OF A SPECIAL USE PERMIT FOR HAZARDOUS MATERIAL, AND OTHER MATTERS PROPERLY RELATING THERETO," be approved, adopted and published in accordance with NRS 244.100.

07-1254 AGENDA ITEM 23 - COMMUNITY DEVELOPMENT

5:30 p.m.

Agenda Subject: Second reading and adoption of an Ordinance amending provisions relating to Washoe County Code, Chapter 110, Article 706, Impact Fees, to adopt by reference the Regional Road Impact Fee General Administrative Manual as referred to Washoe County by the Regional Transportation Commission of Washoe County on June 15, 2007, and to further adopt by reference the Regional Road Impact Fee amended Capital Improvements Program and accompanying fees as referred to Washoe County by the Regional Transportation Commission of Washoe County on June 15, 2007; and other matters properly relating thereto (DCA07-011).

The Chairman opened the public hearing by calling on anyone wishing to speak for or against adoption of said Ordinance.

Jerry Purdy stated he was concerned over the failure of the Regional Transportation Commission (RTC) not enacting the staff recommended 250 percent development fee increase.

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

Commissioner Humke explained that the RTC staff made a recommendation for an increase; however, staff had delayed increases for several years and then without regard to economics or the effect on the business community, recommended a large increase. He said the RTC took a reasonable approach and voted to make this increase and revisit this issue approximately 12 months from the date of the original increase. Commissioner Humke said the RTC was also reviewing additional revenue sources to fund transportation, which would be an important dialogue to involve the community since there would be at least four major authorizations for spending competing in the County on the next ballot. He commented it was important to stage the increases.

Commissioner Galloway stated he would support a motion even though this was not brought to the Board in smaller increments. He indicated he would have gone farther than the proposed 50 percent; however, any increase was better than no increase. He believed if the fee was not brought up to reflect the full cost of road construction before the next elections and the voters did not vote for anything more concerning transportation because they felt it was an attempt to relieve developers of a burden, it could place the burden on the general population in the form of another tax.

Commissioner Jung stated she valued Mr. Purdy's input, but the County needed to be careful on dramatically raising impact fees since those fees could be passed to home buyers and the County needed to be mindful of affordable housing.

On motion by Commissioner Humke, seconded by Commissioner Jung, which motion duly carried with Commissioner Weber absent, Chairman Larkin ordered that Ordinance No. 1348, Bill No. 1527, entitled, "**AN ORDINANCE AMENDING PROVISIONS RELATING TO WASHOE COUNTY CODE CHAPTER 110, ARTICLE 706, IMPACT FEES, TO ADOPT BY REFERENCE THE REGIONAL ROAD IMPACT FEE GENERAL ADMINISTRATIVE MANUAL AS REFERRED TO WASHOE COUNTY BY THE REGIONAL TRANSPORTATION COMMISSION OF WASHOE COUNTY ON JUNE 15, 2007, AND TO FURTHER ADOPT BY REFERENCE THE REGIONAL ROAD IMPACT FEE AMENDED CAPITAL IMPROVEMENTS PROGRAM AND ACCOMPANYING FEES AS REFERRED TO WASHOE COUNTY BY THE REGIONAL TRANSPORTATION COMMISSION OF WASHOE COUNTY ON JUNE 15, 2007; AND OTHER MATTERS PROPERLY RELATING THERETO,**" be approved, adopted and published in accordance with NRS 244.100.

07-1255 AGENDA SUBJECT 24 - COMMUNITY DEVELOPMENT

5:30 p.m.

Agenda Subject: Second reading and adoption of an Ordinance amending provisions relating to Washoe County Code, Chapter 110, Development Code, Article 310, Temporary Uses and Structures, by amending Section 110.310.45, Contractor's Yards, to lift the current restriction of locating a public agency contractor's yard a minimum of 2,000 feet away from established civic, commercial or residential uses; and other matters relating thereto (DC06-004).

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 Commissioner Jung, which motion duly carried with Commissioner Weber absent, Chairman Larkin ordered that Ordinance No. 1349, Bill No. 1528, entitled, "**AN ORDINANCE TO AMEND WASHOE COUNTY CODE, CHAPTER 110, DEVELOPMENT CODE, ARTICLE 310, TEMPORARY USES AND STRUCTURES, BY AMENDING SECTION 110.310.45, CONTRACTOR'S YARDS, TO LIFT THE CURRENT**

RESTRICTION OF LOCATING A PUBLIC AGENCY CONTRACTOR'S YARD A MINIMUM OF 2,000 FEET AWAY FROM ESTABLISHED CIVIC, COMMERCIAL OR RESIDENTIAL USES; AND OTHER MATTERS RELATING THERETO," be approved, adopted and published in accordance with NRS 244.100.

07-1256 AGENDA ITEM 25 - COMMUNITY DEVELOPMENT

5:30 p.m.

Agenda Subject: Second reading and adoption of an Ordinance pursuant to Nevada Revised Statutes 278.0201 through 278.0207 adopting the Development Agreement Case No. DA07-005 for Tentative Parcel Map Case No. PM05-010, approved by the Parcel Map Review Committee of Washoe County on November 10, 2005. (Bill No. 1529); and authorize Chairman to execute the final Development Agreement for Washoe County and Glen and Tracy Copeland.

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

On motion by Commissioner Jung, seconded by Commissioner Galloway, which motion duly carried with Commissioner Weber absent, Chairman Larkin ordered that Ordinance No. 1350, Bill No. 1529, entitled, "**AN ORDINANCE PURSUANT TO NEVADA REVISED STATUTES 278.0201 THROUGH 278.0207 ADOPTING THE DEVELOPMENT AGREEMENT CASE NO. DA07-005 FOR TENTATIVE PARCEL MAP CASE NO. PM05-010, APPROVED BY THE PARCEL MAP REVIEW COMMITTEE OF WASHOE COUNTY ON NOVEMBER 10, 2005,**" be approved, adopted and published in accordance with NRS 244.100.

AGENDA ITEM 26

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

Chairman Larkin wished a happy birthday to the State of Nevada, which would be celebrating "Nevada Day" and announced the Nevada Day Parade was scheduled for October 27, 2007 in Carson City. He reminded the Board their next meeting was November 13, 2007 and that there were only two meetings scheduled for the month of November.

Commissioner Humke spoke on an event that occurred at the Mountain View Montessori School on October 14, 2007. He said, Mizzy Higgins, who was devoted to the teachings of Dr. Maria Montessori, visited the classrooms, sang to the students and recorded a DVD.

Commissioner Galloway said the Tahoe Regional Planning Agency (TRPA) had a meeting scheduled for October 24, 2007 to discuss the Tahoe Regional Plan Update. He said the Washoe County Human Services Consortium was scheduled to meet on October 25, 2007 to discuss performance measures and evaluation criteria to decide how the applications for funds granted would be judged, which were awarded based on allocations from available funds.

Commissioner Jung stated she attended the Central Citizen Advisory Board (CAB) meeting and was excited to begin working with that group. She said she went to the annual "Pinecone Ball" sponsored by Nevada EcoNet and announced that County Employee Bill Whitney, Senior Planner, was honored for his work on the Washoe County Open Space Plan. Commissioner Jung said she would be attending the Reno-Sparks Convention and Visitors Authority (RSCVA) meeting on October 24, 2007 and the Washoe County School District Oversight Panel for school facilities. She reminded the public that the Assistance League of Northern Nevada was holding their annual craft fair at the Washoe County Senior Services Center on November 3 and 4, 2007.

On behalf of the Board and the staff, Katy Singlaub, County Manager, wished Commissioner Humke a happy birthday.

* * * * *

6:25 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
Deputy County Clerk*

PROCLAMATION

WHEREAS, Family caregivers provide more than 80% of all homecare services; and,

WHEREAS, Collectively it is believed that these individuals contribute \$306 billion annually to the nation's health care system by providing services and products significantly reducing costs to Medicare, Medicaid, and private payers; and,

WHEREAS, Caregivers are making a huge contribution in both time and resources; and,

WHEREAS, Two-thirds of all caregivers are employed, both full-time or part-time; and,

WHEREAS, Caregivers provide quality loving care despite substantial stresses and burdens as a consequence of care giving duties; and,

WHEREAS, Those who provide any form of care for another person seldom identify themselves as a caregiver; and,

WHEREAS, There is always a need for information about available community services for caregivers and for those who need care; and,

WHEREAS, Washoe County Senior Services has, as part of its mission, to provide caregivers with an array of direct and indirect social and health services and opportunities; now, therefore be it

PROCLAIMED, By the Washoe County Board of Commissioners that November 2007 is designated as NATIONAL FAMILY CAREGIVERS MONTH.

ADOPTED this 23rd day of October, 2007.


Robert M. Larkin, Chairman
Washoe County Commission



07-1055X

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PROCLAMATION

WHEREAS, The Truckee Meadows has suffered significant economic damage from major floods once every 10 years on average, and in the 1997 New Year's Eve Flood, damages exceeded one billion dollars in over six counties, with seven hundred million dollars in Washoe County alone; and

WHEREAS, The National Weather Service has declared flooding the single most destructive natural hazard in the country. Even in high desert areas, floods cause injuries and millions of dollars in property damage nearly every year; and

WHEREAS, A catastrophic flood along the Truckee River threatens hundreds of homes and businesses throughout the Truckee Meadows and downstream communities, and affects major transportation corridors and the Reno-Tahoe International Airport, impacting business and industry throughout the western United States; and

WHEREAS, Residents and business owners are urged to prepare for floods before they happen. Properly planning and increasing awareness of the dangers of floods can help save lives, homes, pets, and businesses; and

WHEREAS, The Truckee River Flood Project, in cooperation with Washoe County, the cities of Reno and Sparks, and many state, local, and federal agencies are kicking off Flood Awareness Week by hosting the annual Flood Expo event. This free public event will educate residents and business owners alike on how to be prepared and what to do in the event of a flood or other natural disaster; now, therefore, be it

PROCLAIMED, By the Washoe County Board of Commissioners that November 3-10, 2007 is designated as Flood Awareness Week.

ADOPTED this 23rd day of October, 2007.



Robert M Larkin

Robert M. Larkin, Chairman
Washoe County Commission

07-1231

PROCLAMATION

WHEREAS, Change is constant and affects all cities, towns, suburbs, counties, boroughs, townships, rural areas, and other places; and

WHEREAS, Community planning and plans can help manage this change in a way that provides better choices for how people work and live, and further provides an opportunity for all residents to be meaningfully involved in making choices that determine the future of their community; and

WHEREAS, The full benefits of planning requires public officials and citizens who understand, support, and demand excellence in planning and plan implementation; and

WHEREAS, The American Planning Association and its professional institute, the American Institute of Certified Planners, endorse each October as National Community Planning Month as an opportunity to highlight the contributions sound planning and plan implementation make to the quality of our settlements and environment throughout the United States of America and its territories; and

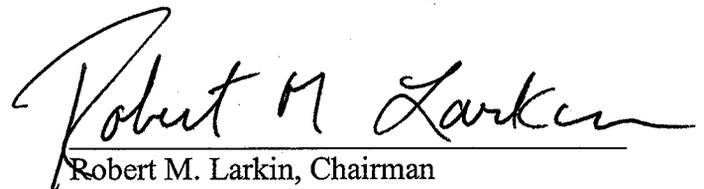
WHEREAS, The celebration of National Community Planning Month gives the Washoe County Board of County Commissioners the opportunity to publicly recognize the participation and dedication of the members of Washoe County Planning Commission, Washoe County Board of Adjustment, the Citizen Advisory Boards and other citizen planners who have contributed their time and expertise to the improvement of Washoe County; and

WHEREAS, The Washoe County Board of County Commissioners recognizes the many valuable contributions made by the professional and support staff of the Washoe County Community Development Department and recognize their continued commitment to public service; now, therefore, be it

PROCLAIMED, By the Washoe County Board of Commissioners that the month of October 2007 is hereby designated as **National Community Planning Month in Washoe County** in conjunction with the celebration of National Community Planning Month throughout the United States and its territories.

ADOPTED this 23rd day of October, 2007.




Robert M. Larkin, Chairman