

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

2:00 P.M.

AUGUST 26, 2008

PRESENT:

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

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

The Board convened in regular session at 2:07 p.m. 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:

Katy Simon, 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.

08-932 AGENDA ITEM 3

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

Fred Barrie spoke on a Regional Transportation Commission (RTC) proposed right turn lane near the intersection of Pyramid Highway and McCarran Boulevard. He stated the original cost was estimated at \$200,000. He said the only downside would be a left turn into Emerson Drive and the left turn into a church parking lot would be eliminated. Mr. Barrie said since the RTC voted on the project the cost had risen to \$1.5 million. He indicated the need for the right turn lane was only for a few

hours per day, yet the subdivision residents would live with the new traffic flow for the remaining hours. Mr. Barrie added the critical acceleration lane would also be lost from the subdivision. He asked if this project interfered with the major overall project that the federal funds were being requested for. Mr. Barrie urged the Board to send their representative to the RTC for review of the project with all the known facts.

Matthew Ebert, Gerlach/Empire Citizen Advisory Board (CAB) Chairman, said the CAB reviewed the High Desert Area Plan with the Community Development Department and arrived at several recommendations; however, some suggestions had not made the draft of the Area Plan. He explained the Burning Man Organization would like to build housing for their employees on the ranch, which was non-controversial to the Gerlach community; however, nothing was in the Development Code allowing that type of use. Mr. Ebert indicated the owners of Squaw Valley Reservoir would like to retain some public use and divide the 40 acre lots into five to 20 acre parcels to allow some public access, also non-controversial to the community. He noted this needed to occur or the Reservoir could be sold and become private property limiting any public access.

John Dooley said he was a resident of Logan Meadow Lane near Thomas Creek Road, and explained the road had been a subject of discussion for many years. He said the road was controversial because of the conflicts between recreational walkers, hikers, bicyclists and the number of year-round residents. Mr. Dooley said until recently access was guaranteed by the volunteer efforts of the residents, but after some incidental ecologic issues brought up by the Forest Service, the residents were banned from conducting voluntary work on the road. He said the road had degraded to a barely passable dry creek bed and noted because of the road condition there had been an increase in near fatal accidents. Mr. Dooley urged the Board to review the situation.

Sam Dehne stated his displeasure of the Charter Communications cable box. He spoke on the State voting system and the Sequoia voting machines.

***2:17 p.m.** Commissioner Humke arrived.

08-933 AGENDA ITEM 4

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.)”

Katy Simon, County Manager, stated Agenda Item 5(I)1, a cash donation from Charter Communications, would be removed from the consent agenda for a presentation. She said Agenda Item 5B read Commission District 4; however, it should read Commission District 2.

Commissioner Galloway asked for clarification concerning the Regional Transportation Commission (RTC) proposed right turn near Pyramid Highway and

McCarran Boulevard and asked if the project had been contracted out. Fred Barrie explained a contract had not been issued. Commissioner Galloway requested staff meet with RTC representatives and he requested an update.

Commissioner Galloway asked if the Logan Meadow residents would be in favor of legislation that would allow the creation of a maintenance district with limited liability. John Dooley replied anything could be discussed; however, it should be acceptable to the County, the residents and the public. He said as a resident he did not want to limit any public access, but because of the poor condition of the road, five months of the year there was no access for fire or legal protection. Mr. Dooley hoped the Board could review past recommendations and reach an understanding to make the road accessible. Commissioner Galloway requested a review item concerning the road and the conditions.

Commissioner Humke announced he participated in the Nevada Association of Counties (NACO) meeting. He spoke on the Bill Draft Request (BDR) list for NACO and suggested the Commissioners closely review that list since there were some issues of concern. Commissioner Humke said he attended a Rosewood Lakes/Hidden Valley community meeting where discussion took place concerning the Southeast Connector. He said the citizens divided their concerns for their agenda. Commissioner Humke noted an issue raised was the critical zone one mitigation ratios flood control. He suggested discussion amongst the local governing entities.

***2:31 p.m.** Commissioner Weber participated in the meeting via telephone.

Commissioner Weber requested reviewing the policy and budget regarding County Libraries and the Library Board of Trustees.

Chairman Larkin said he attended a solar subdivision inauguration located in the Spanish Springs subdivision of Pebble Creek. He requested a representative from Pebble Creek or the Building Association conduct a presentation for this unique development. He also requested a presentation from the District Health Department on the Community Acquired Pneumonia Strategy. Chairman Larkin announced the Truckee River Operating Agreement would be signed on September 6, 2008.

Commissioner Jung also requested an update on RTC figures concerning the Pyramid Highway/McCarran Boulevard lane changes and Logan Meadow road. She requested a staff presentation on the High Desert Area Plan and explanation on why certain decisions were made to that Plan.

Commissioner Galloway updated the Board regarding the Mayberry Drive striping. He said this was an instance where adequate consultation between all the agencies involved did not occur. He explained the Washoe County School District had not been informed of the proposed new striping and said this would have been better if the issue had been brought forward to Washoe County, the School District and affected residents. He remarked engineering and elected officials met for the first day of school to observe

the traffic flow and noted observations would be on-going to see if the temporary striping placed by the City of Reno would work before permanent striping would be placed. Commissioner Galloway said a Citizens Advisory Board meeting concerning the Mayberry Drive striping was scheduled for September 8, 2008 at Roy Gomm Elementary School.

DISCUSSION ON THE CONSENT AGENDA – AGENDA ITEMS 5A THROUGH 5I(2)

Katy Simon, County Manager, confirmed that Agenda Item 5I(1), a cash donation from Charter Communications, would be removed from the consent agenda for a presentation and separate vote.

Sam Dehne commented on several items within the consent agenda.

08-934 AGENDA ITEM 5A

Agenda Subject: “Approve minutes for the Board of County Commissioners’ December 3, 2007 and February 26, 2008 Joint Meetings and May 20 and June 17, 2008 Regular Meetings.”

Commissioner Weber requested a correction in the June 17, 2008 minutes for an incorrectly spelled name.

There was no public comment on this item.

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that Agenda Item 5A be approved.

08-935 AGENDA ITEM 5B – COMMUNITY DEVELOPMENT

Agenda Subject: “Endorse and Execute Resolution Adopting the Amended South Valleys Area Plan, Comprehensive Plan Amendment Case Number CP08-001, a part of the Washoe County Comprehensive Plan (Commission District 4.)”

Katy Simon, County Manager, stated the item should read Commission District 2.

In response to citizen concerns, Commissioner Galloway stated he spoke to Adrian Freund, Community Development Director, and clarified this was an implementation of a previous Board action. He said there was some concern that if something went wrong, would properties in the rural development area be approved as higher density in this amendment. He said Mr. Freund responded that would not occur. Commissioner Galloway stated there was no violation of the RDA restrictions.

There was no public comment on this item.

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 5B be adopted, endorsed and executed. The Resolution for same is attached hereto and made apart of the minutes thereof.

08-936 AGENDA ITEM 5C – DISTRICT ATTORNEY

Agenda Subject: “Execute Amendment #1 To Contract between the State of Nevada (Department of Health and Human Services, Division of Welfare and Supportive Services) and Washoe County (District Attorney’s Office, Family Support Division) to clarify the responsibilities of the parties for collection of family support in cases involving Medicaid. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that Agenda Item 5C be executed.

08-937 AGENDA ITEM 5D – HUMAN RESOURCES

Agenda Subject: “Approve the Addendum to the Agreement for Employee Workplace Wellness Program between Renown Health and Washoe County to redirect \$82,557 of currently approved program funds in Fiscal Year 2009 as recommended by the Wellness Task Force and granting authority to the Washoe County Wellness Task Force to make administrative changes to the contract; and if approved, authorize the Human Resources Director to execute same. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that Agenda Item 5D be approved and authorized.

08-938 AGENDA ITEM 5E – MANAGER’S OFFICE

Agenda Subject: “Approve and authorize the Chairman to execute the Intrastate Interlocal Contract between the County of Washoe (Department of Social Services) and the State of Nevada, Department of Health and Human Services, Division of Child and Family Services for reimbursement [approximately \$51,800 in revenue for Washoe County] for consultation services provided to the Division by Michael Capello, Director of Social Services. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 5E be approved, authorized and executed. The Contract for same is attached hereto and made apart of the minutes thereof.

08-939 AGENDA ITEM 5F – TRUCKEE RIVER FLOOD MANAGEMENT PROJECT

Agenda Subject: “Acknowledge receipt of Truckee River Flood Management Project Status Report for July 2008. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that Agenda Item 5F be acknowledged.

08-940 AGENDA ITEM 5G(1) – SHERIFF’S OFFICE

Agenda Subject: “Accept donation [\$2,133.94] for the Washoe County Sheriff’s Incline K-9 Program to purchase a K-9 vest for Incline K-9 Cartouche; and if accepted, authorize Finance to make necessary budget adjustments. (Commission District 1.)”

On behalf of the Board, Commissioner Galloway thanked Shirley Dale for her generous donation. He added Ms. Dale contributed generously over the years to the Washoe County Sheriff’s Department at Incline Village.

There was no public comment on this item.

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that Agenda Item 5G(1) be accepted and authorized.

08-941 AGENDA ITEM 5G(2) – SHERIFF’S OFFICE

Agenda Subject: “Accept Supplemental Grant Award [\$2,689.08 no County match required] for overtime from the Nevada Office of Traffic Safety for Joining Forces Grant, and if accepted, direct Finance to make necessary budget adjustments. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that Agenda Item 5G(2) be accepted and directed.

08-942 AGENDA ITEM 5G(3) – SHERIFF’S OFFICE

Agenda Subject: “Accept Grant Award [approximately \$2,500 no County match required] from Join Together of Northern Nevada, through Reno Police Department, to cover overtime costs related to enforcing underage drinking laws activities, and if accepted, direct Finance to make necessary budget adjustments. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that Agenda Item 5G(3) be accepted and directed.

08-943 AGENDA ITEM 5G(4) – SHERIFF’S OFFICE

Agenda Subject: “Accept Grant Award [\$8,000 no County match required] from Join Together of Northern Nevada to cover overtime costs related to enforcing underage drinking laws activities, and direct Finance to make necessary budget Adjustments. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that Agenda Item 5G(4) be accepted and directed.

08-944 AGENDA ITEM 5H – PUBLIC WORKS

Agenda Subject: “Approve and execute a Resolution and Lease Agreement between Washoe County, and Community Services Agency, for space in the Sun Valley Neighborhood Center [anticipated revenue of \$3,510 will be directed to the Regional Parks and Open Space revenue account]. (Commission District 5.)”

There was no public comment on this item.

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 5H be approved, adopted and executed. The Resolution for same is attached hereto and made apart of the minutes thereof.

08-945 AGENDA ITEM 5I(2) – COMMUNITY RELATIONS

Agenda Subject: “Authorize transfer [\$22,377] from General Fund Contingency Fund to Community Relations Fiscal Year 2008/09 Budget for Washoe County television webstreaming/video on demand services and equipment and if approved, authorize the Finance Department to make the appropriate budget adjustments. (All Commission Districts.)”

Chairman Larkin asked if there were enough funds in the Contingency Fund to accommodate the transfer. Katy Simon, County Manager, replied the funds were available and added the County funded for this last fiscal year; however, since the funds were not entirely spent it carried over into the next year. She commented until the audit was completed it was not released as an ending fund balance, leaving the money in Contingency to be restored once the ending fund balance could reimburse those funds.

There was no public comment on this item.

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that Agenda Item 5I(2) be approved and authorized.

08-946 AGENDA ITEM 5I(1) – COMMUNITY RELATIONS

Agenda Subject: “Accept cash donation [\$13,000] from Charter Communications to be used for purchase of video broadcasting and/or production equipment, and, if accepted, authorize Finance to make appropriate budget adjustments to Community Relations Fiscal Year 2008-09 budget. (All Commission Districts.)”

On behalf of Charter Communications, George Jocelyn, Charter Communications Government Affairs Director, presented a check to Kathy Carter, Community Relations Director, in the amount of \$13,000, to be used for the purchase of video broadcasting and/or production equipment.

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

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that Agenda Item 5I(1) be accepted and authorized.

BLOCK VOTE

Agenda Items 6, 9, 10, 11, 12, 13, 14, 15, 16 and 17 were consolidated and voted on in a block vote.

08-947 AGENDA ITEM 6 – MEDICAL EXAMINER/CORONER

Agenda Subject: “Recommendation to accept the Assistant Secretary for Preparedness and Response (ASPR), Hospital Preparedness Program Subgrant [\$103,190, with no County matching funds required]; and if accepted, direct the Finance Department to make the appropriate budget adjustments. (All Commission Districts.)”

Chairman Larkin indicated the cost for latex gloves, in the amount of \$49,000 as noted in the summary of supplies in the staff report, was a figure supplied by the State. He added the County would not spend that amount for latex gloves and noted the cost would be reallocated.

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Commissioner Humke, which motion duly carried, Chairman Larkin ordered that Agenda Item 6 be accepted and directed.

08-948 AGENDA ITEM 9 – WATER RESOURCES DEPARTMENT

Agenda Subject: “Recommendation to approve a revised Utility’s Line Extension Agreement [\$42,446 - increasing the contract amount to \$149,169] between the County of Washoe (Water Resources) and Sierra Pacific Power Company to provide electrical power service to Lightning W Well #3 in West Washoe Valley; and if approved, authorize Chairman to execute Agreement and authorize Purchasing Department to issue advance payment to Sierra Pacific Power Company in the amount of \$42,446. (Commission District 2.)”

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 9 be approved, authorized, and executed.

08-949 AGENDA ITEM 10 – WATER RESOURCES DEPARTMENT

Agenda Subject: “Recommendation to accept a grant from the Truckee River Fund [\$229,500 - no County match]; and if accepted, authorize Chairman to execute the Grant Acceptance Letter for a sewer conversion incentive program for property owners in the Mayberry Ranch Estates who connect to the community sewer by June 30, 2010 (property owners will provide a match amount of approximately \$895,163.91 in the form of sewer project costs paid at the time of connection. (Commission District 1.)”

There was no response to the call for public comment.

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

08-950 AGENDA ITEM 11 – TRUCKEE RIVER FLOOD MANAGEMENT PROJECT

Agenda Subject: “Recommendation to execute an Amendment to Contract with Stantec Consulting, Inc. for recreation planning services, to include the following: expand the scope to include additional mapping and recreation planning tasks on a time-and-materials basis; extend the contract timeframe to June 30, 2009 and increase the not-to-exceed amount of the contract from \$49,500 to \$120,000, using existing 1/8-cent sales tax revenues, in order to satisfy new requests from the U.S. Army Corps of Engineers. (All Commission Districts.)”

There was no response to the call for public comment.

Commissioner Weber disclosed that her husband was employed with Stantec Consulting, Inc, but had no direct involvement with this project.

On motion by Commissioner Weber, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 11 be executed.

08-951 AGENDA ITEM 12 – REGIONAL PARKS AND OPEN SPACE

Agenda Subject: “Recommendation to award Base Bid for construction of Pyramid Way Pedestrian Path Enhancement Project to the lowest responsive and responsible bidder (staff recommends Atlas Construction) [\$203,418.50]; and if awarded, authorize the Chairman to execute Contract documents. (Commission District 4.)”

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 12 be awarded, authorized and executed.

08-952 AGENDA ITEM 13 – COMMUNITY DEVELOPMENT

Agenda Subject: “Recommendation to approve and execute Resolution of the Board of Commissioners of Washoe County, Nevada providing for the transfer of the County’s 2008 Private Activity Bond Cap to the State of Nevada, Department of Business and Industry, for redistribution to the Volunteers of America, for the Sierra Manor property (\$5,000,000); and to the Nevada Rural Housing Authority for the support of that jurisdiction’s affordable housing programs (\$206,493.59); and other matters related thereto. (All Commission Districts.)”

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 13 be adopted, approved and executed. The Resolution for same is attached hereto and made apart of the minutes thereof.

08-953 AGENDA ITEM 14 – HUMAN RESOURCES

Agenda Subject: “Recommendation to approve Collective Bargaining Agreements with the Washoe County Employees Association for the Non-Supervisory and Supervisory bargaining units for the period July 1, 2008 through June 30, 2009; ratify same (a lump sum payment equal to .375%, which is the amount that employee pay grades were reduced for the Public Employees Retirement System (PERS) changes implemented on July 23, 2007 - lump sum payment will be calculated for the period July 24, 2007 through June 30, 2008; reinstate the .375% July 2007 PERS reduction equivalent to the pay grades effective July 1, 2008 [\$455,850 for July 24, 2007 through June 30, 2008 and projected cost of the general increase to be effective July 1, 2008 is approximately the same, \$455,850] - this could be reduced based upon employee count since the County is currently holding vacancies for all but critical positions [total cost of the lump sum and increase for Fiscal Year 2008/09 is approximately \$911,700] - events which could potentially trigger wage increases retroactive to July 1, 2008 shall be evaluated following the closing and final audit of the County’s adopted Fiscal Year 2008/09 books dependent on the ending fund balance), and if approved, authorize Chairman to execute Collective Bargaining Agreement upon completion. (All Commission Districts.)”

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 14 be approved, authorized and executed.

08-954 AGENDA ITEM 15 – HUMAN RESOURCES

Agenda Subject: “Recommendation to approve a lump sum payment equal to .375% calculated for the period July 24, 2007 through June 30, 2008 and a .375% salary increase for non-represented Employees including Confidential employees, Unclassified Management, Juvenile Services, Law Library, District Court and Justice Court Employees for the period July 1, 2008 through June 30, 2009; defer the Board of County Commissioners Fiscal Year 2008/09 salary increase pursuant to the authorization granted by Senate Bill 516 for the remainder of Fiscal Year 2008/09; [lump sum payment for July 24, 2007 through June 30, 2008 is \$142,500; projected cost of the general salary increase effective July 1, 2008 is

approximately \$129,800; total cost of the lump sum and increase for Fiscal Year 2008/09 is \$272,300]; events which could potentially trigger wage increases retroactive to July 1, 2008 shall be evaluated following the closing and final audit of the County's adopted Fiscal Year 2008/09 books dependent on the ending fund balance. (All Commission Districts.)."

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Commissioner Humke, which motion duly carried, Chairman Larkin ordered that Agenda Item 15 be approved.

08-955 AGENDA ITEM 16 – HUMAN RESOURCES

Agenda Subject: "Recommendation to approve a lump sum payment equal to .75% calculated for the period July 24, 2007 through June 30, 2008 and a .75% salary increase for the Chief Investigator (D.A.) for the period July 1, 2008 through June 30, 2009 [lump sum payment for July 24, 2007 through June 30, 2008 is \$1,030 and the projected cost of the general increase to be effective July 1, 2008 is approximately the same, \$1,030 - total cost of the lump sum and increase for Fiscal Year 2008/09 is approximately \$2,060]; events which could potentially trigger wage increases retroactive to July 1, 2008 shall be evaluated following the closing and final audit of the County's adopted Fiscal Year 2008/09 books dependent on the ending fund balance.(All Commission Districts.)"

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Commissioner Humke, which motion duly carried, Chairman Larkin ordered that Agenda Item 16 be approved.

08-956 AGENDA ITEM 17 – HUMAN RESOURCES

Agenda Subject: "Recommendation to approve Collective Bargaining Agreement with the Washoe County District Attorney Investigator's Association for the period July 1, 2008 through June 30, 2009; ratify same; a lump sum payment equal to .375% for Regular Public Employees Retirement System (PERS) and .75% for Police/Fire PERS employees which is the amount employee pay grades were reduced for the PERS changes implemented on July 23, 2007 - the lump sum payment will be calculated for the period July 24, 2007 through June 30, 2008 [\$8,970 and projected cost of general increase effective July 1, 2008 is approximately \$8,970 - this could be reduced based upon employee count since the County is currently holding vacancies for all but critical positions - total cost of the lump sum and increase for Fiscal Year 2008/09 is approximately \$17,940]; events which could potentially trigger wage increases retroactive to July 1, 2008 shall be evaluated following the closing and final audit of the County's adopted Fiscal Year 2008/09 books dependent on the ending fund balance, and if approved, authorize Chairman

to execute Collective Bargaining Agreement upon completion. (All Commission Districts.)”

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 17 be approved, authorized and executed.

08-957 AGENDA ITEM 7 – PUBLIC WORKS

Agenda Subject: “Recommendation to acknowledge Sparks Justice Court project construction delivery and financing method. (Commission Districts 4 and 5.)”

Dan St. John, Public Works Director, said this item was to inform the Board and the public of the plans to move forward with the Sparks Justice Court project. He said the staff report explained how financing would be conducted and the explanation of the Construction Management At-Risk (CMAR) Delivery System.

Commissioner Galloway asked if the design had proceeded to the point where the scope of the project had been locked in. Mr. St. John replied the project had proceeded halfway through the design development; however, that process had been halted as the Board’s approval was contemplated with the approach to move forward. He said the project had been scoped and programmed, but the final details of the design had not been completed where a guaranteed maximum price could be established. Mr. St. John said if the County proceeded then the CMAR would be hired as a consultant to advise the design team during the remainder of the design process so, as the completion of a design neared, a guaranteed maximum price would be negotiated.

Commissioner Humke asked how much time would be saved by using this method. Mr. St. John said approximately three months spent during the bidding cycle would be saved, but there may be some intangibles during time-saving because of the ability to have the plans reviewed.

Commissioner Galloway asked who would guarantee the maximum price. Mr. St. John explained the process was the initial selection of the CMAR, which was a weighted selection process that considered qualitative and quantitative factors. He said once the CMAR had been selected by the Board they would work as a consultant to price the project and guarantee a maximum price. He said the Board would then have the opportunity to award a construction contract if the price met the needs and was within the budget. Commissioner Galloway asked at that point would the CMAR guarantee the price. Mr. St. John said that was correct. Commissioner Galloway remarked they could argue in court over a claim from a contractor that worked for the CMAR. Mr. St. John said that was correct, but that would be invisible to the County and would be a process between the CMAR and the subcontractors. Commissioner Galloway stated he would like that in the contract wording with the CMAR. Mr. St. John commented with the CMAR

involved in the design process and reviewing the specs during the deliberative process there was no excuse to take a project and have it questioned about the plans not providing enough information.

Chairman Larkin asked if this process would be contrasted with the design bid-built and specifically the relationship of the County planner's design, and how did it contrast with the CMAR method. Mr. St. John replied there were three mainstream available methods for project delivery; the tradition of the County hiring, designing and bidding. He said on a project like this staff relied on architects and builders to go through a CMAR process. Chairman Larkin said under the CMAR process the County would arrive with the designs in mind and hire a third party. He asked what type of talents the CMAR possessed. Mr. St. John replied general contracting was their primary skill, also construction management, costing and everything that surrounded general contractor expertise; however, they did not bring a design team with them. Chairman Larkin described the three methods in a risk management fashion. He said for the design-build and built delivery, the entity that wanted something built assumed 100 percent liability. In the design-build it assumed the risk on the person who was receiving the bid rather than on the entity in terms of the cost and the risk. The CMAR was assuming more risk and liability in performance of the maximum bid whatever it would be, whereas the entity that was doing the bidding had less of a liability and less of an exposure. Mr. St. John agreed.

Chairman Larkin asked who would choose the CMAR and how would that choice be made. Mr. St. John explained the selection process was mandated by NRS and was similar to a Request for Qualification (RFQ) process for a consultant. He said a panel would be put together by the County comprised of individuals both inside and outside of the organization. He said there had not yet been any suggestions made of who would be on the panel. Chairman Larkin requested that be brought before the Board. Mr. St. John said that would be the next order of business and could come before the Board within a month.

Commissioner Galloway asked about the process after a CMAR was selected to ensure a reasonable competition on the bids submitted to the CMAR so no one would be unfairly excluded. Mr. St. John said staff would see the subcontractor bids and then there would be an open process from an owner's perspective. Commissioner Galloway asked if the CMAR had to go out to open bid under this process. Mr. St. John confirmed they would. Commissioner Galloway said the main thing was the CMAR would guarantee the project and agreed that the selection committee should come before the Board.

Mr. St. John acknowledged the City of Sparks elected officials and City staff for their help in getting this far in the process and noted the Sparks City Council approved the Master Plan Amendment.

Commissioner Jung thanked the City staff and the community and noted the real advantage to this approach was not facing cost inflation.

There was no response to the call for public comment.

Chairman Larkin remarked on the three advantages to this experiment, the time saved, maintenance of control and the assumption of risk by the CMAR in the overall cost structure.

On motion by Commissioner Jung, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that Agenda Item 7 be acknowledged and that the selection of the CMAR be brought back to the Board.

08-958 AGENDA ITEM 8 – WATER RESOURCES DEPARTMENT

Agenda Subject: “Recommendation to approve Joint Permitting Agreement between the County of Washoe and LSC Development, Inc. for the processing of water rights applications from Smoke Creek Desert; and if approved, authorize Chairman to execute Agreement and direct Water Rights Manager to record said document. (Commission Districts 4 and 5.)”

Rosemary Menard, Water Resources Director, explained 20 years ago Washoe County filed for unappropriated water rights in the Smoke Creek Desert, but were not the only group that had filed for water rights in that basin. She said the County had come together with LSC Development, Inc., (LSC), which was in partnership with the other owners of the water rights in that basin, to propose a joint strategy for permitting and proving up the water rights as part of a future potential water supply. Ms. Menard noted the development for importation into the Truckee Meadows Service Area (TMSA) from the Smoke Creek Desert was an item included on the list as the Regional Water Plan to be brought in for future development in the TMSA.

Vahid Behmaram, Water Rights Manager, stated LSC requested two of the permit numbers: 7314, certificate 4653 and 7315, certificate 4654, be eliminated from Exhibit I, which involved under 100-acre feet of water rights. He explained the origins of this project went back to the early 1980’s when Washoe County filed for applications in basins up to the Oregon border. He said around 1997 the State Engineer cancelled all of those permits because of lack of activity or due diligence in pursuing those applications. Mr. Behmaram said the County tried to convince the Engineer this was a long-term project with a long-term planning effort, but due to provisions in NRS that required the State to act within 10 years the Engineer felt obligated to cancel those applications. He said at that point staff analyzed the resources and felt the two basins, Duck Lake Valley and Smoke Creek Desert, represented the biggest block of unincorporated water and refilled on those basins. Mr. Behmaram indicated that was one component of the agreement. He said the other component was the existing ranching and agricultural water rights. He commented conversion of the agricultural water rights from agricultural to municipal uses had been a model in the community for a long time. He said LSC owned and controlled a large block of water rights and with or without the County wished to pursue the conversion of agricultural to municipal use. Mr. Behmaram explained this

agreement provided an opportunity for the County to join LSC through the entitlement process and hearings to prove up the County's water. He said to solidify the sustainable yield of the basin would determine the County's available water rights; however, now there were applications but no water rights. Because of the prior appropriation doctrine those applications had a potential for several thousand acre-feet of water rights. Mr. Behmaram explained several details of the agreement and said LSC agreed to pay all the upfront costs and the County would have no initial costs associated with the permitting aspect, and reiterated this dealt only with the permitting entitlement. He said the County's contribution would consist of staff time and indicated LSC agreed the County would not have to reimburse until and/or when the County's water rights were actual or would serve commitments against the water rights sold to developments. He said only then would the County be liable for reimbursement. Mr. Behmaram said if the County's applications were not acted on or did not yield any water the County could walk away and have no obligation or liability to LSC.

Chairman Larkin asked if the County was agreeing to make the water available for development with this agreement. Mr. Behmaram replied eventually the water would be available for development somewhere; however, that part had not been contemplated. Chairman Larkin commented when the water went for beneficial use then the compensation clause of the agreement took effect and LSC would be due the upfront costs. Mr. Behmaram concluded because of the structure of the agreement and the history, the County had nothing to lose and would only gain from the agreement and the project.

Commissioner Galloway asked for clarification on sections six, seven and eight on page three of the staff report regarding how a penalty would be shared. Mr. Behmaram explained in the past five years the State Engineer implemented a new policy whereby when agricultural water rights were converted to municipal use, the State Engineer recognized that certain components seeped into the ground and recharged the basin. In the mind of the State Engineer that component was not beneficially used, only the component of consumptive use was used beneficially. He said in the permitting process the State Engineer would reduce the number of acre-feet to a lower amount. Mr. Behmaram said since the County's pending applications sat above the applications of LSC, any reduction in LSC permits for export would be captured under the County's pending applications and when LSC would be penalized the County would gain that same equal amount of water. He explained if there were 16,000 acre-feet of water, certain components were in the name of LSC, and when they would convert there would be a reduction. He said when that reduction occurred the County would ask for all unincorporated water to be converted into the available water within the basin. He said the volume of water subject to appropriation by County applications would increase and that amount of increase was proposed to be shared at 75 percent for Washoe County and 25 percent for LSC.

Commissioner Galloway remarked if LSC had a claim that would not be granted then they may abandon a claim and there could be a sharing ratio. Mr. Behmaram agreed and explained that of LSC's water rights a good component consisted of proofs of

vested rights, which were claims that the water was placed to beneficial use before enactment of the water law. He said the proofs of vested rights could be filed, but would be in limbo until they were adjudicated. He said as part of the process the State Engineer could ask the County to act on the proof of vested rights and in order to expedite or resolve some issues, LSC may choose to relinquish those vested rights. He said if they did that the same quantity of water would be available under the County's pending application. He said the County's applications were flexible. Mr. Behmaram said if LSC chose to walk away from their vested rights to eliminate the process of adjudication of the basin and, if the water was captured under the County's applications, it would be proposed to share. Commissioner Galloway commented it could be fair or not depending on whether the claims for vested rights were legitimate. He stated he was relying on the judgment of staff and legal counsel to have covered this reasonably.

Chairman Larkin asked if this agreement had been reviewed by legal counsel. Peter Simeoni, Deputy District Attorney, replied it had and attested it was a fair and equitable break-out between LSC and Washoe County.

Commissioner Humke said there was a recap of the proposed agreement in the staff report where it cited NRS and that there was a requirement for the water rights to remain in the basin and forbid an interbasin transfer. He stated the wording cited that the obligation would be shared equally among the parties. Commissioner Humke asked if the actual terminology should be "proportionally shared." Mr. Behmaram commented the wording was "equally" and said that was the intent. He said NRS required that some water be left for the basin of origin for the future growth of that basin of origin. He explained the intention was a 50/50 split, not proportionally.

Commissioner Jung disclosed that she met with agents from LSC, Mr. Behmaram and Ms. Menard to review the item. She asked how the surface area could be described. Todd Jaksick, LSC President, explained the terrain was typical desert with sagebrush, willows and cottonwoods. He said in Smoke Creek the water sat on top of the playa and evaporated. Mr. Jaksick said the thought was to take advantage of the water before it hit the playa and evaporated. Commissioner Jung asked what was the importance in a desert region and the best practices for the western United States in terms of water management and the importance on how this would provide diversity in a region that relied on water changes. Ms. Menard replied there was an opportunity that existed when using a combination of surface water and ground water to meet needs and how that diversity of resources gave additional flexibility since they respond differently to drought conditions or climate change conditions. She said surface water would be directly impacted on an annual basis; however, groundwater had a slower time for response to the immediate event and a longer recovery, but the combination gave additional flexibility.

Chairman Larkin acknowledged for a number of years the Board had continually strived to provide water resources in the County.

There was no response to the call for public comment.

On motion by Commissioner Humke, seconded by Chairman Larkin, which motion duly carried, it was ordered that Agenda Item 8 be approved, authorized, executed and directed.

08-959 AGENDA ITEM 18 – MANAGEMENT SERVICES

Agenda Subject: “Recommendation to acknowledge receipt of Washoe County’s Annual Strategic Management Report for review and possible comment or direction to staff. (All Commission Districts.)”

John Slaughter, Management Services Director, conducted a PowerPoint presentation, which was placed on file with the Clerk, highlighting strategic management elements, strategic priorities for 2006-08, improving public safety, security and health, preserving and enhancing quality of life, regional collaboration, supporting a healthy economy, providing excellent public service, promoting financial accountability of Washoe County, and developing the workforce.

Chairman Larkin asked when the County would be going out for an environmental scan. Mr. Slaughter replied that was currently underway and noted staff had been gathering various economic data. He announced “Washoe County Day” was scheduled for September 13, 2008 when the public would be invited to Rancho San Rafael Park to see what the County had to offer and have an opportunity to give County staff their view of priorities. He said there was also a Stakeholders meeting scheduled for September 15, 2008 where Stakeholders from throughout the community would provide additional information. Mr. Slaughter stated all of those comments would be combined and presented to the Board during their scheduled October 13, 2008 retreat.

Commissioner Galloway asked for clarification on business lines being difficult to measure. Mr. Slaughter replied one of the things learned was when the performance measurement process was translated to public service there were times where that was difficult because in many of the business lines, widgets or products were not created making it difficult to measure. Commissioner Galloway suggested performance work-output projection based on things that were entirely within a department’s purview and things that depended on public process.

Commissioner Weber asked who would be involved during Washoe County Days. Mr. Slaughter replied various departments had committed to be apart of the day and stated Commissioners had been invited to attend.

Katy Simon, County Manager, commented invitations were sent to Commissioners and noted a similar event was held in 2007 that was very successful in public participation.

There was no response to the call for public comment.

On motion by Commissioner Galloway, seconded by Commissioner Jung, which motion duly carried, Chairman Larkin ordered that Agenda Item 18 be acknowledged.

08-960 AGENDA ITEM 19 – LEGISLATIVE AFFAIRS

Agenda Subject: “Recommendation to review and approve Washoe County Bill Draft Requests for 2009 Legislative Session.”

John Slaughter, Management Services Director, indicated today was the deadline for approving Washoe County’s four Bill Draft Requests (BDR’s) and noted there was a significant deadline of December 15, 2008 when the Legislative Counsel Bureau (LCB) staff would have drafted all local governments BDR’s. He said he was told there may be BDR’s from local governments that would be omitted because they would not be drafted in time. Mr. Slaughter distributed a hand-out entitled “Washoe County 2009 Preliminary Legislative Bill Draft Requests,” which was placed on file with the Clerk, highlighting the seven BDR’s that staff identified as: 1) Regional Transportation Commission Ballot Question; 2) Tentative Map Extension, 3) Clarification of “Public Purpose: For Grants of Public Funds; 4) County Offices/Services: Hours of Operation; 5) Fuel Surcharge; 6) E911 Surcharge and 7) Road Maintenance Districts.

Adrian Freund, Community Development Director, said the State of Nevada had a short life period for tentative maps. He said that presented significant financial difficulties in planning investments. Mr. Freund said it also enhanced the possibility that entitlements that had been through a full review process at a local level and determined to be good developments could expire. He said the proposed BDR would change NRS 278 which would provide a longer life, but also provide an opportunity for local governments to define through local ordinance specific issues related to public health, safety and welfare allowing staff to amend conditions of tentative maps and final maps.

Following discussion of the various BDR’s, the Board individually indicated their preference. On motion by Commissioner Humke, seconded by Commissioner Jung, which motion duly carried, Chairman Larkin ordered that BDR Nos. 3 and 6 be approved to move forward.

In discussion concerning the other proposed BDR’s, Commissioner Humke commented there could be an argument made that the County was facilitating a continuation and enhancement of what may be considered a developer-driven process, which drives the infrastructure.

Commissioner Weber moved to approve and move forward with BDR’s 2 and 5. Commissioner Jung seconded the motion.

Concerning BDR No. 2, Commissioner Galloway asked if the motion could include that the County would seek to make it enabling and not mandatory that

maps be discretionary and, if the motion could also include that staff be authorized to do further refinement on BDR No. 7 and, if there was a potential sponsor, return to the Board. Commissioner Weber remarked as the maker of the motion she was not willing to authorize staff to go forward on BDR No. 7, but was willing to move forward with the discussion enabling a portion of BDR No. 2. Commissioner Galloway stated he could support the motion.

On call for the question the motion passed with a 5 to 0 vote to proceed with BDR's 2 and 5.

4:56 p.m. The Board recessed.

6:00 p.m. The Board convened as the Board of Trustees for the South Truckee Meadows General Improvement District with Commissioner Humke temporarily absent.

6:05 p.m. The Board reconvened as the Board of County Commissioners with all members present.

PUBLIC HEARINGS

08-961 AGENDA ITEM 21 – PUBLIC WORKS DEPARTMENT

Agenda Subject: “Consider any objections to the potential transfer of Assessor’s Parcel No. 164-352-02 and if the transfer is approved, authorize the Chairman to execute a Quitclaim Deed in favor of THE AMP’D GROUP, LLC, upon payment of \$6,500; anticipated revenue shall be directed to the General Fund as required by Nevada Revised Statute. (Commission District 2.)”

6:06 p.m. Chairman Larkin opened the public hearing by calling on anyone wishing to speak for or against the potential transfer of Assessor’s Parcel No. 164-352-02.

Lebo Newman said he was in favor of the transfer and noted this action would return the parcel to the tax rolls.

The Chairman closed the public hearing.

On motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, it was ordered that Agenda Item 21 be approved, authorized and executed.

08-962 AGENDA ITEM 22 – COMMUNITY DEVELOPMENT

Agenda Subject: “To affirm the Planning Commission’s decision to deny the abandonment, or to concur with the appellant and overturn the Planning Commission’s decision. The project is located at 14400 Bihler Road, approximately

325 feet north of its intersection with Stowe Drive. The ±2.5-acre parcel is designated High Density Rural (HDR) in the Southwest Truckee Meadows Area Plan, and is situated in a portion of Section 30, T18N, R20E, MDM, Washoe County, Nevada. The property is located in the South-west Truckee Meadows Citizen Advisory Board boundary. (APN 142-241-63).”

6:09 p.m. Chairman Larkin opened the public hearing by calling on anyone wishing to speak for or against Appeal Case No. AX08-005.

Kelly Mullin, Planner, conducted a PowerPoint presentation, which was placed on file with the Clerk, highlighting the area proposed to be abandoned, the Planning Commissions hearing, rear of the adjacent Toulouse property, drainage, community comments and staff recommendation.

Mike Harper, Planning Manager, explained there was nothing in State law that prevented the County from requesting an easement or comparable development as long as it was related to abandonment. Chairman Larkin commented what was being conditioned was subsequent actions, but not the abandonment. Mr. Harper said that was correct. He said for the order of abandonment to be recorded, a replacement easement would have to be recorded prior. Commissioner Galloway said why not abandon less and leave the easement. Mr. Harper explained this was a vehicular access easement not an equestrian easement.

Commissioner Galloway asked if property owners had the right to bridge the drainage ditch. Mr. Harper remarked they could as long as that was not considered waters of the United States and required Army Corps permits. Ms. Mullin indicated this was researched with the Engineering Department and noted the recorded map specifically stated no buildings. She clarified as the map currently was recorded, a bridge would not be allowed; however, that note could potentially be removed from the map.

Eddie Lorton stated since it may cause flooding to the adjacent properties he was opposed to the abandonment. He submitted written comments, which were placed on file with the Clerk.

Robert Justin said he was opposed to the abandonment of the easement.

Catherine Clark stated she was opposed to the abandonment. She submitted written remarks and photographs that were placed on file with the Clerk.

Kelly Toulouse stated he was opposed to the abandonment and explained the abandonment of the easement would be detrimental to the north side of his property.

Melissa Fritz, appellant, said the purpose behind the easement was once the land was developed the four boundary easements around the property would be eliminated. She said there had been many accusations made and asked the Board to look beyond those. Ms. Fritz explained the grading that had been done and said there was a

building permit for the last garage that was built on the property, which was never finalized. She indicated that building permit stated when grading was completed, all rocks and debris were removed from the lot and the building was ready, then a final inspection could be called. Ms. Fritz explained that building permit had been renewed. She provided pictures, which were placed on file with the Clerk, that indicated grading and improvements which adjacent homeowners had done that were located in the Federal Emergency Management Agency (FEMA) floodplain. She noted the drainage was being improved so that the garages would not flood. Ms. Fritz was asking for the abandonment of an easement and was urging the Board to grant the appeal.

The Chairman closed the public hearing.

Commissioner Galloway asked Mr. Toulouse what was the purpose of the gate to the rear of his property. Mr. Toulouse replied that was placed there for the future. Commissioner Galloway asked if there was a substantial portion of the lot that could be accessed without crossing the drainage. Mr. Toulouse said the drainage ditch could be crossed with a four-wheel drive vehicle; however, if he was unable to cross the drainage ditch on the northeast corner it could be landlocked. Commissioner Galloway said the proposed area to be abandoned was a segment in a longer easement that continued to other properties. Ms. Mullin remarked the entire government tract parcels had similar easements and this easement extended to the east and was a straight line.

Commissioner Jung asked if there was a County policy to notice adjacent property owners on a request for abandonment. Ms. Mullin replied the Development Code required any property abutting the proposed abandonment be notified by certified mail, which occurred. Commissioner Jung asked if this went to the Citizen Advisory Board (CAB) for review. Ms. Mullin indicated abandonments did not go to CAB's.

Melanie Foster, Legal Counsel, commented on a case that involved an abandonment by the City of Reno where the abandonment was granted, but the District Court reversed it because of what was perceived as a public purpose and did a public benefits analysis. She said the Supreme Court made it clear that what a governing body needed to review was whether there would be material injury to the interest of the public and, if there was not a material injury to the interest of the public, the abandonment may be granted and was thus defensible.

Commissioner Humke said page five of the staff report suggested that the Planning Commission did make a finding to deny the request so their vote was good as to findings. Ms. Foster said she assumed that the finding of detriment was based upon the Planning Commission's belief there was a material injury to the public. She added the Supreme Court stated mere detriment to a member of the public was not material injury.

Commissioner Galloway asked the appellant if the intent for the rocks to be lined on the area proposed to be abandoned was a flood diversion. Ms. Fritz replied the attempt was to create drainage as in the subdivision. Commissioner Galloway asked if any studies were done that the flooding from that drainage would be worse to the other

properties. Ms. Fritz remarked the idea was to keep with the natural terrain. She said the grading was to level out the property and disperse the rocks that were removed when the house was constructed, but not intentionally change the grade to have an adverse affect on the existing homeowners. She explained the intent was to create drainage as it was along the existing subdivision to help the flow of the water. Commissioner Galloway asked if there was a report that showed this work would not adversely affect the drainage to the other properties. Ms. Fritz said there was not, but the work was done on an existing grading permit.

Commissioner Galloway requested an amendment for a motion to include material injury to access the rear of the property and to the public. He said there was a land use transportation element that encouraged connectivity within developments and this had the potential to break a connectivity path that already existed. He said before segments were abandoned on an existing easement that connected multiple properties, he would like to review the plan for the entire easement as a whole.

On motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, Chairman Larkin ordered that the appeal be denied and the Planning Commission's decision be upheld based on the following findings and the additional comment:

1. Detriment. That the abandonment or vacation does not result in a material injury to the access to rear of properties located adjacent and south of subject property;
2. Reasoned Consideration. That the Planning Commissioners gave reasoned consideration to the information contained within the staff report and information received during the meeting; and
3. Reasoned Consideration. That the Board of County Commissioners gave reasoned consideration to the information contained within the staff report and information received during the hearing.

6:45 p.m. Chairman Larkin left the meeting. Commissioner Humke assumed the gavel.

08-963 AGENDA ITEM 23 – COMMUNITY DEVELOPMENT

Agenda Subject: “Adopt an amendment to the Verdi Area Plan, as adopted by the Washoe County Planning Commission July 15, 2008, that provides a wholesale update of the existing Verdi Area Plan, establishing updated goals and policies relating to Land Use, Transportation, Scenic, Recreational and Cultural Resources, Natural Resources (Air, Land and Water), and establishing specific findings, criteria and thresholds for future amendments, and authorize the Chair to sign the appropriate Resolution after a finding of conformance with the Truckee Meadows Regional Plan has been made by the Regional Planning Commission. This update

introduces an updated map series to include a Land Use Plan map, Character Management Plan map, Recreational Opportunities Plan map, Public Services and Facilities Plan map, Streets and Highways System Plan map, and Development Suitability map. The Verdi planning area is comprised generally of a transition zone between alpine and high desert where the Sierra Nevada mountain range hits the Truckee Meadows in unincorporated Washoe County. Verdi is bounded on the west by Sierra County over the California border, on the north by Peavine Mountain, on the east by the City of Reno, and on the south by the Sierra Nevada Mountain Range.”

6:45 p.m. Acting Chairman Humke opened the public hearing by calling on anyone wishing to speak for or against the Verdi Area Plan update.

Don Morehouse, Planner, conducted a PowerPoint presentation, which was placed on file with the Clerk, highlighting the update of the Verdi Area Plan. He said the public and the Citizen Advisory Board (CAB) were instrumental in the update. Mr. Morehouse said the Area Plan had no zone changes and was going to a character based format.

Commissioner Galloway asked if the CAB saw the final version that was presented to the Board. Mr. Morehouse replied they had.

Commissioner Weber said the community worked on this for a great deal of time and was very supportive. She noted the Town Center was the greatest need.

The Acting Chairman closed the public hearing.

On motion by Commissioner Weber, seconded by Commissioner Galloway, which motion duly carried with Chairman Larkin absent, it was ordered that Agenda Item 23 be adopted, authorized and executed.

08-964 AGENDA ITEM 24 – COMMUNITY DEVELOPMENT

Agenda Subject: “A request to amend the Spanish Springs Area Plan, being a part of the Washoe County Comprehensive Plan, to re-designate the following Assessor's Parcel Numbers: 076-290-41, 076-290-42, 076-290-43, 076-290-44, 076-360-64, 076-360-65, 076-360-66, 076-360-67, 076-360-68, 076-360-71, 076-360-63, 076-360-62, 076-290-13, totaling approximately +208.04 acres subject to this request. The change in land uses would be from Low Density Rural (LDR), General Rural (GR) and Open Space (OS) to Low Density Suburban (LDS). The subject properties are located on the east side of Pyramid Highway, north of Calle de la Plata, and approximately 2-miles north of Eagle Canyon Drive. The subject parcels are within the Truckee Meadows Service Area (TMSA), and within the Area of Interest of the City of Sparks, as identified by the 2007 Truckee Meadows Regional Plan. The subject parcels are located within Sections 11, and 14, T21N, R20E, MDM, Washoe County, Nevada. The properties are within Washoe County Commission District 4

and within the Spanish Springs Citizen Advisory Board boundary. To reflect changes requested within this application and to maintain currency of general area plan data, administrative changes to the area plan are proposed. These administrative changes include: a revised map series with updated parcel base and revised table of land uses, and, if approved, authorize the Chair to sign the Resolution of the updated area plan after a determination of conformance with the Regional Plan by the Truckee Meadows Regional Planning Agency.”

6:50 p.m. Acting Chairman Humke opened the public hearing by calling on anyone wishing to speak for or against amending the Spanish Springs Area Plan.

Sandra Monsalvè, Senior Planner, conducted a PowerPoint presentation, which was placed on file with the Clerk, highlighting the adopted land use, Suburban Character Management Area, compatibility, infrastructure, supported policies, citizen input and the recommendation.

Ken Dixon, David Baker, Marty Mitcham, Madeline Zook and Eric Ahlstrom stated they were in favor of the application.

Angela Fuss, CFA, Inc. representative, explained the application process that a group of area citizens completed for the zone change. She said the main components of that application were the industrial piece on the west side of Pyramid Highway, 30 acres of neighborhood commercial on the east side of Pyramid Highway, and 13 properties proposed to be Low Density Suburban (LDS) which was consistent. She requested that the Area Plan put a cap on commercial and industrial zoning.

The Acting Chairman closed the public hearing.

Commissioner Galloway asked what would happen when the gravel pit at Donovan Ranch would be requested for development. Ms. Monsalvè replied the Donovan Ranch was not part of the request. She said when that Ranch was reviewed and approved for the entire 544 acre parcel the gravel pit was approximately 140 acres of General Rural zoning. She said that subdivision was approved as a common open space subdivision and all of the density had been used on that property. Commissioner Galloway disclosed he had received a phone call from Ms. Fuss.

Commissioner Jung disclosed she received an e-mail and a phone call from a local developer in support of the plan and numerous e-mails from constituents. Commissioner Weber disclosed she also received numerous e-mails.

On motion by Commissioner Jung, seconded by Commissioner Weber, which motion duly carried with Chairman Larkin absent, it was ordered that Agenda Item 24 be approved, authorized and executed with the following findings:

1. The proposed amendment(s) to the Spanish Springs Area Plan are in substantial compliance with the policies and action programs of the Washoe County Comprehensive Plan;

2. The proposed amendment 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 responds to changed conditions or further studies that have occurred since the plan was adopted by the Board of County Commissioners, and the proposed amendment represents a more desirable utilization of land.

4. The proposed amendment will not adversely affect the implementation of the policies and action programs of the Conservation Element, or the Population Element of the Washoe County Comprehensive Plan.

5. The proposed amendment will promote the desired pattern for the 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 service.

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 information contained within the reports transmitted to the County Commission from the Washoe County Planning Commission, and the information received during the Washoe County Commission public hearing.

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried with Chairman Larkin absent, it was ordered that the resolution be adopted, authorized and executed. The Resolution for same is attached hereto and made apart of the minutes thereof.

08-965 AGENDA ITEM 25

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).”

Acting Chairman Humke announced there were Reno-Sparks Convention and Visitors Authority (RSCVA) and District Board of Health meetings scheduled for August 28, 2008. He said there would be a public meeting of the Regional Transportation Commission (RTC) on August 28th to discuss the final version of the recommended alignment of the Southeast Connector.

Commissioner Galloway said there were Tahoe Regional Planning Agency (TRPA) meetings scheduled for August 27th and 28th for discussion on many items.

Commissioner Jung said she would be attending a tour of the Reno-Sparks Gospel Mission properties and "Tent City." She said the Ward 3 Neighborhood Advisory Board was scheduled to meet on August 28, 2008.

* * * * *

7:12 p.m. There being no further business to come before the Board, on motion by Commissioner Jung, seconded by Commissioner Galloway, which motion duly carried with Chairman Larkin absent, it was ordered that the meeting be adjourned.

ROBERT 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*

RESOLUTION

RESOLUTION OF THE BOARD OF COMMISSIONERS OF WASHOE COUNTY, NEVADA PROVIDING FOR THE TRANSFER OF THE COUNTY'S 2008 PRIVATE ACTIVITY BOND CAP TO THE STATE OF NEVADA DEPARTMENT OF BUSINESS AND INDUSTRY, FOR REDISTRIBUTION TO THE VOLUNTEERS OF AMERICA, FOR THE SIERRA MANOR PROPERTY (\$5,000,000); AND TO THE NEVADA RURAL HOUSING AUTHORITY FOR THE SUPPORT OF THAT JURISDICTION'S AFFORDABLE HOUSING PROGRAMS (\$206,493.59); 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 \$ 5,206,493.59 in tax-exempt private activity bond cap for calendar year 2008 ("2008 Bond Cap"); and

WHEREAS, The County desires to facilitate the acquisition and rehabilitation of affordable housing in the region; and

WHEREAS, The Nevada Rural Housing Authority ("NRHA"), has requested that the County transfer a portion of its 2008 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 State of Nevada Department of Business and Industry, for allocation to Volunteers of America, has requested that the County transfer \$5,000,000 for the rehabilitation of their Sierra Manor property, a very low income senior 146 unit apartment building that is in need of significant rehabilitation; 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 2008 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, pursuant to NRS 348A.060, the Department of Business and Industry is a political subdivision of the State authorized to issue private activity bonds; now, therefore, be it

RESOLVED, By the Board of Commissioners of Washoe County that Washoe County hereby transfers the following amounts of its 2008 Volume Cap: \$206,493.59 to the NRHA for its Single Family Mortgage Loan Program and \$5,000,000 to the State of Nevada, Department of Business and Industry, Housing Division for allocation to Volunteers of America for rehabilitation of the Sierra Manor property.

BE IT FURTHER RESOLVED, By the Board of Commissioners of Washoe County that if for any reason these bonds are not issued within three years of this date, or if additional funds become available for 2008 that are not reflected in this resolution, the Board requests that the State Housing Division carry the Volume Cap forward to prevent its loss, and that the Volume Cap be used for affordable housing purposes in Washoe County.

ADOPTED this 26th day of August, 2008.

By: Robert M Larkin
Robert M Larkin, Chairman
Washoe County, Nevada

The seal of Washoe County, Nevada, is circular and features a central figure, possibly a miner or a Native American, surrounded by the words "SEAL OF WASHOE COUNTY NEVADA".
ATTEST
By: Amy Harvey
Amy Harvey, Clerk
Washoe County, Nevada

RESOLUTION REGARDING THE TERMS OF LEASE TO COMMUNITY SERVICES AGENCY, A NEVADA NON-PROFIT AGENCY

A RESOLUTION REGARDING THE TERMS OF LEASE TO COMMUNITY SERVICES AGENCY, A NEVADA NON-PROFIT CORPORATION IN GOOD STANDING, FOR USE OF A PORTION OF A COUNTY OWNED BUILDING AND OTHER MATTERS PROPERLY RELATED THERETO

WHEREAS, Washoe County owns a certain parcel of real property, known as the Sun Valley Community Park, located at 115 W. 6th Avenue, which contains the Premises known as the Sun Valley Neighborhood Center, Reno, Nevada; and

WHEREAS, Nevada Revised Statutes 244.2835 allows the County to lease space to non-profit organizations that are recognized as exempt under Section 501 (c) (3) of the Internal Revenue Code, and specifically organizations who provide services to the residents of the County; and on such terms and conditions as the Washoe County Board of Commission determines to be reasonable; and

WHEREAS, Community Services Agency Development Corporation (CSA) a Nevada Non-Profit Corporation in good standing, has requested permission to lease 780 square feet of space within the Premises to provide residents of the community with services and free meals for children between the ages of 3-5 and services for families with limited income; and

WHEREAS, The Washoe County Board of Commissioners hereby agrees to consider the lease of 780 square feet within the subject premises under the terms and conditions contained in the proposed Lease Agreement; and

NOW, THEREFORE, BE IT RESOLVED by the Washoe County Board of Commissioners:

1. The rental amount of Three Hundred Ninety (\$390) dollars per month is the amount the Lessee is able to pay.

2. This property will be used to perform a service of value to the members of the general public.

3. The service to be performed in the real property will be of assistance to an agency of the County.

4. The impact in expenses, for use of this property, is less than the rental amount offered due to the facility being occupied by other users and in comparison of other potential uses of the real property.

5. On August 26, 2008, the Washoe County Board of Commissioners considered the lease to Community Services Agency and, if this Resolution of Terms is approved, the Chairman shall execute a Lease Agreement on the terms and conditions established by the Board of County Commissioners.

ADOPTED this 26th day of August 2008 by the following vote:

AYES: Weber-Galloway - Humke - LARKIN - Jung

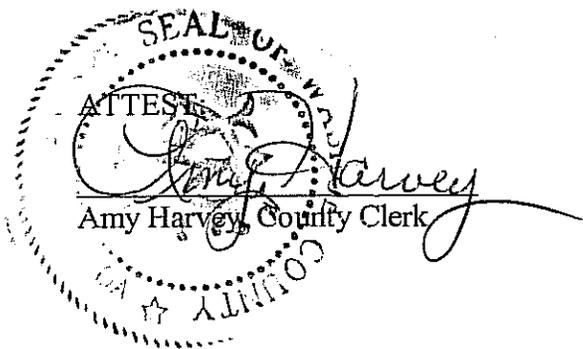
NAYS: none

ABSENT: none

ABSTAIN: none

Robert M Larkin

Robert M. Larkin, Chairman
Washoe County Commission



INTRASTATE INTERLOCAL CONTRACT BETWEEN PUBLIC AGENCIES

A Contract Between the State of Nevada
Acting By and Through Its

DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF CHILD AND FAMILY SERVICES
4126 Technology Way, 3rd floor
Carson City, NV 89701
775-684-4400 FAX 775-684-4455

and

WASHOE COUNTY
DEPARTMENT OF SOCIAL SERVICES
P.O. Box 11130
Reno, NV 89502
775-328-2300 FAX 775-325-8049

WHEREAS, NRS 277.180 authorizes any one or more public agencies to contract with any one or more other public agencies to perform any governmental service, activity or undertaking which any of the public agencies entering into the contract is authorized by law to perform; and

WHEREAS, it is deemed that the services hereinafter set forth are both necessary and in the best interests of [the State of Nevada;

NOW, THEREFORE, in consideration of the aforesaid premises, the parties mutually agree as follows:

1. REQUIRED APPROVAL. This Contract shall not become effective until and unless approved by appropriate official action of the governing body of each party.
2. DEFINITIONS. "State" means the State of Nevada and any state agency identified herein, its officers, employees and immune contractors as defined in NRS 41.0307.
3. CONTRACT TERM. This Contract shall be effective upon BOE approval to January 2, 2009, unless sooner terminated by either party as set forth in this Contract.
4. TERMINATION. This Contract may be terminated by either party prior to the date set forth in paragraph (3), provided that a termination shall not be effective until 30 days after a party has served written notice upon the other party. This Contract may be terminated by mutual consent of both parties or unilaterally by either party without cause. The parties expressly agree that this Contract shall be terminated immediately if for any reason State and/or federal funding ability to satisfy this Contract is withdrawn, limited, or impaired.
5. NOTICE. All notices or other communications required or permitted to be given under this Contract shall be in writing and shall be deemed to have been duly given if delivered personally in hand, by telephonic facsimile with simultaneous regular mail, or mailed certified mail, return receipt requested, postage prepaid on the date posted, and addressed to the other party at the address set forth above.
6. INCORPORATED DOCUMENTS. The parties agree that the services to be performed shall be specifically described; this Contract incorporates the following attachments in descending order of constructive precedence:

ATTACHMENT A: SCOPE OF WORK

ATTACHMENT B: FISCAL PROCEDURES

7. CONSIDERATION. Washoe County, Department of Social Services agrees to provide the services set forth in paragraph (6) at a cost of \$90.00 per hour, based on a 20 hour week with a maximum of 520 hours, plus \$5,000.00 for travel with the total Contract or installments payable: upon receipt and approval of invoices, not exceeding \$ 51,800.00. Any intervening end to an annual or biennial appropriation period shall be deemed an automatic renewal (not changing the overall Contract term) or a termination as the results of legislative appropriation may require.

8. ASSENT. The parties agree that the terms and conditions listed on incorporated attachments of this Contract are also specifically a part of this Contract and are limited only by their respective order of precedence and any limitations expressly provided.

9. INSPECTION & AUDIT.

a. Books and Records. Each party agrees to keep and maintain under general accepted accounting principles full, true and complete records, agreements, books, and documents as are necessary to fully disclose to the other party, the State or United States Government, or their authorized representatives, upon audits or reviews, sufficient information to determine compliance with any applicable regulations and statutes.

b. Inspection & Audit. Each party agrees that the relevant books, records (written, electronic, computer related or otherwise), including but not limited to relevant accounting procedures and practices of the party, financial statements and supporting documentation, and documentation related to the work product shall be subject, at any reasonable time, to inspection, examination, review, audit, and copying at any office or location where such records may be found, with or without notice by the other party, the State Auditor, Employment Security, the Department of Administration, Budget Division, the Nevada State Attorney General's Office or its Fraud Control Units, the State Legislative Auditor, and with regard to any federal funding, the relevant federal agency, the Comptroller General, the General Accounting Office, the Office of the Inspector General, or any of their authorized representatives.

c. Period of Retention. All books, records, reports, and statements relevant to this Contract must be retained by each party for a minimum of three years and for five years if any federal funds are used in this Contract. The retention period runs from the date of termination of this Contract. Retention time shall be extended when an audit is scheduled or in progress for a period reasonably necessary to complete an audit and/or to complete any administrative and judicial litigation which may ensue.

10. BREACH; REMEDIES. Failure of either party to perform any obligation of this Contract shall be deemed a breach. Except as otherwise provided for by law or this Contract, the rights and remedies of the parties shall not be exclusive and are in addition to any other rights and remedies provided by law or equity, including but not limited to actual damages, and to a prevailing party reasonable attorneys' fees and costs.

11. LIMITED LIABILITY. The parties will not waive and intend to assert available NRS chapter 41 liability limitations in all cases. Contract liability of both parties shall not be subject to punitive damages. To the extent applicable, actual contract damages for any breach shall be limited by NRS 353.260 and NRS 354.626.

12. FORCE MAJEURE. Neither party shall be deemed to be in violation of this Contract if it is prevented from performing any of its obligations hereunder due to strikes, failure of public transportation, civil or military authority, act of public enemy, accidents, fires, explosions, or acts of God, including, without limitation, earthquakes, floods, winds, or storms. In such an event the intervening cause must not be through the fault of the party asserting such an excuse, and the excused party is obligated to promptly perform in accordance with the terms of the Contract after the intervening cause ceases.

13. INDEMNIFICATION. Neither party waives any right or defense to indemnification that may exist in law or equity.

14. INDEPENDENT PUBLIC AGENCIES. The parties are associated with each other only for the purposes and to the extent set forth in this Contract, and in respect to performance of services pursuant to this Contract, each party is and shall be a public agency separate and distinct from the other party and, subject only to the terms of this Contract, shall have the sole right to supervise, manage, operate, control, and direct performance of the details incident to its duties under this Contract. Nothing contained in this Contract shall be deemed or construed to create a partnership or joint venture, to create relationships of an employer-employee or principal-agent, or to otherwise create any liability for one agency whatsoever with respect to the indebtedness, liabilities, and obligations of the other agency or any other party.

15. WAIVER OF BREACH. Failure to declare a breach or the actual waiver of any particular breach of the Contract or its material or nonmaterial terms by either party shall not operate as a waiver by such party of any of its rights or remedies as to any other breach.

16. SEVERABILITY. If any provision contained in this Contract is held to be unenforceable by a court of law or equity, this Contract shall be construed as if such provision did not exist and the nonenforceability of such provision shall not be held to render any other provision or provisions of this Contract unenforceable.

17. ASSIGNMENT. Neither party shall assign, transfer or delegate any rights, obligations or duties under this Contract without the prior written consent of the other party.

18. OWNERSHIP OF PROPRIETARY INFORMATION. Unless otherwise provided by law or this Contract, any reports, histories, studies, tests, manuals, instructions, photographs, negatives, blue prints, plans, maps, data, system designs, computer code (which is intended to be consideration under this Contract), or any other documents or drawings, prepared or in the course of preparation by either party in performance of its obligations under this Contract shall be the joint property of both parties.

19. PUBLIC RECORDS. Pursuant to NRS 239.010, information or documents may be open to public inspection and copying. The parties will have the duty to disclose unless a particular record is made confidential by law or a common law balancing of interests.

20. CONFIDENTIALITY. Each party shall keep confidential all information, in whatever form, produced, prepared, observed or received by that party to the extent that such information is confidential by law or otherwise required by this Contract.

21. PROPER AUTHORITY. The parties hereto represent and warrant that the person executing this Contract on behalf of each party has full power and authority to enter into this Contract and that the parties are authorized by law to perform the services set forth in paragraph (6).

22. GOVERNING LAW; JURISDICTION. This Contract and the rights and obligations of the parties hereto shall be governed by, and construed according to, the laws of the State of Nevada. The parties consent to the jurisdiction of the Nevada district courts for enforcement of this Contract.

23. ENTIRE AGREEMENT AND MODIFICATION. This Contract and its integrated attachment(s) constitute the entire agreement of the parties and such are intended as a complete and exclusive statement of the promises, representations, negotiations, discussions, and other agreements that may have been made in connection with the subject matter hereof. Unless an integrated attachment to this Contract specifically displays a mutual intent to amend a particular part of this Contract, general conflicts in language between any such attachment and this Contract shall be construed consistent with the terms of this Contract. Unless otherwise expressly authorized by the terms of this Contract, no modification or amendment to this Contract shall be binding upon the parties unless the same is in writing and signed by the respective parties hereto, approved by the State of Nevada Office of the Attorney General.

IN WITNESS WHEREOF, the parties hereto have caused this Contract to be signed and intend to be legally bound thereby.

Washoe County, Department of Social Services
Public Agency #1

Robert M Larkin 8/26/08
Signature -- Robert M. Larkin Date

Chairperson, Washoe County Commission
Title

State of Nevada, Department of Health and Human Services, Division of Child and Family Services
Public Agency #2

Signature -- Michael Willden Date

Director, Department of Health and Human Services
Title

Signature -- Diane Comeaux Date

Administrator, Division of Child and Family Services
Title

Signature -- Nevada State Board of Examiners

APPROVED BY BOARD OF EXAMINERS
On _____
(Date)

Approved as to form by:

Deputy Attorney General for Attorney General, State of Nevada

On _____
(Date)

SE

**ATTACHMENT A
SCOPE OF WORK**

1. PURPOSE OF AGREEMENT

This agreement is entered into between Washoe County, Nevada and the State of Nevada, Department of Health and Human Services, Division of Child and Family Services (DCFS) for the purpose of Michael Capello, Director, Washoe County, Department of Social Services performing duties for DCFS which will include providing consultation to DCFS on issues related to child welfare to include proposed federal and state legislation, professional skills development, organizational improvement, and policy development.

2. RESPONSIBILITY FOR PROCESSING COMPENSATION AND BENEFITS

a. Washoe County will be responsible for paying the salary and benefits of Michael Capello, as well as for withholding of taxes and retirement contributions. Washoe County will provide annual and sick leave in accordance with the regulations of Washoe County, and such leave is subject to the supervision and direction of Washoe County.

Washoe County will reimburse Michael Capello for travel and per diem in accordance with the policies and regulations of Washoe County.

b. Washoe County will bill DCFS for the actual time spent by Michael Capello working for the Division and for travel and per diem required for the performance of his duties for the Division, up to the amounts allowed in accordance with Attachment B, Fiscal Procedures.

c. Following receipt of the billing from Washoe County, DCFS will reimburse Washoe County at the rate represented in Attachment B: Financial Procedures to a maximum of \$51,800 during Fiscal Year 2009. Billings must be submitted at least quarterly.

**ATTACHMENT B
FISCAL PROCEDURES**

1. REQUEST FOR FUNDING: The State agrees to submit the required and/or necessary documentation to the appropriate funding authorities, State or Federal, to ensure sufficient revenue/expenditure authority to pay Public Agency for all allowable costs in the provision of services outlined in this agreement.

Public Agency may submit an invoice to the State on a monthly basis, or at least quarterly. The invoices will be disbursed to the Public Agency within 15 business days, upon receipt and approval of the reconciliation of expenditures, as identified in Item 4 of this attachment.

The Public Agency will invoice the State within 30 days following the termination date of the contract for all outstanding expenditures incurred for the provision of services outlined within this agreement. All invoices must be submitted in a format required by the State and shall specify expenditure line item(s) associated to the requests.

2. INVOICE SUBMISSION: Invoices are to be mailed or hand delivered to: Division of Child and Family Services, Central Office Accounting, 4126 Technology Way, 3rd Floor, Carson City, NV 89706. Payment can only be made for invoices with original signatures. The invoice must include sufficient detail to support the request.
3. RECONCILIATIONS: Public Agency agrees to provide to the State a quarterly reconciliation of balances expended and/or committed/encumbered. Subsequent invoices must be adjusted based on the previous reconciliation report. The next payment may be held pending receipts of the reconciliation for the subsequent billing period to ensure any adjustments are processed in a timely manner. Public Agency shall maintain fiscal records necessary to determine costs provided through this contract. These records shall be made available to the State, at a single location as defined by Public Agency, within 15 calendar days upon request.
4. TAX IDENTIFICATION NUMBER: Public Agency agrees to list Public Agency's tax identification number (EIN) on all invoices.
5. TRAVEL EXPENSES: Per the State Administrative Manual 0320.0, section 6:

"Travel expenses, per diem and other expenses may be paid to an independent contractor if provided for in the contract and must conform to the procedures and rates allowed for State officers and employees. It is policy of the Board of Examiners to restrict contractors to the same rates and procedures allowed State employees."

6. Hourly Rate - \$90.00
20 hours per week to a maximum of 520 hours
Total Personnel costs = \$46,800.00

Travel expense amount not to exceed \$5,000

Clerk



WASHOE COUNTY COMMISSION

1001 E. 9th Street
P.O. Box 11130
Reno, Nevada 89520
(775) 328-2005

**RESOLUTION
ADOPTING THE AMENDED SOUTH VALLEYS AREA PLAN (CP08-001),
A PART OF THE WASHOE COUNTY COMPREHENSIVE PLAN**

WHEREAS, Section 278.150, 278.170 and 278.210, Nevada Revised Statutes, specifies that the Washoe County Planning Commission may prepare, adopt and amend a master (comprehensive) plan for all or any part of the County, subject to County Commission approval;

WHEREAS, Section 278.160, Nevada Revised Statutes, specifies that the master plan shall include the following subject matter or portions thereof as deemed appropriate: community design, conservation plan, economic plan, historic properties preservation plan, housing plan, land use plan, population plan, public buildings, public services and facilities, recreation plan, safety plan, seismic safety plan, solid waste disposal plan, streets and highways plan, transit plan, and transportation plan, and such other plans as judged necessary;

WHEREAS, A public hearing on the adoption of the amended SOUTH VALLEYS AREA PLAN, a part of the Washoe County Comprehensive Plan, was held on May 6, 2008, by said Planning Commission;

WHEREAS, The Washoe County Planning Commission has found that the SOUTH VALLEYS AREA PLAN, a part of the Washoe County Comprehensive Plan, and the most recent amendment, together with the applicable maps and description matter, provide a long-term general plan for the development of the County including the subject matter currently deemed appropriate for inclusion in the Comprehensive Plan, and has submitted the amendment to the SOUTH VALLEYS AREA PLAN to the Board of County Commissioners, Washoe County, with the recommendation for approval and adoption thereof;

WHEREAS, Section 278.220, Nevada Revised Statutes, specifies that the Board of County Commissioners of Washoe County, Nevada, may adopt and endorse plans for Washoe County as reported by the Planning Commission, in order to conserve and promote the public health, safety and general welfare;

WHEREAS, A public hearing on the adoption of the Washoe County Comprehensive Plan, including the SOUTH VALLEYS AREA PLAN, was first held on May 21, 1991, with the two most recent amendments to the bifurcated SOUTH VALLEYS AREA PLAN being held on February 8, 2005 and August 28, 2007 (Steamboat/Pleasant Valleys portion), by the Board of County Commissioners of Washoe County, Nevada;

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WHEREAS, At the conclusion of the public hearing, the Board of County Commissioners endorsed the amendments to the SOUTH VALLEYS AREA PLAN, a part of the Washoe County Comprehensive Plan, pursuant to Section 278.0282, Nevada Revised Statutes, for conformance review with the Truckee Meadows Regional Plan;

WHEREAS, A public hearing for the review of conformance of the Washoe County Comprehensive Plan, including the SOUTH VALLEYS AREA PLAN, was first held on October 23, 1991, with the two most recent amendments to the bifurcated SOUTH VALLEYS AREA PLAN being held on July 9, 2008 and January 9, 2008 (Steamboat/Pleasant Valleys portion), by the Truckee Meadows Regional Planning Commission, at which time the plan was deemed in conformance with the Truckee Meadows Regional Plan; and

WHEREAS, The amendment to the SOUTH VALLEYS AREA PLAN, a part of the Washoe County Comprehensive Plan, which is in conformance with the Truckee Meadows Regional Plan, has completed all the necessary requirements for adoption as specified in the Nevada Revised Statutes and Article 820, Amendment of Comprehensive Plan, of the Washoe County Development Code; now, therefore, it is hereby

RESOLVED, BY THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY, NEVADA, That the Board does hereby adopt and endorse the amended SOUTH VALLEYS AREA PLAN, a part of the Washoe County Comprehensive Plan, to serve as a guide for the orderly growth and development of Washoe County, Nevada.

ADOPTED this 26th of August, 2008.

WASHOE COUNTY COMMISSION

Robert M Larkin

Robert M. Larkin, Chair

