

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

TUESDAY

10:00 A.M.

JUNE 14, 2011

PRESENT:

**John Breternitz, Chairman**  
**Bonnie Weber, Vice Chairperson**  
**Bob Larkin, Commissioner**  
**Kitty Jung, Commissioner**  
**David Humke, Commissioner\***

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

The Washoe County Board of Commissioners convened at 10:01 a.m. in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. Following the Pledge of Allegiance to the flag of our Country, the Clerk called the roll and the Board conducted the following business:

County Manager Katy Simon stated: "The Chairman and the 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."

**11-474      AGENDA ITEM 3**

**Agenda Subject: "Resolution of Accomplishment--Rotary Club of Reno. (Requested by Commissioner Breternitz.)"**

Chairman Breternitz read and presented the Resolution of Accomplishment to Bob Moore, Rotary Club of Reno President, and Carl Fuetsch and Wes Witten, Rotary International Foundation for the Rotary Club of Reno Co-Chairs. Mr. Fuetsch said he was just informed the amount contributed by Rotary members to the local foundation now exceeded \$1 million. He noted the Rotary Club of Reno was one of eight Rotary Clubs in the area.

Chairman Breternitz believed the community would not be the same without the contributions made by all of the members of the Rotary Club.

In response to the call for public comment, Sam Dehne said he was happy the Rotary Club was being acknowledged.

On motion by Chairman Breternitz, seconded by Commissioner Larkin, which motion duly carried with Commissioner Humke absent, it was ordered that Agenda Item 4 be adopted. The Resolution for same is attached hereto and made a part of the minutes thereof.

**11-475            AGENDA ITEM 4 – PUBLIC COMMENT**

**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.”**

Sam Dehne commented on the decorum statement read aloud by the County Manager and on the City of Reno’s new City Manager.

**\*10:12 a.m.** Commissioner Humke arrived.

Kurt Latipow, Fire Services Coordinator, apologized for missing the deadline for posting the Truckee Meadows Fire Protection District’s (TMFPD) agenda.

Mr. Latipow stated following the direction given to staff on May 24, 2011, staff contracted with a CPA firm to conduct a secondary analysis of the TMFPD budget. He said the contractor assured him they would have a draft ready for presentation to the Board at its June 28, 2011 meeting.

Mr. Latipow stated he was waiting for a response from Fire Chief Michael Hernandez relative to the Commission’s staffing question. He said there was a meeting with the City of Reno’s and the County’s Risk Managers, but consensus was not reached regarding the liability issue. He stated he and Mary Walker, TMFPD Financial Consultant, were working on a cost/benefit analysis to provide to the Board at its June 28th meeting. He said the Reno City Council gave staff direction to prepare a proposal to the District, which he expected to receive today. He stated an analysis of the proposal would be presented to the Board.

Jim Galloway read his prepared statement against the County establishing a County Bond Bank to fund the debt of other entities. A copy of his comments was placed on file with the Clerk.

Robert Carrington stated he toured the Community Assistance Center (CAC), which was well run and clean. He wondered why the County would want Catholic Charities of Northern Nevada (CCNN) to take over operation of the CAC when they already had unfunded or underfunded programs, especially when Volunteers of America (VOA) had been adding funds to the CAC's public funds and had extensive expertise in running such centers. He said he was also concerned changing the operator would result in a decrease in the quality of the assistance provided and would also result in increased costs to the County and to the taxpayers. A copy of his written concerns was placed on file with the Clerk.

**11-476            AGENDA ITEM 5 – ANNOUNCEMENTS**

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

Katy Simon, County Manager, said the Truckee Meadows Fire Protection District (TMFPD) agenda did not meet the noticing deadline; therefore, Agenda Item 8 was pulled. She stated it was also proposed the public hearing for Agenda Item 30, change to the commercial cap in the Spanish Springs Area Plan, be opened and continued to June 28, 2011. She advised the City of Sparks wanted to have further discussions with the County regarding the cap.

Chairman Breternitz requested an Attorney/Client meeting to discuss the legal implications and the County's options regarding the Legislature's 2009 sweep of County funds. Commissioner Humke said he joined Chairman Breternitz in making that request. Katy Simon, County Manager, advised an Attorney/Client meeting was scheduled to discuss that matter.

Commissioner Humke stated he and Commissioner Jung attended the groundbreaking last week at the fulfillment center in Stead for Urban Outfitters. He congratulated everyone who made the construction of the fulfillment center happen. Commissioner Jung said Urban Outfitters already had a catalog fulfillment center located in the area, and the new building would be the online fulfillment center for the west coast.

Commissioner Larkin asked for an agenda item in July regarding not having to fund the Volunteer Coordinator position because it was filled by a volunteer. He said there needed to be a discussion on setting up a segregated donation account under Community Relations to reimburse that volunteer's expenses. He advised the Community Relations Director should have the expenditure authority with the Manager's oversight. He stated he would also like the agenda item to include his making a \$500 donation to the account.

**CONSENT AGENDA – AGENDA ITEMS 6A THROUGH 6K**

**11-477      AGENDA ITEM 6A**

**Agenda Subject:** “Approve minutes for the Board of County Commissioners’ meeting of April 12, 2011.”

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Chairman Breternitz, which motion duly carried, it was ordered that Agenda Item 6A be approved.

**11-478      AGENDA ITEM 6B – ASSESSOR**

**Agenda Subject:** “Approve roll change requests for errors discovered for the 2010/11, 2009/10, 2008/09, 2007/08, 2004/05 unsecured tax rolls; and if approved, authorize Chairman to execute Order for same and direct the Washoe County Treasurer to correct the errors and notify the taxpayer if an adjustment to the tax bill is necessary [cumulative amount of reduction \$142,601.43]--Assessor. (All Commission Districts.)”

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Chairman Breternitz, which motion duly carried, it was ordered that Agenda Item 6B be approved, authorized, executed, and directed.

**11-479      AGENDA ITEM 6C – DISTRICT COURT**

**Agenda Subject:** “Reappoint Pam Gullihur to serve a third term for a non-attorney position and appoint Teresa Mentzer to fill a non-attorney position on the Law Library Board of Trustees, terms to end December 31, 2012--District Court. (All Commission Districts.)”

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Chairman Breternitz, which motion duly carried, it was ordered that Pam Gullihur be reappointed to serve a third term for a non-attorney position and Teresa Mentzer be appointed to fill a non-attorney position on the Law Library Board of Trustees with terms ending December 31, 2012.

**11-480            AGENDA ITEM 6D – HUMAN RESOURCES**

**Agenda Subject: “Approve additions, deletions and changes in full-time equivalencies to authorized positions for Fiscal Year 2011/12--Human Resources. (All Commission Districts.)”**

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Chairman Breternitz, which motion duly carried, it was ordered that Agenda Item 6D be approved.

**11-481            AGENDA ITEM 6E – JUVENILE SERVICES**

**Agenda Subject: “Authorize creation of a new intermittent hourly/on-call Advanced Practitioner of Nursing (pay grade Q) as evaluated by the Job Evaluation Committee--Juvenile Services. (All Commission Districts.)”**

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Chairman Breternitz, which motion duly carried, it was ordered that Agenda Item 6E be authorized.

**11-482            AGENDA ITEM 6F – SHERIFF**

**Agenda Subject: “Accept donations [\$615] to Washoe County Sheriff’s Office, Search and Rescue; and if accepted, authorize Finance to make necessary budget adjustments--Sheriff. (All Commission Districts.)”**

Commissioner Jung acknowledged the gratitude of the Board for the cash donations made to the Washoe County Sheriff’s Office, Search and Rescue team, on behalf of Rick Gentry and Timothy Henderson.

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Chairman Breternitz, which motion duly carried, it was ordered that Agenda Item 6F be accepted and authorized.

**11-483            AGENDA ITEM 6G – SOCIAL SERVICES**

**Agenda Subject: “Authorize Department of Social Services to accept grant [\$10,000 - no County match] from the Lee F. DelGrande Foundation to partially fund a router position for the Washoe County School Transportation Department to plan routes for abused and neglected children in Social Services’ custody that are at risk of school disruption due to transportation issues as a result of their foster care placement; and if accepted, authorize the Department to expend the grant revenue**

**and direct Finance to make appropriate budget adjustments--Social Services. (All Commission Districts.)”**

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Chairman Breternitz, which motion duly carried, it was ordered that Agenda Item 6G be accepted, authorized, and directed.

**11-484            AGENDA ITEM 6H – TREASURER**

**Agenda Subject: “Approve Interlocal Agreement between the County of Washoe and Truckee River Flood Managements Authority for investment of funds in the Washoe County Investment Pool (no fiscal impact); and if approved, authorize Chairman to execute Interlocal Agreement--Treasurer. (All Commission Districts.)”**

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Chairman Breternitz, which motion duly carried, it was ordered that Agenda Item 6H be approved, authorized, and executed. The Interlocal Agreement for same is attached hereto and made a part of the minutes thereof.

**11-485            AGENDA ITEM 6I – WATER RESOURCES**

**Agenda Subject: “Approve Third Amendment to Agreement Regarding the Purchase of Water Rights Pursuant to the Truckee River Water Quality Settlement Agreement between Washoe County, the City of Reno, the City of Sparks and Great Basin Land and Water [\$36,850 annually]; and if approved, authorize Chairman to execute same--Water Resources. (All Commission Districts.)”**

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Chairman Breternitz, which motion duly carried, it was ordered that Agenda Item 6I be approved, authorized, and executed. The Interlocal Agreement for same is attached hereto and made a part of the minutes thereof.

**11-486            AGENDA ITEM 6J(1) – COMMUNITY DEVELOPMENT**

**Agenda Subject: “Reappoint Bobbie Barlow and Dave Cooper as At-Large members to June 30, 2013; appoint Jeff Barker to fill an unexpired term as an At-Large member to June 30, 2011 and to a new 2-year term to June 30, 2013; and, appoint Matthew Ebert to fill an unexpired term as an At-Large Alternate to June 30, 2012 on the Gerlach/Empire Citizen Advisory Board. (Commission District 5.)”**

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Chairman Breternitz, which motion duly carried, it was ordered that Bobbie Barlow and Dave Cooper be reappointed as At-Large members to June 30, 2013; Jeff Barker be appointed to fill an unexpired term as an At-Large member to June 30, 2011 and to a new 2-year term to June 30, 2013; and, Matthew Ebert be appointed to fill an unexpired term as an At-Large Alternate to June 30, 2012 on the Gerlach/Empire Citizen Advisory Board (CAB).

**11-487            AGENDA ITEM 6J(3) – COMMUNITY DEVELOPMENT**

**Agenda Subject: “Approve Resolution renewing the Inter-Governmental Agreement of the Washoe County Home Consortium for the Department of Housing and Urban Development Home Investment Partnership Program and approve the Inter-Governmental Agreement Renewing the Washoe County Home Consortium between the County of Washoe, the City of Reno and the City of Sparks; and if all approved, authorize Chairman to execute the Resolution and the Inter-Governmental Agreement. (All Commission Districts.)”**

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Chairman Breternitz, which motion duly carried, it was ordered that Agenda Item 6J(3) be approved, authorized, and executed. The Resolution and the Inter-Governmental Agreement for same is attached hereto and made a part of the minutes thereof.

**11-488            AGENDA ITEM 6J(4) – COMMUNITY DEVELOPMENT**

**Agenda Subject: “Approve professional recording secretarial services by Misty Moga, Specialized Secretarial Services (Allayne Donnelly-Everett) and Trifox, LLC (Pamela Fox) to Washoe County’s 14 active Citizen Advisory Boards for Fiscal Year 2011-2012; and if approved, authorize Chairman to execute Independent Contractor Agreements with Misty Moga [\$2,994 General Fund], Specialized Secretarial Services [\$30,992 General Fund] and Trifox, LLC [\$11,976 General Fund]. (All Commission Districts.)”**

Commissioner Weber commended independent contractors, Misty Moga, Allayne Donnelly-Everett, and Pamela Fox, for the work they did in supporting the County’s Citizen Advisory Boards.

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Chairman Breternitz, which motion duly carried, it was ordered that Agenda Item 6J(4) be approved, authorized, and executed.

**11-489            AGENDA ITEM 6J(5) – COMMUNITY DEVELOPMENT**

**Agenda Subject:** “Approve Resolution to sponsor an amendment of the Truckee Meadows Regional Plan, pursuant to NRS 278.0272(7), to amend two utility corridors on Assessor’s parcel numbers 084-211-01, 084-110-05 and 08 and add another utility corridor and substation on Assessor’s parcel number 084-110-05 (located on the north side of Interstate 80, directly north of the Tracy Power Plant); and if approved, authorize Chairman to execute the Resolution sponsoring the proposed amendment. (Commission District 4.)”

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Chairman Breternitz, which motion duly carried, it was ordered that Agenda Item 6J(5) be approved, authorized, and executed. The Resolution for same is attached hereto and made a part of the minutes thereof.

**11-490            AGENDA ITEM 6K(1) – PUBLIC WORKS**

**Agenda Subject:** “Approve Lease Agreement between MMK Properties and Washoe County to extend the term of occupancy for 60 months, retroactively to May 1, 2011 – April 30, 2016, for continued use of office and warehouse space for District Health Vector Program located at 405 Western Road [annual lease expense \$40,440 - funding source is Health Fund]; and if approved, authorize Chairman to execute Lease Agreement. (Commission District 5.)”

Commissioner Weber asked if the County was trying to move departments located in leased space into County-owned space. Katy Simon, County Manager, said the County attempted to move operations out of leased facilities, but there were instances where County facilities did not meet a department’s specialized requirements. She said the Vector Program stored a significant amount of hazardous chemicals, and Search and Rescue in Agenda Item 6K(2) stored a lot of specialized equipment. She advised all of the County’s leases had funding-out clauses but, even if a property could be found, the funds were not available to purchase comparable facilities.

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Chairman Breternitz, which motion duly carried, it was ordered that Agenda Item 6K(1) be approved, authorized, and executed.

**11-491            AGENDA ITEM 6K(2) – PUBLIC WORKS**

**Agenda Subject:** “Approve Lease Agreement between MMK Properties and Washoe County to extend the term of occupancy for 36 months, July 1, 2011 – June 30, 2014, for continued use of warehouse space for Search and Rescue at 405

**Western Road #18 and #26 [annual lease expense \$21,197 - funding source is General Fund]; and if approved, authorize Chairman to execute Lease Agreement. (Commission District 5.)”**

See Commissioner Weber’s question regarding leased space in Agenda Item 6K(1) above.

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Chairman Breternitz, which motion duly carried, it was ordered that Agenda Item 6K(2) be approved, authorized, and executed.

**BLOCK VOTE – AGENDA ITEMS 10, 11, 12, 13, 15, 16, 17, 18, AND 19**

**11-492      AGENDA ITEM 10 – MANAGEMENT SERVICES/  
FIRE SERVICES COORDINATOR**

**Agenda Subject: “Recommendation to approve and accept approximately \$80,000 from the Sierra Fire Protection District General Fund, Professional Services, during the Fiscal Year 2012 budget, to the Washoe County General Fund, Personnel, to fund an Office Support Specialist for Fire Service support and authorize creation of one full time equivalent benefits eligible Office Support Specialist position as evaluated by the Job Evaluation Committee; and if all approved, direct Finance to make appropriate budget adjustments--Management Services/Fire Services Coordinator. (Commission Districts 1, 2 and 5.)”**

There was no response to the call for public comment.

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

**11-493      AGENDA ITEM 11 – SHERIFF**

**Agenda Subject: “Recommendation to approve sole source purchase [\$140,000 (purchased utilizing Federal grant funds from Department of Homeland Security’s Buffer Zone Protection Program - \$135,000 and the Flight Operations Cost Center 150700 - \$5,000)] for one Augmented Reality System from Paravion Technology Inc for the Washoe County Sheriffs Office Flight Operations Program--Sheriff. (All Commission Districts.)”**

There was no response to the call for public comment.

On motion by Commissioner Larkin, seconded by Commissioner Humke, it was ordered that Agenda Item 11 be approved.

**11-494            AGENDA ITEM 12 – TREASURER**

**Agenda Subject: “Recommendation to approve a 3-year prepayment option to Wausau Financial Systems, Inc for software maintenance of the County’s Wausau NCR iTRAN 180e remittance processor [\$110,818]; and if approved, authorize the Washoe County Treasurer to execute the prepayment option--Treasurer. (All Commission Districts.)”**

There was no response to the call for public comment.

On motion by Commissioner Larkin, seconded by Commissioner Humke, it was ordered that Agenda Item 12 be approved, authorized, and executed.

**11-495            AGENDA ITEM 13 – PURCHASING**

**Agenda Subject: “Recommendation to award bid #2762-11 for Tires and Tire Services, on behalf of the Equipment Services Division of the Washoe County Public Works Department, to the lowest, responsive, responsible bidder in all five categories, Purcell Tire and Rubber Company, Inc. (dba D & D Tire, Inc.) [approximate annual amount \$200,000] for a one-year award period, with two one-year renewal options--Purchasing. (All Commission Districts.)”**

There was no response to the call for public comment.

On motion by Commissioner Larkin, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 13 be awarded.

**11-496            AGENDA ITEM 15 – PURCHASING**

**Agenda Subject: “Recommendation to authorize the Director of Social Services to accept a grant [\$400,000] from the State of Nevada Housing Division - grant is from Nevada’s share of the Neighborhood Stabilization Program Award and is referred to as NSP3 (Washoe County had proposed to acquire and rehabilitate a total of eight apartments in one or more small multi-family apartment buildings and the County will purchase the properties but rehabilitation and subsequent property management, operations and maintenance will be carried out by the sub-contractor selected through the Request For Proposals process); and if grant accepted, authorize Social Services to expend these reimbursements and direct Finance to make appropriate budget adjustments--Social Services. (All Commission Districts.)”**

There was no response to the call for public comment.

On motion by Commissioner Larkin, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 15 be authorized, accepted, and directed.

**11-497            AGENDA ITEM 16 – SOCIAL SERVICES**

**Agenda Subject: “Recommendation to authorize the Department of Social Services to expend up to \$458,846 in Fiscal Year 2011/12 from Children’s Services Accounts: 710714 referral services to benefit children in care and families who are clients in the most expeditious manner to promote keeping families intact, including the use of special purchase orders, purchase orders, procards to purchase specific items or gift cards to pay for food, support services, Thanksgiving and Christmas food, gifts as well as Adoption Day activities and expenses--Social Services. (All Commission Districts.)”**

There was no response to the call for public comment.

On motion by Commissioner Larkin, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 16 be authorized.

**11-498            AGENDA ITEM 17 – WATER RESOURCES**

**Agenda Subject: “Recommendation to approve award of bid for constructing the Nectar Way Water Main Replacement Project to Gerhardt & Berry Construction, Inc., the lowest, responsive, responsible bidder [\$365,969]; and if awarded, authorize Chairman to execute the Agreement Form--Water Resources. (Commission District 5.)”**

There was no response to the call for public comment.

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

**11-499            AGENDA ITEM 18 – WATER RESOURCES**

**Agenda Subject: “Recommendation to approve First Amendment to Cooperative Agreement for Contractual Professional and Administrative Staff Services between the County of Washoe and the Western Regional Water Commission to provide staff services for the Western Regional Water Commission and the Northern Nevada Water Planning Commission [\$301,775]; and if approved, authorize Chairman to execute First Amendment--Water Resources. (All Commission Districts.)”**

There was no response to the call for public comment.

On motion by Commissioner Larkin, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 18 be approved, authorized and executed. The First Amendment to Cooperative Agreement for same is attached hereto and made a part of the minutes thereof.

**11-500            AGENDA ITEM 19 – PUBLIC WORKS**

**Agenda Subject: “Recommendation to approve a 24-month Lease Agreement between Washoe County and Fremont Meadows, LLC, for renewal of leased space located at 4930 Energy Way, Reno, Nevada, for use by the Department of Water Resources for the period December 1, 2011 through November 30, 2013 [annual funding under terms of the lease is \$350,546, which includes estimates for insurance and other related expenses - funding source is Water Resources Fund; and if approved, authorize Chairman to execute Lease Agreement--Public Works. (Commission District 2.)”**

There was no response to the call for public comment.

On motion by Commissioner Larkin, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 19 be approved, authorized, and executed.

**11-501            AGENDA ITEM 6J(2) – COMMUNITY DEVELOPMENT**

**Agenda Subject: “Approve a Resolution to sponsor amendment of the Truckee Meadows Regional Plan for the purpose of clarifying Regional Plan Policy 1.3.3, relating to the establishment of non-residential uses in the unincorporated county; and if approved, authorize Chairman to sign the Resolution. (All Commission Districts.)”**

Eric Young, Planner, said when there was a major update to the Regional Plan, the Master Plans were examined to see if they were in conformance. He stated Master Plan changes were put on a scheduled additions list, which contained what each jurisdiction needed to do to come into conformance with the Regional Plan. He said this was one of the County’s scheduled additions, but it was a little different because it was a change to the Regional Plan instead of the Master Plan. He explained because Regional Plan Policy 1.3.3 was specifically targeted towards the unincorporated areas, it was agreed the County would come up with the new language to clarify Policy 1.3.3 during discussions with the Truckee Meadows Regional Planning Agency (TMRPA). He stated to move forward with the amendment, one of the jurisdictions had to sponsor it. He said TMRPA agreed to facilitate the meetings of the three jurisdictions, so discussions on the new language could begin.

Commissioner Larkin stated the rollback of the City of Sparks’ Sphere of Influence (SOI) in the East Truckee Canyon, the development of the East Truckee Canyon Industrial Park, and the deletion of the SS.17.2.c policy in the Spanish Springs

Area Plan were relevant to the actions being taken today. He explained part of the County's lawsuit a decade ago had to do with limiting economic activity to the center of the two cities. He said because of what was happening with the SOI and the Truckee Meadows Service Area (TMSA) rollbacks, there needed to be clarity regarding what place a project would have regionally when it came before the Commission.

Mr. Young said things had been changing since the County made that commitment, which meant this was a bigger deal than just cleaning up the confusing language. He stated the TMSA rollbacks would result in industrial development in the County, but the Regional Plan called into question whether or not that would be allowed. He said everyone wanted to know what the County could do to stimulate economic growth, but the Regional Plan's approach and language constrained the County's contributing to the area's economic development. He stated there was a meeting scheduled with the other two jurisdictions on Thursday to start a discussion, which could become a broader discussion regarding the County's role in the region's economic development.

Commissioner Weber indicated she would like this item to be brought back for further discussion and possibly some workshops. Commissioner Larkin stated he did not see any reason to continue this discussion to a future meeting.

Commissioner Jung said there was some concern expressed at the Regional Planning Governing Board (RPGGB) meeting regarding whether a data center was an applicable use for the land. She stated staff indicated it was an appropriate use, but there was some push back by the City of Reno; and she suggested Mr. Young look at the video. Mr. Young replied he had. She said she wanted to make sure staff was aware of that potential issue with the City of Reno.

Commissioner Humke stated he did not want to revisit the lawsuit again, and he felt the policy issues were significant. He believed this should be a future agenda item to see how the people would feel, and he agreed this item should be continued for a fuller discussion.

There was no response to the call for public comment.

Commissioner Weber asked if there would be a problem if this item was continued. Mr. Young replied there would not because this Resolution was the first administrative step in pursuing an amendment process to change the language. He stated everything the Commissioners indicated they wanted to happen could and should still happen if this item was acted on today.

Commissioner Larkin believed the Resolution would not place the County in peril of a further lawsuit, but would initiate a healthy discussion. He felt even though the County sponsored the amendment, it could withdraw that sponsorship at any time. He said the discussion would get bigger, because rural lands were cheaper to develop than prime commercial lands. He stated he understood Reno's position, but the region

had a larger purpose than confining development to one or two specific areas. He hoped that would allay Commissioner Humke's concerns. Commissioner Humke believed this might be a mistake, but based on Commissioner Larkin's assurances, he would likely support approving the Resolution; but he would insist on having further discussion.

On motion by Commissioner Weber, seconded by Commissioner Larkin, which motion duly carried, it was ordered that Agenda Item 6J(2) be approved, authorized, and executed. It was further ordered the Regional Plan Policy 1.3.3 be brought back to the Board for discussion. The Resolution for same is attached hereto and made a part of the minutes thereof.

## **11-502            AGENDA ITEM 14 – PURCHASING/SOCIAL SERVICES**

**Agenda Subject: “Review recommendation to award Request for Proposal #2774-11 for the operation and management of the Community Assistance Center Shelter to the most responsive and responsible bidder and possible action to award bid, following hearings of appeals of Purchasing Division’s written responses to protests of such recommendation, if any; and if awarded authorize Chairman to sign the new agreement when presented for a two-year initial term, with a single year renewal option [revised estimated amount \$1,198,267 for Fiscal Year 2011/12]--Purchasing/Social Services. (All Commission Districts.)”**

Katy Simon, County Manager, stated the Board was given a packet, which included a written response to the protest of the award of the bid. She said the letter from Mayors Cashell and Martini requested a continuation of this item. She recommended the Board take public comment, ask any questions of staff, and continue the item until June 28, 2011.

Mike Sullens, Purchasing and Contracts Manager, said as a result of Addendum #2 between the Cities of Reno and Sparks and Washoe County, the County was charged with releasing a new Request for Proposal (RFP) for the operation of the Community Assistance Center (CAC). He stated a multi-jurisdictional team evaluated the proposals received from the Volunteers of America (VOA), Catholic Charities of Northern Nevada (CCNN), and Westcare Nevada, Inc. and recommended awarding the CAC contract to CCNN. He said a protest letter was received from the VOA through their attorney, and the letter was reviewed and responded to by Purchasing in consultation with the District Attorney's (DA's) Office. He explained the VOA was appealing the evaluation committee's recommendation based on its belief CCNN should have been disqualified from consideration due to a non-responsive proposal.

Mr. Sullens said a review by Purchasing and the DA's Office concluded there was no missing requirements or incomplete information, which would lead to a disqualification; and the evaluation committee did not determine CCNN to be non-responsive. He stated Purchasing would not usurp the decision of the evaluation committee to recommend CCNN.

In response to the call for public comment, Richard Hill, Attorney representing the VOA, said the VOA's contention was staff did not recommend the most qualified representative. He stated CCNN did not meet the terms of the RFP regarding operating a homeless shelter for a minimum of two years and was awarded the contract primarily on their references, even though they did not supply any. He said the RFP's evaluation criteria did not show any weight should be given to a formal presentation, but the score sheets showed it was given one third of the total value.

Kristin Mareno said she was speaking on behalf of Saint Albert the Great Catholic Church and the parish's volunteers who donated their time to the CAC over the past year. She stated the demographics and needs of the area's homeless population were changing due to the current economic climate. She advised the VOA had been instrumental in creating new programs to better fit those needs, and the parish supported the VOA.

Amani Rapaski, VOA, stated the VOA had over 100 years of experience in operating homeless shelters. She said the VOA came to operate the CAC at the request of the community two years ago. She stated the VOA had extensive experience with U.S. Department of Housing and Urban Development (HUD) requirements, Community Development Block Grant (CDBG) requirements, and emergency shelter grant requirements. She said the VOA contributed over \$100,000 to the CAC and served 2,400 people. She stated the VOA had not received any indication why a change was necessary and the VOA was fully compliant with the RFP.

Rachelle Pellissier, ReStart Inc. Executive Director, said ReStart was the largest provider of HUD-funded permanent housing in the community, and had recently merged with the VOA. She stated she was the Vice President of the VOA in Northern Nevada and had taken over the oversight of the CAC. She stated ReStart had a psychiatrist, therapists, and qualified case managers on staff; and the merger provided a higher level of continuum of care to the CAC's clients. She advised the VOA had already started working on fundraising for the CAC with the various jurisdictions and with the interfaith community. She asked the Board to not change providers.

Commissioner Humke requested Mr. Hill have the opportunity to finish his statement regarding the qualifications of the VOA. Mr. Hill advised the RFP set forth seven criteria and placed a distinction between references and community support letters. He said the VOA submitted references from governmental agencies in the Sacramento, California area, but those references were not contacted. He stated adhering to the RFP, looking for best practices, and the most qualified applicant were important. He advised CCNN was only willing to hold the budget for one year, while the RFP requested it be held for two years. He stated CCNN's proposal was to hire VOA staff, but the proposal did not provide any specifics nor did it provide proof of having 501(c)3 nonprofit status. He discussed the other things required by the RFP, but not provided by CCNN.

Commissioner Humke said page 2 of Mr. Sullens' letter dated June 8, 2011 cited the Faust v. Donrey case, which seemed to go to the heart of the decision

making process. He asked if Mr. Hill had any comment regarding the citation. Mr. Hill believed it to be good law, and he discussed the case. He said the determination indicated the County Commission had a duty to reject proposals which were not compliant with the RFP. He said that was where the Board was today, because CCNN was not compliant with the RFP. He stated he had some questions whether or not the award was preordained, because it was announced CCNN had been awarded the contract before the evaluation committee made it's recommendation.

Commissioner Jung requested staff address why a change in operators was being made and was there transparency in the change. She also requested staff address if CCNN had the capacity to provide 24/7 service to the CAC, had the experience to operate it, and could contribute extra dollars to the CAC as requested in the RFP.

Commissioner Humke asked if the letter from Mayors Cashell and Martini had been seen by staff. Ms. Simon replied the letter was provided to staff and the District Attorney's Office on receipt, and staff agreed it would be advisable to continue the item. She said the letter brought up a concern regarding awarding the bid while the Cooperative Agreement was being considered by the three local governments. She stated the concern regarding not having any reference to HUD guidelines in the RFP was entirely new. She noted those references were also not part of the previous RFP, but were incorporated into the contract with the CAC operator; and staff had been advised that was an appropriate way to handle it.

Amy Harvey, County Clerk, said she received an additional public comment request on this item. Chairman Breternitz stated public comment was closed.

On motion by Commissioner Jung, seconded by Commissioner Larkin, which motion duly carried, it was ordered that Agenda Item 14 be continued.

Ms. Simon said staff would respond to the specific questions and concerns when this item came back before the Board.

#### **11-503      AGENDA ITEM 20 – PUBLIC WORKS**

**Agenda Subject: “Introduction and first reading of a n Ordinance creating Washoe County, Nevada, Special Assessment District No. 32 (Spanish Springs Valley Ranches Roads); ordering a street project within Washoe County; providing for the levy and collection of special assessments therefore; and prescribing other matters relating thereto--Public Works. (Commission District 4.)”**

Amy Harvey, County Clerk, read the title for Bill No. 1645.

There was no public comment on this item.

Bill No. 1645, entitled, "**AN ORDINANCE CREATING WASHOE COUNTY, NEVADA, SPECIAL ASSESSMENT DIDTRICT NO. 32 (SPANISH**

**SPRINGS VALLEY RANCHES ROADS); ORDERING A STREET PROJECT WITHIN WASHOE COUNTY; PROVIDING FOR THE LEVEY AND COLLECTION OF SPECIAL ASSESSMENTS THEREFOR; AND PRESCRIBING OTHER MATTERS RELATING THERETO,"** was introduced by Commissioner Larkin, and legal notice for final action of adoption was directed. It was noted that the second reading and adoption was set for June 28, 2011 at 6:00 p.m.

**11-504            AGENDA ITEM 21 – HUMAN RESOURCES**

**Agenda Subject: “Recommendation to approve an ongoing 5% salary reduction for the County Manager, Assistant County Managers, appointed Department Heads and non-represented Division Managers effective July 4, 2011; for those eligible, reduce merit increases from 5% to 2.5% for the County Manager, Assistant County Managers, appointed Department Heads and non-represented Division Managers at least through Fiscal Year 2011/12; freeze longevity payments at the amounts paid in Fiscal Year 2010/11 at least through Fiscal Year 2011/12 and approve a health benefit cost share of \$44.60 per pay period effective July 4, 2011 for Fiscal Year 2011/12 for the County Manager, Assistant County Managers, appointed Department Heads and non-represented Division Managers; and approve an updated Unclassified Management employee group [targeted savings for the Unclassified Management group is \$222,466]--Human Resources. (All Commission Districts.)”**

Katy Simon, County Manager, advised every employee group had a proportionate share of the labor cost savings target based on each group’s proportionate share of the total compensation paid to the group by the County. She noted the target for the Unclassified Management group was \$222,466, which consisted of non-represented, appointed Division and Department Heads above Pay Grade T. She noted the Sheriff’s Office requested the Undersheriff and the two Assistant Sheriffs not be included.

Commissioner Jung asked for an explanation of why the Sheriff made the requests. Ms. Simon stated the request would allow those three employees to wait until the Supervising Deputies agreed on their concessions, so the three employees’ concessions would match those of the Supervising Deputies.

Chairman Breternitz stated he had a concern with them opting out, and he would like to hear more regarding the reason. Ms. Simon said the Sheriff had been out of town, and she recommended adopting the reductions for the list presented today and continuing the individuals from the Sheriff’s Office until June 28, 2011.

Commissioner Jung said there needed to be discussion regarding the policy on handling any wage differentials that could result from this type of action. Ms. Simon said there was a policy, but the policy was not the issue because the individuals would not be making less permanently, but would be only doing so until the Supervising Deputies approved their concessions.

There was no response to the call for public comment.

On motion by Commissioner Jung, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 21 be approved with the amendment as to the noted group of employees.

**11-505            AGENDA ITEM 22 – COMMUNITY DEVELOPMENT**

**Agenda Subject: “Introduction and first reading of an Ordinance pursuant to Nevada Revised Statutes 278.0201 through 278.0207 approving Amendment of Conditions Case Number AC11-003, to amend Development Agreement Case Number DA08-006, regarding Feather River. The proposed amendment of conditions will extend the deadline for filing a final map in Tentative Map Case Number TM06-006 (Feather River Subdivision, formerly Stampmill Estates TM04-007) by 5 years from the date of signing by the Chair of the Washoe County Commission (set public hearing and second reading of the Ordinance for June 28, 2011--Community Development. (Commission District 4.)”**

Amy Harvey, County Clerk, read the title for Bill No. 1646.

There was no public comment on this item.

Bill No. 1646, entitled, "AN ORDINANCE PURSUANT TO NEVADA REVISED STATUTES 278.0201 THROUGH 278.0207 APPROVING AMENDMENT OF CONDITIONS CASE NUMBER AC11-003, TO AMEND DEVELOPMENT AGREEMENT CASE NUMBER DA08-006, REGARDING FEATHER RIVER. THE PROPOSED AMENDMENT OF CONDITIONS WILL EXTEND THE DEADLINE FOR FILING A FINAL MAP IN TENTATIVE MAP CASE NUMBER TM06-006 (FEATHER RIVER SUBDIVISION), FORMERLY STAMPMILL ESTATES TM04-007) BY 5 YEARS FROM THE DATE OF SIGNING BY THE CHAIR OF THE WASHOE COUNTY COMMISSION," was introduced by Commissioner Larkin, and legal notice for final action of adoption was directed. It was noted that the second reading and adoption was set for June 28, 2011 at 6:00 p.m.

**11-506            AGENDA ITEM 23 – MANAGER**

**Agenda Subject: “Recommendation to approve awarding Agreement for Appointed Counsel Administrator Services between the County of Washoe and Robert Bell, Esq., for a three-year period effective July 1, 2011 [not to exceed \$147,450 per year], pursuant to the Model Court Plan of the Second Judicial District filed with the Supreme Court under ADKT No. 411, and if approved, authorize Chairman to execute same--Manager. (All Commission Districts.)”**

Commissioner Weber asked for clarification because the agenda said the contract was for a three-year period, but she understood it would come back to the Board

for approval year-by-year. John Berkich, Assistant County Manager, replied there was an inconsistency on the agenda title and the language in the agreement. He said the agreement required an annual renewal by addendum, which was how it was done in the current contract. He suggested the motion could be amended to include that language.

Commissioner Humke said he wanted to see the addendum, so he suggested continuing the item. Melanie Foster, Legal Counsel, stated Item 3 in the contract set the term at one year with an option to renew for two additional years. She stated the addendum basically said the contract was being renewed for one year at x dollar amount.

Commissioner Humke said he and Commissioner Weber were interested in this entire area, and he would like to continue this item. Commissioner Weber agreed that continuing it for two weeks would be fine. Chairman Breternitz noted the contract indicated the term was for one year, and he would prefer to make a decision today.

There was no response to the call for public comment.

On motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried with Chairman Breternitz voting “no,” it was ordered that Agenda Item 23 be continued at least until June 28, 2011.

**11-507            AGENDA ITEM 24 – DISTRICT ATTORNEY**

**Agenda Subject: “Discussion and possible action regarding District Health matters which have been brought to the County Commission for action in the past. Action may include designating certain matters for final action and/or approval by the District Board of Health or the County Manager, maintaining the requirement that the Commission review and act upon some matters, or specifying some other disposition for matters that the Commission deems appropriate. Requested by Commissioner Larkin--District Attorney. (All Commission Districts.)”**

Melanie Foster, Legal Counsel, said Commissioner Larkin and the District Board of Health’s Legal Counsel reviewed the list of what the Commission approved for the District Board of Health. She stated the resulting list on page 2 of the staff report showed what items required Commission approval, what items could be delegated to the County Manager, and the items for which the District Board of Health retained the final decision making authority. She noted bullet 6 under Commission approval should be changed to read “Purchase requisitions and resolutions for sub-recipient grant agreements.” She advised some items had to come before the Board by State law, such as out-of-state disinterment permits. She said the District Attorney advised the first group on the list continue to come before the Board, but for any other items the Board could retain approval authority if so desired.

Commissioner Larkin said if the Board did not have to approve an item, why waste the Board's time doing so. He advised a rigorous review was conducted over the last year, and the list met his requirements.

There was no response to the call for public comment.

On motion by Commissioner Jung, seconded by Commissioner Larkin, which motion duly carried, it was ordered that Agenda Item 24 be approved with the amendment to bullet 6 under Commission approvals.

**11-508            AGENDA ITEM 25 – MANAGER**

**Agenda Subject: “Update on status of Shared Services efforts and possible direction to staff--Manager. (All Commission Districts.)”**

Dave Childs, Assistant County Manager, advised there was no Shared Services Elected Officials Committee (SSEOC) meeting last month and the next meeting would be on Monday, June 20, 2011. He reviewed the agenda items for the meeting and for upcoming meetings. He noted the subcommittee was engaged in reviewing the business license processes for all three entities to come up with a regional process.

Commissioner Jung asked if there were alternates for the SSEOC meeting, because she would not be able to attend Monday's meeting. Mr. Childs replied there were none. Melanie Foster, Legal Counsel, said having someone attend who was not an appointed alternate would only become an issue if one of the other entities challenged the alternate's attendance. She stated the lack of an alternate should be rectified by the Board. Katy Simon, County Manager, said choosing an alternate would be placed on the Board's July discussion of appointments.

There was no response to the call for public comment.

**11-509            AGENDA ITEM 26 – GOVERNMENT AFFAIRS**

**Agenda Subject: “Discussion and possible direction to staff regarding legislation or legislative issues from the 76th Nevada Legislative Session or during any special legislative session during 2011, or such legislative issues as may be deemed by the Chair or the Board to be of critical significance to Washoe County--Government Affairs. (All Commission Districts.)”**

John Slaughter, Management Services Director, noted Friday at midnight was the deadline for the Governor to sign or veto bills. He said a number of bills the County had been tracking were passed and were waiting on the Governor's signature. He advised the *Required Implementation* spreadsheet outlined the fiscal impact of the State's approved budget. He said a full report on the impact of new bills would be presented to the Board at the July 28, 2011 meeting.

Kevin Schiller, Social Services Director, stated there was an impact to Child Protective Services of \$1.1 million over the biennium. He said there had been a shift from the funds being a State budget line item to a block grant, which would allow flexibility in providing services under the Department's mandates and should help the Department save money. He said because the Department had been aware of the reduction in TANF Emergency Assistance funding, changes were made that would allow the reduction to be absorbed.

Mr. Schiller said in the Adult Services area, the Aged, Blind and Disabled (MAABD) program was the nursing home match program. He explained currently Adult Services had a contract with the State to participate in the match program, and the County's percentage of the contribution was based on a set rate. He said the County's hit was reduced because the impact was shared with the rural counties. He stated the State said this was a non-voluntary program, but there was a legal opinion from the District Attorney's Office it was a voluntary program; and all 17 counties needed to be on board for the program to occur. He believed the County should be responsible for a certain dollar amount based on the percentages instead of receiving a bill from the State, which would require bringing a contract before the Board to participate in the program.

Mr. Schiller said there was a Request for Proposal (RFP) ready to go out to see if any bidders were willing to handle the hospital billing at Medicaid rates. He said the national trend was to shift from billable payments to a standardized validated rate and that shift would create savings, which would reduce the impact to the health care assistance budget.

Mr. Schiller said the County was mandated to provide services to the developmentally delayed, but the County was never held to that mandate prior to this legislative session. He stated staff managed to get flexible language into the appropriations, which would allow the County to take on the delivery of services rather than having to pay \$1.6 million to the State. He believed there were areas of federal reimbursement and efficiency that were not being addressed by the State, and the County could operate the program at a much lower cost.

Mr. Schiller stated staff would be coming before the Board to talk about changing the General Assistance program from cash grants to a transitional housing program, which was initiated in a pilot program. He stated with Social Services providing and managing the program to provide health care to the indigent, over \$130,000 in jail cost savings had been realized.

Commissioner Humke asked if the Developmental Services function was taken on would it have to be performed by employees or would contracting for these services be considered. Mr. Schiller replied the function currently utilized 7.5 positions to serve 282 children. He said a quarterly visit was required and the treatment plan was reviewed once a year. He believed Social Services could handle the function more efficiently, but he would look at the options.

Commissioner Humke stated changing the funding for Child Protective Services to a block grant happened because of Mr. Schiller's efforts. He said the block grant approach solved some problems for a sister county and might also help rural counties. He stated Mr. Schiller very skillfully bailed the State out of a situation, and he believed Mr. Schiller deserved commendation for his work.

Mr. Schiller stated the Nevada Supreme Court decision changed the overall impact, and Juvenile Services staff was able to leverage 80 percent of the placement funding back into Juvenile Services. He said that would allow parental placement, rather than just agency placement, for children with severe emotional and behavioral issues. He said he would bring proposals to the Board, which would create efficiencies to help manage the reductions. He reiterated the flexibility in the language was important to protect the Social Services interests and to allow the Social Services budget to be more sustainable.

Commissioner Humke said he was dissatisfied with the State saying the County would have to pay the State for Youth Parole and Presentence Investigations, which meant the County would have zero management control. He believed taking over the program would allow the County to find greater efficiencies.

There was no response to the call for public comment.

Commissioner Humke stated numerous County employees participated at the Legislature, and he believed all of the participants did a masterful job.

**11-510      AGENDA ITEM 32**

**Agenda Subject:** "Possible Closed Session for the purpose of discussing negotiations with Washoe County and Sierra Fire Protection District Employee Organizations per NRS 288.220."

**12:27 p.m.**      On motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried, the Board went into Closed Session for the purpose of discussing negotiations with Washoe County and Sierra Fire Protection District (SFPD) Employee Organizations per NRS 288.220. The meeting adjourned at the conclusion of the closed session.

**6:00 p.m.**      The Board reconvened with Commissioner Weber absent.

**PUBLIC HEARINGS**

**11-511      AGENDA ITEM 27 – PUBLIC HEARING – DISTRICT 24**  
**(GROUNDWATER REMEDIATION)**

**Agenda Subject:** "Public Hearing."

**6:00 p.m.** Chairman Breternitz opened the public hearing

**6:01 p.m.** Commissioner Weber arrived.

**11-512** **AGENDA ITEM 27 – DISTRICT 24 (GROUNDWATER REMEDIATION) – BOUNDARIES**

**Agenda Subject:** “Second reading and adoption of an Ordinance amending Ordinance No. 1000 in order to change the boundaries of District No. 24 (Groundwater Remediation); and providing other matters relating thereto (Bill No. 1642)--Water Resources.

Amy Harvey, County Clerk, read the title for Ordinance No. 1462, Bill No. 1642.

There was no response to the call for public comment.

On motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried, it was ordered that Ordinance No. 1462, Bill No. 1642, entitled, "AN ORDINANCE AMENDING ORDINANCE NO. 1000 IN ORDER TO CHANGE THE BOUNDARIES OF DISTRICT NO. 24 (GROUNDWATER REMEDIATION); AND PROVIDING OTHER MATTERS RELATING THERETO. (BILL NO. 1642)," be approved, adopted and published in accordance with NRS 244.100.

**11-513** **AGENDA ITEM 27 – DISTRICT 24 (GROUNDWATER REMEDIATION) – FEE**

**Agenda Subject:** “Second reading and adoption of an Ordinance imposing a fee on the parcels of land in Washoe County, Nevada District No. 24 (Groundwater Remediation) to pay the costs of developing and carrying out a plan for remediation; and prescribing other matters relating thereto (Bill No. 1643)--Water Resources.”

Amy Harvey, County Clerk, read the title for Ordinance No. 1463, Bill No. 1643.

There was no response to the call for public comment.

On motion by Commissioner Larkin, seconded by Chairman Breternitz, which motion duly carried, it was ordered that Ordinance No. 1463, Bill No. 1643, entitled, "AN ORDINANCE IMPOSING A FEE ON THE PARCELS OF LAND IN WASHOE COUNTY, NEVADA DISTRICT NO. 24 (GROUNDWATER REMEDIATION) TO PAY THE COSTS OF DEVELOPING AND CARRYING OUT A PLAN FOR REMEDIATION; AND PRESCRIBING OTHER MATTERS

**RELATING THERETO. (BILL NO. 1643),"** be approved, adopted and published in accordance with NRS 244.100.

**11-514            AGENDA ITEM 28 – MANAGEMENT SERVICES/FIRE SERVICES COORDINATOR**

**Agenda Subject: “Second reading and adoption of an Ordinance amending Chapter 50 of the Washoe County Code by adding thereto provisions for the prohibition of the use of fireworks without license, exemptions, and seizure and penalties for violation, and providing other matters properly related thereto (Bill No. 1644)-- Management Services/Fire Services Coordinator.”**

**6:05 p.m.**        Chairman Breternitz opened the public hearing.

Amy Harvey, County Clerk, read the title for Ordinance No. 1464, Bill No. 1644.

In response to the call for public comment, Scott Carry, Pyramid Lake Paiute Tribe Tribal Planner, said the Tribe supported the Ordinance. He noted the Tribe recently approved selling fireworks for use only on the reservation.

Wayne Burke, Tribal Council Chairman, stated the fireworks could be used at three places on Pyramid Lake and at one place in Wadsworth. He said notices were posted that indicated any fireworks leaving the reservation would be illegal. He stated selling fireworks also came with the responsibility to regulate the sales and to ensure there was a safe place for the fireworks to be used.

Don Pelt, Pyramid Lake Paiute Tribe Emergency Response Coordinator, stated a permit was required to discharge fireworks at the designated sites. He advised the Tribe had a problem with illegal fireworks for years, and it was hoped this program would contain the fireworks and allow the Tribe to share the sales revenue.

Commissioner Humke disclosed he served as the Chief Judge for the Pyramid Lake Paiute Tribe, and he would process the violations under their Ordinance. He indicated he did not see a conflict because the Tribe was a sovereign entity, and the County’s Ordinance would not apply on the reservation even though the reservation was within the County. Melanie Foster, Legal Counsel, agreed there would not be a problem with Commissioner Humke voting.

On motion by Commissioner Larkin, seconded by Commissioner Humke, which motion duly carried, it was ordered that Ordinance No. 1464, Bill No. 1644, entitled, **"AN ORDINANCE AMENDING CHAPTER 50 OF THE WASHOE COUNTY CODE BY ADDING THERETO PROVISIONS FOR THE PROHIBITION OF THE USE OF FIREWORKS WITHOUT LICENSE, EXEMPTIONS, AND SEIZURE AND PENALTIES FOR VIOLATION, AND**

**PROVIDING OTHER MATTERS PROPERLY RELATED THERETO. (Bill No. 1644)," be approved, adopted and published in accordance with NRS 244.100.**

**11-515            AGENDA ITEM 29 – COMMUNITY DEVELOPMENT**

**Agenda Subject: “Outdoor Festival Business License Application (Reno-Tahoe Open 2011) Applicant: Reno Tahoe Open Foundation--Community Development. (Commission District 2.) To consider the application for an outdoor festival business license for the Reno-Tahoe Open 2011 Golf Tournament. The Reno-Tahoe Open 2011 is to be held from August 1, 2011 through August 7, 2011. The event is proposed to be held at the Montreux Golf and Country Club, Reno (Assessor’s Parcel Numbers 148-010-25, 148-010-50, 148-010-55, 148-010-56, 148-061-65, 148-100-02, and 148-140-11). Tournament preferred parking will be at the Montreux Golf and Country Club clubhouse, 18000 Bordeaux Drive, Reno (Assessor’s Parcel Number 148-010-50) and on Lausanne Drive, Reno (Assessor’s Parcel Numbers 148-050-02, 148-082-16, and 148-092-12). Off-site public parking will be located at Galena High School, 3600 Butch Cassidy Drive, Reno (Assessor’s Parcel Number 144-010-01) and at the Grand Sierra Resort, 2500 East 2<sup>nd</sup> Street, Reno (Assessor’s Parcel Number 012-211-28). Tournament volunteer staff will be parking at the Galena Market, 19900 and 19940 Thomas Creek Road, Reno (Assessor’s Parcel Numbers 150-012-04 and 05) and on Paris Avenue located in the Estates at Mount Rose, Phase 3A area, Reno (bordered by Assessor’s Parcel Numbers 150-460-02 and 03; 150-471-05 and 06; 150-481-01, 02, 03, 04 and 05; and, 150-493-02, 03 and 04). The Reno-Tahoe Open 2011 is a PGA tour sanctioned golf tournament and this event marks the thirteenth year for the tournament. Event organizers estimate that between 25,000 and 30,000 participants and spectators will take part in the event for the week. Based on the testimony and evidence presented at the hearing, to include the report of reviewing agencies, the County Commissioners may approve the issuance of the business license with conditions, or deny the business license.”**

**6:15 p.m.**            Chairman Breternitz opened the public hearing.

Bob Webb, Planning Manager, apologized to the applicant and to the Board because some of the mailed hearing notices contained the wrong hearing date. He stated the Reno-Tahoe Open 2011 would be held starting August 1, 2011. He said because of that starting date and because of some of the code parameters, it was critical the license be processed as quickly as possible so the applicant had adequate time to meet the imposed conditions by the July 8, 2011 date for issuing the license. He said all of the agencies had been in contact with the applicant, and the applicant did not have any objection to the conditions. He stated he had not received any significant comments regarding this application.

There was no response to the call for public comment and Chairman Breternitz closed public comment but left the hearing open.

Chairman Breternitz said the request was to continue the public hearing until June 28, 2011 and to add any comments from the Board regarding the conditions. Melanie Foster, Legal Counsel, said it was not a problem to present the applicant with the conditions as they were being recommended, but it should be done with the caveat that the conditions could change until the Board acted on June 28th.

On motion by Commissioner Larkin, seconded by Commissioner Humke, which motion duly carried, it was ordered the Outdoor Festival Business License Application submitted by the applicant, Reno Tahoe Open Foundation, be continued to June 28, 2011 at 6:00 p.m. It was further ordered that staff be directed to re-notice the public hearing.

**11-516            AGENDA ITEM 30 – COMMUNITY DEVELOPMENT**

**Agenda Subject: “Consideration of an amendment to the Washoe County Master Plan, Volume Two, Spanish Springs Area Plan, to delete policy SS.17.2.c, otherwise known as the “Commercial Cap,” which limits industrial and commercial land uses to 9.86% of the land area within the designated Spanish Springs Suburban Character Management Area; and if approved, authorize the Chairman to sign the Resolution adopting the updated area plan after a determination of conformance with the Regional Plan by the Truckee Meadows Regional Planning Agency--Community Development. (Commission District 4.)”**

**6:18 p.m.**            Chairman Breternitz opened the public hearing.

In response to the call for public comment, Karen Melby, City of Sparks Senior Planner, requested the item be continued to June 28, 2011 to allow County and City staff to have further discussions.

On motion by Commissioner Larkin, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 30 be continued to June 28, 2011.

**11-517            AGENDA ITEM 31 – REPORTS/UPDATES**

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

Commissioner Humke reported the Reno-Sparks Convention and Visitors Authority (RSCVA) was searching for a new Chief Executive Officer (CEO). He stated the Criminal Justice Advisory Committee had a spirited meeting last week regarding a host of new legislative bills and budget items. He noted Katy Simon, County Manager, was honored again at yesterday’s Women of Achievement event, and the honor was well deserved.

Commissioner Jung stated the Truckee River Flood Management Authority was conducting a national search for a new director for the flood project. She said she attended the unveiling of the HUD High School garden created with the help of the River School Farm and, after the unveiling, the culinary art students served a meal created with the garden's produce. She stated she picked up native species of ornamental plants at the Rancho San Rafael Botanical Society plant sale. She said she participated in the "Walk for Animals," which was the Humane Society of Northern Nevada's main fundraising event. She advised their goal was surpassed. She suggested everyone tour the new SPCA facility that just opened on Parr Boulevard. She noted the new facility was made possible by a bequest from a man who specified it be used for a new building.

Commissioner Weber noted today was Flag Day. She said her "Coffee and Conservation" meeting this Saturday was cancelled due to a conflicting meeting, so the meetings would on break for the summer. She stated she attended a North Valleys Neighborhood Advisory Board (NAB) and Citizens Advisory Board (CAB) joint meeting last night, and the NAB needed members. She said the main discussion was about the Master Plan for the North Valleys Regional Sport Complex.

Commissioner Larkin stated the Regional Planning Governing Board (RPGB) met last Thursday. He said the Weston hydrographic basin line was adopted and not the Washoe Association line, which was a difference of roughly 50 acres that would not be developable north of the hydrographic basin line. He advised the East Truckee Canyon Industrial Center withdrawal from the City of Sparks annexation was also approved. He stated he attended a meeting with Mayors Cashell and Martini and the RTC Chairman regarding the submission of the 404 Permit for the Southeast Connector Bridge.

Chairman Breternitz said he was involved in the search for the new CEO'S for the RSCVA and for the Economic Development Authority of Western Nevada (EDAWN). He advised Thursday there would be a Nevada-Tahoe Conservation District Board meeting and a Shared Services Subcommittee meeting. He said on June 20, 2011 there would be a meeting of the Shared Services Elected Officials Committee (SSEOC). He said the Organizational Effectiveness Committee (OEC) had a presentation from Management Partners on the first draft of their structural review process. He said there would be a workshop on June 22, 2011 with the OEC to further discuss the process. He stated on June 22nd and June 23rd, there would be a Truckee Regional Planning Agency (TRPA) Board meeting to discuss SB 271. He noted the groundbreaking for the Arrowcreek Fire Station would be held on July 9, 2011 at 10:00 a.m.

### **COMMUNICATIONS**

The following communications and reports were received, duly noted, and ordered placed on file with the Clerk:

- 11-518** Affidavit of Mailing dated May 2, 2011 regarding the mailing of notices to all property owners with delinquent taxes for Tax Year 2010/2011.

- 11-519** Letter from the Treasurer’s Office dated May 6, 2011 regarding the Sale of Tax Delinquent Properties held on April 27, 2011.
- 11-520** Conformed copies of the Quitclaim deeds for the April 27, 2011 Sale of Tax Delinquent Property.
- 11-521** Notice to Bidders, Bid No. 2785-11, for a Mobile Command Center vehicle.

**REPORTS - QUARTERLY**

- 11-522** Washoe County School District Quarterly Report for the Third Quarter of Fiscal Year 2010/11 ending June 30, 2011.

**TENTATIVE BUDGET – FISCAL YEAR 2011/12**

- 11-523** Carson-Truckee Water Conservancy District.

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**6:32: p.m.** There being no further business to discuss, on motion by Commissioner Humke, seconded by Commissioner Weber, the meeting was adjourned.

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**JOHN BRETERNITZ**, Chairman  
Washoe County Commission

**ATTEST:**

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

*Minutes Prepared by:  
Jan Frazzetta, Deputy County Clerk*

Clerk

## Resolution of Accomplishment

*The Rotary Club of Reno*

*IN CELEBRATION OF THE \$1 MILLION CONTRIBUTED BY IT'S MEMBERS  
TO THE ROTARY FOUNDATION*

**WHEREAS**, The Rotary Club of Reno, chartered in 1916, is one of the oldest Service Clubs in Reno and will shortly celebrate its 100<sup>th</sup> anniversary; and

**WHEREAS**, Club members fund projects around the world and locally that individual clubs nominate and execute; and

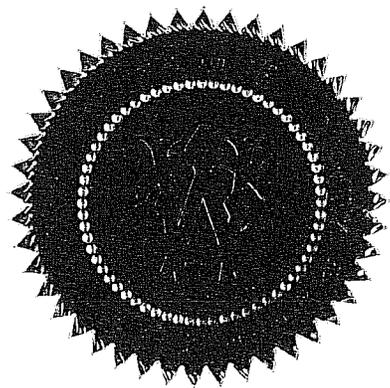
**WHEREAS**, The Rotary Club of Reno continuously supports community services, education, scholarships and programs that enhance the quality of life within and outside of our county boundaries; and

**WHEREAS**, Thousands of projects have been completed including cleaning up drinking water, improving sanitation in Central America and Africa, helping schools, outfitting libraries and improving child health by vaccinating for polio worldwide; and

**WHEREAS**, The Rotary Club of Reno has successfully raised over *one million dollars* for the Rotary International Annual Program Fund and raised an additional \$800,000 for local programs; now, therefore, be it

**RESOLVED**, That the Washoe County Board of Commissioners recognizes the contributions of the Rotary Club of Reno and appreciates membership contributions for improving the quality of life for local and world-wide communities.

**ADOPTED** this 14<sup>th</sup> day of June 2011.



John Breternitz, Chairman  
Washoe County Commission

11-1-11

## INTERLOCAL AGREEMENT

1. PARTIES This Interlocal Agreement ("Agreement") is entered into between Washoe County, by and through its duly constituted Board of County Commissioners ("County"), and Truckee River Flood Management Authority ("Authority"), by and through its duly constituted Board of Directors, a local government as defined in NRS 354.474, and all parties are hereafter occasionally referred to as "the Parties."

### 2. RECITALS

2.1 The Parties are public agencies under NRS 277.100;

2.2 NRS 277.180(1) provides that any one or more public agencies may contract with any one or more other public agencies to perform any governmental service, activity or undertaking which any of the contracting agencies is authorized by law to perform;

2.3 NRS 355.168 and 355.175 authorize the County's Treasurer ("Treasurer") to invest by pooling any money held by the Treasurer for local governments, including that of the Authority;

2.4 Authority desires to have certain monies deposited with Treasurer to be pooled with monies of County and other local governments for investment in County's pooled investment fund ("Fund"); and

2.5 County and Authority desire to enter into an agreement to set forth the terms and conditions upon which said monies are to be pooled and invested.

3. PRIOR AGREEMENTS This Agreement cancels and supersedes, as of the effective date hereof, any previous agreement, whether oral or written, between County and Authority regarding the subject of this Agreement.

4. AUTHORIZATION TO POOL AND INVEST Authority hereby authorizes County and Treasurer, and County and Treasurer agree, to invest certain monies tendered by Authority in the Fund without compensation pursuant to the terms and conditions hereof.

5. IDENTIFICATION OF AUTHORITY MONIES Authority will deposit certain monies with Treasurer from time to time for the purposes set forth herein.

### 6. INVESTMENTS AND ALLOCATION

6.1 Treasurer shall invest Authority's monies in such securities only as authorized by NRS 355.170 and 355.171 as well as other applicable provisions of Nevada Revised Statutes and any special applicable law and in accordance with County's investment policies (a copy of which Authority acknowledges receipt).

6.2 Treasurer will allocate and distribute on account for Authority the Authority's prorata share of any gains, losses and interest earnings in the Fund based upon the proportion of

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Authority's monies to the total value of the Fund and also based on the average cash balance in the Fund over the applicable accounting period. Any related third party charges shall likewise be allocated to Authority. Authority acknowledges that the County and the Treasurer utilize the services of a professional fund manager as well as a statutorily required third party custody agent and that Authority's pro rata share of expenses will include the fees to pay these professional managers/agents.

7. PROCESSING AUTHORITY'S DEBT PAYMENTS

7.1 In the event that Authority deposits with Treasurer monies which are obligated under special financing, such as bonds, Authority shall be solely responsible for monitoring the status of such special financing and determining if and when it is appropriate to call such special financing. Until Authority advises Treasurer in writing that it is calling such special financing and directs Treasurer to cease payments, Treasurer shall process payments on such special financing on behalf of Authority in accordance with instructions of issuance.

7.2 Treasurer may act as paying agent or select a third party paying agent to process bond payments. Any charges by such a third party shall be deducted from Authority's monies in the Fund.

8. REPORTING Washoe County Comptroller shall deliver to Authority as soon as practical following the end of each quarter of each fiscal year a report revealing the Fund's balances, earnings, losses and prorata allocations thereof to Authority.

9. AUTHORITY'S AUTHORIZED AGENTS Authority shall promptly advise Treasurer in writing of the name(s) and address(es) of its employee(s)/agent(s) who is/are authorized to advise and instruct Treasurer concerning the matters of this Agreement. Authority will also provide to Treasurer specimen signatures of the authorized employee(s)/agent(s). Treasurer shall not suffer any liability whatsoever with respect to any action taken in reliance upon any written instructions or notices which Treasurer shall, in good faith, believe to be genuine and to have been signed by Authority's authorized employee(s)/agent(s).

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10. WITHDRAWALS AND TERMINATION

10.1 Authority is entitled to make partial withdrawals of its monies out of the Fund provided Authority delivers to Treasurer written notice and specific instructions regarding said withdrawal. Treasurer shall comply therewith at the first reasonable opportunity presented by the markets and in consideration of the type of investments used in the Fund, but only so long as the Fund incurs no loss or risk to its remaining investments, and further so long as Authority pays any penalties, losses and third-party-expense related to said withdrawal. Cash distribution shall be determined by par value of securities at liquidation, if necessary.

10.2 This Agreement may be terminated by either party upon thirty days (30) written notice or upon the enactment of any law inconsistent herewith. The value of the Fund at the expiration of said thirty (30) days shall determine the prorata value of Authority's monies, including earnings and losses, available for withdrawal. Notwithstanding the thirty (30) day notice, said withdrawal of Authority's monies from the Fund shall occur over that period of time

which in the reasonable determination of Treasurer is necessary to protect the Fund's other investments from risk and loss in accordance with sec. 10.1 above, not to exceed eight (8) months. The party electing to terminate this Agreement shall pay all penalties, losses and third-party-expense related to said withdrawal.

11. INDEMNIFICATION/HOLD HARMLESS

11.1 The Parties agree that each will be responsible for any liability or loss that may be incurred as a result of any claim, demand, cost, or judgment made against that party arising from any negligent act or negligent failure to act by any of that party's employees, agents, or servants in connection with the performance of obligations assumed pursuant to this Agreement.

11.2 Each Party further agrees, to the extent allowed by law pursuant to NRS Chapter 41, to hold harmless, indemnify and defend the other from any and all losses, liabilities, or expenses of any nature to the person or property of another, to which each may be subjected as a result of any claim, demand, action, or cause of action arising out of the negligent acts, errors or omissions on the part of its own employees, agents, or servants.

11.3 The indemnification obligation pursuant to this section is conditioned upon receipt of prompt written notice by the indemnifying party of the indemnified party's actual notice of any action or pending claim or cause of action. The indemnifying party shall not be liable to hold harmless any attorney's fees and costs for the indemnified party's chosen right to participate with legal counsel.

11.4 Authority agrees that it is investing at its own risk and that past performance is no guarantee for future performance. Authority agrees to hold the county harmless from all claims, suits, actions, costs, losses, penalties, taxes and liabilities, including court costs and attorney's fee, arising from or related to investment performance under this Agreement.

12. MISCELLANEOUS PROVISIONS

12.1 This Agreement is binding upon and inures to the benefit of the Parties and their respective successors and assigns.

12.2 This Agreement constitutes the entire understanding and agreement of the Parties with respect to the subject matter hereof, and supersedes and replaces all prior understandings and agreements, whether verbal or in writing, with respect to the subject matter hereof.

12.3 This Agreement may not be modified, amended, assigned, transferred, nor may any rights, obligations or duties hereunder be delegated in any respect without the written consent of the other party hereto.

12.4 In the event either party brings any legal action or other proceeding with respect to the breach, interpretation, or enforcement of this Agreement, or with respect to any dispute relating to any transaction covered by this Agreement, the losing party or parties in such action or proceeding shall reimburse the prevailing party or parties therein for all reasonable costs of

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litigation, including reasonable attorneys' fees.

12.5 This Agreement is made in, and shall be governed, enforced and construed under the laws of the County of Washoe and the State of Nevada. The parties consent to the personal jurisdiction of any state or federal court of competent jurisdiction located in Washoe County, Nevada and to the service of process by any means authorized by any such state or federal court under the laws of the State of Nevada. The exclusive venue of any action, proceeding or counterclaim arising out of or in connection with this Agreement shall be Washoe County, Nevada.

12.6 No delay or omission by either party in exercising any right or power hereunder shall impair any such right or power or be construed to be a waiver thereof, unless this Agreement specifies a time limit for the exercise of such right or power or unless such waiver is set forth in a written instrument duly executed by the person granting such waiver. A waiver of any person of any of the covenants, conditions, or agreements hereof to be performed by any other party shall not be construed as a waiver of any succeeding breach of the same or any other covenants, agreement, restrictions or conditions hereof.

12.7 All notices, demands or other communications required or permitted to be given in connection with this Agreement, shall be in writing, and shall be deemed delivered when personally delivered to a party (by personal delivery to an officer or authorized representative of an agency party) or, if mailed, three (3) business days after deposit in the United States mail, postage prepaid, certified or registered mail, addressed to the parties as follows:

Washoe County Treasurer  
Administration Complex  
1001 East Ninth Street, Suite D 140  
Reno, Nevada 89512

Truckee River Flood Management Authority  
9390 Gateway Dr, Suite 230  
Reno, Nevada 89512

11-11-11

Any person may change its address for notice by written notice given in accordance with the foregoing provisions.

12.8 The Agreement may be executed in one or more counterpart copies, and each of which so executed, irrespective of the date of execution and delivery, shall be deemed to be an original, and all such counterparts together shall constitute one and the same instrument. This Agreement may be recorded.

12.9 This Agreement is effective upon the later of the date the last signing party signs this Agreement ("Effective Date"), or July 1, 2011.

IN WITNESS WHEREOF, the Parties have executed this Agreement.

WASHOE COUNTY

TRUCKEE RIVER FLOOD  
MANAGEMENT AUTHORITY

Dated this 14<sup>th</sup> day of June, 2011

Dated this 21 day of JUNE, 2011

By: [Signature]  
John Breternitz, Chairman  
Board of Commissioners

By: [Signature]  
Flood Management Authority Chairman  
Board of Directors

ATTEST: [Signature]

ATTEST:  
\_\_\_\_\_

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THIRD AMENDMENT  
TO  
AGREEMENT REGARDING THE PURCHASE OF WATER RIGHTS  
PURSUANT TO THE TRUCKEE RIVER WATER QUALITY  
SETTLEMENT AGREEMENT

THE AGREEMENT REGARDING THE PURCHASE OF WATER RIGHTS PURSUANT TO THE TRUCKEE RIVER WATER QUALITY SETTLEMENT AGREEMENT (the "AGREEMENT") entered on June 11, 1997, amended on May 28, 2002, and November 13, 2007, by and between the CITY OF RENO, a municipal corporation ("Reno"), the CITY OF SPARKS, a municipal corporation ("Sparks"), and the COUNTY OF WASHOE, a political subdivision of the State of Nevada ("Washoe"), collectively referred to in this Agreement as the "Local Governments," and GREAT BASIN LAND AND WATER, a Nevada nonprofit corporation ("GBLW") is hereby amended this \_\_\_ day of \_\_\_\_\_, 2011.

FOR VALUABLE CONSIDERATION, the receipt and sufficiency of which are hereby acknowledged, the Local Governments and GBLW agree to amend the Agreement as follows:

1. Section 6.A of the Agreement is hereby amended to extend the term of the Agreement for three (3) additional one-year periods through and including June 11, 2014.

2. Section 8 of the Agreement is hereby amended and restated as follows:

"8. Notices. Any notice given in connection with this Agreement shall be given in writing and addressed to the party to be served at the following addresses:

GBLW:  
Great Basin Land And Water  
470 Columbus Ave., Suite 211  
San Francisco, CA 94133  
Attn: Aaron Peskin, President

LOCAL GOVERNMENTS:  
Local Government Oversight Committee  
c/o The City of Sparks  
1675 East Prater Way, Suite 107  
Sparks, NV 89434  
Attn: Andy Hummel, Chairman of the LGOC

Any notice given by (a) mail shall be deemed to have been given when deposited in the United States mail, first class and postage prepaid; (b) overnight common carrier courier service shall be deemed to be given on the business day (not including Saturday) immediately following the date it was deposited; or (c) delivery in person or by messenger shall be deemed to be given upon receipt."

3. In all other respects, the terms and conditions of the Agreement shall be and remain the same and in full force and effect.

11-7-11  
G.L.W.

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IN WITNESS of the foregoing, the parties have executed this Amendment on the dates set forth below.

GREAT BASIN LAND AND WATER

By: \_\_\_\_\_  
Aaron Peskin  
President

Date: \_\_\_\_\_

CITY OF RENO

By: \_\_\_\_\_  
Robert A. Cashell, Sr., Mayor

Date: \_\_\_\_\_

Attested by:

\_\_\_\_\_  
City Clerk

CITY OF SPARKS

By: \_\_\_\_\_  
Geno Martini, Mayor

Date: \_\_\_\_\_

Attested by:

\_\_\_\_\_  
City Clerk

COUNTY OF WASHOE

By: \_\_\_\_\_  
John Breternitz, Chairman

Date: June 14, 2011

Attested by: \_\_\_\_\_  
*Amy Harney*  
County Clerk

Approved as to form:

By: \_\_\_\_\_  
City Attorney

Approved as to form:

By: \_\_\_\_\_  
City Attorney

Approved as to form:

By: melanie yosta  
District Attorney

11-10-11

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RESOLUTION

RESOLUTION RENEWING THE INTER-GOVERNMENTAL AGREEMENT  
OF THE WASHOE COUNTY HOME CONSORTIUM (WCHC) FOR THE  
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT HOME  
INVESTMENT PARTNERSHIP PROGRAM

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

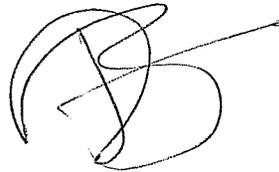
WHEREAS, Washoe County has renewed the interlocal agreement on five separate occasions; and,

WHEREAS, the Washoe County has identified the creation of diverse and secure housing opportunities as a strategic outcome of its goal to create Safe, Secure and Healthy Communities; now, therefore, it is hereby

RESOLVED, BY THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY, NEVADA; That the Board does hereby adopt the Inter-Governmental Agreement among the Cities of Reno and Sparks, and the County of Washoe, for the purpose of renewing the HOME Investment Partnership Consortium, and the Board Chair is authorized to sign said agreement;

ADOPTED this 14<sup>th</sup> day of June, 2011.

WASHOE COUNTY COMMISSION



John Breternitz, Chair

ATTEST



Amy Harvey, County Clerk

11-48-7

65(3)

**RESOLUTION  
TO SPONSOR AN AMENDMENT OF THE TRUCKEE MEADOWS REGIONAL  
PLAN TO AMEND TWO UTILITY CORRIDORS AND ADD A NEW UTILITY  
CORRIDOR AND SUBSTATION ON THREE PROPERTIES NORTH OF THE  
TRACY POWER PLANT**

WHEREAS, The Regional Plan requires that all transmission lines of 60kV or greater shall be located within a utility corridor as identified in the Regional Utility Corridor Report;

WHEREAS, The modification of two existing utility corridors and the addition of a new utility corridor are necessary to accommodate the construction of a new energy park and technology park north of the Tracy Power Plant in the East Truckee Canyon;

WHEREAS, A modification of the utility corridor requires an amendment of the Truckee Meadows Regional Plan;

WHEREAS, A special use permit for the proposed energy park and technology park are scheduled to be heard by the Washoe County Planning Commission at their July 5, 2011 meeting; now, therefore, it is hereby

RESOLVED, BY THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY, NEVADA That the Board does hereby sponsor the amendment of the Regional Utility Corridor, a part of the Truckee Meadows Regional Plan for the amendment of the utility corridor to support the construction of the Reno Technology Park and the Sparks Energy Park.

ADOPTED this 14<sup>th</sup> day of June, 2011.

WASHOE COUNTY COMMISSION



John Breternitz, Chair

ATTEST



*Amy Harvey*  
Amy Harvey, County Clerk

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W(5)

**FIRST AMENDMENT  
TO  
COOPERATIVE AGREEMENT FOR CONTRACTUAL  
PROFESSIONAL AND ADMINISTRATIVE STAFF SERVICES**

The following Sections of the COOPERATIVE AGREEMENT (the "Agreement"), dated November 7, 2008, entered into between Washoe County, a political subdivision of the State of Nevada (the "County"), and the Western Regional Water Commission, a Joint Powers Authority created pursuant Chapter 531, Statutes of Nevada 2007, the "Western Regional Water Commission Act" and cooperative agreement under Chapter 277 (the "WRWC"), or individually, "Party, or collectively, as the context requires, "Parties", are hereby amended to provide as follows:

**2. TERM.**

The term of this Agreement, unless otherwise terminated or extended as provided herein, shall be from the "Effective Date" of this Agreement, as further defined in Section 7, until June 30, 2014.

**3.7 Services to WRWC and NNWPC.** County shall require the Assigned

Employees to devote their productive time, ability and attention exclusively to the business of the WRWC and NNWPC during the term of this Agreement except, at the request of the Washoe County Director of Water Resources, and subject to availability as determined by and in the sole discretion of the WRWC Water Resources Manager designated in Exhibit B, the Assigned Employees may devote a portion of their productive time, ability and attention to tasks and duties for the benefit of the County, provided also that the performance of such tasks and duties do not conflict or interfere with the Services to be provided under Section 3.5, above. To the extent that the Assigned Employees perform such tasks and duties for the County, their corresponding wages and benefits shall be the sole responsibility of the County, shall be documented by written record, and shall not be subject to reimbursement as provided under Section 4., below. The provisions of this Section 3.7 shall be retroactive for the 2011 calendar year. The Assigned

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Employees shall not during the normal working day, except as provided immediately above, directly or indirectly render any services of a business, commercial or professional nature to any person, firm or entity other than WRWC and the NNWPC.

**4. REIMBURSEMENT.**

For each year of this Agreement, or for future years of the Agreement should the Parties mutually agree to continue this arrangement, the WRWC will allocate sufficient resources in its annual budget to fully and promptly reimburse the County for the wages and benefits of the Assigned Employees attributable to providing the Services defined in Section 3.5, above. For budgeting purposes, compensation for the Services provided shall be set at a level sufficient and equivalent to cover fully the County's actual costs for the Services provided, including wages, hours, compensatory time, sick leave, special sick leave, annual leave, insurance premiums, worker's compensation coverage and claims, and all other benefits the County now provides, or may provide in the future. The County shall be responsible for the payment of any insurance and Worker's compensation claims that were made by the Assigned Employees prior to the Effective Date of this Agreement. Reimbursement will be in the form of a Journal Entry transferring funds from the Regional Water Management Fund to the County's Water Enterprise fund, and shall exclude documented wages and benefits attributable to tasks and duties performed by the Assigned Employees for the benefit of the County pursuant to Section 3.7, above. Such fund transfer shall occur at the end of each County two-week pay period.

11-19-99

The Agreement as amended to include the revisions set forth above is incorporated herein by reference, and all other terms and conditions of the Agreement shall remain in full force and effect.

This Amendment is effective July 1, 2011, except as provided in Section 3.7, above, regardless of the dates of execution by the Parties ("Effective Date").

IN WITNESS WHEREOF, the Parties hereto have executed this Amendment.

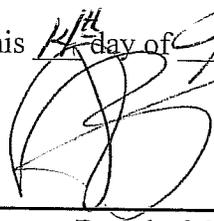
WESTERN REGIONAL WATER COMMISSION

WASHOE COUNTY

Dated this \_\_\_ day of \_\_\_\_\_, 2011

Dated this 14<sup>th</sup> day of June, 2011

By \_\_\_\_\_  
Mike Carrigan, Chairman

By  \_\_\_\_\_  
Chairman, Board of Commissioners

APPROVED AS TO FORM:  
Rhodes Law Offices, Ltd.

APPROVED AS TO FORM:  
Washoe County District Attorney

By \_\_\_\_\_  
John B. Rhodes, Legal Counsel

By me Laurie yester \_\_\_\_\_  
Deputy District Attorney

6.6.11

**RESOLUTION  
TO SPONSOR AMENDMENT OF THE TRUCKEE MEADOWS REGIONAL  
PLAN FOR THE PURPOSE OF CLARIFYING REGIONAL PLAN POLICY  
1.3.3, RELATING TO THE ESTABLISHMENT OF NON-RESIDENTIAL USES  
IN THE UNINCORPORATED COUNTY**

WHEREAS, The Truckee Meadows Regional Plan (Regional Plan) policy 1.3.3 seeks to establish standards and criteria for the establishment of commercial and non-residential uses in the unincorporated county; and,

WHEREAS, the language contained in Regional Plan policy 1.3.3 has proven subject to a multitude of varying interpretations; and,

WHEREAS, Washoe County and the Truckee Meadows Regional Planning Agency agree that the lack of clarity embodied by Regional Plan policy 1.3.3 has frustrated the efficient and appropriate implementation of the Regional Plan; and,

WHEREAS, Washoe County and the Truckee Meadows Regional Planning Agency agree that Washoe County should develop alternative language and pursue a Regional Plan amendment for Regional Plan policy 1.3.3; now, therefore, it is hereby

RESOLVED, BY THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY, NEVADA That the Board does hereby sponsor the amendment of the Truckee Meadows Regional Plan for the purpose of clarifying Regional plan policy 1.3.3, relating to the establishment of non-residential uses in the unincorporated county.

ADOPTED this 14<sup>th</sup> day of June, 2011.

WASHOE COUNTY COMMISSION

  
John Breternitz, Chair



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LTG