

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

TUESDAY

10:00 A.M.

MARCH 22, 2011

PRESENT:

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

**Amy Harvey, County Clerk**  
**John Berkich, Assistant County Manager**  
**Melanie Foster, Legal Counsel**

The Washoe County Board of Commissioners convened at 10:05 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:

Assistant County Manager John Berkich 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."

**11-235      AGENDA ITEM 3 – EXCELLENCE IN PUBLIC SERVICE**

**Agenda Subject: "Presentation of Excellence in Public Service Certificates honoring Washoe County employees who have completed essential employee development courses."**

John Berkich, Assistant County Manager, recognized the following employees for successful completion of the Excellence in Public Service Certificate Programs administered by the Human Resources Department:

**\*10:07 a.m.** Commissioner Larkin arrived.

**Essentials of Management Development**

Christine McHardy, District Attorney's Office

**Essentials of Personal Effectiveness**

Deborah Chicago, Community Health Nurse

**11-236      AGENDA ITEM 4 - PROCLAMATION**

**Agenda Subject:** "Proclamation--March 2011 as Professional Social Work Month--  
Social Services. (All Commission Districts.)"

Commissioner Jung read and presented the Proclamation to Kevin Schiller, Social Services Director. Mr. Schiller thanked the Board for their recognition. He also thanked and praised his staff for their commitment and dedication to the public that they serve.

**10:15 a.m.**      Commissioner Weber temporarily left the meeting.

In response to the call for public comment, Sam Dehne spoke on the Proclamation and applauded the work conducted by social workers.

On motion by Commissioner Humke, seconded by Commissioner Jung, which motion duly carried with Commissioner Weber temporarily absent, it was ordered that Agenda Item 4 be adopted.

**11-237      AGENDA ITEM 5 – 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."

Guy Felton spoke on the constitution and the decorum statement.

**10:20 a.m.**      Commissioner Weber returned.

Sam Dehne stated his opinion regarding the reading of the decorum statement.

**11-238      AGENDA ITEM 6 – ANNOUNCEMENTS**

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

Commissioner Weber announced that she attended the National Association of Counties (NACo) conference and was able to meet with congressional members.

**CONSENT AGENDA**

**11-239      AGENDA ITEM 7A**

**Agenda Subject:** “Approve minutes for the Board of County Commissioners’ meeting of February 22, 2011.”

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 7A be approved.

**11-240      AGENDA ITEM 7B**

**Agenda Subject:** “Cancel April 19, 2011 County Commission meeting.”

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 7B be approved.

**11-241      AGENDA ITEM 7C - ASSESSOR**

**Agenda Subject:** “Approve roll change requests, pursuant to NRS 361.768 and NRS 361.765, for errors discovered for the 2007/2008, 2008/2009, 2009/2010, 2010/2011 secured and unsecured tax rolls; and if approved, authorize Chairman to execute Order and direct Washoe County Treasurer to correct the errors [cumulative amount of decrease \$13,210.03]. (Parcels are in various Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 7C be approved, authorized, executed and directed.

**11-242      AGENDA ITEM 7D - LIBRARY**

**Agenda Subject:** “Accept Library Services and Technology Act Grant-in-Aid [\$3,500 - no County match] for support of “El dia de los ninos/El dia de los libros” for the period February 28, 2011-May 6, 2011; and if accepted, direct Finance to make necessary budget adjustments. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 7D be accepted and directed.

**11-243      AGENDA ITEM 7E - PARKS**

**Agenda Subject: “Approve Resolution declaring the County’s intent to lease a Garage/Storage Structure (600 square feet) located at Martin Luther King Jr. Park located at 305 Coretta Way, to Grand View Terrace General Improvement District, as authorized within NRS 277.050; and other matters properly related thereto; schedule April 12, 2011 County Commission Meeting to allow for any objections to this property action; and if all approved, authorize Chairman to execute Resolution. (Commission District 5.)”**

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 7E be approved, authorized and executed. The Resolution for same is attached hereto and made a part of the minutes thereof.

**11-244      AGENDA ITEM 7F – SENIOR SERVICES**

**Agenda Subject: “Accept grant award from U.S. Department of Justice [\$75,000 - no County match] retroactively for the period January 1, 2011 through December 31, 2011; and if accepted, authorize Chairman to sign the Grant Award, the Grant Program Agreement between the County of Washoe and Nevada Rural Counties Retired and Senior Volunteer Program and direct Finance to make appropriate budget adjustments. (All Commission Districts.)”**

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 7F be accepted, authorized, executed and directed.

**11-245      AGENDA ITEM 7G - SHERIFF**

**Agenda Subject: “Acknowledge Status Report of Commissary Fund submitted by the Washoe County Sheriff’s Office Commissary Board of Directors. (All Commission Districts.)”**

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 7G be acknowledged.

**11-246            AGENDA ITEM 7H – MEDICAL EXAMINER/CORONER’S OFFICE**

**Agenda Subject: “Approve Resolution setting forth an increase in the fees to be charged and collected from extra-jurisdictional government agencies for services provided by the Medical Examiner/Coroner’s Office (effective July 1, 2011). (All Commission Districts.)”**

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 7H be approved. The Resolution for same is attached hereto and made a part of the minutes thereof.

**11-247            AGENDA ITEM 7I(1) – DISTRICT ATTORNEY**

**Agenda Subject: “Approve payments [\$7,730.35] to vendors for assistance of 28 victims of sexual assault and authorize Comptroller to process same. NRS 217.310 requires payment by the County of total initial medical care of victims, regardless of cost, and of follow-up treatment costs of up to \$1,000 for victims, victim’s spouses and other eligible persons. (All Commission Districts.)”**

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 7I(1) be approved and authorized.

**11-248            AGENDA ITEM 7I(2) – DISTRICT ATTORNEY**

**Agenda Subject: “Accept renewed funding for a Deputy District Attorney for the provision of continuing prosecutor services related to the High Intensity Drug Trafficking Areas (HIDTA) Task Force [\$72,000 from HIDTA grant funds] for the period March 1, 2011 through February 28, 2012; and if accepted, direct Finance to make necessary budget adjustments. (All Commission Districts.)”**

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 7I(2) be accepted and directed.

**11-249            AGENDA ITEM 7J(1) – DISTRICT HEALTH**

**Agenda Subject:** “Acknowledge staff report pursuant to Washoe County Code 5.356 advising the Board of a budget authority reallocation for travel account expenses in the Fiscal Year 2011 Epidemiology and Laboratory Capacity-Grant Program (IO 10923) [\$1,095]. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 7J(1) be acknowledged.

**11-250            AGENDA ITEM 7J(2) – DISTRICT HEALTH**

**Agenda Subject:** “Approve amendments [increase of \$22,137 in both revenue and expense] to the Fiscal Year 2011 Centers for Disease Control and Prevention Public Health Preparedness and Response for Bioterrorism Base Carry Forward Federal Grant Program, IO 10737; and if approved, direct Finance to make appropriate budget adjustments. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 7J(2) be approved and directed.

**11-251            AGENDA ITEM 7J(3) – DISTRICT HEALTH**

**Agenda Subject:** “Approve amendments [increase of \$11,281 in both revenue and expense] to the Fiscal Year 2011 Centers for Disease Control and Prevention Public Health Preparedness and Response for Bioterrorism Pan Flu Carry Forward Federal Grant Program, IO 10738; and if approved, direct Finance to make appropriate budget adjustments. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 7J(3) be approved and directed.

**11-252            AGENDA ITEM 7J(4) – DISTRICT HEALTH**

**Agenda Subject:** “Approve amendments [increase of \$83,582 in both revenue and expense to the Fiscal Year 2011 Centers for Disease Control and Prevention Public Health Preparedness Grant Program (2008 Carry Forward), IO 10925; and if

**approved, direct Finance to make appropriate budget adjustments. (All Commission Districts.)”**

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 7J(4) be approved and directed.

**11-253            AGENDA ITEM 7K(1) – WATER RESOURCES**

**Agenda Subject: “Acknowledge receipt of the unaudited Financial Report for Washoe County Department of Water Resources for the six months ended December 31, 2010. (All Commission Districts.)”**

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 7K(1) be acknowledged.

**11-254            AGENDA ITEM 7K(2) – WATER RESOURCES**

**Agenda Subject: “Review Water Rights Applications 80468, 80469 and 80470, proposing to appropriate up to 13,031.46 acre-feet of ground water rights annually from Points of Diversion within Washoe County for a Place of Use within Lyon County, and authorize the Chairman to recommend denial of the subject applications to the Nevada State Engineer. (Commission District 4.)”**

In response to the call for public comment, Sam Dehne said he was opposed to the County appropriating up to 13,000 acre-feet of water to Lyon County.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 7K(2) be reviewed and authorized.

**BLOCK VOTE**

The following agenda items were consolidated and voted on in a block vote: Agenda Items 10, 11, 12, 13, 14, 15 and 16.

**11-255            AGENDA ITEM 10 – WATER RESOURCES**

**Agenda Subject: “Recommendation to approve award of bid for the Lemmon Valley Well #5 construction project to Hydro Resources-West, Inc. (the lowest, responsive, responsible bidder) [\$327,235]; and if awarded, authorize Chairman to execute the contract documents. (Commission District 5.)”**

There was no public comment on this item.

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

**11-256            AGENDA ITEM 11 – SENIOR SERVICES**

**Agenda Subject: “Recommendation to accept three grant awards from U.S. Department of Housing and Urban Development [totaling \$121,882.73 - County match \$30,429] for housing counseling programs retroactively for the period October 1, 2010 through September 30, 2011; and if accepted, authorize the Chairman to sign the Grant Awards and direct Finance to make appropriate budget adjustments. (All Commission Districts.)”**

There was no public comment on this item.

On motion by Commissioner Larkin, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 11 be accepted, authorized, executed and directed.

**11-257            AGENDA ITEM 12 – SENIOR SERVICES**

**Agenda Subject: “Recommendation to award Invitation to Bid #2769-11 for Temporary Housing Counselors to the lowest responsible bidder Accustaff [approximate annual amount \$220,000]; and if awarded, authorize Purchasing and Contracts Manager to execute an agreement effective April 1, 2011 through December 31, 2012 with a one-year renewal option, at the discretion of Washoe County. (All Commission Districts.)”**

In response to the call for public comment, Roger Scime spoke about a proposal to modify the funding for counselors in the Washoe County Senior Law Center Home Loan Modification program. He stated he received a loan modification and could not have received that modification without the consistent help from a counselor. He commented if not for the help of the Senior Law Project and the continuity of the counselors working on his case, he would be out of his home.

Ronn Medow indicated he was in the process of obtaining a loan modification and commended the counselors in the Senior Law Project. He felt that lenders blocked the process; however, the counselors were patient and professional and he believed it was important for them to be retained.

Benjamin Alasua explained that he was a Temporary Housing Counselor with the Senior Law Project. He said this program was one of the few U.S. Department of Housing and Urban Development (HUD) counseling agencies in the County that



provided free housing counseling to struggling homeowners. Based on the current grant-funding, his position would be cut or significantly reduced within the next few months. Mr. Alasua explained if the funding of the Temporary Housing Counselors ceased, the program would continue with the permanent counselors; however, he believed there was a misconception that the program would be able to continue with just the current permanent staff. He said the Temporary Counselors had been trained and certified through federal agencies to conduct foreclosure prevention counseling and provided approximately 90 percent of the foreclosure prevention counseling.

Chairman Breternitz asked if there was any accreditation given to the qualifications in the proposal. Grady Tarbutton, Senior Services Director, replied criteria on the bid included that selected applicants needed to be certified housing counselors.

Mr. Tarbutton explained that the Department had entered into a contract with the Nevada Affordable Housing Assistance Corporation's (NAHAC) Hardest Hit program to provide housing counseling for Washoe County residents at risk of foreclosure. He said this item requested the Board to accept grants from HUD, which included a supplemental award for mortgage modification and modification scam assistance. Mr. Tarbutton stated the foreclosure mitigation programs would require up to 3.0 Full-Time Equivalent (FTE) Housing Counselors. Both programs were temporary in nature, in response to the foreclosure crisis the community was currently facing. As such, the Department was staffing these projects with temporary employees. Mr. Tarbutton stated that Washoe County was not trying to reduce this effort, and he had directed staff to continue making grant applications when they were available and that the program was critical to the community.

In response to Commissioner Weber, Mr. Tarbutton indicated that the current temporary counselors would remain.

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

**11-258      AGENDA ITEM 13 - PURCHASING**

**Agenda Subject: "Recommendation to award Request for Proposal 2764-11 for a Continuity of Operations Plan Writer to the most responsive, responsible proposer Risk Solutions International, LLC on behalf of Washoe County Emergency and Homeland Security [not to exceed, \$200,000 - funding is a 100% federally funded grant]; and if awarded, authorize Purchasing and Contracts Manager to execute Continuity of Operations Plans Writer Services Agreement for same. (All Commission Districts.)"**

There was no public comment on this item.

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

**11-259            AGENDA ITEM 14 - PURCHASING**

**Agenda Subject: “Recommendation to award Invitation to Bid #2760-11 for Food Management Services to Valley Services, Inc. [approximate annual amount \$771,960], on behalf of Senior Services; and if awarded, authorize Purchasing and Contracts Manager to execute a one-year agreement, with up to two, one-year renewal options, at the discretion of Washoe County. (All Commission Districts.)”**

There was no public comment on this item.

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

**11-260            AGENDA ITEM 15 – PUBLIC WORKS**

**Agenda Subject: “Recommendation to award bid for 75 Court Street Heating Ventilating and Air Conditioning Energy Upgrades to the lowest responsive and responsible bidder (staff recommends Savage and Son) [\$1,727,000 - funding source--Capital Improvement Fund]; and if awarded, authorize Chairman to execute contract documents. (Commission District 3.)”**

There was no public comment on this item.

On motion by Commissioner Larkin, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 15 be awarded, authorized and executed.

**11-261            AGENDA ITEM 16 – PUBLIC WORKS**

**Agenda Subject: “Recommendation to award bid for Sun Valley Boulevard Pedestrian Path/Bike Lane Enhancement project to the lowest responsive and responsible bidder (staff recommends A & K Earth Movers) [\$574,500 - funding source--Transportation Equity Act with a 5% in-kind match]; and if awarded, authorize Chairman to execute contract documents. (Commission District 5.)”**

There was no public comment on this item.

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

**10:47 a.m.** The Board convened as the Sierra Fire Protection District (SFPD) Board of Fire Commissioners.

**11:36 a.m.** The Board recessed as the SFPD Board of Fire Commissioners and convened as the Truckee Meadows Fire Protection District (TMFPD) Board of Fire Commissioners.

**12:05 a.m.** The Board adjourned as the TMFPD Board of Fire Commissioners and reconvened as the Board of County Commissioners with Commissioner Larkin temporarily absent.

**11-262 AGENDA ITEM 17 - MANAGER**

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

Dave Childs, Assistant County Manager, said the Shared Services Elected Officials Committee had met on March 21, 2011 and discussed the Matrix Consultant study relative to the merging of Human Resources, Information Technology and Purchasing. He summarized that staff had been asked to identify the simplest form of implementation. He said a report from the subcommittee, concerning the merging of building inspections, permitting and business licensing would return to the Shared Services Elected Official Committee during their April meeting. The next step was to review business licensing between the three entities and to reach a point where all business licenses could be accepted regardless of where the application was submitted.

Mr. Childs stated there was some discussion on WC-2 regarding the feasibility of the consolidation of governments. He said the Board had previously suggested a Technical Advisory Committee (TAC) to review the implications of merging, in terms of labor contracts, Human Resources, bonded and indebtedness and property and consolidated taxes.

Mr. Childs said a proposal and possible study was discussed regarding a single public safety dispatch operation. He said there was concurrence among the City of Reno staff and County staff that there was value to such an operation since the software systems were compatible. Chairman Breternitz added that the Washoe County School District was also interested in the possibility of a single public safety dispatch operation.

There was no action taken or public comment on this item.

**11-263 AGENDA ITEM 22 – CLOSED SESSION**

**Agenda Subject:** “Possible Closed Session for the purpose of discussing negotiations with Employee Organizations per NRS 288.220.”

**12:21 p.m.** Melanie Foster, Legal Counsel, explained that the Board needed to reconvene as the Sierra Fire Protection District (SFPD) Board of Fire Commissioners and move to go into a closed session for the purpose of discussing negotiations with Employee Organizations per NRS 288.220. On motion by Commissioner Jung, seconded by Commissioner Humke, which motion duly carried with Commissioner Larkin temporarily absent, it was ordered that the meeting recess to a closed session for the purpose of discussing negotiations with Employee Organizations per NRS 288.220.

*After discussion, it was noted that the Board would return at approximately 5:30 p.m. to hear the remainder of the agenda.*

**12:22 p.m.** The Board reconvened as the Board of County Commissioners. On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried with Commissioner Larkin temporarily absent, it was ordered that the meeting recess to a closed session for the purpose of discussing negotiations with Employee Organizations per NRS 288.220.

**5:30 p.m.** The Board reconvened as the SFPD Board of Fire Commissioners and adjourned as the SFPD Board of Fire Commissioners.

**5:31 p.m.** The Board reconvened as the Board of County Commissioners with all members present.

**11-264      AGENDA ITEM 18 - FINANCE**

**Agenda Subject: “Recommendation to direct staff to allocate the \$13.8 million in Fiscal Year 2011/12 labor cost savings based on each employee group’s proportional share of total personnel costs in the General Fund. (All Commission Districts.)”**

John Sherman, Finance Director, said the Board was presented with the initial budget deficit estimate of \$33.5 million for Fiscal Year 2011/12 on January 25, 2011. The Board had directed staff, consistent with the Strategic Plan, to begin working on a sustainable plan to close the deficit. He said the plan consisted of the following four actions to balance the budget for Fiscal Year 2011/12:

- Achieve \$13.8 million in permanent labor cost savings through collective bargaining negotiations;
- Achieve \$5 million in permanent efficiency savings from department operating budgets;
- Achieve \$5 million in first year savings by determining which services the County could sustainably provide to meet its mission of a safe, secure, and healthy community; and
- Use \$9.75 million in fund balances to cover the shortfall during the transition time needed to fully implement structural changes in service delivery and labor costs.

Mr. Sherman said it was recommended that the Board allocate the labor cost savings portion of the plan based on each employee group's proportional share of the initial estimated total personnel costs in the General Fund. In doing so, it would generate a specific target value of savings for each employee group, which could then be negotiated pursuant to mandated collective bargaining requirements set forth in NRS 288. Mr. Sherman indicated this was the same approach used last year to negotiate labor concessions, whereby all employee groups contributed equitably to the necessary labor cost savings. He indicated that the table submitted in the staff report provided the initial targets for each employee group.

Mr. Sherman explained that in achieving the labor savings the likely timeline to negotiate those savings would extend beyond the statutory requirement to adopt the budget by June 1st. In which case, the labor savings needed to balance the budget would be anticipated in the budget by loading the savings needed into each department's budget. He said the amount of savings placed in each department's budget would be based on the employee group's proportional share of the \$13.8 million and the employee group composition in each department. Additionally, those were initial targets and would be updated to reflect final personnel cost changes included in the recommended budget.

There was no public comment on this item.

On motion by Commissioner Jung, seconded by Chairman Breternitz, which motion duly carried, it was ordered that staff be directed to allocate the \$13.8 million for Fiscal Year 2011/12 labor cost savings based on each employee group's proportional share of total personnel cost in the General Fund. It was further ordered that all groups, departments and levels contribute their share.

**11-265            AGENDA ITEM 19 – GOVERNMENT AFFAIRS**

**Agenda Subject: “Discussion and possible direction to staff regarding legislation or legislative issues proposed by legislators, by Washoe County or by other entities permitted by the Nevada State Legislature to submit bill draft requests, or such legislative issues as may be deemed by the Chair or the Board to be of critical significance to Washoe County. (All Commission Districts.)”**

John Slaughter, Management Services Director, reviewed the highlights of the Legislative Session from the past week. He said there were two bills to discuss and seek possible direction.

**AB 159**        Mr. Slaughter explained that under existing law, all public books and records that were not otherwise declared by law to be confidential must be made available to the public for inspection or copying by any person. He said this bill had been reviewed by all departments and was an issue for most departments that provided any type of public records. Mr. Slaughter said the bill would revise the Public Record Law in

the State and had several impacts to the County. He said existing law required that such requests for inspection or copying of public records be addressed not later than the fifth business day after the person who had legal custody of the public record received the request. This bill would require the public record be made available immediately upon request if the public record was readily available, which would create several challenges for various departments. He said other requirements of the bill included:

- ✓ Limiting the fee for a copy of a public record in the custody of a law library operated by a governmental entity to 10 cents per page;
- ✓ Copies of minutes and audio recordings of public meetings to be made available to the public upon request and at no charge;
- ✓ Reducing the fee a county clerk charged for preparing a copy of a record, proceeding or paper from \$1 per page to 10 cents per page; and,
- ✓ Eliminating the fee that a county clerk charged for searching the records or files in the office of a county clerk.

Mr. Slaughter stated that there were a number of pieces of legislation related to transparency and open government and felt this bill fell within that category. He indicated that other counties had similar concerns and also voiced their opposition to the bill.

On motion by Commissioner Weber, seconded by Chairman Breternitz, which motion duly carried, it was ordered that the Board of County Commissioners oppose AB 159 and that the Commission liaisons state that position to the Legislature.

**AB 278** Mr. Slaughter stated this bill authorized the consolidation of County and City fire departments in Washoe and Clark Counties into county-wide metropolitan fire departments. He said the Professional Fire Fighters of Nevada approached sponsors for the bills introduction. Mr. Slaughter said some provisions in the bill:

- ✓ Created a metropolitan fire committee on fiscal affairs consisting of two representatives from each participating jurisdiction, and one additional member from the general public appointed by the elected members of the committee;
- ✓ Defined the responsibility that the responsibilities of the metropolitan fire department were to protect public safety, provide first response to fire and emergency medical calls, and to enforce fire codes;
- ✓ Provided that the county must use the provisions of this bill to merge its fire department with any of the cities to create a single fire department;
- ✓ Required that the Fire Chief of the Metropolitan Fire Department be elected by residents of the area served by the fire department;
- ✓ Provided that upon merger, the command staff of the former merged fire departments were entitled to obtain employment with the new department;
- ✓ Provided that employees of the fire departments that were merged may obtain employment with the department;

- ✓ Provided that the Committee on Fiscal Affairs develop and submit a funding plan to the participating jurisdictions, and that if any of the participating jurisdictions rejected the funding plan, the plan must go to an arbitration panel for resolution;
- ✓ Required that the county comptroller handle all financial issues related to establishing accounts and issuing warrants against the department funds;
- ✓ Allowed for the establishment of a taxing district that consisted of the area within the boundaries of each participating city and the area of the county outside the boundaries of any incorporated city;
- ✓ Provided that upon formation, every duty of the city or county fire chief devolved to the Metropolitan Fire Chief and that contracts to furnish fire fighting or emergency medical services must be made with the Metropolitan Fire Chief and not with the participating jurisdictions;
- ✓ Required that the new department have a civil service system, with its own civil service board and that board shall prepare and adopt all civil service procedures for recruitment, examination, and classification of employees, as well as for promotion, discipline and removal of employees; and,
- ✓ Required the transfer of all personal property devoted to fire fighting and emergency medical services owned by the participating jurisdictions to the Metropolitan Fire Department.

Chairman Breternitz said the County was reviewing their circumstances creatively, but this was a heavy-handed, one size fits all approach.

Commissioner Humke asked if a fiscal note was required on this bill. Mr. Slaughter replied staff had not been asked to prepare a fiscal note. Commissioner Humke said if a fiscal note was required, that requirement would be stamped on the bill. Mr. Slaughter replied this bill did not have that request. He explained the bill was printed with the statement, “no fiscal effect on the local government.”

Commissioner Jung said this bill was constraining and did not leave for the local voice. She said this Board had been diligent in allowing the ability to address solutions with all ideas and possible options.

On motion by Commissioner Weber, seconded by Commissioner Humke, which motion duly carried, it was ordered that the Board of County Commissioners oppose AB 278.

Chairman Breternitz requested the bill related to Nevada pulling out of the Tahoe Regional Planning Agency (TRPA) be brought forward for discussion.

**11-266      AGENDA ITEM 21 – REPORTS AND UPDATES**

**Agenda Subject: “Reports/updates from County Commission members concerning various boards/commissions they may be a member of or liaison to (these may include, but not be limited to, Regional Transportation Commission, Reno-Sparks Convention & Visitors Authority, Debt Management Commission, District Board of**

**Health, Truckee Meadows Water Authority, Organizational Effectiveness Committee, Investment Management Committee, Citizen Advisory Boards).”**

Commissioner Weber announced that a town hall meeting was scheduled for March 26, 2011 in Gerlach in regards to the closure of the U.S. Gypsum plant. She said she attended a fund-raising event for the Friends of Black Rock/High Rock and also visited a new display at the Sparks Heritage Museum about space and the Rocketdyne venture once located in the Spanish Springs area. She announced she would attend the Reno-Sparks Convention and Visitors Authority (RSCVA) Board meeting and a meeting in Carson City to work on Community Development Block Grant (CDBG) proposals for the Heppner Subdivision and the Sun Valley sidewalks.

Commissioner Jung said she participated in the SPCA Annual Telethon and noted their goal was exceeded and that approximately \$52,000 was raised. She stated that she served on the Sierra Nevada Job Corp Centers Accreditation Steering Committee and that the County had begun to work more closely with that group and that she was working closely with their work-base coordinator in allowing Job Corp interns becoming more dispersed throughout the County. She attended the Library Board of Trustees meeting and remarked that the *Reno Gazette Journal* had not maintained their archival system since 2003, but County Libraries had kept that archived information. She noted that the Library Board would further investigate that service provided to citizens. Commissioner Jung said the Regional Jobs Team held their monthly meeting and she encouraged the other Board members to attend their meeting in April where venture capital and start-up investments would be discussed.

Due to the incoming inclement weather, Chairman Breternitz noted that the Tahoe Regional Planning Agency (TRPA) meeting had been cancelled.

**11-267            AGENDA ITEM 20 – DISTRICT ATTORNEY**

**Agenda Subject: “Second reading and adoption of an Ordinance amending the Washoe County Code repealing certain sections of Chapter 55 relating to penalties established for violations of the animal control provisions and by enacting provisions regarding animal control in Washoe County by setting forth unlawful acts relating thereto, proscribing criminal and civil penalties for violations of the animal control provisions, by allowing the utilization of Washoe County’s civil enforcement process; and providing for other matters properly relating thereto (Bill No. 1639). (All Commission Districts.)”**

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

In reference to Chapter 55.800(2), Commissioner Humke said each day that a violation occurred constituted a separate offense and asked if after 10 days there could be a \$1,000 penalty. Terry Shea, Deputy District Attorney, stated that was the import of that statement and was the existing language. Commissioner Humke asked if a



Notice of Civil Penalty (NCP) could be written by a law enforcement officer or an animal control employee. Mr. Shea clarified that an NCP could be written by a Peace Officer or an Animal Control Officer, not an Animal Control Officer designee and noted that language regarding designees had been omitted from the ordinance. Commissioner Humke stated the collected penalties would be placed into the County's General Fund and asked if those funds would be further directed back to Animal Control's budget. Mr. Shea stated those funds were not directed to go back to that budget and would remain in the General Fund.

Commissioner Humke inquired on the \$25 Assessment Fee. Mr. Shea explained that Assessment Fee would be placed into the General Fund and noted anything collected through the NCP process would be placed into the General Fund. Commissioner Humke asked for an explanation on how a NCP would become a criminal offense. Based on a statement of discretion from the Board of County Commissioners directed to Animal Services and/or a Peace Officer, if a single animal owner were to violate the same ordinance within a three-year period, a criminal citation could then be issued. Justice Court would then hear the case and the District Attorney's Office would be prepared to prosecute those offenses as crimes.

Commissioner Humke said the existing ordinance had been in affect for five years, which matched the date of the consolidation of Animal Control. Mr. Shea stated that was correct. He explained the changes in Chapter 55.800 came about due to budget constraints and manpower considerations.

Amy Harvey, County Clerk, read the title for Ordinance No. 1460, Bill No. 1639.

In response to the call for public comment, Laretta Nawojski stated her concerns regarding the ordinance.

On motion by Commissioner Jung, seconded by Chairman Breternitz, which motion duly carried, it was ordered that Ordinance No. 1460, Bill No. 1639, entitled, "**AN ORDINANCE AMENDING THE WASHOE COUNTY CODE REPEALING CERTAIN SECTIONS OF CHAPTER 55 RELATING TO PENALTIES ESTABLISHED FOR VIOLATIONS OF THE ANIMAL CONTROL PROVISIONS AND BY ENACTING PROVISIONS REGARDING ANIMAL CONTROL IN WASHOE COUNTY BY SETTING FORTH UNLAWFUL ACTS RELATING THERETO, PROSCRIBING CRIMINAL AND CIVIL PENALTIES FOR VIOLATIONS OF THE ANIMAL CONTROL PROVISIONS, BY ALLOWING THE UTILIZATION OF WASHOE COUNTY'S CIVIL ENFORCEMENT PROCESS; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO (BILL NO. 1639),**" be approved, adopted and published in accordance with NRS 244.100. It was further ordered that staff be directed to report any unintended consequences that may occur from the ordinance.

\* \* \* \* \*

**6:18 p.m.** There being no further business to discuss, on motion by Commissioner Humke, seconded by Commissioner Jung, 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:  
Stacy Gonzales, Deputy County Clerk*

**RESOLUTION OF INTENT TO LEASE**

A RESOLUTION DECLARING THE COUNTY'S INTENT TO LEASE A GARAGE/STORAGE STRUCTURE (600 SF) LOCATED AT MARTIN LUTHER KING JR. PARK LOCATED AT 305 CORETTA WAY, TO GRAND VIEW TERRACE GENERAL IMPROVEMENT DISTRICT, AS AUTHORIZED WITHIN NRS 277.050; AND OTHER MATTERS PROPERLY RELATED THERETO.

**WHEREAS**, Washoe County owns a certain parcel of real property located at 305 Coretta Way, Reno, Nevada, (the Martin Luther King Jr. Memorial Park); and

**WHEREAS**, the Grand View Terrace General Improvement District has requested to lease a small garage/storage structure (approximately 600 SF) to construct office space to provide an increased level service to the customers and residents in the community; and

**WHEREAS**, Nevada Revised Statutes 277.050 authorizes the Washoe County Board of Commissioners to sell, or lease to another public agency, the State of Nevada or a department or agency of the State or an Indian tribe, for a term not exceeding 99 years, any real property belonging to it.

**WHEREAS**, the Grand View Terrace General Improvement District has requested that Washoe County, lease the space for one dollar a year, plus the costs associated with improvements, general maintenance and utilities for a forty-eight (48) month term; and

**WHEREAS**, Washoe County will schedule this proposal for its next public meeting on April 12, 2011 to allow for any comments to this action and confirmation of the findings as required within NRS 277.050; and

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

1. That it has the authority to lease said property to the Grand View Terrace General Improvement District without offering said real property to the public as authorized within 277.050; and

1-243

2. The Board of County Commissioners shall determine the rental amount; the Grand View Terrace General Improvement District has offered the sum of one dollar a year, plus the costs associated with improvements, general maintenance and utilities for a forty-eight (48) month term; and
3. The Board of County Commissioners will discuss this on April 12, 2011 to allow for any objections to this property action; and
4. Upon approval by the Washoe County Board of Commissioners at its regularly scheduled meeting and satisfaction of all terms and conditions, the Chairman shall be authorized to execute lease and to deliver it to Lessee upon the performance and compliance of all the terms and conditions of the lease to be performed concurrently with the delivery.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2011 by the following vote:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

\_\_\_\_\_  
 John Breternitz, Chairman  
 Washoe County Commission

ATTEST:

\_\_\_\_\_  
 Amy Harvey, County Clerk

**RESOLUTION TO SET FEES  
JULY 1, 2011**

WHEREAS, the Board of County Commissioners of Washoe County, pursuant to NRS 259.025 and Washoe County Code Chapter 35.290 has the authority to create fees and charges for the Medical Examiner/Coroner's Office; and

WHEREAS, the Medical Examiner/Coroner's Office provides autopsies, medical examinations, and other related services to extra-jurisdictional governmental agencies; and

WHEREAS, the Medical Examiner/Coroner's Office seeks to recover the costs associated with the provision of such services to those extra-jurisdictional governmental agencies; now, therefore, be it

RESOLVED by the Board of Commissioners of Washoe County that it is the intention of the Board to set and approve fees that the Medical Examiner/Coroner's Office may charge and collect from extra-jurisdictional government agencies for services rendered as follows:

Postmortem Examinations:

Autopsy – Medical Examiner Fee	\$ 1,150.00
External (Medical) Exam – Medical Examiner Fee	\$ 350.00
Autopsy – Facility Use Fee	\$ 550.00
External (Medical) Exam – Facility Use Fee	\$ 275.00
Phone consultation for case sign-out – Medical Examiner Fee	\$ 200.00
Toxicology Review / Interpretation Fee	\$ 50.00

Legal Consultation and Testimony by Medical Examiner (per District Attorney or other Attorney/Court):

Case preparation	\$ 300.00/hour
Records review	
Phone consultation/conference	
Research for case	
Report preparation and other than items provided	
Travel time	\$ 300.00/hour
Wait time	\$ 300.00/hour
Travel Expense - Actual Cost (per approval or arrangement by referring agency)	
May include:	
Airfare	
Vehicle rental	
Mileage allowance per IRS rules	
Overnight lodging	

11-2-11

Testimony (Court, Grand Jury, Deposition)

\$ 400.00/hour

All fees for services rendered pursuant to contracts with extra-jurisdictional agencies and this Resolution shall become effective July 1, 2011 and be deposited in the County's General Fund.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

BOARD OF COUNTY COMMISSIONERS  
OF WASHOE COUNTY

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

ATTEST:

\_\_\_\_\_  
County Clerk