

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

TUESDAY

10:00 A.M.

OCTOBER 23, 2012

PRESENT:

Robert Larkin, Chairman
Bonnie Weber, Vice Chairperson
John Breternitz, Commissioner
Kitty Jung, Commissioner
David Humke, Commissioner

Nancy Parent, Chief Deputy Clerk (10:05 a.m. – 4:33 p.m.)

Amy Harvey, County Clerk (6:04 p.m. – 6:28 p.m.)

Katy Simon, County Manager

Paul Lipparelli, 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 Chief Deputy Clerk called the roll and the Board conducted the following business:

12-988 AGENDA ITEM 3 – 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.”

Christopher Corbett spoke about the National Defense Authorization Act (NDAA). A copy of his comments, a petition, and additional documents were placed on file with the Clerk.

In response to applause by members of the audience, Chairman Larkin advised the Board maintained a sterile meeting environment and any further applause could result in the Board calling a recess.

Janet Phillips said she spent the last few years creating a bike trail along the Truckee River from Lake Tahoe to Pyramid Lake. She stated this summer the trail received a national award from the Coalition for Recreational Trails for the best long-distance trail planning in the country, which was a huge honor. She stated without the support of the County and the Cities in the early days of the project, this point would never have been reached; and she thanked the Commissioners for their support.

Ted Levatter requested the Commission nullify Sections 1021 and 1023 of the NDAA. A copy of his comments was placed on file with the Clerk.

10:13 a.m. In response to applause, Chairman Larkin called a recess.

10:19 a.m. The Board reconvened.

Joe Taglieber said the federal government had not learned any lessons from its World War II internment camps, where it unlawfully held people based on racial prejudice and wartime hysteria. He stated he supported nullifying the NDAA.

12-989 AGENDA ITEM 4 – 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.)”

Commissioner Jung requested a report on the National Defense Authorization Act (NDAA) regarding what the best practices were nationwide and what legal counsel’s advice would be. She said it could become an agenda item if appropriate.

Commissioner Humke requested an agenda item regarding working with the region’s other fire agencies to create a citizen’s blue-ribbon committee to review and make recommendations on creating a regionalized fire and emergency response service.

Commissioner Humke advised the Reno-Sparks Convention and Visitors Authority (RSCVA) Board asked the RSCVA’s Executive Director to formulate certain goals by which he could be measured. He believed it would be appropriate to have the Commissioners review and comment regarding how accurately those goals measured performance, rather than them being vetted only by the Commission’s representatives on the RSCVA.

Later in the meeting, Katy Simon, County Manager, announced today was Commissioner Humke’s birthday.

12-990 AGENDA ITEM 5 – EXCELLENCE IN PUBLIC SERVICE

Agenda Subject: “Presentation of Excellence in Public Service Certificates honoring the following Washoe County employees who have completed essential employee development courses--Human Resources.”

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

Essentials of High Performing Teams

Oscar Torres, Juvenile Services
Catherine Riordan, Treasurer's Office
Julie Munoz, Treasurer's Office
Moni Fox, Technology Services
Lori Petersen, District Attorney

12-991 AGENDA ITEM 6 - PROCLAMATION

Agenda Subject: "Proclamation--November 2012 as Pancreatic Cancer Awareness Month in Washoe County. (All Commission Districts.) Requested by Commissioner Breternitz."

Commissioner Breternitz read and presented the Proclamation to Virginia and Stuart Jed. Ms. Jed thanked the Board for proclaiming November as Pancreatic Cancer Awareness Month. She said her husband was diagnosed in 2005 with stage 4 pancreatic cancer. She stated he had a positive result after six months of intensive chemotherapy and that positive result enabled him to have surgery three years ago. She said since then he had been cancer free.

Mr. Jed said there were 48 people with him in the chemotherapy-clinical trials, but he was the only one still alive. He stated there was a purpose to his still being alive, which was to continue to push people to talk to their health-care providers about the symptoms of pancreatic cancer. He thanked the Commissioners for the Proclamation.

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 6 be adopted.

12-992 AGENDA ITEM 7 - PROCLAMATION

Agenda Subject: "Proclamation--November 2012 as National Family Caregivers Month--Senior Services. (All Commission Districts.)"

Commissioner Jung read and presented the Proclamation to Grady Tarbutton, Senior Services Director; Diane Ross, CEO/President of The Continuum and Chair of the Nevada Caregiver Coalition; and Patricia Capello, Daybreak Program.

Mr. Tarbutton said the impact of caregivers on families and the community was immeasurable, and he spoke about the Daybreak Program providing a safe place for caregivers to bring a dependent adult. He stated the cost of the Daybreak Program averaged \$11,000 per year per client served, but a nursing home would cost \$600,000 over ten years. He said those types of programs made a huge difference and helped keep families together.

Ms. Ross said on November 15, 2012, the Nevada Caregiver Collation was sponsoring the Caregiver Awards Luncheon. She stated the “Double Life” category was new this year and was created to honor caregivers who also worked. She stated safety nets were needed for all of the caregivers, who were truly silent heroes.

Ms. Capello applauded the family caregivers for their commitment to their family members. She said the Daybreak Program supported those caregivers and gave them some respite, which then allowed them to continue to provide the high-quality care their family members needed.

There was no public comment on this item.

On motion by Commissioner Jung, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 7 be adopted.

12-993 AGENDA ITEM 8 - PROCLAMATION

Agenda Subject: “Proclamation--October 23, 2012 as EnergyFit Nevada Day. (All Commission Districts.)”

Chairman Larkin read the Proclamation, and he and Commissioner Jung presented it to Kevin Dick, Air Quality Management Director and HomeFree Nevada Board President; Denee Evans, HomeFree Nevada Executive Director; Stacey Crowley, Nevada State Office of Energy Director; Shelly Specchio, HomeFree Nevada Board Director; and Kevin Hill, Nevada State Office of Energy - Energy Project Manager.

Commissioner Jung said the EnergyFit Nevada initiative had been championed by the Regional Jobs Network because it would help consumers to cut high energy costs. She advised federal income tax credits were also available to help consumers pay for projects to reduce their energy usage. She noted another benefit was it provided work for contractors who would be paid through this initiative. She spoke about her insulating her attic two years ago, which reduced her annual heating costs an average of 30 percent. She believed after taking advantage of the rebates and tax credits, it only cost her \$300 to insulate the attic. She encouraged everyone to take advantage of this program. She said if someone did the energy assessment, they did not have to do everything suggested; but could do only what they could afford. She explained there was a brochure available explaining the program and that information would also be placed on the County’s web site. A copy of the brochure was placed on file with the Clerk.

Ms. Crowley said everyone was being encouraged to take advantage of this program. She stated 28 phone calls from Northern Nevada residents were received since yesterday’s press conference inquiring about participating in the program. She said besides generating energy savings, the program would create jobs because more auditors would be needed to conduct the energy assessments.

Ms. Evans thanked the Commissioners for the Proclamation. She said the winter special would be the most aggressive rebate to date, because homeowners who could increase their home's energy efficiency by at least 30 percent could receive a rebate of up to \$3,000. She advised \$199 was the cost for the energy assessment, which typically could cost up to \$700. She encouraged the Commissioners to do an assessment, so they could become advocates for the program.

Chairman Larkin noted he would be issuing a challenge to the Cities of Reno and Sparks regarding energy savings. He said yesterday Sparks issued a challenge to its residents, and he felt the County should issue a challenge to its residents as well. He said all of this information would be put on the County's web site.

There was no public comment on this item.

On motion by Commissioner Humke, seconded by Chairman Larkin, which motion duly carried, it was ordered that Agenda Item 8 be adopted.

CONSENT AGENDA – ITEMS 9A THROUGH 9K(3)

12-994 AGENDA ITEM 9A

Agenda Subject: “Cancel November 20, 2012 and November 27, 2012 County Commission meetings.”

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 9A be approved.

12-995 AGENDA ITEM 9B – DISTRICT ATTORNEY

Agenda Subject: “Approve payments [\$3,937.50] to vendors for assistance of 19 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--District Attorney. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 9B be approved.

12-996 AGENDA ITEM 9C – FINANCE

Agenda Subject: “Acknowledge receipt of the Interim Financial Report for Washoe County Governmental Funds for the three months ended September 30, 2012- Unaudited--Finance. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Humke,, which motion duly carried, it was ordered that Agenda Item 9C be acknowledged.

12-997 AGENDA ITEM 9D – HEALTH DISTRICT

Agenda Subject: “Approve amendments [increase of \$54,980 in both revenue and expense] to the FY 13 Title X Family Planning Federal Grant Program, IO 10025; and if approved, direct the Finance Department to make the appropriate budget adjustments--Health District. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Humke, which motion duly carried with Commissioner Weber voting “no,” it was ordered that Agenda Item 9D be approved and directed.

12-998 AGENDA ITEM 9E – MANAGER/EMERGENCY SERVICES

Agenda Subject: “Accept 2010 Department of Homeland Security, State Homeland Security Program Exercise Grant, [\$42,500, no match required] of which no more than \$3,250 will be spent on refreshments for exercises; and, if accepted direct the Finance Department to make the appropriate budget adjustments--Manager/ Emergency Services. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 9E be accepted and directed.

12-999 AGENDA ITEM 9F – SPARKS JUSTICE COURT

Agenda Subject: “Accept grant award [\$25,100, no County match] from the Nevada Supreme Court Administrative Office of the Courts to purchase and install a JAVS (Jefferson Audio Video System) recording system at Sparks Justice Court; authorize the Sparks Justice Court to execute the agreement and direct the Finance

Department to make the necessary adjustments--Sparks Justice Court. (Commission Districts 3, 4 & 5.)”

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 9F be accepted, authorized, executed, and directed.

12-1000 AGENDA ITEM 9G – TECHNOLOGY SERVICES

Agenda Subject: “Approve storage technology donation from Dell [worth \$90,593.32] for Technology Services--Technology Services. (All Commission Districts.)”

Commissioner Jung acknowledged Dell’s storage technology donation and accepted the donation with the gratitude of the Board.

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 9G be approved.

12-1001 AGENDA ITEM 9H(1) – COMMUNITY SERVICES

Agenda Subject: “Approve Memorandum of Understanding between Washoe County and the U.S. Department of the Interior, Bureau of Land Management, Nevada State Office that will give the County “Cooperating Agency” status in the Environmental Impact Statement process for the preparation of the Resource Management Plan and Environmental Impact Statement for the “Greater Sage-Grouse National Planning Strategy, Great Basin Region, Nevada-Northeast California Subregion”--Community Development. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 9H(1) be approved.

12-1002 AGENDA ITEM 9H(2) – COMMUNITY SERVICES

Agenda Subject: “Approve Employee Residence Agreement between Washoe County and Rhonda Morrison, (a Washoe County Sheriff’s Office Deputy) allowing this employee to reside in a County-owned residence located in Gerlach, Nevada. Community Services Department through its Operations Division will provide on-going maintenance estimated to be nominal in value and will be absorbed within the

adopted operating budget of the Department; the employee will pay all utility expenses incurred--Public Works. (Commission District 5.)”

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 9H(2) be approved.

12-1003 AGENDA ITEM 9H(3) – COMMUNITY SERVICES

Agenda Subject: “Adopt a Resolution Accepting Real Property for Use as a Public Street (Viola Way and Washoe Drive, Washoe Valley, APN 050-234-32 totaling 208 square feet) for use as a public street right-of-way; and if approved, direct the Acting Public Works Director to record the Resolution--Public Works. (Commission District 2.)”

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 9H(3) be adopted, approved, and directed. The Resolution for same is attached hereto and made a part of the minutes thereof.

12-1004 AGENDA ITEM 9H(4) – COMMUNITY SERVICES

Agenda Subject: “Approve Employee Residence Agreement between Washoe County and William Ware, (a Washoe County Park Ranger I) for residing in a County-owned residence located at Rancho San Rafael, 1595 N. Sierra Street, Reno, Nevada--Regional Parks and Open Space. (Commission District 3.)”

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 9H(4) be approved.

12-1005 AGENDA ITEM 9H(5) – COMMUNITY SERVICES

Agenda Subject: “Reject all bids for the Truckee Canyon Residuals Management Facilities Improvements project--Water Resources. (Commission District 4.)”

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 9H(5) be rejected.

12-1006 AGENDA ITEM 9I(1) – HUMAN RESOURCES

Agenda Subject: “Approve finalized list of deletions to authorized positions in conjunction with previously approved department reduction plans. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 9I(1) be approved.

12-1007 AGENDA ITEM 9I(2) – HUMAN RESOURCES

Agenda Subject: “Approve a procedural change to allow Board agenda items for classification actions to be brought to the Board more frequently than the current quarterly schedule provides for. Permanent changes of responsibilities impacting an authorized position, which may reasonably require reclassification of the position or establishment of a new classification, should be submitted as part of the annual budget process. Organizational changes, and/or program changes or other emergency situations may require the process of requests for reclassification during the fiscal year. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 9I(2) be approved.

12-1008 AGENDA ITEM 9I(3) – HUMAN RESOURCES

Agenda Subject: “Approve reclassification requests as evaluated by the Job Evaluation Committee to include: one Plans Examiner in the Community Services Department/Building and Safety [annual fiscal impact \$21,667]; one upgrade to Department Computer Application Specialist in the Sheriff’s Office [annual fiscal impact \$4,115]; downgrades to two Office Assistant II’s in the Sheriff’s Office [annual cost savings \$18,698]; one lateral reclassification to Office Support Specialist in the Sheriff’s Office [no fiscal impact]; and one upgrade to Office Support Specialist in the Sheriff’s Office [annual fiscal impact of \$9,349]. [Total annual general fund fiscal impact is -\$5,234; total annual fiscal impact in Building and Safety is \$21,667]. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 9I(3) be approved.

12-1009 AGENDA ITEM 9I(4) – HUMAN RESOURCES

Agenda Subject: “Adopt revisions to the Washoe County Substance Abuse Policy and Procedures, which have been updated to include references to the Drug Free Workplace Act specific to drug-free workplace requirements for Federal grant recipients. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 9I(4) be adopted.

12-1010 AGENDA ITEM 9J(1) – SENIOR SERVICES

Agenda Subject: “Accept cash donations [\$7,350.21] for the period of July 1, 2012 through September 30, 2012 for the first quarter of FY 12/13; and if accepted, direct the Finance Department to make the appropriate budget adjustments. (All Commission Districts.)”

Commissioner Jung acknowledged the cash donations and accepted them with the gratitude of the Board. She noted Joseph Martin, U.S. Auto Title Loan, was instrumental in obtaining 300 fans during the fan drive to supply fans to homebound seniors.

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 9J(1) be accepted and directed.

12-1011 AGENDA ITEM 9J(2) – SENIOR SERVICES

Agenda Subject: “Approve Amendment to Interlocal Governmental Agreement - Sparks Senior Citizens Center dated July 23, 1990 between Washoe County and the City of Sparks concerning operations at the Sparks Senior Center thereby rescinding the first amendment dated July 25, 2011. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 9J(2) be approved.

12-1012 AGENDA ITEM 9K(1) – SHERIFF

Agenda Subject: “Accept donation of training aids [valued at \$670] from the Nevada Department of Taxation for the Washoe County Sheriff’s Office use in the

Standard Field Sobriety Training event held for the Northern Nevada Law Enforcement Academy. (All Commission Districts.)”

Commissioner Jung acknowledged the donation of the training aids from the Nevada Department of Taxation and accepted the donation with the gratitude of the Board.

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 9K(1) be accepted.

12-1013 AGENDA ITEM 9K(2) – SHERIFF

Agenda Subject: “Authorize the establishment of a vehicle leasing program for the Washoe County Sheriff’s Office to be administered by the Equipment Services Division of Public Works, and approve 12 month extension of the current agreement with Enterprise Fleet Management, Inc. to continue as the vehicle provider for 20 unmarked SUV’s at a cost of \$73,243.68; and if approved, authorize the Purchasing and Contracts Manager to extend the Master Walkaway Lease Agreement and to release a Request for Proposal for the vehicle leasing program prior to the expiration of the contract extension period. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 9K(2) be authorized and approved.

12-1014 AGENDA ITEM 9K(3) – SHERIFF

Agenda Subject: “Approve Sheriff’s Security Agreement between I-10 Race Promotions, Inc. (dba: Lucas Oil Off Road Racing Series) and the Washoe County Sheriff’s Office to provide uniformed Deputy Sheriffs for security (costs to be reimbursed by Lucas Oil) during 2012 through 2014 Lucas Oil Off Road Racing Series events to be held in Washoe County. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 9K(3) be approved.

10:56 a.m. Commissioner Humke left the meeting.

BLOCK VOTE – AGENDA ITEMS 12, 13, AND 15

12-1015 AGENDA ITEM 12 – RENO JUSTICE COURT

Agenda Subject: “Recommendation to acknowledge Reno Justice Court’s reorganization/succession strategy, which includes the reclassification of seven positions [estimated at \$45,200/year]; and the temporary out of class pay for five positions [estimated at \$18,000/year] to be funded with Administrative Assessment funds through FY 13/14 and, if resources are available, considered for General Fund support thereafter; direct the Human Resources and Finance Department to make the necessary adjustments effective November 5, 2012--Reno Justice Court. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Breternitz, which motion duly carried with Commissioner Humke absent, it was ordered that Agenda Item 12 be acknowledged, considered, and directed.

12-1016 AGENDA ITEM 13 – SPARKS JUSTICE COURT

Agenda Subject: “Recommendation to approve furniture purchase for the “Sparks Justice Court Tenant Improvement” project utilizing an existing State of Nevada contract with Reno Business Interiors, Inc. [\$400,000, funding source Capital Facilities Tax Fund CF890372 (Sparks Justice Facility)]--Sparks Justice Court. (Commission Districts 3, 4 and 5.)”

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Breternitz, which motion duly carried with Commissioner Humke absent, it was ordered that Agenda Item 13 be approved.

12-1017 AGENDA ITEM 15 – SOCIAL SERVICES

Agenda Subject: “Recommendation to accept grant [\$2,929,674, with \$325,524 County match required, \$161,460 in-kind salary/benefits and \$164,064 cash] from the Federal Administration for Children and Families to prevent long-term foster care for FFY 2013, and request Finance to make the necessary budget adjustments--Social Services. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Breternitz, which motion duly carried with Commissioner Humke absent, it was ordered that Agenda Item 15 be accepted and requested.

10:59 a.m. Commissioner Humke returned to the meeting.

12-1018 AGENDA ITEM 16 – LIBRARY

Agenda Subject: “**Recommendation to appoint one individual to fill the vacant Washoe County Library Board of Trustees Seat, with term effective November 1, 2012 through June 30, 2014--Library. (All Commission Districts.)**”

Katy Simon, County Manager, said additional applications for the vacant Library Board of Trustees seat were provided to the Board earlier today. Chairman Larkin stated this item would be brought back later in the meeting, which would allow the Commissioners time to consider the additional applications.

11:00 a.m. The Board convened as the Truckee Meadows Fire Protection District (TMFPD) and the Sierra Fire Protection District (SFPD) Board of Fire Commissioners.

11:36 a.m. The Board adjourned as the Truckee Meadows Fire Protection District (TMFPD) and the Sierra Fire Protection District (SFPD) Board of Fire Commissioners and reconvened as the Board of County Commissioners (BCC).

12-1019 AGENDA ITEM 11 – APPEARANCE

Agenda Subject: “**Appearance: Jeff Hale, Engineering Director, Regional Transportation Commission -- Presentation regarding Regional Transportation Commission’s Street and Highway Program; and, recommendation to approve an Interlocal Cooperative Agreement Approving RTC Program of Projects between the County of Washoe, City Council of Reno, City Council of Sparks and the Regional Transportation Commission of Washoe County for projects included in the Regional Transportation Commission’s Fiscal Year 2013/2014 Regional Road Impact Fee Street and Highway Program of Projects, and the Fiscal Year 2013/2014 Fuel Tax Street and Highway Program of Projects [no fiscal impact to Washoe County General Fund]--Community Services/Public Works. (All Commission Districts.)**”

Jeff Hale, Regional Transportation Commission (RTC), Engineering Director, said he was present to seek approval for the RTC’s Fiscal Year 2013/2014 Road Program. He noted Exhibit A, which was a listing of the proposed projects, included the actual year of construction in parenthesis in the Project column. He conducted a PowerPoint presentation that reviewed the Program’s highlights. A copy of the presentation was placed on file with the Clerk.

11:38 a.m. Commissioner Humke left the meeting.

Katy Simon, County Manager, asked if there was anything on the list that reflected the County's settlement with the State. Kimble Corbridge, Acting County Engineer, said none of these projects were part of the \$6 million settlement. He stated this was the RTC's money.

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried with Commissioner Humke absent, it was ordered Agenda Item 11 be approved. The Interlocal Cooperative Agreement for same is attached hereto and made a part of the minutes thereof.

12-1020 AGENDA ITEM 14 – APPEARANCE

Agenda Subject: “Appearance: Lee Gibson, Executive Director, Regional Transportation Commission and Julie Masterpool, Senior Engineer, Regional Transportation Commission -- Presentation regarding Regional Road Impact Fee Update.”

Chairman Larkin noted this presentation was given to the City of Sparks yesterday, but he was not sure when it would be given to the City of Reno. Lee Gibson, Regional Transportation Commission (RTC) Executive Director, stated the presentation would be given to the City of Reno tomorrow. He said Julie Masterpool, RTC Senior Engineer, would talk about the Fee's history, challenges, specific concerns about the credit buyback program, and summarize the actions taken by the RTC last Friday.

Ms. Masterpool advised the Regional Road Impact Fee (RRIF) Program was developed in 1996 and its features, including the credit program, were highly supported by the private sector. She conducted a PowerPoint presentation on the RRIF Program, which was placed on file with the Clerk.

Ms. Masterpool noted there were two ways to build capacity improvements with the RRIF Program: 1) using the cash collected through the RRIF Program, or 2) by having the developers dedicate right-of-ways and build improvements in conjunction with their development. She explained they received impact fee credits in exchange for doing the work themselves, which could then be used to offset any owed impact fees. She said the credits were important to the RRIF Program, because they built roads and helped the development community share the burden of the capacity improvements, which they might have had to build alone prior to the RRIF Program. She stated the RRIF Program also allowed the development community to time the roadway improvements listed on the Capital Improvement Plan (CIP) with their development plans, rather than waiting until the improvement came up on the community's priority list.

11:45 a.m. Commissioner Humke returned to the meeting.

Ms. Masterpool said the RTC just completed a review of the RRIF Program, and the recommendations were listed on the “RRIF Program Overview Study Recommendations” slide. She noted the credits were good for 20 years and the first credits issued would be expiring in 2016. She explained 1.5 million credits were issued, which represented the \$187 million of infrastructure built with new development, and 900,000 credits were still outstanding because the number of credits being redeemed slowed with the economy. She said since the supply of credits was greater than the demand, the credits being traded in the open market were going for less than the credits’ current value. She stated that made it advantageous for a third-party purchaser to use those credits, rather than paying their impact fees with cash.

Ms. Masterpool stated the development community approached the RTC about buying back a portion of the outstanding credits. She said RTC’s local funding sources were the fuel tax, the sales tax, and the impact fees; which all had limited uses. She said the same was true for the RTC Bonds. She stated one legal opinion noted that under the current law, the RTC could not use the local funding sources to purchase the credits. She said a provision in the Nevada Revised Statutes (NRS) regarding the sales tax could be changed if that was the direction the RTC received. She said there was also an issue brought up that purchasing the credits with RTC funds could make the projects fall under the prevailing wage and bidding process requirements for public works projects. She advised there was no statutory requirement requiring local governments to buy back the credits.

Ms. Masterpool said when looking at whether it would make financial sense to buy the credits back, if the sales tax funds were legally available, the expenditure was projected to be \$5-\$15 million; and she reviewed the assumptions made on the “Financial Analysis Assumptions” slide. She said approximately 200,000 credits would be purchased, which was roughly 20 percent of those still outstanding. She explained that number was arrived at after the Builder’s Association inquired about which credit holders would be interested if the buyback program became available. She said because so many credits were available in the open market and with only buying 200,000 of them, it was anticipated no additional cash would come into the RRIF Program for about 10 to 15 years.

Ms. Masterpool said when looking at that model, the most sensitive items would be what the development rate would be next year, what it would look like into the future, and how many credits would be purchased. She stated purchasing credits took them off the open market and the more credits purchased, the faster cash would start coming into to the Program.

Ms. Masterpool explained sales taxes were used to fund some of the transit system and also the Payment Preservation Program. She said the programmatic impacts were shown on the “Programmatic Impact to the Pavement Preservation Program” slides.

Commissioner Breternitz asked what happened when a credit expired. Ms. Masterpool replied it simply expired. Commissioner Breternitz asked how a developer obtained a credit. Ms. Masterpool explained if a developer wanted to build an improvement on the CIP list, a three-way agreement would be entered into with the developer, the RTC, and the local agency that would take over the improvement. She stated the developer would then build the improvement and submit the invoices to the RTC, so it would know how much it cost the developer to build. He said after the invoices were submitted, the RTC would give the developer credits equal to the cost of the developer's improvements.

Commissioner Breternitz asked if any thought had been given to extending the life of the credits. Ms. Masterpool said doing that had been discussed by the RIFF Technical Advisory Committee, but that would leave the credits in the open market longer and there would be less cash coming into the RRIF Program than would have been if they expired. Commissioner Breternitz agreed the downside would be that no money would be flowing into the RRIF Program, but none was flowing into it anyway due to the market conditions. Ms. Masterpool said that was correct.

Mr. Gibson stated extending the life of the credits gave the developer the ability to cash in the credit for a future project, which was a good thing for the developer; but it would not reduce the number of credits traded in the open market. He stated the challenge was the credits were being exchanged or sold for significantly lower prices than what their surrender value would be. He stated having a development rate that was more like the historic norm would mean the credits would be used, cash would be generated, projects would continue to be funded and built, and the RTC would retain its ability to flexibly use the cash coming in to match State and federal funding sources. Commissioner Breternitz said there would be a long-term detriment to the pavement condition in the area if that funding was used for the credit buyback program. Mr. Gibson said that was correct, and the risk factors included the growth rate and the ability to remove credits from the market.

Chairman Larkin stated the real issue was the sale of credits to outside third parties. He said for example, if a third-party developer from outside the area had a project he wanted to do, he could purchase substantial credits on the open market for a fraction of their worth. He said if the developer gave half of the purchased credits to the RTC, the RTC would still have to come up with the money to build the project; and he asked how that would work. Ms. Masterpool said the RTC would have to come up with other sources of funding. Chairman Larkin stated for example, the money from the Pavement Preservation Program.

Ms. Masterpool advised when a credit was used to pay an impact fee, the roads leading to that new development might not need additional capacity improvements. She said the RRIP Program was used strictly for capacity-increase projects. She stated if the cash that was anticipated to be needed to do a project was not received, either another funding source would have to be found or the capacity improvement would have to be delayed.

Chairman Larkin said it would be in the best interests of everyone involved to solve this problem for future projects that would be happening when the economy started to recover. He stated the Board of County Commissioners (BCC) by ordinance created the RTC. He felt it was the BCC's responsibility to address this issue and to seek out an additional legal premise for buying back the credits, because one legal opinion advised that no existing RTC funds could be used to buy back the outstanding credits. He said that opinion had been challenged because other legal opinions seemed to indicate the RTC could do it. He said he hoped the BCC would agree with seeking additional guidance from the District Attorney's (DA) Office to help with reaching a legal consensus or at least to provide direction.

Commissioner Jung asked if a credit was bought for \$5 would it be reimbursed for that value. Ms. Masterpool said if it was bought for \$5, it would still be reimbursed for its original value when turned in to the RTC. She advised if someone turned in one of the early credits purchased at \$100, it would be worth \$216 currently. Commissioner Jung asked how that would affect the RTC. Ms. Masterpool said the only affect on the RTC was that it encouraged more third parties to buy credits, which would provide the RTC with less cash. Commissioner Jung asked if there was an idea of how many third-party buyers had approached the RTC. Ms. Masterpool said a list was maintained of everyone who owned credits. She stated because so many of the local developers had headquarters in other states, it was hard to say if anybody from outside the area had bought a large volume of credits in anticipation of a future project. Mr. Gibson noted many of the credits held by banks and estates might never be used.

Commissioner Weber said the public should have been made aware of this problem much sooner. She stated the RRIF Program was started because the developers thought it would be a good idea. Ms. Masterpool replied the Blue Ribbon Committee included a lot of the development community who were supportive of the Program. Commissioner Weber said the developers had also been working hard over the last several years to find a remedy. She said she was very concerned about this issue, but she did not see how an answer to it could be found by the end of year.

Commissioner Jung stated at one time, issuing the credits must have been a good idea. She said she understood it was felt the 20-year expiration date for the credits was too long, and she asked what the best practice was nationwide. Ms. Masterpool said it was a successful program initially, but the downturn left a lot of credits available in the open market. She stated nationwide the RRIF Program was unique because it allowed third-party trading, and also because the credits could be used outside of the development where they were earned. She said one idea was the credits might be limited to development of record and more credits could not be earned than could be used, which the RTC currently allowed.

Mr. Gibson said the RTC took action last Friday to suspend looking at the credit buyback program until the legal issues were resolved. He stated work would continue on the prospective items Ms. Masterpool mentioned earlier and to move forward

with an update to the General Administrative Manual. He said if there was a resolution to the legal issues, staff would go back to the financial model to look at the risk factors and try to come up with some sort of resolution.

Mr. Gibson thanked Clara Lawson, Public Works Licensed Engineer; Paul Kelly, Community Development Planner; and Vaughn Hartung, Washoe County Planning Commissioner, who all worked very hard on this extraordinarily complicated matter.

Commissioner Weber said there had been two legal opinions that the credits could not be paid for through the RTC. Mr. Gibson replied that was correct. Commissioner Weber said the RTC Board requested getting an opinion from the Attorney General (AG), but was told they would have to go through the DA's Office. She believed the BCC had the opportunity to ask the DA's Office to ask the AG for an opinion. Chairman Larkin said if that request was made, it would be up to the DA to opine on the BCC's Ordinance. He explained he promised to ask the DA to review the Ordinance in the context of the varying opinions, and for the DA to render an opinion about the questions asked. He said the DA could decline to do so, and he was not sure where that would lead.

Commissioner Weber said she disagreed because she felt there could be a conflict of interest regarding the DA's Office. She believed the RTC Board asked John Fowler, RTC Chief Counsel, to ask the AG about taking on the case. Mr. Fowler said he was instructed by his Board to seek a Legislative Counsel Bureau (LCB) or AG opinion. He advised the LCB rendered advice only to the Legislature and the AG rendered opinions to State agencies, the DA's, and the City Attorneys. He said he went to the DA and was told they were still mulling it over, but right now they would not pass through a request for the AG's opinion on the legal issues. He advised he had not thought about asking the DA to render an opinion, which was an approach that could be taken.

Paul Lipparelli, Legal Counsel, said he was not sure the DA's Office had been formally asked to render an opinion or to ask for an opinion from the AG. He stated he agreed with Mr. Fowler that the AG's statute was clear on rendering opinions, and it would only be an opinion regardless of who asked. He stated the BCC might benefit from seeing that analysis and the explanation of the risks and benefits of the various actions but ultimately, if there was a dispute about whether the statutes that governed the expenditure of fuel-tax money could be spent for buying back credits, it would probably be a court that would decide that issue. He said a judicial confirmation process could be pursued, which meant a governmental program would be developed and the court would be asked to validate it upfront; because to not know the answer upfront would risk spending a lot of money and taking actions that could result in significant risk down the road.

Mr. Lipparelli said if he was asked for his opinion, he would give it to the BCC; if asked to request an opinion from the AG, he would confer with Dick Gammick,

District Attorney; and if the BCC wanted a more formal and potentially binding resolution to this issue, the DA's Office might be able to pursue that.

Commissioner Humke asked when the new credits ordinance would be prepared. Ms. Masterpool advised there were some things that could be done now to modify the existing RRIF Program, but the information coming out of the Regional Transportation Plan needed to be incorporated. She believed the list of projects would be available in December 2012/January 2013 for incorporation into the CIP. She said it would be a few months before there would be something to bring back to the local agencies.

Commissioner Humke asked how the RTC Ordinance compared with what Clark County did. Mr. Gibson advised the RTC of Southern Nevada did not use impact fees.

Commissioner Humke stated he was not a big fan of LCB or AG opinions simply because they were opinions. He stated he would respect the DA's opinion because he rendered excellent opinions, but it was still an opinion. He believed the judicial response was the superior path to take.

Commissioner Breternitz felt future Commissioners would benefit from the DA's opinion on this matter.

Chairman Larkin asked what the outcome was at the Sparks City Council meeting. Mr. Gibson said the presentation was given and there was a general discussion similar to this discussion, but absent of discussing any legal avenue to follow. He stated concerns were raised regarding the equity issue, because Sparks felt significant investments in roads had been made by the private sector. He said Sparks also felt there needed to be some resolution to this going forward. He stated there was a question regarding the geographic distribution of excess capacity credit, which meant there were parts of the County where roads were built, but there were vacant parcels adjacent to them. He said those parcels had not been brought into commerce yet, but the credits existed. He stated that issue was part of the analytical issues being looked at. Chairman Larkin asked if there would be an update on what the City of Reno decided at the next RTC meeting. Mr. Gibson replied there would be a full report regarding each entity's comments at the November 19, 2012 meeting.

There was no public comment on this item.

Commissioner Humke agreed with Commissioner Weber this subject was very complicated and that the public had a right to participate. He stated he was not sure the RTC televised their meetings, which was one advantage to bringing this item before the BCC.

Chairman Larkin said a motion was passed at the September 2012 RTC meeting providing for a public involvement process and that outline was brought back to

the RTC. However, at last Friday's meeting it was decided to suspend any further expenditures of public moneys until it was decided whether or not there was a legal basis to do so. He said that precipitated his offer to bring this before the BCC and to seek out legal guidance.

Chairman Larkin said he formally requested the DA provide an opinion on the legal opinions already rendered in this matter and also on any other legal issues the DA believed was important in this matter.

Commissioner Weber advised she and Councilmember Aiazzi raised the issue of there being a possible conflict of interest, because the developers in this community had contributed to the campaigns of those who served on the RTC Board. She felt it was necessary to get an AG's opinion as well as the DA's opinion because of that conflict. Chairman Larkin asked if Commissioner Weber was asking the DA to render an opinion on a particular aspect. Commissioner Weber said she was asking the DA to render an opinion and also to ask the AG to render an opinion if that could be done. She advised Mr. Fowler had indicated the request needed to go to the DA's Office. Mr. Lipparelli explained when asking the AG to render an opinion, the DA was required to provide an analysis of the legal issue, so the AG would understand the question being asked. He stated it was not a simple matter of asking the AG whether fuel tax monies could be spent on refunding impact fee credits. He said whether the DA or the AG was asked to examine the issue, the DA's Office would have to provide the analysis of the legal issues. He said he would certainly want to consider any specifics regarding a conflict of interest, but he was not aware of any such issues at this time.

12-1021 AGENDA ITEM 30 – CLOSED SESSION

Agenda Subject: "Possible Closed Session for the purpose of discussing labor negotiations with Washoe County, Truckee Meadows Fire Protection District and/or Sierra Fire Protection District per NRS 288.220."

There was no closed session.

12:43 p.m. The Board recessed.

1:20 p.m. The Board convened as the South Truckee Meadows General Improvement District (STMGID) Board of Trustees with Commissioner Jung absent.

3:13 p.m. The Board adjourned as the South Truckee Meadows General Improvement District (STMGID) Board of Trustees and reconvened as the Board of County Commissioners (BCC) with Commissioner Jung absent.

12-1022 AGENDA ITEM 19 – WATER RESOURCES

Agenda Subject: “Provide possible direction to Department of Water Resources’ (DWR) staff to facilitate implementation of any South Truckee Meadows General Improvement District (STMGID) Board of Trustee actions relative to the STMGID Feasibility Study or options for the future of STMGID that would involve the participation of DWR staff--Water Resources. To be heard after Agenda Item #18.”

Rosemary Menard, Department of Water Resources Director, advised she wanted staff to work on what the South Truckee Meadows General Improvement District (STMGID) becoming a standalone would mean for the County’s customers, some options staff had been thinking about, and what they would have to do to meet some of the criteria the Truckee Meadows Water Authority’s (TMWA’s) staff laid out. She stated she would bring that information to the Board so they would understand what the implications were as well. Chairman Larkin said that would be helpful, but he noted the TMWA Board gave no directions to staff and they were not authorized to make presentations or make demands of DWR for anything, other than for things pertaining to the merger with DWR. Ms. Menard said she was not referring to that, but to the criteria in the staff report that laid out some things that would have to be addressed if going forward. She stated taking the criteria and the options on the table, she wanted the Board to have the full picture regarding what would have to happen for STMGID to be a standalone and still accomplish the merger. Chairman Larkin agreed that would probably be prudent to do. Ms. Menard said staff would try to get together a staff report for the November 13, 2012 meeting for the Board’s consideration.

There was no public comment on this item.

12-1018 AGENDA ITEM 16 – LIBRARY

Agenda Subject: “Recommendation to appoint one individual to fill the vacant Washoe County Library Board of Trustees Seat, with term effective November 1, 2012 through June 30, 2014--Library. (All Commission Districts.)”

This item was continued from earlier in the meeting.

Chairman Larkin asked Paul Lipparelli, Legal Counsel, to remind the Board of its process for making appointments. Mr. Lipparelli believed Chairman Larkin was referring to the custom of asking applicants to remain outside of the Chambers until it was time for them to speak with the Board. He said that was a request that applicants could decide whether or not to comply with due to this being a public meeting. He stated the appointees must be residents of Washoe County and competent.

Commissioner Weber said she did not want to conduct interviews, because all of the applicants were not asked to be present today. She suggested letting those applicants in attendance speak during public comment.

Commissioner Breternitz asked if any comments had been received from the Library Board regarding any of the applicants. Katy Simon, County Manager, advised there had not been any official communication, but Library staff put information together regarding the candidates. She said the appointment was needed because the Board of Trustees was having quorum problems.

Commissioner Weber noted the staff report indicated another trustee would be retiring soon, and the Board had 13 applications. She asked if the Board could make two appointments. Mr. Lipparelli replied the published agenda advised one individual would be appointed to a vacant seat.

In response to the call for public comment, applicant Mark Brant stated he had an interest for a long time in being on the Library Board of Trustees, but felt it might have been a conflict of interest because his wife worked for the Library. He said because she was retiring, he could put his energy into something that mattered to him.

Commissioner Weber suggested choosing from the three applicants who had volunteered with the Library system, because she believed they would be the best qualified due to them already giving their time to volunteer. She said Mr. Brant was not one of the three, and the three applicants who had volunteered were: Derrick Wilson, John Davis, and Sue Durst. She advised it would be helpful to know which Districts the current Board of Trustees members served, because she would prefer not to have three members representing the same District.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried with Commissioner Jung absent, it was ordered that Derek Wilson be appointed to the Washoe County Library Board of Trustees with a term effective November 1, 2012 through June 30, 2014.

Commissioner Weber said she hoped Mr. Brant would keep his application in for future consideration.

**12-1023 AGENDA ITEM 17 – COMMUNITY SERVICES/REGIONAL
PARKS AND OPEN SPACE**

Agenda Subject: “Recommendation to allow public comment related to and consider any objections to the proposed intent to lease a portion of APN 142-011-07 to Clear Channel Outdoor, Inc.; and if supported, approve Lease Agreement between Washoe County (Landlord) and Clear Channel Outdoor, Inc., (Tenant) for 24 month term commencing retroactively to October 1, 2011, as authorized within NRS 244.2833; [Revenue generation of \$4,000 annually to be allocated to the Parks Department Cost Center 140100-485300]--Community Services/Regional Parks and Open Space. (Commission District 2.)”

Al Rogers, Regional Parks and Open Space Acting Director, submitted a photograph of the billboard’s location, which was placed on file with the Clerk. He said

the Board adopted the Resolution on October 9, 2012 and today's agenda item was to consider the Lease Agreement with Clear Channel Outdoor, Inc. He said the parcel was part of the South Valleys Regional Park, and the billboard did not impact the use of the developed part of the Park. He advised it was a pre-existing billboard, and the compensation would be \$4,000 per year.

Commissioner Humke asked if this land was donated by the previous owner. Mr. Rogers replied it was donated, but there was no duty to keep the billboard as it was.

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried with Commissioner Jung absent, it was ordered that Agenda Item 17 be supported and approved.

12-1024 AGENDA ITEM 20 – DISTRICT ATTORNEY

Agenda Subject: “Discussion and action on stipulation to settle and dismiss Ronning vs. County of Washoe (Case No. CV03-04557) a lawsuit involving Gonowabie Road and Anaho Road at Crystal Bay, Nevada and issues relating to easements, a fence, road signs, excess pavement and the use of a parcel owned by the State of Nevada and other matters properly related thereto; AND Approval of quit claim deed to Grable Ronning releasing the county's interest in any property rights to 400 Gonowabie Road and a parcel on Anaho Road (APN 123-145-02) in exchange for dedication of roadway easements; AND Acceptance of offers of dedication from Grable Ronning for roadway easements over portions of parcels located at 400 Gonowabie Road and a parcel on Anaho Road (APN 123-145-02)--District Attorney. (All Commission Districts.)”

Paul Lipparelli, Legal Counsel, stated this was a proposal to settle a lawsuit from 2003. He said at issue was a fence that the County issued a permit for, but which cut off access to the State's parcel. He said Grable Ronning filed the lawsuit against the County and the State to protect her rights. He stated the background section of the staff report detailed the lawsuit, but the biggest problem faced during the lawsuit was the Crystal Bay Subdivision map was never recorded. He said the usual way in which the County obtained title and how the neighbors understood where all of the roads and easements were did not happen. He stated luckily there were legal doctrines that took the place of a failure to follow procedures and many of the discussions involved some of those legal notions.

Mr. Lipparelli said the settlement was summarized on page 3 of the staff report. He noted the duplicate pages in the stipulation showed the changes made to the stipulation after it was approved in 2009, all which were initialed by the parties approving the changes. He stated the most significant changes were references to the Gonowabie Road survey, which were removed because the survey had been completed,

and the removal of all references to the State's pier next to Ms. Ronning's parcel because it had been removed.

Mr. Lipparelli said the Board's approval of the stipulation would settle and dismiss the lawsuit, approve the quit claim deeds to Ms. Ronning, and to accept a dedication of roadway easement across Gonowabie and Anaho Roads from Ms. Ronning.

Commissioner Breternitz believed approval of this item would be in the best interests of the County.

There was no public comment on this item.

Mr. Lipparelli noted two tiny slivers of land, which determined during the survey to be in excess of Ms. Ronning's needs, were not agendized for today. He said those would be brought back for the Board to consider accepting as dedicated to the County from Ms. Ronning.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried with Commissioner Jung absent, it was ordered that Agenda Item 20 be approved and accepted.

12-1025 AGENDA ITEM 21 – HUMAN RESOURCES

Agenda Subject: "Annual performance evaluation for the Washoe County Manager, including (but not limited to) discussion of goals, objectives and results of County Manager; consider and possibly take action regarding current compensation and approve corresponding changes to existing [or] approve new employee agreement--Human Resources. (All Commission Districts.)"

John Listinsky, Human Resources/Labor Relations Director, reviewed the documents included with the staff report. He noted the process was the same as used in previous years and the surveys were sent out to 56 individuals and 27 responses were received.

Katy Simon, County Manager, said she was going into her 15th year of being the County Manager. She stated she welcomed all of the feedback provided in the evaluation along with the other feedback she received throughout the year. A copy of the e-mails received was placed on file with the Clerk.

Ms. Simon noted the average number of full-time employees (FTE's) per 1,000 in population nationally was 10 for a county of this size, but Washoe County functioned with less than 6 FTE's per 1,000 in population. She said she could not say enough about Washoe County's employees, volunteers, the people who worked on the many boards and commissions, and the elected and appointed department heads. She reviewed the highlights of this year's accomplishments.

Chairman Larkin reviewed the Manager's salary and benefit reductions taken since 2007 as described in the staff report. He stated the Manager led the way by taking those cuts and, if she had not done so, Washoe County would be in very rough shape. He said this morning's Investment Committee meeting showed Washoe County was in good shape, was no longer hemorrhaging, and there were actually some signs of growth. He stated the Manager was well respected throughout the community. He said the Manager's current contract ran through the end of next June, and he asked the Manager what she wanted to do. Ms. Simon replied she would be willing to extend her contract for a year if that was the Board's pleasure.

Commissioner Breternitz said he supported the Manager's contract extension, and he asked if the Chair had any recommendations. Chairman Larkin said his recommendation would be to extend the Manager's contract to June 30, 2014, continue the Manager's current salary and performance standards, and to reestablish the Manager's monthly automobile allowance. Commissioner Breternitz said he was agreeable to that recommendation. Ms. Simon replied she felt the offer was entirely fair.

Commissioner Weber commended and thanked the Manager for her breadth of experience and knowledge regarding Washoe County. She said the Manager was sought after all over the country to speak about what was being done here, and she was thrilled the Manager was remaining with Washoe County.

Commissioner Breternitz said the most impressive thing about Washoe County was its employees who were led by the Manager. He stated it had been a pleasure working with the Manager, who was a top professional.

Commissioner Humke provided some antidotes of how Ms. Simon was always prepared no matter what the discussion involved, which spoke of her communication and leadership skills.

Commissioner Weber said she had been attending all of the community meetings regarding restructuring the Citizen Advisory Boards (CAB's), many of which had very heated discussions. She stated the Manager had been attending most of those meetings and was always able to support staff, the concepts, and the ideas; and she did not believe anyone else in the community could do the job the Manager did, especially with the community's negative climate. She said even so, she never saw the Manager raise her voice or lose her smile; and she wished more people could be like the Manager. Ms. Simon said Commissioner Weber was also doing a great job at the CAB meetings.

Ms. Simon thanked the Commissioners for their very generous praise, the employees for their hard work, and the Human Resources staff for putting the evaluation information together.

There was no public comment on this item.

On motion by Chairman Larkin, seconded by Commissioner Breternitz, which motion duly carried with Commissioner Jung absent, it was ordered that County Manager Katy Simon's contract be extended until June 30, 2014; the current salary, performance standards, and goals be continued; and the \$600 monthly automobile allowance be reinstated.

12-1026 AGENDA ITEM 22 – MANAGEMENT SERVICES

Agenda Subject: “Recommendation to review and approve the Washoe County Employee Lobbying Policy: State Legislature--Management Services. (All Commission Districts.)”

John Slaughter, Management Services Director, said the Board reviewed the Washoe County Employee Lobbying Policy on October 9, 2012 and a request was made to take the Policy back to the department heads for review and comment. He stated Richard Gammick, District Attorney, made the only comment, which was to move forward with the Policy as written.

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried with Commissioner Jung absent, it was ordered that Agenda Item 22 be approved.

12-1027 AGENDA ITEM 23 – MANAGEMENT SERVICES

Agenda Subject: “Update, discussion and possible direction to staff regarding 2012 Nevada Legislative Interim Committees and Studies, legislation or legislative issues proposed by legislators 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--Management Services. (All Commission Districts.)”

John Slaughter, Management Services Director, said the bill draft requests (BDR's) were being tracked. He noted the BDR related to the Consolidated Tax (C-Tax) was available on the Legislative Counsel Bureau's (LCB's) website. He said staff was reviewing that BDR and would return with a recommendation regarding the Board's position as soon as possible. Chairman Larkin said it appeared what was in the C-Tax BDR was what was presented to the Board. Mr. Slaughter said staff was dissecting the BDR line-by-line to make sure it contained nothing the County would have any issue with. Chairman Larkin said the Commissioners would want to stay on top of the C-Tax BDR, because it could rapidly spiral out of control. Mr. Slaughter said staff would be tracking it closely, because people would be attempting to add or remove things.

Mr. Slaughter stated the Regional Planning Governing Board (RPGB) approved the Regional Legislative Memorandum of Understanding (MOU), which staff

was reviewing and would bring back to the Board in December for review and possible approval. He advised the MOU was the region's agreement regarding how the entities would interact and communicate during the upcoming Legislative Session.

In response to the call for public comment, Cathy Brandhorst discussed issues of concern to herself.

Mr. Slaughter said there would be a Local Government Summit on November 16, 2012, which was the day after the NACO conference concluded. He advised the agenda included discussions on economic development, local government revenue, home rule, and probably the C-Tax. He said all of the newly elected Legislators would be invited.

There was no action taken on this item.

12-1028 AGENDA ITEM 24 -- MANAGER

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

Cory Casazza, Chief Information Management Officer, said the Shared Services meeting was held a week ago Monday. He stated the Sheriff's Office and the Reno Police Department shared a dispatch records and case-management software program, which they were just notified would no longer be supported after 2013. He said both entities were working together regarding the feasibility of getting a new system. He stated the November and December Shared Services meetings were cancelled.

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

12-1029 AGENDA ITEM 29 – REPORTS AND UPDATES

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

Commissioner Weber said she recently toured the new Sparks Justice Court facilities and it was a great space. She understood the old location would be closed the last week of December and the new location would open the first week of January 2013.

Commissioner Weber asked when the new Public Works Director and the new Senior Licensed Engineer would be appointed. Katy Simon, County Manager, explained those positions were being phased out with the creation of the new Community Services Department, but the positions needed to remain filled until then.

Commissioner Humke noted Dan Burke, Registrar of Voters, recently had emergency surgery. He stated he visited with him and met his son, who was a great

young man. He said Mr. Burke was chomping at the bit to come back to work, because he was concerned about processing the election. He advised he tried to tell him to stay in the hospital and not to worry because the department was in good hands, which he believed was borne out by the news of how early voting had been going.

Commissioner Humke said the Nevada Association of Counties (NACO) Legislative Committee would meet on November 2, 2012 to discuss the Nevada Department of Transportation (NDOT) wanting to relinquish rights to certain roadways in their inventory to the counties.

Chairman Larkin said he would like an invitation extended to the Commissioner's Elect to participate in the upcoming NACO conference, which would allow them to get acclimated to what was happening. Commissioner Weber said NACO would be giving a reduced rate to the new Commissioners and would be encouraging them to attend. She said it was a good opportunity for the new Commissioners to find out what was going on outside of their own districts.

4:33 p.m. The Board recessed.

6:04 p.m. The Board reconvened with Commissioners Jung and Humke absent.

PUBLIC HEARINGS

12-1030 **AGENDA ITEM 25 – COMMUNITY SERVICES/COMMUNITY DEVELOPMENT**

Agenda Subject: “Development Code Amendment Case No. DCA12-003 (Grading Standards) - Second reading and adoption of an Ordinance amending the Washoe County Code at Chapter 110, Development Code, Article 438, Grading Standards, to make the Code easier for the general public to understand and interpret, establish an enforcement mechanism that incentivizes voluntary compliance, creates a clear system of minor and major grading activities to reduce the number of required special use permits, and incorporate other beneficial changes as may be identified during the public hearing process and properly related to the efficient administration of Article 438 of the Development Code. (Bill 1680)--Community Services/Community Development. (All Commission Districts.)”

6:04 p.m. The Chairman opened the public hearing by calling on anyone wishing to speak for or against adoption of said Ordinance.

Amy Harvey, County Clerk, read the title for Ordinance No. 1499, Bill No. 1680.

Cathy Brandhorst discussed items of concern to herself.

There being no further response to the call for public comment, the Chairman closed the public hearing.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried with Commissioners Jung and Humke absent, Chairman Larkin ordered that Ordinance No. 1499, Bill No. 1680, entitled, "**AN ORDINANCE AMENDING WASHOE COUNTY CODE AT CHAPTER 110, DEVELOPMENT CODE, ARTICLE 438, GRADING STANDARDS, TO MAKE THE CODE EASIER FOR THE GENERAL PUBLIC TO UNDERSTAND AND INTERPRET, ESTABLISH AN ENFORCEMENT MECHANISM THAT INCENTIVIZES VOLUNTARY COMPLIANCE, CREATES A CLEAR SYSTEM OF MINOR AND MAJOR GRADING ACTIVITIES TO REDUCE THE NUMBER OF REQUIRED SPECIAL USE PERMITS, AND INCORPORATE OTHER BENEFICIAL CHANGES AS MAY BE IDENTIFIED DURING THE PUBLIC HEARING PROCESS AND PROPERLY RELATED TO THE EFFICIENT ADMINISTRATION OF ARTICLE 438 OF THE DEVELOPMENT CODE,**" be adopted, approved and published in accordance with NRS 244.100.

12-1031 AGENDA ITEM 26 – COMMUNITY SERVICES/COMMUNITY DEVELOPMENT

Agenda Subject: “Development Code Amendment Case No. DCA12-004 (Storm Drainage Standards) - Second reading and adoption of an Ordinance amending the Washoe County Code at Chapter 110, Development Code, Article 420, Storm Drainage Standards, to add language that will be removed from Article 438, Grading Standards. The subject language pertains to building setbacks from drainage ways, as recommended for adoption by the Washoe County Planning Commission. (Bill No. 1681)--Community Services/Community Development. (All Commission Districts.)”

6:08 p.m. The Chairman opened the public hearing by calling on anyone wishing to speak for or against adoption of said Ordinance. There being no response to the call for public comment, the Chairman closed the public hearing.

Amy Harvey, County Clerk, read the title for Ordinance No. 1500, Bill No. 1681.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried with Commissioners Humke and Jung absent, Chairman Larkin ordered that Ordinance No. 1500, Bill No. 1681, entitled, "**AN ORDINANCE AMENDING WASHOE COUNTY CODE AT CHAPTER 110, DEVELOPMENT CODE, ARTICLE 420, STORM DRAINAGE STANDARDS, TO ADD LANGUAGE THAT WILL BE REMOVED FROM ARTICLE 438, GRADING STANDARDS. THE SUBJECT LANGUAGE PERTAINS TO BUILDING SETBACKS FROM DRAINAGE WAYS, AS RECOMMENDED FOR**

ADOPTION BY THE WASHOE COUNTY PLANNING COMMISSION," be adopted, approved and published in accordance with NRS 244.100.

12-1032 AGENDA ITEM 27 – COMMUNITY SERVICES/COMMUNITY DEVELOPMENT

Agenda Subject: “Development Code Amendment Case No. DCA12-005 (Enforcement) - Second reading and adoption of an Ordinance amending Article 910 (Enforcement) of the Washoe County Development Code (Washoe County Code Chapter 110) to authorize and establish procedures for the use of administrative and civil court proceedings available under Washoe County Code Chapter 125 to enforce development regulations (including the Development Code, building codes, and permits, maps, orders and development agreements issued under them) including the possible use of stop work orders, remediation orders, administrative proceedings (including the use of warnings, civil penalties and hearings before administrative hearing officers), summary and judicial abatement proceedings, civil court actions, and revocation of permits and development agreements in addition to the criminal and civil remedies already available under the present Development Code. The ordinance also establishes requirements and procedures for aggrieved persons to appeal zoning and building code decisions of enforcement officials and administrative hearing officers to the Board of Adjustment, and the judicial review of the decisions of the Board of Adjustment. Recommendations include other matters properly related to enforcement of the Development Code. (Bill No. 1682)--Community Services/Community Development. (All Commission Districts.)”

6:10 p.m. The Chairman opened the public hearing by calling on anyone wishing to speak for or against adoption of said Ordinance.

Amy Harvey, County Clerk, read the title for Ordinance No. 1501, Bill No. 1682.

Cathy Brandhorst discussed matters of interest to herself.

There being no further response to the call for public comment, the Chairman closed the public hearing.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried with Commissioners Jung and Humke absent, Chairman Larkin ordered that Ordinance No. 1501, Bill No. 1682, entitled, "**AN ORDINANCE AMENDING ARTICLE 910 (ENFORCEMENT) OF THE WASHOE COUNTY DEVELOPMENT CODE (WASHOE COUNTY CODE CHAPTER 110) TO AUTHORIZE AND ESTABLISH PROCEDURES FOR THE USE OF ADMINISTRATIVE AND CIVIL COURT PROCEEDINGS AVAILABLE UNDER WASHOE COUNTY CODE CHAPTER 125 TO ENFORCE DEVELOPMENT REGULATIONS (INCLUDING THE DEVELOPMENT CODE, BUILDING CODES, AND PERMITS, MAPS, ORDERS AND DEVELOPMENT**

AGREEMENTS ISSUED UNDER THEM) INCLUDING THE POSSIBLE USE OF STOP WORK ORDERS, REMEDIATION ORDERS, ADMINISTRATIVE PROCEEDINGS (INCLUDING THE USE OF WARNINGS, CIVIL PENALTIES AND HEARINGS BEFORE ADMINISTRATIVE HEARING OFFICERS), SUMMARY AND JUDICIAL ABATEMENT PROCEEDINGS, CIVIL COURT ACTIONS, AND REVOCATION OF PERMITS AND DEVELOPMENT AGREEMENTS IN ADDITION TO THE CRIMINAL AND CIVIL REMEDIES ALREADY AVAILABLE UNDER THE PRESENT DEVELOPMENT CODE. THE ORDINANCE ALSO ESTABLISHES REQUIREMENTS AND PROCEDURES FOR AGGRIEVED PERSONS TO APPEAL ZONING AND BUILDING CODE DECISIONS OF ENFORCEMENT OFFICIALS AND ADMINISTRATIVE HEARING OFFICERS TO THE BOARD OF ADJUSTMENT, AND THE JUDICIAL REVIEW OF THE DECISIONS OF THE BOARD OF ADJUSTMENT. RECOMMENDATIONS INCLUDE OTHER MATTERS PROPERLY RELATED TO ENFORCEMENT OF THE DEVELOPMENT CODE," be adopted, approved and published in accordance with NRS 244.100. Commissioner Breternitz read the findings, shown on page 2 of the staff report, made by the Washoe County Planning Commission as part of the motion.

12-1033 AGENDA ITEM 28 – COMMUNITY SERVICES/COMMUNITY DEVELOPMENT

Agenda Subject: “Regulatory Zone Amendment Case No. RZA12-003 for Mt. Rose Ski Tahoe - A request to amend the Regulatory Zone Map in the Forest Planning Area. The amendment request will re-designate ±106.01 acres on three adjoining parcels from the regulatory zone category of Open Space (OS) to the regulatory zone category of Parks and Recreation (PR). Location: 22215 Mt. Rose Highway, approximately 12 miles west of the Mt. Rose Hwy/U.S. 395 Intersection. Citizen Advisory Board: Galena-Steamboat. Planning Area: Forest. TMSA: Outside the Truckee Meadows Service Area. Project Area: ±106 acres on three adjoining parcels. Existing Master Plan: Open Space (OS). Existing Regulatory Zone: Open Space (OS). Assessor’s Parcel No(s): 048-111-11; 048-050-11 & 048-130-14. Section/Township/Range: Within Sections 18 & 19, T17N, R19E, MDM, Washoe County, NV. Development Code: Authorized in Article 821, Amendment of Regulatory Zone--Community Services/Community Development. (Commission District 1.)”

6:16 p.m. The Chairman opened the public hearing by calling on anyone wishing to speak for or against the Regulatory Zone Amendment.

Grace Sannazzaro, Planner, said she received a couple of public comment letters, which were submitted to the Board, and earlier today she received a phone call in support of the zoning amendment. The caller requested the applicant look out for the interests of the Pine Ridge Water Company when a project was being planned.

Commissioner Breternitz said the letter from Juan Sparhawk indicated there was a concern that clearing the trees would ultimately impact the quality of the Pine Ridge Water Company's drinking water. Lisa Foster, Foster Consulting, said the applicant wanted to put in some ski runs, even though there was no particular project in mind currently, and the applicant would continue to work with the seven homes that were part of the water system as the project went to the next step. She stated the next step would be to bring an actual proposal to the Board, to have a public hearing, and then to work through the federal National Environmental Policy Act (NEPA) process.

Paul Senft, Mt. Rose Ski Tahoe General Manager, said he met with Michael Selby who introduced himself as the President of the Pine Ridge Water Company. He stated he walked the water system with Mr. Selby to get an understanding of how it worked, and he also explained to Mr. Selby what the plans were. Mr. Senft advised the closest ski run would be approximately 400 feet away from the water system, and he did not believe there would be any impact to it. He said the water system was located in a wetland, which the applicant would not be permitted by the Forest Service to disturb in any way. He stated a whole network of trails was planned and there would be some tree cutting, but that should not impact the water system at all. He explained the overall project would be studied by the Forest Service and an Environmental Impact Study (EIS) would be done. He said the EIS was in the works and would take a couple of years to complete. He stated the Forest Service's Hydrologist had been alerted to Mr. Sparhawk's concerns, but the impact of any project would be determined when the EIS was finalized.

Commissioner Breternitz said at this time and without having a specific project design, it would be impossible to measure the project's potential impacts. He said if that statement was accurate, then he was good to go. Mr. Senft said it was accurate. He stated the plan for the project would be modified if it was determined there would be any impact to the water system.

There being no response to the call for public comment, the Chairman closed the public hearing.

Commissioner Weber disclosed she met with Ms. Foster and Mr. Senft regarding this subject.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried with Commissioners Humke and Jung absent, it was ordered that Regulatory Zone Amendment Case No. RZA12-003 for Mt. Rose Ski Tahoe be adopted.

12-1034 AGENDA ITEM 32 – 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.”

Cathy Brandhorst discussed the plight of the homeless.

* * * * *

6:28 p.m. There being no further business to discuss, the meeting was adjourned without opposition.

ROBERT M. LARKIN, Chairman
Washoe County Commission

ATTEST:

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

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

APN: 050-234-32

*When recorded return to:
Washoe County Engineering Division
PO Box 11130
Reno, NV 89520*

**RESOLUTION ACCEPTING REAL PROPERTY
FOR USE AS A PUBLIC STREET
(VIOLA WAY AND WASHOE DRIVE, WASHOE VALLEY)**

Irrevocable Offer of Dedication, William P. Gallagher and Darla M. Gallagher, Southeast quarter (SE ¼) of Section 23, Township 17 North, Range 19 East as described and shown in Exhibit "A" (a copy is attached and is incorporated by reference), DOCUMENT #4154294, RECORDED September 24, 2012.

WHEREAS, it is a function of the County of Washoe to operate and maintain public streets; and

WHEREAS, certain real property as described in Exhibit "A" (a copy is attached and is incorporated by reference) to be used as a public street was offered for dedication by Irrevocable Offer of Dedication, Document No. 4154294 recorded on September 24, 2012; and

WHEREAS, said offer of dedication was rejected by the Director of Community Development; and

WHEREAS, NRS 278.390 specifically provides that if the real property as described in Irrevocable Offer of Dedication Document No. 4154294 is rejected, the offer of dedication shall be deemed to remain open and the governing body may by resolution

at any later date, and without further action by the property owner, rescind its action and accept the real property for public use; and

WHEREAS, said real property being used as a public street is necessary for existing roadway and drainage improvements; and

WHEREAS, said real property is necessary for public access; and

WHEREAS, the Washoe County Board of Commissioners finds that it is in the best interest of the public to accept said real property.

NOW, THEREFORE, BE IT RESOLVED, by the Washoe County Board of Commissioners, pursuant to NRS 244.270, that the real property offered by Irrevocable Offer of Dedication Document No. 4154294 Recorded September 24, 2012, is hereby accepted.

WASHOE COUNTY BOARD OF COMMISSIONERS

Robert M. Larkin

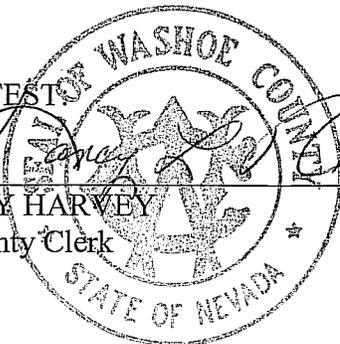
ROBERT M. LARKIN, CHAIRMAN

WASHOE COUNTY COMMISSION

10/23/12, 2012

ATTEST

Amy Harvey
AMY HARVEY
County Clerk



Chief Deputy

EXHIBIT A

Legal Description for Roadway Dedication

All that real property situate within Washoe County, State of Nevada, lying within the Southeast One Quarter of Section Twenty Three, Township Seventeen North, Range Nineteen East, M.D.M., being more particularly described as follows:

Commencing at the most Westerly corner of that parcel described in Grant, Bargain, Sale Deed, File Number 1530546, Book 3380, Page 192, filed in the office of the Washoe County Recorder on December 13, 1991, also being on the Northerly right of way Viola Way as shown on Washoe Terrace Subdivision Tract Map Number 340, File Number 152638, filed in the office of the Washoe County Recorder on May 28, 1947, thence Southeasterly along the Northerly right of way said Viola Way South 45°43'43" East a distance of 309.63 feet to the Point of Beginning;

Thence 45.76 feet along the arc of a 27.00 foot radius tangent curve to the left having a Delta of 97°06'00" to a point on the Westerly right of way Washoe Drive as identified on said Washoe Terrace Subdivision;

Thence on a tangent line along said Westerly right of way Washoe Drive South 37°10'17" West a distance of 30.57 feet to a point on the Northerly right of way said Viola Way;

Thence Northwesterly along the Northerly right of way of said Viola Way North 45°43'43" West a distance of 30.57 feet to the Point of Beginning and end of this description.

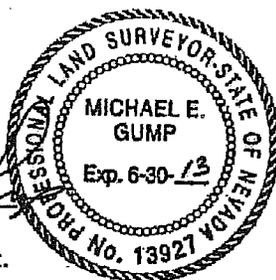
Containing an area of 208 square feet more or less.

Basis of Bearings being the Nevada State Plane Coordinate System, West Zone, NAD 83/94

Description Prepared By:



Michael E. Gump, PLS
Washoe County, Public Works Dept.
1001 East Ninth Street
Reno, NV 89520



9.12.12

**INTERLOCAL COOPERATIVE AGREEMENT
APPROVING RTC PROGRAM OF PROJECTS**

This Agreement is made and executed this ____ day of _____, 2012, by and between the Board of Commissioners of Washoe County, Nevada, hereinafter referred to as "County", the City Council of Reno, Nevada, hereinafter referred to as "Reno", the City Council of Sparks, Nevada, hereinafter referred to as "Sparks", and the Regional Transportation Commission of Washoe County, hereinafter referred to as "RTC".

WITNESSETH:

WHEREAS, on October 19, 2012, the RTC approved the FY 2013/2014 Program of Projects listed on Exhibit A attached to this Agreement. Each project on Exhibit A is referred to herein as a "Project" and all of such Projects are collectively referred to herein as the "Projects".

WHEREAS, the Projects will require pavement maintenance, rehabilitation, reconstruction, new construction or engineering and environmental analysis and may require the acquisition of real property through consensual agreements with the owners or through eminent domain proceedings; and

WHEREAS, pursuant to the requirements of NRS 373.140, NRS 377A.080 and the Regional Road Impact Fee (RRIF) Program, the County, Reno, Sparks, and RTC desire by this Agreement to authorize the Projects and to set forth each entity's respective responsibilities with respect to the Projects.

NOW, THEREFORE, pursuant to the provisions of NRS 373.140, NRS 377A.080, NRS Chapter 277A, and the RRIF Ordinances/Manuals, and in consideration of the mutual promises contained herein and for other good and valuable consideration, it is hereby agreed by and between the parties hereto as follows:

I. APPROVAL OF PROJECTS

A. Reno, the County and Sparks hereby approve each and every Project and authorize the RTC to design, survey, engineer, acquire through purchase or eminent domain real property for, and construct, each of the Projects. Approval for any Project for any fiscal year shall be approval for all continued work by or on behalf of the RTC on that Project for any later

fiscal year. The RTC may expend money from one or more than one of the Regional Street and Highway Fund (the "Fuel Tax Fund"), the Transportation Sales Tax Fund (the "Sales Tax Fund") or the Regional Road Impact Fee Fund (the "RRIF Fund") on each Project as listed on the column next to the Project on Exhibit A. The cost of each Project is estimated by the RTC as shown on Exhibit A. These costs are only estimates and the RTC may expend additional monies from any one or more of the Fuel Tax Fund, the Sales Tax Fund or the RRIF Fund on each Project as such additional expenditures are reviewed and approved by the RTC Staff and/or the RTC Board of Commissioners pursuant to the RTC's policies and procedures.

B. Reno, the County and Sparks hereby authorize the RTC to adopt an appropriate resolutions of condemnation and initiate and prosecute to judgment such eminent domain proceedings as may be necessary for the acquisition of such property within their respective jurisdictions as the RTC deems necessary for the construction and/or maintenance of any Project and, if prudent, future expansions of each Project identified by the Regional Transportation Plan;

II. RTC DUTIES

RTC agrees to perform the followings tasks and the County, Reno and Sparks hereby authorize the RTC to do so:

A. Provide all required services, including but not limited to design, environmental assessments and studies, surveying, construction engineering, construction management and quality assurance inspection, utilizing RTC staff and/or qualified consultants;

B. Obtain appraisal reports for any property being considered as necessary for the implementation of any Project and, if prudent, future expansions of the Project identified within the Regional Transportation Plan, conduct preliminary negotiations with the owners in an effort to arrive at a mutually agreeable purchase price and negotiate, execute and close contracts to purchase the property;

C. Offer not less than the appraisal value for the property and property rights deemed necessary for a Project and, where the prospect of reaching a mutually agreeable purchase price appears unlikely following reasonable negotiations, cause the RTC Board of Commissioners to adopt a "Resolution of Condemnation" finding that particular properties are necessary to the

success of a Project and authorize legal counsel to seek acquisition through eminent domain proceedings;

D. Coordinate all activities related to a Project including, but not limited to, advertising, receipt and review of construction bids, and execution of a contract with the contractor submitting the lowest responsive and responsible bid;

E. Maintain necessary files on each Project;

F. Pay all authorized Project costs from the Fuel Tax Fund, the RRIF Fund or the Sales Tax Fund. Payments for construction or engineering services will be paid to the contractor or consultant upon receipt of a claim or claims which have been certified as a true and correct account of the expenses incurred as a result of or in conjunction with the provisions of a contract entered into as a result of this Agreement. All submitted claims will have supporting documents attached which substantiate the basis of the claim. Such claim or claims shall be reviewed and approved in accordance with the policies and procedures of the RTC; and

G. Not permit the payment of non-reimbursable or non-payable items established by the policies and procedures of the RTC.

III. COUNTY'S, RENO'S AND SPARKS'DUTIES

The County, Reno and Sparks shall do the following:

A. Cooperate with RTC and its consultants in all phases of each Project located within their respective jurisdictions;

B. Assist the RTC in communicating with the public regarding the Project(s) located within their respective jurisdictions;

C. Accept ownership of and maintain each Project located wholly or partially within their respective jurisdictions upon completion of construction;

D. Upon notification from the RTC, require utilities having franchise agreements that require relocation to relocate their facilities prior to award of the Project in accordance with the franchise agreement; for utilities that do not address the issue of relocation in the franchise

agreement, require relocation of the subject facilities prior to the award of the Project if state law provides authority to do so; and

E. Coordinate development and administration of the Project with the RTC.

This Agreement is effective from and after the date first above written.

APPROVED AS TO LEGALITY AND FORM

BY: *[Signature]*
RTC GENERAL COUNSEL

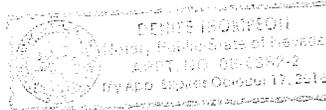
**REGIONAL TRANSPORTATION COMMISSION
OF WASHOE COUNTY**

BY: *[Signature]*
BOB LARKIN, VICE CHAIRMAN

State of Nevada
County of Washoe

This FY 2013/14 Interlocal Cooperative Agreement was acknowledged before me this 19th day of October, 2012, by Bob Larkin, as Vice Chairman of the Regional Transportation Commission of Washoe County.

[Signature]
Notary Public



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

By: Robert M. Larkins
CHAIRMAN

ATTEST:
BY: Amy Harvey
WASHOE COUNTY CLERK

APPROVED AS TO FORM AND CONTENT:
BY: Paul McQuinn
ATTORNEY

CITY COUNCIL OF RENO, NEVADA

By: _____
MAYOR

ATTEST:
BY: _____
RENO CITY CLERK

APPROVED AS TO FORM AND CONTENT:
BY: _____
DEPUTY CITY ATTORNEY

CITY COUNCIL OF SPARKS, NEVADA

BY: _____
MAYOR

ATTEST:
BY: _____
SPARKS CITY CLERK

APPROVED AS TO FORM AND CONTENT:
BY: _____
DEPUTY CITY ATTORNEY

EXHIBIT A

RTC PROGRAM OF PROJECTS 2013/2014

PROPOSED RTC FISCAL YEAR (FY) 2014 PROGRAM OF PROJECTS

Fuel & Sales Tax

* ACTIVITY CODES
 C = CONSTRUCTION (INCLUDES CONSTRUCTION SERVICES)
 D = DESIGN
 N = ENVIRONMENTAL (NEPA, INCLUDES PRELIMINARY DESIGN)
 P = PLANNING
 R = RIGHT OF WAY

PROJECT (YEAR OF CONSTRUCTION) & TERMINI	PROJECT OBJECTIVE	TOTAL PROJECT ESTIMATE	FUNDING SOURCE	PREVIOUS FY 13 FUNDS (APPROVED) ACTIVITY*		FY 14 FUNDS (PROPOSED) ACTIVITY*		TOTAL FUNDS PROGRAMMED (PROPOSED)
				AMOUNT	ACTIVITY*	AMOUNT	ACTIVITY*	
2013 PREVENTIVE MAINTENANCE (2013) VARIOUS REGIONAL ROADS	PAVEMENT PRESERVATION	\$6,000,000	RTC FUEL TAX RTC SALES TAX	\$2,129,000 \$3,371,111	D, C	\$500,000 \$3,371,111	C	\$2,629,000 \$3,371,111 \$6,000,111
2014 PREVENTIVE MAINTENANCE (2014) VARIOUS REGIONAL ROADS	PAVEMENT PRESERVATION	\$6,000,000	RTC FUEL TAX RTC SALES TAX	\$0		\$2,528,000 \$3,472,000	D, C	\$2,528,000 \$3,472,000 \$6,000,000
2013 CORRECTIVE MAINTENANCE (2013) VARIOUS REGIONAL ROADS	PAVEMENT PRESERVATION	\$2,000,000	RTC FUEL TAX	\$148,148	D	\$1,851,852	C	\$2,000,000
2014 CORRECTIVE MAINTENANCE (2014) VARIOUS REGIONAL ROADS	PAVEMENT PRESERVATION	\$2,000,000	RTC FUEL TAX	\$0		\$149,000	D	\$149,000
AVENIDA DE LANDA (2013) BEAUMONT TO 865 FT. NORTH OF VALLEY WOOD	PAVEMENT PRESERVATION	\$761,603	RTC FUEL TAX	\$761,603	D, C	\$0		\$761,603
DELUCCI LANE (2013) S VIRGINIA TO TYRONE	PAVEMENT PRESERVATION	\$1,061,222	RTC FUEL TAX	\$1,061,222	D, C	\$0		\$1,061,222
EAST NUGGET AVENUE (2013) MCCARRAN TO END OF PAVEMENT	PAVEMENT PRESERVATION	\$181,368	RTC FUEL TAX	\$0		\$181,368	D, C	\$181,368
FIFTH STREET (2013) RALSTON TO RR-XING	PAVEMENT PRESERVATION	\$919,911	RTC FUEL TAX	\$919,911	D, C	\$0		\$919,911
GENTRY WAY & SECOND STREET (2014) BRINKBY TO VIRGINIA & GIBROUX TO KIETZKE	PAVEMENT PRESERVATION	\$957,479	RTC FUEL TAX	\$0		\$957,479	D, C	\$957,479
GOLDEN VALLEY ROAD & CARLYLE DRIVE (2014) YORKSHIRE TO N. VIRGINIA & MONTGOMERY TO YORKSHIRE (N)	PAVEMENT PRESERVATION	\$1,004,632	RTC FUEL TAX	\$0		\$92,886	D	\$92,886
LAKE SIDE DRIVE (2013) BRINKBY TO MT ROSE	PAVEMENT PRESERVATION	\$1,800,218	RTC FUEL TAX	\$794,165	D, C	\$1,006,053	C	\$1,800,218

PROPOSED RTC FISCAL YEAR (FY) 2014 PROGRAM OF PROJECTS

Fuel & Sales Tax, continued

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 P = PLANNING
 R = RIGHT OF WAY

PROJECT (YEAR OF CONSTRUCTION) & TERMINI	PROJECT OBJECTIVE	TOTAL PROJECT ESTIMATE	FUNDING SOURCE	PREVIOUS FY 13 FUNDS		FY 14 FUNDS (PROPOSED)		TOTAL FUNDS PROGRAMMED (PROPOSED)
				AMOUNT	ACTIVITY*	AMOUNT	ACTIVITY*	
LIBERTY STREET (2013) CENTER TO HOLCOMB	PAVEMENT PRESERVATION	\$491,000	RTC FUEL TAX	\$491,000	D, C	\$0		\$491,000
MAYBERRY DRIVE (2014) HUNTER LAKE TO CALIFORNIA	PAVEMENT PRESERVATION	\$1,088,840	RTC FUEL TAX	\$0		\$995,939	D, C	\$995,939
NEIL, GERNTRY & TERMINAL (2013) AIRWAY TO PLUMB	PAVEMENT PRESERVATION	\$2,234,621	RTC FUEL TAX	\$2,234,621	D, C	\$0		\$2,234,621
PRATER WAY & EL RANCHO DRIVE (2014) STANFORD TO SPARKS & VICTORIAN TO PRATER	PAVEMENT PRESERVATION	\$2,523,350	RTC FUEL TAX	\$0		\$219,446	D	\$219,446
RED ROCK ROAD (2013) ADOBE TO ARGOSY	PAVEMENT PRESERVATION	\$2,527,725	RTC FUEL TAX	\$2,990,748	D, C	-\$463,023	C	\$2,527,725
RYLAND STREET (2013) KIRMAN TO MILL	PAVEMENT PRESERVATION	\$296,741	RTC FUEL TAX	\$296,741	D, C	\$0	C	\$296,741
2013 ADA PEDESTRIAN TRANSISTION IMPROVEMENT PLAN (2013) VARIOUS REGIONAL ROADS	AMERICAN DISABILITY ACT TRANSISTION PLAN	\$500,000	RTC FUEL TAX	\$500,000	D, C	\$0		\$500,000
2014 ADA PEDESTRIAN TRANSISTION IMPROVEMENT PLAN (2014) VARIOUS REGIONAL ROADS	AMERICAN DISABILITY ACT TRANSISTION PLAN	\$500,000	RTC FUEL TAX	\$0		\$500,000	D, C	\$500,000
4TH & PRATER PRELIMINARY DESIGN & ENVIRONMENTAL (TBD)	CORRIDOR IMPROVEMENT	\$1,000,000	RTC FUEL TAX FEDERAL STP	\$52,000 \$948,000	E	\$0		\$948,000
PLUMB LANE RECONSTRUCTION (2013) MCCARRAN TO FERRIS	PAVEMENT PRESERVATION & CORRIDOR IMPROVEMENT	\$5,454,407	RTC FUEL TAX	\$1,000,000 \$1,243,407	D, R	\$4,211,000	C, R	\$1,000,000 \$5,454,407
PLUMAS STREET SIDEWALKS (2013) MOANA TO PLUMB	CORRIDOR IMPROVEMENT	\$300,000	RTC FUEL TAX	\$300,000	D, C	\$0		\$300,000
PRATER WAY ENHANCEMENTS PHASE 4 (2014) 22ND TO 20TH	CORRIDOR IMPROVEMENT	\$1,500,000	RTC FUEL TAX FED ENHANCEMENT	\$208,000 \$0	D, R	\$0 \$650,000	R, C	\$209,000 \$650,000 \$859,000

PROPOSED RTC FISCAL YEAR (FY) 2014 PROGRAM OF PROJECTS

Fuel & Sales Tax, continued

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 R = RIGHT OF WAY

PROJECT (YEAR OF CONSTRUCTION) & TERMINI	PROJECT OBJECTIVE	TOTAL PROJECT ESTIMATE	FUNDING SOURCE	PREVIOUS FY 13 FUNDS (APPROVED)		FY 14 FUNDS (PROPOSED)		TOTAL FUNDS PROGRAMMED (PROPOSED)
				AMOUNT	ACTIVITY*	AMOUNT	ACTIVITY*	
SUTRO COMPLETE STREET (2013) 4TH TO MCCARRAN	CORRIDOR IMPROVEMENT	\$1,776,152	RTC FUEL TAX FEDERAL TCSP	\$797,852 \$978,300	D, R, C	\$0		\$797,852 \$978,300 \$1,776,152
VIRGINIA STREET - TRUCKEE BRIDGE REPLACEMENT (TBD) FUNDING DIRECTLY TO CITY OF RENO, THROUGH SEPARATE INTERLOCAL AGREEMENT	BRIDGE REPLACEMENT	\$19,000,000	RTC FUEL TAX STATE BRIDGE REPL.	\$0 \$0		\$2,000,000 \$10,000,000 \$12,000,000	C C	\$2,000,000 \$10,000,000 \$12,000,000
VIRGINIA STREET RECONSTRUCTION (TBD) ARROYO TO LIBERTY	PAVEMENT PRESERVATION & CORRIDOR IMPROVEMENT	\$7,176,000	RTC FUEL TAX	\$0		\$598,000	D	\$598,000
PLAN LINE, ALIGNMENT, TECHNICAL STUDIES, MISC.	PLANNING	\$600,000	RTC FUEL TAX	\$400,000	P, D	\$200,000	P, D	\$600,000

FUEL & SALES TAX SUMMARY:		PREVIOUS FY 13 APPROVED	PROPOSED FY 14	PROPOSED TOTAL
FUEL TAX:		\$16,329,418	\$15,528,000	
SALES TAX:		\$3,371,114	\$3,472,000	
FEDERAL/OTHER NON RTC:		\$1,926,300	\$10,650,000	
TOTAL:		\$20,626,829	\$29,650,000	\$49,980,088

PROPOSED RTC FISCAL YEAR (FY) 2014 PROGRAM OF PROJECTS

Regional Road Impact Fees (RRIF) & RTC Bond Projects

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 C = CONSTRUCTION (INCLUDES CONSTRUCTION SERVICES)
 D = DESIGN
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 P = PLANNING
 R = RIGHT OF WAY

PROJECT (YEAR OF CONSTRUCTION) & TERMINI	PROJECT OBJECTIVE	TOTAL PROJECT ESTIMATE	FUNDING SOURCE	PREVIOUS FY 13 FUNDS		FY 14 FUNDS (PROPOSED)		TOTAL FUNDS PROGRAMMED (PROPOSED)
				AMOUNT (APPROVED)	ACTIVITY*	AMOUNT	ACTIVITY*	
PYRAMID FREEWAY/US 395 LINK (TBD) US-395 TO PYRAMID	CAPACITY IMPROVEMENT	\$8,300,000	NDOT/FED	\$8,300,000	N	\$250,000	N	\$8,550,000
SOUTHEAST CONNECTOR PERMITTING & PRELIMINARY DESIGN SOUTHMEADOWS TO GREG	CAPACITY IMPROVEMENT	\$3,200,000	RTC BOND	\$7,800,000	N	-\$4,600,000		\$3,200,000
SOUTHEAST CONNECTOR PHASE 1 (2013) CLEAN WATER TO GREG	CAPACITY IMPROVEMENT	\$73,500,000	RTC BOND	\$31,384,000	D, C, R	\$44,116,000	D, C, R	\$75,500,000
SOUTHEAST CONNECTOR PHASE 2 (2014) SOUTHMEADOWS TO CLEAN WATER	CAPACITY IMPROVEMENT	\$94,000,000	RTC BOND	\$7,500,000	R	\$6,500,000	D	\$14,000,000
MCCARRAN/PYRAMID INTERSECTION (2015)	CAPACITY IMPROVEMENT	\$66,000,000	RTC BOND NDOT/FED	\$0	D, R	\$947,800 -\$28,444,050	D, R	\$947,800 \$27,555,950
N. MCCARRAN @ N VIRGINIA INTERSECTION IMPROVEMENT (TBD) SIERRA TO MCCARRAN	CAPACITY IMPROVEMENT	\$4,000,000	RRIF	\$4,000,000	D	-\$27,498,250		\$28,503,750
SE MCCARRAN WIDENING S. VIRGINIA TO MIRA LOMA (PHASE 1) MIRA LOMA TO GREG (PHASE 2, 2014)	CAPACITY IMPROVEMENT	\$39,000,000	RTC BOND	\$39,000,000	D, C, R	\$0		\$39,000,000
GEIGER GRADE REALIGNMENT (2016) VIRGINIA TO TOLL ROAD	CAPACITY IMPROVEMENT	\$2,727,680	RTC BOND	\$2,727,680	D	\$0		\$2,727,680
T/IE SPOT INTERSECTION 3 (TBD) VARIOUS	CAPACITY IMPROVEMENT	\$500,000	RRIF	\$500,000	D, C	\$0		\$500,000
BIKE/PED 3 (2013) VARIOUS	CAPACITY IMPROVEMENT	\$550,000	RRIF CMAQ	\$27,500 \$522,500		\$0		\$27,500 \$522,500
BIKE/PED 4 (2014) VARIOUS	CAPACITY IMPROVEMENT	\$400,000	RRIF CMAQ	\$20,000 \$380,000	D, C	\$0		\$20,000 \$380,000
TRAFFIC MANAGEMENT 1 (2013) VARIOUS	INTELLEGENT TRAFFIC SYSTEMS (ITS)	\$1,533,000	RRIF CMAQ	\$146,000 \$1,387,000	D, C	\$0		\$146,000 \$1,387,000
TRAFFIC MANAGEMENT 2 (2014)	INTELLEGENT TRAFFIC SYSTEMS (ITS)	\$1,460,000	RRIF CMAQ	\$73,000 \$1,387,000	D, C	\$0		\$73,000 \$1,387,000

PROPOSED RTC FISCAL YEAR (FY) 2014 PROGRAM OF PROJECTS

Regional Road Impact Fees (RRIFF) & RTC Bond Projects, continued

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PROJECT (YEAR OF CONSTRUCTION) & TERMINI CAPACITY STUDIES (2013)	PROJECT OBJECTIVE	TOTAL PROJECT ESTIMATE	FUNDING SOURCE	PREVIOUS FY 13 FUNDS		FY 14 FUNDS (PROPOSED)		TOTAL FUNDS PROGRAMMED (PROPOSED)
				AMOUNT	ACTIVITY*	AMOUNT	ACTIVITY*	
UNR TRANSPORTATION RESEARCH (2013)	RESEARCH	\$300,000	RRIFF	\$300,000	P, D	\$300,000	P, D	\$600,000
UNR TRANSPORTATION RESEARCH (2013)	RESEARCH	\$150,000	RRIFF	\$150,000	P	\$150,000	P	\$300,000

RRIFF & RTC BOND SUMMARY:		PREVIOUS FY 13 APPROVED	PROPOSED FY 14	PROPOSED TOTAL
RRIFF:		\$5,216,500	\$450,000	
RTC BONDS:		\$88,411,680	\$46,963,800	
FEDERAL/OTHER NON RTC:		\$67,976,500	-\$28,194,050	
TOTAL:		\$161,604,680	\$19,219,750	\$180,824,430

EXHIBIT A

PROPOSED RTC FISCAL YEAR (FY) 2014 PROGRAM OF PROJECTS
Fuel & Sales Tax

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- R = RIGHT OF WAY

PROJECT (YEAR OF CONSTRUCTION) & TERMINI	PROJECT OBJECTIVE	TOTAL PROJECT ESTIMATE	FUNDING SOURCE	PREVIOUS FY 13 FUNDS (APPROVED)		FY 14 FUNDS (PROPOSED)		TOTAL FUNDS PROGRAMMED (PROPOSED)
				AMOUNT	ACTIVITY*	AMOUNT	ACTIVITY*	
2013 PREVENTIVE MAINTENANCE (2013) VARIOUS REGIONAL ROADS	PAVEMENT PRESERVATION	\$6,000,000	RTC FUEL TAX RTC SALES TAX	\$2,129,000 \$3,371,111 \$5,500,111	D, C	\$500,000	C	\$2,629,000 \$3,371,111 \$6,000,111
2014 PREVENTIVE MAINTENANCE (2014) VARIOUS REGIONAL ROADS	PAVEMENT PRESERVATION	\$6,000,000	RTC FUEL TAX RTC SALES TAX	\$0 \$0		\$2,528,000 \$3,472,000 \$6,000,000	D, C	\$2,528,000 \$3,472,000 \$6,000,000
2013 CORRECTIVE MAINTENANCE (2013) VARIOUS REGIONAL ROADS	PAVEMENT PRESERVATION	\$2,000,000	RTC FUEL TAX	\$148,148	D	\$1,851,852	C	\$2,000,000
2014 CORRECTIVE MAINTENANCE (2014) VARIOUS REGIONAL ROADS	PAVEMENT PRESERVATION	\$2,000,000	RTC FUEL TAX	\$0		\$149,000	D	\$149,000
AVENIDA DE LANDA (2013) BEAUMONT TO 865 FT. NORTH OF VALLEY WOOD	PAVEMENT PRESERVATION	\$761,603	RTC FUEL TAX	\$761,603	D, C	\$0		\$761,603
DELUCCHI LANE (2013) S VIRGINIA TO TYRONE	PAVEMENT PRESERVATION	\$1,061,222	RTC FUEL TAX	\$1,061,222	D, C	\$0		\$1,061,222
EAST NUGGET AVENUE (2013) MCCARRAN TO END OF PAVEMENT	PAVEMENT PRESERVATION	\$181,368	RTC FUEL TAX	\$0		\$181,368	D, C	\$181,368
FIFTH STREET (2013) RALSTON TO RR-XING	PAVEMENT PRESERVATION	\$919,911	RTC FUEL TAX	\$919,911	D, C	\$0		\$919,911
GENTRY WAY & SECOND STREET (2014) BRINKBY TO VIRGINIA & GIROUX TO KIETZKE	PAVEMENT PRESERVATION	\$957,479	RTC FUEL TAX	\$0		\$957,479	D, C	\$957,479
GOLDEN VALLEY ROAD & CARLYLE DRIVE (2014) YORKSHIRE TO N. VIRGINIA & MONTGOMERY TO YORKSHIRE (N)	PAVEMENT PRESERVATION	\$1,004,632	RTC FUEL TAX	\$0		\$92,886	D	\$92,886
LAKESIDE DRIVE (2013) BRINKBY TO MT ROSE	PAVEMENT PRESERVATION	\$1,800,218	RTC FUEL TAX	\$794,165	D, C	\$1,006,053	C	\$1,800,218

New Exhibit
A-10/23/12
11

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EXHIBIT A

PROPOSED RTC FISCAL YEAR (FY) 2014 PROGRAM OF PROJECTS
Fuel & Sales Tax, continued

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PROJECT (YEAR OF CONSTRUCTION) & TERMINI	PROJECT OBJECTIVE	TOTAL PROJECT ESTIMATE	FUNDING SOURCE	PREVIOUS FY (13 FUNDS)		FY 14 FUNDS (PROPOSED)		TOTAL FUNDS PROGRAMMED (PROPOSED)
				AMOUNT	ACTIVITY*	AMOUNT	ACTIVITY*	
LIBERTY STREET (2013) CENTER TO HOLCOMB	PAVEMENT PRESERVATION	\$491,000	RTC FUEL TAX	\$491,000	D, C	\$0		\$491,000
MAYBERRY DRIVE (2014) HUNTER LAKE TO CALIFORNIA	PAVEMENT PRESERVATION	\$1,066,840	RTC FUEL TAX	\$0		\$995,939	D, C	\$995,939
NEIL, GERNTRY & TERMINAL (2013) AIRWAY TO PLUMB	PAVEMENT PRESERVATION	\$2,234,621	RTC FUEL TAX	\$2,234,621	D, C	\$0		\$2,234,621
PRATER WAY & EL RANCHO DRIVE (2014) STANFORD TO SPARKS & VICTORIAN TO PRATER	PAVEMENT PRESERVATION	\$2,523,350	RTC FUEL TAX	\$0		\$219,446	D	\$219,446
REDROCK ROAD (2013) ADOBE TO ARGOSY	PAVEMENT PRESERVATION	\$2,527,725	RTC FUEL TAX	\$2,990,748	D, C	-\$463,023	C	\$2,527,725
RYLAND STREET (2013) KIRMAN TO MILL	PAVEMENT PRESERVATION	\$296,741	RTC FUEL TAX	\$296,741	D, C	\$0	C	\$296,741
2013 ADA PEDESTRIAN TRANSITION IMPROVEMENT PLAN (2013) VARIOUS REGIONAL ROADS	AMERICAN DISABILITY ACT TRANSITION PLAN	\$500,000	RTC FUEL TAX	\$500,000	D, C	\$0		\$500,000
2014 ADA PEDESTRIAN TRANSITION IMPROVEMENT PLAN (2014) VARIOUS REGIONAL ROADS	AMERICAN DISABILITY ACT TRANSITION PLAN	\$500,000	RTC FUEL TAX	\$0		\$500,000	D, C	\$500,000
4TH & PRATER PRELIMINARY DESIGN & ENVIRONMENTAL (TBD)	CORRIDOR IMPROVEMENT	\$1,000,000	RTC FUEL TAX FEDERAL STP	\$52,000 \$948,000 \$1,000,000		\$0		\$52,000 \$948,000 \$1,000,000
PLUMB LANE RECONSTRUCTION (2013) MCCARRAN TO FERRIS	PAVEMENT PRESERVATION & CORRIDOR IMPROVEMENT	\$5,454,407	RTC FUEL TAX	\$1,243,407	D, R	\$4,211,000	C, R	\$5,454,407
PLUMAS STREET SIDEWALKS (2013) MOANA TO PLUMB	CORRIDOR IMPROVEMENT	\$300,000	RTC FUEL TAX	\$300,000	D, C	\$0		\$300,000
PRATER WAY ENHANCEMENTS PHASE 4 (2014) 22ND TO 20TH	CORRIDOR IMPROVEMENT	\$1,500,000	RTC FUEL TAX FED ENHANCEMENT	\$209,000 \$0	D, R	\$0	R, C	\$209,000 \$650,000 \$859,000

EXHIBIT A

PROPOSED RTC FISCAL YEAR (FY) 2014 PROGRAM OF PROJECTS
Fuel & Sales Tax, continued

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PROJECT (YEAR OF CONSTRUCTION) & TERMINI	PROJECT OBJECTIVE	TOTAL PROJECT ESTIMATE	FUNDING SOURCE	PREVIOUS FY 13 FUNDS (APPROVED)		FY 14 FUNDS (PROPOSED)		TOTAL FUNDS PROGRAMMED (PROPOSED)
				AMOUNT	ACTIVITY*	AMOUNT	ACTIVITY*	
SUTRO COMPLETE STREET (2013) 4TH TO MCCARRAN	CORRIDOR IMPROVEMENT	\$1,776,152	RTC FUEL TAX FEDERAL TCSP	\$797,852 \$978,300 \$1,776,152	D, R, C	\$0		\$797,852 \$978,300 \$1,776,152
VIRGINIA STREET- TRUCKEE BRIDGE REPLACEMENT (TBD) FUNDING DIRECTLY TO CITY OF RENO, THROUGH SEPARATE INTERLOCAL AGREEMENT	BRIDGE REPLACEMENT	\$19,000,000	RTC FUEL TAX STATE BRIDGE REPL.	\$0 \$0		\$2,000,000 \$10,000,000 \$12,000,000	C C	\$2,000,000 \$10,000,000 \$12,000,000
VIRGINIA STREET RECONSTRUCTION (TBD) ARROYO TO LIBERTY	PAVEMENT PRESERVATION & CORRIDOR IMPROVEMENT	\$7,176,000	RTC FUEL TAX	\$0		\$598,000	D	\$598,000
PLAN LINE, ALIGNMENT, TECHNICAL STUDIES, MISC.	PLANNING	\$600,000	RTC FUEL TAX	\$400,000	P, D	\$200,000	P, D	\$600,000

FUEL & SALES TAX SUMMARY:	PREVIOUS FY 13 APPROVED	PROPOSED FY 14	PROPOSED TOTAL
FUEL TAX:	\$15,329,418	\$15,528,000	
SALES TAX:	\$3,371,111	\$3,472,000	
FEDERAL/OTHER NON RTC:	\$1,926,300	\$10,650,000	
TOTAL:	\$20,626,829	\$29,650,000	\$49,980,088

EXHIBIT A

PROPOSED RTC FISCAL YEAR (FY) 2014 PROGRAM OF PROJECTS
 Regional Road Impact Fees (RRIF) & RTC Bond Projects

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PROJECT (YEAR OF CONSTRUCTION) & TERMINI	PROJECT OBJECTIVE	TOTAL PROJECT ESTIMATE	FUNDING SOURCE	PREVIOUS FY 13 FUNDS (APPROVED)		FY 14 FUNDS (PROPOSED)		TOTAL FUNDS PROGRAMMED (PROPOSED)
				AMOUNT	ACTIVITY*	AMOUNT	ACTIVITY*	
PYRAMID FREEWAY/US 395 LINK (TBD) US-395 TO PYRAMID	CAPACITY IMPROVEMENT	\$8,300,000	NDOT/FED	\$8,300,000	N	\$250,000	N	\$8,550,000
SOUTHEAST CONNECTOR PERMITTING & PRELIMINARY DESIGN SOUTHMEADOWS TO GREG	CAPACITY IMPROVEMENT	\$3,200,000	RTC BOND	\$7,800,000	N	-\$4,600,000		\$3,200,000
SOUTHEAST CONNECTOR PHASE 1 (2013) CLEAN WATER TO GREG	CAPACITY IMPROVEMENT	\$73,500,000	RTC BOND	\$31,384,000	D, C, R	\$44,116,000	D, C, R	\$75,500,000
SOUTHEAST CONNECTOR PHASE 2 (2014) SOUTHMEADOWS TO CLEAN WATER	CAPACITY IMPROVEMENT	\$94,000,000	RTC BOND	\$7,500,000	R	\$6,500,000	D	\$14,000,000
MCCARRAN/PYRAMID INTERSECTION (2015)	CAPACITY IMPROVEMENT	\$66,000,000	RTC BOND NDOT/FED	\$0	D, R	\$947,800	D, R	\$947,800
N. MCCARRAN @ N VIRGINIA INTERSECTION IMPROVEMENT (TBD) SIERRA TO MCCARRAN	CAPACITY IMPROVEMENT	\$4,000,000	RRIF	\$4,000,000	D	\$0		\$27,555,950 \$28,503,750 \$4,000,000
SE MCCARRAN WIDENING S. VIRGINIA TO MIRA LOMA (PHASE 1) MIRA LOMA TO GREG (PHASE 2, 2014)	CAPACITY IMPROVEMENT	\$39,000,000	RTC BOND	\$39,000,000	D, C, R	\$0		\$39,000,000
GEIGER GRADE REALIGNMENT (2016) VIRGINIA TO TOLL ROAD	CAPACITY IMPROVEMENT	\$2,727,680	RTC BOND	\$2,727,680	D	\$0		\$2,727,680
TIE SPOT INTERSECTION 3 (TBD) VARIOUS	CAPACITY IMPROVEMENT	\$500,000	RRIF	\$500,000	D, C	\$0		\$500,000
BIKE/PEP 3 (2013) VARIOUS	CAPACITY IMPROVEMENT	\$550,000	RRIF CMAQ	\$27,500		\$0		\$27,500
BIKE/PEP 4 (2014) VARIOUS	CAPACITY IMPROVEMENT	\$400,000	RRIF CMAQ	\$522,500	D, C	\$0		\$522,500
TRAFFIC MANAGEMENT 1 (2013) VARIOUS	INTELLEGENANT TRAFFIC SYSTEMS (ITS)	\$1,533,000	RRIF CMAQ	\$550,000	D, C	\$0		\$550,000
TRAFFIC MANAGEMENT 2 (2014)	INTELLEGENANT TRAFFIC SYSTEMS (ITS)	\$1,460,000	RRIF CMAQ	\$20,000		\$0		\$20,000
				\$380,000		\$0		\$380,000
				\$400,000	D, C	\$0		\$400,000
				\$1,387,000		\$0		\$1,387,000
				\$1,533,000	D, C	\$0		\$1,533,000
				\$73,000		\$0		\$73,000
				\$1,387,000		\$0		\$1,387,000
				\$1,460,000	D, C	\$0		\$1,460,000

EXHIBIT A

PROPOSED RTC FISCAL YEAR (FY) 2014 PROGRAM OF PROJECTS
 Regional Road Impact Fees (RRIF) & RTC Bond Projects, continued

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PROJECT (YEAR OF CONSTRUCTION) & TERMINI CAPACITY STUDIES (2013)	PROJECT OBJECTIVE STUDY/PLANNING	TOTAL PROJECT ESTIMATE \$300,000	FUNDING SOURCE RRIF	PREVIOUS FY 13 FUNDS (APPROVED)		FY 14 FUNDS (PROPOSED) AMOUNT	TOTAL FUNDS PROGRAMMED (PROPOSED) \$600,000
				AMOUNT	ACTIVITY*		
				\$300,000	P, D	\$300,000	\$600,000
UNR TRANSPORTATION RESEARCH (2013)	RESEARCH	\$150,000	RRIF	\$150,000	P	\$150,000	\$300,000

RRIF & RTC BOND SUMMARY:	PREVIOUS FY 13 APPROVED	PROPOSED FY 14	PROPOSED TOTAL
RRIF:	\$5,216,500	\$450,000	
RTC BONDS:	\$88,411,680	\$46,963,800	
FEDERAL/OTHER NON RTC:	\$67,976,500	-\$28,194,050	
TOTAL:	\$161,604,680	\$19,219,750	\$180,824,430

**AMENDMENT TO INTERLOCAL GOVERNMENTAL
AGREEMENT – SPARKS SENIOR CITIZENS CENTER**

* * ◇ * *

This Amendment to the Interlocal Governmental Agreement – Sparks Senior Citizens Center dated July 23, 1990 (“Agreement”), between the City of Sparks (“Sparks”), a municipal corporation, and the County of Washoe (“County”), a political subdivision of the State of Nevada, is premised upon the following recitals:

RECITALS

WHEREAS, the parties’ Agreement established a facility and operation to serve senior citizens at a location presently occupied and used by the parties as a senior citizens center on East Richards Way (“Center”); and

WHEREAS, the parties amended the Agreement in July 2011 (“2011 Amendment”) to provide that Sparks will be solely responsible for the care and operation of the Center, among other things; and

WHEREAS, the parties desire to return operation of the center to the County, share the salary and benefits of a new County position dedicated to the center, and preserve the facility use revisions to Section 5 as set forth in the 2011 Amendment; and

WHEREAS, the parties do not desire that this Amendment will amend any other provisions of the Agreement but will supersede and replace the 2011 Amendment.

NOW, THEREFORE, BASED UPON THE FOREGOING RECITALS WHICH ARE INCORPORATED HEREIN AND IN CONSIDERATION OF THE MUTUAL PROMISES AND BENEFITS TO BE EXCHANGED AND PROVIDED, THE PARTIES AGREE AS FOLLOWS:

1. **Operational Responsibilities.** Section 4 of the Agreement is hereby amended in full to read as follows:

4.1 **General.** The Center will be open to the public for information, services and programs on the same days as the County offices are open, subject to reasonable change as deemed necessary by the County, with a primary use for and on behalf of Washoe County’s senior citizens.

4.2 **County’s Role.** The County shall be solely responsible for the Center, including staff coverage as County deems necessary, opening, closing, and access. The County shall schedule and oversee events and activities and shall negotiate and administer use agreements regarding the Center. County shall provide, or cause to be provided through its contractors, at County’s sole expense certain senior services, including without limitation congregate meals and

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social services. County shall be solely responsible for and pay costs of utilities, maintenance and janitorial for the Center's interior only, excluding improvements and capital items.

4.3 Sparks' Role. Sparks shall provide at its sole expense regular maintenance to the Center's exterior, its grounds and parking lot, and shall be solely responsible for improvements and capital items. Sparks also shall tender to County payment as invoiced quarterly by the County for an annual total payment not to exceed \$21,500.00, prorated effective November 1, 2012, to contribute towards the County's cost of staff coverage for approximately 6.5 hours a day to operate the Center. The county employee shall be provided by the County for this number of daily hours so long as funding is available. This payment obligation of Sparks shall cease on June 30, 2013 unless otherwise provided in a new amendment to the Agreement.

2. Use of Facility. Section 5 of the Agreement is hereby amended in full to read as follows:

The Center will be used primarily but not exclusively by the County to provide senior services to the senior citizens of Washoe County. The parties shall ensure that other uses do not interfere with County's intended use hereunder and scheduled programs. Sparks shall recognize County's contractors and partnerships with non-profits and community groups that provide programs and activities for seniors.

3. All other remaining provisions of the Agreement shall remain in force and effect and shall not be altered by this Amendment.

IN WITNESS WHEREOF, the parties execute this Amendment on the day and year below noted.

WASHOE COUNTY

CITY OF SPARKS

Robert M Jordan

Ann R Mentis

By: Chairman

By: Ann R Mentis

Title: Washoe County Commission

Title: Sparks Mayor

Dated: 10/23/12

Dated: 11/13/12

ATTEST:

ATTEST:

Dancy L D Chief Deputy
County Clerk

Anda K Patterson
City Clerk



APPROVED AS TO FORM
[Signature]
City Attorney

12/10/12