

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

TUESDAY

10:00 A.M.

APRIL 24, 2012

PRESENT:

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

**Amy Harvey, County Clerk**  
**Katy Simon, County Manager**  
**Paul Lipparelli, Legal Counsel**

The Washoe County Board of Commissioners convened at 10:00 a.m. in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. Following the Pledge of Allegiance to the flag of our Country, the Clerk called the roll and the Board conducted the following business:

**12-354            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.”

Marcy Kupfersmith thanked the Board for the Volunteer Awareness Month and Older Americans Month Proclamations. She also thanked them for not severely reducing the Senior Services budget. Ms. Kupfersmith hoped the Board could find a way to ensure that the Senior Law Project would remain available to serve the senior citizens in the community.

Sam Dehne spoke on the two-minute time limit for public comment.

**12-355            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 inquired how a Commissioner could ask for a reconsideration of an item heard during a previous Fire Commission meeting. Paul Lipparelli, Legal Counsel, said the process to reconsider would be to first place an item on a future agenda to reconsider the earlier vote, and then the motion would have to be made by someone on the prevailing side of the vote. If that motion passed, the second item would be a “do-over” of the original item and both items would be scheduled for a future agenda. Commissioner Jung asked if a policy could be set to place an item on every Board agenda allowing for the possible vote of reconsideration. Theoretically, Mr. Lipparelli said it was possible to have reconsideration as a standing item; however, notice could not be given as to which items would be acted upon. Commissioner Jung suggested scheduling a special meeting for an item to be reconsidered.

Commissioner Weber commented that the Board had Rules and Procedures for reconsideration. Chairman Larkin stated this issue would not be debated at this time since it would be an Open Meeting Law violation. Mr. Lipparelli indicated there was a provision in the Board’s Rules for reconsideration.

Commissioner Jung announced that the Nevada Humane Society, via Facebook® votes, made the next round of a national competition to receive funds.

Commissioner Breternitz requested an agenda item for a policy discussion regarding the Board’s position on Automatic Aid for the new fire district. He said that item could be placed on the Board of Fire Commissioner’s agenda.

**12-356            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.”**

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**

Chris Benedict, Program Manager  
Jon Benedict, Sr. Hydrogeologist  
Timothy Donahue, Hydrogeologist II  
Kelly Mullin, Water Management Planner  
Randy Van Hoozer, Sr. Hydrogeologist

**Essentials of Personal Effectiveness**

Julie Bender, Administrative Secretary  
Meredith Lightner, Office Support Specialist

**Essentials of Support Staff**

Meredith Lightner, Office Support Specialist

**12-357            AGENDA ITEM 6- PROCLAMATION**

**Agenda Subject: “Proclamation--May 3, 2012 as National Day of Prayer. (All Commission Districts.) Requested by Commissioners Larkin and Weber.”**

Commissioner Weber read the Proclamation. She invited everyone to an observance in the courtyard of the County Complex on May 3, 2012. She indicated no County dollars were used to support the event. Chairman Larkin said this would be an hour-long event and also invited the community to attend.

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Chairman Larkin, which motion duly carried with Commissioner Humke absent, it was ordered that Agenda Item 6 be adopted.

**12-358            AGENDA ITEM 7- PROCLAMATION**

**Agenda Subject: “Proclamation--April as National Volunteer Awareness Month. (All Commission Districts.)”**

Chairman Larkin read and presented the Proclamation to the many volunteers that were in attendance.

In response to the call for public comment, Sam Dehne commended the volunteers and noted that he volunteered on behalf of senior citizens and Veterans.

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

**12-359            AGENDA ITEM 8 - PROCLAMATION**

**Agenda Subject: “Proclamation--May 2012 as Older Americans Month--Senior Services. (All Commission Districts.)”**

Commissioner Jung read and presented the Proclamation to Grady Tarbutton, Senior Services Director. Mr. Tarbutton distributed a copy of the program for the Older Americans Month celebrations, which was placed on file with the Clerk. He recognized Darryl Feemster, City of Reno Youth and Senior Services Manager, and volunteers Anita Ritter and Armando Gayton. Ms. Ritter said there was an opportunity during Older Americas Month to pause and recognize the many contributions that older Americans made to society. She said Older Americans Month also highlighted the many needs and concerns that many elders dealt with on a daily basis. Ms. Ritter thanked Mr. Tarbutton for his visionary leadership.

Mr. Gayton announced that he would sing the National Anthem during the April 30, 2012 “Kick-Off” for Older Americans Month and invited the Board to attend the celebration.

**\*10:39 a.m.** Commissioner Humke arrived.

Mr. Feemster listed all the performers who would be entertaining during the Kick-Off celebration of Older Americans Month at the Neil Road Recreation Center.

In response to the call for public comment, Sam Dehne spoke on the Proclamation and thanked the Board for their recognition of older Americans.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 8 be adopted.

**12-360            AGENDA ITEM 9 - PROCLAMATION**

**Agenda Subject: “Proclamation--April 28 - May 5, 2012 as Nevada Wildfire Awareness Week. (All Commission Districts.)”**

Commissioner Breternitz read and presented the Proclamation to Kurt Latipow, Fire Services Coordinator and Ed Smith, University of Nevada (UNR) Cooperation Extension. Mr. Latipow said the “Living with Fire” program helped the County transition to fire adaptive communities throughout the region.

Mr. Smith stated the past nine months had provided ample evidence that western Nevada was a fire-prone environment. Unfortunately, it had been predicted that fire seasons would become longer, more common and more intense. He said it was critical for communities to be pro-active and find ways to reduce the threat to homes caused by fires. He thanked the Board for the Proclamation.

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 9 be adopted.

**CONSENT AGENDA**

**12-361            AGENDA ITEM 10A**

**Agenda Subject: “Approve minutes for the Board of County Commissioners’ meeting of March 27, 2012.”**

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 10A be approved.

**12-362            AGENDA ITEM 10B - ASSESSOR**

**Agenda Subject: “Approve roll change requests, pursuant to NRS 361.768 and NRS 361.765, for errors discovered for the 2009/2010, 2010/2011, 2011/2012 secured and unsecured tax rolls; and if approved, authorize Chairman to execute order and direct the Washoe County Treasurer to correct the error(s) [cumulative amount of decrease \$6,621.61]. (Parcels are in various Commission Districts.)”**

There was no public comment on this item.

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

**12-363            AGENDA ITEM 10C – DISTRICT ATTORNEY**

**Agenda Subject: “Approve payments [\$4,853] to vendors for assistance of 24 victims of sexual assault and authorize Comptroller to process same. NRS 217.310 requires payment by the County of total initial medical care of victims, regardless of cost, and of follow-up treatment costs of up to \$1,000 for victims, victim’s spouses and other eligible persons. (All Commission Districts.)”**

In response to the call for public comment, Cathy Brandhorst spoke on the costs associated with this item.

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

**12-364            AGENDA ITEM 10D - FINANCE**

**Agenda Subject: “Acknowledge Receipt of the Interim Financial Report for Washoe County Governmental Funds for the six months ended March 31, 2012- unaudited. (All Commission Districts.)”**

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 10D be acknowledged.

**12-365            AGENDA ITEM 10E – HEALTH DISTRICT**

**Agenda Subject: “Approve budget amendments [increase of \$10,880 in both revenue and expense] to the Fiscal Year 2012 Adult Viral Hepatitis Grant Program budget, IO 10842; and if approved, direct the Finance Department to make the appropriate budget adjustments. (All Commission Districts.)”**

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 10E be approved and directed.

**12-366            AGENDA ITEM 10F – SENIOR SERVICES**

**Agenda Subject: “Accept cash donations [\$17,708.56] for the period of January 1, 2012 through March 31, 2012 for the third quarter of Fiscal Year 2011/12; and if accepted, direct Finance Department to make the appropriate budget adjustments. (All Commission Districts.)”**

On behalf of the Board, Commissioner Jung thanked the various donors for their generous donations.

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 10F be accepted and directed.

**12-367            AGENDA ITEM 10G – TRUCKEE RIVER FLOOD  
MANAGEMENT PROJECT**

**Agenda Subject: “Approve Bristlecone Lease Amendment No. 3 to the Lease Agreement dated March 1, 2012 between the County of Washoe (on behalf of the Flood Project) and Bristlecone Family Resources, Inc. to lease the property located at 1725 So. McCarran Blvd; [no fiscal impact or expenditure to the 1/8 cent sales tax dedicated to the Truckee River Flood Management Project]. (Commission District 2.)”**

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 10G be approved.

**12-368**            **AGENDA ITEM 10H – WADSWORTH JUSTICE COURT**

**Agenda Subject:** “Approve Wadsworth Justice Court's authorized position changes with a net \$0 fiscal impact; and if approved, direct Human Resources and Finance Department to make necessary adjustments to implement effective July 1, 2012. (Commission District 4.)”

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 10H be approved and directed.

**12-369**            **AGENDA ITEM 10I(1) – COMMUNITY SERVICES/PUBLIC WORKS**

**Agenda Subject:** “Reject all bids for the Gonowabie Road Slope Repair Project and authorize Public Works to rebid the project at a future date. (Commission District 1.)”

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 10I(1) be approved.

**12-370**            **AGENDA ITEM 10I(2) – COMMUNITY SERVICES/PUBLIC WORKS**

**Agenda Subject:** “Approve Memorandum of Understanding for Public Works Providers between the County of Washoe and Tahoe Regional Planning Agency. (Commission District 1.)”

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 10I(2) be approved.

**12-371**            **AGENDA ITEM 10I(3) – COMMUNITY SERVICES/PARKS**

**Agenda Subject:** “Approve Participating Agreement with an Interpretive Association between the Great Basin Institute, Washoe County and the U.S. Forest Service Humboldt-Toiyabe National Forest for cooperative visitor services and programming at the Galena Creek Visitor Center and Recreation Area; and if approved, authorize the Chairman to execute the Agreement and further authorize the Acting Director of Regional Parks and Open Space to annually approve the Annual Operating Plan on behalf of Washoe County. (Commission District 1.)”

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 10I(3) be approved, authorized and executed.

**12-372            AGENDA ITEM 10I(4) – COMMUNITY SERVICES/PARKS**

**Agenda Subject: “Approve Lease Agreement between the County of Washoe and Silver Arrow Bowmen Archery Club, a local nonprofit 501-(c)3 organization, for operation of the Regional Archery Facility in Lemmon Valley; and if approved, authorize the Acting Director of Regional Parks and Open Space to sign the Lease Agreement. (Commission District 5.)”**

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 10I(4) be approved, executed and authorized.

**12-373            AGENDA ITEM 10I(5) – COMMUNITY SERVICES/PARKS**

**Agenda Subject: “Approve 20-year Recreation and Public Purpose Lease between the County of Washoe and the U.S. Department of the Interior, Bureau of Land Management, for 110-acres in Lemmon Valley for use as a Regional Archery Facility. (Commission District 5.)”**

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 10I(5) be approved.

**12-374            AGENDA ITEM 10I(6) – COMMUNITY SERVICE/WATER RESOURCES**

**Agenda Subject: “Approve and authorize the Chairman to execute the Water Rights Deed and associated Water Sale Agreement with Washoe County for 1.0 acre-feet of water rights from Matthew J. Richard dba the Rugged 3R Ranch. (Commission District 2.)”**

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 10I(6) be approved, authorized and executed.

**12-375            AGENDA ITEM 10J(1) - SHERIFF**

**Agenda Subject: “Accept donation [\$150] to the Washoe County Sheriff’s Office, Search and Rescue; and if accepted, authorize Finance to make the necessary budget adjustments. (All Commission Districts.)”**

On behalf of the Board, Commissioner Jung thanked the donor for their generous donation.

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 10J(1) be accepted and authorized.

**12-376            AGENDA ITEM 10J(2) - SHERIFF**

**Agenda Subject: “Accept direct grant award [\$800, no match required] from the Secret Service (Northern Nevada Fraud Task Force) to purchase equipment or training to enhance the capabilities of the Washoe County Sheriff’s Office Task Force members; and if accepted, authorize Finance to make necessary budget adjustments. (All Commission Districts.)”**

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 10J(2) be accepted and authorized.

**12-377            AGENDA ITEM 10J(3) – SHERIFF**

**Agenda Subject: “Accept [\$35,000, no match required] of available federal funding from the Federal Bureau of Investigations to cover overtime costs related to the Northern Nevada Cyber Crime Task Force activities; and if accepted, direct Finance to make necessary budget adjustments. (All Commission Districts.)”**

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 10J(3) be accepted and directed.

**12-378            AGENDA ITEM 10J(4) – SHERIFF/ANIMAL SERVICES**

**Agenda Subject: “Reappoint Anne Forbes to the Washoe County Animal Control Board [no fiscal impact], representing Washoe County Commission District 5 for a**

**four-year term retroactively from January 1, 2012 through December 31, 2015. (Commission District 5.)”**

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried, it was ordered that Anne Forbes be reappointed to the Washoe County Animal Control Board representing Washoe County Commission District 5 for a four-year term retroactively from January 1, 2012 through December 31, 2015.

**12-379            AGENDA ITEM 11 - APPEARANCE**

**Agenda Subject: “Mike Kazmierski, EDAWN President and CEO, and Stephanie Kruse, EDAWN Chair. Presentation on Regional Economic Development Strategic Plan.”**

Stephanie Kruse, Economic Development Authority of Western Nevada (EDAWN) Board Chair, appreciated the opportunity to provide an update on the strategic planning process and economic development.

Mike Kazmierski, EDAWN President and CEO, conducted a PowerPoint presentation, which was placed on file with the Clerk. The presentation included the strategic planning process, the focus on primary jobs and companies, the five objectives, attraction strategies and the next steps.

Commissioner Breternitz questioned the type of industry that may arrive in the area over the next three to six months. Mr. Kazmierski replied there would be manufacturing, logistics and infrastructure associated with the region. He said that call centers would also locate to the area, which could bring over 800 jobs. He noted that he would bring forward a more detailed report to the Board.

Commissioner Jung stated she was part of a table-top cyber-security group in partnership with Homeland Security and asked if anyone had reached out concerning the scenario that group had planned. Mr. Kazmierski stated he had not heard about the scenario. Commissioner Jung indicated she would put that together since she felt it would help with the region receiving a future Olympic bid.

Commissioner Jung asked if Mr. Kazmierski would speak about the presentation brought forward to the Regional Job Network in regard to Burning Man and the vision of who arrived for that event, the amount of money spent and the decisions made concerning the global economy. Mr. Kazmierski explained that Burning Man was an example of a regional event that exposed the community to visitors from around the world. Those individuals saw the community in a different way, which promoted the region positively. He felt a way was needed to connect with those individuals to show that the region was a good place to do business. Commissioner Jung remarked that a

C.E.O. of a company usually made the decision as to where the company would locate. She asked if there were plans to capture the Burning Man demographics. Mr. Kazmierski replied that other events also contributed when decision-makers were in the area and experiencing the region in a positive way. He said discussions were ongoing to determine ways to integrate the visitor industry through marketing messages in an effort to attract different properties on marketing a business.

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

**12-380            AGENDA ITEM 14 - APPEARANCE**

**Agenda Subject: “John Hitchcock, Design and Land Use Planning Manager, Tahoe Regional Planning Agency (TRPA). Presentation regarding Tahoe Regional Planning Agency's Regional Plan Update; request to support the direction the update is taking, which includes transitioning more permitting to local jurisdictions to allow TRPA to focus on projects and programs of regional significance. (Commission District 1.)”**

John Hitchcock, Design and Land Use Planning Manager, Tahoe Regional Planning Agency (TRPA), explained that the Regional Plan update focused on the following three areas:

- Accelerating water quality restoration and providing other ecological benefits by targeting environmental redevelopment opportunities and investing in implementing the Environmental Improvement Program (EIP).
- Focusing TRPA’s resources more on regional planning and integrating land use implementation into procedures of local governments and other agencies.
- Simplifying and streamlining the permit review process.

Mr. Hitchcock said a top priority was promoting environmental redevelopment with TRPA focusing their efforts on community centers in the Tahoe Basin, such as promoting and upgrading the built environment, which was decaying in the Basin. The opportunity with the Regional Plan was to create incentives to rebuild that environment and create vibrant mixed-centers in the Basin that would help attain TRPA’s thresholds for restoration of the Basin. He said incentives to encourage redevelopment included reviewing new transfer development ratios and enhancing the transfer systems to move development out of sensitive lands and into the urban centers. A key component in modifying the Regional Plan was to encourage local governments to adopt area plans that were more responsive to local conditions and streamlining the review process. As part of the Regional Plan becoming more efficient, local governments would be encouraged to adopt area plans as part of the Regional Plan; however, once adopted, those area plans would supersede the existing zoning system in the Basin and would allow local jurisdictions to adopt specific standards that were localized to their conditions. The area plans could either be comprehensive or specific for an individual

community within the Basin. It was believed that an area plan would help to streamline the process and allow for one-stop permitting. Once the area plan was adopted and certified all permitting would go through the local jurisdictions. He explained that TRPA would maintain some type of review for projects of regional significance to include projects in the high density tourist district such as the south Stateline casino core, the shore zone, conservation districts and projects of a certain size.

As part of adopting area plans, Mr. Hitchcock said local governments would have the opportunity to permit in-house. In terms of permitting fees, TRPA would defer to local jurisdictions to decide on the fees to be charged and then would seek administrative fees to help fund the monitoring and annual recertification of area plans. He stated there would be an opt-out option if a local jurisdiction chose not to adopt an area plan, then within a year, TRPA would provide the funding and complete the area plan for that particular jurisdiction.

Mr. Hitchcock indicated that the proposed Regional Plan would have a 60-day comment period that could be extended. He said a series of workshops would be conducted for the north and south shores over the next six months along with a series of Governing Board hearings until action was taken on the update in December 2012.

**11:23 a.m.** Commissioner Humke temporarily left the meeting.

Commissioner Breternitz stated there may be some impacts with the update concerning the County's Community Development and Building Departments. Based on the update, he inquired about any affects the proposed services could have on local jurisdictions. Bill Whitney, Acting Community Development Director, said the initial analysis did not severely impact Community Development since the Department was already permitting development in the Basin. He said it was uplifting that local governments would be the primary permitter in most instances and, in regard to permits, would not increase staff workload. However, there could be some increase in workload because the area plan would need to be updated and brought into conformance with the updated Regional Plan. Commissioner Breternitz said there were provisions outlined to collect fees or cover the expense of some additional responsibilities and asked if that was accurate. Mr. Whitney replied any additional work that came from the update would need to be reviewed.

Chairman Larkin said there was reference to the allocation for Air and Water Quality fees and that the proposed update allowed a portion of each jurisdiction's fees to be used in another jurisdiction to help build Basin-wide improvements. He asked how those conditions and regulations were progressing. Mr. Hitchcock explained that the specific regulations were still being discussed. He said it was proposed to work with all the local jurisdictions to determine the fair-share amount and how funding from Air and Water Quality fees would be used for regional projects and the projects that would qualify. The funding in the Air Quality Mitigation funds or the monies currently being collected would still be dispersed under the existing system. Chairman Larkin said if those fees came up for review, he asked that County staff be included. Mr. Hitchcock said

TRPA would work with local jurisdictions in developing those standards and, if any changes were proposed, those would need to go before the TRPA Governing Board for approval.

Eva Krause, Planner, indicated that she reviewed those fees with the TRPA staff and would forward the Air Quality reviews to the County's Engineering Department.

There was no response to the call for public comment.

Commissioner Breternitz indicated he had been contacted by the Nevada Department of Environmental Protection. Based on the last census, they informed him that the categorization of the Incline Village/Crystal Bay area had been upgraded to more of an urban condition, which would have an affect on air and water. He requested staff check on the categorization since it was Basin-wide and could have an affect on the County's relationship with TRPA. Mr. Whitney stated that he would conduct a follow-up for that issue.

On motion by Commissioner Breternitz, seconded by Chairman Larkin, which motion duly carried with Commissioner Humke temporarily absent, it was ordered that the Board of County Commissioners would support the direction TRPA was taking with their Regional Plan update, which included transitioning more permitting to local jurisdictions to allow TRPA to focus on projects and programs of regional significance.

### **BLOCK VOTE**

The following agenda items were consolidated and voted on in a block vote: Agenda Items 15, 16, 17, 18, 20 and 21. Commissioner Humke returned to the meeting during the reading of the block vote items.

#### **12-381      AGENDA ITEM 15 – HUMAN RESOURCES**

**Agenda Subject: "Recommendation to approve Fiscal Year 2012/2013 Health Benefits Program for employees, dependents and retirees [approximate annual cost of \$45.3 million]; and if approved, authorize the Human Resources Director to execute all insurance contracts and service agreements pertinent to the Health Benefits Program. (All Commission Districts.)"**

There was no public comment on this item.

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

**12-382            AGENDA ITEM 16 - PURCHASING**

**Agenda Subject: “Recommendation to award Washoe County Request for Proposal (RFP) No. 2808-12 for a Convicted Offender Information Management System to STaCS DNA Inc., 2255 St-Laurent Blvd. Suite 206 Ottawa, Ontario for the Washoe County Sheriff’s Forensic Science Division [approximately \$170,000]; and if awarded, authorize the Purchasing and Contracts Manager to execute an agreement for same; 100% of the funding is available from the COPS Grant and Genetic Marker Testing Fund. (All Commission Districts.)”**

There was no public comment on this item.

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

**12-383            AGENDA ITEM 17 - PURCHASING**

**Agenda Subject: “Recommendation to award Bid No. 2815-12 for new Fleet Heavy Equipment and Sale of Used Equipment to the lowest responsive, responsible bidders, Cashman Equipment Company [\$692,262], Pape Machinery [\$1,050,000], and Snoquip [\$156,365] for the purchase of nine replacement units and one snowblower; and Ritchie Bros Auctions [\$1,633,000] for the purchase the County’s eleven units of used equipment. This nets out to acquisition costs of \$265,627 for the purchase of nine new units comprised of 3 front end loaders, 3 backhoe loaders, 3 motorgraders, and one snowblower; and if awarded, authorize subsequent purchases from this award through December 31, 2012 should the need arise and subject to available funding. (All Commission Districts.)”**

There was no public comment on this item.

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

**12-384            AGENDA ITEM 18 – COMMUNITY SERVICES/PUBLIC WORKS**

**Agenda Subject: “Recommendation to accept donation [\$2,000,000] for Fiscal Year 2011/12 from Ruby Pipeline LLC to be expended for repair of County Route 447 and County Route 34 (Gerlach, Nevada); and if accepted, direct Finance Department to make the appropriate budget adjustments. (Commission District 5.)”**

On behalf of the Board, Commissioner Jung thanked the Ruby Pipeline LLC for their generous donation.

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Breternitz, which motion duly carried, it was ordered that Agenda Item 18 be accepted and directed.

**12-385**            **AGENDA ITEM 20 – COMMUNITY SERVICES/WATER RESOURCES**

**Agenda Subject:** “Recommendation to award bid for the Old Washoe Estates Well 4 Construction Project to Hydro Resources-West, Inc., the lowest, responsive, responsible bidder [\$199,030 - Water Resources enterprise fund]. (Commission District 2.)”

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Breternitz, which motion duly carried, it was ordered that Agenda Item 20 be awarded.

**12-386**            **AGENDA ITEM 21 – COMMUNITY SERVICES/WATER RESOURCES**

**Agenda Subject:** “Recommendation to award bid for the Lemmon Valley Well House 6 Reconstruction to Resource Development Company, the lowest, responsive, responsible bidder [\$216,807 - Water Resources enterprise fund]. (Commission District 2.)”

Commissioner Weber indicated that this item affected Commission District 5 and not Commission District 2 as noted on the agenda.

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Breternitz, which motion duly carried, it was ordered that Agenda Item 21 be awarded.

**11:37 a.m.**        The Board convened as the Truckee Meadows Fire Protection District (TMFPD) Board of Fire Commissioners. Commissioner Humke temporarily left the meeting during the TMFPD meeting.

**12:23 p.m.**        The Board remained convened as the TMFPD Board of Fire Commissioners and also convened as the Sierra Fire Protection District (SFPD) Board of Fire Commissioners.

**1:01 p.m.**        The Board adjourned as the TMFPD Board of Fire Commissioners and reconvened as the SFPD Board of Fire Commissioners with Commissioner Humke absent.

**1:19 p.m.** The Board adjourned as the SFPD Board of Fire Commissioners and reconvened as the Board of County Commissioners.

**12-387** **AGENDA ITEM 29 – 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.”

**1:19 p.m.** On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried with Commissioner Humke absent, it was ordered that the meeting recess to a closed session for the purpose of discussing negotiations with Employee Organizations per NRS 288.220.

**2:59 p.m.** The Board reconvened with all members present.

**12-388** **AGENDA ITEM 19 – COMMUNITY SERVICES/COMMUNITY DEVELOPMENT**

**Agenda Subject:** “Recommendation to review and discuss concerns and issues related to the 2012 update to the Truckee Meadows Regional Plan and direction to staff regarding the County's position on Regional Plan Policies 1.3.3 and 1.1.5 and the six region-wide issues contained in the staff report. (All Commission Districts.)”

Bill Whitney, Acting Community Development Director, stated that the Truckee Meadows Regional Planning Commission (TMRPC) was conducting workshops and planning directors from the three local entities were meeting with TMRPC to discuss update issues. As the process moved forward, he would continue to update the Board. He said the Washoe County Planning Commission held a discussion in regard to the Regional Plan update, which was regional in scope, but also dealt with specific issues pertinent to the unincorporated portions of the County. The Planning Commission did not make any motions or vote on individual issues, but each commissioner had an opinion on specific issues, which were included in the staff report as Attachment “A.” Mr. Whitney indicated that Citizen Advisory Boards (CAB’s) had not been involved with the Regional Plan update, but TMRPC was conducting public outreach to the CAB’s and invited them to the Regional Plan overview held on March 14, 2012.

Mr. Whitney explained that Regional Plan Policy 1.3.3 established criteria for the development of non-residential uses, particularly commercial and industrial in the unincorporated County. It had been mutually determined by TMRPC and the County that Policy 1.3.3 was vague and presented numerous implementation challenges. The TMRPC was requiring the County to pursue an amendment to that policy and propose new language to provide clarity and direction absent from the current policy. He said previous action to Policy 1.3.3 removed the commercial cap in the Spanish Springs Area Plan that limited industrial and commercial land uses and a resolution had been approved to amend the Regional Plan.

Mr. Whitney said discussions had occurred at the regional planning level to review industrial land-use in the region. The Regional Transportation Commission (RTC) and the Western Regional Water Commission (WRWC) as interested partners with the Economic Development Authority of Western Nevada (EDAWN) would be included to provide some background data to develop a regional and industrial land-use analysis that could stimulate economic development in the region.

Mr. Whitney said Policy 1.1.5 defined properties outside of the Truckee Meadows Service Area (TMSA) as the Rural Development Area (RDA), but the Regional Plan restricted additional development within the RDA that required the provision of municipal services, and did not allow new divisions of land that would create a parcel less than five acres in size. He said the issue with Policy 1.1.5 was that it was confusing and the term “municipal services” needed to be defined better in the Regional Plan. In addition to services such as water and sewer, the definition of municipal services also included roads and public safety. He said six region-wide update issues were listed in the staff report and noted that TMRPC had begun working on number two. He covered the possible changes in number five, and he felt the County should discuss supporting such changes that did not negatively impact the County fiscally.

Kim Robinson, TMRPC Director, said a two-tiered approach around short-term solutions and a regional form and pattern conversation would be presented to the Governing Board. Also discussed would be an economic development project and the industrial land analysis.

In regard to policy 1.3.3, Commissioner Breternitz said it was beneficial for the County to be treated the same and felt by deleting Policy 1.3.3 all three entities would be treated in the same manner. Mr. Whitney said it made sense to treat all three entities the same, but it had never been done that way in the Regional Plan. The County was viewed as being more rural with large lot, suburban type developments, but the Regional Plan concentrated the densities and transportation amenities within the Cities. In this instance, it made sense to treat the entities the same in the TMSA since that was where infrastructure in the Regional Plan should be concentrated. Commissioner Breternitz asked if there was a particular option being recommended. Mr. Whitney indicated that four of the seven Planning Commissioners preferred to delete Policy 1.3.3.

Commissioner Weber said if all the entities were treated equally, there would be a cost that was shared, which also needed to be shared equally. Commissioner Breternitz replied that the cost contributed was based on the number of members on the Governing Board, but this was about land-use versus representation. Mr. Whitney clarified the amounts paid by the entities were based on population. Ms. Robinson confirmed that the budget was divided with the City of Reno paying 40 percent, the City of Sparks paying 30 percent and Washoe County paying 30 percent.

Chairman Larkin stated the caveat for a motion would be to not restrict the Commissioners who sat on the Governing Board to just these items since there may be other items derived from Regional Planning Commission actions.

Commissioner Breternitz moved to delete Policy 1.3.3 and concurred with staff recommendations on Policy 1.1.5. He also moved to approve the additional six region-wide update issues. Commissioner Humke seconded the motion.

Chairman Larkin clarified that staff did not recommend deleting Policy 1.3.3, but sought amendment to that policy in order to develop a clear, realistic and achievable policy for local master plans that may allow non-residential uses of appropriate scale to serve the community and not the greater region. Commissioner Breternitz stated that he did not agree with the staff recommendation for Policy 1.3.3, but did agree with the staff recommendation on Policy 1.1.5. His motion would support deleting Policy 1.3.3, which treated the entities in a similar manner, and the additional six region-wide update issues.

Chairman Larkin stated that he would not support the motion since it was not the direction he wished the Board to move and had hoped for clarification of Policy 1.3.3.

There was no public comment on this item.

On call for the question, the motion passed on a 4 to 1 vote with Chairman Larkin voting “no.”

## **12-389      AGENDA ITEM 22 - FINANCE**

**Agenda Subject: “Status report and direction to staff on Fiscal Year 2012/13 recommended Final Budget. (All Commission Districts.)”**

**3:23 p.m.** Chairman Larkin temporarily left the meeting and Vice Chairperson Weber assumed the gavel.

Katy Simon, County Manager, explained that this was the first formal presentation of the Manager’s recommendations. She said the recommendations had been extended to departments and, if they were not satisfied with the Manager’s recommendations, they could appeal to the Board. She added that the final adoption of the budget would be held on May 21, 2012.

Alan Rosen, Budget Manager, conducted a PowerPoint presentation, which was placed on file with the Clerk. The presentation included the General Fund forecast, trends, change in budget allocation for Fiscal Years 2006/07 to 2012/13, proposed Fiscal Year 2012/13 property tax rates, percent of property tax bill assessed by Washoe County, General Fund – year-end versus next year, financial GPS Fiscal Year 2012/13 recommended budget, revenue assumptions, County-wide Cost Allocation Plan

overview, expenditure assumptions, Fiscal Year 2012/13 recommended budget impacts, and the next steps.

Commissioner Jung asked if any non-General Fund departments were allowed to seek their own contractors if they chose not to use County services. In the case of legal services, Ms. Simon explained that the District Attorney was the constitutional officer and had to approve the use of any outside counsel by the County. She stated the salary for a civil attorney with the County was approximately \$72 an hour, and the rate for an outside attorney was between \$200 and \$300 an hour. She said staff was reviewing managed competition, had bid out certain services and were reviewing the potential to allow a competitive bidding process with the participation of the labor associations and Board direction. Per Commissioner Jung's request, Ms. Simon said the overview of the Cost Allocation Plan was completed and tracked. She commented that there was a report that showed the basis for the cost allocation.

Commissioner Jung inquired if departments were asked to validate the expense that was assumed when the County moved to the allocation basis. Sheri Mendez, Finance Director, replied it was an exhaustive process, but she met with every department that was included in allocating their costs to review their methodology and the costs being allocated. It was through that process that she would certify the report.

Commissioner Breternitz asked if the County had a report on how each departments operation drew from or the overall revenue stream. Ms. Simon said that report was certified by Ms. Mendez and would be provided to the Board. Commissioner Breternitz asked if that was done on the same fiscal cycle. Ms. Mendez said it was completed on a Fiscal Year basis and was based on actuals.

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

**12-390            AGENDA ITEM 23 – MANAGEMENT SERVICES**

**Agenda Subject: “Update and discussion on the 2012 Nevada Legislative Interim Committees and Studies, legislation or legislative issues proposed by legislators, by Washoe County or by other entities permitted by the Nevada State Legislature to submit bill draft requests, or such legislative issues as may be deemed by the Chair or the Board to be of critical significance to Washoe County. (All Commission Districts.)”**

Katy Simon, County Manager, reported that there was no update on the interim committees, but discussions were moving forward with the Legislative Committee that was studying the Consolidated-Tax (C-Tax) formula distribution.

Vice Chairperson Weber remarked that during the Nevada Association of Counties (NACO) Legislative meeting it was mentioned that a meeting was scheduled with the mayors and board chair. Ms. Simon stated a meeting was scheduled for April 26, 2012 and noted that the County would have staff present. She confirmed that no decisions

would be made during that meeting, but there would be an item to discuss the distribution of the C-Tax.

Ms. Simon said staff was working on finding a date for the Board to hold a legislative workshop to review new Bill Draft Requests (BDR's) and other legislative issues.

In response to a previous question posed by Chairman Larkin, Ms. Simon explained that all ballot questions requested by local governing bodies must be sent to the Registrar of Voters by July 16, 2012. If the Board was interested in placing a question on the ballot, the wording of the question and an explanation of the question would have to be Board approved. If the ballot question proposed a bond tax fee or expense, a description of the anticipated financial affect on the County needed to be included and prepared through a resolution.

Vice Chairman Weber stated during the budget hearings several departments stated the possibility of BDR's or bringing certain issues to the Legislature. She asked if those items could be put together and presented to the Board. Ms. Simon indicated that was the intent of the legislative workshop.

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

**12-391      AGENDA ITEM 24 - MANAGER**

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

**4:02 p.m.**      Chairman Larkin returned to the meeting and assumed the gavel.

Cory Cassazza, Chief Information Technology (IT) Manager, reported that the Shared Services meeting for April was cancelled and the next meeting was scheduled for May 21, 2012. Since the last update, he said members from the City of Sparks and the Washoe County School District had been added to the Shared Services Subcommittee who had a meeting scheduled to prioritize future shared services projects. He said staff from the Cities of Reno and Sparks, and the County met to kick-off a project to bid for a joint regional licensing and permitting application that would continue to further define the scopes in the requirements.

Mr. Cassazza said the dispatch co-location for the Incline Village dispatch and the City of Reno dispatch was on track and would be targeted to occur in mid-May.

Commissioner Breternitz questioned if the Shared Services meeting scheduled for May 21st would conflict with the final budget hearing. He asked staff to contact the other entities to see if there would be a conflict due to their budget hearings. Mr. Cassazza stated he would look into the matter.

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

**12-392            AGENDA ITEM 28 – 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 reported that the Nevada Association of Counties (NACO) was scheduled to meet in Winnemucca next week. She announced that the Regional Transportation Commission (RTC) held a retreat on April 20th and the Reno-Sparks Convention and Visitors Authority (RSCVA) was scheduled to meet on April 26th. She thought she had been appointed to the Washoe County School District Oversight Panel; however, they had no record of her appointment and asked for a clarification. Katy Simon, County Manager, stated that appointment would be clarified.

Commissioner Jung reported on a Library event that honored volunteers. She announced that the District Board of Health would meet on April 26, 2012, the Investment Committee met on April 24, 2012, the Parks Commission was scheduled to meet on May 1, 2012, and the Senior Services Advisory Board would meet on May 2, 2012.

**4:07 p.m.**        Commissioner Humke temporarily left the meeting.

Commissioner Breternitz attended the Tahoe Transportation District Board meeting where negotiations were approved for a contract that would lead to water-borne mass transit at Lake Tahoe for the summer. He said there would also be a shuttle bus between Sand Harbor and Incline Village to avoid parking issues. Commissioner Breternitz said that the Tahoe Regional Planning Agency (TRPA) would meet this Wednesday and Thursday to discuss the Regional Plan Update and the long-term transportation plan.

**4:12 p.m.**        The Board recessed.

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

**PUBLIC HEARING**

**12-393            AGENDA ITEM 25 – COMMUNITY SERVICES/COMMUNITY DEVELOPMENT**

**Agenda Subject: “Public Hearing to adopt Regulatory Zone Amendment Case Number RZA12-001 (Gerlach General Improvement District) to amend the regulatory zone designation on parcel number 071-264-03, located at 350 Short Street in Gerlach, Nevada, from High Density Suburban to Public and Semi-Public Facilities to facilitate the operation of an outpatient medical clinic. (Commission District 5.)”**

The Chairman opened the public hearing by calling on anyone wishing to speak for or against the adoption of Regulatory Zone Amendment Case Number RZA12-001.

Roger Pelham, Sr. Planner, conducted a PowerPoint presentation, which was placed on file with the Clerk. He highlighted the map that showed the proposed zone change to allow the medical clinic to operate.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried with Commissioner Breternitz absent, it was ordered that the following findings of the Planning Commission be affirmed and that Regulatory Zone Amendment Case Number RZA12-001 (Gerlach Improvement District) amending the regulatory zone designation on parcel number 071-264-03, located at 350 Short Street in Gerlach, Nevada, from High Density Suburban to Public and Semi-Public facilities to facilitate the operation of an outpatient medical clinic, according to the maps and materials approved by the Planning Commission be adopted:

1. The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan and the Regulatory Zone map.
2. The proposed amendment will provide for land uses compatible with (existing or planned) adjacent land uses, and will not adversely impact the public health, safety or welfare.
3. The proposed amendment responds to changed conditions that have occurred since the plan was adopted by the Board of County Commissioners, and the requested amendment represents a more desirable utilization of land.
4. There are adequate transportation, recreation, utility and other facilities to accommodate the uses and densities permitted by the proposed amendment.
5. The proposed amendment will not adversely affect the implementation of the policies and action programs of the Washoe County Master Plan.
6. The proposed amendment will promote the desired pattern for the orderly physical growth of the County and guides development of the County based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services.
7. The proposed amendment will not affect the location, purpose and mission of any military installation.

**Agenda Subject:** “Second reading and adoption of an Ordinance amending Chapter 5 of the Washoe County Code to establish the Washoe County Stadium Authority and provide for the membership, voting structure, meeting schedule and powers and duties of its board of directors in the operations of the minor league baseball stadium project; providing authority for the imposition of a surcharge on items and services related to the stadium project; and other matters properly related thereto. (Bill No. 1667). (All Commission Districts.)” *To be heard before Agenda Item #27.*

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

Paul Lipparelli, Legal Counsel, explained that NRS 244A.830 provided for the County to create the Stadium Authority to assist in the operation of the major league baseball stadium project and also provided for the membership on the Stadium Authority. He said the ordinance imposing rental car fees was adopted several years ago and the baseball stadium was built in part using bonds funded by those revenues, but in the past few years as the assessed valuation in the redevelopment area fell, the revenues thought to support the investment of the developers in the baseball project were not performing. The City of Reno and the County identified the potential funding available through the Stadium Authority through the imposition of a potential surcharge. He said the State law and the ordinance both contemplated that the surcharge would first be recommended by action of the Stadium Authority and, if passed, the City of Reno under the State law and the ordinance had the job to impose the surcharge. He stated that the adoption of this ordinance put that structure in place.

Amy Harvey, County Clerk, read the title for Ordinance No. 1486, Bill No. 1667.

On motion by Commissioner Humke, seconded by Commissioner Jung, which motion duly carried with Commissioner Breternitz absent, Chairman Larkin ordered that Ordinance No. 1486, Bill No. 1667, entitled, "**AN ORDINANCE AMENDING CHAPTER 5 OF THE WASHOE COUNTY CODE TO ESTABLISH THE WASHOE COUNTY STADIUM AUTHORITY AND PROVIDE FOR THE MEMBERSHIP, VOTING STRUCTURE, MEETING SCHEDULE AND POWERS AND DUTIES OF ITS BOARD OF DIRECTORS IN THE OPERATIONS OF THE MINOR LEAGUE BASEBALL STADIUM PROJECT; PROVIDING AUTHORITY FOR THE IMPOSITION OF A SURCHARGE ON ITEMS AND SERVICES RELATED TO THE STADIUM PROJECT; AND OTHER MATTERS PROPERLY RELATED THERETO,**" be approved, adopted and published in accordance with NRS 244.100.

**12-395**            **AGENDA ITEM 27 – COMMUNITY SERVICES/COMMUNITY DEVELOPMENT**

**Agenda Subject:** “Discussion and possible action to appoint two County Commissioners and alternates to the Washoe County Stadium Authority. (All Commission Districts.)” *To be heard after Agenda Item #26.*

Chairman Larkin nominated Commissioners Weber and Humke for the Washoe County Stadium Authority.

There was no public comment on this item.

On motion by Chairman Larkin, seconded by Commissioner Jung, which motion duly carried with Commissioner Breternitz absent, it was ordered that Commissioners Weber and Humke be appointed to the Washoe County Stadium Authority.

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After the public comment item was called, Katy Simon, County Manager, asked for this item to be reopened to consider alternates to the Stadium Authority. Paul Lipparelli, Legal Counsel, stated that legislation did not specifically call for alternates. Ms. Simon suggested appointing the remaining Commissioners as alternates to avoid quorum issues. Mr. Lipparelli stated that alternates could be designated.

On motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried with Commissioner Breternitz absent, it was ordered that Agenda Item 27 be reopened.

On motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried with Commissioner Breternitz absent, it was ordered that Commissioners Larkin, Breternitz and Jung be named as alternates to the Washoe County Stadium Authority.

**12-396**            **AGENDA ITEM 31 – 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 addressed the Board.

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**6:20 p.m.** There being no further business to discuss, on motion by Commissioner Jung, seconded by Commissioner Humke which motion duly carried with Commissioner Breternitz absent, the meeting was adjourned.

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**ROBERT M. LARKIN**, Chairman  
Washoe County Commission

**ATTEST:**

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

*Minutes Prepared by:*  
*Stacy Gonzales, Deputy County Clerk*