

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

TUESDAY

10:00 A.M.

MARCH 26, 2013

PRESENT:

David Humke, Chairman
Bonnie Weber, Vice Chairperson
Marsha Berkgigler, Commissioner
Vaughn Hartung, Commissioner
Kitty Jung, Commissioner

Nancy Parent, Chief Deputy Clerk
Katy Simon, County Manager
Paul Lipparelli, Legal Counsel

The Washoe County Board of Commissioners convened at 10:07 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:

13-221 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.”

Chris Corbett, Nevada Executive Director for the People Against the National Defense Authorization Act (PANDA), read a statement, which was distributed and placed on file with the Clerk. He stated that a joint Nevada Defense Authorization Act (NDAA) resolution of non-compliance was passed in Clark County and he hoped the same would occur in Washoe County.

Palkin Zed, Project Solution, explained that Project Solution was an organization that provided a safe haven and after-school activities for kids and young adults in a low income, predominately Hispanic area of central Reno. She invited the Board to attend “Project Bighorn,” a fundraiser scheduled for April 3, 2013. She announced that the NBA D League Reno Bighorns would be participating in the event. She distributed flyers for the event that were placed on file with the Clerk.

Holly Powell indicated that she volunteered for “Project Solution” and confirmed the need for this program. She asked the Board to bring awareness to the Project on behalf of the many youths and young adults being served.

Garth Elliott indicated during a recent County Commission meeting there were no general public comment speakers and found that to be disturbing. He questioned if that was due to disillusion or confidence.

Jeff Church distributed a statement that discussed “Safety 88” a ballot measure for the City of Reno in 1988 that promised taxpayers 88 more police officers for a minimum of 313 officers or more based on a population ratio. As of February 2013, he said the City’s population had grown by 100,000, but there were only 280 police officers. The statement was placed on file with the Clerk.

13-222 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.)”

Katy Simon, County Manager, read compliments for County staff that had been received in the Manager’s Office.

Commissioner Weber stated that she attended the Nevada Association of Counties (NACO) Board of Directors meeting and said some informative presentations were conducted. She inquired on ways to present that information to her fellow Board members. Ms. Simon explained if a commissioner received an e-mail, she would forward that information to the other Board members. The Open Meeting Law provided one-way communication and would avoid commissioners having a discussion by “replying to all” and holding a conversation via e-mail.

Paul Lipparelli, Legal Counsel, added there was currently a bill in the Legislature and, if passed in the current form, may create legal problems even for one-way delivery of information to a quorum of a public body. The County had been involved in discussions for that bill since it would impair the ability for citizens to send information to any public body. He said information could be shared with each other, but a problem would occur when dialogue broke out among a quorum about the information that was supplied.

Commissioner Weber commented that presentations were conducted by Mark Johnson, University of Nevada, Reno (UNR) President, regarding the proposed organizational structure changes to the College of Agricultural, Biotechnology and Natural Resources, and the Cooperative Extension. The new structure would combine the Cooperative Extension within those groups. She shared that most of the commissioners in attendance at the NACO meeting were opposed and believed that UNR had moved beyond asking whether that was supported. Commissioner Weber requested an item about collecting real property transfer taxes from the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation, Fannie Mae and Freddie

Mac. Currently, those two groups were not paying real property transfer taxes and noted that counties were entitled to those fees. She said the State of Nevada had a four-year “look back period” and noted that the State was losing money since those two agencies had chosen not to pay. Commissioner Weber reported that she and Commissioner Jung held an open forum concerning Citizen Advisory Board’s (CAB’s) and also discussed other issues and topics brought up by the citizens in attendance.

Commissioner Hartung announced that he toured the Washoe County Detention Facility and said it was amazing what the Sheriff’s Office accomplished with their resources. He also attended their Area Crime Evaluation System (ACES) meeting, which was very well organized and orchestrated. He reiterated his request that any agenda item for SK Baseball would be continued in the event their property taxes were not paid by the time that item came before the Board. Commissioner Hartung requested a review of the Regional Shooting Range, their policies, staffing and fees. He received a call from Sparks Councilmember Ron Schmitt who indicated that the Range Master was making out-of-pocket purchases because he felt the proper tools were not available. Commissioner Hartung felt that needed to be re-evaluated.

Commissioner Jung asked if the representatives from “Project Solution” collaborated with the Community Resource Center. Palkin Zed replied there was presently no collaboration, but she was always willing to share resources. Commissioner Jung announced that the Sun Valley Gepford Park Concession Stand had been awarded the entire Community Development Block Grant (CDBG) of \$212,000. She remarked that she visited the proposed Regional Transportation Commission (RTC) Connector site between Pyramid Highway and Highway 395, which was planned to go through the Sun Valley area. She said it was eye-opening for the potential impacts that would hit that valley.

Commissioner Berkbigler reported that her two recent community meetings concerning CAB’s were successful and noted many citizens were in attendance. She announced that she would conduct community meetings on a quarterly basis.

Chairman Humke discussed a bill concerning the degree of regulation a county could have over events that took place on federal, public lands that lied within a county. He said Washoe County was neutral on the bill because of an ordinance that specifically stated the County shall not regulate events that took place on federal, public lands within Washoe County. He explained that Pershing County had turned this issue into a debate over federal law, the Constitution of the United States and the State of Nevada Constitution and that great arguments were presented on both sides. Chairman Humke commented that he also conducted a community forum which was attended by many citizens.

Commissioner Weber reported that the Gerlach community had opted-out of holding CAB meetings and had hired a community organizer to call meetings as needed for issues that affected the Gerlach community.

Ms. Simon said that a County employee had recently passed away and she acknowledged her many years of great service to the organization.

13-223 AGENDA ITEM 8 - PROCLAMATION

Agenda Subject: “Proclamation--March 31, 2013 as César Estrada Chávez Day. (Requested by Commissioner Jung.)”

Commissioner Jung read and presented the Proclamation to Rajan Zed, Nevada César Chavez Day Committee Chairman. Mr. Zed introduced Chelsea Ann Mihaylo, Miss Washoe County, Victoria Sanderson, Nevada César Chavez Day Committee Treasurer, Ramon Chavez, César Chavez’s nephew and Andrew Barbano, César Chavez Celebration.

Mr. Zed thanked the Board for this Proclamation. He said a service of celebration with multi-faith prayers, music, dance and reflections would be held at the University of Nevada, Reno (UNR) on March 31, 2013 to honor the legacy of César Chavez. On behalf of the Latinos in the community, Ms. Mihaylo thanked the Board for this honor. Ms. Sanderson thanked the Board and the UNR Interfaith Students Club for honoring César Chavez. Mr. Barbano thanked the Board and announced that the annual event would be held at the Circus Circus Casino. The event would celebrate the life and legacy of César Chavez. On behalf of his family, Ramon Chavez thanked the Board for the Proclamation honoring his uncle.

There was no public comment on this item.

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

13-224 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

Beth Langan, Office Support Specialist

Essentials of Personal Effectiveness

Fred Mana-ay, Caretaker, Animal Services

CONSENT AGENDA

13-225 AGENDA ITEM 6A

Agenda Subject: “Cancel April 16, 2013 County Commission meeting.”

There was no public comment on this item.

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

13-226 AGENDA ITEM 6B – HUMAN RESOURCES

Agenda Subject: “Approve reclassification requests as evaluated by the Job Evaluation Committee to include: two Technology Network Engineer II’s (annual fiscal impact of \$18,489), one Regional Communications Coordinator (annual fiscal impact of \$14,010), four Senior Business Analysts (annual fiscal impact of \$11,041) in Technology Services; one Supervising Communications Specialist (annual fiscal impact of \$9,244) in the Sheriff’s Office; and one Principal Fiscal Analyst (annual cost savings of \$36,484) in the Finance Department [total annual fiscal impact is \$16,302]. (All Commission Districts.)”

There was no public comment on this item.

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

13-227 AGENDA ITEM 6C - MANAGER

Agenda Subject: “Approve Human Services non-profit grant contract for fiscal year 2012-13 [\$12,048] to Volunteers of America to support operation of the Cold Weather Shelter, retroactive from March 1, 2013 through March 31, 2013; approve Resolution necessary for same; and, direct Finance to make the appropriate budget adjustments. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 6C be approved and directed. The Resolution for same is attached hereto and made a part of the minutes thereof.

13-228 AGENDA ITEM 6D - PURCHASING

Agenda Subject: “Authorize Purchasing Department to release a Request for Proposal for Independent Audit Services for fiscal years 2014 through 2016 for Washoe County with the provision for one successive two-year renewal option,

solely at the discretion of the Board of County Commissioners and the County Manager, with bids also requested for Sierra Fire Protection District, Truckee Meadows Fire Protection District, and the Washoe County, Nevada OPEB Trust. (All Commission Districts.)”

There was no public comment on this item.

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

13-229 AGENDA ITEM 6E – SENIOR SERVICES

Agenda Subject: “Accept grant award from the State of Nevada Aging and Disability Services Division for the Nutrition Services Incentive Program [\$67,624, with no County match] retroactively for the period of October 1, 2012 through September 30, 2013; and authorize Chairman to sign the Notification of Grant Award. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 6E be accepted, authorized and executed.

13-230 AGENDA ITEM 6F - SHERIFF

Agenda Subject: “Approve grant [\$4,600, 25% in-kind match required] from the State of Nevada, Department of Public Safety, Office of Traffic Safety - Traffic Speed Control; grant term is 2/25/13 through 9/30/13, to be used to purchase hand-held radar units; and authorize Finance to make the necessary budget adjustments. (All Commission Districts.)”

There was no public comment on this item.

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

13-231 AGENDA ITEM 6G(1) – COMMUNITY SERVICES

Agenda Subject: “Acknowledge receipt of the unaudited Financial Report for Washoe County Community Services Department Water Resources Fund for the six months ended December 31, 2012. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 6G(1) be acknowledged.

13-232 AGENDA ITEM 6G(2) – COMMUNITY SERVICES

Agenda Subject: “Approve a refund to C.B. Maddox for sanitary sewer connection privilege fees as a result of the reversion to acreage maps for the Wedge Meadows Unit 6 and Unit 7 residential development projects in the South Truckee Meadows [\$49,500 Sanitary Sewer Connection Fee Cost Center 668600]. (Commission District 2.)”

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 6G(2) be approved.

13-233 AGENDA ITEM 6G(3) – COMMUNITY SERVICES

Agenda Subject: “Approve a request for sponsorship of Artown 2013, including waiver of park facility rental fees [\$5,400] and printing services [not to exceed \$1,400 of in-kind costs]. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 6G(3) be approved.

13-234 AGENDA ITEM 6G(4) – COMMUNITY SERVICES

Agenda Subject: “Accept Historic Preservation Fund (HPF) Grant [\$17,000, with \$13,507.30 County match]; and approve retroactively the State of Nevada Historic Preservation Office “Historic Preservation Funding Agreement;” authorize the Division Director of Planning and Development to sign the grant agreement (term 3-15-12 to 6-30-13) and all associated documents on behalf of the County; and authorize Finance to make the appropriate budget adjustments. (Commission District 2.)”

There was no public comment on this item.

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

13-235 AGENDA ITEM 6H(1) – DISTRICT ATTORNEY

Agenda Subject: “Approve payments [\$4,898.94] to vendors for assistance of 34 victims of sexual assault and authorize Comptroller to process same. NRS 217.310 requires payment by the County of total initial medical care of victims, regardless of cost, and of follow-up treatment costs of up to \$1,000 for victims, victim’s spouses and other eligible persons. (All Commission Districts.)”

There was no public comment on this item.

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

13-236 AGENDA ITEM 6H(2) – DISTRICT ATTORNEY

Agenda Subject: “Accept renewed funding for a Deputy District Attorney for the provision of continuing prosecutor services related to the High Intensity Drug Trafficking Areas (HIDTA) Task Force [\$80,000] from the Office of National Drug Control Policy award to Nevada HIDTA for the period April 1, 2013 through March 31, 2014, with remaining \$20,000 position cost covered by District Attorney General Fund budget; and direct Finance to make the necessary budget adjustments. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 6H(2) be accepted and directed.

13-237 AGENDA ITEM 6I(1) - TREASURER

Agenda Subject: “Approve request to increase change fund from \$600 to \$950 for the Washoe County Sheriff’s Office, Records Division; and authorize Chairman to execute Resolution for same. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 6I(1) be approved, authorized and executed. The Resolution for same is attached hereto and made a part of the minutes thereof.

13-238 AGENDA ITEM 6I(2) - TREASURER

Agenda Subject: “Approve request to increase change fund from \$900 to \$1,100 for Sparks Justice Court; and authorize Chairman to execute Resolution for same. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 6I(2) be approved, authorized and executed. The Resolution for same is attached hereto and made a part of the minutes thereof.

13-239 AGENDA ITEM 6G(5) – COMMUNITY SERVICES

Agenda Subject: “Approve the Community Services Department Regional Parks and Open Space 2013 Fee Schedule. (All Commission Districts.)”

Commissioner Berkbigler questioned the Photography Permit Fee. She was informed of an incident when a professional photographer was at Rancho San Rafael Park photographing his family and was asked to leave by a Park employee because he did not have a permit. She felt it was inappropriate to not allow individuals to use a public park for family photographs. As a result, private property areas such as Caughlin Ranch were being used for photographs because people felt they could no longer take photos in public parks.

Al Rogers, Programs and Projects Division Director, explained the intent of the Photography Fee was not to discourage someone from using the parks for photographs. It was to ensure that when County Parks were used by professionals for photos there would be some sort of fee associated for those professional services provided on County property. Commissioner Berkbigler stated she understood that reasoning seemed appropriate for wedding photos or large groups, but for small groups she felt that fee seemed inappropriate. She said staff needed to be educated and consider whether the *Class I Photography 1-25* permit needed to be removed or changed.

Katy Simon, County Manager, reiterated that the intent was to collect the fee from professional photographers that were profiting from the people’s property. It was not the intent to charge a fee when that professional was taking pictures of their family. Commissioner Berkbigler still felt this fee was inappropriate and felt strongly that *Class I Photography 1-25* permits needed to be removed or changed.

Commissioner Hartung indicated that he held that specific permit and had been approached on numerous occasions. He felt an error may have occurred in the incident described by Commissioner Berkbigler because when photographing his family, he had been approached and the question was asked “is this your family.” He understood the concern and, as a taxpayer and business owner, he paid personal property taxes on his

photography equipment; however, he also understood the County's position to separate personal, private use versus commercial use. He said there may be a disconnect on the way professional photographers had been apprised that a permit was needed. Commissioner Hartung explained that the fee was per studio and covered all photographers within a studio.

Commissioner Weber asked if this was a new fee. Mr. Rogers stated that the photography fee had been on the books for a number of years. He added that *Class I Photography 1-25* permits were not issued as frequently as others and most permits issued fell under the *Class 4 Annual Permit*. Commissioner Weber was concerned about the photography fee since those taxpayers obtained a business license and already paid those fees.

Commissioner Weber commented that the Building and Garden Facility Use fees were exorbitant and inquired why many of the County's buildings were not being used. She proposed those fees be reduced by half for a trial period to encourage citizens to reserve those facilities. Mr. Rogers replied that it would be feasible to change any of the fees. He believed the reason for the decrease in rentals was due to the economic situation and there were now more viable options besides County buildings, but the fees could be changed.

In terms of photographer's fees, Commissioner Jung believed those should be paid since professionals were using the beauty of a taxpayer invested park to make money. She explained that she had an issue with those fees in the past and had researched best practices across the country. In regard to the Building and Garden Facility Use fees, Commissioner Jung stated it may be helpful to begin at the Regional Parks and Open Space Commission with last year's performance of the different buildings. She agreed that some were too expensive and the County may be expensing themselves out of a client. However, she reminded the Board that the parks and recreation division and the arts and culture division had suffered a 48 percent reduction since budget cuts began and to ask for lower fees would place them in a difficult situation.

Commissioner Weber understood that the economy was still fragile, but felt that was all the more reason for citizens to use the buildings. She hoped that their concerns with the Building and Garden Facility Use fees, the hourly rental fees and the photography fees would be sent to the Regional Parks and Open Space Commission. Mr. Rogers remarked those items could return to the Regional Parks and Open Space Commission. He indicated the fees that were timely were the Golf fees. He explained that the Washoe Golf Course had a new fee and would prefer that be initiated as soon as possible. There was a slight increase in a few of the walkup rates, but across the board there was a low impact or increase in Golf Fees. He said staff would return with a building analysis from the Regional Parks and Open Space Commission.

Commissioner Berkbigler understood the timeliness, but citizens were paying taxes and should have access to use the facilities at a reasonable rate. She

continued to have a problem with the Photography Fee and stated she was opposed to that fee.

Commissioner Hartung suggested a review of the benefit costs for the buildings and the amount of money generated in terms of revenue. He questioned if any additional or excess funds had been utilized in the past to enhance the parks. Mr. Rogers replied that staff could compile data on the costs of the buildings and historical data for the revenue. Commissioner Hartung asked if the cleaning fee was charged regardless how a facility was left. Mr. Rogers commented that cleaning fees were returned 99 percent of the time. Commissioner Weber said the renters still needed to pay for the hour or more set-up and clean-up, which added to the fees.

In response to the call for public comment, Garth Elliott spoke on the photography fees. He noted when someone made money from federal lands such as selling photographs, they had to pay 7 percent of their revenue.

On motion by Commissioner Weber, seconded by Commissioner Berkbigler, which motion duly carried, it was ordered that the Washoe County Regional Parks and Open Space 2013 fee schedule be approved with the exception of the Building and Garden Facility Use Fees and the Photography Permit Fees. It was further ordered to send those two items back to the Regional Parks and Open Space Commission for discussion and then a report back to the Board.

13-240 AGENDA ITEM 6G(6) – COMMUNITY SERVICES

Agenda Subject: “Approve Amendment #2 to the Agreement for License and Professional Management Services at Washoe Golf Course between the County of Washoe and Bell-Men Golf Inc. retroactive to July 1, 2012 and approve a waiver of unpaid late fees [approximately \$20,000] through March 31, 2013. (Commission District 1.)”

In response to Commissioner Weber, Al Rogers, Programs and Projects Division Director, explained that Amendment No. 2 considered the modification of the financial aspects. He said the County entered into the agreement with Bell-Men Golf, Inc. in January 2012 with per forma and the financials at that time. As the County progressed through the first year of the contract, it was discovered that some of the County’s financials were not as accurate as they were in January 2012. He said those financials had been modified and had been taken into consideration for this compensation packet. Mr. Rogers said this contract provided professional services and food and beverage services. During the infancy of the contract, struggles were discovered for both parties. In terms of financials, this request would modify the financials based upon what the County changed and, in lieu of that, it was being requested to forgive the \$20,000 in late fees based upon the numbers not being accurate.

Commissioner Weber asked why the Sierra Sage Golf Course did not need the same type of modifications. Mr. Rogers explained that the contract for the Sierra Sage

Golf Course was for full management, collection of 100 percent of the fees and to pay for the entire operation of the Golf Course including maintenance. The Washoe Golf Course collected 100 percent of the fees, but paid the County all the costs necessary including maintenance, depreciations, cost-allocation and reserves. The Golf Enterprise Fund was not subsidized by the General Fund and was completely self-supporting. Commissioner Weber asked if the management style would be changed for the Washoe Golf Course. Mr. Rogers indicated this was the second year of a five year contract, and at the end of that contract the County had the sole discretion to renew or renegotiate and consider options such as full management.

There was no public comment on this item.

On motion by Commissioner Berkbigler, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 6G(6) be approved.

BLOCK VOTE

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

11:46 a.m. Commissioner Weber made the motion for the Block Vote and then temporarily left the meeting.

13-241 AGENDA ITEM 10 – JUVENILE SERVICES

Agenda Subject: “Recommendation to approve Amendment #1 to Contract between the Department of Health and Human Services (Division of Health Care Financing and Policy) and the County of Washoe (Juvenile Services) to accept Targeted Case Management (TCM) reimbursements for services from Nevada Medicaid. The amendment revises language to incorporate for administrative services, and to add contract authority \$160,000 for administrative claims. Administrative claims shall be effective retroactively to July 1, 2012. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Chairman Humke, which motion duly carried with Commissioner Weber temporarily absent, it was ordered that Agenda Item 10 be approved.

13-242 AGENDA ITEM 11 - SHERIFF

Agenda Subject: “Recommendation to approve the Washoe County Sheriff’s Office, Forensic Science Division and the Purchasing Department to lease a GC/MS (Gas Chromatograph/Mass Spectrometer) and a Triple Quadrupole LC/MS (Liquid Chromatograph/Mass Spectrometer) for toxicology testing over a period of five years from July 1, 2013 through June 30, 2018 [\$117,816.60 per year (\$589,083.00

five year total)] through a sole source vendor, Quantum Analytics. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Chairman Humke, which motion duly carried with Commissioner Weber temporarily absent, it was ordered that Agenda Item 11 be approved.

13-243 AGENDA ITEM 12 – TECHNOLOGY SERVICES

Agenda Subject: “Recommendation to approve “Agreement Between Pictometry International Corporation and Washoe County” [\$200,844.42] that will upgrade the Assessor’s Pictometry Six Year Agreement to include a one-time upgrade to the Pictometry Accuplus product for the Calendar Year 2013 Pictometry flight; and authorize the Purchasing and Contracts Manager to execute the agreement. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Chairman Humke, which motion duly carried with Commissioner Weber temporarily absent, it was ordered that Agenda Item 12 be approved, authorized and executed.

13-244 AGENDA ITEM 14 – COMMUNITY SERVICES

Agenda Subject: “Recommendation to approve a refund to Bailey & Dutton Homes for sanitary sewer connection privilege fees as an outcome of not recording a final map resulting in cancellation of the proposed Damonte Ranch Village 23A-2 Subdivision located in the South Truckee Meadows [\$181,800 - Sanitary Sewer Connection Fee Cost Center 668600]. (Commission District 2.)”

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Chairman Humke, which motion duly carried with Commissioner Weber temporarily absent, it was ordered that Agenda Item 14 be approved.

13-245 AGENDA ITEM 15 – COMMUNITY SERVICES

Agenda Subject: “Recommendation to approve the settlement and release of claims made by HOF Financial I, LLC against Washoe County [sum of \$1,545,669.87], plus 101.8 Equivalent Residential Unit Credits, plus the exchange of 269.523 acre feet of Thomas Creek Water Rights for 163.346 acre feet of Whites Creek Water Rights arising under the Water Service Contribution Agreement between McCauley Ranch

Estates, LLC and Washoe dated December 31, 2005 [\$1,545,669.87 – Water Resources Enterprise Fund]. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Chairman Humke, which motion duly carried with Commissioner Weber temporarily absent, it was ordered that Agenda Item 15 be approved.

13-246 AGENDA ITEM 16 - FINANCE

Agenda Subject: “Recommendation to approve the retention of Kafoury, Armstrong & Company to perform County-wide Independent Audit Services for Washoe County for fiscal year 2012/13 [\$135,000] pursuant to the engagement letter for same dated March 1, 2013. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Chairman Humke, which motion duly carried with Commissioner Weber temporarily absent, it was ordered that Agenda Item 16 be approved.

11:49 a.m. The Board convened as the Truckee Meadows Fire Protection District (TMFPD) and the Sierra Fire Protection District (SFPD) Board of Fire Commissioners.

1:20 p.m. The Board adjourned as the TMFPD/SFPD Board of Fire Commissioners and reconvened as the Board of County Commissioners.

1:23 p.m. The Board recessed.

2:07 p.m. The Board reconvened with all members present.

13-247 AGENDA ITEM 9 – REGISTRAR OF VOTERS

Agenda Subject: “Discussion and possible direction regarding potential for eventual elimination of paper Sample Ballots and instead directing voters to view their Sample Ballot on-line. (All Commission Districts.) Requested by Commissioner Hartung.”

Luanne Cutler, Administrative Assistant, conducted a PowerPoint presentation, which was placed on file with the Clerk. The presentation included: the 2012 General Election Sample Ballot costs; the current web page; NRS 293.565, which required that a sample ballot be mailed to each registered voter prior to every election; and, existing programs in California. She said every sample ballot viewed on-line was a savings to the County, the environment and a convenient resource for voters. Because

Sample Ballots were required by statute, a change in legislation would be needed and may be difficult to secure during the current session. She explained that Washoe County had no ability to propose legislation at the present time and would have to work within the Legislative schedule.

Commissioner Hartung distributed the *Oregonian Voter Guide*, which was placed on file with the Clerk. He explained the Guide was a module that allowed citizens to input their address which would then tell that individual their precinct. It then allowed the voter to place a checkmark next to the candidate of their choice and, at the end of the Guide, ask if the voter wanted a printed copy. Commissioner Hartung suggested a postcard be sent to County voters, similar to the size of the label currently on the Sample Ballot to give voters the information needed for their polling place with a bar code to scan at their polling locations. He questioned if it were legally possible to ask voters if they wished to opt-out of receiving a Sample Ballot. Ms. Cutler did not believe that was an option at the present time. Commissioner Hartung understood, but felt it could be offered and then publicly notice that this service was available on-line.

Commissioner Weber stated that the NRS required Sample Ballots be mailed and another system could not be enabled until legislation was changed. Since the Legislature was in session, she asked if the Board could have something entwined into a current piece of legislation without having to wait until the next session. Commissioner Hartung agreed with that suggestion, but asked if a module could be in place for future ballots for the edification and ease of the voter.

Commissioner Berkbigler stated that could be done, but did not eliminate Sample Ballots having to be mailed per NRS. Commissioner Hartung suggested offering this option even though the public may question why that was on-line if paper ballots were needed. Commissioner Berkbigler asked if there was currently any legislation open within this particular statute. Ms. Cutler did not believe so.

Chairman Humke commented that the County could lead the process and cause voters to go to the Legislature and inquire on changing NRS 293.565. He suggested deleting the mail requirement based on practice or pattern of voters requesting on-line ballots. Ms. Cutler did not see a problem with the County instituting that type of a process as used in Oregon. Commissioner Hartung believed if the County led the way in this process, Clark County may join them due to the anticipated savings.

Commissioner Hartung stated that younger voters preferred electronic options instead of a paper ballots. Commissioner Weber supported the idea. She said this should be taken to the Nevada Association of Counties (NACO) and felt they would support the concept.

Commissioner Jung asked if there was the ability for this to be attached to another bill. Chairman Humke said a bill that affected NRS Chapter 293 was required, but the danger in introducing a bill was that it became fair game for amendments. Ms. Cutler clarified there were some bills that involved NRS Chapter 293, but none that

addressed this particular statute. Chairman Humke understood the rule to be something affecting the chapter.

In response to the call for public comment, Garth Elliott agreed with the concept and suggested ballots remain current utilizing the newest technology.

Commissioner Hartung felt this topic should be raised with John Slaughter, Management Services Director, for possible inclusion on a current bill.

There was no action taken on this item.

13-248 AGENDA ITEM 13 – MANAGER/DISTRICT ATTORNEY

Agenda Subject: “Discussion and possible action on Nevada Open Meeting Law provisions relating to public comment, and consideration of changing certain Board practices, including, without limitation, the time limits on public comment for the public meetings of the Board of County Commissioners and the format and contents of meeting notices (agendas) and decorum rules in public meetings. (All Commission Districts.)”

Paul Lipparelli, Legal Counsel, explained that the staff report contained a summary of the Open Meeting Law as to public comment and a brief reference to case law for decorum in public meetings. He said some mandates in the Open Meeting Law regarded the format and content of the agendas, but other advisory information contained in the standard agenda were within the Board’s discretion to determine.

Commissioner Berkgigler stated that Washoe County was the only county in the State that had a two-minute time limit for public comment. She realized a longer time allotment could extend the length of meetings, but felt it was an important issue for citizens. The extension of the time limit would help solidify the Board’s intent for increased public interaction. Commissioner Berkgigler suggested changing the public comment time limit to three minutes to adhere with the other local municipalities.

Commissioner Hartung questioned if the Board could change allowing public comment at the beginning and the end of the agenda. Chairman Humke replied that the requirement for general public comment resided in statute. Mr. Lipparelli explained that the Board could do away with the beginning and end general public comment items, but by doing so, the Board would need to permit speakers to speak on any subject whether or not it pertained to the item under discussion. He said there had to be a period of time on the agenda that allowed for general public comment.

Mr. Lipparelli stated the Board needed a consistent policy for permitting spontaneous demonstrations of support during the meetings or the “applause rule.” He was legally troubled that sometimes applause was solicited by the Board as a way of showing approval to a certain item; however, other times spontaneous applause was not allowed under the idea it was disruptive to the meeting. He felt a discussion was needed

to determine the line between natural and spontaneous shows of support and/or disruption. From a First Amendment perspective, he said verbal and non-verbal types of speech were content neutral. Mr. Lipparelli commented that it may be difficult for some citizens to understand why the Board sometimes allowed applause; however, when the audience applauded a citizen's speech, the Board considered that to be disruptive and if challenged that could be difficult to defend. He felt the difference occurred when the conduct of the audience crossed over into the realm of disruption such as when the audience applauded for what appeared to be a deliberate purpose to delay a meeting, to intimidate other people or to create the type of atmosphere not conducive to a business meeting. He said the presiding officer may choose to make a record on a case-by-case basis of what the conduct was and why the conduct was disruptive.

Commissioner Weber asked if the Board needed to be consistent with the public comment time limit that was chosen. Mr. Lipparelli replied that the time limit needed to be consistent, but the Board could not impose restrictions that appeared to be related to the viewpoint of the speakers. If different types of limitations were used, depending on the type of item, it may be suspect from the beginning and appear to be limiting the speech of people related to one item and not to another. If the Board wanted to have a sliding scale of time limits, he suggested that be related back to a legitimate public interest. Commissioner Weber asked if the first and the last public comment periods could be three minutes and then public comments on particular items be two minutes. Mr. Lipparelli replied that could be done, but it could place the risk that those types of limitations appeared to have some relationship to the Board's apparent appetite for the issue and a complaint could be received that restrictions were being imposed, based on viewpoints instead of a mechanical objective.

Commissioner Jung remarked that the staff report referred to the format and content of agendas which must be placed in certain locations. She had received complaints that it was difficult to read through all the postings on the bulletin board in the lobby of the complex. She questioned if staff could be directed to ensure that agendas were easily accessible and identifiable.

Commissioner Berkbigler suggested meeting agendas for certain boards and commissions be aligned together, by day and location, to eliminate some confusion.

Katy Simon, County Manager, stated that she would speak with staff, but noted there were several boards supported by different offices.

Commissioner Jung asked what would determine the need to add back the third meeting of the month, and were there more efficient ways to organize and manage meetings. Ms. Simon indicated that it was the Board's direction to dismiss the middle meetings, but that could be changed at any time. She explained that public hearings were placed on one agenda of the month and every attempt was made to place proclamations on one meeting, but many arose after the agenda had been established. An automated agenda process was attempted, which was very cumbersome and difficult and had to be abandoned. Commissioner Jung requested a review on the best time to return to three

meetings per month, ways to better organize the agenda and/or revisit the automated agenda process in order to be more efficient and citizen participation friendly.

Commissioner Weber indicated that the Board chose to have two meetings a month because of staff time and preparation. She felt that two meetings was appropriate.

Ms. Simon commented there were many peculiarities for the types of actions and why the County was governed by different statutes than the cities. She indicated that the Manager's Office had a new staff member and wanted an opportunity to train on the agenda process before launching another attempt at an automated process.

Commissioner Hartung stated a big screen television was located in the lobby of the County Complex and suggested agendas be posted in a rolling fashion for the public.

Commissioner Weber said the agendas listed the Commissioner's reports and updates from various boards and commissions and she questioned if those were still necessary to be listed.

In response to the call for public comment, Ted Levater stated that the Attorney Generals Open Meeting Law manual described a difference between "adhering to the spirit," and "the letter of" open meeting laws. He spoke on applause during a meeting and hoped that the Board would approve the three minute time limit for public comment.

Garth Elliott spoke on the public comment time limits and noted that the County Commission was the only board in the State that had a two-minute time limit.

Gene Gardella spoke on the amount of time allotted for public comment and stated that three minutes was needed for public speakers.

Ms. Simon commented that the Consent Agenda contained items with less than a \$100,000 fiscal impact or were the recommendations of another body. She asked if that was a satisfactory limit and if there was any direction for the pre-screening of block vote items.

Commissioner Weber felt that the block vote process was working well. Commissioner Berkgigler agreed with the process for the block vote and the consent agenda.

In response to comments made during public comment, Mr. Lipparelli explained it had been the advice of the District Attorney's Office that it was a safe practice for the Board not to engage in a discussion about matters brought to the Board's attention during general public comment. It was difficult to separate when comment on matters brought to the Board's attention by a public speaker crossed into the realm of

deliberation and discussion. He said it was not proper under the Open Meeting Law for the Board to deliberate or discuss an item not on the agenda.

Chairman Humke commented on the instituted applause and said the approach had been taken that the Board would recess when there was disruptive applause. He stated his opinion on the two minute time limit and felt the County was not wrong in having that time limit. He remarked that the Board was the only body currently discussing the Open Meeting Law.

On motion by Commissioner Berkbigler, seconded by Chairman Humke, which motion duly carried, it was ordered that the time limit for public comment be changed from two minutes to three minutes for the next year.

13-249 AGENDA ITEM 17 - FINANCE

Agenda Subject: “Presentation on Indirect Cost Allocation Plan and update and status report on Fiscal Year 2013/14 budget, including impacts of sequestration. (All Commission Districts.)”

Sheri Mendez, Finance Director, conducted a PowerPoint presentation, which was placed on file with the Clerk. The presentation highlighted objectives, a background on the allocation of indirect costs, County funds, cost components, direct costs, indirect costs, General Fund indirect departments, the guidelines used in the Plan, allocation basis and the allocation plan process.

Commissioner Weber inquired how the Golf Enterprise Fund was set up since the Enterprise Fund stated those funds were used to provide services to rate payers. Ms. Mendez explained that was an Enterprise Fund because the people that paid for that service, regardless whether the County used a professional provider to provide the service or not, utilized the service.

Katy Simon, County Manager, indicated it was a fee-payer rather than a rate-payer fund and when it was an enterprise that was a business or had revenues exclusively for that purpose. The Enterprise Funds were established to distinguish from people who benefited generally between that service and those that did not. Commissioner Weber thought that was redundant because golf courses were subsidized. Ms. Simon clarified that the golf courses were not subsidized and the Enterprise Fund was completely paid for by the golfers and restated that the General Fund did not support the golf courses. Commissioner Weber commented that it took a certain amount of money to run a golf course and, if the funding was not there to pay their fees, maintenance and repairs, she asked if that came out of those monies. Ms. Simon stated that was correct. She said there was a time when the General Fund subsidized the Golf Course Fund, but that ceased.

In the case of Building and Safety, Commissioner Hartung said the County was taking about \$40,000 from the Building and Safety Enterprise Fund to pay for

management wages, and he did not see how those funds provided for services to rate payers. Ms. Mendez explained the total cost of providing a service was the total cost, the direct cost and the indirect cost. Commissioner Hartung thought that was taken care of by the County-wide Cost Allocation Plan (COWCAP), but also dipped into the Enterprise Fund. Ms. Mendez replied that was incorrect. Ms. Simon explained that staff was using the term indirect cost allocation since that was the COWCAP. She said the Commissioner was reviewing the amount of indirect costs allocations, which included things to provide services to citizens that pulled permits for building in the community. It was cost effective for the County to centralize those services such as payroll and technology and then spread the cost over all the business activities. She said those costs were indirect costs and were charged to the Enterprise Fund because if they were not charged to that Fund, then that Fund would be receiving services it was not paying for and not reflecting the full cost of that businesses activity.

Commissioner Weber commented that the Building and Enterprise Fund had been established for a long time. She inquired on the difference for the Community Services Department (CSD) from the COWCAP. Ms. Mendez indicated that the COWCAP was a cost allocation plan. She said the CSD allocation was intended to be a direct allocation. She explained that indirect costs were items not directly identified and needed separate methodologies allocated from the General Fund. Commissioner Weber asked if the County had always completed the indirect cost allocation. Ms. Simon replied that indirect costs allocations had been done since 2002. She noted that the County was required to provide a cost allocation plan particularly in regard to grants.

Commissioner Berkbigler asked if the cost allocation connected to rate increases for some departments. Ms. Mendez said it was a Fundamental Review recommendation that the County accurately reflect total costs.

Paul Lipparelli, Legal Counsel, explained if a manager incentivized to reduce certain costs, one way was to delete the preventative maintenance such as legal services. He said some department heads may not want to be billed by the District Attorney's (DA's) Office, the Risk Manager or other indirect costs centers for time spent on their issues because they satisfied their department's objective for the current budget. The DA's Office wanted to raise a concern if department heads used this type of a system they should also have a countervailing mandate to appropriately use the available services for the overall benefit of the Risk Management Fund. He said that would be the Fund to use when a breach of contract or judgment suit came down for a case where good advice was not given.

Chairman Humke remarked that five different funds were defined in the presentation. He asked if the County had any of Fiduciary Funds. Ms. Mendez replied there were several such as the Inmate Commissary Fund, Children's Trust Funds and Bail accounts. Chairman Humke said the presentation also indicated that Internal Service Funds were similar to Enterprise Funds, but the rate payers were primarily County departments, and he asked for examples. Ms. Mendez replied that the Health Benefits Fund and Equipment Services Fund were examples of Internal Service Funds. Chairman

Humke questioned the difference between an Internal Service fund system and a COWCAP system. Ms. Mendez stated that the funds were similar, but in the County it was strictly done on a rate-based experience and separate from the indirect allocation.

Commissioner Hartung was concerned if certain funds were drained for overarching management. He said if a customer came to obtain a building permit, but there was not enough staff, he thought temporary staff could be hired using the Enterprise Fund to ensure that building permits or inspections were being issued.

Ms. Simon commented that the General Fund did subsidize the Enterprise Fund during the three hardest years of the recession.

Ms. Mendez continued the PowerPoint presentation and highlighted the following: Budget update; revenues and other sources; expenditures and other uses; General Fund sources and uses; and, the next steps.

Ms. Simon noted there would be no increase in the overall tax rate for Washoe County. She explained that the assumptions were highlighted to build the balanced budget and it was recognized that those assumptions may change.

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

13-250 AGENDA ITEM 18 – MANAGEMENT SERVICES

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

John Slaughter, Management Services Director, distributed handouts that reviewed the 2013 Bills of Interests and an Overview and Summary of SB 229. He said the final bill introduction deadline was March 25th for all committee bills. He noted that 1,006 bills were introduced and staff was tracking approximately 600 of those bills.

AB 46 Related to the Washoe County School Districts Capital Projects Funding. He said an amendment was proposed on February 19, 2013 and said there were two discussions occurring. This bill was exempt from all of the deadlines because of the tax implications.

Commissioner Berkgigler asked if the County’s delegation had a sense on the position for this bill. Mr. Slaughter was not positive, but felt many on the Democratic delegation were supportive and the Republican caucus members were supportive of the need to find a solution for the Schools District’s needs. At this point, he said the discussion revolved around arriving at a bill that the entire delegation could support and the Governor could support.

AB 302 Provides for the merger of fire protection districts and would only impact the Truckee Meadows Fire Protection District (TMFPD) and the Sierra Fire Protection District (SFPD) in Washoe County. Section 3 dealt with the issue that the County had administratively and operationally combined the TMFPD and the SFPD and the last portion would be the legal merger of the Districts as a unit. The bill would allow the merger to occur one of two ways: by petition of the majority of the property owners; or, by a resolution from all the governing bodies that were included. Section 4 dealt with collective bargaining, NRS 288 and that certain sections of the mandatory collective bargaining would not apply with this merged District moving forward, specifically relating to the collection of dues and some language about an arbitrator and what information an arbitrator could review. Section 10 would allow for the increase of the District Emergency Fund from \$1 million to \$1.5 million.

Commissioner Berkbigler asked if this bill had a chance of passing without Section 4. Mr. Slaughter said there was much interest in this bill. He said if Section 4 were in the bill it would probably not move forward. He was concerned because the bill had not yet had a hearing nor had one been scheduled.

4:35 p.m. Commissioner Jung left the meeting.

AB 374 Revised provisions relating to the authority of a board of county commissioners to regulate assemblies, events or activities on federal land. This bill was in response to Pershing County's desire to regulate the Burning Man Festival since that event was located on federal land. This bill stated that counties could not regulate events, assemblies or activities on federal land. This was consistent and modeled after Washoe County's Code that events on federal property were not regulated. Mr. Slaughter said the County held a neutral position on this bill.

Commissioner Weber asked if the economic impact that Burning Man brought to Washoe County was discussed. Mr. Slaughter replied there was testimony from the Reno/Sparks Chamber of Commerce in favor that cited the economic impact. The Reno-Tahoe Airport also testified how important that event was to the region and was their busiest week particularly for international flights. Commissioner Weber commented that the Nevada Association of Counties (NACO) was opposed to the bill.

Commissioner Berkbigler asked if there was anyone besides the sponsor of the bill and Washoe County that thought there was a benefit to this bill. Mr. Slaughter said a number of people testified in support. The Burning Man representative spoke about various philanthropic endeavors the foundation was engaged in throughout the State.

SB 229 Repealed the provision of SB 271 from the 2011 Legislative session and maintained the existing Bi-State Tahoe Regional Planning Compact. There were a number of requirements from the 2011 Session that Nevada would pull out of that Compact by 2015 unless a number of items happened, the primary being an updated Regional Plan. The 2011 Legislation also included moving forward and if the Compact

was dissolved, it would set up a continuation on the Nevada side that the Nevada Tahoe Regional Planning Agency (NVTRPA) would have authority and allow the Governor to extend the deadline to 2017. The 2011 Legislation specifically was set up for a bill draft request similar to SB 229 that the conditions were met to have a bill that repealed the 2011 Legislation.

Mr. Slaughter indicated that a new Tahoe Regional Plan was approved in December 2012. The proponents of the new legislation argued that the Compact should not be dissolved since the Regional Plan had been updated. However, some of the other specific items had not been met, but the argument was that some of those terms were no longer needed. He commented that the Sierra Club had filed a lawsuit challenging the Regional Plan and those that continued moving forward with the possible dissolution of the Compact. Mr. Slaughter spoke to staff at the Tahoe Regional Planning Agency (TRPA) and they stated, "It has been, and remains, the policy of the TRPA Governing Board to remain neutral on legislation that would modify the TRPA Bi-State Compact, including Nevada SB 229 in 2013. Our efforts are directed towards implementing the provisions of the Compact. To that end we completed the update to the Regional Plan in December 2012 as included in Nevada SB 271 in 2011. Our focus will continue to be improving the Lake by working to attain and maintain the adopted environmental thresholds." Mr. Slaughter indicated that another bill looked to be a companion to SB 229 and would require annual reports to the Legislature on TRPA's progress to meet their performance measures and standards.

Commissioner Berkbigler remarked that the consensus of the people in support of this legislation was because California had already introduced the bill to establish their own TRPA agency, but there would be the oversight of the Lake by two states, five counties and at least one city and would make a comprehensive way to study and protect the Lake. She said the people in opposition wanted SB 271 to remain and not be repealed because TRPA was now listening and working in a positive manner to attempt and resolve California's control of what was occurring on the Nevada side of the Lake. She said the business community in the Tahoe Basin hoped that SB 229 would not be adopted. Commissioner Berkbigler said both Carson and Douglas Counties had voted to oppose SB 229 and had asked Washoe County to take a position of opposition.

Commissioner Hartung asked what would happen to TRPA if the Compact dissolved. Mr. Slaughter replied the Bi-State TRPA would cease to exist and the individual State TRPA would be the regulatory authority in the Tahoe Basin. Commissioner Hartung was concerned what would happen to the Lake. Mr. Slaughter stated with the number of jurisdictions that could be involved, there could be a loss of cooperation and noted that all those entities would be competing for the same federal grants.

Because the Compact was federally structured, Commissioner Berkbigler commented there was some question as to whether the Compact could be dissolved. She said if there was a split it was not Washoe County or northern Nevada that had control, but would be the State of Nevada. There was a sense from the realtors, apartment owners

and small business owners in the Tahoe Basin that they finally had TRPA listening to the ideas of northern Nevada. She noted that the cleanest portion of the Lake was the Incline Village/Crystal Bay area.

SB 272 Provides for the revision of boundary lines between Storey County and Washoe County. The request specifically would allow the transfer of 29 parcels to Washoe County from Storey County and 21 parcels from Washoe County to Storey County. The 21 parcels in Washoe County were located east of Sparks adjacent to I-80 and the Truckee River, in close proximity to the Tahoe Reno Industrial Center. The 29 parcels in Storey County consisted of unimproved rural land east of Hidden Valley. He said this bill was sponsored at the request of the property owners.

Mr. Slaughter remarked it was not unique to have boundary line adjustments coming from the Legislature. However, this one was unusual because the bill stated that the Legislature would grant the authority for the boundary line adjustments to occur, but those adjustments would not occur unless both county commissions adopted resolutions to that affect.

Commissioner Weber said she had spoken to individuals involved and agreed that it needed to be enabling legislation and the decisions needed to be made by the two county commissions.

Greg Hess, Storey County's Government Affairs Director, said that Storey County was neutral and was leaning toward support as long as the legislation gave the right amount of guidance to vote with the Washoe County Commission and to ensure that the two Boards made the decision. He said the enabling legislation would give the opportunity to have the discussions.

Chairman Humke asked if Storey County had a flood control project. Mr. Hess replied there was not a flood control project, but members from Storey County had previously sat on the Flood Control Board. He said the main flood control issues were near the McCarran Ranch and Rainbow Bend. Chairman Humke asked if an amendment to the bill would be opposed requiring Storey County to enter into an Interlocal Agreement with Washoe County concerning flood control. Mr. Hess indicated that would have to be discussed with his county manager.

As stated in a discussion earlier in the meeting, Commissioner Hartung inquired about NRS 293 and if there was any appending action. Mr. Slaughter said there were a number of election bills and bills that dealt with NRS 293, but he did not see any that dealt with sample ballots. He asked the Secretary of State's Office how they felt if a voter requested a sample ballot by e-mail. Mr. Slaughter said the reaction was to have the election experts review that concept.

There was no public comment on this item.

Commissioner Berkbigler asked if it would be appropriate for the Board to take a neutral position on SB 272. She was concerned about the Board not taking positions on certain pieces of legislation because it gave a mixed message to the Legislature. Commissioner Berkbigler moved for the Board to take a neutral position on SB 272. Commissioner Weber seconded the motion.

Commissioner Hartung said he would want to make certain that no language, which was adopted, would take it out of the Board's control. He was unclear if neutrality was the best position.

On call for the question, the motion failed with a 2 to 2 vote with Commissioner Hartung and Chairman Humke voting "no," and Commissioner Jung absent.

5:20 p.m. The Board recessed.

5:32 p.m. The Board reconvened with Commissioner Jung and Chairman Humke absent. Vice Chairperson Weber assumed the gavel.

13-251 AGENDA ITEM 19 – MANAGER/COMMUNITY RELATIONS

Agenda Subject: "Recommendation to provide direction to staff on Citizen Involvement Program including but not limited to number, frequency, purpose and structure of community advisory boards; consideration of staff recommendation to establish one community advisory board per Commissioner District, plus one for Incline and one for the rural areas, to meet bimonthly using Open Meeting Law, and authorize staff to issue a request for proposals for contract administrative support for the boards; and continue the hold on the current advisory board meetings until approved structure can be implemented; and direct staff to return to the Commission with implementation plan and initial resolutions necessary to carry out Board direction on April 23, (possible fiscal impact of \$3,417 to be budgeted in FY 2013-2014. (All Commission Districts.)"

Nancy Leuenhagen, Community Relations Manager, Sarah Tone, Community Relations Liaison, Marlene Olsen, Good Standing Outreach Analyst, and Sarah Chvilicek, Citizens Advisory Board (CAB) Chair, conducted a PowerPoint presentation, which was placed on file with the Clerk. The presentation included best practices for Citizen Involvement programs, the Citizen Involvement Revitalization Project (CIRP), the projected timeline, the CIRP method, feedback and results, components for a successful citizen involvement program, components for advisory board success, accomplishments, an Advisory Board Program, and the proposed Advisory Board option.

Commissioner Hartung questioned the difference between appointed members and advisory members. Katy Simon, County Manager, explained if members of

a board were advisory to the Board of County Commissioners (BCC) or appointed by the BCC they were subject to the Open Meeting Law.

Paul Lipparelli, Legal Counsel, explained in addition to being appointed by or advisory to the BCC, they were subject to the Open meeting Law by any public body that expends, disperses or was supportive in whole or in part by tax revenue or which advised or made recommendations to any entity that expends, disperses or was supportive in whole or in part by tax revenue. He said the only way that CAB's of any kind could be outside the Open Meeting Law would be if no public money was spent to support their work and their work was not reported directly to the BCC or another public body.

Commissioner Hartung stated the community meetings Commissioners recently held were not subject to the Open Meeting Law because there were no formal agendas or a quorum of the Board. Mr. Lipparelli stated that was correct.

Commissioner Berkbigler said the best option was to follow the outline in the report and felt it was always best to follow the Open Meeting Law.

Vice Chairperson Weber supported the recommendations; however, the options would not work for District 5. The Gerlach CAB now had a community organizer and had chosen not to participate in the CAB reorganization. She supported the Open Meeting Law and hiring a contracted administrative person. She noted that the CAB's had been on pause for nine months and indicated that many citizens voiced their displeasure with that pause. Vice Chairperson Weber said the option was for one CAB for each District, but in District 5 one CAB would not work. She indicated that the Mogul and Verdi areas would not participate in a District 5 CAB and she hoped that would be addressed in future conversations. She said public participation was attempting to be increased, but decreasing the CAB's would not increase public participation or input. She suggested having one District 5 CAB Chairperson and then break it down to a rural CAB, a Mogul/Verdi CAB and a North Valleys CAB with a vice chair appointed by the Board to run those meetings. The CAB Chair would be appointed by the Commissioner of the District and the Vice Chairs and the CAB Chair would chair those CAB's and help show each CAB how to conduct a meeting. Vice Chairperson Weber suggested when there were development projects in the County large notices be posted on the affected area to give better notice to the public.

Ms. Simon conveyed that Commissioner Jung had shared that she did not want boards that she appointed, but wanted them to be neighborhood-based. She suggested not having the same solution in every District. Ms. Simon said the challenge was the notion of input to the rest of the CAB board and how it would be structured.

Commissioner Hartung suggested two CAB's for his District. He thought general public meetings could be held on a quarterly basis, but the CAB itself needed to be congruous with a developmental-based module.

Vice Chairperson Weber commented while attending the public meetings in her District and being involved with the CAB's, she said the members wanted to meet every month, because there were other things to discuss besides development. She said updates in District 5 were received on the Stead Airport, the Sheriff's Department, Job Corps and on-going projects in that area. She reiterated her position for the Chair and the Vice Chair of each of the CAB's be appointed by that Commissioner and then those individuals would find citizens to make up the remainder of the CAB. She also shared comments from Commissioner Jung who thought each Commissioner should have a set amount of money to provide food at the CAB meetings and also use that money for other types of projects.

Ms. Simon confirmed that Commissioner Berkbigler was comfortable with having two CAB's, Commissioner Hartung wished to have two CAB's with a difference as to how often they would meet and for what purpose, and that Vice Chairperson Weber proposed having three CAB's. She believed that Commissioner Jung and Chairman Humke were comfortable with one District CAB, but the Board would return to settle the numbers. She said staff would return in April with an implementation plan and the Request for Proposal (RFP) for a contracted administrator.

Vice Chairperson Weber suggested staff return at the next Board meeting for an update since two Commissioners were absent.

In response to the call for public comment, Larry Chesney agreed with Vice Chairperson Weber's idea since there were macro communities in District 5. He felt different CAB's were needed to cover the separate issues and concerns.

Jeanne Herman stated she was concerned about her District having only one CAB, and agreed with Commissioner Weber's suggestion.

Lorrie Cusick felt that the CAB's should remain the status quo since there were individual issues within each community. She suggested a mass mailing to inform the citizens of the citizen involvement process and she distributed an example, which was placed on file with the Clerk.

6:37 p.m. Chairman Humke returned to the meeting and assumed the gavel.

Commissioner Hartung did not want to disassemble the CAB's, but in the final days of the CAB's the number of people attending was very minimal with board members outnumbering citizens.

Ms. Simon indicated that action needed to be taken to extend the hold on the CAB meetings until the new structure could be implemented.

Commissioner Hartung moved to accept the report and to continue the hold on the CAB meetings until the new structure could be put in place and that an

update be given to the Board on April 9, 2013. Commissioner Berkbigler seconded the motion.

Commissioner Berkbigler stated that an agenda item was requested for the next Board meeting for an update for the absent commissioners. Ms. Simon clarified there would be an agenda item on April 9, 2013 for an update and then another agenda item for April 23, 2013. She requested the hold remain on the CAB's until the structure could be implemented.

On call for the question, the motion passed on a 4 to 0 vote with Commissioner Jung absent.

13-252 AGENDA ITEM 21 – COMMUNITY SERVICES

Agenda Subject: “Appeal Case No. AX12-003: Appeal of the Planning Commission action of no approval for Master Plan Amendment Case No. MPA12-001 (Village at the Peak). To consider an appeal of the Planning Commission’s decision in case number MPA12-001 (Village at the Peak) of no approval of a request to amend the Spanish Springs Area Plan, being a part of the Washoe County Master Plan. The Board is being asked to reverse the Planning Commission’s decision and directly approve the Master Plan Amendment. The Master Plan Amendment request involves the re-designation of a ±39.83 acre parcel from a mix of Industrial (I), Commercial (C) and Open Space (OS) to Suburban Residential (SR) on the Master Plan Land Use map. The amendment request also includes a change to the Character Statement in the Spanish Springs Area Plan to change the residential density limitations in the suburban core such that the new language of the Character Statement would state: “This suburban core includes a broad mix of non-residential uses together with single-family residential densities of up to three dwelling units per acre and Specific Plan as defined herein” (emphasis added). Additionally, the request includes an amendment to policy SS.1.3 of the Spanish Springs Area Plan to add “Specific Plan (for multi-family densities up to nine dwelling units per acre)” to the list of permitted regulatory zones. The subject property is located north of Calle De La Plata, several hundred feet to the northeast of the intersection of Pyramid Highway and Calle De La Plata within the Spanish Springs Area Plan. APN: 534-562-07. (Commission District 4.) Continued from February 12, 2012 Commission meeting. **NOTE: THIS ITEM TO BE CONTINUED TO A FUTURE COMMISSION MEETING.**”

The Chairman opened the public hearing by calling on anyone wishing to speak for or against Appeal Case No. AX12-003: Appeal of the Planning Commission action of no approval for Master Plan Amendment Case No. MPA12-001.

Gary Gordon, Lewis and Roca, said that the applicant was agreeable to a continuance until April 23, 2013.

Ralph Theiss spoke against the zone change amendment on the basis that it would destroy the existing neighborhood.

Curt Wintersteen questioned if traffic had been considered due to the influx of traffic that would occur with the number of proposed units.

Commissioner Hartung thanked the applicant for their willingness and their patience for the continuance.

On motion by Commissioner Berkbigler, seconded by Commissioner Weber, which motion duly carried with Commissioner Hartung abstaining and Commissioner Jung absent, it was ordered that Appeal Case No. AX12-003 be continued to the April 23, 2013 Commission meeting.

13-253 AGENDA ITEM 20 – COMMUNITY SERVICES

Agenda Subject: “Second reading and adoption of an Ordinance pursuant to Nevada Revised Statutes 278.0201 through 278.0207 approving Development Agreement Case Number DA12-002 for Woodland Village (Tentative Subdivision Map Case Number TM03-004 that was previously approved by the Washoe County Planning Commission on April 1, 2003). The sole purpose of the Development Agreement is to extend the expiration date of said subdivision map until December 15, 2017. The project is located in the north-central portion of the Cold Springs Valley. The project encompasses a total of 2,028 potential residential parcels and is located within Section 9, T21N, R18E, MDM, Washoe County, NV. The project is located in the North Valleys Citizen Advisory Board Boundary. (APNs: 556-290-03 & -19; 556-490-03 & -05; 556-390-21 & -18). (Bill No. 1687). (Commission District 5.)”

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.

6:55 p.m. Commissioner Hartung temporarily left the meeting.

Nancy Parent, Chief Deputy Clerk, read the title for Ordinance No. 1506, Bill No. 1687.

On motion by Commissioner Weber, seconded by Commissioner Berkbigler, which motion duly carried with Commissioners Hartung and Jung absent, Chairman Humke ordered that Ordinance No. 1506, Bill No. 1687, entitled, "**AN ORDINANCE PURSUANT TO NEVADA REVISED STATUTES 278.0201 THROUGH 278.0207 APPROVING DEVELOPMENT AGREEMENT CASE NUMBER DA12-002 FOR WOODLAND VILLAGE (TENTATIVE SUBDIVISION MAP CASE NUMBER TM03-004 THAT WAS PREVIOUSLY APPROVED BY THE WASHOE COUNTY PLANNING COMMISSION ON APRIL 1, 2003). THE**

SOLE PURPOSE OF THE DEVELOPMENT AGREEMENT IS TO EXTEND THE EXPIRATION DATE OF SAID SUBDIVISION MAP UNTIL DECEMBER 15, 2017. THE PROJECT IS LOCATED IN THE NORTH-CENTRAL PORTION OF THE COLD SPRINGS VALLEY. THE PROJECT ENCOMPASSES A TOTAL OF 2,028 POTENTIAL RESIDENTIAL PARCELS AND IS LOCATED WITHIN SECTION 9, T21N, R18E, MDM, WASHOE COUNTY, NV. THE PROJECT IS LOCATED IN THE NORTH VALLEYS CITIZEN ADVISORY BOARD BOUNDARY. (APNS: 556-290-03 & -19; 556-490-03 & -05; 556-390-21 & -18). (BILL NO. 1687)," be approved, adopted and published in accordance with NRS 244.100.

13-254 AGENDA ITEM 22 – COMMUNITY SERVICES

Agenda Subject: “Development Code Amendment Case Number DCA12-002 (Articles 226 and 302, Equestrian Uses in the Warm Springs Planning Area) – Introduction and first reading of an Ordinance amending the Washoe County Code at Chapter 110, Development Code, Article 226, Warm Springs Area to add a new section in order to regulate equestrian uses, such as boarding stables, commercial stables and equestrian facilities, on all legally established parcels greater than 35 acres in area and zoned General Rural (GR) or General Rural Agricultural (GRA) in the Warm Springs planning area, and to add definitions specific to these types of uses. Further to amend Article 302, Allowed Uses, to modify the Table of Uses for Commercial Use Types to reference Article 226 for commercial stables use types within the Warm Springs planning area, and, providing for other matters properly relating thereto as recommended for adoption by the Washoe County Planning Commission; and, if supported, schedule a public hearing for second reading to provide for affirmation of the findings of the Planning Commission and possible adoption of the Ordinance. (Bill No. 1685). (Commission District 5.) Continued from February 12, 2013 Commission meeting.”

The Chairman opened the public hearing by calling on anyone wishing to speak for or against Development Code Amendment Case Number DCA12-002.

7:04 p.m. Commissioner Hartung returned.

Bill Whitney, Planning and Development Division Director, explained that this Development Code amendment was applicable only in the Warm Springs Planning Area and was recommended to loosen the regulations for the commercial boarding of horses.

Sandra Monsalvè, Sr. Planner, conducted a PowerPoint presentation, which was placed on file with the Clerk. The presentation highlighted the location and zoning of the amendment, topic of the amendment, the existing Development Code, definitions, community input, and the proposed amended Table 302. She said this was proposed only for General Rural (GR) and General Rural Agricultural (GRA) zoned properties, 35-acres or larger in the Warm Springs Area Plan. Per a request from

Commissioner Weber, Ms. Monsalvè said there were approximately 50 business licenses currently issued in Warm Springs and of those 50, six were for horse boarding and commercial stables and one was for Ferrier services.

Commissioner Berkbigler asked how staff knew which facilities were used for personal horse boarding and which ones were used for commercial boarding. Ms. Monsalvè replied a commercial business needed a business license and, if they did not have one, Code Enforcement Officers who were informed on a call-in basis, discovered how certain activities were occurring on properties. Commissioner Berkbigler asked how many horses, dogs, or cats could a property owner have in Washoe County. Ms. Monsalvè replied that issue was covered under Article 330, Domestic Pets and Livestock, and was not part of this ordinance. Currently, if a person had 35,000 square feet, the Code allowed them to have as many animals for their own personal enjoyment as long as it pertained to the Health Department regulations.

Commissioner Berkbigler was concerned since this rule change was only for the Warm Springs Equestrian Area because there were other Equestrian Areas. She said it became a concern when there were different rules for different areas in other parts of the County.

Commissioner Weber felt this was a property rights issue and as stated in the Area Plan, “the property owners of Palomino Valley were good stewards of the land by keeping the agricultural and ranching heritage and by maintaining the rural quality of the wide open spaces, dark skies and unique beauty. The vision included the property owners engaging in activities such as agricultural, livestock and poultry raising, 4-H projects equestrian activities, home-businesses and other endeavors.” As a property right, she said those citizens bought their property for those projects and were allowed to have as many horses to board and should not be concerned with individuals who wanted to board horses as a business.

Ms. Monsalvè stated when citizens bought property under the current Code it stated if a person boarded or raised three or more horses it would require a Special Use Permit (SUP) County-wide. There was a regulation in place and this amendment would lessen that regulation. She said there was a standard business license form and application fee, which was renewed annually.

Commissioner Weber questioned if there was a business license process a person had to submit to the Health Department. Under a SUP, Ms. Monsalvè replied the reviewing agencies had the ability to place conditions for potential negative impacts. She said staff would take Board direction on how to approach the issue, but felt it was not enough to review the impacts from a large operation. There were some residents who thought the three horse limit should remain and then others that felt an unlimited number or 50 horses should be implemented. She explained that staff compromised and indicated 20 horses would be a proposed starting point.

Paul Lipparelli, Legal Counsel, said the powers the Board used to regulate business licenses and the use of land derived from the police powers given to local governments. Constitutionally, they shared some of the same heritage, but it was a different application of the powers when speaking about the land use realm and regulating what could be done on property. He said the business license process could also include some of the analyses, but typically involved licensed commercial activities not necessarily tied to a specific parcel of land. The District Attorney's (DA's) Office was comfortable with the proposed scheme in this item as a land-use regulation and did not believe it was reviewed as a business license perspective. If the Board was interested in a business license approach to this issue, he suggested giving that direction to staff and have them analyze the potential legal impacts, departmental and resource impacts for that approach.

Commissioner Weber concurred. She felt more regulations were not needed and having a business license and not a SUP was the appropriate way to move forward. The number of 20 horses was noted as being a compromise, but that could have been any number and felt it was picked randomly. She reiterated that she felt this was a property rights issue and that a business license would be appropriate.

Commissioner Berkbigler requested staff also research whether there were regulations currently in place to assure action if a person was abusing the business license. She had concerns about this only being done in one area of the County because there were also other areas in the County these could be applied.

Commissioner Weber asked if the Warm Springs area was the only area with GRA. Ms. Monsalvè stated that was correct, but this would also apply to GR, which was located in other parts of the County.

7:04 p.m. Commissioner Hartung returned to the meeting.

Mr. Whitney explained the relaxed regulations being proposed were in Development Code Article 226, which applied to Warm Springs. He said in that portion each area plan had their own section and had been codified in the Development Code as individual area plan only specifications.

Commissioner Hartung cautioned that concerns could arise that there was a commercial operation utilizing a system of roads paid for by the citizenry. When there was a General Improvement District (GID), those citizens in the GID paid into that and, if there was one person using more of that resource, there would be an inequity. He was unclear how that would be dealt with through the business license process. Mr. Whitney said it would be turned into a SUP.

Chairman Humke asked if a Commissioner was interested in introducing the Ordinance or should direction be provided to staff to return with additional information. If the bill was not introduced, Commissioner Weber said the limit remained at three horses for boarding, and noted she did not want that to occur.

Mr. Lipparelli explained that the existing regulatory scheme required a County-wide SUP for more than three horses. This proposal was an attempt to justify having a different land-use regulatory scheme applied in Warm Springs with their unique geographical and historical characteristics. If the Board chose not to act, the existing regulatory scheme would apply.

Greg Salter, Deputy District Attorney, indicated that the Board may choose to send this back to the Planning Commission with instructions to revisit the three horses SUP rule and then return to the Board with another proposal.

Commissioner Weber felt the Board could find a way to allow the citizens the ability to manage their property with a business license and the proper regulations. If directed, Mr. Salter replied that staff could initiate an ordinance to repeal the three horses SUP rule and a different number for the threshold for SUP permits and/or restrictions could be accomplished.

Mr. Whitney said the Planning Commission approved and recommended the proposed ordinance allowing 20 horses. If the Board chose to send this back to the Planning Commission with a higher number, staff would need to give the Planning Commission a number to focus on. Commissioner Weber reiterated that she did not want this to return to the Planning Commission because she believed that this was a property rights issue.

In response to the call for public comment, Joannah Schumacher urged the Board to be open-minded and listen to the citizens who came to attain the Board's assistance.

Charles Lieman stated that Palomino Valley had approximately 1,200 parcels with the vast majority being over 40 acres. He said a few parcels were divided in 1988 and, at that time, were in the 75-acre range. When divided, the sellers were informed those parcels would be treated as 40-acre parcels; therefore, this projected Code change should not apply to anyone in Palomino Valley.

Jeanne Herman suggested allowing three horses per acre.

Katherine Snedigar distributed a written statement that was placed on file with the Clerk. She said the County was under Dillons Rule which stated, "municipal corporations owe their origin to, and derive their powers and rights wholly from the Legislature."

Mr. Salter explained that the Board could let the bill die without sending it back to the Planning Commission. It would be required to send back to the Planning Commission if there was something requested to be enacted different than what the Planning Commission had already approved.

Commissioner Weber said the previous ruling would remain in effect. Mr. Salter stated that was correct. If the Board wanted that to be changed, he said the Planning Commission would need to be asked to initiate a change to the Code. He said the Board of County Commissioners also had the authority to initiate their own ordinance changes and, if the Board preferred to initiate a change, it could be placed on a future agenda. Commissioner Weber requested that to occur.

Commissioner Weber asked if the DA's Office could draft an ordinance to repeal the number of livestock in the GRA.

Mr. Lipparelli explained the current language in the Development Code, 110.304.25, Commercial Use Types defined stables as, "Commercial stables refers to the boarding or raising of three or more horses, excludes horses that are used primarily for agricultural operations, which are classified under animal production, typical uses include commercial stables and riding instruction facilities." He said that definition applied County-wide and, along with the existing uses, were either allowed by right, allowed conditionally, as accessory uses or specialty permitted uses. He said the land-use scheme was already in place, but the definition just read applied throughout the Code. This proposal would place a different rule on a specific area of the County. He suggested the Board's own Code process contemplated that County Commissioners and department heads could put forward a request to amend Codes. He explained that this item allowed the Board to act on this specific proposal, but if a more general proposal with more general applications was suggested it would be appropriate to bring that back as an item to direct a threshold decision.

Commissioner Hartung asked if the Board could amend the Code to be County-wide. Mr. Lipparelli said that depended on the direction. Commissioner Hartung said the specific reference was County-wide Code and applied to every place in the County. Mr. Lipparelli said it was the definition of commercial stables, which applied throughout the County.

Commissioner Berkgigler asked if the Board changed the GRA designations could they also repeal that language entirely for GRA in a community such as Warm Springs. Mr. Lipparelli replied that was correct.

Commissioner Weber asked if the Board could make the amendment or ask that the GRA portion have no restrictions. Mr. Lipparelli explained that every part of the County was subject to an area plan and had unique tables of uses, building, zoning and land-use specifications that applied to that area plan. He said this item gave notice that the Board would consider an amendment to Article 226, the Warm Springs section of the Code, where the Board would be contemplating setting a standard for specific uses, but anything the Board directed in that regard was covered by this item. If the Board considered a more general change to the law that applied in other area plans throughout the County or in specific zoning classifications that was not contemplated by this item and could not be accomplished by an amendment.

Commissioner Berkbigler suggested sending this back to staff to review amending the area plan for the Warm Springs GRA and return with a proposal that essentially repealed the three horses per commercial stables in Warm Springs.

Commissioner Berkbigler moved to repeal the three horses per commercial stables in the Warm Springs area. Commissioner Weber seconded the motion.

When staff revisited this item, Commissioner Hartung asked if it had to be sent back to the Planning Commission for their approval. Mr. Lipparelli stated if the Master Plan was being changed then the statute mandated that the Planning Commission consider the proposal, hold a public hearing, make recommendations, adopt a resolution and forward that to the Board. However, Code amendments did not have to be sent back to the Planning Commission, but the challenge in the contemplated motion of sending it back to staff for their input was that staff did not know the Board's intent.

Commissioner Berkbigler commented that she was not proposing this for the entire County. She reiterated her proposal and requested staff craft a regulation for the purposes of Warm Springs and the GRA that amends their Code to say there was no limit on the number of horses.

Ms. Monsalvè believed with that type of direction the proposal would need to return to the Planning Commission since they unanimously supported 20 horses and the three definitions.

Chairman Humke said this concerned commercial use of the land and was a land-use regulation. He suggested setting a limit that was reasonable such as 100 horses or two to three horses per acre. Commissioner Weber agreed; however, it still picked a random number and suggested three horses per acre.

Commissioner Berkbigler withdrew her motion.

Commissioner Weber moved to change the number of 20 horses to three horses per acre for the Warm Springs Planning Area for the GR and GRA zoning designations on parcels over 35 acres and for commercial activity only. Commissioner Hartung seconded the motion.

Mr. Lipparelli asked if this was being done as a change to the first reading contemplating the next action for a second reading or did the Board want to return with the changes. Commissioner Weber suggested moving to the second reading with the changes incorporated. Mr. Lipparelli confirmed that notice was given through the first reading title to what the Board was planning within the Warm Springs Planning Area, which was to add a definition specific to the certain use types in that area. After the first reading, he said the introduction could be made with the changes made in the motion.

Nancy Parent, Chief Deputy Clerk, read the title for Bill No. 1685.

Bill No. 1685, entitled, "AN ORDINANCE AMENDING THE WASHOE COUNTY CODE AT CHAPTER 110, DEVELOPMENT CODE, ARTICLE 226, WARM SPRINGS AREA TO ADD A NEW SECTION IN ORDER TO REGULATE EQUESTRIAN USES, SUCH AS BOARDING STABLES, COMMERCIAL STABLES AND EQUESTRIAN FACILITIES, ON ALL LEGALLY ESTABLISHED PARCELS GREATER THAN 35 ACRES IN AREA AND ZONED GENERAL RURAL (GR) OR GENERAL RURAL AGRICULTURAL (GRA) IN THE WARM SPRINGS PLANNING AREA, AND TO ADD DEFINITIONS SPECIFIC TO THESE TYPES OF USES. FURTHER TO AMEND ARTICLE 302, ALLOWED USES, TO MODIFY THE TABLE OF USES FOR COMMERCIAL USE TYPES TO REFERENCE ARTICLE 226 FOR COMMERCIAL STABLES USE TYPES WITHIN THE WARM SPRINGS PLANNING AREA, AND, PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO AS RECOMMENDED FOR ADOPTION BY THE WASHOE COUNTY PLANNING COMMISSION," was introduced by Commissioner Weber. It was ordered that the number of horses be changed from 20 horses to three horses per acre for the Warm Springs Planning Area for the General Rural Agricultural (GRA) and General Rural (GR) designations, and also for rural parcels over 35-acres and commercial activity. It was noted that the date for the second reading and adoption would be determined.

13-255 AGENDA ITEM 23

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

There were no updates from any Board members.

13-256 AGENDA ITEM 24

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 scheduled.

13-257 AGENDA ITEM 26

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."

There was no public comment on this item.

* * * * *

8:25 p.m. There being no further business to discuss, on motion by Commissioner Weber, seconded by Commissioner Hartung, which motion duly carried with Commissioner Jung absent, the meeting was adjourned.

DAVID E. HUMKE, Chairman
Washoe County Commission

ATTEST:

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

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

RESOLUTION – Authorizing the Grant of Public Money to a Private Nonprofit Organization

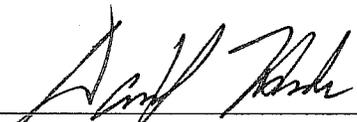
WHEREAS, NRS 244.1505 provides that a board of county commissioners may expend money for any purpose which will provide a substantial benefit to the inhabitants of the county and that a board may make a grant of money to a private organization, not for profit, to be expended for a selected purpose; and

WHEREAS, the Board of Commissioners of Washoe County has determined that a certain amount of money is available for fiscal year 2012-2013 for community support grants, which grants will provide a substantial benefit to the inhabitants of Washoe County and which are made to private nonprofit organizations; now, therefore, be it

RESOLVED, by the Board of Commissioners of Washoe County that:

1. The Board hereby grants to Volunteers of America a private, nonprofit organization, a grant for fiscal year 2012-2013 in the amount of \$12,048 (Community Support).
2. The purpose of the grant is to provide Emergency Cold Weather Shelter.
3. The maximum amount to be expended from the grant and the conditions and limitations upon the grant are set forth in the Grant Program Contract.

Adopted this 26th day of March 2013,



David Humke, Chairman
Washoe County Commission

ATTEST:


Nancy L. Valent, Chief Deputy
County Clerk

13-227

RESOLUTION Increase Change Fund from \$600.00 to \$950.00 for the Washoe County Sheriff's Office, Records Division.

WHEREAS, The Board of County Commissioners of Washoe County, pursuant to NRS 354.609, has the authority to create and fund change and petty cash fund accounts; and

WHEREAS, Washoe County Sheriff's Office, Records Division has requested an increase in their change fund from \$600.00 to \$950.00 to assist in the administration of that office; now, therefore, be it

RESOLVED, BY THE BOARD OF COMMISSIONERS OF WASHOE COUNTY, NEVADA as follows:

1. That, pursuant to the provisions of NRS 354.609, the County Treasurer and the County Comptroller are hereby authorized and directed to take all necessary steps to establish and account for a \$350.00 increase in the change fund (for a total of 950.00) for the Washoe County Sheriff's Office, Records Division.

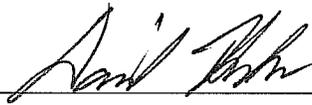
2. That the above additional \$350.00 will be transferred from the Washoe County Treasurer's Commercial Bank Account.

3. That said change fund be used exclusively for transactions related to the Washoe County Sheriff's Office, Records Division.

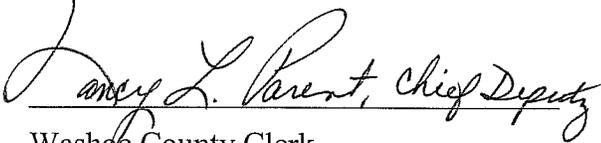
4. That the Department Head shall henceforth be held accountable for the change fund authorized by this resolution.

5. That the County Clerk is directed to distribute copies of this Resolution to the Washoe County Treasurer, Comptroller, Internal Auditor, Washoe County Sheriffs Office, Records Division and the Nevada Department of Taxation.

ADOPTED this 26th day of March, 2013.

By: 
Chairman
Washoe County Commission

ATTEST:


Washoe County Clerk

13-237

RESOLUTION Increase Change Fund from \$900.00 to \$1100.00 for Sparks Justice Court

WHEREAS, The Board of County Commissioners of Washoe County, pursuant to NRS 354.609, has the authority to create and fund change and petty cash fund accounts; and

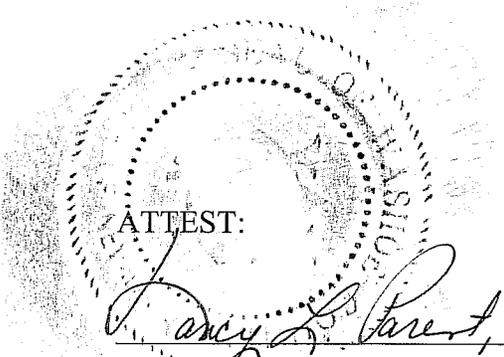
WHEREAS, Sparks Justice Court has requested an increase in their change fund from \$900.00 to \$1,100.00 to assist in the administration of that office; now, therefore, be it

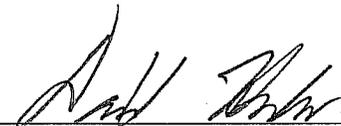
RESOLVED, BY THE BOARD OF COMMISSIONERS OF WASHOE COUNTY, NEVADA as follows:

1. That, pursuant to the provisions of NRS 354.609, the County Treasurer and the County Comptroller are hereby authorized and directed to take all necessary steps to establish and account for a \$200.00 increase in the change fund (for a total of \$1,100.00) for Sparks Justice Court.
2. That the above additional \$200.00 will be transferred from the Washoe County Treasurer's Commercial Bank Account.
3. That said change fund be used exclusively for transactions related to the Sparks Justice Court.
4. That the presiding Judge shall henceforth be held accountable for the change fund authorized by this resolution.
5. That the County Clerk is directed to distribute copies of this Resolution to the Washoe County Treasurer, Comptroller, Internal Auditor, Sparks Justice Court and the Nevada Department of Taxation.

ADOPTED this 26th day of March, 2013.

ATTEST:


Jancy L. Parent, Chief Deputy
Washoe County Clerk

By: 
Chairman
Washoe County Commission

13-001