

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

TUESDAY

10:00 A.M.

MAY 25, 2010

PRESENT:

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

**Amy Harvey, County Clerk**  
**Katy Simon, County Manager**  
**Melanie Foster, 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:

Katy Simon, County Manager, stated: “The Chairman and Board of County Commissioners intend that their proceedings should demonstrate the highest levels of decorum, civic responsibility, efficiency and mutual respect between citizens and their government. The Board respects the right of citizens to present differing opinions and views, even criticism, but our democracy cannot function effectively in an environment of personal attacks, slander, threats of violence, and willful disruption. To that end, the Nevada Open Meeting Law provides the authority for the Chair of a public body to maintain the decorum and to declare a recess if needed to remove any person who is disrupting the meeting, and notice is hereby provided of the intent of this body to preserve the decorum and remove anyone who disrupts the proceedings.”

**10-424      AGENDA ITEM 4 – RESOLUTION**

**Agenda Subject: “Resolution of Appreciation recognizing the Washoe County Board of Equalization Members. (All Commission Districts.)”**

Katy Simon, County Manager, read and presented the Resolution of Appreciation to James Covert, John Krolick, Benjamin Green, Linda Woodland, James Brown, and Philip Horan. Chairman Humke noted members James Brown and Philip Horan could not be present today.

Washoe County Board of Equalization (CBOE) Chairperson Covert stated he had worked with many teams over the years and this team worked extremely well together and got things done.

In response to the call for public comment Josh Wilson, Assessor, thanked the CBOE members for their time and their service to Washoe County. He also thanked the Commission for recognizing the CBOE.

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

**10-425            AGENDA ITEM 5 – HUMAN RESOURCES**

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

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

**Essentials of Support Staff**

Spring Hellams – Legal Secretary, District Attorney’s Office

In response to the call for public comment, Sam Dehne stated Washoe County employees did a great job.

**10-426            AGENDA ITEM 6 – PUBLIC COMMENT**

**Agenda Subject: “Public Comment. Comment heard under this item will be limited to two minutes per person and may pertain to matters both on and off the Commission agenda. The Commission will also hear public comment during individual action items, with comment limited to two minutes per person. Comments are to be made to the Commission as a whole.”**

Sam Dehne discussed his qualifications in running for a seat in the United States Congress.

**10-427            AGENDA ITEM 7**

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

Katy Simon, County Manager, advised Agenda Items 3, 8A-D, 9H(2), and 27 were pulled from the agenda.

Commissioner Jung requested an update on the County's American Recovery and Reinvestment Act (ARRA) shovel-ready projects and allocations, specifically the rules. She felt what was being seen was many of those jobs were going to out-of-state contractors who were using their own workers. She believed the money from the projects was meant to infuse the local economy. She said she was requesting a staff report, a project list, the parameters, the justifications, and how to keep local workers employed by the projects instead of importing workers from states that had not been impacted by the economic downturn as badly as Nevada had been. Commissioner Weber concurred stating the update should be at the next Board meeting.

Commissioner Weber said the National Association of Counties (NACO) 75th annual conference was being held in Reno on July 16-20 and would have a great economic impact to the area. She noted county officials from all over United States would be attending.

#### **CONSENT AGENDA - AGENDA ITEMS 9A THROUGH 9L(2)**

Katy Simon, County Manager, noted Agenda Item 9F(1) was being removed from the Consent Agenda for Board discussion and 9H(2) had been pulled.

#### **10-428 AGENDA ITEM 9A – DISTRICT ATTORNEY**

**Agenda Subject: “Approve payments [\$8,338] to vendors for assistance of 30 victims of sexual assault; and if approved, authorize Comptroller to process same. NRS 217.310 requires payment by Washoe County of total initial medical care of victims, regardless of cost, and of follow-up treatment costs of up to \$1,000 for victims, victim’s spouses and other eligible persons--District Attorney. (All Commission Districts.)”**

There was no response to the call for public comment.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried with Commissioner Larkin absent, it was ordered that Agenda Item 9A be approved and authorized.

#### **10-429 AGENDA ITEM 9B – DISTRICT HEALTH**

**Agenda Subject: “Approve amendments [increase of \$17,125] in both revenue and expense to Fiscal Year 2010 Adult Viral Hepatitis Grant Program Budget, Internal Order 10842--District Health. (All Commission Districts.)”**

There was no response to the call for public comment.

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

**10-430            AGENDA ITEM 9C – SOCIAL SERVICES**

**Agenda Subject:** “Accept cash donations [\$875.23] and Juror Fee donations [\$1,240]; and if accepted, authorize Department of Social Services to expend these funds to benefit children in care and families who are clients and direct Finance to make appropriate budget adjustments for Fiscal Year 2009/10--Social Services. (All Commission Districts.)”

Commissioner Jung acknowledged the \$875.23 in cash donations on behalf of the Board.

There was no response to the call for public comment.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried with Commissioner Larkin absent, it was ordered that Agenda Item 9C be accepted, authorized, and directed.

**10-431            AGENDA ITEM 9D – TRUCKEE RIVER FLOOD MANAGEMENT PROJECT**

**Agenda Subject:** “Acknowledge receipt of Truckee River Flood Management Project Status Report for April 2010--Truckee River Flood Management Project. (All Commission Districts.)”

In response to the call for public comment, Sam Dehne asked how the Gulf of Mexico oil spill would affect the money needed for the Truckee River Flood Management Project. He felt there would be some connection due to the amount of money available for all projects from the Army Corp of Engineers and funds that would be diverted from the Flood Project to the oil spill cleanup.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried with Commissioner Larkin absent, it was ordered that Agenda Item 9D be acknowledged.

**10-432            AGENDA ITEM 9E(1) – ASSESSOR**

**Agenda Subject:** “Approve roll change requests, pursuant to NRS 361.768 and NRS 361.765, for errors discovered for the 2008/2009, 2009/2010 secured and unsecured tax rolls as outlined; and if approved, authorize Chairman to execute Order for same and direct the Washoe County Treasurer to correct the errors [cumulative amount of decrease \$27,435.38].--Assessor (Parcels in various Commission Districts as outlined.)”

Katy Simon, County Manager, advised APN's 032-250-06, 131-213-01, 026-761-31, 017-350-01 were being removed from the list of roll change requests because they were approved at the April 27, 2010 Board meeting.

Josh Wilson, Assessor, explained the removal of those APN's would reduce the total amount of the decrease by \$7,863.

There was no response to the call for public comment.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried with Commissioner Larkin absent, it was ordered that Agenda Item 9E(1) be approved, authorized, executed, and directed after the removal of APNs 032-250-06, 131-213-01, 026-761-31, 017-350-01.

**10-433            AGENDA ITEM 9E(2) – ASSESSOR**

**Agenda Subject: “Acknowledge receipt of Annual Report of Projected Expenditures for Assessor’s Technology Fund for Fiscal Year 2010/11--Assessor. (All Commission Districts.)”**

There was no response to the call for public comment.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried with Commissioner Larkin absent, it was ordered that Agenda Item 9E(2) be acknowledged.

**10-434            AGENDA ITEM 9F(2) – COMMUNITY DEVELOPMENT**

**Agenda Subject: “Approve professional recording secretarial services by Misty Moga, Specialized Secretarial Services (Allayne Donnelly-Everett) and Trifox (Pamela Fox) to Washoe County’s 14 active Citizen Advisory Boards for Fiscal Year 2010/11; and if approved, authorize Chairman to execute Independent Contractor Agreements with Misty Moga [\$2,994 General Fund], Specialized Secretarial Services [\$30,992 General Fund] and Trifox [\$11,976 General Fund] to provide professional recording secretarial services for all 14 active Washoe County Citizen Advisory Boards for Fiscal Year 2010/11.--Community Development (All Commission Districts.)”**

There was no response to the call for public comment.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried with Commissioner Larkin absent, it was ordered that Agenda Item 9F(2) be approved, authorized, and executed.

**10-435            AGENDA ITEM 9G(1) – COMPTROLLER**

**Agenda Subject: “Approve removal of Fiscal Year 2009 uncollectible returned checks [\$5,766.74] from the Centralized Returned Check Account (7980-121013); and if approved, authorize Comptroller’s Office to charge the appropriate revenue account to the identified responsible cost centers/funds--Comptroller. (All Commission Districts)”**

There was no response to the call for public comment.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried with Commissioner Larkin absent, it was ordered that Agenda Item 9G(1) be approved and authorized.

**10-436            AGENDA ITEM 9G(2) – FINANCE**

**Agenda Subject: “Record in the meeting minutes the notification of a budget adjustment made in order to accommodate travel expenditures in excess of the original budget, but within the Washoe County Emergency Management Regional Mass Fatality Plan grant funding approved in the Fiscal Year 2008/09 budget for the granting period of September 1, 2008 through February 28, 2011 [\$35,000]. (Commission District not applicable.)”**

There was no response to the call for public comment.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried with Commissioner Larkin absent, it was ordered that Agenda Item 9G(2) be recorded.

**10-437            AGENDA ITEM 9H(1) – HUMAN RESOURCES**

**Agenda Subject: “Acknowledge and accept the offer by the Washoe County Elected Officials to include District Attorney, Sheriff, Clerk, Assessor, Recorder, Public Administrator and Treasurer of a voluntary financial contribution of 3.7% of their respective salaries, plus an additional \$25 per pay period, all paid toward the cost of their health care insurance [estimated savings \$33,354.61].--Human Resources (All Commission Districts.)”**

Commissioner Breternitz acknowledged the voluntary reduction in salaries and the payment of an additional \$25 per pay period for the cost of health care insurance the District Attorney, Sheriff, Clerk, Assessor, Recorder, Public Administrator and Treasurer were taking. He noted \$33,354.61 was a substantial contribution being given back to the County.

There was no response to the call for public comment.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried with Commissioner Larkin absent, it was ordered that Agenda Item 9H(1) be acknowledged and accepted.

**10-438            AGENDA ITEM 9I(1) – INTERNAL AUDIT**

**Agenda Subject: “Acknowledge receipt of the Washoe County Cash Controls Audit Report--Internal Audit (All Commission Districts.)”**

Commissioner Jung asked if this audit had been done previously, because there was no history in the report that indicated whether the issues had already been pointed out to the departments. She also asked if the process could be made clearer in the future in the report. Alison Gordon, Internal Auditor, replied an annual audit of cash controls was conducted with certain departments being selected to be audited each year. Commissioner Jung asked if those departments had been looked at before. Ms. Gordon replied they might have been looked at in the past.

Commissioner Jung requested future reports contain a brief history of what the departments’ action items were and if the corrective measures had been taken. Katy Simon, County Manager, advised an annual report was provided to the Board where all of the audit recommendations and status were summarized. She explained Ms. Gordon also went back and re-audited the departments to make sure the corrective measures were taken.

In response to the call for public comment, Sam Dehne said he was glad Commissioner Jung addressed what was also his concern.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried with Commissioner Larkin absent, it was ordered that Agenda Item 9I(1) be acknowledged.

**10-439            AGENDA ITEM 9I(2) – MANAGEMENT SERVICES**

**Agenda Subject: “Authorize transfer [\$63,000] in budget authority from the Contingency Account to the Washoe County Fire Suppression Program for unbudgeted expenses related to the “Red Rock” and “Trailer I” wildfires that occurred during Fiscal Year 2009/10; and if authorized, direct Finance to make the necessary budget adjustments--Management Services. (All Commission Districts.)”**

There was no response to the call for public comment.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried with Commissioner Larkin absent, it was ordered that Agenda Item 9I(2) be authorized and directed.

**10-440            AGENDA ITEM 9J(1) – REGIONAL PARKS AND OPEN SPACE**

**Agenda Subject: “Adopt a Resolution authorizing the donation of certain property to Sun Valley General Improvement District for operation of Sun Valley Community Park; and if adopted, authorize Chairman to execute Resolution and authorize Director of Regional Parks and Open Space to record Resolution at the time the property is transferred.--Regional Parks and Open Space (Commission Districts 3 and 5.)”**

There was no response to the call for public comment.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried with Commissioner Larkin absent, it was ordered that Agenda Item 9J(1) be adopted, authorized, executed, and recorded. The Resolution for same is attached hereto and made a part of the minutes thereof.

**10-441            AGENDA ITEM 9J(2) – REGIONAL PARKS AND OPEN SPACE**

**Agenda Subject: “Accept a real property donation (APN 502-700-04, consisting of 38.347 acres) for use as open space within the Ladera Ranch Subdivision; and if accepted, authorize Chairman to execute the Deed of Dedication and authorize the Director of Regional Parks and Open Space to record same on behalf of Washoe County.--Regional Parks and Open Space (Commission Districts 3 and 5.)”**

Commissioner Jung acknowledged the donation of real property within the Ladera Ranch Subdivision for use as open space on behalf of the Board.

There was no response to the call for public comment.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried with Commissioner Larkin absent, it was ordered that Agenda Item 9J(2) be accepted, authorized, executed, and recorded.

**10-442            AGENDA ITEM 9J(3) – REGIONAL PARKS AND OPEN SPACE**

**Agenda Subject: “Authorize Public Works Department to bid American Recovery & Reinvestment Act 2009 Hawken Fire Ecosystem Restoration Implementation Project.--Regional Parks and Open Space (Commission District 1.)”**

There was no response to the call for public comment.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried with Commissioner Larkin absent, it was ordered that Agenda Item 9J(3) be authorized.



**10-443            AGENDA ITEM 9J(4) – REGIONAL PARKS AND OPEN SPACE**

**Agenda Subject: “Authorize Public Works Department to bid American Recovery & Reinvestment Act 2009 Peavine Fire Ecosystem Restoration Implementation Project.--Regional Parks and Open Space (Commission Districts 1 and 5.)”**

There was no response to the call for public comment.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried with Commissioner Larkin absent, it was ordered that Agenda Item 9J(4) be authorized.

**10-444            AGENDA ITEM 9J(5) – REGIONAL PARKS AND OPEN SPACE**

**Agenda Subject: “Approve Interlocal Agreement between Washoe County (Department of Regional Parks and Open Space) and Sierra Fire Protection District for fuels reduction projects within four Washoe County Regional Parks and Open Space facilities (Crystal Peak Park, Davis Creek Regional Park, Hidden Valley Regional Park and Sun Valley Regional Park); and if approved, authorize Chairman to execute Interlocal Agreement.--Regional Parks and Open Space (All Commission Districts.)”**

In response to the call for public comment, Roger Edwards said there was a big problem in Golden Valley with green waste being thrown on to the open lands behind Golden Valley. He requested Golden Valley be added to the list of projects. He said there was open space in the park where collection could be done and if the grinder was brought to the area, citizens could work out a collection procedure to use the grinder.

Commissioner Jung asked about Mr. Edwards’ concern regarding that the Golden Valley area was being neglected within the fuels reduction program. Kurt Latipow, Fire Services Coordinator, said there were numerous hazardous fuels reduction programs throughout the County. He explained this item was related to hazardous fuels reduction in the County’s parks and open space using hand crews and mechanical mastication. He said the program Mr. Edwards was speaking about was one that was just launched using stimulus money, which allowed four biomass collection sites throughout the County to be opened on Saturday in cooperation and on contract with the Fire Safe Counsel. He explained the closest site to Mr. Edwards was located next to the Silver Lake Volunteer Fire Station on Red Rock Road, and he noted the locations of the other sites. He said people clearing defensible space on their properties could take the debris to the collection sites instead of the dump or dumping it illegally in the desert. He advised the sites would remain open until June 20, 2010 after which the collected biomass would be taken to a generator for use as fuel.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried with Commissioner Larkin absent, it was ordered that

Agenda Item 9J(5) be approved and authorized. The Interlocal Agreement for same is attached hereto and made a part of the minutes thereof.

**10-445            AGENDA ITEM 9K(1) – SHERIFF**

**Agenda Subject: “Approve Agreement for Civil Legal Services between the County of Washoe (Sheriff’s Office) and Washoe Legal Services for provision of legal assistance to inmates at the Washoe County Jail, effective July 1, 2010 through June 30, 2013 [annual cost \$87,836 - reduction of \$1,000 per year from current contract - for Fiscal Years 2011 through 2013 with provision for two one-year term renewals with compensation to be negotiated, dependant on the availability of County funding]; and if approved, authorize Chairman to execute Agreement.--Sheriff (All Commission Districts.)”**

There was no response to the call for public comment.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried with Commissioner Larkin absent, it was ordered that Agenda Item 9K(1) be approved, authorized, and executed.

**10-446            AGENDA ITEM 9K(2) – SHERIFF**

**Agenda Subject: “Approve Agreement for Contract Legal Services between the County of Washoe (Sheriff’s Office) and Patrick D. Dolan [\$80,730], July 1, 2010 to June 30, 2011; and if approved, authorize Chairman to execute Agreement.--Sheriff (All Commission Districts.)”**

There was no response to the call for public comment.

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

**10-447            AGENDA ITEM 9K(3) – SHERIFF**

**Agenda Subject: “Accept private donations [\$139.04] to the Washoe County Sheriff’s Office to support sundry purchases for the Incline Substation and annual picnic and open house expenses for Dispatcher Appreciation Week; and if accepted, direct Finance to make appropriate budget adjustments.--Sheriff (Commission District 1.)”**

Commissioner Jung acknowledged the private donations of \$139.04 to the Sheriff’s Office on behalf of the Board.

There was no response to the call for public comment.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried with Commissioner Larkin absent, it was ordered that Agenda Item 9K(3) be accepted and directed.

**10-448            AGENDA ITEM 9K(4) – SHERIFF**

**Agenda Subject: “Accept receipt of 2010 Recovery Act Edward Byrne Memorial Justice Assistance Grant Funds [\$98,207.60] for purchase of law enforcement equipment needed to comply with Criminal Justice Information Systems Security Policy 5.0, Law Enforcement related overtime, and Law Enforcement related training and travel; and if accepted, authorize Sheriff Haley to execute Cooperative Agreement between the City of Reno (Reno Police Department - 40% of the funding), Washoe County (Sheriff’s Office - 40% of the funding) and the City of Sparks (Sparks Police Department - 20% of the funding) for the management and disposition of the Justice Assistance Grant Funds--Sheriff. (All Commission Districts.)”**

There was no response to the call for public comment.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried with Commissioner Larkin absent, it was ordered that Agenda Item 9K(4) be accepted, authorized, and executed.

**10-449            AGENDA ITEM 9K(5) – SHERIFF**

**Agenda Subject: “Accept receipt of donated items from the Federal Bureau of Investigation to the Washoe County Sheriffs Office [office furniture and equipment valued at approximately \$31,050 - obtained at no charge to Washoe County except cost of inmate supervision to move the items].-- Sheriff (All Commission Districts.)”**

Commissioner Jung acknowledged the donated items from the Federal Bureau of Investigation to the Sheriff’s Office on behalf of the Board.

There was no response to the call for public comment.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried with Commissioner Larkin absent, it was ordered that Agenda Item 9K(5) be accepted.

**10-450            AGENDA ITEM 9L(1) – WATER RESOURCES**

**Agenda Subject: “Approve Water Rights Deed between Washoe County and Quilici Investments, LLC conveying 103.744 acre-feet of Truckee River water rights; and if approved, authorize Chairman to execute the Deed.--Water Resources (Commission District 2.)”**

There was no response to the call for public comment.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried with Commissioner Larkin absent, it was ordered that Agenda Item 9L(1) be approved, authorized, and executed.

**10-451            AGENDA ITEM 9L(2) – WATER RESOURCES**

**Agenda Subject: “Approve and authorize the Chairman to execute a Lease of Water Rights between Washoe County and Montreux Golf Club, Ltd., for irrigation purposes at the Montreux Golf Course, located in the southwest Truckee Meadows area, providing approximately \$11,628.86 annually in revenue to the Department of Water Resources.--Water Resources (Commission District 3.)”**

There was no response to the call for public comment.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried with Commissioner Larkin absent, it was ordered that Agenda Item 9L(2) be approved, authorized, and executed.

**10:39 a.m.**        The Board convened as the Board of Fire Commissioners for the Sierra Fire Protection District (SFPD) with Commissioner Larkin absent.

**12:09 p.m.**        Commissioner Larkin arrived at the meeting.

**1:32 p.m.**        The Board adjourned as the SFPD Board of Fire Commissioners and reconvened as the Board of County Commissioners.

**1:32 p.m.**        The Board recessed.

**2:35 p.m.**        The Board reconvened with all members present.

**10-452            AGENDA ITEM 19 – COMMUNITY DEVELOPMENT**

**Agenda Subject: “Introduction and first reading of an Ordinance amending the Washoe County Code at Chapter 110, Article 302, Allowed Uses, Article 304, Use Classification System, and Article 326, Wind Machines. The amendments will include the revision to the table of allowed uses to include the addition of new renewable energy use types and the amendments to the standards for wind machines. The proposed amendments would revise all aspects of Article 326 (Wind Machines) including but not limited to setbacks, noise, electromagnetic interference, wildlife impacts, meteorological towers, repair and removal of wind machines and submittal requirements for commercial wind machines and other matters related thereto--Community Development. (All Commission Districts.)”**

Amy Harvey, County Clerk, read the title for Bill No. 1623.

In response to the call for public comment, Ms. Harvey said she had ten comment cards from people who were in favor of the Ordinance but did not wish to speak. One of those people, Mr. Costella, previously spoke during public comment.

Jim Voorhees, Ridgeline Energy representative, stated they appreciated the opportunity to participate in the wind energy working group, which was a responsible step in encouraging wind-energy development in Northern Nevada. He said Washoe County was in a position to be a leader in developing renewable energy. He stated it was imperative that guidelines be established that would encourage community minded development while not stymieing responsible projects that would provide jobs, tax revenue, and clean alternative energy. He advised the Planning Commission had approved wind development guidelines that were among the strictest in the County. He added even though Ridgeline Energy would appreciate a softening of the guidelines, they felt they could work within them. He indicated if the guidelines became stricter, they would cripple wind development in Northern Nevada. He said each project would work its way through the Washoe County process and would be evaluated on its own merits and must be a sound project for the surrounding area. He stated Ridgeline Energy supported approving the Ordinance with the conditions and parameters approved last month by the Planning Commission.

Pete Schmalzer stated he was involved in the working group meetings, but felt each successive draft only incorporated the developer's comments. He stated the draft issued just prior to the Planning Commission meeting removed any noise protection for residents further than 1.5 miles from a turbine. At the Planning Commission meeting that protection was then reduced to one mile and, combined with a one mile setback, meant there were no actual noise restrictions in the Code before the Board. He said the language in the Ordinance was all moot. He felt it was a sneaky way to give the developers what they wanted and was an insult to the citizens' intelligence. He said it resulted in a confusing Code and he suggested taking out the noise restrictions rather than having restrictions that were meaningless.

Juliana Kipps stated at previous wind-machine Code revision meetings wind developers repeatedly assured everyone that noise would not be an issue beyond one-half mile beyond a turbine. She said the rural residents were concerned that would not be the case. She stated the developer's computer model indicated a lack of wind turbine noise beyond one-half mile, so why should they object to stricter noise limits beyond that distance. She said stricter limits would provide residents with some protection and recourse if the noise proved to be an issue. She said the proposal was to use the International Organization for Standardization (ISO) for noise limits, which took into account various types of communities at different times of the day. A copy of the ISO chart was placed on file with the Clerk. She requested the Board adopt the ISO recommendations.

Dennis Goodsell said the Planning Commission decided on a height limit of 600 feet for commercial wind machines, but he requested the Board consider reducing

the height limit to 400 feet and require the developer apply for a variance for anything higher.

Cathy Glatthar, Save Our Valley group member, felt the Code amendment before the Board did not do enough to protect the health, safety, and welfare of County citizens. She advised low frequency noise was left out of the amendment because staff believed it would be difficult to enforce. She said because of changes made by the Planning Commission there was no audible noise standard in the Code and there was no regard to visual impacts due to the height restriction of 600 feet. She requested the Board increase the audible noise limit distance to two miles from residential and General Rural Residential (GRR) property lines, use the ISO chart for decibel limits, reduce the height limit for wind turbines to 400 feet, and prohibit commercial wind machines from being used in residential and GRR zones. She said the Board had a duty to protect the County's citizens and the suggested changes would allow the Board to meet those obligations and would allow wind energy production to take place in appropriate areas removed from where people lived. A copy of the table of Allowed Industrial Type Uses, Section 302 of the Development Code, was placed on file with the Clerk

Melanie Goodsell asked the Board to consider the suggested changes by the Save Our Valley group before accepting the draft Ordinance.

Dan Mountsier, Great Basin Wind consultant, said working through the process with staff was very productive. He believed the proposed Ordinance was among the toughest in the Country. He said the Ordinance could be worked with as it was currently, but it was difficult having different night and day decibel standards. He explained just the startup speed of a turbine could be at 45 decibels so the request was to make it 50 decibels all around. He stated the other issue was the one mile set back, which did not allow for topography and was found to be arbitrary.

Danny Castello Iron Workers 118, stated the iron workers favored passage of the Ordinance because it would bring jobs to the area. He said he was for the projects proposed for Washoe Valley. He said the iron workers were suffering from 60 percent unemployment and they were counting on stimulus projects and new technologies to provide jobs.

Donna Stammers noted an industry noise consultant was present if the Board had any technical questions. She said the height of the wind turbines being manufactured were just over 500 feet and having the height higher in the Ordinance would allow new technology to come in without reinventing the wheel. She acknowledged each project coming before the Board would be scrutinized, and having to obtain a variance could add difficulties to getting permits and moving forward with a project.

Monica Milldrum said she worked at the Clean Energy Center, which focused on small renewable energy projects and on the initial studies of large wind farms.

She said the Center employed eight people just for the study aspect prior to the development of new projects, and the Center offered a great opportunity for employment.

Frances Farley stated she was just hired by the Clean Energy Center. She believed if the Ordinance was made more restrictive it would hamper wind industry and would take jobs out of the area. She requested the Board help people get back to work.

Chairman Humke asked if the Commissioners wanted to propose amendments in response to the citizens' proposals. No amendments were proposed.

Commissioner Weber asked if there would be the ability to increase the distance. Trevor Lloyd, Senior Planner, said every commercial wind project would be looked at on a case-by-case basis and would require a Special Use Permit. He stated more stringent requirements could be imposed based on the analysis of the project.

Chairman Humke disclosed he visited with Mike Draper, R&R Partners, and Mr. Voorhees. He also disclosed he talked with Rich Hamilton over a year ago on the general topic of wind energy. Commissioner Jung disclosed she met with staff and Mr. Mountsier and Rich Hamilton. Commissioner Larkin disclosed he met with R&R's staff and various members of the community. Commissioner Weber disclosed she met with some of R&R's staff.

Bill No. 1623, entitled, **“AN ORDINANCE AMENDING THE WASHOE COUNTY CODE AT CHAPTER 110, ARTICLE 302, ALLOWED USES, ARTICLE 304, USE CLASSIFICATION SYSTEM, AND ARTICLE 326, WIND MACHINES. THE AMENDMENTS WILL INCLUDE THE REVISION TO THE TABLE OF ALLOWED USES TO INCLUDE THE ADDITION OF NEW RENEWABLE ENERGY USE TYPES AND THE AMENDMENTS TO THE STANDARDS FOR WIND MACHINES. THE PROPOSED AMENDMENTS WOULD REVISE ALL ASPECTS OF ARTICLE 326 (WIND MACHINES) INCLUDING BUT NOT LIMITED TO SETBACKS, NOISE, ELECTROMAGNETIC INTERFERENCE, WILDLIFE IMPACTS, METEOROLOGICAL TOWERS, REPAIR AND REMOVAL OF WIND MACHINES AND SUBMITTAL REQUIREMENTS FOR COMMERCIAL WIND MACHINES AND OTHER MATTERS RELATED THERETO,”** was introduced by Commissioner Larkin and legal notice for final action of adoption directed. It was further ordered the public hearing and second reading would be conducted on June 22, 2010.

**10-453            AGENDA ITEM 11 – FIRE SERVICES COORDINATOR**

**Agenda Subject: “Presentation regarding upcoming fire season and fire agency preparedness--Fire Services Coordinator. (All Commission Districts.)”**

Tim Alameda, City of Reno/Truckee Meadows Fire Protection District Division Chief, reviewed his PowerPoint presentation which included all of Washoe County. The presentation highlighted the weather, Washoe County resources including

equipment and staffing, 2009 fire activity, Regional Aviation Enforcement (RAVEN) program, incident management, current agreements, future costs, helicopter costs, cost per acre for fuel mitigation, prevention and mitigation strategies, cost per acre to suppress wildfires, 2009 wildland fire prevention accomplishments, and 2009 action items prior to next fire season.

Commissioner Larkin stated the area was still in a drought condition, which meant vegetation was stressed. Chief Alameda said some of the forecasts were pointing to July and August being a problem, but the down-slope winds coming off the Sierras would start drying things quickly starting in mid-June.

Commissioner Larkin asked what the contingency plan was with the federal cooperators. Chief Alameda advised through Sierra Fire Protection District Chief Greene's leadership there was a fire drill taking place today in Incline Village with the cooperators working together. He said breaking from a Type 2 team to a Type 3 team made the team a little faster and more mobile to respond to incidents. He stated there would be additional meetings held with field generals and people from the weather service to prepare for what was coming. He acknowledged staffing would be an issue and initial response was a concern. He explained the fires needed to be knocked down before they got away from the firefighters and that could be a challenge. Commissioner Larkin hoped the emphasis would be on using the RAVEN helicopter as a primary initial attack tool. He asked if there had been any dialogue with the National Guard regarding stepping up their role beyond what was traditionally done and getting them mobilized sooner. Chief Alameda said the RAVEN program was only in its second year and it needed to be developed one step at a time.

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

**3:20 p.m.** The Board convened as the Board of Fire Commissioners for the Truckee Meadows Fire Protection District (TMFPD).

**3:32 p.m.** The Board adjourned as the TMFPD Board of Fire Commissioners.

**3:32 p.m.** The Board convened as the South Truckee Meadows General Improvement District (STMGID) Board of Trustees.

**3:38 p.m.** The Board adjourned as the STMGID Board of Trustees and reconvened as the Board of County Commissioners.



**BLOCK VOTE – AGENDA ITEMS 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 28, 29, 30, AND 31**

**10-454      AGENDA ITEM 14 – WATER RESOURCES**

**Agenda Subject:** “Recommendation to authorize an increase in the annual expenditure estimate for water meter endpoints, meter registers and miscellaneous components resultant from Invitation to Bid # 2582-07 (Western Nevada Supply) [\$220,000 to \$300,000 per year] to facilitate water meter replacement/upgrade program--Water Resources. (All Commission Districts.)”

There was no response to the call for public comment.

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

**10-455      AGENDA ITEM 15 – WATER RESOURCES**

**Agenda Subject:** “Recommendation to award bid for constructing the Lemmon Valley Water System Improvements, Heppner Waterline Extensions, Phase 7 project to A & K Earth Movers, Inc., the lowest, responsive, responsible bidder, [\$994,000 (\$745,500 in grant funds from the Department of the Army)]; and if awarded, authorize Chairman to execute contract documents and authorize the Acting Manager of the Resources Planning and Management Division to issue the Notice to Proceed--Water Resources. (Commission District 5.)”

There was no response to the call for public comment.

Commissioner Weber said the residents of the Heppner Subdivision would appreciate approving this item and moving it forward.

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

**10-456      AGENDA ITEM 16 – SHERIFF**

**Agenda Subject:** “Recommendation to accept Fiscal Year 2009/11 Substance Abuse Prevention and Treatment Agency (three-year grant term) award [\$345,000 - initially \$115,000 per year, reduced to \$93,100] for Civil Protective Custody Drug and Alcohol Intervention and Counseling; and if accepted, authorize Finance to make necessary budget adjustments and authorize Chairman to execute Substance Abuse Evaluation and Referral Services Agreement between the County of Washoe, Washoe County Sheriff’s Department and Bristlecone Family Resources [\$93,100 for July 1, 2010 through June 30, 2011]--Sheriff. (All Commission Districts.)”

There was no response to the call for public comment.

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

**10-457      AGENDA ITEM 17 – COMMUNITY DEVELOPMENT**

**Agenda Subject: “Recommendation to possibly approve a Letter of Comment to the Federal Energy Regulatory Commission regarding the Federal Public Involvement and Responsiveness Process for the Siting and Construction of the Ruby Natural Gas Pipeline; and if approved, authorize Chairman to sign the letter on behalf of the Commission--Community Development. (All Commission Districts.)”**

There was no response to the call for public comment.

Commissioner Breternitz said this was a Letter of Comment to the Federal Energy Regulatory Commission and the Ruby Pipeline Project people were not copied on the letter. He asked they be sent a copy and Katy Simon, County Manager, acknowledged the request.

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

**10-458      AGENDA ITEM 18 – COMMUNITY DEVELOPMENT**

**Agenda Subject: “Recommendation to appoint a Planning Commissioner from North of the Truckee River, which encompasses all or portions of County Commission Districts 1, 3, 4 and 5; appoint a Planning Commissioner from County Commission District 1; appoint a Board of Adjustment Member from County Commission District 1; all terms to be 4 years in length with an expiration date of June 30, 2014--Community Development. (Commission Districts 1, 3, 4 and 5.)”**

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, it was ordered that Roy Hibdon from County Commission District 1 be reappointed to the Washoe County Planning Commission for a term to commence on July 1, 2010 and to expire on June 30, 2014; Neal Cobb from north of the Truckee River be reappointed to the Washoe County Planning Commission for a term to commence on July 1, 2010 and to expire on June 30, 2014; and Philip Horan from County Commission District 1 be appointed to the Washoe County Board of Adjustment for a term to commence on July 1, 2010 and to expire on June 30, 2014.

**10-0459      AGENDA ITEM 20 – PURCHASING**

**Agenda Subject: “Recommendation to authorize the Purchasing Office to release an Invitation to Bid for tires and tire services (Washoe County will be the situs of this bid for the Northern Nevada Consortium for Cooperative Purchasing and will be conducting the cooperative bid) [Washoe County spends in excess of \$100,000 annually for tires and tire services--Purchasing. (All Commission Districts.)”**

There was no response to the call for public comment.

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

**10-460      AGENDA ITEM 21 – PURCHASING**

**Agenda Subject: “Recommendation to authorize the Purchasing Office to release an Invitation to Bid for ammunition for use by Washoe County and participating joinder agencies (ammunition requirements will be bid and recommended for award to various manufacturers through their authorized distributors) [estimated that Washoe County’s requirements for ammunition under a resulting bid award will exceed \$100,000 per year]--Purchasing. (All Commission Districts.)”**

There was no response to the call for public comment.

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

**10-461      AGENDA ITEM 22 – REGIONAL PARKS AND OPEN SPACE**

**Agenda Subject: “Recommendation to reappoint Sarah Chvilicek to the Open Space and Regional Parks Commission for the term July 1, 2010 to June 30, 2014; and, discuss the process to be used for the selection of one additional Open Space and Regional Park Commissioner, and if a subcommittee is to be created to interview the candidates, appoint two County Commissioners to serve on the subcommittee--Regional Parks and Open Space. (All Commission Districts.)”**

There was no response to the call for public comment.

Commissioner Weber suggested she and Commissioner Jung be appointed to serve on the subcommittee.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, it was ordered that Sarah Chvilicek be reappointed to the Open Space and Regional Parks Commission for the term of July 1, 2010 to June 30,

2014. It was further ordered that Commissioners Jung and Weber be appointed to serve on the subcommittee to interview the candidates.

**10-462            AGENDA ITEM 23 – TRUCKEE RIVER FLOOD MANAGEMENT PROJECT**

**Agenda Subject: “Recommendation to approve Amendment to Agreement for Professional Engineering Services between the County of Washoe (Truckee River Flood Management Project) and Manhard Consulting, LTD to add the ability to simulate gridded input to the HEC-HMS hydrologic model [additional amount not to exceed \$25,600 for a total cost not to exceed \$220,600]; and if approved, authorize use of the 1/8-cent sales tax dedicated to the Truckee River Flood Project to fund the Amendment to the Agreement and authorize the Chairman to execute the Amendment--Truckee River Flood Management Project. (All Commission Districts.)”**

There was no response to the call for public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 23 be approved, authorized, and executed.

**10-463            AGENDA ITEM 24 – TRUCKEE RIVER FLOOD MANAGEMENT PROJECT**

**Agenda Subject: “Request for authorization that Truckee River Flood Project staff issue a Request for Qualifications to hire a Structural Engineering Consultant for the Home Elevation Program and authorize use of the 1/8-cent sales tax dedicated to the Truckee River Flood Project to fund the work--Truckee River Flood Management Project. (Commission District 2.)”**

There was no response to the call for public comment on this item.

Commissioner Weber asked how many homes would be raised for the Home Elevation Program. Naomi Duerr, Truckee River Flood Project Director, said the Board approved \$2 million, which would elevate approximately 20 homes, with an estimated 120 homes overall. She added the project was being phased over a number of years and it was anticipated there would be a request every year for the next group of homes.

Ms. Duerr said this request would service all of the home elevations by issuing a request for qualifications to hire a number of structural engineering firms. She said a homeowner would hire their own contractor to elevate the home, but an expert in structural engineering would determine the feasibility of elevating the home and to evaluate the job’s cost estimate.

Commissioner Weber said she would support this item, but she would meet with Ms. Duerr to obtain answers to some other questions she had.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 24 authorized.

**10-464            AGENDA ITEM 25 – TECHNOLOGY SERVICES**

**Agenda Subject: “Recommendation to approve Fiscal Year 2011 renewal of contracts and service agreements over \$100,000 to be approved as a group by the Board of County Commissioners and authorization for the Purchasing Contracts Administrator to sign the contract renewals, as they come due, with approval from the District Attorney or Risk Management when necessary as follows: E911 Fund--Reno, City of - Renewal of reimbursement of salaries and benefits for 1.5 full time employee equivalents from City of Reno’s Geographic Information Systems staff servicing the E911 database system, per interlocal agreement, not to exceed \$200,000. General Fund--American Fiber Systems - Renewal of AFS Ethernet Internet Access and T1 Internet Access Services to Washoe County Data Center, 1001 E 9<sup>th</sup> Street and the Regional Public Safety Training Center, 5190 Spectrum Blvd, not to exceed \$125,000; EPI-USE America, Inc.- Renewal of SAP Financial and Human Resources System Software Maintenance Agreement, not to exceed \$185,000; Manatron Inc. - Second year renewal of Software Maintenance Agreement for the Treasurer’s Manatron Tax System software, not to exceed \$193,662; SAP- Renewal of SAP Financial Software System Software Maintenance Agreement, not to exceed \$284,500. Washoe County Regional Communications Fund--Harris Corporation - Renewal of Washoe County’s 800MHz Regional Communications System Software Maintenance Agreement (formerly M/A Com), not to exceed \$100,000. The total cost of the contracts listed will not exceed \$1,039,000--Technology Services. (All Commission Districts.)”**

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 25 be approved, authorized, and executed.

**10-465            AGENDA ITEM 28 – SOCIAL SERVICES**

**Agenda Subject: “Recommendation to authorize Department of Social Services to expend up to \$432,175 in Fiscal Year 2010/11 from Children’s Services Accounts: 710714 referral services to benefit children in care and families who are clients in the most expeditious manner to promote keeping families intact, including the use of special purchase orders, purchase orders and procards to purchase specific items including clothing, personal health care items, Christmas and birthday gifts and cards; purchase gift cards to pay for food, support services, Thanksgiving and**

**Christmas food, and purchase specialty items, food, beverages and supplies for Adoption Day activities and expenses--Social Services. (All Commission Districts.)”**

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 28 authorized.

**10-466            AGENDA ITEM 29 – SOCIAL SERVICES**

**Agenda Subject: “Recommendation to approve Interlocal Contract between Public Agencies (State of Nevada, Department of Health and Human Services, Division of Health Care Financing and Policy and Washoe County) [\$1.5 million] for the period July 1, 2010 through June 30, 2011 for the Disproportionate Share Program; and if approved, authorized Chairman to execute Interlocal Contract--Social Services. (All Commission Districts.)”**

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 29 be approved, authorized, and executed. The Interlocal Contract for same is attached hereto and made a part of the minutes thereof.

**10-467            AGENDA ITEM 30 – FINANCE**

**Agenda Subject: “Recommendation to approve and authorize the Chairman to execute a Resolution allocating \$9,600,000 of the County’s \$59,648,000 Volume Cap for Recovery Zone Facility Bonds pursuant to the American Recovery and Reinvestment Act of 2009; and providing the effective date hereof; and in the event any additional Volume Cap allocations are withdrawn, authorize the Washoe County Finance Director to reallocate that Volume Cap--Finance. (All Commission Districts.)”**

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 30 be approved, authorized and executed. The Resolution for same is attached hereto and made a part of the minutes thereof.

**10-468            AGENDA ITEM 31 – MANAGER**

**Agenda Subject: “Recommendation to approve Second Addendum to Agreement for Appointed Counsel and Administrator Services for one final year between the County of Washoe and Robert Bell, Esq. for professional legal services as the**

**Appointed Counsel Administrator [not to exceed \$150,000] pursuant to the Model Court Plan of the Second Judicial District filed with the Supreme Court under ADKT No. 411, and if approved, authorize the Chairman to execute same--Manager. (All Commission Districts.)”**

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 31 be approved, authorized, and executed.

**10-469            AGENDA ITEM 26 – 911 EMERGENCY RESPONSE ADVISORY COMMITTEE**

**Agenda Subject: “Presentation by: Galena Group Inc. with regard to request to award Washoe County Request For Proposal No. 2712-10, Washoe County E9-1-1 Advisory Board: NG9-1-1 Upgrade, on behalf of Technology Services; and recommendation to award Washoe County Request For Proposal No. 2712-10, Washoe County E9-1-1 Advisory Board: NG9-1-1 Upgrade, on behalf of Technology Services; and if awarded, authorize Purchasing and Contracts Manager to execute an agreement for same to Intrado Inc., Longmont, Colorado, to purchase a hosted Next Generation Emergency 911 system that will provide citizens with the ability to report emergencies to, and improve redundancy to, the Public Safety Answering Points through voice or data transfer and bridge capabilities between Public Safety Answering Points as recommended by the 911 Emergency Response Advisory Committee on April 30, 2010, [monthly cost \$84,905 - plus one time installation cost of \$74,555 - totaling a first year annual cost of \$1,093,415]--911 Emergency Response Advisory Committee. (All Commission Districts.)”**

Katy Simon, County Manager, advised this item was not funded out of the General Fund, but had separate funding.

Gwen Brandenburg, Galena Group Inc. Manager, said the Galena Group issued the request for proposal on behalf of the E9-1-1 Advisory Board, which was an authorized representative of the Board of County Commissioners. She conducted a PowerPoint presentation regarding the selection process and the recommendation of the Intrado network and the Positron phone system under the umbrella of Intrado, which would be the single point of contact for any repairs. She noted the Galena Group Inc. did not vote in the selection process. She stated the recommendation was also to use a hosted solution instead of purchasing the equipment. A copy of the presentation was placed on file with the Clerk.

There was no response to the call for public comment.

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

**10-470            AGENDA ITEM 9F(1) – COMMUNITY DEVELOPMENT**

**Agenda Subject: “Approve Extension of the original Ophir Lakes Subdivision Agreement (aka Winters Ranch) for an additional two years (June 1, 2012), conditioned on the execution of a waiver and release of claims, which allows with certain exceptions, the property owner to submit a tentative map application under the tentative map rules in effect at the time the original agreement was signed (1999), but does not guarantee approval if or when the map application is actually processed, with a finding that an extension will provide a significant public benefit if it ultimately facilitates the acquisition of the final parcels of the Winters Ranch for public open space; and if approved, authorize Chairman to execute Extension.-- Community Development (Commission District 2.)”**

In response to the call for public comment, George Thiel, Consulting Engineer to Falcon Capital, LLC, stated the only issue was the condition imposed on the extension. He requested the extension be approved without the condition because Falcon Capital, LLC was concerned about waiving any rights they might have without knowing specifically what was being discussed. He said if they had to do whatever might be necessary in the future to keep this flowing with the Bureau of Land Management (BLM), they would like to keep that option in existence. He indicated the technical side of this process should end in February 2011. He explained from that point forward BLM would have the opportunity to come back and review some of the issues, which was why the two year extension was requested.

Chairman Humke commented Mr. Lane was not present due to health issues. Mr. Thiel said both principal members of Falcon Capital, LLC had health issues. Chairman Humke wished them the best. He suggested continuing this item to June 2010 and have the approval go back to June 1st. Mr. Thiel said that would be acceptable, but the issues would still be the same.

Commissioner Breternitz stated he saw no reason to delay this item.

On motion by Commissioner Breternitz, seconded by Chairman Humke, which motion duly carried it was ordered that Agenda Item 9F(1) be approved, authorized and executed with the removal of the condition of a waiver in release of claims.

**10-471            AGENDA ITEM 32 – MANAGER**

**Agenda Subject: “Discussion and possible direction to staff to assist in the formation of a Regional Jobs Team of critical stakeholders to accelerate the creation and**



**retention of jobs throughout the region (requested by Commissioner Jung)--  
Manager. (All Commission Districts.)”**

John Berkich, Assistant County Manager, noted unemployment was at 13.5 percent as of April and 21,000 jobs were lost over the last fiscal year. He said the biggest need was job creation and there were many efforts underway at the local, state and national levels. He explained Congress had some pending legislation regarding job creation. He noted the County had taken advantage of every opportunity under the American Recovery and Reinvestment Act and staff believed efforts should move forward on a regional effort to create additional employment opportunities. He said the Regional Jobs Team would be made up of critical stakeholders, and staff’s recommendation regarding the makeup of the team and the team’s focus was shown on page 2 of the staff report dated May 13, 2010. He stated the initial meeting would be held on June 24, 2010. He added he conducted research regarding what other communities were doing and he was impressed. He felt there were some things that could be talked about now, but there was not much time before the next legislative session.

**4:33 p.m.** Chairman Humke went out into the audience.

Commissioner Jung felt this effort needed to move forward quickly because she believed this effort could bear some really good fruit and she urged the Commission to support the effort. Vice Chairperson Weber agreed this effort needed to move forward quickly because no one wanted the monies to go away and people needed to start working again.

In response to the call for public comment, Tray Abney, Reno Sparks Chamber of Commerce, said he supported the creation of a Regional Jobs Team and offered the Chambers’ assistance and participation in this effort. He believed getting everyone together and on the same page could be helpful. He said the private sector would create the jobs, but it was important for the public agencies to partner with the private sector to figure out how that should be done most effectively.

Mr. Abney encouraged the Commissioners to attend the “Salute to Washoe County” breakfast the Reno Sparks Chamber of Commerce was holding on June 30, 2010. He noted Katy Simon, County Manager, would be speaking at the breakfast.

**4:35 p.m.** Chairman Humke returned to the dais.

On motion by Commissioner Jung, seconded by Chairman Humke, which motion duly carried, it was ordered that Agenda Item 32 be directed.

**10-472            AGENDA ITEM 33 – GOVERNMENT AFFAIRS**

**Agenda Subject: “Discussion and possible direction to staff regarding legislative interim committees, studies and reports of the Nevada Legislature, including but not limited to the Legislative Review of Nevada's Revenue Structure, the Legislative**

**Interim Study on Powers Delegated to Local Governments, the Legislative requirement that certain local governmental entities submit a report to the Legislature concerning the consolidation or reorganization of certain functions, and such other legislative committees, studies, reports and possible bill draft requests as may be deemed by the Chair or the Board to be of critical significance to Washoe County--Government Affairs. (All Commission Districts.)”**

John Slaughter, Management Services Director, stated he had been talking with Nevada Association of Counties (NACo) staff and the staff of other counties regarding bill draft requests (BDR's). He said they would be meeting on June 7, 2010 to review the list in anticipation of a June 14th NACo Legislative Committee meeting to determine which BDR's might be more suitable for NACo or for a county to carry for the other counties. A copy of the Potential 2011 Bill Draft Requests and Planning Calendar handout was placed on file with the Clerk.

**4:38 p.m.** Chairman Humke left the meeting.

Mr. Slaughter reviewed the planning calendar, which provided all of the dates leading up to the first day of the 2011 Legislative Session. He said the calendar did not show that in September and October staff would bring to the Board for review and approval a legislative platform that would be shared with newly elected Legislators and lobbyists.

Mr. Slaughter said staff was working on plans to have a reception with the County's delegation in December 2010.

Commissioner Larkin noted the list did not show the District Attorney or the Sheriff. Mr. Slaughter said staff was in discussions with them and he had given all of the departments a deadline of June 4, 2010 to present any ideas they might have regarding BDR's. He advised he spoke with the District Attorney's Office and the Sheriff's Office regarding population based statutes and over 400 had been identified that could pull the County into the statute. He said staff was in the process of reviewing those statutes to see if any might need changing.

Commissioner Larkin asked if dialogue had started regarding the Health District funding and governance. Mr. Slaughter replied that had not yet started, but there was a meeting scheduled next week with local government lobbyists and his counterparts to begin those discussions.

**10-473      AGENDA ITEM 41 – REPORTS/UPDATES**

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

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

Commissioner Larkin noted there was a special meeting scheduled for June 15, 2010 to canvas the vote. He reminded everyone to cast their ballots. He stated the new Assistant Secretary responsible for the Army Corp of Engineers would be in town tomorrow. He hoped she would review and provide more commitments by the Army Corp of Engineers for the Truckee River Flood Management Project.

Commissioner Breternitz said he would be attending a Tahoe Regional Planning Agency (TRPA) meeting tomorrow and Thursday. He stated tomorrow the discussion would focus on the land use and the air quality elements of the Regional Plan update, which would have an affect on the Community Plans in that area.

Commissioner Jung stated some issues were brought up by the County Manager and staff during the meeting with the Community Consortium regarding how much money the County delivered in grant funding and how much it cost to staff the deliverance of grant funding. She said some alternatives were being looked at because it should not be subsidized for more than what the grantees were being given. She advised the staff that used to do this was now writing for and ensuring compliance of grants, which was required to be competitive at any of the federal grant levels. She advised the alternatives would be brought before the Board and that the City of Reno and the City of Sparks were not happy to hear about this at the meeting. She said things were fine this fiscal year, but staff was trying to get ahead for the next fiscal year. She said she was committed to turning this into the best possible process and making sure the grantees got the most bang for the buck.

Commissioner Jung said at the meeting of the Shared Services Committee a request was made that the Sheriff be on the Committee, which was not met with a resounding yes. She stated she could see both sides and the Sheriff did not have a problem with it. She believed asking the Sheriff to be on the Committee was the start of a good conversation regarding the potential consolidation of law enforcement and what the Sheriff's vision was for that. She said even though the Sheriff was not on the Committee, it was moving forward.

Commissioner Jung noted Commissioner Breternitz chaired the Shared Services Committee and said he had heard so many reasons why consolidation would not work, but the Committee was in the business of finding creative ways why it might work. She felt that was a good level playing field to begin discussions because sometimes things got gummed up in what could not be done rather than looking at what could be done.

Commissioner Jung said she attended the State and Local Government Panel on Renewable and Efficient Energy meeting, which reported to the Public Utilities Commission. She advised she was appointed by and represented the Nevada Association

of Counties (NACo). She noted she would be presenting next month regarding what all the counties were doing regarding renewable energy.

Vice Chairperson Weber felt it would be helpful on items to know where projects were located. Katy Simon, County Manager, stated she would ask staff to provide a map showing locations.

Vice Chairperson Weber said she received the evacuation plan model for the St. James Village from the Federal Emergency Management Agency (FEMA) and it was awesome. She felt since FEMA had taken this on as a model, the County should have it available for the public and it should be put on an agenda as soon as possible. She believed the concept needed to be implemented within Washoe County and it should be in the forefront as well as the Neighborhood Watch program. She explained that was how this whole process got started. Ms. Simon asked who would be called regarding the evacuation plan because there was a Washoe County adopted evacuation plan, which had been presented to the Board. Vice Chairperson Weber said it was a video the community had made, and she believed the contact would be the Sierra Fire Protection District (SFPD). Ms. Simon advised all areas of the County had evacuation plans and that was through Aaron Kenneston, Emergency Management Administrator. Vice Chairperson Weber said Mr. Kenneston was also involved in the video. Ms. Simon said the evacuation plans had to be in place to receive FEMA funding so they were all compliant with federal regulations. Vice Chairperson Weber felt the video showed the St James Village community had gone beyond the call of duty and it would be helpful for all of the communities.

Vice Chairperson Weber advised that she found out people who had Charter phone service did not get the reverse 9-1-1 call. She requested that be looked into and brought back to the Board if that was true.

Vice Chairperson Weber said the Nevada Works Board meeting was held two weeks ago in Lovelock, Nevada, and she looked forward to a presentation by Tom Fitzgerald, Chief Executive Officer during a future Board meeting.

Vice Chairperson Weber stated the National Association of Counties (NACO) Conference was getting closer. She said a special meeting was scheduled for June 7, 2010 at 1:00 p.m. in the Human Resources conference room. She advised the search for funding was still happening and the Commissioners help was needed to come up with people who could be contacted for help. She noted the attendance numbers were down so she was going to the Western Interstate Region (WRI) Conference tomorrow in Billings, Montana to encourage people in the western states to attend the Conference. She said it had been suggested to contact the General Improvement Districts, the Fire Districts, and anyone related to county government about how close the Conference was this year and how it offered great classes and discussions on various topics.

Commissioner Breternitz reported what came out of the most recent Shared Services Committee meeting was a law enforcement subcommittee, consisting of

the Sheriff and the two Police Chiefs. He said monthly updates would be requested and the charge was what legislative things would need to be implemented and what benefit would be achieved by any type of shared service efforts in the law enforcement field. He stated the City of Reno reconsidered and agreed to move ahead with the study for shared services regarding Human Resources, Information Technology, and Purchasing with Washoe County. He said it was agreed to recommend to the respective bodies that the study of permitting of building inspections and business licensing be done by a taskforce consisting of one elected official from each entity and two citizens. He stated staff would work with the taskforce to provide recommendations to the Shared Services Committee and then to the governing bodies. He believed this was important progress by the Shared Services Committee.

**10-474            AGENDA ITEM 42 – CLOSED SESSION**

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

**5:01 p.m.**        On motion by Commissioner Breternitz, seconded by Commissioner Jung, which motion duly carried with Chairman Humke absent, the Board recessed and, after the recess, the Board would go into a Closed Session in the Caucus Room for the purpose of negotiations with Employee Organizations per NRS 288.220.

**5:30 p.m.**        The Board convened in Closed Session.

**6:37 p.m.**        The Board reconvened in Open Session with all members present.

**PUBLIC HEARINGS**

**10-475            AGENDA ITEM 35 – COMMUNITY DEVELOPMENT**

**Agenda Subject: “Outdoor Festival Business License Application (Reno-Tahoe Open 2010) Applicant: Reno Tahoe Open Foundation--Community Development. (Commission District 2). To conduct a public hearing to consider the application for an outdoor festival business license for the Reno-Tahoe Open 2010 Golf Tournament. The Reno-Tahoe Open 2010 is to be held from July 12, 2010 through July 18, 2010. The event is proposed to be held at the Montreux Golf and Country Club (Assessor’s Parcel Numbers 148-010-25, 148-010-50, 148-010-55, 148-010-56, 148-061-65, 148-100-02, and 148-140-11). Tournament preferred parking will be on Lausanne Drive (Assessor’s Parcel Numbers 148-050-02 and 148-092-12) and on Lake Geneva Drive (Assessor’s Parcel Numbers 148-010-53, 148-082-16 through 18, and 148-140-03). Tournament parking will be at the Clubhouse (Assessor’s Parcel Number 148-010-50), staff parking on Gebser Court (Assessor’s Parcel Number 148-180-01), and vendor parking on Bordeaux Court (Assessor’s Parcel Number 148-390-03) and on De Chardin Lane (Assessor’s Parcel Number 148-381-25). Off-site parking will located on a vacant parcel generally located south of the intersection of State Route 431 and Wedge Parkway (Assessor’s Parcel Number 144-070-03) and may also be accommodated in the parking lot of the Tamarack**

**Junction (Assessor's Parcel Number 049-360-20). Tournament volunteer staff will be parking at Galena High School (Assessor's Parcel Number 144-010-01) and on Paris Avenue and Paris Court located in the Estates at Mount Rose, Phase 3A area (Assessor Parcel Number 150-460-04). The Reno-Tahoe Open 2010 is a PGA tour sanctioned golf tournament and this event marks the twelfth year for the tournament. Event organizers estimate that between 25,000 and 30,000 participants and spectators will take part in the event for the week. Based on the testimony and evidence presented at the hearing, to include the report of reviewing agencies, the County Commissioners may approve the issuance of the business license with conditions, or deny the business license."**

**6:38 p.m.** Chairman Humke opened the public hearing.

In response to the call for public comment, David Traitel stated the parking for the Reno-Tahoe Open (RTO) Golf Tournament had been congested during the last few years. He said he was concerned emergency vehicles would have trouble getting into the area because there were so many cars parked on both sides of the street and it was also difficult for homeowners to get in and out. He suggested RTO staff be shuttled to and from the parking areas.

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

Chairman Humke asked how the parking situation could be made better. Bob Webb, Planning Manager, said he had not talked with Mr. Traitel, but the Board could put special conditions upon the conditional license for the event. He believed the RTO Operations Manager would be amenable to working out a solution with the property owners. He was not sure what might work because he did not know the area, but he could relay the concerns to the Operations Manager and report back to the Board by way of a memorandum. He said he was trying to issue the license by June 21, 2010 before the start of pretournament activities. He stated a broader condition would be to allow negotiations with the RTO and concerned property owners. Chairman Humke believed legal counsel would have to be consulted. Mr. Webb suggested adding a specific condition relating to traffic and parking. Melanie Foster, Legal Counsel, said under the fire protection section there were requirements that roads within the subdivision be kept unobstructed with a 20 foot passable opening at all times. She said it might be beneficial to widen the area to ensure the roads were kept clear for emergency vehicle access if Mr. Traitel's home was not within the subdivision. She stated the Code was pretty specific and had clear language, but just focusing on the subdivision was not enough to protect all of the residents in the area if emergency access was needed.

Commissioner Breternitz wondered if the RTO staff had the ability to regulate outside the Montreux Subdivision and if there were agreements they were working under with other nearby subdivisions. He said there was a complaint and could staff be depended upon to take care of the complaint rather than making this boarder than necessary. Melanie Foster, Legal Counsel, said Mr. Webb informed her Mr. Traitel was

within the subdivision and the permit only allowed staff parking on the street. She stated that was something the Tournament should be able to regulate without changing the actual permit because it was already in the conditions of the business license before the Board. Mr. Webb said citizens should call him or Aaron Klein, RTO Operations Manager, if they had a complaint.

On motion by Commissioner Breternitz, seconded by Commissioner Jung, which motion duly carried, it was ordered that the outdoor festival business license for the Reno-Tahoe Open 2010 Golf Tournament be approved with the conditions contained in Attachment A of the staff report dated May 5, 2010.

**10-476            AGENDA ITEM 35 – TRUCKEE RIVER FLOOD MANAGEMENT PROJECT**

**Agenda Subject: “Second reading and adoption of Ordinance amending the Washoe County Code by adding Sections 40.450 through 40.460 creating the Truckee River Flood Protection Financial Assistance Program to provide financial assistance to owners of public and private property in certain areas in order to make such property resistant to flood damage (Bill No.1618)--Truckee River Flood Management Project. (Commission Districts 1, 2 and 3.)”**

**6:49 p.m.**        The Chairman opened the public hearing by calling on anyone wishing to speak for or against adoption of said Ordinance.

Amy Harvey, County Clerk, read the title for Ordinance No. 1439, Bill No. 1618.

In response to the call for public comment, Rae Burnet stated she appreciated the help this Ordinance would provide in surviving the next flood.

Terri Thomas stated she was deeply appreciative of this financial assistance.

There was no further response to the call for public comment and the Chairman closed the public hearing.

Commissioner Weber asked who would be liable if a house was raised and a flood happened. Naomi Duerr, Truckee River Flood Management Project Director, said floods were considered an act of nature. She said the only thing that could be controlled was the response to a flood. She stated there was a flood-warning system in place and, once it was deduced there was the likelihood of a flood, staff would work with the first responders to get the word out through the media. She said people who live in an area that might flood could sandbag their property or evacuate, which was always her recommendation. She stated evacuation was not required unless so ordered by the Sheriff’s Office. She explained one of the conditions of this program required the homeowner to have flood insurance if they accepted the grant. She said there was

antidotal evidence that the cost of the flood insurance would be significantly reduced because of the elevation of the home by a minimum of two feet above base flood level. She advised that even though the effort was to protect against the likelihood of flooding, there could always be a higher level of flooding. She stated that was why she always recommended evacuation. She said it would not be the County's or the Flood Project's liability.

Commissioner Breternitz stated at the first reading he understood this would not apply to commercial buildings. Ms. Duerr replied only flood proofing applied to the commercial buildings. She said for big commercial buildings the selected course of action was typically wall treatment, elevation of utilities and vents, and the sealing of doors. She said there were commercial buildings that fell within this grant funding program. Commissioner Breternitz said there had been discussion regarding the commercial buildings on the corner of Rock Boulevard and McCarran Boulevard, as shown on Map 2 of 3, not fitting into that category. Ms. Duerr replied they would potentially be eligible for flood proofing.

On motion by Commissioner Larkin, seconded by Commissioner Breternitz, which motion duly carried, it was ordered that Ordinance No. 1439, Bill No. 1618, entitled, "**AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY ADDING SECTIONS 40.450 THROUGH 40.460 CREATING THE TRUCKEE RIVER FLOOD PROTECTION FINANCIAL ASSISTANCE PROGRAM TO PROVIDE FINANCIAL ASSISTANCE TO OWNERS OF PUBLIC AND PRIVATE PROPERTY IN CERTAIN AREAS IN ORDER TO MAKE SUCH PROPERTY RESISTANT TO FLOOD DAMAGE (BILL NO. 1618),**" be approved, adopted and published in accordance with NRS 244.100.

**10-477            AGENDA ITEM 36 – SOCIAL SERVICES**

**Agenda Subject: "Second reading and adoption of an Ordinance amending Chapter 15, Section 15.495, to authorize the purchasing and contracts manager to execute non-exclusive emergency child protective shelter care agreements with individual foster care homes and with organizations which provide foster homes (Bill No. 1620)--Social Services. (All Commission Districts.)"**

**6:58 p.m.**        The Chairman opened the public hearing by calling on anyone wishing to speak for or against adoption of said Ordinance.

Amy Harvey, County Clerk, read the title for Ordinance No. 1440, Bill No. 1620.

There was no response to the call for public comment and the Chairman closed the public hearing.

On motion by Commissioner Breternitz, seconded by Chairman Humke, which motion duly carried, it was ordered that Ordinance No. 1440, Bill No. 1620,



entitled, “AN ORDINANCE AMENDING CHAPTER 15, SECTION 15.495, TO AUTHORIZE THE PURCHASING AND CONTRACTS MANAGER TO EXECUTE NON-EXCLUSIVE EMERGENCY CHILD PROTECTIVE SHELTER CARE AGREEMENTS WITH INDIVIDUAL FOSTER CARE HOMES AND WITH ORGANIZATIONS WHICH PROVIDE FOSTER HOMES (BILL NO. 1620),” be approved, adopted and published in accordance with NRS 244.100.

**10-478            AGENDA ITEM 37 – COMMUNITY DEVELOPMENT**

**Agenda Subject:** “Second reading and adoption of an Ordinance pursuant to Nevada Revised Statutes 278.0201 through 278.0207 approving Amendment of Conditions Case Number AC10-004 to amend Development Agreement Case No. DA08-003 for Tentative Subdivision Map Case Number TM06-001 (Sierra Reflections-Pleasant Valley area) as previously approved by the Washoe County Planning Commission on May 2, 2006, and found to be in conformance with the Truckee Meadows Regional Plan by the Truckee Meadows Regional Planning Commission on June 14, 2006. The proposed amendment to the development agreement will extend the approval of Tentative Subdivision Map Case Number TM06-001, as previously approved by the Washoe County Planning Commission, until June 14, 2012, and the Director of Community Development at his sole discretion may grant up to two additional years, resulting in a possible final expiration date of June 14, 2014 (Bill No. 1621); and if adopted, authorize Chairman to execute Development Agreement--Community Development. (Commission District 2.)”

**7:00 p.m.**        The Chairman opened the public hearing by calling on anyone wishing to speak for or against adoption of said Ordinance.

Amy Harvey, County Clerk, read the title for Ordinance No. 1441, Bill No. 1621.

There was no response to the call for public comment and the Chairman closed the public hearing.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried, it was ordered that Ordinance No. 1441, Bill No. 1621, entitled, “AN ORDINANCE PURSUANT TO NEVADA REVISED STATUTES 278.0201 THROUGH 278.0207 APPROVING AMENDMENT OF CONDITIONS CASE NUMBER AC10-004 TO AMEND DEVELOPMENT AGREEMENT CASE NO. DA08-003 FOR TENTATIVE SUBDIVISION MAP CASE NUMBER TM06-001 (SIERRA REFLECTIONS-PLEASANT VALLEY AREA) AS PREVIOUSLY APPROVED BY THE WASHOE COUNTY PLANNING COMMISSION ON MAY 2, 2006, AND FOUND TO BE IN CONFORMANCE WITH THE TRUCKEE MEADOWS REGIONAL PLAN BY THE TRUCKEE MEADOWS REGIONAL PLANNING COMMISSION ON JUNE 14, 2006. THE PROPOSED AMENDMENT TO THE DEVELOPMENT

**AGREEMENT WILL EXTEND THE APPROVAL OF TENTATIVE SUBDIVISION MAP CASE NUMBER TM06-001, AS PREVIOUSLY APPROVED BY THE WASHOE COUNTY PLANNING COMMISSION, UNTIL JUNE 14, 2012, AND THE DIRECTOR OF COMMUNITY DEVELOPMENT AT HIS SOLE DISCRETION MAY GRANT UP TO TWO ADDITIONAL YEARS, RESULTING IN A POSSIBLE FINAL EXPIRATION DATE OF JUNE 14, 2014 (BILL NO. 1621),”** be approved, adopted and published in accordance with NRS 244.100.

**10-479            AGENDA ITEM 38 – FINANCE**

**Agenda Subject:** “Second reading and adoption of an Ordinance amending Chapter 25 of the Washoe County Code (Business Licenses, Permits and Regulations) by eliminating the requirement to set aside 40% of the business license fees on public utilities providing electric energy service and telecommunication service for use in undergrounding utility lines existing as of July 24, 2001 and other matters properly related thereto (Bill No. 1622)--Finance. (All Commission Districts.)”

**7:06 p.m.**        The Chairman opened the public hearing by calling on anyone wishing to speak for or against adoption of said Ordinance.

Amy Harvey, County Clerk, read the title for Ordinance No. 1442, Bill No. 1622.

There was no response to the call for public comment and the Chairman closed the public hearing.

Commissioner Breternitz asked how much was currently set aside. John Sherman, Finance Director, replied there was approximately \$14 million set aside in the Capital Improvement Fund.

On motion by Commissioner Weber, seconded by Commissioner Breternitz, which motion duly carried, it was ordered that Ordinance No. 1442, Bill No. 1622, entitled, “**AN ORDINANCE AMENDING CHAPTER 25 OF THE WASHOE COUNTY CODE (BUSINESS LICENSES, PERMITS AND REGULATIONS) BY ELIMINATING THE REQUIREMENT TO SET ASIDE 40% OF THE BUSINESS LICENSE FEES ON PUBLIC UTILITIES PROVIDING ELECTRIC ENERGY SERVICE AND TELECOMMUNICATION SERVICE FOR USE IN UNDERGROUNDING UTILITY LINES EXISTING AS OF JULY 24, 2001 AND OTHER MATTERS PROPERLY RELATED THERETO (BILL NO. 1622),”** be approved, adopted and published in accordance with NRS 244.100.

**10-480            AGENDA ITEM 39 – DISTRICT 24 PUBLIC HEARING**

**Agenda Subject:** “**Proposed Amendment to the Boundaries of Groundwater Remediation District (Central Truckee Meadows Remediation District)--Water Resources. (All Commission Districts.)** Hold a public hearing to consider all

**comments concerning a proposed amendment to the boundaries of the Groundwater Remediation District (Central Truckee Meadows Remediation Districts).”**

**7:06 p.m.** The Chairman opened the public hearing by calling on anyone wishing to speak for or against the proposed Amendment to the Boundaries of Groundwater Remediation District (Central Truckee Meadows Remediation District).”

There was no response to the call for public comment and the Chairman closed the public hearing.

**10-481            AGENDA ITEM 39 – FIRST READING DISTRICT NO. 24 BOUNDARIES**

**Agenda Subject: “Introduction and first reading of an Ordinance amending Ordinance No. 1000 in order to change the boundaries of District No. 24 (Groundwater Remediation); and providing other matters relating thereto. (Second reading and adoption to be set for June 22, 2010.)”**

Amy Harvey, County Clerk, read the title for Bill No. 1624.

Bill No. 1624, entitled, “**AN ORDINANCE AMENDING ORDINANCE NO. 1000 IN ORDER TO CHANGE THE BOUNDARIES OF DISTRICT NO. 24 (GROUNDWATER REMEDIATION); AND PROVIDING OTHER MATTERS RELATING THERETO,**” was introduced by Commissioner Jung and legal notice for final action of adoption directed. The second reading and adoption were set for June 22, 2010.

**10-482            AGENDA ITEM 39 – FIRST READING DISTRICT NO. 24 FEES**

**Agenda Subject: “Introduction and first reading of an Ordinance imposing a fee on the parcels of land in Washoe County, Nevada District No. 24 (Groundwater Remediation) to pay the costs of developing and carrying out a plan for remediation; and prescribing other matters relating thereto. (Second reading and adoption to be set for June 22, 2010.)”**

Amy Harvey, County Clerk, read the title for Bill No. 1625.

Bill No. 1625, entitled, “**AN ORDINANCE IMPOSING A FEE ON THE PARCELS OF LAND IN WASHOE COUNTY, NEVADA DISTRICT NO. 24 (GROUNDWATER REMEDIATION) TO PAY THE COSTS OF DEVELOPING AND CARRYING OUT A PLAN FOR REMEDIATION; AND PRESCRIBING OTHER MATTERS RELATING THERETO,**” was introduced by Commissioner Jung and legal notice for final action of adoption directed. The second reading and adoption were set for June 22, 2010.

**AGENDA ITEM 40 – HUMAN RESOURCES**

**Agenda Subject: “Approve Collective Bargaining Agreements with the Washoe County Sheriff’s Deputies Association and the Washoe County Supervisory Sheriff’s Deputies Association bargaining units for the period July 1, 2009 through June 30, 2010; ratify same and if approved, authorize Chairman to execute Collective Bargaining Agreement upon completion [no general wage increase is included--Human Resources. (All Commission Districts.)”**

There was no response to the call for public comment.

On motion by Commissioner Jung, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 40 be approved, authorized, and executed.

\* \* \* \* \*

Chairman Humke said he received a question from a journalist at an electronic media outlet stating \$3.8 million had been put into the Vector Control Program, but only \$1.1 million was currently in the program and asked if the numbers were right or if there was an explanation for the discrepancy. He said there had been comment from off-duty Health District employees and testimony by University of Nevada faculty members and other staff complaining about this item. He said Kathy Carter, Community Relations Director, drafted a response that advised there were a Vector Control Fund and a Vector Control Enhancement Fund. He said the Vector Control Fund was included in the Health District’s budget request before the County Commission since 2004 and had been fully funded at the level requested by the Health District, including this year. The Vector Control Enhancement Fund served as additional emergency funding if needed based on an advisory question where voters indicated they would be willing to have some of their property taxes going to fight West Nile Virus. He noted the combined budget was \$1.3 million for Fiscal Year 2010, and for Fiscal Year 2011 it was \$961,748. He said Ms. Carter went on to state the County wanted to make it clear the Board of County Commissioners fully funded the Vector Control budget request. If there was a vector control emergency, the Board had the ability to use contingency funds, which were at approximately \$1.5 million. He felt Ms. Carter’s response answered the question.

\* \* \* \* \*

**7:10 p.m.** On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, the meeting was ordered adjourned.

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**DAVID E. HUMKE**, Chairman  
Washoe County Commission

**ATTEST:**

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

*Minutes Prepared by Jan Frazzetta,  
Deputy County Clerk*

Clark

## RESOLUTION

**WHEREAS**, The Washoe County Board of Equalization is charged with hearing appeals filed by property owners who do not agree with the value placed on their property for tax purposes by the Washoe County Assessor; and

**WHEREAS**, The Washoe County Board of Equalization is comprised of members appointed by the Washoe County Commission; and

**WHEREAS**, The 2010 Washoe County Board of Equalization members are James Covert; Board Chair; John Krolick, Board Vice Chair; Benjamin Green; Linda Woodland; James Brown and alternate Philip Horan; and

**WHEREAS**, The Washoe County Board of Equalization hearings are held from late January through the end February each year; and

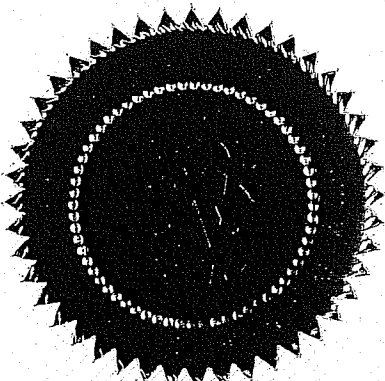
**WHEREAS**, At these hearings, the Washoe County Board of Equalization may determine the valuation of any property assessed by the Washoe County Assessor and change or correct any valuation found to be incorrect; and

**WHEREAS**, For the 2010 season, The Washoe County Board of Equalization had 20 days of hearings and heard approximately 1,000 appeals by taxpayers; and

**WHEREAS**, The Washoe County Board of Equalization convened, on average, 7 hours per day with some days going as long as 12 hours; now, therefore, be it

**RESOLVED**, That the Washoe County Commission recognizes the dedicated efforts of James Covert, John Krolick, Benjamin Green, Linda Woodland, James Brown and Philip Horan and commends the Washoe County Board of Equalization for its commitment to the citizens of Washoe County.

**ADOPTED** this 25<sup>th</sup> day of May, 2010.



A handwritten signature in black ink, appearing to read "David Humke", is written over a horizontal line.

David Humke, Chairman  
Washoe County Commission

**RESOLUTION AUTHORIZING THE DONATION OF CERTAIN  
PROPERTY TO SUN VALLEY GENERAL IMPROVEMENT DISTRICT  
FOR OPERATION OF SUN VALLEY COMMUNITY PARK**

WHEREAS, NRS 244.1505 provides that the Board of County Commissioners may donate commodities, supplies, materials and equipment that the board determines to have reached the end of its useful life to a nonprofit organization created for religious, charitable or educational purposes or to another governmental entity, to be used for any purpose, which will provide a substantial benefit to the inhabitants of the county; and

WHEREAS, The Board of County Commissioners approved an Intergovernmental Agreement between Washoe County and Sun Valley General Improvement District, a political subdivision of the State of Nevada, authorizing transfer of ownership of Sun Valley Community Park, and all of its amenities, [APN 085-211-03 consisting of 26.09 acres] ; and

WHEREAS, certain supplies, material and equipment previously purchased by Washoe County, as outlined in Exhibit "A" and incorporated herein by reference, are needed to operate and maintain this public facility; and

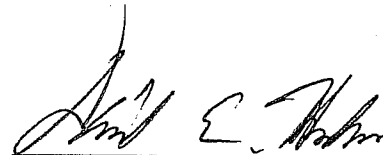
WHEREAS, The Board of County Commissioners find that it is in the best interest of the public to donate these items to Sun Valley General Improvement District for operation of Sun Valley Community Park; now, therefore, be it

RESOLVED, By the Board of County Commissioners that the Board hereby donates all items outlined in Exhibit "A" to Sun Valley General Improvement District for operation of Sun Valley Community Park; and

BE IT FURTHER RESOLVED, and hereby ordered, that the Department of Regional Parks and Open Space shall record this resolution in the Office of the Washoe County Recorder.

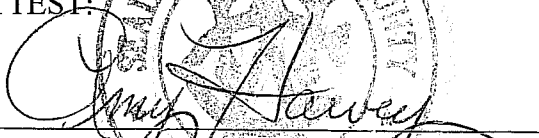
Adopted this 25th Day of May, 2010

By:



David E. Humke, Chairman

ATTEST:

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



**INTERLOCAL AGREEMENT BETWEEN PUBLIC AGENCIES**

An Agreement Between Washoe County, a Political Subdivision of the State of Nevada,  
hereinafter "County",

Acting By and Through Its

**Department of Regional Parks and Open Space**  
2601 Plumas Street  
Reno, NV 89509

And, the Sierra Fire Protection District  
Hereinafter SFPD

4000 Joy Lake Road  
Reno, NV 89511

WHEREAS, it is deemed that the services hereinafter set forth are both necessary and in the best interests of the parties;

NOW, THEREFORE, in consideration of the aforesaid premises, the parties mutually agree as follows:

CONTRACT TERM. This Contract shall be effective for a period of two years from May 25, 2010 to May 25, 2012, or until this Agreement is terminated pursuant to the terms of this agreement, whichever date shall first occur.

TERMINATION. This Contract may be terminated by either party prior to the date set forth above, provided that a termination shall not be effective until 30 days after a party has served written notice upon the other party. This Contract may be terminated by mutual consent of both parties or unilaterally by either party without cause.

NOTICE. All notices or other communications required or permitted to be given under this Contract shall be in writing and shall be deemed to have been duly given if delivered personally in hand, by telephonic facsimile with simultaneous regular mail, or mailed certified mail, return receipt requested, postage prepaid on the date posted, and addressed to the other party at the address set forth above.

INCORPORATED DOCUMENTS. The parties agree that the services to be performed shall be specifically described; this Contract incorporates the following attachments:

ATTACHMENT A: SCOPE OF WORK (See Attachment A)

ATTACHMENT B: STANDARD TERMS AND CONDITIONS (See Attachment B)

BREACH; REMEDIES. Failure of either party to perform any obligation of this Contract shall be deemed a breach. Except as otherwise provided for by law or this Contract, the rights and remedies of the parties shall not be exclusive and are in addition to any other



rights and remedies provided by law or equity, including but not limited to actual damages, and to a prevailing party reasonable attorneys' fees and costs.

LIMITED LIABILITY. The parties will not waive and intends to assert available NRS Chapter 41 liability limitations in all cases. Contract liability of both parties shall not be subject to punitive damages. To the extent applicable, actual contract damages for any breach shall be limited by NRS 354.626.

INDEMNIFICATION.

a. Consistent with the Limited Liability provision stated above, each party shall indemnify, hold harmless and defend, not excluding the other's right to participate, the other party from and against all liability, claims, actions, damages, losses, and expenses, including but not limited to reasonable attorneys' fees and costs, arising out of any alleged negligent or willful acts or omissions of the indemnifying party, its officers, employees and agents. Such obligation shall not be construed to negate, abridge, or otherwise exist as to any party or person, described in this paragraph.

FORCE MAJEURE. Neither party shall be deemed to be in violation of this Contract if it is prevented from performing any of its obligations hereunder due to strikes, failure of public transportation, civil or military authority, act of public enemy, accidents, fires, explosions, or acts of God, including, without limitation, earthquakes, floods, winds, or storms. In such an event the intervening cause must not be through the fault of the party asserting such an excuse, and the excused party is obligated to promptly perform in accordance with the terms of the Contract after the intervening cause ceases.

WAIVER OF BREACH. Failure to declare a breach or the actual waiver of any particular breach of the Contract or its material or nonmaterial terms by either party shall not operate as a waiver by such party of any of its rights or remedies as to any other breach.

SEVERABILITY. If any provision contained in this Contract is held to be unenforceable by a court of law or equity, this Contract shall be construed as if such provision did not exist and the nonenforceability of such provision shall not be held to render any other provision or provisions of this Contract unenforceable.

ASSIGNMENT. Neither party shall assign, transfer or delegate any rights, obligations or duties under this Contract without the prior written consent of the other party.

PUBLIC RECORDS. Pursuant to NRS 239.010, information or documents may be open to public inspection and copying. The parties will have the duty to disclose unless a particular record is made confidential by law or a common law balancing of interests.

CONFIDENTIALITY. Each party shall keep confidential all information, in whatever form, produced, prepared, observed or received by that party to the extent that such information is confidential by law or otherwise required by this Contract.

PROPER AUTHORITY. The parties hereto represent and warrant that the person executing this Contract on behalf of each party has full power and authority to enter into this Contract and that the parties are authorized by law to perform the service set forth in this agreement.

GOVERNING LAW; JURISDICTION. This Contract and the rights and obligations of the parties hereto shall be governed by, and construed according to, the laws of the State of Nevada. The parties consent to the jurisdiction of the Washoe County, Nevada district courts for enforcement of this Contract.

ENTIRE AGREEMENT AND MODIFICATION. This Contract and its integrated attachment(s) constitute the entire agreement of the parties and such are intended as a complete and exclusive statement of the promises, representations, negotiations, discussions, and other agreements that may have been made in connection with the subject matter hereof. Unless an integrated attachment to this Contract specifically displays a mutual intent to amend a particular part of this Contract, general conflicts in language between any such attachment and this Contract shall be construed consistent with the terms of this Contract. Unless otherwise expressly authorized by the terms of this Contract, no modification or amendment to this Contract shall be binding upon the parties unless the same is in writing and signed by the respective parties hereto, approved by Washoe County's legal advisor.

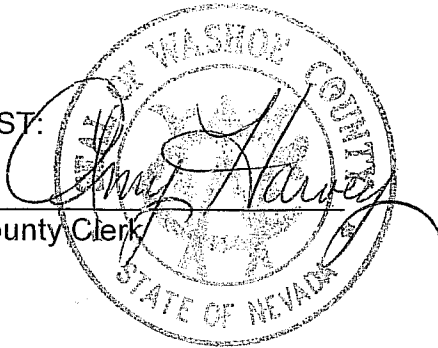
IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed on the day and year first above written.

WASHOE COUNTY, NEVADA  
Acting by and through its  
Board of County Commissioners

By: David E. Humke 5/25/10  
David E. Humke, Chairman

ATTEST:

By: \_\_\_\_\_  
County Clerk



Sierra Fire Protection District

By: \_\_\_\_\_  
Michael Green, Chief

STATE OF NEVADA  
: ss  
COUNTY OF WASHOE

On this \_\_\_\_\_ day of \_\_\_\_\_, 2010,  
\_\_\_\_\_, personally appeared before me, a Notary  
Public, and acknowledged to me that he/she executed the above instrument for the  
purpose therein contained.

\_\_\_\_\_  
Notary Public

*was signed  
by SFPD  
EOFC on  
7/13/2010*



*ATIA*

ATTACHMENT A  
SCOPE OF WORK

1. Responsibilities of the Parties: In accordance with mutual objectives to reduce the risk of catastrophic loss due to wildfire, the parties to this agreement will:

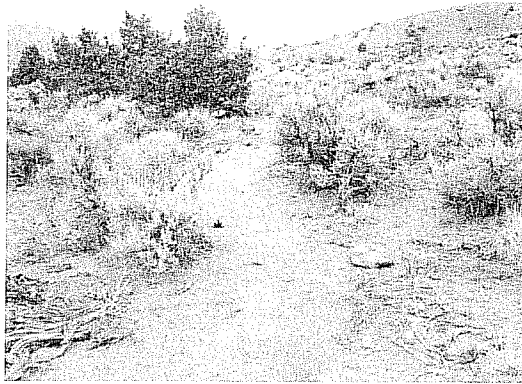
- A. SFPD will conduct fuels reduction projects within four Washoe County Park facilities: Crystal Peak Park, Davis Creek Regional Park, Hidden Valley Regional Park and Sun Valley Regional Park. The primary goal of these projects is employment for the removal of excess brush, ladder fuels and timber in accordance with the *Washoe County Risk Hazard Assessment* (RCI 2005). Properties designated for treatment are delineated in conditions attached hereto as Attachment B to this agreement.
- B. SFPD will advertise for and hire a minimum of 10 employees to be supervised by SFPD, whose duties will include reducing hazardous fuels on each site, aimed at minimizing the fire spread and intensity into or out of the park and reducing the threat to the residents of the community.
- C. SFPD will provide managerial needs including ARRA quarterly reporting, and invoicing, tracking of employee work hours, tracking of acreage treated, and estimates of biomass removed, as measured in tons.
- D. SFPD maintain worker's compensation insurances as well as general liability insurance of at least \$1 million.
- E. SFPD agrees to adhere to the additional standard terms and conditions attached hereto as Attachment B to this agreement.
- F. Washoe County Dept. of Regional Parks & Open Space will provide grant oversight, including reports to the granting source.

2. Funding:

- A. It is understood that the duties and responsibilities outlined above are American Recovery and Reinvestment Act 2009 grant funded through a grant written, submitted, and administered by Washoe County Dept. of Regional Parks & Open Space.
- B. Funding for II(A) above is limited to a maximum of \$211,470.00 allocated as follows: \$6,000.00 Crystal Peak Park, \$128,000.00 Davis Creek Regional Park, \$16,470.00 Hidden Valley Regional Park and \$61,000.00 Sun Valley Regional Park.

**Attachment B**  
**Standard Terms & Conditions**

**Washoe County Open Space Fuels Reduction Project**  
**Project # WFM-0460-14HFE**



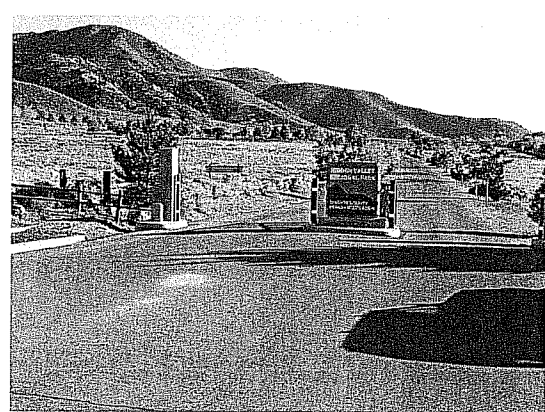
Sun Valley Regional Park



Davis Creek Regional Park

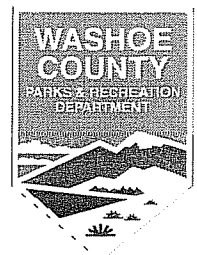
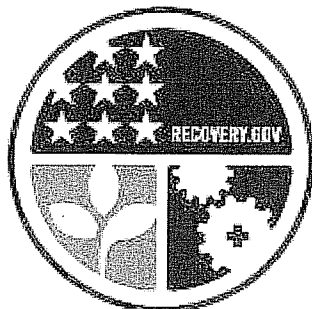


Crystal Peak Park



Hidden Valley Regional Park

American Recovery and Reinvestment Act of 2009  
USDA Forest Service & Nevada Department of Agriculture



## **NARRATIVE STATEMENT:**

The threat and severity of wildland fires has increased in the Urban Interface regions of Washoe County in large part due to the lack of available funding for fuels reduction work. In the late 1800's the Sierra Front forests were logged to provide lumber for mining operations, new town sites and subsequent heating of those structures. Nevada forests have evolved with fire. The native Indian populations would utilize fire to clean the brush in the understory of the forest, providing an open park like quality.

However, fire suppression along with past forest harvesting have led to the dramatic build up of forest fuel, causing more intense wildfires that are more difficult to manage and prevent. The intensity of wildfires occurring in Washoe County threatens both homes and the environment, degrading watersheds and wildlife habitat.

The trend of increasing fuel loading and fire intensity is occurring in Washoe County at the same time as the population is increasing. With encroaching development, wildland fires have devastated both homes and open space.

These trends taken together indicate an increased risk of severe wildfire to a growing population. There are steps that can be taken to reduce this risk. Fuel treatment techniques for four separate projects within Washoe County will successfully limit the extent and intensity of wildfires.

Hazardous fuel reduction to clear and remove vegetation will both protect residents and improve forest health.

The project will include:

- Crystal Peak Park Fuels Reduction Plan
- Davis Creek Park Fuels Reduction Plan
- Hidden Valley Regional Park & Open Space Fuels Reduction Plan
- Sun Valley Regional Park & Open Space Fuels Reduction Plan

## **I. DESCRIPTION:**

### **Why Federal Funds?**

Federal Stimulus Funds are necessary to assist the local Washoe County government in creating jobs in a region of the country that has sky rocketing unemployment rates (11%) and decreasing tax revenues for county programs including operating and maintenance.

Fire suppression, along with past forest harvesting have led to the dramatic build up of forest fuel, causing more intense wildfires that are more difficult to manage and prevent. The intensity of wildfires occurring in Washoe County

threatens both homes and the environment, degrading watersheds and wildlife habitat.

Hazardous fuel reduction to clear and remove vegetation will both protect residents and improve forest health.

#### **THE FEDERAL FUNDS WILL BE USED TO:**

- **Description of the specific activities**

Washoe County will utilize federal funds from the American Recovery and Reinvestment Act to implement four fuels reduction plans in:

- Crystal Peak Park
- Davis Creek Regional Park
- Hidden Valley Regional Park
- Sun Valley Regional Park

#### **Crystal Peak Park Fuel Reduction Plan**

##### **Project Description:**

Crystal Peak Park Fuel Reduction Project involves the removal and thinning of dead and diseased Cottonwood trees along the Truckee River within the community of Verdi. The general treatment will include cutting, chipping and removal of Cottonwood trees and brush using hand crews.

The purpose of this project is to reduce hazardous fuel loading surrounding the community of Verdi. The vegetation type is Cottonwood with understory brush component.

The treatment will focus on removal of dead Cottonwood trees, and improving the stand health by targeting diseased trees. Hand brush removal will also be done.

##### **Project Location and Access**

The Project area is located in the Sierra Fire Protection District in Verdi. See map of the project area and access locations.

##### **Purpose of Fuels Reduction Project**

1. Increase Firefighter and public safety by reducing the intensity of a wildland interface fire.
2. Reduce hazardous fuels located within the Crystal Peak Park. Fuel reduction on this site is aimed at slowing the movement of wild fire into or out of the open space and reducing the threat to the residents of the community.

3. Improve safety of public by removing dead and hazardous Cottonwood trees.
4. Fuels reduction will reduce wildfire by:
  - Reducing fuel load to increase forest health
  - Reducing brush continuity to reduce wildfire spread
  - Reduce dead Cottonwood stands to minimize fire intensity and spread.

### **Proposed Activities**

- Remove all dead and diseased Cottonwood trees.
- Remove all dead and approximately 75% of the live brush within the project site.
- Brush and slash that is removed by hand shall be piled for burning, masticated and/or chipped back on the slope to reduce erosion.

### **Fuel Reduction Project Plan**

1. Remove Cottonwood trees.
2. Cut only marked trees.
3. Remove all dead trees within treatment area.
4. All cut wood to be removed from site for disposal.
5. Remove all dead brush.
6. Remove approximately 75% of live brush.
7. Remove all brush within 10' of any fence.
8. Hand Crews to remove trees and brush within drainage areas.
9. Stack hand cut material from inaccessible areas for later prescribe pile burn.
10. Prescribe pile burn to meet SFPD Burn Plan and Washoe County Air Quality requirements.
11. Leave grasses, perennial forbs, and ground cover shrubs in place whenever possible.
12. Minimize soil disturbance when using mastication equipment.
13. All service vehicles to stay on existing roads and trails.

### **Davis Creek Park Fuel Reduction Plan**

#### **Project Description:**

Davis Creek Park Fuel Reduction Project involves the removal and thinning of brush and pine trees to create a shaded fuel break between the County Park and the private development located within the community of West Washoe Valley. The treatment area is approximately 80 acres of Washoe County Open Space which is moderately sloped forest land. The general treatment will include cutting, chipping and removal of Jeffery Pine trees and brush using mechanical mastication equipment, hand crews and prescribed pile burning.



The purpose of this project is to reduce the native fuels surrounding the community of West Washoe Valley. The vegetation type is Jeffery Pine Forest with understory brush component. The treatment will focus on thinning Jeffery Pine trees, removing suppressed trees, and improving the stand health by targeting diseased trees. Mastication will treat the slash, brush fields and the ground fuels.

### **Project Location and Access**

The Project area is located in the Sierra Fire Protection District in West Washoe Valley. See map of the project area and access locations.

### **Purpose of Fuels Reduction Project**

1. Increase Firefighter and public safety by reducing the intensity of a wildland interface fire.
2. Reduce hazardous fuels located within the Davis Creek Park. Fuel reduction on this site is aimed at slowing the movement of wild fire into or out of the open space and reducing the threat to the residents of the community.
3. Improve access for fire apparatus and personnel into and out of the open space.
4. Fuels reduction will reduce wild fire by:
  - Reducing Jeffery Pine tree stands to minimize fire spread and intensity
  - Reducing brush continuity to minimize fire spread and intensity.
  - Reducing fuel load to improve forest health.

### **Proposed activities**

1. Thin Jeffery Pine trees to a maximum of 120 basal area.
2. Remove all dead and approximately 75% of the live brush within the project site.
3. Mechanical equipment to masticate brush and slash.
4. Brush and slash that is removed by hand shall be piled for burning, masticated and/or chipped back on the slope to reduce erosion.

### **Fuel Reduction Project Plan**

1. Thin Jeffery Pine trees to a maximum of 120 basal area.
2. Cut only marked trees.
3. Remove all dead trees within treatment area.
4. All cut wood to be removed from site for disposal.
5. Remove all dead brush.
6. Remove approximately 75% of live brush.
7. Remove all brush within 10' of any fence.
8. Mastication equipment to be use in open space areas with slope less then 30%.

9. Hand Crews to remove trees and brush within drainage areas that are inaccessible with mechanical mastication equipment.
10. Stack hand cut material from inaccessible areas for later prescribe pile burn.
11. Prescribe pile burn to meet SFPD Burn Plan and Washoe County Air Quality requirements.
12. Leave grasses, perennial forbs, and ground cover shrubs in place whenever possible.
13. Minimize soil disturbance when using mastication equipment.
14. All service vehicles to stay on existing roads and trails.

### **Hidden Valley Regional Park Fuel Reduction Plan**

#### **Project Description:**

Hidden Valley Regional Park and Open Space Fuels Reduction Project involves the removal and thinning of brush to create a shaded fuel break between the County Open Space and the private development located within the community of Hidden Valley. The treatment area is approximately 27 acres of Washoe County Open Space which is moderately sloped range land. The general treatment will include removal of brush using mechanical mastication equipment.

The purpose of this project is to reduce the native fuels surrounding the community of Hidden Valley. The vegetation type is sage brush.

The treatment will focus removing approximately 75% of the sage brush within the proposed 27 acre treatment area.

#### **Project Location and Access**

The Project area is located in the Truckee Meadow Fire Protection District to the east of the community of Hidden Valley within Hidden Valley Regional Park and Open Space. See map of the project area and access locations.

#### **Purpose of Fuels Reduction Project**

1. Increase Firefighter and public safety by reducing the intensity of a wildland interface fire.
2. Reduce hazardous fuels located within the Hidden Valley Regional Park and open space. Fuel reduction on this site is aimed at slowing the movement of wild fire into or out of the open space and reducing the threat to the residents of the community.
3. Improve access for fire apparatus and personnel into and out of the open space.
4. Fuels reduction will reduce wild fire by:
  - Reducing brush continuity to minimize fire spread and intensity.
  - Reducing fuel load to improve rangeland health.

## **Proposed activities**

1. Remove all dead and approximately 75% of the live brush within the project site.
2. Mechanical equipment to masticate brush.

## **Project Plan**

### Fuel Reduction Project Plan

1. Remove approximately 75% of live brush.
2. Remove all dead brush
3. Remove all brush within 10' of any fence.
4. Mastication equipment to be used in open space areas with slope less than 30%.
5. Leave grasses, perennial forbs, and ground cover shrubs in place whenever possible.
6. Minimize soil disturbance when using mastication equipment.
7. All support vehicles to stay on existing roads and trails.

## **Sun Valley Regional Park Fuel Reduction Plan**

### **Project Description:**

Sun Valley Regional Park and Open Space Fuel Reduction Project involves the removal and thinning of brush and juniper trees to create a shaded fuel break between the County Park and the private development located within the community of Sun Valley. The treatment area is approximately 100 acres of Washoe County Open Space which is moderately sloped forest land. The general treatment will include cutting, chipping and removal of juniper trees and brush using mechanical mastication equipment, hand crews and prescribed pile burning.

The purpose of this project is to reduce the native fuels surrounding the community of Sun Valley. The vegetation type is Utah Juniper Forest with understory brush component.

The treatment will focus on thinning Juniper trees, removing suppressed trees, and improving the stand health by targeting diseased trees. Mastication will treat the slash, brush fields and the ground fuels.

### **Project Location and Access**

The Project area is located in the Truckee Meadows Fire Protection District. See map of the project area and access locations.

## **Purpose of Fuels Reduction Project**

1. Increase Firefighter and public safety by reducing the intensity of a wildland interface fire.
2. Reduce hazardous fuels located within the Sun Valley Regional Park. Fuel reduction on this site is aimed at slowing the movement of wild fire into or out of the open space and reducing the threat to the residents.
3. Improve access for fire apparatus and personnel into and out of the open space.
4. Fuels reduction will reduce wild fire by:
  - Reducing juniper tree stands to minimize fire spread and intensity
  - Reducing brush continuity to minimize fire spread and intensity.
  - Reducing fuel load to improve forest health.

## **Proposed activities**

1. Thin Juniper trees to a minimum spacing of 18' to 20' between mature trees.
2. Remove all dead and approximately 75% of the live brush within the project site.
3. Mechanical equipment to masticate brush and slash.
4. Brush and slash that is removed by hand shall be piled for burning, masticated and/or chipped back on the slope to reduce erosion.

## **Project Plan**

### Fuel Reduction Project Plan

1. Thin Juniper trees to a minimum spacing of 18' to 20' between mature trees.
2. Cut only marked trees.
3. Remove all dead trees within treatment area.
4. All cut wood to be removed from site for disposal.
5. Remove all dead brush.
6. Remove approximately 75% of live brush.
7. Remove all brush within 10' of any fence.
8. Mastication equipment to be use in open space areas with slope less then 30%.
9. Hand Crews to remove trees and brush within drainage areas that are inaccessible with mechanical mastication equipment.
10. Stack hand cut material from inaccessible areas for later prescribe pile burn.
11. Prescribe pile burn to meet SFPD Burn Plan and Washoe County Air Quality requirements.
12. Leave grasses, perennial forbs, and ground cover shrubs in place whenever possible.
13. Minimize soil disturbance when using mastication equipment.
14. All service vehicles to stay on existing roads and trails.

- **Key personnel:**
  - Janet Valle, U.S. Forest Service, Region One & Four, Weed Grant Coordinator
  - Doug Sorenson, U.S. Forest Service, Region Four
  - Scott Marsh, NV. Department of Agriculture, Noxious Weeds Program Coordinator
  - Sue Donaldson, Water Quality Education Specialist, University of Nevada Cooperative Extension
  - Steve Siegel, Wildlife Staff Specialist, Nevada Department of Wildlife
  - Ginny Wilson, District Ranger, Carson Ranger District, Humboldt Toiyabe National Forest
  - Chris McAlear, District Manager, Carson District, Bureau of Land Management
  - Nevada Mule Deer Foundation
  - Bighorns Unlimited
  - Perry Norris, Executive Director, Truckee-Donner Land Trust
  - Susan Urie, Botanist, Tahoe National Forest
  
- **Key staff members:**
  - Katy Simon, Washoe County Manager
  - David Childs, Assistant County Manager
  - Kurt Latipow, Fire Services Coordinator, Washoe County
  - Mike Heikka, Battalion Chief, Sierra Fire Protection District
  - Doug Doolittle, Director, Washoe County Regional Parks & Open Space
  - Lynda S. Nelson, Planning Manager, Washoe County Regional Parks & Open Space. Stimulus Funds Project Manager
  - Cheryl S. Surface, Park Planner, Washoe County Regional Parks & Open Space, Stimulus Funds Project Coordinator
  - Rosemarie Entsminger, Fiscal Compliance Officer, Washoe County Regional Parks & Open Space, Stimulus Funds Fiscal Compliance
  
- **Organization's board members:**
  - Washoe County Board of County Commission
    - Chairman David E. Humke
    - Commissioner Bonnie Weber
    - Commissioner John Breternitz
    - Commissioner Robert M. Larkin
    - Commissioner Kitty Jung
  
  - Washoe County Open Space & Regional Park Commission
    - Clifton J. Young, Chairman
    - Robert Jacobson, Vice Chair
    - Anne Buckley
    - Sarah Chvilicek
    - Jakki Ford
    - Ed Harney

- Patty Moen
  - James Nadeau
  - Bill von Phul
- **Government planning office**
    - Washoe County Regional Parks & Open Space Department  
2601 Plumas St.  
Reno, NV 89509  
Phone: (775) 823-6511 Fax: (775) 829-8014  
Attn: Lynda S. Nelson, Planning Manager

## II. FEDERAL ROLE:

### STATEMENT OF NEED:

The threat and severity of wildland fires has increased in the Urban Interface regions of Washoe County in large part from a lack of available funding for fuels reduction work. The trend of increasing fuel loading and fire intensity is occurring in Washoe County at the same time as the population is increasing. With encroaching development, wildland fires have devastated both homes and open space.

These trends taken together indicate an increased risk of severe wildfire to a growing population. There are steps that can be taken to reduce this risk. Fuel treatment techniques for four separate projects within Washoe County will successfully limit the extent and intensity of wildfires.

Hazardous fuel reduction to clear and remove vegetation will both protect residents and improve forest health.

### PROBLEM STATEMENT:

Fire suppression, along with past forest harvesting have led to the dramatic build up of forest fuel, causing more intense wildfires that are more difficult to manage and prevent. The intensity of wildfires occurring in Washoe County threatens both homes and the environment, degrading watersheds and wildlife habitat.

### PROGRAM GOALS:

1. Gear fuel reduction methodology to create maximum number of jobs.
2. Increase Firefighter and public safety by reducing the intensity of a wildland interface fire.
3. Reduce hazardous fuels located within four Washoe County Park facilities. Fuel reduction on sites is aimed at slowing the movement of wild fire into or out of the open space and reducing the threat to the residents of the community.

4. Improve access for fire apparatus and personnel into and out of the open space.
5. Increase Ecosystem Functionality and Wildlife Habitat
6. Fuels reduction will reduce wild fire by:
  - a. Reducing Jeffery Pine tree stands to minimize fire spread and intensity
  - b. Reducing brush continuity to minimize fire spread and intensity.
  - c. Reducing fuel load to improve forest health.
  - d. Reducing juniper tree stands to minimize fire spread and intensity

#### **PROGRAM OBJECTIVES:**

Washoe County proposes to hire Sierra Fire Protection District to develop fuel reduction plans for four project areas within Washoe County Regional Parks and Open Space. Washoe County will target these four areas that fit one of the following categories for restoration efforts:

#### **Main Objectives:**

Employ maximum number of people

Develop fuel reduction plans for project areas to include:

- Fuel Reduction
- Defensible Space & Fuel Management Plan
- Increase Firefighter and Public safety.
- Increase Ecosystem Functionality and Wildlife Habitat

### **III. METHODOLOGY**

#### **FUEL REDUCTION PLAN:**

##### **Crystal Peak Park:**

The treatment area is approximately 1 acre of Washoe County Open Space which is Cottonwood adjacent to the Truckee River. The general treatment will include cutting, chipping and removal of dead and diseased Cottonwood and brush using hand crews.

The purpose of this project is to reduce the fuel loading and hazardous trees surrounding the community of Verdi. The vegetation type is riparian Cottonwood with understory brush component.

The treatment will focus on removal of dead Cottonwood trees, and improving the stand health by health by targeting diseased trees.

##### **Davis Creek Regional Park:**

The treatment area is approximately 80 acres of Washoe County Open Space which is moderately sloped forest land. The general treatment will include

cutting, chipping and removal of Jeffery Pine trees and brush using mechanical mastication equipment, hand crews and prescribed pile burning.

The purpose of this project is to reduce the native fuels surrounding the community of West Washoe Valley. The vegetation type is Jeffery Pine Forest with understory brush component.

The treatment will focus on thinning Jeffery Pine trees, removing suppressed trees, and improving the stand health by targeting diseased trees. Mastication will treat the slash, brush fields and the ground fuels.

#### **Hidden Valley Regional Park:**

The treatment area is approximately 27 acres of Washoe County Open Space which is moderately sloped range land. The general treatment will include removal of brush using mechanical mastication equipment.

The purpose of this project is to reduce the native fuels surrounding the community of Hidden Valley. The vegetation type is sage brush. The treatment will focus removing approximately 75% of the sage brush within the proposed 27 acre treatment area.

#### **Sun Valley Regional Park:**

The treatment area is approximately 100 acres of Washoe County Open Space which is moderately sloped forest land. The general treatment will include cutting, chipping and removal of juniper trees and brush using mechanical mastication equipment, hand crews and prescribed pile burning.

The purpose of this project is to reduce the native fuels surrounding the community of Sun Valley. The vegetation type is Juniper Pine Forest with understory brush component.

The treatment will focus on thinning Juniper trees, removing suppressed trees, and improving the stand health by targeting diseased trees. Mastication will treat the slash, brush fields and the ground fuels.

#### **IV. ACCOMPLISHMENT**

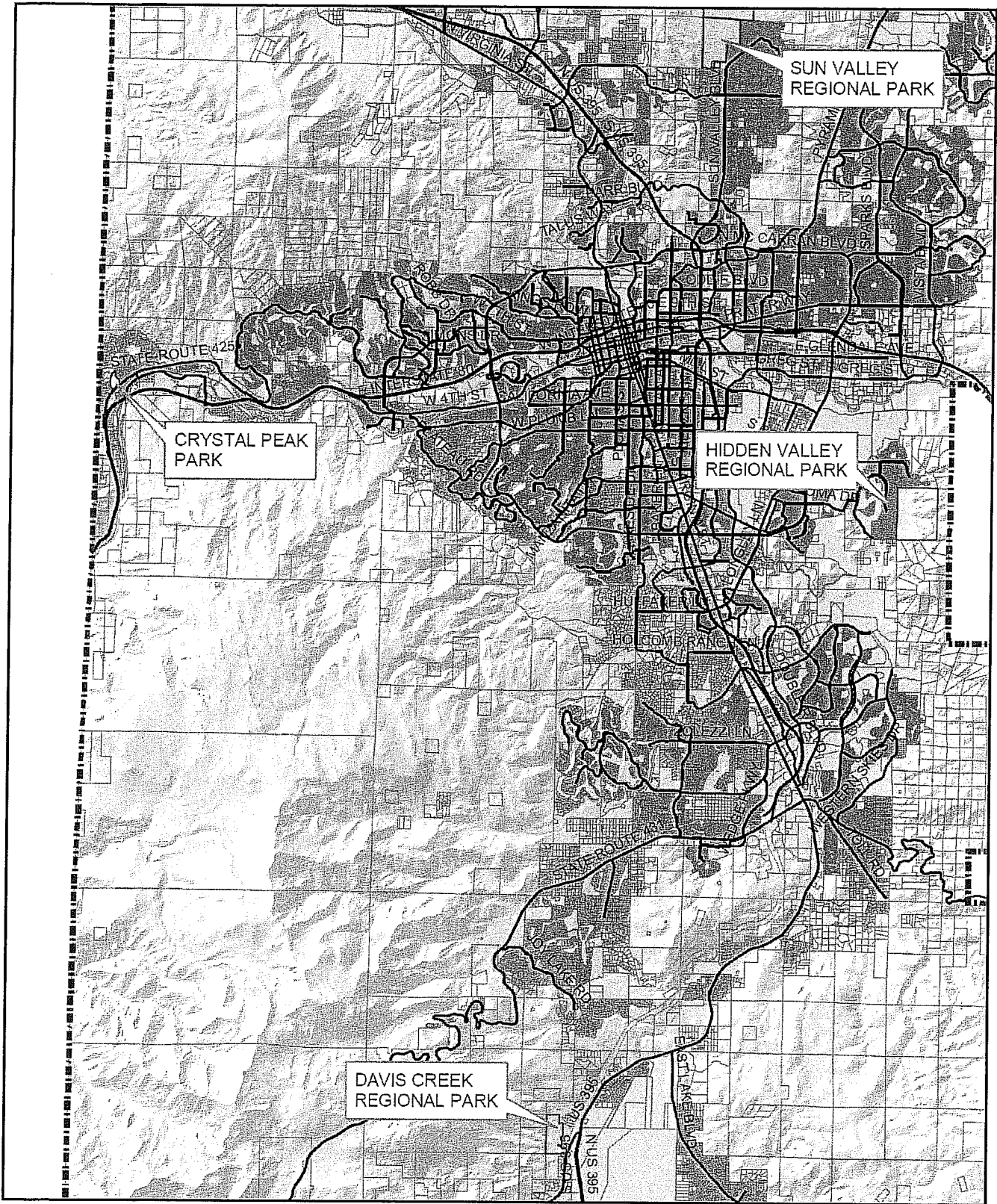
- The **outcome** or targets to be achieved:

The outcome or targets (success criteria) for the project will be established based on site specific characteristics such as species composition, current vegetation cover and amount of fuels reduction work accomplished to meet desired prescription parameters. Targets will be outlined for each unique site and reported on annually as part of the monitoring plan.



The monitoring plan will address establishing permanent photo points that will be GPS'd for before and after photo documentation of the site.

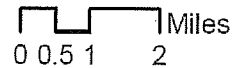
An annual monitoring report will be written based on the results of the annual field monitoring of the site. Based on the results of the current years monitoring effort additional fuel reduction work may be required.



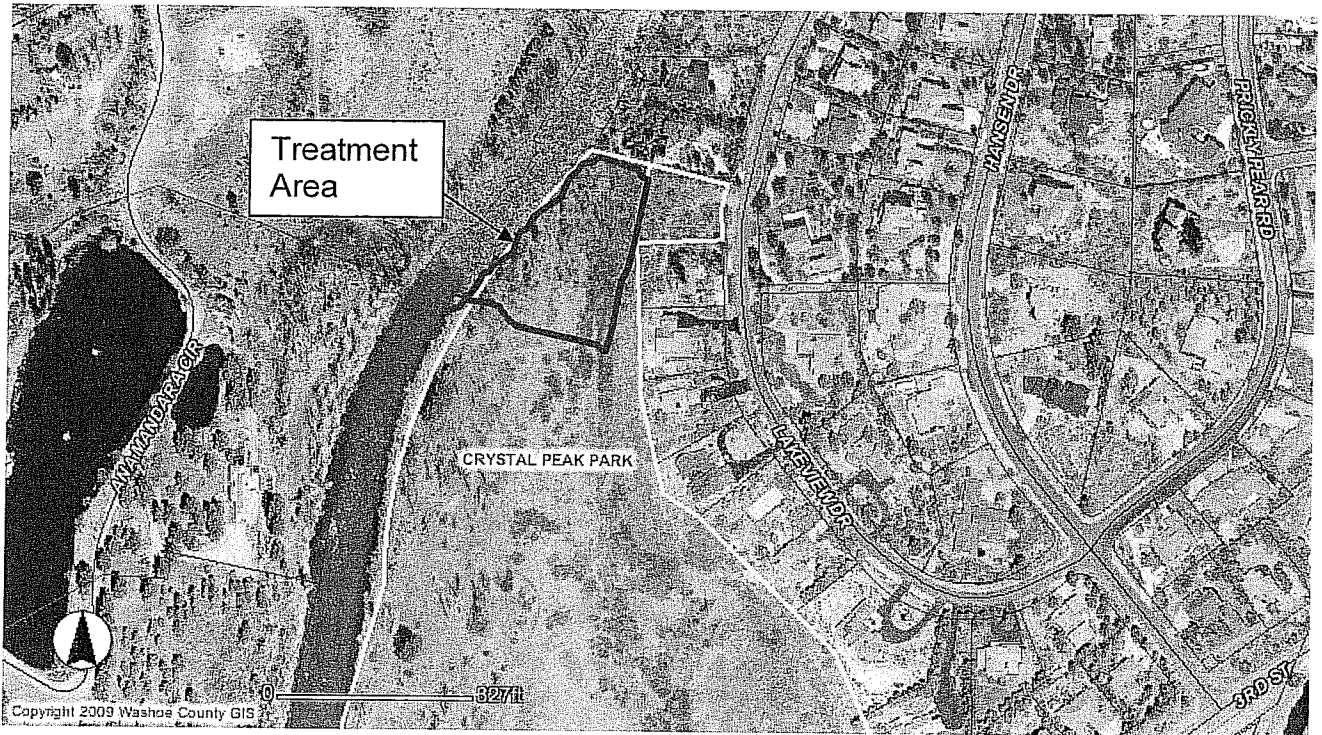
Washoe County Department of  
 Regional Parks and Open Space  
 2601 Plumas St.  
 Reno, NV 89509  
 (775) 823-6500



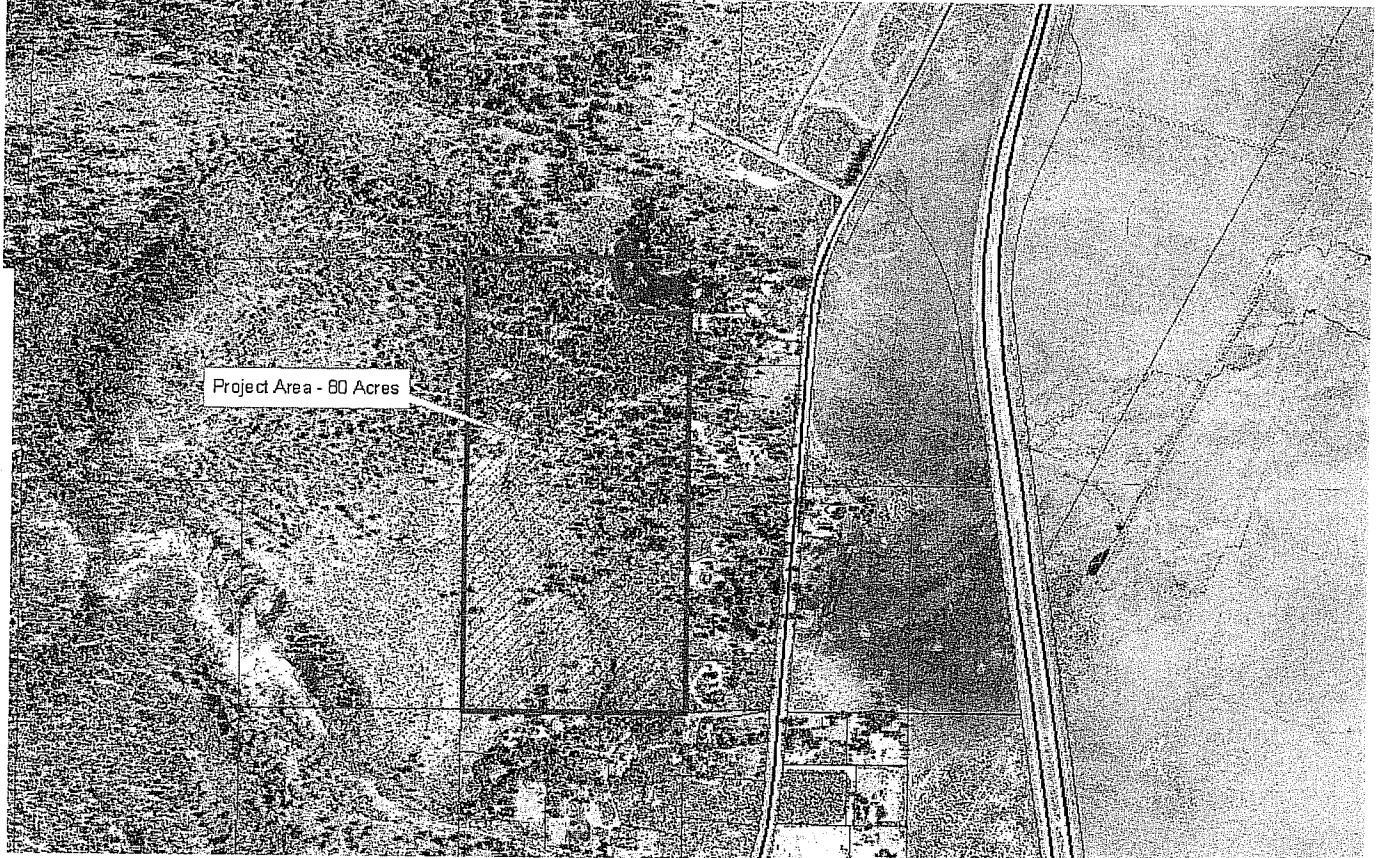
WASHOE COUNTY OPEN SPACE  
 FUELS REDUCTION PROJECTS



## Crystal Peak Park Fuel Reduction Project

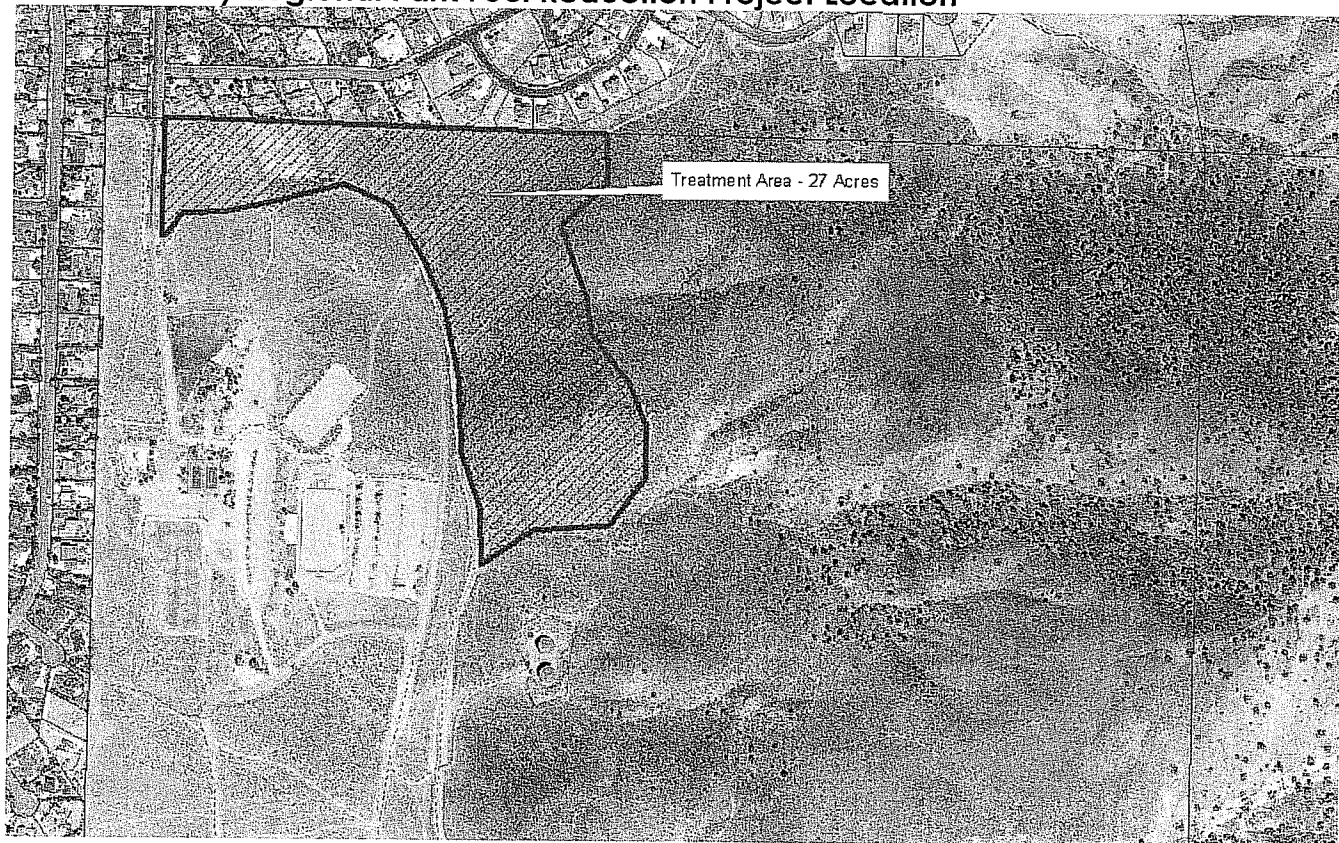


## Davis Creek Park Fuel Reduction Project Location

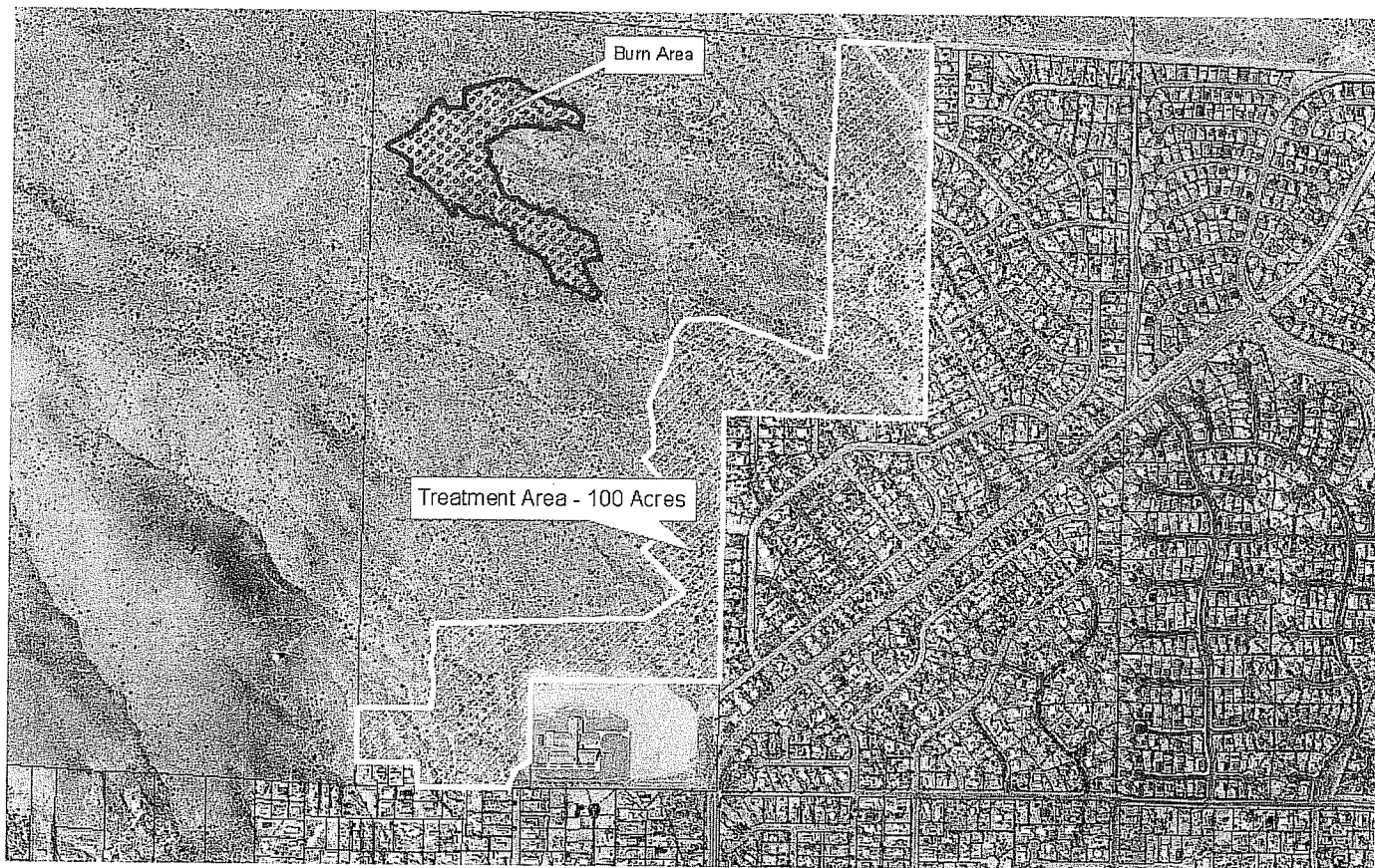




## Hidden Valley Regional Park Fuel Reduction Project Location



## Sun Valley Regional Park Fuel Reduction Project Location



**INTERLOCAL CONTRACT BETWEEN PUBLIC AGENCIES**

A Contract Between the State of Nevada  
Acting By and Through Its

**DEPARTMENT OF HEALTH AND HUMAN SERVICES  
DIVISION OF HEALTH CARE FINANCING AND POLICY**

1100 E. William Street, Suite 100  
Carson City, Nevada 89701  
Phone: (775) 684-3636 and Fax: (775) 684-3799

and

**Washoe County**

PO Box 11130  
Reno, Nevada 89520-0027  
Phone: (775) 785-5641 Fax: (775) 785-5640

WHEREAS, NRS 277.180 authorizes any one or more public agencies to contract with any one or more other public agencies to perform any governmental service, activity or undertaking which any of the public agencies entering into the contract is authorized by law to perform; and

WHEREAS, it is deemed that the services of Washoe County hereinafter set forth are both necessary to the Division of Health Care Financing and Policy (DHCFP) and in the best interests of the State of Nevada;

NOW, THEREFORE, in consideration of the aforesaid premises, the parties mutually agree as follows:

1. **REQUIRED APPROVAL.** This Contract shall not become effective until and unless approved by appropriate official action of the governing body of each party.
2. **DEFINITIONS.** "State" means the State of Nevada and any state agency identified herein, its officers, employees and immune contractors as defined in NRS 41.0307.
3. **CONTRACT TERM.** This Contract shall be effective July 1, 2010 to June 30, 2011, unless sooner terminated by either party as set forth in this Contract.
4. **TERMINATION.** This Contract may be terminated by either party prior to the date set forth in paragraph (3), provided that a termination shall not be effective until 30 days after a party has served written notice upon the other party. This Contract may be terminated by mutual consent of both parties or unilaterally by either party without cause. The parties expressly agree that this Contract shall be terminated immediately if for any reason federal and/or State Legislature funding ability to satisfy this Contract is withdrawn, limited, or impaired.
5. **NOTICE.** All notices or other communications required or permitted to be given under this Contract shall be in writing and shall be deemed to have been duly given if delivered personally in hand, by telephonic facsimile with simultaneous regular mail, or mailed certified mail, return receipt requested, postage prepaid on the date posted, and addressed to the other party at the address set forth above.
6. **INCORPORATED DOCUMENTS.** The parties agree that the services to be performed shall be specifically described; this Contract incorporates the following attachments in descending order of constructive precedence:  
ATTACHMENT A: SCOPE OF WORK
7. **CONSIDERATION.** The County agrees to provide the services set forth in paragraph (6) at a cost of \$1,500,000.00 (One Million Five Hundred Thousand Dollars) per year OR an amount determined by DHCFP pursuant to NRS 422.382 with the total Contract or installments payable: as set forth in Attachment A, not exceeding \$1,500,000.00 (One Million Five Hundred Thousand Dollars). Any intervening end to a biennial appropriation period shall be deemed an automatic renewal (not changing the overall Contract term) or a termination as the results of legislative appropriation may require.

0716-01

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8. ASSENT. The parties agree that the terms and conditions listed on incorporated attachments of this Contract are also specifically a part of this Contract and are limited only by their respective order of precedence and any limitations expressly provided.

9. INSPECTION & AUDIT.

a. Books and Records. Each party agrees to keep and maintain under general accepted accounting principles full, true and complete records, agreements, books, and documents as are necessary to fully disclose to the State or United States Government, or their authorized representatives, upon audits or reviews, sufficient information to determine compliance with all state and federal regulations and statutes.

b. Inspection & Audit. Each party agrees that the relevant books, records (written, electronic, computer related or otherwise), including but not limited to relevant accounting procedures and practices of the party, financial statements and supporting documentation, and documentation related to the work product shall be subject, at any reasonable time, to inspection, examination, review, audit, and copying at any office or location where such records may be found, with or without notice by the State Auditor, Employment Security, the Department of Administration, Budget Division, the Nevada State Attorney General's Office or its Fraud Control Units, the State Legislative Auditor, and with regard to any federal funding, the relevant federal agency, the Comptroller General, the General Accounting Office, the Office of the Inspector General, or any of their authorized representatives.

c. Period of Retention. All books, records, reports, and statements relevant to this Contract must be retained a minimum three years and for five years if any federal funds are used in this Contract. The retention period runs from the date of termination of this Contract. Retention time shall be extended when an audit is scheduled or in progress for a period reasonably necessary to complete an audit and/or to complete any administrative and judicial litigation which may ensue.

10. BREACH; REMEDIES. Failure of either party to perform any obligation of this Contract shall be deemed a breach. Except as otherwise provided for by law or this Contract, the rights and remedies of the parties shall not be exclusive and are in addition to any other rights and remedies provided by law or equity, including but not limited to actual damages, and to a prevailing party reasonable attorneys' fees and costs. It is specifically agreed that reasonable attorneys' fees shall include without limitation \$125 per hour for State-employed attorneys.

11. LIMITED LIABILITY. The parties will not waive and intend to assert available NRS chapter 41 liability limitations in all cases. Contract liability of both parties shall not be subject to punitive damages. Actual damages for any State breach shall never exceed the amount of funds which have been appropriated for payment under this Contract, but not yet paid, for the fiscal year budget in existence at the time of the breach.

12. FORCE MAJEURE. Neither party shall be deemed to be in violation of this Contract if it is prevented from performing any of its obligations hereunder due to strikes, failure of public transportation, civil or military authority, act of public enemy, accidents, fires, explosions, or acts of God, including, without limitation, earthquakes, floods, winds, or storms. In such an event the intervening cause must not be through the fault of the party asserting such an excuse, and the excused party is obligated to promptly perform in accordance with the terms of the Contract after the intervening cause ceases.

13. INDEMNIFICATION.

a. To the fullest extent of limited liability as set forth in paragraph (11) of this Contract, each party shall indemnify, hold harmless and defend, not excluding the other's right to participate, the other from and against all liability, claims, actions, damages, losses, and expenses, including but not limited to reasonable attorneys' fees and costs, arising out of any alleged negligent or willful acts or omissions of the party, its officers, employees and agents. Such obligation shall not be construed to negate, abridge, or otherwise reduce any other right or obligation of indemnity which would otherwise exist as to any party or person described in this paragraph.

b. The indemnification obligation under this paragraph is conditioned upon receipt of written notice by the indemnifying party within 30 days of the indemnified party's actual notice of any actual or pending claim or cause of action. The indemnifying party shall not be liable to hold harmless any attorneys' fees and costs for the indemnified party's chosen right to participate with legal counsel.

14. INDEPENDENT PUBLIC AGENCIES. The parties are associated with each other only for the purposes and to the extent set forth in this Contract, and in respect to performance of services pursuant to this Contract, each party is and shall be a public agency separate and distinct from the other party and, subject only to the terms of this Contract, shall have the sole right to supervise, manage, operate, control, and direct performance of the details incident to its duties under this Contract. Nothing contained in this Contract shall be deemed or construed to create a partnership or joint venture, to create relationships of an employer-employee or principal-agent, or to otherwise create any liability for one agency whatsoever with respect to the indebtedness, liabilities, and obligations of the other agency or any other party.

15. WAIVER OF BREACH. Failure to declare a breach or the actual waiver of any particular breach of the Contract or its material or nonmaterial terms by either party shall not operate as a waiver by such party of any of its rights or remedies as to any other breach.

16. SEVERABILITY. If any provision contained in this Contract is held to be unenforceable by a court of law or equity, this Contract shall be construed as if such provision did not exist and the nonenforceability of such provision shall not be held to render any other provision or provisions of this Contract unenforceable.

17. ASSIGNMENT. Neither party shall assign, transfer or delegate any rights, obligations or duties under this Contract without the prior written consent of the other party.

18. OWNERSHIP OF PROPRIETARY INFORMATION. Unless otherwise provided by law any reports, histories, studies, tests, manuals, instructions, photographs, negatives, blue prints, plans, maps, data, system designs, computer code (which is intended to be consideration under this Contract), or any other documents or drawings, prepared or in the course of preparation by either party in performance of its obligations under this Contract shall be the joint property of both parties.

19. PUBLIC RECORDS. Pursuant to NRS 239.010, information or documents may be open to public inspection and copying. The parties will have the duty to disclose unless a particular record is made confidential by law or a common law balancing of interests.

20. CONFIDENTIALITY. Each party shall keep confidential all information, in whatever form, produced, prepared, observed or received by that party to the extent that such information is confidential by law or otherwise required by this Contract.

21. PROPER AUTHORITY. The parties hereto represent and warrant that the person executing this Contract on behalf of each party has full power and authority to enter into this Contract and that the parties are authorized by law to perform the services set forth in paragraph (6).

22. GOVERNING LAW; JURISDICTION. This Contract and the rights and obligations of the parties hereto shall be governed by, and construed according to, the laws of the State of Nevada. The parties consent to the jurisdiction of the Nevada district courts for enforcement of this Contract.

23. ENTIRE AGREEMENT AND MODIFICATION. This Contract and its integrated attachment(s) constitute the entire agreement of the parties and such are intended as a complete and exclusive statement of the promises, representations, negotiations, discussions, and other agreements that may have been made in connection with the subject matter hereof. Unless an integrated attachment to this Contract specifically displays a mutual intent to amend a particular part of this Contract, general conflicts in language between any such attachment and this Contract shall be construed consistent with the terms of this Contract. Unless otherwise expressly authorized by the terms of this Contract, no modification or amendment to this Contract shall be binding upon the parties unless the same is in writing and signed by the respective parties hereto, approved by the Office of the Attorney General.

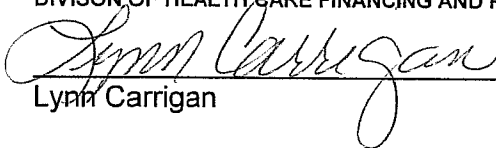
IN WITNESS WHEREOF, the parties hereto have caused this Contract to be signed and intend to be legally bound thereby.

**CONTRACTOR - Washoe County Commission**

  
\_\_\_\_\_  
David Humke

5/25/10 Chairman  
Date Title

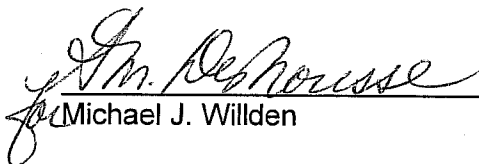
**DEPARTMENT OF HEALTH AND HUMAN SERVICES  
DIVISION OF HEALTH CARE FINANCING AND POLICY**

  
\_\_\_\_\_  
Lynn Carrigan

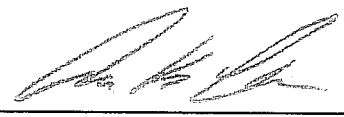
6/24/2010 Chief Fiscal Officer DHCFF  
Date Title

  
\_\_\_\_\_  
Charles Duarte

6/24/10 Administrator DHCFF  
Date Title

  
\_\_\_\_\_  
Michael J. Willden

6/28/10 Director DHHS  
Date Title

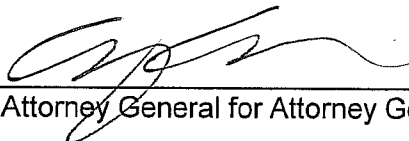
  
\_\_\_\_\_

APPROVED BY BOARD OF EXAMINERS

Signature - Board of Examiners

On 8-11-10  
(Date)

Approved as to form by:

  
\_\_\_\_\_  
Deputy Attorney General for Attorney General

On 6/22/2010  
(Date)



# ATTACHMENT A

## Washoe County IGT Scope of Agreement

1. This contract is undertaken between the Department of Health and Human Services, Division of Health Care Financing and Policy (DHCFP) and Washoe County (County) in an effort to provide a means by which funds allocated by County for certain indigent services can be combined with federal matching funds for persons eligible for Medicaid or other indigent individuals in Nevada. Nothing contained in this contract is intended to diminish the scope and quality of medical services provided to individuals qualified by eligibility standards adopted by County.
2. DHCFP and County, by joining in this contract, agree that existing medical coverage and services to individuals will be maintained in a manner so as to prevent the transfer of responsibility for medical care for such individuals from the State of Nevada to any county government in the state.
3. The parties agree that County shall pay to DHCFP the lesser of **ONE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000.00)** per year or an amount determined by DHCFP pursuant to NRS 422.382. Payment shall be made in quarterly payments as determined by DHCFP. The payment for each quarter shall be due no later than the 30<sup>th</sup> day of the first month of each quarter (July 30, October 30, January 30, and April 30). The source of funds for the payment must be in accordance with section 1 of NRS 422.382 (eff. 7/1/10).
4. Nothing in this contract shall be construed in such a manner as to limit the ability of County to determine eligibility for medical and financial assistance to indigent persons in accordance with NRS 428.015.
5. The parties agree that all services rendered under this contract shall be provided in compliance with the Federal Civil Rights Act of 1964, and the Americans with Disabilities Act, as amended, and no person shall be unlawfully denied service on the grounds of age, race, creed, color, sex, national origin, or handicap.
6. The parties hereby agree that all information regarding individuals receiving services as a result of this contract is and shall remain confidential, and shall not be disseminated by any party except for purposes directly related to the provision of services under this contract. See NRS 428.045(3).
7. The parties must expend and account for contract funds in accordance with applicable federal regulations. Fiscal control and accounting procedures must be sufficient to:

- a. permit the tracing of funds to a level of expenditure adequate to establish that such funds have not been used in violation of the restrictions and prohibitions of applicable contract or regulatory requirements and statutes; and
  - b. provide information pertaining to the actual cost of making eligibility determinations pursuant to NRS 428.015 and this contract.
8. The parties shall comply with all applicable local, state, and federal laws in carrying out the obligations of this contract, including all federal and state accounting procedures and requirements.

**A RESOLUTION ALLOCATING \$9,600,000 OF THE COUNTY'S \$59,648,000 VOLUME CAP FOR RECOVERY ZONE FACILITY BONDS PURSUANT TO THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009; AND PROVIDING THE EFFECTIVE DATE HEREOF.**

**WHEREAS**, the County of Washoe in the State of Nevada (the "County" and "State," respectively) has received a volume cap allocation for "recovery zone facility bonds" in the amount of \$59,648,000 (the "Volume Cap") under Section 1400U-1(a)(3)(A) of the American Recovery and Reinvestment Act of 2009 (the "Act"); and

**WHEREAS**, the County is authorized to allocate all or a portion of its Volume Cap to beneficiaries who may issue "recovery zone facility bonds" in the amount allocated, in order to finance "recovery zone property" that is located within, or attributable to, the Recovery Zone (as defined below); and

**WHEREAS**, the Board of County Commissioners of the County (the "Board") has, by resolution previously adopted, designated all or a portion of the area within the geographic boundaries of the County, as a "Recovery Zone" for purpose of Sections 1400U-1 through 1400U-3 of the Act (the "Recovery Zone"); and

**WHEREAS**, the Board has by resolution previously adopted on April 27, 2010, allocated all of the \$59,648,000 Volume Cap; and

**WHEREAS**, GA-SNC Solar, LLC and Titan Solar Panel Manufacturing have subsequently withdrawn and therefore the \$9,600,000 of Volume Cap previously allocated to GA-SNC Solar, LLC and Titan Solar Panel Manufacturing is now available; and

**WHEREAS**, \$30,000,000 of the Volume Cap was allocated by the resolution previously adopted on April 27, 2010, to IMG Energy Gasification Plant; and

**WHEREAS**, IMG Energy Gasification Plant had requested \$90,000,000 and was previously deemed eligible for an additional \$19,000,000 of the Volume Cap; and

**WHEREAS**, the County desires to allocate the remaining portion of its Volume Cap.

10-701

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**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE IN THE STATE OF NEVADA:**

Section 1. This resolution shall be known as, and may be cited by, the short title "2010B Recovery Zone Volume Cap Allocation Resolution" (the "Resolution").

Section 2. The County hereby allocates an additional \$9,600,000 of its Volume Cap to IMG Energy Gasification Plant to issue "recovery zone facility bonds" in the respective amounts allocated in order to finance "recovery zone property" that is located within, or attributable to, the Recovery Zone.

Section 3. In the event any additional Volume Cap allocations are withdrawn the Washoe County Finance Director is given the authority to reallocate that Volume Cap in the following order

\$15,000,000 of Volume Cap to Cobalt Manufacturing and

\$23,600,000 of Volume Cap to GA-SNC- Combined Stead & Airport Solar Projects and

\$Up to County Allocation of \$59,648,000 of Volume Cap to IMG Energy Gasification Plant .

Section 4. An allocation made in Sections 2 and 3 that are not used by August 30, 2010 may be revoked.

Section 5. All actions, proceedings, matters and things heretofore taken, had and done by the County and the officers thereof (not inconsistent with the provisions of this Resolution) concerning the creation of the Recovery Zone and the allocation of the Volume Cap be, and the same hereby are, ratified, approved and confirmed.

Section 6. The officers of the County are directed to effectuate the provisions of this Resolution.

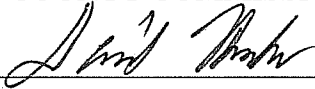
Section 7. All resolutions, or parts thereof, in conflict with this Resolution are hereby repealed to the extent of such inconsistency.

Section 8. The invalidity of any provision of this Resolution shall not affect any remaining provisions hereof.

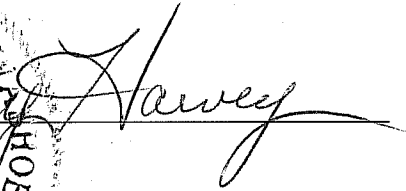
Section 9. The Board has determined, and does hereby declare,  
that this Resolution shall be in effect after its passage in accordance with law.

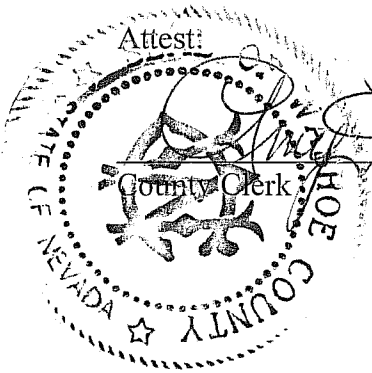
PASSED AND ADOPTED ON May 25, 2010.

WASHOE COUNTY COMMISSION

  
\_\_\_\_\_  
Chairman

(SEAL)

Attest:  
  
\_\_\_\_\_  
County Clerk



The seal of Washoe County, Nevada, is circular with a double-line border. The outer ring contains the text "STATE OF NEVADA" at the top and "WASHOE COUNTY" at the bottom, separated by a star on the left. The inner circle features a central emblem of a mountain range and a river, with the words "COUNTY CLERK" written across the bottom of the inner circle.



The undersigned does hereby certify:

4. All members of the Board were given due and proper notice of the meeting held on May 25, 2010.

5. Public notice of such meeting was given and such meeting was held and conducted in full compliance with the provisions of NRS 241.020. A copy of the notice of meeting and excerpts from the agenda for the meeting relating to the Resolution, as posted not later than 9:00 a.m. on the third working day prior to the meeting, on the County's website, and at the following locations:

- (i) Washoe County Administration Complex  
1001 East Ninth Street, Bldg. A  
Reno, Nevada
- (ii) Washoe County Courthouse-Clerk's Office  
Virginia and Court Streets  
Reno, Nevada
- (iii) Washoe County Central Library  
301 South Center Street  
Reno, Nevada
- (iv) Sparks Justice Court  
630 Greenbrae Drive  
Sparks, Nevada

is attached as Exhibit A.

6. Prior to 9:00 a.m. at least 3 working days before such meeting, such notice was mailed to each person, if any, who has requested notice of meetings of the Board in compliance with NRS 241.020(3)(b) by United States Mail, or if feasible and agreed to by the requestor, by electronic mail.

**IN WITNESS WHEREOF**, I have hereunto set my hand this May 25, 2010.

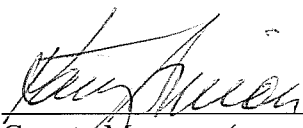
  
\_\_\_\_\_  
County Manager (or representative  
thereof)  
Washoe County, Nevada

EXHIBIT A

(Attach Notice of Meeting)



28. Recommendation to authorize Department of Social Services to expend up to \$432,175 in Fiscal Year 2010/11 from Children's Services Accounts: 710714 referral services to benefit children in care and families who are clients in the most expeditious manner to promote keeping families intact, including the use of special purchase orders, purchase orders and procards to purchase specific items including clothing, personal health care items, Christmas and birthday gifts and cards; purchase gift cards to pay for food, support services, Thanksgiving and Christmas food, and purchase specialty items, food, beverages and supplies for Adoption Day activities and expenses--Social Services. (All Commission Districts.)
29. Recommendation to approve Interlocal Contract between Public Agencies (State of Nevada, Department of Health and Human Services, Division of Health Care Financing and Policy and Washoe County) [\$1.5 million] for the period July 1, 2010 through June 30, 2011 for the Disproportionate Share Program; and if approved, authorized Chairman to execute Interlocal Contract--Social Services. (All Commission Districts.)
30. Recommendation to approve and authorize the Chairman to execute a Resolution allocating \$9,600,000 of the County's \$59,648,000 Volume Cap for Recovery Zone Facility Bonds pursuant to the American Recovery and Reinvestment Act of 2009; and providing the effective date hereof; and in the event any additional Volume Cap allocations are withdrawn, authorize the Washoe County Finance Director to reallocate that Volume Cap--Finance. (All Commission Districts.)
31. Recommendation to approve Second Addendum to Agreement for Appointed Counsel and Administrator Services for one final year between the County of Washoe and Robert Bell, Esq. for professional legal services as the Appointed Counsel Administrator [not to exceed \$150,000] pursuant to the Model Court Plan of the Second Judicial District filed with the Supreme Court under ADKT No. 411, and if approved, authorize the Chairman to execute same--Manager. (All Commission Districts.)
32. Discussion and possible direction to staff to assist in the formation of a Regional Jobs Team of critical stakeholders to accelerate the creation and retention of jobs throughout the region (requested by Commissioner Jung)--Manager. (All Commission Districts.)
33. Discussion and possible direction to staff regarding legislative interim committees, studies and reports of the Nevada Legislature, including but not limited to the Legislative Review of Nevada's Revenue Structure, the Legislative Interim Study on Powers Delegated to Local Governments, the Legislative requirement that certain local governmental entities submit a report to the Legislature concerning the consolidation or reorganization of certain functions, and such other legislative committees, studies, reports and possible bill draft requests as may be deemed by the Chair or the Board to be of critical significance to Washoe County--Government Affairs. (All Commission Districts.)