

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY 9:00 A.M. JULY 28, 1998

PRESENT:

Joanne Bond, Chairman
Mike Mouliot, Vice Chairman
Sue Camp, Commissioner
Jim Galloway, Commissioner

Betty J. Lewis, County Clerk
Katy Simon, County Manager
Madelyn Shipman, Legal Counsel

ABSENT:

Jim Shaw, Commissioner

The Board met 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:

98-763 AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Camp, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bond ordered that the agenda for the July 28, 1998, meeting be approved with the following amendments: delete Item 8B, Award of Bid No. 2097-99, Washoe County Jail Remodel Housing Unit #6, and Item 13, a recommendation that the Law Library remain within the Courthouse and the planned, budgeted remodel begin immediately.

PUBLIC COMMENTS

There was no response to the call for public comments.

MINUTES

On motion by Commissioner Camp, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bond ordered that the minutes of the regular meeting of June 23, 1998, be approved.

98-764 RESOLUTION - AUTHORIZING GRANT OF PUBLIC MONEY TO PRIVATE NONPROFIT ORGANIZATION - PIONEER CENTER - FINANCE

Upon recommendation of Jerry McKnight, Director of Budget and Finance, on motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, it was ordered that the following transfer from the Contingency account be approved and that the Comptroller be directed to post the necessary entries to complete the transfer:

DECREASE		
ACCOUNT	DESCRIPTION	AMOUNT
001-1890-7328	Contingency	\$12,500.00
INCREASE		
ACCOUNT	DESCRIPTION	AMOUNT
001-18110-7140	Community Support,	\$12,500.00

It was further ordered that the following resolution, to fund a portion of the structural/mechanical assessment of the Pioneer Center, be adopted and Chairman Bond be authorized to execute:

A RESOLUTION AUTHORIZING THE GRANT OF PUBLIC MONEY TO A PRIVATE NONPROFIT ORGANIZATION (FUND 001)

WHEREAS, the General Fund was established to account for all revenues and expenditures not specifically authorized in another fund; and

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

WHEREAS, it has been determined that the Pioneer Center is an asset to the community, and that the improved maintenance and operation of the facility will provide a substantial benefit to the community; and

WHEREAS, the contingency account of the General Fund has sufficient appropriation authority to fund the request for \$12,500.

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

1. The Reno Performing Arts Center Association, a private nonprofit organization, is hereby granted the sum of \$12,500.00.
2. The purpose of the grant is to pay for a structural and mechanical assessment of the Pioneer Center.
3. This Resolution shall be effective on passage and approval.

The County Clerk is hereby directed to distribute copies of the Resolution to the Department of Taxation, the Comptroller and the Finance Division within 30 days.

98-765 TRAVEL APPROPRIATION TRANSFER - VERDI JUSTICE COURT

Upon recommendation of Brian Mirch, Senior Administrative Analyst, on motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that the following transfer in the Verdi Justice Courts Administrative Assessment Fund to allow for travel be approved:

Decrease:	Account 0725-7205	\$2,000.00
Increase:	Account 0725-7620	\$2,000.00

98-766 AUTHORIZATION FOR CAPITAL EXPENDITURES - SHERIFF

Upon recommendation of Sheriff Richard Kirkland, on motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that the Sheriff be authorized to use the Crime Lab's Deferred Accounts in the amount of \$7,987.00 to purchase one fifteen-foot cantilever gate for entry into the Evidence Storage Lot.

98-767 GRANT ACCEPTANCE - STUDENT/COMMUNITY LIAISON MONIES - SHERIFF

Upon recommendation of Sheriff Richard Kirkland, on motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that grant monies in the amount of \$32,388 from the Edward Byrne Grant and \$5,398.00 from the Parasol Foundation and the Sheriff's Office, for the continued funding in FY 98/99 of a Student/Community Liaison Specialist, be accepted with the Board's gratitude, which was expressed by Commissioner Galloway. It was further ordered that the following revenue and expenditure budget adjustments be approved:

INCREASE REVENUES:

152448G/4301	\$32,388.00
152448G/5802	\$ 5,398.00

Total	\$37,786.00
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INCREASE EXPENDITURES:

152448G/7001	\$23,482.00
152448G/70185	6,030.00
152448G/7042	2,309.00
152448G/7048	5,220.00
152448G/7050	403.00
152448G/7230	700.00
152448G/7382	150.00
152448G/7385	500.00
152448G/7357	500.00
152448G/7245	2,540.00
152448G/7250	200.00
152448G/7261	150.00
152448G/7620	1,000.00

DECREASE EXPENDITURES:

15081/7001	(5,398.00)
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Total	\$37,786.00
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98-768 SPECIAL ASSESSMENT DISTRICT NO. 21 - COLD SPRINGS WASTEWATER - REDISTRIBUTION OF ASSESSMENTS

Upon recommendation of John Collins, Manager, Utility Services Division, through Ed Schmidt, Director, Department of Water Resources, on motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that the Affidavit of Waiver and Consent, to redistribute the SAD 21 assessments on Parcel Map 3276 be accepted; that Chairman Bond be authorized to execute; and that the Manager, Utility Services Division, be directed to record the Affidavit with the County Recorder.

98-769 WATER RIGHTS DEED - DAMONTE FAMILY, LLC

Upon recommendation of John Collins, Manager, Utility Services Division, through Ed Schmidt, Director, Department of Water Resources, on motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, it was ordered that the Water Rights Deed for 270.92 acre feet of water rights, being a portion of Claim 715/715A, between Damonte Family, L.L.C., as Grantor, and Washoe County, as Grantee, be approved and Chairman Bond be authorized to execute. It was further ordered that the Utility Services Manager be directed to record the Water Rights Deed with the County Recorder. It was noted that these rights are being dedicated in support of the Damonte Ranch Trade Center and the parcels which will receive water service are all of 16-400-63 and portions of 16-400-65, -70, -71 and -81, all within the South Truckee Meadows General Improvement District.

98-770 WATER RIGHTS DEED - NEVADA TRI PARTNERS - GALENA TERRACE

Upon recommendation of John Collins, Manager, Utility Services Division, through Ed Schmidt, Director, Department of Water

Resources, on motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, it was ordered that the Water Rights Deed for 150.0 acre feet of surface water rights, being a portion of Claim 715/715a, between Nevada Tri Partners, as Grantor, and Washoe County, as Grantee, be approved and Chairman Bond be authorized to execute. It was further ordered that the Utility Services Manager be directed to record the Water Rights Deed with the County Recorder. It was noted that these rights are being dedicated in support of the Galena Terrace Subdivision's remaining phases and the LDS Church which is within the subdivision, and are all within the South Truckee Meadows General Improvement District.

98-771 AWARD OF BID - WASHOE COUNTY COURTS COMPLEX WEST ANNEX REMODEL - BID NO. 2095-99 - GENERAL SERVICES DEPARTMENT

This was the time to consider award of bid, Notice to Bidders for receipt of sealed bids having been published in the Reno Gazette-Journal on June 23, 1998, for the Washoe County Courts Complex West Annex Remodel for the General Services Department. Proof was made that due and legal Notice had been given.

Bids, copies of which were placed on file with the Clerk, were received from the following vendors:

K-W Western Inc.	\$216,894.00
Reno Construction	\$221,845.00
F. Evans Construction, Inc.	\$222,000.00
Christman Construction Inc.	\$237,677.00
PCM Construction Inc.	\$271,382.00

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Mouliot, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that Bid No. 2095-99 for the Washoe County Courts Complex West Annex Remodel on behalf of the Buildings and Grounds Division of the General Services Department be awarded to the lowest responsive and responsible bidder, K-W Western Inc., in the net amount of \$216,894.00.

It was further ordered that the Purchasing and Contracts Administrator be authorized to execute an agreement for the work with K-W Western Inc. pursuant to the terms and conditions of the bid as awarded.

98-772 AWARD OF CONSTRUCTION BID - LEMMON VALLEY WATER SYSTEM IMPROVEMENTS, PROJECT 2 - UTILITY SERVICES

This was the time to consider award of bid, Notice to Contractors for receipt of sealed proposals having been published in the Reno Gazette-Journal on July 7, 8, 9, 10, and 13, 1998, for construction of the Lemmon Valley Water System Improvements, Project 2, for the Utility Services Division of the Department of Water Resources.

Proof was made that due and legal Notice had been given.

Following is a summary of the bid results:

A & K Earth Movers	\$441,114.00
Mike's Trenching, Inc.	\$468,327.21
Q & D Construction, Inc.	\$499,452.10
Gerhardt & Berry Construction, Inc.	\$528,630.00
Schauer Excavation, Inc.	\$532,910.37
Canyon Creek Construction, Inc.	\$541,853.34

Upon recommendation of John Collins, Manager, Utility Services Division, through Ed Schmidt, Director, Department of Water Resources, on motion by Commissioner Mouliot, seconded by Commissioner Camp, which motion duly carried, it was ordered that the bid for construction of the Lemmon Valley Water System Improvements, Project 2, be awarded to the lowest responsible, responsive,

bidder, A & K Earth Movers, Inc., in the amount of \$441,114.00. It was further ordered that Chairman Bond be authorized to execute the contract documents upon receipt and that the Utility Services Division Manager be authorized to issue the Notice to Proceed.

98-773 EMPLOYMENT AGREEMENT - KATY SIMON, COUNTY MANAGER

On motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, it was ordered that the Employment Agreement between the Washoe County Board of Commissioners and Katy Simon, concerning the terms and conditions of Ms. Simon's employment as Washoe County Manager, be approved and Chairman Bond be authorized to execute. It was noted that this agreement is retroactive to July 14, 1998, the date Ms. Simon was appointed County Manager.

98-774 SECOND AMENDED AND RESTATED INTERLOCAL AGREEMENT - CITY OF RENO, CITY OF SPARKS - PURCHASE OF WATER RIGHTS - TRUCKEE RIVER WATER QUALITY SETTLEMENT

Upon recommendation of Madelyn Shipman, Assistant District Attorney, on motion by Commissioner Camp, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the Second Amended and Restated Interlocal Agreement between Washoe County, the City of Reno, and the City of Sparks, regarding purchase of water rights pursuant to the Truckee River Water Quality Settlement Agreement be approved and Chairman Bond be authorized to execute.

98-775 AGREEMENT - ABERNETICS - RENO JUSTICE COURT - FINANCIAL SOFTWARE

Pursuant to discussion at the Caucus meeting and in response to Commissioner Galloway, County Manager Katy Simon advised that subject contract does not contain a specific retention clause, but there are scheduled payments and an acceptance by the County required; and that before the County will make the final payment, staff must be satisfied. She further stated that staff will be directed to check into retention clauses in the future.

Upon recommendation of Dona Jeppson, Court Administrator, Reno Justice Court, on motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, it was ordered that a corporation consulting contract between Washoe County (Reno Justice Court) and Abernetics, concerning purchase of Acuity Financial Software and necessary modifications and enhancements for Reno Justice Court's integrated computer system be approved and Chairman Bond be authorized to execute.

98-776 BILL NO. 1212 - AMENDING WCC CHAPTER 110 (DEVELOPMENT CODE) - TEMPORARY USES AND STRUCTURES

Pursuant to discussion at Caucus, Dean Diederich, Planning Manager, Department of Community Development, provided background information on the requested Development Code changes proposed in this ordinance. He further stated that the Sheriff's Department expressed concerns regarding the temporary camping provisions as they relate to their river sweep operations and the need for clarification and stricter guidelines in that area. Mr. Diederich advised that while staff was working on those amendments as directed by the Board, other past problems or concerns were also identified; and, as a result, a number of minor text changes have also been included, such as the use of mobile or manufactured units for temporary offices in certain situations.

Commissioner Mouliot stated that his concerns had to do with the requirements that someone cannot get their permit until the Health Department signs off and, in the case of a temporary construction office trailer with Sani-Hut facilities, there is nothing for the Health Department to sign off. Jess Traver, County Building Official, responded that this problem was created by the State Manufactured Housing Division when that agency recently started requiring setup permits on these temporary types of uses; and that what he is trying to accomplish is to get the builders and contractors together with the State as well as his staff and the staffs of Reno and Sparks to work out a solution.

Legal Counsel Madelyn Shipman stated that she would need to see the actual changes Commissioner Mouliot is requesting in order to determine whether the changes are minor or if they are substantial enough to require that the changes be reviewed by the Washoe County Planning Commission. Commissioner Mouliot stated that he also has a problem with the requirement that site plans be submitted for construction trailers that are moved around. Mr. Traver stated that is an OSHA regulation which the State has also mandated the County do. Ms. Shipman noted that inspections have to be made because of liability issues.

The Board then went through the ordinance sections in question and Mr. Diederich suggested that Section 110.310.05 remain as proposed; that 110.310.10 be dropped; and that 110.310.35 (c) and (d) be combined and expanded to include other businesses and not just single out real estate and banking. Commissioner Galloway stated that construction trailers should be exempt from .05.

Following further discussion, Bill No. 1212, entitled, "AN ORDINANCE AMENDING CHAPTER 110 OF THE WASHOE COUNTY CODE (DEVELOPMENT CODE) BY AMENDING ARTICLE 310, TEMPORARY USES AND STRUCTURES, THEREOF TO CHANGE THE REGULATIONS GOVERNING OUTDOOR FESTIVALS, TO ADD PROVISIONS REGARDING TEMPORARY CAMPING AND TEMPORARY OCCUPANCY FOR THE CARE OF THE INFIRMED, AND TO CLARIFY THE USE OF MOBILE HOMES, MANUFACTURED HOMES, TRAVEL TRAILERS, COMMERCIAL COACHES AND RECREATIONAL VEHICLES FOR TEMPORARY OCCUPANCY PURPOSES, TEMPORARY CONTRACTOR'S OFFICES AND TEMPORARY REAL ESTATE OFFICES" was introduced as amended by Commissioner Galloway, the title read to the Board and legal notice for final action of adoption directed.

98-777 BILL NO. 1213 - AMENDING ORDINANCE NO. 954 - RATES AND CHARGES FOR SANITARY SEWER SERVICE - LEMMON VALLEY

Bill No. 1213, entitled, "AN ORDINANCE AMENDING ORDINANCE NO. 954 BY REVISING A SCHEDULE OF RATES, CHARGES AND CONNECTION FEES FOR PROVISION OF SANITARY SEWER SERVICE BY WASHOE COUNTY WITHIN THE VALLEY VILLAGE AREA OF LEMMON VALLEY IN WASHOE COUNTY; REQUIRING THE DEPARTMENT OF WATER RESOURCES, UTILITY SERVICES DIVISION, TO SUBMIT BILLINGS TO ALL UNSEWERED USERS WITHIN THE VALLEY VILLAGE AREA, REQUIRING PAYMENT THEREOF; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO" was introduced by Commissioner Mouliot, the title read to the Board and legal notice for the public hearing and final action of adoption to be held on September 8, 1998.

98-778 CORRECTION OF FACTUAL ERRORS - 1998-99 SECURED TAX ROLL

Upon recommendation of Jean Tacchino, Assistant Chief Deputy Assessor, on motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, it was ordered that the following Roll Change Requests, correcting factual errors on tax bills already mailed, be approved for the reasons stated thereon and mailed to the affected property owners, a copy of which has been placed on file with the Clerk. It was further ordered that the Order on each roll change directing the Treasurer to correct the error be approved and Chairman Bond be authorized to execute on behalf of the Commission.

RCR No.	NAME	APN
87	Pregnancy Counseling Center	019-322-11
88	Gregory A. & Debra L.Schuster	025-610-13
89	Transport International Pool, Inc.	034-263-22
90	Jack Chesney, et al, TR.	034-404-02
91	First Baptist Church of Sparks	083-292-11
92	Jackson's Food Stores, Inc.	087-350-30
93	D. W. Arnold, Inc.	570-041-05
94	D. W. Arnold, Inc.	570-041-06
95	David W. Simonsen	570-041-07
96	Nicole K. Campbell	570-041-08
97	David E. Simonsen	570-041-09
98	Kevin M. & Jeanne M. Engstrom	570-041-12

98-779 AUTHORIZE CHAIRMAN BOND TO PARTICIPATE IN MEDIATION - ARCFORM GROUP - DISTRICT ATTORNEY

Upon recommendation of Madelyn Shipman, Assistant District Attorney, on motion by Commissioner Camp, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that Chairman Bond be authorized to attend and participate on behalf of the Commission in a mediation session regarding matters between Washoe County and Arcform Group concerning claims against Arcform in connection with the new courthouse and One South Sierra.

98-780 APPOINTMENT - SAFETY COMMITTEE

Upon recommendation of Kevin Chadwick, Risk Management, on motion by Commissioner Mouliot, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that Karen Mullen, Parks and Recreation Director, be appointed to serve as a member of the County Safety Committee for a two-year term expiring July 31, 2000.

98-781 REAPPOINTMENT - WASHOE-STOREY CONSERVATION DISTRICT BOARD OF SUPERVISORS

Upon recommendation of the Washoe-Storey Conservation District, on motion by Commissioner Camp, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bond ordered that Jim Arden be reappointed as the County representative to the Washoe-Storey Conservation District Board of Supervisors.

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There being no further business to come before the Board, the meeting adjourned at 9:55 a.m.

JOANNE BOND, Chairman
Washoe County Commission

ATTEST: BETTY J. LEWIS, County Clerk