

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

TUESDAY

2:00 P.M.

SEPTEMBER 26, 2000

PRESENT:

**Ted Short, Chairman**  
**Jim Shaw, Vice Chairman**  
**Joanne Bond, Commissioner**  
**Jim Galloway, Commissioner**  
**Pete Sferrazza, Commissioner (arr. at 2:20 p.m.)**

**Amy Harvey, County Clerk**  
**Katy Singlaub, County Manager**  
**Madelyn Shipman, Legal Counsel**

The Board met in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 E. 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:

**00-934      AGENDA**

Katy Singlaub, County Manager, advised that Terry Graham, the Wadsworth Justice of the Peace appointee, requested Item No. 5 concerning the formal swearing in ceremony be pulled as he has already been sworn in by Amy Harvey, County Clerk. In accordance with the Open Meeting Law, on motion by Commissioner Bond, seconded by Commissioner Galloway, which motion duly carried, Chairman Short ordered that the agenda for the September 26, 2000 meeting be approved as amended.

**PUBLIC COMMENTS**

Robert Metz, County resident, addressed the Board concerning the ongoing psychological problems his child will have because the County Commission would not correct the problems in Social Services. He then expressed his opposition to the proposed downtown court complex.

Ike Eichbaum, area resident (who also read a letter from Ellen Steiner, SWTM CAB Chairperson), Patricia Puchert, area resident, Robert Ogden, Mt. Rose Evangelical Free Church, and Tom Pagnano, area resident, discussed their opposition to the recent approval of a permit for Suzie's Adult Book Store on South Virginia. Issues presented included (1) the methodology used by the County to issue the business license, (2) commercial and private residents did not receive notification that a business license was applied for, and there was no opportunity for public input, (3) changes to the adult entertainment ordinance essentially nullify the safeguards originally established to protect

against such businesses being located in a residential area, (4) County staff created this problem and residents want a change to the way these type of business licenses can be approved, (5) the location is not appropriate and they do not want Suzie's to be allowed to have a permanent license at the present site, and (6) a representative of Suzie's indicated they would leave if their costs could be reimbursed, which is felt to be the most economical way to get them out of the present location.

\* \* \* \* \*

Commissioner Sferrazza arrived at meeting.

Sam Dehne, Reno resident, discussed issues concerning his removal from a recent Airport Authority meeting and being put in jail. He advised he put in a request to agendize an analysis of the airport, which no one would sign, but he still wants this matter agendized.

Ron Kilgore advised he is a County employee but was speaking on his own behalf. He stated he would be leaving Washoe County in the near future for a position in Wyoming. He said he has had seven very good years at Washoe County and thanked the County Commission and County Managers for those good years. Mr. Kilgore discussed the issue of employee retention, advising he has been a committee member involved with the HayGroup study since its inception; and that the County is being well served by the committees and the consultants, and he would urge the Board to accept and implement the recommendations. He then stated, although he agrees with the HayGroup study recommendations, he has a problem with the way they are proposed, which is that, if a job class is determined to be underpaid, the bottom salary and the top salaries are the only ones to be increased, and employees in between those levels will not receive anything. He requested the Board do something to implement increases across the board, noting this would not come cheap, but he believes the WCEA would look favorably upon a phased implementation plan. Mr. Kilgore then advised that career progression is important, but is lacking in his department, as there are only four levels, two being in the professional series. He said he had to leave the County to move up professionally and noted that four people have left the Community Development Department in the last year, one for family reasons and three for professional advancement.

Chairman Short advised that Guy Felton, County citizen, submitted a FAX communication and requested it be read into the record as public comment. He stated that, because the communication is not his public comment, he cannot read it into the record but will place it on file with the Clerk where it will be public record and available for review by anyone.

### MINUTES

On motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that the minutes of the special meeting of September 7, 2000 be approved.

**00-935A**      **PURCHASE TABLE AT ANNUAL GOVERNOR'S INDUSTRY APPRECIATION LUNCHEON**

At the request of Commissioner Sferrazza, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that the purchase by Washoe County of a table at the annual Governor's Industry Appreciation Luncheon to take place on October 25, 2000 be approved.

It was noted that a table of ten is \$370.00 and the expenditure will be made from the 2000-01 Community Relations budget.

**00-935B**      **NEW POSITION – 14-MONTH SHERIFF SUPPORT SPECIALIST SUPERVISOR – SHERIFF'S DETENTION FACILITY – BUDGET**

Upon recommendation of Ron Steele, Administrative Analyst, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that the addition of one 14-month Sheriff Support Specialist Supervisor position at the Washoe County Sheriff's Detention Facility be authorized.

It was noted that funding for this position will be through December 31, 2001 and will function as an "overfill" position until the Sheriff's Support Specialist Supervisor position is returned from temporary assignment to the Tiburon computer project. The cost for the position is approximately \$40,550 annually, which the Sheriff's existing budget has sufficient funding to cover due to vacant positions and the resultant salary savings.

**00-936**      **CONTINUATION OF FUNDING – TRUCKEE RIVER OPERATING AGREEMENT IMPLEMENTATION AND PLANNING PROJECT – WATER RESOURCES**

Upon recommendation of Steve Walker, Water Management Planner, through Leonard Crowe, Water Resources Planning Manager, and Ed Schmidt, Director, Department of Water Resources, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that the continuation of funding a portion of the Truckee River Operating Agreement (TROA) Implementation and Planning Project in a not-to-exceed amount of \$40,000 be approved.

**00-937**      **REFUND OF REMEDIATION FEES – WATER RESOURCES**

Upon recommendation of Leonard Crowe, Water Resources Planning Manager, through Ed Schmidt, Director, Department of Water Resources, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that the following refunds to property owners for portions of remediation fees that were charged in error for prior years be approved:

APN 009-660-02	Rupprecht, Meryl	1999	\$236.55
		1998	\$272.47
APN 010-535-04	Crowe, Doris	1999	\$149.13
		1998	\$144.05
APN 010-536-01	Burger, George	1999	\$272.27
		1998	\$289.43
APN 025-220-17	Keife, Valerie	1999	\$112.87
APN 025-220-47	Nelson, Lawrence	1999	\$262.69
APN 025-230-23	Guzman, Idelfonso	1999	\$ 35.21
APN 025-230-42	Digino, Peter	1999	\$ 65.82

**00-938            TRANSFER OF FUNDS - DEPARTMENT TRAVEL BUDGETS – FISCAL YEAR 1999/2000 – BUDGET**

Upon recommendation of Lisa Gianoli, Budget Manager, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that transfers of funds from unexpended funds within the 1999-2000 budget for Assessor (\$976.84), District Court (\$3793.61), Sparks Justice Court (\$507.80) and Senior Services (\$1064.00) be acknowledged and the Comptroller be directed to make the following account adjustments:

**INCREASE:**

1021-7620	Travel	\$ 976.84
1210-7620	Travel	3,793.61
1254-7620	Travel	507.80
2501-7620	Travel	1,064.00

**DECREASE:**

1021-7303	Assessment List	\$ 976.84
1210-7103	Professional Services	3,793.61
1254-7250	Office Supplies	507.80
2501-7140	Other Professional Svs	1,064.00

**00-939            PROFESSIONAL SERVICES CONTRACT – ELDERCARE BUSINESS FEASIBILITY STUDY PHASES I AND III – SENIOR SERVICES**

Upon recommendation of Karen Mabry, Director, Senior Services, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, it was ordered that the professional services contract with Moore Diversified Services, Inc. in a not-to-exceed amount of \$29,800 for the purpose of completing Phases I and III of the Business Feasibility Study for a proposed Eldercare Project be approved and Chairman Short be authorized to execute.

**00-940            PROFESSIONAL SERVICES CONTRACT – ARCHITECTURAL SERVICES – ELDERCARE BUSINESS FEASIBILITY STUDY PHASE I – SENIOR SERVICES**

Upon recommendation of Karen Mabry, Director, Senior Services, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, it was ordered that the professional services contract with Casazza, HMC Architects in a not-to-exceed amount of \$8,090 for the purpose of performing associated architectural services required for Phase I of the Business Feasibility Study for a proposed Eldercare Project be approved and Chairman Short be authorized to execute.

**00-941            INTERLOCAL CONTRACT – WASHOE COUNTY AND CARSON CITY SHERIFF’S OFFICES – MARITIME PATROL – SHERIFF**

Commissioner Sferrazza advised the Sheriff provided the information he requested at yesterday’s caucus meeting that indicated the County charge to Carson City for this service is very close to actual cost, which he thinks is reasonable.

Upon recommendation of Dennis Balaam, Sheriff, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, it was ordered that the Interlocal Contract between the Washoe County Sheriff’s Office and the Carson City Sheriff’s Office concerning provision of maritime patrol and law enforcement activities in and about the waters of Lake Tahoe within the boundaries of Carson City, under which Carson City Sheriff’s Office assumes the responsibility for reimbursing Washoe County for the cost of providing the necessary law enforcement services, be approved and Chairman Short be authorized to execute.

**00-942            CONSENT TO ASSIGNMENT AND ASSUMPTION OF AGREEMENT – RECLAIMED WATER – WOLF RUN GOLF COURSE AND GOLF VISION DEVELOPMENT, LLC – DISTRICT ATTORNEY**

It was noted that at yesterday's caucus meeting Madelyn Shipman, Assistant District Attorney, requested that, if the Board approves this item, the District Attorney be given the opportunity to review the document prior to obtaining the Chairman's signature. Upon recommendation of Ms. Shipman, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that the Consent to Assignment and Assumption of Agreement for Reclaimed Water Service relating to Wolf Run Golf Course and Golf Vision Development, LLC be approved and Chairman Short be authorized to execute the document upon presentation by the District Attorney.

**00-943**            **PURCHASE AND IMPLEMENTATION – PEREGRINE SYSTEMS  
FLEET MANAGEMENT SOFTWARE PROGRAM –  
CONTINGENCY TRANSFER – EQUIPMENT SERVICES**

Katy Singlaub, County Manager, provided information in response to questions raised at yesterday's caucus meeting concerning the current M-4 fleet management software system being recommended for replacement by a more efficient, effective and user-friendly software program.

Upon recommendation of Clayton Gadd, Director, General Services and Anna Heenan, Senior Administrative Analyst, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that the purchase and implementation of Peregrine Systems "Fleet Anywhere" fleet management software program in the amount of \$136,330 be authorized. It was further ordered that the Comptroller be directed to transfer \$136,330 from Contingency Account No. 1890-7328 to the Equipment Services Fund Account No. 6902-7236 Computer Software, and make the appropriate cash and transfer account adjustments.

**00-944**            **CORRECTION OF FACTUAL ERRORS ON TAX ROLLS -  
ASSESSOR**

Upon recommendation of Jean Tacchino, Assistant Chief Deputy Assessor, on motion by Commissioner Bond, seconded by Commissioner Galloway, 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 indicated thereon and mailed to the property owners, a copy of which is placed on file with the Clerk. It was further ordered that the Orders directing the Treasurer to correct the errors be approved and Chairman Short be authorized to execute on behalf of the Commission.

- Robert M. and Betty J. Watts, Jr.--Parcel #009-103-03 [-\$30.20] (2000 Secured Roll)
- Matt J. Anderson--Parcel #010-191-01 [-\$115.22] (2000 Secured Roll)
- Wizzi Investments II, LLC--Parcel #011-016-03 [-\$241.22] (2000 Secured Roll)
- Reno/Sparks Theatre Community Coalition--Parcel #011-096-01[-\$8,156.84] (2000 Secured Roll)
- Lawrence and Elsie M. Whipkey, Tr.--Parcel #028-113-04 [-\$208.77] (1999 Secured Roll)
- Patricia C. Kelly--Parcel #028-271-10 [-\$239.66] (2000 Secured Roll)
- Pierre & Patricia A. Moser, Jr.--Parcel #041-101-31 [-\$607.90] (2000 Secured Roll)
- John R. Goodnight--Parcel #082-613-02 [-\$203.51] (2000 Secured Roll)
- Bret V. Ragland, et al.--Parcel #086-572-05 [-\$18.55] (2000 Secured Roll)
- Bret V. Ragland, et al.--Parcel #086-572-05 [-\$18.58] (1999 Secured Roll)
- Bret V. Ragland, et al.--Parcel #086-572-05 [-\$18.07] (1998 Secured Roll)
- Duane U. Deverill, Tr.--Parcel #122-114-06 [-\$1,230.76] (2000 Secured Roll)
- William M. and Patricia A. Moore, Tr.--Parcel #122-116-10 [-\$1,643.16] (2000 Secured Roll)
- Biglieri Family Ltd. Ptsp.--Parcel #162-260-03 (billed as 044-310-06) [-\$935.07] (1999 Secured Roll)
- Biglieri Family Ltd. Ptsp.--Parcel #162-260-03 [-\$1,870.11] (2000 Secured Roll)

**RESOLUTION – NOTICE TO DEBT MANAGEMENT  
COMMISSION – GENERAL OBLIGATION SEWER BONDS**

John Sherman, Finance Director, reviewed the process concerning the request to issue the General Obligation Sewer Bonds for the financing of sewer projects, and advised there will be many opportunities for discussion before the Board and by the public.

On motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Short be authorized to execute:

**A RESOLUTION CONCERNING THE FINANCING OF SEWER PROJECTS; DIRECTING THE CLERK TO NOTIFY THE WASHOE COUNTY DEBT MANAGEMENT COMMISSION OF THE COUNTY'S PROPOSAL TO BORROW MONEY AND TO ISSUE GENERAL OBLIGATION SEWER BONDS ADDITIONALLY SECURED BY PLEDGED REVENUES TO EVIDENCE SUCH BORROWING; SETTING FORTH THE INTENT TO REIMBURSE CERTAIN EXPENDITURES WITH BOND PROCEEDS; PROVIDING CERTAIN DETAILS IN CONNECTION THEREWITH; AND PROVIDING THE EFFECTIVE DATE HEREOF.**

**WHEREAS**, Washoe County, Nevada (the "County") was created as a county pursuant to Section 243.340 of Nevada Revised Statutes ("NRS"), and, pursuant to NRS § §244A.011 to 244A.065, inclusive (the "County Bond Law"), is authorized to acquire, improve, equip, operate and maintain sewer projects within the County, including facilities pertaining to a county sanitary sewerage system for the collection, interception, transportation, treatment, purification and disposal of sewage, liquid wastes, solid wastes, night soil and industrial wastes as provided in NRS 244A.0505 (the "Project"); and

**WHEREAS**, the Board of County Commissioners (the "Board") of the County proposes to issue the County's general obligation (limited tax) sewer bonds additionally secured by pledged revenues (the "Bonds"); and

**WHEREAS**, pursuant to § 350.020(3) (subject to the approval of the proposal to issue general obligations by the Washoe County Debt Management Commission), proposes to adopt and publish notices of public hearing and adoption of a resolution of intent to issue the Bonds additionally secured by pledged revenues of the County's sewer projects and sanitary sewer system (the "Pledged Revenues"); and

**WHEREAS**, the Board anticipates making a determination that the Pledged Revenues will at least equal the amount required in each year for the payment of interest on and principal of the Bonds; and

**WHEREAS**, the Board proposes to issue the Bonds without an election unless a petition signed by the requisite number of registered voters of the County representing the requisite assessed value of the taxable property of the County is presented to the Board requiring the Board to submit to the qualified electors of the County for their approval or disapproval the following proposal:

**GENERAL OBLIGATION SEWER BOND ADDITIONALLY SECURED BY PLEDGED REVENUES PROPOSAL:**

**Shall the Board of County Commissioners of Washoe County in the State of Nevada, be authorized to incur a general obligation indebtedness on behalf of the County by the issuance at one time, or from time to time, of the County's general obligation (limited tax) sewer bonds, in one series or more, in the aggregate principal amount of not exceeding \$21,000,000 for the purpose of financing, wholly or in part, the acquisition, construction, improvement and equipment of sewer projects, including, but not limited to, facilities pertaining to a county sanitary sewerage system for the collection, interception, transportation, treatment, purification and disposal of sewage, liquid wastes, solid wastes, night soil and industrial wastes, as provided in NRS 244A.0505, the bonds to mature serially commencing not later than five (5) years from the date or respective dates of the bonds and ending not later than thirty (30) years therefrom, to bear interest at a rate or rates not in excess of the statutory maximum rate in effect at the time bonds are sold, to be payable from general (ad valorem) taxes (except to the extent pledged revenues and other moneys are available therefor), and to be issued and sold at par, or below or above par, and otherwise in such manner, upon such terms and conditions, and with such other detail as the Board may determine, including at its option but not necessarily limited to provisions for the redemption of bonds prior to maturity without or with the payment of a premium?**

(the "Bond Proposal"); and

**WHEREAS**, subsection 1 of NRS § 350.004 provides, in relevant part, as follows:

"1. Before any proposal to issue general obligation debt . . . may be submitted to the electors of, a municipality, or before any other formal action may be taken preliminary to the issuance of any general obligation debt, the proposed incurrence. . . must receive the favorable vote of two thirds of the members of the [debt management] commission of each county in which the municipality is situated . . ."; and



**WHEREAS**, subsection 1 of NRS § 350.005 provides, in relevant part, as follows:

"1. The governing body of the municipality proposing to incur general obligation debt. . . shall notify the secretary of each appropriate commission, and shall submit a statement of its proposal in sufficient number of copies for each member of the commission.  
..."

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

Section 1. All action, proceedings, matters and things heretofore taken, had and done by the Board, and the officers thereof (not inconsistent with the provisions of this resolution) directed toward the Project and the financing thereof be, and the same hereby is, ratified, approved and confirmed.

Section 2. The County Clerk shall be, and she hereby is, authorized and directed to notify immediately the Secretary of the Washoe County Debt Management Commission of the County's Proposal, and to submit to said Secretary a statement of the Proposal in sufficient number of copies for each member of the Commission. The County Director of Finance is authorized to update or amend the County's plan for capital improvements if necessary to reflect the Project and the Bonds and the Project to be financed thereby and to file the information as required by NRS § 350.0035 to the extent required to comply with NRS § 350.0035.

Section 3. In order to permit the County to reimburse itself for prior expenditures relating to the Project with the proceeds of Bonds, the Board hereby determines and declares as follows:

(a) The County reasonably expects to incur expenditures with respect to the financing of the Project prior to the issuance of Bonds and to reimburse those expenditures from the issuance of Bonds; and

(b) The maximum principal amount of Bonds expected to be used to reimburse such expenditures is \$21,000,000.

Section 4. All resolutions, or parts thereof, in conflict with the provisions of this resolution, are hereby repealed to the extent only of such inconsistency. This repealer shall not be constructed to revive any resolution, or part thereof, heretofore repealed.

Section 5. If any section, paragraph, clause or other provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or other provision shall not affect any of the remaining provisions of this resolution.

Section 6. This resolution shall become effective and be in force immediately upon its adoption.

**00-946            RESOLUTION – MIGUEL SEPULVEDA**

Chairman Short approached the podium and read the Resolution honoring Miguel Sepulveda into the record. Ivan Rubio, Water Resources Department, then read the Resolution in Spanish. Chairman Short presented the Resolution to Mrs. Sheila Sepulveda, wife of Miguel Sepulveda. Mr. Sepulveda's son was also present. Katy Singlaub, County Manager, expressed condolences to the Sepulveda family and thanked Mr. Rubio for the Spanish translation.

On motion by the Board as a whole, the following resolution was adopted and Chairman Short was authorized to execute:

**RESOLUTION**

**WHEREAS**, Miguel Sepulveda was a well known member of Reno's Hispanic Community; and

**WHEREAS**, Miguel founded the local Spanish language newspaper, Ahora, in 1983; and

**WHEREAS**, Miguel founded the Northern Nevada Hispanic Chamber of Commerce, Reno's Salsa and Latin Jazz Festival and wrote the original grant for what is today known as Nevada Hispanic Services; and

**WHEREAS**, Miguel served as State Chairman of the National Republican Hispanic Assembly; and

**WHEREAS**, Miguel passed away suddenly on September 15, 2000; and

**WHEREAS**, His contributions to both the Hispanic community and all citizens are enduring; and

**WHEREAS**, Miguel Sepulveda's contributions to the Washoe County community are appreciated and will be remembered by all; now, therefore, be it

**RESOLVED**, That the Washoe County Board of Commissioners does hereby pay tribute to the memory of Miguel Sepulveda and share with his family and friends their sorrow and loss.

00-947

**PROCLAMATION – ACCENTUATE THE POSITIVE DAY –  
OCTOBER 6, 2000**

Chairman Short noted the following programs Washoe County will be honored for at a luncheon to be held during the Accentuate the Positive event: Robert Hawkins Amphitheater at Bartley Regional Park; Incline Village School K-16 Council; Northern Nevada Census 2000; Women, Infants and Children's (WIC) Program; Health Passport Program; Corporate Challenge; Northern Nevada Sexual Abuse Response Evaluations Team; restoration of the Washoe County Courthouse; Sheriff's HISTEP Program; and the Community Action Teen Pregnant and Parenting Team Speakers Panel. He then read the Proclamation into the record.

Lynn Atcheson, Vice President of Marketing and Communications, Washoe Health Systems, expressed appreciation from Truckee Meadows Tomorrow for the County's dedicated support to make the Truckee Meadows a compelling place in which to live, work, visit and invest.

On motion by the Board as a whole, the following Proclamation was adopted and Chairman Short was authorized to execute:

**PROCLAMATION**

**WHEREAS**, Truckee Meadows Tomorrow is dedicated to monitoring and improving the quality of life in the Truckee Meadows; and

**WHEREAS**, We are blessed to live in a community filled with good neighbors, caring organizations, dedicated governments and conscientious businesses; and

**WHEREAS**, It is important to recognize those individuals, groups and organizations who contribute to the well being of our community; and

**WHEREAS**, Accentuate the Positive is an opportunity for Truckee Meadows Tomorrow to honor our area's Silver Stars and their dedication to outstanding programs that improve the quality of life in northern Nevada; now, therefore, be it

**PROCLAIMED**, By the Washoe County Board of Commissioners that October 6, 2000 is designated as Accentuate The Positive Day in Washoe County.

00-948

**AD-HOC COMMITTEE – FRANCHISE AGREEMENTS -  
AT&T BROADBAND AND INTERNET SERVICES -  
PURCHASING**

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Sferrazza, seconded by Commissioner Shaw, which motion duly carried, Chairman Short ordered that an Ad-Hoc Committee be estab-

lished and authorized to negotiate New Franchise Agreement(s) with AT&T Broadband and Internet services for Washoe County (CATV), with final agreement(s) to be subject to Board approval.

Commissioner Sferrazza requested that County staff review the feasibility of working with Reno and Sparks in negotiating the agreements and have one uniform franchise agreement throughout the three governmental entities in order to provide cost efficiency.

**00-949            LEASE POLICY - COUNTY PROPERTY/FACILITIES –  
WIRELESS COMMUNICATION COMPANIES**

The Board heard this item as the Board of County Commissioners, the Board of Trustees of the South Truckee Meadows General Improvement District (STMGID), and the Truckee Meadows Fire Protection District (TMFPD) Board of Fire Commissioners.

Howard Reynolds, Assistant County Manager, advised that the County, STMGID, and TMFPD have been approached about placing wireless communication towers on various properties, and staff is presenting this matter for policy discussion and staff direction. He reviewed the nine placement standards for wireless communication facilities currently allowed by County Ordinance and listed in the Development Code in order of preference. He said the Board might consider limiting placement standards to the first four criteria on the list as the remaining five standards require a special use permit; and that staff does not feel it is appropriate to place communication facilities in County parks or other special use facilities, such as golf courses, etc.

Commissioner Sferrazza referred to statements made in the staff memorandum indicating the most controversial sites for a wireless antenna would be on buildings that have heavy public access because of the controversy surrounding possible health issues. He said, if there is a public safety issue, it should be looked at before policy decisions are made. Mr. Reynolds advised the information concerning public safety issues was presented so the Board would be aware there is a perception by the public of a possible public safety issue, but current scientific literature shows no evidence to support the existence of any health risk. He then noted it would be a violation of the Federal Communication Act to turn down an application for a communication tower based on a perceived public safety issue. In response to further questions raised by Commissioner Sferrazza concerning the public safety issue, Katy Singlaub, County Manager, commented that many people believe there is a health risk with wireless communication facilities, but the World Health Organization has said there is no conclusive evidence of this perception, and staff has pointed out that placing a microwave tower on a building the public visits may invite some public controversy which could be avoided by placing the tower at another location.

Mike Harper, Planning Manager, Department of Community Development, provided additional information and responded to questions of the Board.

The Board members then discussed placement standard preferences. Commissioner Bond stated that she would prefer to avoid the single poles whenever possible and would not want to allow towers on public buildings; and that any other requests could be reviewed by staff for compatibility, aesthetics, etc.

Commissioner Galloway suggested a review committee be established composed of a representative of the County Manager, General Services, and Public Works to determine whether a request is aesthetically and functionally compatible with the proposed site before proceeding further with the process. He then discussed the differences between broadcast and microwave communication towers, commenting that broadcasting would not be desirable because the signals are strong enough to interfere with other signals in the area. He requested that staff research the feasibility of excluding broadcasting antennas.

Commissioner Shaw stated he supports the idea of establishing a review committee, but feels this issue should be handled very cautiously so the door is not opened for people to request antennas everywhere.

Commissioner Sferrazza commented that open space should also be prohibited, and he does not see any reason to build monopoles or lattice towers on County properties for telecommunication facilities. He expressed his continued concern about possible public health safety issues. Commissioner Galloway advised, if new information comes forth in the future relative to health issues, the Board could reconsider the ordinance. He then said it is appropriate to exclude parks and public special purpose areas.

Legal Counsel Shipman noted that State law requires the County to go out for bid on any leasing of property.

On motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that the following placement standards Nos. 1 through 6 currently outlined in the Development Code be approved as the criteria to be considered for the establishment of a wireless communication facility:

- 1) Façade mounted antenna on a building used for industrial or commercial purposes, a building located in a commercial or industrial regulatory zone (General Commercial – GC; Tourist Commercial – TC; Office Commercial – OC; Industrial – I), or on a structure used for utility purposes.
- 2) Rooftop mounted antenna on a building used for industrial or commercial purposes, a building located in a commercial or industrial regulatory zone (General Commercial – GC; Tourist Commercial – TC; Office Commercial – OC; Industrial – I), or on a structure used for utility purposes.

- 3) Specialty pole mounted antenna on a pole used for public, utility or communication, other than wireless communication, purposes.
- 4) Façade mounted antenna on a building used for any other purpose.
- 5) Rooftop mounted antenna on a building used for any other purpose.
- 6) Specialty pole mounted antenna on a pole used for any other purpose.

It was further ordered that designated open space areas and public facilities such as golf courses and recreational facilities be excluded; that an Ad-Hoc Committee composed of a representative from the Public Works Department, the Manager's Office, and General Services be appointed to screen proposals for functional and aesthetic compatibility; and that, if it is determined the proposal meets established criteria, staff be directed to present the request to the Board for consideration and further direction relative to the bid process, etc.

It was noted that other interested parties would not be excluded from participating in the committee review process.

**00-950            ALTERNATIVE STORMWATER CONTROL PROJECT –  
SPANISH SPRINGS – WATER RESOURCES**

Steve Walker, Water Management Planner, advised a stormwater control project in Spanish Springs is being presented for Board consideration as an alternative to the Boneyard Flat Flood Control Improvement Project that had considerable public opposition. He said, should the proposed alternative move forward, the project would provide flood control necessary for Spanish Springs and the City of Sparks. He then recognized several people in the audience who served on the Water Planning Commission subcommittee and thanked them for their efforts in the process.

Lynn Orphan, Kennedy Jenks Consultants, reviewed background information and advised that, after the Boneyard Flat Project was halted by the Board because of public opposition due to cost, etc., their agency was directed to develop alternatives. She stated that several meetings were held with County and City of Sparks staff, various agencies and the public; and that several ideas came forward, resulting in the preferred alternative is being presented to the Board today. Ms. Orphan discussed details of the proposed project utilizing an overhead map of the area, and reviewed the attractive features of the proposal. She said the basin is sized to hold the 100-year event and a 10-day event, and because the basin would not fill with water under small events, several acres could be set aside for use for soccer fields, etc. She noted the cost is about \$1.7-million cheaper than the Boneyard Flat project. Ms. Orphan then responded to questions of the Board.

Commissioner Shaw stated he thinks the proposed project is a solution that will work for everyone. Chairman Short advised he received a letter from Tony Armstrong, Mayor, City of Sparks, recommending the proposed project.

Dan Herman, area resident, commented he generally is in favor of the proposal, but personally does not think anything is needed, and would like to see the basin left in a natural alluvial fan. He said he does not believe Sparks is paying their fair share on the project, and the residents will be paying developers to develop their land. He then asked if the project is going to put his property in the flood plain.

Scott Donovan, area resident, advised he participated in the alternative examination process. He complimented staff, the consultant and the Regional Water Planning Advisory Board on an excellent job. Mr. Donovan said he agrees with the selection of the proposed alternative, and, although he does not "love" this particular project, he believes it is the best option available. He noted the project is still very expensive and suggested attention be placed on financing, which is the tricky part of the entire process.

Pan Lambert, area resident, stated she was very impressed with the process followed to reach the proposed improved plan. She added she is very concerned about financing and requested the benefits of the plan be thoroughly explored utilizing a similar public process.

Tom Meuller, Nevada City, California resident, advised he was also speaking on behalf of Oscar Dykes. They own two parcels located immediately on the east side of Pyramid Lake Highway and were not notified during the entire process, except for one request concerning access to the property for studies. He said he is a geologist/hydrologist and lived in Spanish Springs during the 1986 flood, and the natural flow is not quite as natural as the recent newspaper article and the Kennedy Jenks group have indicated. He advised that Oscar Dykes owns another 30 acres immediately east of the sediment and debris basins, and they have asked whether the 30 acres immediately to the east of their property to be designated as debris basins could be looked at because they have very different intentions for the 25 acres bordering the highway than what is currently being planned.

Lois Avery, Spanish Springs Citizen Advisory Board, commented that consideration of other options for the sedimentation basin is a good suggestion. She said there will be a five-foot berm along a section of Bridle Path, and it has yet to be determined how much the water level will be raised on the parcels in that area, which may result in having to buy more property and increasing the cost. She stated financing is going to be the real problem, and they are pleased with the double use of the soccer field. They may also look at getting a skateboard park, which has been requested for that area.

Tim Tucker, area resident, stated this was a good process to determine some of the different alternatives and noted, when financing is considered, there may still be a few alternatives that could make the project less expensive. He said he previously

developed a tiered concept of financing based more on fairness and actual facility use, and is just looking for a fair financing program.

John Bradbury, Spanish Springs resident, thanked Mr. Walker and Kennedy Jenks for their work on this project, as well as the Board for allowing public comments at every meeting during the process. He said he thinks it is a great plan, but the cost and how it is going to be paid is a real concern of the people.

Robert Sader, Hawco Properties, advised that Hawco supports the proposed alternative and the difficult part will be financing. He pointed out the proposed project is cheaper because the land is valued as open space and results in a net loss of 160 acres of medium density suburban, which translates to 370 homes. He said Specific Area Plan language contains a contingency that, if the Boneyard Flat proposal does not go through, there will be a reconsideration of relocating lost Hawco land uses to other Hawco properties.

Commissioner Bond said she had some communication with the Hawco group and they are aware of the financial impact this could have. It appears on the surface they are losing acres but they also know there will be a gain by taking areas currently in the floodplain out of the floodplain. Because of multiple use on the property, they generously offered the property free of charge to this project, which should reduce the cost significantly. She stated anything possible to reduce the price will be done.

Bill Isaeff, City of Sparks and Chairman of the Regional Water Planning Commission, advised he served as a member of the Regional Water Planning Commission Advisory Subcommittee, and the process proved to be immensely helpful in reaching a conclusion. The City of Sparks strongly supports the proposal and commends the process, believing the proposed alternative is better than the one previously presented and provides protection on behalf of the citizens equal to or better than the original proposal. He said the process was so impressive, as Chairman of the RWPC, he directed the same process be followed on future flood control projects. Mr. Isaeff and Yong Song, Flood Control Manager, City of Sparks, responded to questions of the Board concerning City of Sparks flood control projects.

Chairman Short stated he is impressed with the whole program and everything that he heard today.

Upon inquiry of Commissioner Sferrazza, Mr. Walker advised that staff has had dialogue with Mr. Mueller and Mr. Dykes and is willing to work with them on other options concerning the location of the debris basin.

Upon recommendation of the Regional Water Planning Commission, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Short ordered that the alternative stormwater control project in Spanish Springs be accepted and staff be directed to develop a financing plan to further determine the feasibility of the proposed alternative. It was further ordered that staff continue ne-



gotiations with Hawco concerning their donation of property for the project, continue working with the private property owners on the eastside that have concerns about impacts to their property, and continue working on a financing formula, which process will include citizen involvement.

**00-951            APPOINTMENT – WARM SPRINGS CITIZEN ADVISORY BOARD**

On motion by Commissioner Bond, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Short ordered that Tom Pratt be appointed to fill a vacant position as an at-large representative on the Warm Springs Citizen Advisory Board with term to expire June 30, 2002.

**00-952            AUCTION OF ALL TAX DELINQUENT LANDS HELD IN TRUST - RESOLUTION - TREASURER**

Upon recommendation of Mimi Fujii-Strickler, Public Works Department, through David Roundtree, Public Works Director, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the Treasurer be authorized to auction all tax delinquent lands held in trust with the exception of those parcels listed on Exhibit “A” [placed on file with the Clerk], and the following resolution be adopted and Chairman Short be authorized to execute:

**RESOLUTION of the Board of County Commissioners of the County of Washoe, Nevada, pertaining to disposition of tax delinquent parcels of real property**

**WHEREAS**, pursuant to NRS. 361.603, local governments are permitted to acquire tax delinquent properties held in trust by the treasurer of their county by virtue of a deed made pursuant to the provisions of Chapter 361 of NRS; and

**WHEREAS**, the properties described herein, being tax delinquent, are held in trust by the Washoe County Treasurer, by virtue of deed made pursuant to Chapter 361 of NRS; and

**WHEREAS**, the Board of County Commissioners of Washoe County hereby determines that the public interest will be best served by the sale of this property to governmental units.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY AS FOLLOWS:**

1. The Washoe County Treasurer is hereby directed to give notice of intention to sell tax delinquent properties described in paragraph 3 herein, to the last known owner or owners of said property, or their heirs or devisees, in the manner provided-by law.

2. If the owner or owners of the parcels described in paragraph 3 herein, or their heirs or devisees, fail to redeem the property within the time allowed by law, the Washoe County Treasurer shall transfer ownership of said property to the governmental units in a manner prescribed by law.

3. Tax delinquent parcels to be sold to governmental units.

a. Washoe County Community Development Open Space

APNs:

076-440-03	Open Space
076-510-02	Open Space
076-530-11	Open Space

b. City of Reno

APNs:

012-382-13	Affordable Housing
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c. City of Reno Housing Authority:

APNs:

008-061-09	Affordable Housing
012-382-13	Affordable Housing
017-123-22	Affordable Housing
020-332-08	Affordable Housing
020-332-13	Affordable Housing
03 2-154-08	Affordable Housing
085-230-33	Affordable Housing

**00-953      AWARD OF BID – COUNSELING/EVALUATION SERVICES –  
BID NO. 2250-2000 – SOCIAL SERVICES**

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 1, 2000, for Counseling/Evaluation Services for the Social Services Department. Proof was made that due and legal Notice had been given.

It was noted the bid was prepared in order for the County to contract on a non-exclusive basis with qualified personnel to provide counseling, evaluation and educational services for the children and families that come into contact with the Social Services Department child welfare system. The bid was advertised and notices and bid documents were mailed to 84 prospective providers, and, of the 26 providers responding, 20 were deemed appropriate with six bids being rejected for various reasons.

In response to discussion at yesterday's caucus meeting, Mike Capello, Director, Department of Social Services, provided additional cost information and responded to questions of the Board.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that Bid No. 2250-2000 for Counseling/Evaluation Services for the Social Services Department be awarded to the following providers:

A.M. Amezaga, Jr. Ph.D.  
American Comprehensive Counseling Services  
Aspen Community Services  
Basic Recovery Associates, Inc.  
Brie Arnette, MA, CADC  
Choices Unlimited, Inc.  
Clinical Consultants  
Diana E. Wright, Psy.D.  
Dori Orlich, L.C.S.W.  
Family Counseling Services of Northern Nevada  
Gail Palchikoff, MFT, CADC  
Great Basin Counseling  
James Carter-Hargrove, Ph.D.  
Jeff Allen  
Lindeman Associates  
Northern Area Substance Abuse Council (NASAC)  
Okios, Inc. DBA SageWind  
Robison House  
Step 2, Inc.  
The Intercept Project, Inc.  
Tru Vista Foundation

It was further ordered that the Purchasing and Contracts Administrator be authorized to execute non-exclusive agreements with the providers upon request of the Social Services Department for a twelve-month period with possible term extensions in annual increments up to four additional years at the discretion of the County and subject to negotiation and acceptable background check reports.

It was noted the approximate total bid award for the first year is \$550,000, and, in addition to negotiated fees, the Department of Social Services anticipates a one-time fingerprint processing cost of \$39 per applicant for approximately 40 therapists.

**2001 TRUCKEE MEADOWS REGIONAL PLAN UPDATE –  
COMMUNITY DEVELOPMENT**

Robert Sellman, Director, Community Development, provided a list of recommendations concerning the Regional Plan Update process made by Sumner Sharpe and John Fregonese, consultants. He presented a map on the document camera depicting developable lands and lands excluded from the Truckee Meadows area because they are in excess of 30% slopes or are public lands. Mr. Sellman advised that some of the issues being considered concerning the Regional Plan Update include how the County Master Plan fits into the Regional Plan Update, differences in how the County and Cities deal with master plans, common definition problems relative to density and parcel size, un-built development, etc., and differences between the three general categories that the Regional Plan uses which is urban, suburban and rural and the existing patterns of the two Cities and the County.

\* \* \* \* \*

Commissioner Sferrazza temporarily left the meeting.

Mr. Sellman discussed further issues that need to be addressed in the Regional Plan Update, one being the substantial commitment already made to development within the basin. He said the County has leaned toward encouraging density transfer in order to preserve larger areas as open space, which creates the appearance of urban development. The County codes do not greatly encourage the development of commercial centers. How to deal with development and balance the needs of community with the desires of the landowners is a philosophical matter. He noted the County Master Plan provides some good analysis of potential densities and water and infrastructure needs, but is directive of where the County wants growth to occur.

Mike Harper, Planning Manager, Department of Community Development, provided background information concerning the regional plan process. He stated one of the prime issues is to plan without political boundaries. They encourage participation of the CABs and are now visiting with the Neighborhood Advisory Boards (NABs). He said he hoped the process would result in Board identification of the issues in order for staff to provide an analysis and what would be needed to implement those ideas, and provide direction to staff to go the CABs and the NABs to present those thoughts and stimulate discussion and keep the community engaged in the process. Mr. Harper advised that staff will bring back an analysis before the review with the CABs and NABs is completed, which is anticipated in November and December. He commented that looking at identifying areas for future growth and redevelopment are big issues.

Commissioner Galloway reviewed a number of items for Board consideration which included developing some common rules for hook-up and services fees, developing common definitions and rules for density transfers, developing rules for deed restrictions and dedicating open space and rules that respect the nature of a developed community, and analyzing the feasibility of establishing infrastructure requirements for siting warehouse and industrial structures relative to distancing and buffering, etc. He

asked that Mr. Harper review hillside restriction regulations to determine whether or not they are working and define all service levels, and noted service level ratings might be selected for anything over a certain density of development, etc. Mr. Harper discussed the Regional Plan policy relative to slopes and advised that the Planning Commission also wants to look at hillside development issues.

Commissioner Bond stated that building on ridgelines and density transfers provided for open space also need to be addressed. She said she would like to see an analysis of the City of Reno proposal to review areas of agreement and differences in order to develop a document that is functional for everyone. Commissioner Bond then commented there is a need to look at the entire process for parcel maps, etc., noting that she would like to see less confusion between the three entities, and before staff goes out the CAB's she would like these issues to come back to the Board for more refinement. She said the preliminary work has been great and she believes the process is heading in the right direction.

Upon inquiry of Commissioner Shaw, Mr. Harper discussed issues relative to annexation and the Regional Plan Update.

Chairman Short stated it is time to start looking at flood control on a regional basis, and going back to the CAB's is a great idea. He advised the communications he has received from unincorporated residents relates to concerns about losing their lifestyle.

Katy Singlaub, County Manager, summarized the following issues raised by the Board members:

- Respect the character of developed communities
- Self determination for community residents
- Enhance quality of life
- Preserve open space
- Promote desirable mix of lifestyle choices relative to housing, density, etc.
- Develop healthy balance of land uses for jobs and housing while minimizing the need for new infrastructure
- Look at in-fill development and concentration of densities and urban cores
- Effective stewardship of natural resources, land, water, air biodiversity, minerals, etc.
- Efficient, cost effective delivery of public services and fiscal health for the region as a whole
- Use of density transfer to protect open space
- Move toward consistency of sewer and other fees affecting development decisions
- Define infrastructure requirements for siting major industrial and commercial
- Look at hillside development ordinances being consistent on a regional basis and perhaps prohibiting ridgeline development
- Improve certainty and stability of the plan and decision processes
- Floodplain management

Commissioner Galloway added that another issue to address is whether one or two service levels, such as fire response, should precede certain types of development. Ms. Singlaub noted there will be further Board discussion on these and other issues that come forth as the process moves forward.

\* \* \* \* \*

Commissioner Sferrazza returned to the meeting.

Commissioner Bond then requested information relative to the number and location of unbuilt projects already approved County-wide, and the amount of land not committed to projects. Mr. Sellman advised staff is trying to address that problem, but the process entails a monumental research task, noting the two Cities would need to provide the same information. He advised, based on Board discussion, he would develop language to address the following issues: (1) achieve common development definitions and comparability of development policies between the jurisdictions, (2) designate in-fill areas eligible for development assistance and designed to encourage development in areas where land use and utility capacity is under utilized, and (3) respect and encourage local communities and maintain their unique characteristics, noting that does not mean the jurisdiction would never be changed, but would recognize that communities are very valuable and need to be preserved. He said when language is developed, a workshop type of setting will be scheduled to present information to the Board before going out the CABs.

**00-955            COST OF LIVING INCREASE – NEW CLASSIFICATIONS –  
SECOND JUDICIAL DISTRICT COURT**

John Sherman, Finance Director, advised that ongoing discussions with County Administration and the Courts concluded it would be appropriate to grant District and Justice Court employees the 3.5% COLA the Board granted to WCEA and other County employees. He said the Board expressed its desire in the past that County staff work with the Courts to assure some comparability in pay structures, and to deal with both the HayGroup recommendations and the Court pay and classification structure at the same time.

On motion by Commissioner Sferrazza, seconded by Commissioner Shaw, which motion duly carried, Chairman Short ordered that the following actions be taken concerning the Second Judicial District Court:

1. Up to a 3.5% COLA for District Court employees effective 7-1-2000 be approved.
2. Administration staff be directed to work with staff from the District Court to develop a salary structure that can be recommended to the Board at the same time the final HayGroup recommendations are presented to the Board.

3. The new classification of Assistant District Court Administrator at a starting annual salary of \$74,651.20 for two new employees starting in the classification be approved.

**00-956            COST OF LIVING INCREASE – JUSTICE COURTS**

Judge Fidel Salcedo, Reno Justice Court, thanked the Commissioners for their support. He advised the Courts will be working with staff relative to final recommendations when the HayGroup matter comes back to the Board.

On motion by Commissioner Sferrazza, seconded by Commissioner Shaw, which motion duly carried, Chairman Short ordered that the following actions be taken concerning the Justice Courts:

1. Up to a 3.5% COLA for employees of the Justice Courts effective 7-1-2000 be approved.
2. Administration staff be directed to work with staff from the Justice Courts to develop a salary structure that can be recommended to the Board at the same time the final HayGroup recommendations are presented to the Board.

**00-957            EXOTIC ANIMAL PERMIT – STANTON L. THOMAS**

Upon recommendation of the Washoe County Exotic Advisory Board, on motion by Commissioner Bond, seconded by Commissioner Galloway, which motion duly carried, Chairman Short ordered that an Exotic Animal Permit for Stanton L. Thomas to keep one lynx at 456 Ponderosa Avenue, Incline Village, Nevada, be approved, subject to the condition that double gates be installed into the enclosure.

It was noted that no letters were received in protest to the application, and no one was present wishing to speak for or against this item.

**00-958            KENNEL PERMIT APPEAL – CARLA GAROZZO**

Katie Stevens, Animal Control Officer, provided background information and responded to Board members' questions concerning the kennel permit application of Carla Garozzo requesting to keep seven dogs at 11595 Carlsbad Road, Reno, Nevada. Twelve neighbor notifications were distributed and staff received four objections to the issuance of the permit citing concerns of the dogs getting loose and too many dogs, although two of the objections have been withdrawn because of confusion regarding another nearby residence with dogs. Ms. Stevens advised the applicant has already agreed that only the dogs specified in the application will be permitted on the premises. All the dogs will be spayed or neutered, and the number of dogs will be reduced by attrition to the limit of three.

Commissioner Bond asked about the ownership of the dogs. Ms. Stevens explained there are three women living in the home; three dogs belong to one of the women, another three to one of the other women, and one dog to the other woman; and ultimately Ms. Garozzo, as the property owner and the applicant for the kennel permit, is responsible for all of the dogs.

In response to the Chairman, Ms. Stevens explained where three other kennel permits are located within a mile of this residence and the number of dogs at each.

Carla Garozzo presented pictures of the dogs and testified they recently moved out to Red Rock to have more room for themselves and their dogs. The dogs did get loose on one occasion shortly after they moved in because they were able to push open a gate, which has been repaired, so the dogs cannot escape. The dogs mostly stay in the house, are trained and well behaved, and are considered their children. They bake homemade cookies for them and even have a mobile veterinarian who comes to the house. Ms. Garozzo further stated they rescue abandoned dogs, which they will stop doing, and they will be happy to do whatever it takes to satisfy the neighbors' concerns so they will be able to keep their dogs.

Kim Archerd, Ms. Garozzo's partner, said she is home during the day and the dogs are never left alone.

Commissioner Galloway asked if they consider themselves a family unit, expressing concern about who would be responsible for the dogs if this were a roommate, rent sharing, situation where one person might move out. Ms. Garozzo stated they are a family and have been partners for six years.

In response to Commissioner Shaw, Ms. Garozzo stated three of the dogs are elderly, one is on medication and will probably not live much longer, and they will not replace these dogs as they expire. She also reiterated that they would not take any more rescue dogs into their home.

Jim Forbus, Shilo Drive resident, stated he does not believe one acre is large enough for this many dogs. His major concern is the pit bulls might get out again and there are several small children in the neighborhood. He also said his family observed the dogs running loose again on Labor Day, but did not call Animal Control at that time.

Ms. Garozzo stated neither they nor the dogs were home on Labor Day and they would not have dogs that might attack someone.

Commissioner Bond moved to approve the kennel permit based on the facts that most of the dogs are small and some are older, the issue of the dogs getting out has been resolved, and there have been no barking complaints. Commissioner Shaw seconded the motion.



Commissioner Galloway stated he cannot support the motion because only one dog is 14 years old, the next oldest is 7, and he is worried about the dog that can jump the fence.

Commissioner Sferrazza suggested revocation of the permit in the event the dogs get out again. Commissioner Bond stated she would add to the motion that the permit will be revoked if there is a substantiated complaint that the dogs have been loose again.

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried with Commissioner Galloway voting “no,” Chairman Short ordered that the kennel permit application of Carla Garozzo to keep 7 dogs at 11595 Carlsbad Road be granted subject to the following conditions:

1. Only the dogs specified on the permit application will be permitted on the premises.
2. All dogs will be spayed/neutered.
3. The number of dogs will be reduced by attrition to the limit of three.
4. The permit will be subject to revocation proceedings if there is a substantiated complaint that the dogs have been off the premises again.

**00-959      DISCUSSION/DIRECTION – PURCHASE OF SIERRA PACIFIC RESOURCES (SPR) “WATER BUSINESS” – WATER RESOURCES**

Ed Schmidt, Director, Department of Water Resources, updated the Board regarding the possible purchase of Sierra Pacific’s water business advising the date for the non-binding indicative bid has been extended to October 20, 2000, which gives staff two additional weeks to analyze the value of Sierra Pacific’s water business. He further advised they were able to retain CH2M Hill Engineering as the consultant to aid staff in this valuation analysis and the preparation of the non-binding indicative bid, cited the reasons why CH2M Hill was selected, especially their experience in these types of acquisitions, and noted that CH2M Hill designed the Chalk Bluff water treatment plant and did some of the work on the Glendale water treatment plant. Mr. Schmidt stated staff is requesting an additional \$100,000, for a total of \$200,000, so the most professional and thorough analysis and bid can be prepared. (\$100,000 was authorized on September 19, 2000. See Item 00-928.)

Chairman Short asked if this would be a very complete evaluation including an analysis of unassigned water rights. Mr. Schmidt stated it will be and several different areas are being focused on concurrently.

Commissioner Galloway asked if the analysis will include an evaluation of the ability to generate a revenue stream that would pay for the purchase. He also asked if there was another artificial factor involving the supposed value of dedicated water rights, when those rights were dedicated by homeowners in order to receive water service from Sierra Pacific, and Sierra Pacific did not have to pay for some of those rights. Mr. Schmidt said the analysis will include how much of those water rights are in storage, how much has already been committed, and how much is still not committed. County staff and CH2M Hill staff are already working on that analysis and, if the Cities of Reno and Sparks join in, there will be even more staff to do the research and analysis.

Commissioner Bond asked if the two Cities are going to join with the County on this effort because she would hate to see three different efforts being conducted. She further stated that doing this analysis and trying to obtain Sierra Pacific's water business is something that has to be done. Commissioner Shaw spoke in support of the recommendation noting that he senses excitement and confidence in Mr. Schmidt.

Katy Singlaub, County Manager, reported the confidentiality agreement has been signed, based on the assurance received from Sierra Pacific and Lehman Brothers that it would be permissible for the County to discuss the bid with the Cities of Reno and Sparks, and staff has received the evaluation materials. She further stated the Cities have been invited to the acquisition team meetings, which is meeting weekly at 11:00 a.m. on Mondays, and discussions have begun on ideas concerning joint management/governance of the system.

Commissioner Sferrazza presented a scenario of a resident who was required to pay for water rights in order to receive water service and asked why rights that have already been put aside for will-serve letters would have any value. Mr. Schmidt responded that he does not think those rights would have value. He further said Sierra Pacific is talking about over 160,000 acre feet of water rights, and there are approximately 71,000 residential connections, which means there are some water rights out there that are not committed. Staff needs to find out how many acre-feet are not committed and the value of the rights in storage.

Commissioner Sferrazza stated when he bought his house, he had to pay for water rights. Now Sierra Pacific has put into effect conservation efforts to reduce water consumption. If a resident paid for an acre foot of water and only used half an acre-foot, that does not give Sierra Pacific the right to use the other half and the residents should be compensated rather than having to pay twice. Mr. Schmidt agreed.

Commissioner Galloway said if all the water service does come under public control, there would be better opportunities to work out an equitable way to be fair to everybody on those matters and possibly a way to reward people who do conserve.

Steve Varela, City of Reno Public Works Director, reported that the Reno City Council took action to authorize Reno staff to hire a consultant, up to \$150,000, to also work on this indicative bid, and Council made their desire very clear that this be a

3-way joint bid. The issue of governance did come up at the Council meeting but their main priority is that the water utility be in public ownership. He said Reno does want to work with the County.

Bill Isaeff, Special Assistant to the Sparks City Manager, advised that the Sparks City Council took similar action authorizing staff to participate in the analysis and development of a bid for the acquisition of Sierra Pacific's water division and made it very clear to him that Council's first preference is a 3-party bid in the name of Reno, Sparks and Washoe County for this very important asset in our community. Like the City of Reno, Sparks feels the issue of governance can be discussed as a sideline or in parallel, but the most important thing is to put together the right bid so the water will be in public ownership. He stressed the importance of unity between the three local governments.

In response to Commissioner Shaw, Mr. Isaeff stated he was authorized to bring \$50,000 to the table for consultant expenses.

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Short ordered that the Director of the Water Resources Department be authorized to expend up to \$200,000 total for the coordination of the analysis of Sierra Pacific Resources "water business" sale in preparation of the Phase I, "Non-Binding Indicative Bid."

**00-960                    APPEAL – COMPREHENSIVE PLAN AMENDMENT CASE NO.  
CPA99-SV-01 – GENO ROSACHI/PETRILLA CONSTRUCTION**

**5:30 p.m.**        This was the time set in a Notice of Public Hearing, published in the Reno Gazette-Journal on September 16, 2000, to consider an appeal initiated by the applicant, Geno Rosaschi/Petrilla Construction, requesting reversal of the Washoe County Planning Commission action to deny an amendment to the South Valleys Area Plan, being a part of the Washoe County Comprehensive Plan, by redesignating a 1.047± acre portion of Assessor's Parcel Number 045-300-04 from Low Density Suburban (LDS: max 1 dwelling per acre) to General Commercial (GC). The parcel is located on the west side of US 395 South, approximately 1,000 feet north of the Andrew Lane/US 395 South intersection. The parcel is within the Pleasant Valley hydrographic basin, in the NW/4, SW/4, Section 4, T17N, R20E, MDB&M, located in County Commission District No. 2. The parcel is designated as "Rural" on the Truckee Meadows Regional Plan land use diagram. Administrative changes to the area plan would also be necessary to reflect the changes requested within this application, including a revised Public Services and Facilities Map, and a revised table of land use acreage. Proof was made that due and legal Notice had been given.

Chairman Short opened the public hearing by calling on anyone wishing to speak concerning this request.

Sandra Dutton, Department of Community Development, provided background information relating the following: Prior to adoption of the Development Code in

1993, subject parcel was zoned C-2, which allowed for commercial uses. In 1993, during the transition process, the parcel was reclassified to Low Density Suburban, a residential land use classification. When the applicant purchased the property, there was an existing 2400 square foot building, lawfully erected with a building permit in 1984, which the Assessor classified as a detached accessory garage. If this request is approved, the applicant intends to establish a construction sales and service commercial use in the building, which would require a special use permit. Ms. Dutton reviewed the findings of the Planning Commission in denying the request and stated there is no history of commercial use on subject property. She further advised there is an error in the staff report concerning action by the Citizen Advisory Board, and the correct information is that the Galena/Steamboat Citizens Advisory Board did vote to recommend denial of this project on July 13, 2000.

Commissioner Sferrazza noted that, in their appeal, the applicant indicates the Planning Commission did not acknowledge subject property has been used as a construction business for 40 years and asked if not having a business license caused them to lose their prior commercial use.

Madelyn Shipman, Assistant District Attorney, advised there are no legal rights upon which anyone could rely, and a prior business license would be an essential element to allow the construction business as a non-conforming use.

A.G. Kirchner, representing Petrilla Construction, asked the Board to consider a special use permit or some other type of special permit, rather than making the property for residential use only, because they have spent a considerable amount of money to improve the property for the proposed use. He had worked for Petrilla approximately ten years.

Commissioner Bond asked what kind of work would be done and what kind of heavy equipment would be located there. Mr. Kirchner responded there will be trucks and other vehicles in the yard and building materials "piled up."

Commissioner Galloway asked whether a construction business has been operating on this property, without a license, during the last ten years. Mr. Kirchner replied that he did not know.

Chairman Short noted that spot zoning for General Commercial would allow just about any business in there. Highway 395 is a very busy and dangerous road through Pleasant Valley and there are no ingress/egress lanes, which would be necessary for big trucks and construction equipment to enter and leave the property. In response to the Chairman, Mr. Kirchner said they purchased the property from Mr. Rosaschi and took his word for it when he told them the property had been zoned commercial for over 40 years.

Commissioner Sferrazza asked what the current use of the property is. Mr. Kirchner stated their attorney and Bill Thomas, Summit Engineering, suggested that

they request a variance or a special use permit to continue at this location, and, if that cannot be done, they would request that they be given a reasonable amount of time to find another location. Board members asked how long they had used this property as a construction yard. Mr. Kirchner stated they bought it last year.

Madelyn Shipman, Assistant District Attorney, advised there is no special use permit process that would allow a business of this type in a residential zone, and the only applicable process would be this comprehensive plan amendment before the Board tonight.

Commissioner Galloway disclosed that a few years ago he looked into buying this same property for his hydraulic lift business. He learned quite easily that it was zoned residential and he would have to get the zoning changed for his business and, as a result, did not buy it.

Commissioner Sferrazza asked if the Board denied this request, will the applicant be given a certain amount of time to vacate and get the construction equipment off the property. Robert Sellman, Director, Community Development Department, explained the applicant will be given time to remove equipment and materials but that does not give them the opportunity to use the property, especially since they have no business license.

There being no one else wishing to speak, Chairman Short closed the public hearing.

On motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that the appeal be denied and the recommendation of the Washoe County Planning Commission to deny Comprehensive Plan Amendment Case No. CPA99-SV-01 be upheld based on the following findings:

1. The proposed amendment to the South Valleys Area Plan is **NOT** in substantial compliance with the policies and action programs of the Washoe County Comprehensive Plan.
2. The proposed amendment to the South Valleys Area Plan will provide for uses which are incompatible with existing and planned adjacent land uses and will adversely impact the public health, safety or welfare.
3. The proposed amendment does not identify and respond to changed conditions or further studies that have occurred since the South Valleys Area Plan was adopted by the Board of County Commissioners, and the requested amendment does **NOT** represent a more desirable utilization of land.
4. The proposed amendment to the South Valleys Area Plan will adversely affect the implementation of the policies and action programs of the Population Element,

Conservation Element, and/or the Housing Element of the Washoe County Comprehensive Plan.

5. The proposed amendment to the South Valleys Area Plan does **NOT** promote the desired pattern for the orderly physical growth of the County. The proposed amendment does **NOT** guide development of the County based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services.
6. The Washoe County Planning Commission public hearing, prior to action on the proposed amendment to the South Valleys Area Plan, and the related changes to the text and maps of the plan, has been properly noticed in a newspaper of general circulation in the County as prescribed under NRS 278.210(1).
7. The Washoe County Planning Commission gave reasoned consideration to information contained within the staff report and information received during the public hearing.
8. The Washoe County Commission gave reasoned consideration to information contained within the reports transmitted to the Washoe County Planning Commission and the Washoe County Commission, and information received during the Washoe County Commission public hearings.

**00-961            APPEAL – SPECIAL USE PERMIT CASE NO. SW0003-010 –  
CONDITION NO. 81 – WASHOE COUNTY SCHOOL DISTRICT –  
DAMONTE RANCH HIGH SCHOOL**

**5:30 p.m.**        This was the time set to consider an appeal by the Washoe County School District of Condition No. 81 imposed by the Washoe County Planning Commission when approving Special Use Permit Case No. SW0003-010 for the Damonte Ranch High School. Condition No. 81 provides that the Damonte Ranch High School shall operate as a closed campus, and shall limit students from leaving the campus during lunch whether walking or driving, except when administrative permission has been granted on an individual basis. This public hearing was continued from the September 12, 2000 meeting.

Chairman Short opened the public hearing by calling on those wishing to speak concerning this matter.

Trevor Lloyd, Department of Community Development, provided background information stating the appellant's contention is that neither the Planning Commission nor the County Commission has the authority to impose a condition requiring a closed campus. Such decisions are under the Washoe County School District's purview as that concerns operation of a school. An additional contention is there have been no traffic studies submitted to substantiate the need for a closed campus. Mr. Lloyd further stated both staff and legal counsel at the Planning Commission hearing advised against

imposing this requirement, but the Planning Commission felt it was necessary due to the potential impact generated by the increased traffic during lunch hours.

Commissioner Bond asked the Assistant District Attorney for her legal opinion as to whether the Board has jurisdiction to impose closing a campus as a condition in approving a special use permit for a school when the schools are governed by a freely elected board. Madelyn Shipman, Assistant District Attorney, advised unless it can be tied to the land use, conditioning of a special use permit should not deal with the operation of a facility, particularly when, as in this case, the school district has been given the jurisdiction to make those decisions. She further explained that conditions should be weighed against whether they are a substitution for denial of a permit, or whether certain conditions are necessary to mitigate impacts in order for the Board to make the necessary findings for approval.

Commissioner Sferrazza reported several people called him and indicated they were not aware of this hearing. He requested a copy of the list of residents who were notified of this hearing, which Mr. Lloyd provided. Katy Singlaub, County Manager, reminded the Board there was a prior noticing problem and this matter was re-scheduled to this date. A discussion ensued concerning the noticing requirements of Nevada Revised Statutes, and Ms. Singlaub reported staff met the minimum legal requirements for noticing.

Chairman Short and Commissioner Bond stated they would plead with the School Board to close this campus, but do not feel they have the authority to impose their will on another elected body.

Steve Williams, Washoe County School District School Planner and Government Affairs Representative, stated the District Board members and Superintendent wanted to attend this meeting as they are very interested in this issue, but could not because they are in their own Board meeting at this time. Mr. Williams advised it is the opinion of the District's legal counsel that the operation of the schools is within the purview of the District under Nevada Revised Statutes, and also that the Planning Commission lacks the authority to impose operational conditions on the School District. At the Planning Commission hearing, Washoe County planning staff and the Deputy District Attorney advised the Commission they did not have authority to impose this condition. The Planning Commission's stated justification for the condition of a traffic hazard resulting from an open campus is not supported by any evidence. No such conditions were imposed on either the Spanish Springs or Golden Valley high schools approved by this same Planning Commission, both of which will open with much higher enrollments than Damonte Ranch. Mr. Williams further stated the School District does not necessarily disagree with having closed campuses and is giving that serious consideration, but they believe the authority for making such a decision lies with the School District.

Commissioner Sferrazza asked why not one person who participated in the prior public hearing(s) representing the homeowners was notified of tonight's hearing, noting that the list of property owners Mr. Lloyd presented are addresses in Carson City,

Virginia City, and California, and no one on Mira Loma or the people who actually participated in the charrette meetings are on the list. Another discussion concerning noticing requirements ensued. Mr. Lloyd said the 30 neighbors closest to the site should have been noticed. Robert Sellman, Director, Community Development Department, explained Assessor's records are used to determine the parcels that are required to be noticed in accordance with statute, and new lists are not created according to who attended previous meetings. Commissioner Sferrazza expressed his belief that this should be continued so all of the people who attended the previous meetings could be notified of this hearing.

Sharon Stanley, Mira Loma Road resident, stated she lives a half a mile from the school site, and she has never been noticed of these hearings, even the hearing about relocating the school site. The Millers and the Quiet Hills Kennel, who are contingent to the site were not noticed. The neighbors are very concerned about increased traffic and the safety of the kids going to this school. Mrs. Stanley asked if the question of the Anthrax spores located on Damonte Ranch has been addressed.

Commissioner Shaw asked Mrs. Stanley if she and her neighbors were aware that they could attend the School Board meeting when this item is discussed to give their input. Mrs. Stanley said they do not know when that meeting is going to be held, and this project has moved so fast it is difficult to stay on top of it.

Commissioner Galloway asked her if she knew why more of her neighbors were not present tonight or why they were not at the Planning Commission hearing. Mrs. Stanley responded that she did not know about the Planning Commission meeting and is not sure her neighbors did either. She further advised an item concerning this school was on their Citizen Advisory Board meeting agenda last week, but no one was there to present any information to them.

Commissioner Bond pointed out there are 19 conditions specific to roadways and traffic mitigation attached to this special use permit.

There being no one else wishing to speak, Chairman Short closed the public hearing.

Commissioner Galloway moved to sustain the appeal of the Washoe County School District and delete Condition No. 81, stating that when the Board was considering the Golden Valley High School, he could not support approval of that special use permit without a condition requiring a closed campus because he felt there really was a traffic hazard situation in that area, but he does not believe the traffic situation in this case justifies a closed campus condition. Commissioner Bond seconded the motion.

Commissioners Shaw and Short spoke in support of the motion urging the School District to carefully consider closing this campus.



Commissioner Sferrazza said he could not support the motion and moved to amend the motion to request this special use permit application be remanded back to the Planning Commission to see if there are any additional or alternative conditions that could be imposed to legally meet the concerns of the residents.

After discussion, Commissioner Sferrazza requested a ruling from legal counsel on the motions. Ms. Shipman ruled that the motions are inconsistent. The Board cannot uphold an appeal by an applicant and at the same time send it back to the Planning Commission.

Commissioner Galloway said if he saw any support for Commissioner Sferrazza's motion, he would withdraw his original motion, but he does not see that. Commissioner Sferrazza stated it appears his motion to amend is going to fail and appealed the ruling of the Assistant District Attorney to the Chairman because he believed it was improper and did not agree that his motion was inconsistent with the original motion.

Commissioner Shaw noted that there was no second to Commissioner Sferrazza's amendment and asked why the Board was discussing this. Commissioner Sferrazza stated he could accept that no one wants to second his amended motion, but he could not accept Ms. Shipman's ruling and asked that she withdraw it.

Ms. Shipman stated that she would withdraw the ruling so the Board can move forward with its business. She further stated that she did, however, want the basis for her ruling to be on the record to make it clear that once the Board upholds this appeal, they are granting approval to the project and that is the end of it; that the Board does have the authority to remand something back to the Planning Commission, just as they have the authority to uphold or deny an appeal; and that both approving a project and remanding same back to the Planning Commission are inconsistent actions. She further stated that amending a motion means adding something to the primary motion, not substituting another motion for the primary motion.

Commissioner Sferrazza restated his motion as follows: He moved to amend (the motion) to remand (this special use permit) to the Planning Commission with instruction that the condition previously made was improper and that they discuss any possible alternative condition(s) which might meet the concerns of the neighborhood. The motion died for lack of a second.

Chairman Short then called for a vote on the original motion. On motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried with Commissioner Sferrazza voting "no," Chairman Short ordered that the appeal of the Washoe County School District of Condition No. 81 attached to Special Use Permit Case No. SW0003-010 for the Damonte Ranch High School, requiring the High School to operate as a closed campus, be sustained and Condition No. 81 be deleted from the conditions of approval of the special use permit.

**COMMISSIONERS’/MANAGER’S COMMENTS**

Commissioner Galloway stated he attended a closed campus high school and thought it was beneficial to his education and urged the Washoe County School District Board to carefully consider the traffic hazards near the Damonte Ranch High School, especially as the area builds out.

Chairman Short asked for a complete definition of the County’s noticing policies for future discussion.

Commissioner Shaw stated he was surprised by Ron Kilgore’s remarks made under Public Comments concerning employees leaving the Planning Department and the salary ranges and requested a future workshop to address this problem.

Commissioner Sferrazza advised that NACO has asked if Washoe County would be interested in hosting NACO in 2003 and asked that an application be submitted. He also expressed concern regarding the noticing requirements.

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There being no further business to come before the Board, the meeting adjourned at 7:15 p.m.

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**TED SHORT, Chairman**  
**Washoe County Commission**

**ATTEST: AMY HARVEY, County Clerk**

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*Minutes prepared by:*  
  
*Barbara Trow, Deputy County Clerk, and*  
*Sharon Gotchy, Deputy County Clerk*