

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

2:00 P.M.

APRIL 23, 2002

PRESENT:

Pete Sferrazza, Chairman
Joanne Bond, Vice Chairman
Jim Galloway, Commissioner
Jim Shaw, Commissioner
Ted Short, Commissioner

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 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:

02-423A AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Bond, seconded by Commissioner Galloway, which motion duly carried, Chairman Sferrazza ordered that the agenda for the April 23, 2002, meeting be approved with the following amendments: **Move** Item 9, Bid for 2002/2003 Street Cut Pavement Repair Project, Item 10, recommendations concerning organization of the Public Guardian's office, Item 12, fee increases for general pool admission, Item 13, proposed fees for Summer Nature Camps and School Camp Program, and Item 14, employee classifications/reclassifications, to the Consent agenda. It was also noted that there was a clerical error in Item 12 and the Child's Season Pass should read "by" \$5 to \$30.

PUBLIC COMMENTS

Sam Dehne, a Reno citizen, stated the animal shelter bond issue should be a top priority, and it should certainly be ahead of a new swimming pool complex.

Jerry Purdy, a Reno resident, discussed regional planning and the water problems, stating if the plan is not in harmony with the water resources, it is a fool's plan.

Gary Schmidt, Mt. Rose Highway resident, submitted photographs of Commissioners Bond and Shaw participating in the MDA "Lockup" earlier today to raise funds for the Muscular Dystrophy Association. Commissioners Bond and Shaw thanked Mr. Schmidt for his generosity in helping to "bail" them out.

MANAGER'S/COMMISSIONERS' COMMENTS

Chairman Sferrazza congratulated the Washoe County Sheriff's Search and Rescue Program on receiving an Act of Caring award from the National Association of Counties.

Chairman Sferrazza read a letter into the record submitted by Robert McConnell concerning storing nuclear waste at Yucca Mountain and the proposed train trench.

Commissioner Galloway advised there are some very important meetings coming up and urged his fellow Board members and the public to attend. Those meetings are the Regional Planning Commission meeting of April 24th, the Debt Management Commission meeting on April 26th, and the Regional Planning Governing Board on May 9th.

Commissioner Bond asked for an update on the Verdi Interceptor project.

Commissioner Short thanked staff, the Nevada Land Conservancy, and the Bureau of Land Management for their hard work and efforts toward keeping the Ballardini Ranch as open space.

MINUTES

On motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that the minutes of the joint and regular meetings of March 19, 2002, be approved.

02-423B SPONSORSHIP - WOMEN OF ACHIEVEMENT EVENT

Upon recommendation of Kathy Carter, Community Relations Director, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that Washoe County's sponsorship of an awardee and one table at the 10th Annual Nevada Women's Fund Women of Achievement event on May 22, 2002, in the amount of \$1,000, be approved.

02-424 AUTHORIZATION TO ACCEPT GRANT - STATE DIVISION OF CHILD AND FAMILY SERVICES - SOCIAL SERVICES

Upon recommendation of Mike Capello, Director, Social Services Department, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that the Director of Social Services be authorized to accept \$10,000 in federal pass-through funds from the State Division of Child and Family Services to pay for digital equipment, equipment supplies and staff

training for Child Protective Services and that the Comptroller be directed to make the necessary adjustments. It was noted that no County matching funds are required.

**02-425 ACCEPTANCE OF GRANT - NEVADA DEPARTMENT OF
MOTOR VEHICLES - OFFICE OF TRAFFIC SAFETY - SHERIFF**

Upon recommendation of Sheriff Dennis Balaam, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that the Police Traffic Service Mini Grant, in the amount of \$1,059.73, with in-kind County match of \$1,688.00, from the Nevada Department of Motor Vehicles, Office of Traffic Safety, be accepted. It was noted that the funds would be used to pay for the travel costs for two deputies to attend the Las Vegas Metropolitan Police Department's radar instructor class May 6-10, 2002. It was further ordered that the following budget adjustments be approved:

INCREASE REVENUES:
152611G-4301 \$1,059.73

INCREASE EXPENDITURES:
152611G7620 \$1,059.73

**02-426 PURCHASE AUTHORIZATION - SOFTWARE MANAGEMENT
SYSTEM - REGIONAL RADIO SYSTEM - GENERAL SERVICES**

Upon recommendation of Tom Gadd, General Services Director, and Jim Lencioni, Telecommunications, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that General Services be authorized to purchase a real time software management system from MCM Technology, Inc., for the management and tracking of equipment, inventory and maintenance expenses incurred for the Washoe County Regional Radio System. It was noted that the proposed software cost is \$49,000; Washoe County's portion is \$12,314; and the balance will be reimbursed by the other partnering agencies participating in the system.

**02-427 COLD SPRINGS WASTEWATER FACILITY PLANNING -
INCREASE SCOPE OF WORK - UTILITY SERVICES**

Upon recommendation of John Collins, Manager, Utility Services Division, through Steve Bradhurst, Director, Department of Water Resources, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that an increase in the scope of work of a previously executed contract related to the Cold Springs wastewater facility planning, in the amount of \$31,960 bringing the total County share to \$143,085, be approved. It was further ordered that Chairman Sferrazza be authorized to execute the First Amendment to Agreement for Consulting Services, between the County of Washoe and Kennedy/Jenks Consultants, concerning same.

02-428 SECURITY AGREEMENT - NATIONAL RIFLE ASSOCIATION - SHERIFF

Upon recommendation of Dennis Balaam, Sheriff, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that the Sheriff's Security Agreement between the County of Washoe (Sheriff) and the National Rifle Association, concerning provision of security services during the April 23-29, 2002, National Rifle Association 2002 Annual Meeting and Exhibits, be approved and Chairman Sferrazza be authorized to execute.

02-429 LEASE AGREEMENT - FRITZ-LIBERTY CENTER - GENERAL SERVICES - CLERK'S OFFICE

Upon recommendation of Tom Gadd, General Services Director, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that the Lease Agreement between the County of Washoe and Lynn C. Fritz dba Fritz-Liberty Center, concerning leasing office space for the Commissioner of Civil Marriages and County Commission Minute staff at 350 South Center Street for a 60-month term commencing June 1, 2002, and for such other terms and conditions as stated therein, be approved and Chairman Sferrazza be authorized to execute. It was further ordered that the Comptroller be directed to effect a budget transfer in the amount of \$27,992 from Public Works (920331-7872) to General Services (1611).

02-430 AMENDMENT TO AGREEMENT - WRC NEVADA, INC. - TRUCKEE RIVER FLOOD MANAGEMENT PROJECT - WATER RESOURCES

Upon recommendation of Jeanne Ruefer, Water Resource Planning Manager, through Steve Bradhurst, Director, Department of Water Resources, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that Amendment #2 to the May 16, 2000 Agreement with WRC Nevada, Inc. for an additional amount, not to exceed \$100,000, to provide engineering and other technical services to the Truckee River Flood Management Project, be approved and Chairman Sferrazza be authorized to execute.

02-431 CORRECTION OF FACTUAL ERRORS - ASSESSOR

Upon recommendation of Jean Tacchino, Assistant Chief Deputy Assessor, on motion by Commissioner Bond, seconded by Commissioner Short, 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 sent 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 Sferrazza be authorized to execute on behalf of the Commission.

PROPERTY OWNER	PARCEL #	AMOUNT	ROLL
Transitional Housing Corp.	004-151-34	[-\$1,253.27]	(2001 Secured Roll)
City of Reno Housing Authority	004-292-18	[-\$16,176.91]	(2001 Secured Roll)
John and Germaine Hamlin	023-141-18	[-\$431.06]	(1999 Secured Roll)
John and Germaine Hamlin	023-141-18	[-\$431.06]	(2000 Secured Roll)
John and Germaine Hamlin	023-141-18	[-\$439.69]	(2001 Secured Roll)
Washoe County	089-152-08	[-\$614.09]	(2001 Supplemental Roll - Improvements Only)
Walter A. and Carol A. Martinez	089-321-03	[-\$60.19]	(1999 Secured Roll)
Walter A. and Carol A. Martinez	089-321-03	[-\$56.50]	(2000 Secured Roll)
Walter A. and Carol A. Martinez	089-321-03	[-\$56.91]	(2001 Secured Roll)
Isabel and Maria Rodriguez	132-270-03	[-\$36.41]	(1999 Secured Roll)
Isabel and Maria Rodriguez	132-270-03	[-\$36.89]	(2000 Secured Roll)
Isabel and Maria Rodriguez	132-270-03	[-\$36.48]	(2001 Secured Roll)

02-432 RESOLUTION - SPECIAL ASSESSMENT DISTRICT NO. 24
(GROUNDWATER REMEDIATION) - AMENDING BOUNDARIES

On motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that the following resolution, calling a hearing on the amendment of the boundaries of Special Assessment District No. 24 (Groundwater Remediation) in Washoe County, Nevada, be adopted and Chairman Sferrazza be authorized to execute:

RESOLUTION NO. 02-432
(of Washoe County, Nevada)

A RESOLUTION CALLING A HEARING ON THE AMENDMENT OF THE BOUNDARIES OF DISTRICT NO. 24 (GROUNDWATER REMEDIATION) IN WASHOE COUNTY, NEVADA; PROVIDING FOR A NOTICE OF HEARING, AND PROVIDING OTHER MATTERS PROPERLY RELATED THERETO.

1. WHEREAS, the Board of County Commissioners (the "Board") of the County of Washoe (the "County") in the State of Nevada has created a district for the remediation of the quality of water (the "District" or "District No. 24") pursuant to NRS §540A.250 through §540A.285; and

2. WHEREAS, subsection 3 of NRS § 540A.250 provides that:

"The District created pursuant to this section must include, without limitation:

- a. the area where the condition which requires remediation is determined by the Board to be present, or for which remediation is determined by the Board to be necessary, including any area to which the condition is expected to migrate unless remediation is carried out; and
- b. if the Board determines that the condition which requires remediation affects the quantity or quality of drinking water within the region, the wholesale and retail service area of any provider of water that has used or uses for any portion of its supply wells located in the area described in paragraph (a)"; and

3. **WHEREAS**, pursuant to NRS § 540A.250 of the Board has had prepared for it a plan for remediation designated the "Central Truckee Meadows Remediation District Final Work Plan February 22, 1996" (the "Plan for Remediation"); and

4. **WHEREAS**, the Plan has been submitted to the Division of Environmental Protection of the State of Nevada (the "Division") and approved by the Division pursuant to Subsection 1 of NRS §540A.260; and

5. **WHEREAS**, the Plan for Remediation indicates that, and based upon such plan the Board has determined that, the condition which requires remediation affects the quality of drinking water within the region; and

6. **WHEREAS**, the boundaries of the District therefore are to include the wholesale and retail water service area of the Truckee Meadows Water Authority ("TMWA"), which is a provider of water service that has used and uses for a portion of its water supply, wells located in the area in which the condition that requires remediation is present; and

7. **WHEREAS**, the boundaries of the District were originally filed in the office of the County Clerk on September 16, 1997, and as so filed, were made the boundaries of the District (the "Original Boundaries") by Ordinance No. 1000, duly adopted by the Board on November 12, 1997; and

8. **WHEREAS**, the Original Boundaries have been amended; and

9. **WHEREAS**, the Board has determined and hereby determines to propose to further amend the boundaries of the District with respect to the fee collected in 1998, 1999, 2000 and 2001 to exclude from the District certain properties, included in the Original Boundaries of the District, which properties did not receive water service involving water provided on a wholesale or retail basis by TMWA during the prior years; and

10. WHEREAS, the Board has determined and hereby determines to propose to amend the Original Boundaries of the District with respect to the fee collected in 2002, to add to and include such Original Boundaries new properties added to the wholesale and retail water service area of TMWA since December 31, 1997; and

11. WHEREAS, the Board has determined and hereby determines to propose to amend the Original Boundaries of the District with respect to the fee collected in 2002 to exclude from the District certain properties, which properties did not receive water service involving water provided on a wholesale or retail basis by TMWA during calendar year 2001; and

12. WHEREAS, each of the following will be filed with the County Clerk (the "Clerk") prior to the publication of a notice of hearing as hereinafter described

- (i) a description of the areas to be so added to the District as described in the 10th preamble hereto, entitled "2002 Description of Areas to be Added to District No. 24" (the "2002 Addition List"), and
- (ii) a list of the properties proposed to be so excluded with respect to the fee imposed in 2002 as described in the 11th preamble hereto, entitled "First List of Properties to Be Excluded from the 2002 Boundaries of District No. 24" (the "First 2002 Exclusion List"); and

13. WHEREAS, pursuant to NRS § 540A.262, the Board is required to hold a hearing before amending the boundaries of the District; and

14. WHEREAS, the Board desires to authorize publication of a notice of the hearing in accordance with NRS § 540A.262.

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

Section 1. A hearing is hereby called on the proposed amendment to the boundaries of the District. The hearing shall be held not less than 15 days after the notice of hearing described herein is published. The Manager is authorized to schedule the hearing and request that the Clerk publish the Notice described below after materials described in preamble 11 (the "Amendments") are filed in the office of the Clerk.

Section 2. Upon receipt of request from the Manager as provided in Section 1, the Clerk is hereby authorized and directed to publish a notice of hearing not less than 15 days prior to the hearing in a display advertisement which is at least 3" x 5" in size in a newspaper of general circulation in the County. The notice shall state that the description of the boundaries and the amendment to those boundaries is on file at the of-

file of the Clerk for public examination. The notice shall be in substantially the following form (placed on file with the Clerk):

Section 3. The Officers of the County are directed to effectuate the provisions of this resolution.

Section 4. All resolutions, or parts thereof, in conflict herewith are hereby repealed to the extent of such inconsistency.

Section 5. The invalidity of any provisions of this resolution shall not affect any remaining provisions hereof.

Section 6. This resolution may be amended in any manner, at any time by the Board. This resolution does not obligate the Board to proceed with the District or issue bonds.

Section 7. The Board has determined, and does hereby declare, that this resolution shall be in effect after its passage in accordance with law.

02-433 AWARD OF BID - 2002/2003 STREET CUT PAVEMENT REPAIR PROJECT - PWP-WA-2002-97 - PUBLIC WORKS

This was the time to consider award of bid, Notice to Bidders having been published in the Reno Gazette-Journal on March 20, and 27, 2002, for the 2002/2003 Street Cut Pavement Repair Project, Washoe County, Nevada, PWP-WA-2002-97. Proof was made that due and legal Notice had been given.

Following is a summary of the base bids received:

Cruz Construction	\$153,340.00
Granite Construction	\$208,050.00
Frehner Construction	\$244,625.00
Sierra Nevada Construction	\$368,475.00

Upon recommendation of Greg Belancio, Engineering Division, through Dave Roundtree, Public Works Director, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that Bid PWP-WA-2002-97 for the 2002/2003 Street Cut Pavement Repair Project be awarded to the low bidder, Cruz Construction, for the base bid in the estimated amount of \$153,340.00; and that Chairman Sferrazza be authorized to execute the contract upon presentation.

02-343 PUBLIC GUARDIAN OFFICE ORGANIZATION

Upon recommendation of Howard Reynolds, Interim Public Guardian, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly

carried, Chairman Sferrazza ordered that the following actions in the Public Guardian's Office be authorized:

1. An organizational change that would result in one Office Assistant II being reclassified to Administrative Secretary, subject to proper classification determination by the Job Evaluation Committee, be approved.
2. One Office Support Specialist be added, subject to review by the Job Evaluation Committee and a six-month deferral from this date in filling the position.

02-435 AQUATIC FACILITY GENERAL ADMISSION AND SEASON PASS FEE INCREASE & REDUCTION IN HOURS OF OPERATION - PARKS

Upon recommendation of Doug Mullens, Recreation Superintendent, through Karen Mullen, Parks and Recreation Director, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that the following fee increases for general pool admission be approved:

Children:	From \$1.50	To \$2.00
Adults:	From \$2.50	To \$3.00
Child's Season Pass	From \$25.00	To \$30.00
Family Pass	From \$80.00	To \$90.00

It was further ordered that staff be directed to reduce the season of operation at County aquatic facilities to coincide with the school district's summer break schedule; and to reduce hours of weekend operation by one hour to be consistent with the weekday schedule.

02-436 FEES - 2002 SUMMER NATURE CAMP AND SCHOOL CAMP PROGRAM - WILBUR D. MAY MUSEUM - PARKS

Upon recommendation of Kristy Lide, Recreation Specialist, through Karen Mullen, Parks and Recreation Director, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that the proposed fee of \$50 per session (3 days/12 hours) for the Summer Nature Camps, 2002, and \$5 per student for the School Camp Program (2 hours) at the Wilbur D. May Museum be approved.

02-437 EMPLOYEE CLASSIFICATIONS, RECLASSIFICATIONS - HUMAN RESOURCES

Upon recommendation of Joanne Ray, Human Resources Director, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that following creation of a new class, reclassifica-

tion of existing positions, classification of new positions and revised pay grade of an existing position be approved:

New Class Specification:

Department	Current Position	Date of Request	Recommended Class	Pay Grade
Justice Court - Incline Village	(new classification)	02/13/02	Court Intern	J100*

*(Same range as Public Service Intern - \$7.50 - \$13.50)

Reclassification of existing positions:

Department	Current Position	Pay Grade	Date of Reclassification Request	Recommended Class	Pay Grade
Public Defender	Deputy Public Defender III	T	03/01/02	Deputy Public Defender IV	U
General Services	Auto Body Repairer	I	12/24/01	Automotive Mechanic	J

Classification of FY 01/02 New Positions:

Department	Current Position	Date of Request	Recommended Class	Pay Grade
Information Technology	(new position)	Approved by BCC for 01/02 Budget on 02/26/02	Network Engineer II	L (M)
Information Technology	(new position)	Approved by BCC for 01/02 Budget on 02/26/02	Senior Network Engineer	P

Revised Pay Grade of an Existing Position:

Department	Current Position	Current Pay Grade	Recommended Pay Grade
Public Guardian	Public Guardian	R	S

02-438 CONSIDERATION OF REDUCTION IN NUMBER OF TOWNSHIPS AND JUSTICE COURTS

Pursuant to questions at Caucus, Katy Singlaub, County Manager, advised that the terms of office for the Gerlach, Verdi and Incline Village Justices of the Peace will end in 2006; and the Board appointed Terry Graham as Wadsworth Justice of the Peace to complete a term ending the first Monday in January, 2007. A discussion ensued

concerning whether Judge Graham was appointed for a longer term or whether he would need to run for election this year.

Commissioner Galloway stated Incline Village Justice Court should not be abolished and suggested staff research Wadsworth, Gerlach and Verdi further to determine where and how to best combine those courts into the Reno or Sparks Justice Courts. He stated notice should be given that the Commission intends to abolish those Justice Courts when the current terms of office expire. Madelyn Shipman, Assistant District Attorney, advised that an ordinance changing the township boundaries would be needed. Anna Heenan, Senior Administrative Analyst, suggested combining the Gerlach and Wadsworth townships and courts.

Following further discussion, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, staff was directed to prepare an ordinance for future Board consideration to annex the Verdi Justice Court and township into the Reno Justice Court and township and to annex the Gerlach Justice Court and township into the Wadsworth Justice Court and township.

02-439 UNIVERSITY RIDGE PARK - UPDATE FROM CITY OF RENO

Chairman Sferrazza provided background information concerning the park for the University Ridge area that was supposed to have been built and the difficulty the residents have had getting the issue before the Reno City Council.

Ed Schenk, Reno Park Planning Manager, advised the attorneys are trying to work out an agreement whereby the City of Reno can acquire the land from the developer and build the park.

Commissioner Galloway then asked Mr. Schenk several questions concerning the funds that have been designated and/or set aside for this park.

Chairman Sferrazza stated he wants this issue referred to the Reno City Council because the City Attorney has not informed the Council about this situation. He further stated the County has the right to make these inquiries because of the bond money involved, noting that he requested the bond money with the understanding that the City was going to follow through and build this park.

Madelyn Shipman, Assistant District Attorney, cautioned that it might not be appropriate for Council to have a public discussion of an issue when litigation is pending.

On motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried with Commissioner Bond voting "no," it was ordered that staff be directed to draft a letter to Reno Mayor Griffin and the Reno City Council for Chairman Sferrazza's signature requesting this issue be placed on a Council meeting agenda for discussion and possible action by the City, or in the alternative, that the City

Attorney meet either publicly or privately with each Council member to inform them of this situation. It was further ordered that the item be continued so the Commission can be updated concerning what action the City takes.

Commissioner Bond objected to continually bringing the issue back to the Commissioners because it is a City of Reno matter. Following further discussion, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried with Commissioner Galloway voting "no," Chairman Sferrazza ordered that the motion be reconsidered.

On motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, it was ordered that staff be directed to draft a letter for Chairman Sferrazza's signature informing the Reno City Council about the County Commissioners' concerns regarding the University Ridge Park and requesting they meet with their City Attorney either in a public or private session to address the concerns. It was further ordered that the item be included on the Commission's May 21, 2002 agenda for an update and possible staff direction.

02-440 BILL NO. 1338 -AMENDING WCC CHAPTER 5- PUBLIC GUARDIAN

Bill No. 1338 entitled, "AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY CREATING THE OFFICE OF THE PUBLIC GUARDIAN; PROVIDING FOR THE APPOINTMENT TO SUCH OFFICE AND THE DUTIES AND COMPENSATION THEREOF; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO" was introduced by Commissioner Shaw, the title read to the Board and legal notice for final action of adoption directed.

02-441 ACCEPTANCE OF DEDICATION OF PARCEL AND ASSOCIATED WATER SUPPLY - TRUCKEE RIVER CANYON - WATER RESOURCES

Commissioner Galloway expressed a concern about the water for the Canyon General Improvement District coming from Storey County and the Commission not having any control over the rates. He stated he would want the County rate to be charged with a provision that adjustments, up or down, could be made based on the rates Storey County charges Washoe County.

Madelyn Shipman, Assistant District Attorney, stated that would require a change in County policy. John Collins, Manager, Utility Services Division, advised that staff is currently working on an agreement with Canyon GID which includes a paragraph that specifically states that the GID cannot arbitrarily increase the rates without Washoe County being involved.

On motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, it was ordered that dedication of a 99,685 square foot parcel of land and associated water supply, pumping treatment and storage facilities lo-

cated in the Truckee River Canyon be accepted; that Chairman Sferrazza be authorized to execute the Deed and the Quitclaim Deed; and that staff be directed to record the deeds, **subject to** appropriate policy revisions and staff including the rate language described by Mr. Collins in the agreement with Canyon General Improvement District, both of which are to be brought to the Board in the future for consideration and approval.

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Commissioner Galloway temporarily left the meeting.
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02-442 RESOLUTION - SPECIAL ASSESSMENT DISTRICT NO. 34
(RIVERDALE/RIVER PINES WATER IMPROVEMENTS)

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

RESOLUTION NO. 02-442
(of Washoe County, Nevada)

A RESOLUTION DIRECTING THE ENGINEERS ON BEHALF OF THE COUNTY TO PREPARE AND FILE WITH THE COUNTY CLERK PRELIMINARY PLANS AND AN ASSESSMENT PLAT IN CONNECTION WITH A PROPOSED WATER PROJECT IN SPECIAL ASSESSMENT DISTRICT NO. 34 (RIVERDALE/RIVER PINES), FOR THE ACQUISITION AND IMPROVEMENT OF A WATER PROJECT IN WASHOE COUNTY PURSUANT TO THE CONSOLIDATED LOCAL IMPROVEMENT LAW, AND ALL LAWS AMENDATORY THEREOF AND SUPPLEMENTAL THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF.

WHEREAS, the Board of County Commissioners (herein "Board") of the County of Washoe (herein "County") in the State of Nevada is of the opinion and has determined and does hereby declare that the interest of the County of Washoe requires the acquisition and improvement of a street project as defined in NRS §271.250 (the "Project"); and

WHEREAS, for the purpose of designation and identification it is desirable that the hereinafter described Project be known and identified as "Washoe County, Nevada, Special Assessment District No. 34 "(Riverdale/River Pines)" (the "Improvement District" or "District").

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

Section 1. The Department of Water Resources, as engineer for the County (the "Engineer") is hereby directed to prepare, and file with the County Clerk preliminary plans showing a typical section of the contemplated improvements, the type or types of material, approximate size of pipe and depth of placement, thickness and wideness, and a preliminary estimate of the total cost (including all incidental cost), and a preliminary estimate of the portion of the total cost to be assessed for the acquisition and improvement of the Project, which is more particularly described as the acquisition and improvement of the Project from the vicinity of River Pines Drive within the Riverdale and River Pines subdivisions. The Project will consist of the construction of a complete water supply, transmission and distribution system, storage tank, fire hydrants and services.

Section 2. Except as shown on the preliminary plans for the District to be filed by the Engineer with the County Clerk, the character of the improvements for the Project shall be described more particularly as acquisition and improvement of facilities appertaining to a municipal water system for the collection, transportation, treatment, purification and distribution of water as more particularly described in NRS 271.250.

Section 3. Except as shown on the preliminary plans to be filed by the Engineer in the office of the County Clerk, the character and location of the Project shall be as described in Sections 1, 2 and 6 hereof.

Section 4. The Engineer is hereby directed to estimate the cost of each type of construction in a lump sum or in unit prices, or as the Engineer determines is most desirable for the construction, acquisition, improvement and installation of the Project. Such preliminary estimate of costs shall also include, without limiting the generality of the foregoing, the advertising, appraising, engineering, legal, printing and such other expenses as in the judgment of such Engineer are necessary or essential to the completion of such work or improvement attributable to the costs in the improvement district and the payment of the cost thereof. The entire cost of the Project is of special benefit and shall be paid by special assessment against the tracts benefitted.

Section 5. The Engineer is hereby directed to prepare and file with the County Clerk an assessment plat showing the area to be assessed, the market value and a description of each tract, the name and address of each owner, the amount of estimated maximum benefits to be assessed against each tract based proportionately on the benefits received and the basis of the method of assessment. Such estimated benefits may be shown by an attached addendum to the plat which may be designated as the preliminary assessments roll or tabulation of parcels. An equitable adjustment will be made for assessments to be levied against wedge or V or other irregularly shaped lots or lands, if any, and for any tract or parcel not specially benefitted by the improvements so that assess-

ments according to benefits are to be equal and uniform. In any event, the assessments shall be against all lots benefitted by the Project proportionally to benefits received.

Section 6. The boundaries of the improvements in the District shall be located within and outside the Riverdale and River Pines subdivisions.

Section 7. The officers of the County are directed to effectuate the provisions of this resolution.

Section 8. All resolutions, or parts thereof, in conflict herewith are hereby repealed to the extent of such inconsistency.

Section 9. The invalidity of any provision of this resolution shall not affect any remaining provisions hereof.

Section 10. The Board of County Commissioners has determined, and does hereby declare, that this resolution shall be in effect after its passage in accordance with law.

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Commissioner Galloway returned to the meeting.
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02-443 BILL DRAFT REQUEST - BDR 21-XXXX - INCORPORATED TOWNS

Katy Singlaub, County Manager, stated staff is seeking Board input regarding draft legislation presented by NACO providing for the creation and administration of incorporated towns. She stated the discussion at the Caucus meeting was the concern regarding "cherry-picking" of services without requiring the appropriate responsibilities, especially when it comes to land use planning.

John Slaughter, Strategic Planning Manager, submitted staff's suggested comments and changes; highlighted items staff feels the County should focus on; and stated, if an incorporated town were to choose land use planning and zoning as a service they want to provide, they should also take responsibility for other associated services.

Commissioner Bond asked just how realistic these ideas are, stating she cannot imagine how an incorporated town would coordinate with the infrastructure surrounding it, should they decide to assume some of these powers. Mr. Slaughter stated that is also staff's concern, and he cited land use and zoning as a power that should require other related functions to be performed by the incorporated town because if they are not, they will "spill-over" and the County will have to provide the service(s). There was also discussion concerning the regional planning legislation and any zoning and land use decisions made by an incorporated town would have to comply with the regional plan.

Commissioner Galloway stated where services, such as fire, water, sewer, etc., are provided by a district, that should not change, but an entity should not be allowed to do land use planning and zoning unless they are also willing to provide police protection and construction and maintenance of roads.

Madelyn Shipman, Assistant District Attorney, advised that, as the bill is currently written, there would be no place within Washoe County, with the possible exception of Incline Village, that would be eligible to become an incorporated town.

On motion by Commissioner Galloway, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that the language "unless already provided by a special taxing district" be added to No. 3 of staff's comments and changes and same be presented as the Board's position on the proposed bill draft.

Chairman Sferrazza asked if the Board wanted to try to reduce or eliminate the 7-mile guidelines. Following discussion, on motion by Commissioner Galloway, seconded by Chairman Sferrazza, which motion duly carried, it was ordered that the 7-mile requirement be eliminated for counties whose population is over 100,000 but under 400,000.

**02-444 RESOLUTION - WASHOE COUNTY DEVELOPMENT CODE
AMENDMENT - VETERINARY SERVICES, AGRICULTURAL**

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

RESOLUTION

**INITIATING AN AMENDMENT TO THE WASHOE COUNTY
DEVELOPMENT CODE RELATING TO VETERINARY SERVICES,
AGRICULTURAL**

WHEREAS, The Washoe County Development Code allows the establishment of Veterinary Services, Agricultural on rural designated property; and

WHEREAS, The Washoe County Development Code permits the establishment of a commercial kennels and commercial stables on rural designated property; and

WHEREAS, The Washoe County Development Code permits the establishment of Veterinary Services for small animals on Suburban and Commercial properties but does not permit their establishment in a combination veterinary facility on rural designated property; and

WHEREAS, It may be reasonable to permit small animal veterinary care in a combination facility with both large and small animals; and

WHEREAS, Many residents would prefer having all their veterinary needs provided by one inclusive facility; and

WHEREAS, now, therefore, be it

RESOLVED That the Washoe County Board of Commissioners does hereby initiate an amendment to Article 304, Animal Sales and Services Classification Use System, to expand the definition of Veterinary Services, Agricultural of the *Washoe County Development Code* without prejudice to the final dispensation of the proposed amendment.

02-445 DISCUSSION - TAX OVERRIDE PROPOSALS - BALLOT QUESTIONS

John Sherman, Finance Director, explained that there are a number of proposals that have been or will be submitted to the Debt Management Commission for consideration of placing them on the November ballot. He drew the Board's attention to charts showing the current total overlapping tax rates and the effect of the potential tax overrides, which demonstrated that the \$3.64 cap would be exceeded if the voters approved all the questions. Mr. Sherman then described the proposals for a new animal shelter, the Reno parks bond, and the City of Sparks tax override for fire protection, as well as the other potential items, such as Reno's baseball stadium and what the School District might be proposing. He then responded to several questions from Board members.

A discussion ensued concerning the animal shelter tax override, and Commissioners Galloway and Sferrazza suggested the entities could reduce their operating rates to account for their current expenditures for animal control services.

Katy Singlaub, County Manager, also pointed out that the City of Reno is considering withholding their annual payment towards the jail operation. She stated that would translate into another 2-cents the County would have to impose if the jail payment is not made. Chairman Sferrazza stated his latest understanding regarding that issue was that the City would also reduce its operating rate accordingly.

Chairman Sferrazza noted that several people had requested to speak and began calling on them.

Elisa Maser, Support the Arts and Recreation PAC, reported that Reno Councilman Dave Aiazzi and Reno staff have had discussions with the parties concerning ideas to allow room for both the arts and parks bond and the animal shelter bond. She stated many ideas are currently being discussed in an attempt to work out a solution and still stay under the tax cap. Ms. Maser responded to several questions of Board members,

and a discussion ensued concerning the municipal services tax and the regional plan update.

Charles Jarvi, Federal Animal Rescue Group, Steve Ricker and Susan Asher of the Nevada Humane Society, and Jake Wiskerchen, Reno Animal Services, discussed the need for a new animal shelter and urged the Board to make it a priority.

Steve Brown, Reno-Sparks Chamber of Commerce, described the Chamber's goal of having a minor league baseball team with a major league affiliation located in Reno, and stated they believe a 5,000-seat stadium could be built for approximately \$16-million, which would enable them to attract a team.

Susan Jamerson, Reno Recreation and Parks Commission, and Susan Mayes-Smith, Theater Coalition and Lear Theater, stated they are trying to compromise with the animal shelter and baseball stadium folks to come up with a win-win for everyone and urged the Board to support these efforts to improve the quality of life for Truckee Meadows citizens. They also stressed the importance of letting the citizens vote on these issues.

Commissioner Shaw stated there is no doubt about the need for these various projects for the community, but there is only so much money. He commended the groups for working together to consolidate proposals and reach a compromise. He expressed his support for the animal shelter, his concern regarding the Reno parks bond, his belief that something should be set aside for the School District, and his concern about setting something aside for County needs related to public safety.

Commissioner Galloway expressed his concerns that the operation and maintenance costs associated with all the proposed new facilities have not been fully taken into consideration; and, if these proposals were approved, there would be no room to raise the operating rate. He further explained that the mandate to the Debt Management Commission is that public safety, health and education have priority when there is not enough capacity in the tax cap for everything to be approved.

Chairman Sferrazza voiced his support for a new regional animal shelter, but stated he could not support the County's request that 5-cents of the County's authorized, but unlevied, operating rate be reserved for the future because the citizens would not have an opportunity to vote on that. He further stated he does support the arts, but he believes Reno's \$60-million request has to be scaled back. Chairman Sferrazza further stated he would like to see the animal shelter and all animal control services regionalized, with the tax override amount being enough to cover everything. He stated if that happened, funds currently being used by the entities for animal services would be freed up and could be used for parks or other needs.

Commissioner Bond stated she feels the new animal shelter and the County's reservation of some of the operating rate are very important. She expressed her concern regarding future funding for child protective services, since the State has turned

its functions over to the County, and neither the County nor the State have identified a funding source. Commissioner Bond stated the arts are a wonderful contribution to society, but there is just not enough taxing authority left to have everything all at once.

Commissioner Short expressed his support for the new animal shelter and cautioned everyone that just because an item gets on the ballot does not mean it will happen. He also discussed critical needs in the County, such as child protective services, keeping the jail and the courts operating, etc., and stated reserving some of the rate for the County is extremely important.

Commissioner Galloway stated the issue of the operating rates for all of the entities for the next fiscal year still needs to be addressed, and it is very critical that the Debt Management Commission act on the County's reservation request because, if there is no reservation, the County may have to raise the operating rate even more.

Following Board deliberations, on motion by Commissioner Galloway, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that staff be directed to request that the Debt Management Commission reserve 5-cents of Washoe County's authorized but unlevied operating rate for future needs and that staff be further directed to submit a proposal to the Debt Management Commission concerning a tax override ballot question for a new regional animal shelter in the amount of 4-cents to fund capital and operation. Commissioner Galloway noted the 4-cents is subject to revision based on the actual proposal prepared by staff.

Ted Harris, Incline Village resident, stated Incline Village residents are becoming very concerned with this insatiable demand for tax money. He said the County wants 5-cents more on the operating rate; Reno wants \$60-million for parks and recreation; there is \$11-million for a pet shelter; and there is \$16-million for a baseball stadium. He stated Incline Village takes care of its own parks and gets nothing from the County to assist with their parks and recreation; and they have built their own pet shelter. He asked if there would be any money in these bonds for Incline Village or if there was any reason Incline Village residents should support these ballot issues.

Chairman Sferrazza explained the bonds for the Reno parks and recreation proposal would be voted on and paid for by the citizens of Reno only; the Commissioners are not supporting the baseball stadium, but, if it were to go on the ballot, it would also be strictly the City of Reno; Incline Village residents would have the opportunity to vote on the animal shelter proposal; and Washoe County does provide animal control services in Incline Village. He further stated some misinformation has been published in the newspaper, and the Board has not yet made the final decision on the operating rate.

Commissioner Galloway pointed out that over the last eight years the County has been very fiscally responsible and has only raised the tax rate 2.5-cents, 2-cents of which was with a vote of the people. During the same eight years, the City of Reno raised their operating rate 22.5-cents, which is why the region is very close to the

tax cap of \$3.64, and if the County does not do something now, it may not have the ability to do anything in the future to keep County operations and services functioning.

Mr. Harris brought up the increase in revenues the County has received due to the increase in assessed values, and stated that hits Incline Village the hardest.

Katy Singlaub, County Manager, and Katie Stevens, Washoe County Animal Control Supervisor, explained that Pet Network in Incline Village has been a great public-private partnership and a great asset to the County's animal services system, but it is an adoption center, not an impoundment facility. They stated animals are held there until they can be brought to the shelter in Reno, and the County does, and will continue to, provide animal control services at Incline Village.

**02-446 PROPOSED \$.065 TAX OVERRIDE BALLOT QUESTION FOR
FIRE PROTECTION – RESOLUTION - CITY OF SPARKS**

Commissioner Sferrazza stated that, in light of the previous Board action to reserve 5-cents for Washoe County and 4-cents for the animal shelter, the Board might need to indicate opposition to a portion of the request received from Sparks. Commissioner Galloway commented that the Board should only state that no rate is available, because if the Debt Management Commission decided to kill the animal shelter ballot question, the rate would then be available.

Terri Thomas, Finance Director, City of Sparks, said they hope the Board would act on their question today, which is very important to Sparks and is critical to the public safety of their citizens.

Commissioner Galloway noted that, based on the action taken by the Board today, only 2.96-cents would be available. Commissioner Sferrazza said he would support the maximum available tax override, less the reserve the County is requesting. Commissioner Galloway said he would not object to a tax override for Sparks for the remaining 2.96-cents. Ms. Shipman said the Board would need to either approve or object to the Sparks proposal but could state their reasons.

Following further discussion, Commissioner Galloway moved, seconded by Commissioner Shaw, to adopt the resolution *objecting* to the proposal of the City of Sparks to levy a special elective tax for 6.5-cents for fire protection. It was noted the reason for the objection is that the amount requested puts the overlapping rate over what is available; and the objection does not necessarily mean the Board would object if the Sparks proposal could be brought into the remaining operating rate.

Commissioner Galloway noted that by the time the Debt Management Commission hears the Sparks proposal, Sparks may have levied less of an increase in operating rate and, under this motion, if the increase is sufficiently less, the Board's objection would go away. He said the objection is premised on the fact that it exceeds the override availability based on the budgeted proposed operating rate increase. He stated

there may be other reasons the availability rate would increase, and, during their deliberations for resolving the conflict, the Debt Management Commission could take into account whether the reasons for the objection no longer exist.

Commissioner Shaw stated that, as much as he would like to approve the proposal as a representative of the City of Sparks on the County Commission, he does not see any other option available because there is not enough money to move forward with the 6.5-cents being requested.

On call for the question, the Board voted unanimously to adopt the following resolution *objecting* to the proposal of the City of Sparks to levy a special elective tax for 6.5-cents for fire protection, and authorized Chairman Sferrazza to execute:

RESOLUTION NO. 02-446

A RESOLUTION OBJECTING TO THE PROPOSAL OF THE CITY OF SPARKS TO LEVY A SPECIAL ELECTIVE TAX FOR FIRE PROTECTION AND THE SUBMISSION OF THE PROPOSAL TO THE WASHOE COUNTY DEBT MANAGEMENT COMMISSION AND THE QUALIFIED ELECTORS OF THE CITY; CONCERNING ACTION TAKEN THEREON AND APPROVING CERTAIN DETAILS IN CONNECTION THEREWITH.

WHEREAS, pursuant to NRS 350.0135, the City Council (the "Council") of Sparks, Nevada (the "City"), determined that Washoe County (the "County") is an affected governmental entity, notified the Board of County Commissioners of the County (the "Board") of the City's proposal to levy a special elective tax for fire protection, the estimated amount the proposal would increase property taxes and the potential effect of the increase on the County; and

WHEREAS, the Council proposes to submit the following proposal to the qualified electors of the City for their approval or disapproval:

FIRE PROTECTION TAX OVERRIDE PROPOSAL:

Shall the City Council of the City of Sparks be authorized to levy an additional property tax rate for fire protection purposes (including, without limitation, acquiring, constructing, equipping and improving fire protection facilities, the repayment of debt issued therefor, and operating and maintaining fire protection facilities) of 6.5 cents per \$100 assessed valuation for a period of 30 years commencing July 1, 2003? The cost for the owner of a new \$100,000 home is estimated to be \$22.75 per year.

(the "Proposal"); and

WHEREAS, before the City submits the Proposal to the Washoe County Debt Management Commission (the "Commission"), the County must, within 45 days of receipt of the Proposal, by resolution approve or object to the Proposal; and

WHEREAS, the County has considered all matters in the premises.

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

Section 1. This resolution shall be known as the "2002 City of Sparks Fire Protection Tax Objection Resolution."

Section 2. The Board hereby objects to the Proposal to be submitted to the Debt Management Commission and the qualified electors of the City of the levy of the special elective tax for the purposes set forth in the Proposal for the reasons stated at this meeting relating to adoption of this Resolution.

Section 3. The Clerk is hereby directed to promptly provide to the City a copy of the minutes of this meeting relating to the adoption of this Resolution together with a certified copy of this Resolution; and the City shall provide the Commission with notification in writing of the County's objection when submitting the Proposal to the Commission.

Section 4. The County and the officers thereof hereby are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution.

Section 5. All bylaws, orders, resolutions or parts thereof in conflict with this resolution are hereby repealed. This repealer shall not be construed to revive any by-law, order, resolution or part thereof heretofore repealed.

Section 6. If any section, paragraph, clause or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity of unenforceability of the section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution.

Section 7. This resolution shall become effective and be in force immediately upon its adoption.

02-447 REGIONAL PLAN UPDATE – COMMUNITY DEVELOPMENT

Eric Young, Community Development, provided a brief report on the regional plan update process. He advised that the Regional Planning Governing Board (RPGB) would be reviewing the draft regional plan document on May 9. He provided a copy of a letter Commissioner Bond sent to the RPGB Chairman requesting that certain

items be placed on their agenda. Mr. Young also provided a copy of a memorandum from Karen Mullen, Director, Department of Parks and Recreation, to Bob Webb, Acting Director, Community Development, which describes the damage that might be done to the Ballardini Ranch and Huffaker Hills acquisition process if they are included in the Reno sphere of influence. He said the memorandum would be sent to all Regional Planning Commissioners and RRGB members and includes an invitation to tour those areas to better understand their importance.

Commissioner Galloway commended Mr. Young and everyone who worked on this project.

**02-448 ORDINANCE NO. 1161 - BILL NO. 1337 - AMENDING WCC
CHAPTER 95 – DISCOUNT FEES AND SPECIAL GROUP RATES
FOR USE OF COUNTY FACILITIES**

5:30 p.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on April 12, 2002, to consider second reading and adoption of Bill No. 1337. Proof was made that due and legal Notice had been given.

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

On motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that Ordinance No. 1161, Bill No. 1337, entitled, "**AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY ADDING THERETO PROVISIONS AUTHORIZING THE COUNTY MANAGER TO DISCOUNT FEES AND OFFER SPECIAL GROUP RATES FOR USE OF COUNTY FACILITIES AND ATTENDANCE AT COUNTY EVENTS,**" be approved, adopted and published in accordance with NRS 244.100.

**02-449 COMPREHENSIVE PLAN AMENDMENT CASE NUMBER
CP02-002 (TMJDKC, LLC) – INCLINE VILLAGE TOURIST
COMMUNITY PLAN - ADMINISTRATIVE CHANGES -
COMMUNITY DEVELOPMENT**

5:30 p.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on April 12, 2002 to consider a request to amend the Incline Village Tourist Community Plan, a part of the Tahoe Area Plan, being a part of the Washoe County Comprehensive Plan. The amendment request would add "Schools – Kindergarten to Secondary" as a Permissible Special Use in the Incline Village Tourist Community Plan. The parcel is found within the Incline Hydrologic Area of the Tahoe Basin, in Section 16, T16N, R18E, MDM. Proof was made that due and legal Notice had been given.

Chairman Sferrazza advised a request was received to continue this item to May 14, 2002. He opened the public hearing and called on anyone wishing to speak and there was no response.

On motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that this item be continued to May 14, 2002.

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There being no further business to come before the Board, the meeting adjourned at 5:50 p.m.

PETER J. SFERRAZZA, Chairman
Washoe County Commission

ATTEST:

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

*Minutes Prepared By:
Sharon Gotchy and Barbara Trow
Deputy County Clerks*