BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY <u>2:00 P.M.</u> MAY 14, 2002

PRESENT:

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

Amy Harvey, County Clerk
Nancy Parent, Chief Deputy 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. Commissioner Galloway arrived at the meeting after the roll call.

02-452 <u>AGENDA</u>

In accordance with the Open Meeting Law, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, with Commissioner Galloway temporarily absent, Chairman Sferrazza ordered that the agenda for the May 14, 2002 meeting be approved with the following amendment: <u>Delete</u> – Item 7N(4) concerning retention of Swendseid & Stern as Bond Counsel for Special Assessment District 33 (Mt. Rose Sewer Phase 2) and obtaining deposit from SAD 33 petitioner.

*2:05 p.m. Commissioner Galloway arrived at the meeting.

PUBLIC COMMENTS

Sam Dehne, Reno citizen, discussed issues relating to last week's Regional Governing Board meeting. He said it was disturbing that SNCAT decided not to replay the meeting, and noted the majority of people present were upset about the new regional plan.

Del Williams, Chair, Bicycle/Pedestrian Advisory Committee, discussed concerns regarding several incidents that have occurred over the years where some County departments have interfered with their meetings and activities. He said the business of one County function should not interfere with another.

Eddie Anderson, County citizen, spoke about issues relating to the train trench petition and the millions of dollars the City of Reno stands to lose if the project dies. He said the community needs pro job and pro business leadership from City and County government.

Commissioner Galloway questioned whether people who address the Board could be asked if they are on the payroll of any organization. Mr. Anderson stated that he is not on anyone's payroll. Commissioner Galloway asked if lobbyists or representatives of groups should identify themselves. Legal Counsel Shipman said a clarifying question on matters being presented under public comments could be asked.

MANAGER'S/COMMISSIONERS' COMMENTS

Commissioner Short advised he has received several requests for information regarding the County's policy on avigation easements and building permits and would like to discuss this issue at a future date.

Commissioner Bond said she has received many complaints about dogs packing together and threatening residents of Wadsworth and would like this matter looked into. She then stated that, because of the current fiscal constraints, she would like County staff to determine whether things occurring in the community represent a duplication of effort in order to allow staff to concentrate on the most important community issues.

Commissioner Galloway stated he would like to be listed with Commissioner Bond as a requester of the Wadsworth dog issue. He said he would like to receive information on how congested areas are determined relative to dogs.

Chairman Sferrazza said he would like to be listed as a requester on the Wadsworth dog problem. He requested a discussion item be placed on a future agenda concerning the possibility of conditioning the municipal service tax ballot question on an amendment of the regional plan.

02-453 <u>RESOLUTION – HONORING THE LIFE OF STANLEY J.</u> DRAKULICH

Commissioner Shaw went to the podium, read the Resolution honoring the life of Stanley J. Drakulich, and presented a plaque to the Drakulich family. John Drakulich expressed appreciation for this recognition.

On motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the following Resolution be adopted and Chairman Sferrazza be authorized to execute the same on behalf of the Commission:

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RESOLUTION

WHEREAS, The Washoe County community recently suffered the loss of former Sparks City Councilman and Nevada State Senator Stanley J. Drakulich; and

WHEREAS, Stan was born in the copper mining town of Riepetown, Nevada in 1927. He was the youngest of 12 children born to Yugoslavian immigrants Jovo and Julka d'Mitransovic Drakulic; and

WHEREAS, After graduating high school, Stan served his country in the U.S. Maritime Service, the U.S. Merchant Marine and the U.S. Army during World War II and in the U.S. Marine Corps during the Korean War; and

WHEREAS, Stan then attended the University of Nevada with no financial aid other than a G.I. Bill and was a dedicated blue collar student athlete, earning nine letters in football, boxing and track while working 40 to 50 hours a week in jobs ranging from janitor to casino change person, coin wrapper and bingo agent. Stan was also a proud member of the Alpha Tau Omega fraternity; and

WHEREAS, Stan went on to serve society as teacher, coach, businessman, city councilman and state legislator. His work included efforts to initiate what is now the Sparks Marina; and

WHEREAS, Stan never forgot his Riepetown upbringing, Serbian heritage and his parent's struggle to build a better life in what was once considered one of the toughest towns in the west; all proudly remembered and passed on for the benefit of the rest of us in his autobiography, *Riepetown Serb*; and

WHEREAS, Stan has been described as being made of tougher stuff than most politicians and a man who knew the meaning of hard work who wasn't afraid to take a roll in shaping the City of Sparks and the State of Nevada; and

WHEREAS, In his own words, Stan's life personified that we each have much to be thankful for in our own lives and wanted his legacy to be that he was a good husband to his wonderful wife and that was all he needed to make a loving family. He also believed that, regardless of what roadblocks we encounter, we live in the greatest country in the world and things will always work out if we just hang in there; now, therefore, be it

RESOLVED, That the Washoe County Board of Commissioners, on behalf of all the citizens of Washoe County, honor the life of Stan Drakulich, reflect upon his many contributions to the City of Sparks and the State of Nevada and offer condolences to family and friends of a man who believed that all obstacles could be overcome through hard work and determination.

MINUTES

On motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that the minutes of the regular meeting of March 26, 2002, be approved.

02-454 PROCLAMATION – NO EXCEPTIONS, NO EXCUSES, BUCKLE UP NEVADA CAMPAIGN – MAY 19 – JUNE 2, 2002

Chairman Sferrazza read the Proclamation. On motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that the following Proclamation be adopted and Chairman Sferrazza be authorized to execute the same on behalf of the Commission:

PROCLAMATION

WHEREAS, Motor vehicle statistics show that one in every 10,000 motorists in Nevada was killed in a motor vehicle crash in 2001 for a total of 239 motor vehicle occupant fatalities; and

WHEREAS, Of the 239 motorists killed in motor vehicle crashes in Nevada, 156 of the occupants were not wearing their seatbelt, and

WHEREAS, The National Highway Traffic Safety Administration (NHTSA) calculates that 70 Nevadans, including 11 residents of Washoe County, could have survived if they or their children would have been buckled up; and

WHEREAS, National and state studies have disclosed that a disproportionately high number of traffic fatalities resulting from not wearing a seatbelt are from minority communities; and

WHEREAS, In other communities across the United States, state and local officials have increased seatbelt and child restraint usage by strictly enforcing occupant protection laws coupled with strong public information and education campaigns; and

WHEREAS, Nevada will be one of twelve states involved in a special nationwide campaign to drastically increase seatbelt use from the current rate of 74.5 percent to 81 percent; now therefore, be it

PROCLAIMED, By the Washoe County Board of Commissioners that May 19 through June 2, 2002 be designated for the "No Exceptions, No Excuses, Buckle Up Nevada" campaign to increase safety belt use. The Board encourages all law enforcement agencies within Washoe County to participate in this worthwhile effort and all county and local agencies to give the campaign their full support. Furthermore, we

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encourage all motor vehicle operators within Washoe County to join in this effort to keep our highways safe.

02-455 <u>SEXUAL ASSAULT - MEDICAL CARE – PAYMENT – DISTRICT ATTORNEY</u>

Pursuant to NRS 217.280 to 217.350, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that payments with funds from the District Attorney's account designated Sexual Assault Victims Expenses be authorized for initial emergency medical care and follow up medical or psychological treatment for 42 sexual assault victims in an amount totaling \$8,410.49 as set forth in a memorandum from Lidia Osmetti, Office Manager, District Attorney's Office, dated April 22, 2002, and placed on file with the Clerk.

02-456 REPORT – GENERAL FUND CASH FLOWS AND SCHEDULES – GOLF COURSE FUND SCHEDULES – UNAUDITED COMPTROLLER

Upon recommendation of Kathy Garcia, Comptroller, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that the General Fund Cash Flows and Schedules and Golf Course Fund Schedules for the nine months ended March 31, 2002 – Unaudited be accepted.

02-457 RESOLUTION – AMENDED SOUTH VALLEYS AREA PLAN – COMPREHENSIVE PLAN AMENDMENT CASE NO. CP01-002 – COMMUNITY DEVELOPMENT

Upon recommendation of Sandra Dutton, Planner, Community Development, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that, based on the finding of conformance with the Truckee Meadows Regional Plan, the following Resolution adopting the South Valleys Area Plan (CP01-002), as requested by Joseph Leisek, be approved and Chairman Sferrazza be authorized to execute the same on behalf of the Commission:

RESOLUTION ADOPTING THE AMENDED SOUTH VALLEYS AREA PLAN (CP01-002), A PART OF THE WASHOE COUNTY COMPREHENSIVE PLAN

WHEREAS, Section 278.150 and 278.210, Nevada Revised Statutes, specifies that the Washoe County Planning Commission may prepare, adopt and amend a master (comprehensive) plan for all or any part of the County, subject to County Commission approval;

WHEREAS, The Washoe County Planning Commission has found that the SOUTH VALLEYS AREA PLAN, a part of the Washoe County Comprehensive

Plan, and the most recent amendment, provides a long-term general plan for the development of the County including the subject matter currently deemed appropriate for inclusion in the Comprehensive Plan;

WHEREAS, Section 278.220, Nevada Revised Statutes, specifies that the Board of County Commissioners of Washoe County, Nevada, may adopt and endorse plans for Washoe County as reported by the Planning Commission, in order to conserve and promote the public health, safety and general welfare;

WHEREAS, A public hearing on the adoption of the Washoe County Comprehensive Plan, including the SOUTH VALLEYS AREA PLAN, was held on May 21, 1991, with the most recent amendments to the SOUTH VALLEYS AREA PLAN being held on January 8, 2002, by the Board of County Commissioners of Washoe County, Nevada;

WHEREAS, At the conclusion of the public hearing, the Board of County Commissioners endorsed the amendment to the SOUTH VALLEYS AREA PLAN, a part of the Washoe County Comprehensive Plan, pursuant to Section 278.0282, Nevada Revised Statutes, for conformance review with the Truckee Meadows Regional Plan;

WHEREAS, A public hearing for the review of conformance of the Washoe County Comprehensive Plan, including the SOUTH VALLEYS AREA PLAN, was first held on October 23, 1991, with the most recent amendment to the SOUTH VALLEYS AREA PLAN being held on March 27, 2002, by the Truckee Meadows Regional Planning Commission, at which time the plan was deemed in conformance with the Truckee Meadows Regional Plan; and

WHEREAS, The amendment to the SOUTH VALLEYS AREA PLAN, a part of the Washoe County Comprehensive Plan, which is in conformance with the Truckee Meadows Regional Plan, has completed all the necessary requirements for adoption as specified in the Nevada Revised Statutes and Article 820, Amendment of Comprehensive Plan, of the Washoe County Development Code; now, therefore, it is hereby

RESOLVED, BY THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY, NEVADA, That the Board does hereby adopt and endorse the amended SOUTH VALLEYS AREA PLAN, a part of the Washoe County Comprehensive Plan, to serve as a guide for the orderly growth and development of Washoe County, Nevada.

* * * * * * * * *

It was noted that the amendment to the South Valleys Area Plan would redesignate Assessor's Parcel Number 055-140-14 from the land use category of General Rural (GR) and High Density Rural (HDR) to Medium Density Rural (MDR) and Low Density Rural (LDR). The net change in development potential equals a maximum of

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two residential lots. The subject parcel totals \pm 25.96-acres and is located north of Bellevue Road and east of Old Highway 395 and is found within the Washoe Valley Hydrographic Basin of Section 14 and 15, T16N, R19E, MDB&M.

02-458 RESOLUTION - COUNTY'S PROPOSAL TO ISSUE GENERAL OBLIGATION OFFICE BUILDING BONDS - DISTRICT ATTORNEY

On motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that the following Resolution be adopted and Chairman Sferrazza be authorized to execute the same on behalf of the Commission:

RESOLUTION NO. 02-458

A RESOLUTION CONCERNING THE FINANCING OF THE DISTRICT ATTORNEY'S OFFICE BUILDING PROJECT; DIRECTING THE CLERK TO NOTIFY THE WASHOE COUNTY DEBT MANAGEMENT COMMISSION OF THE COUNTY'S PROPOSAL TO BORROW MONEY AND TO ISSUE GENERAL OBLIGATION OFFICE BUILDING BONDS ADDITIONALLY SECURED BY PLEDGED REVENUES TO EVIDENCE SUCH BORROWING; PROVIDING CERTAIN DETAILS IN CONNECTION THEREWITH; AND PROVIDING THE EFFECTIVE DATE HEREOF (NOT TO EXCEED \$20,000,000).

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, and equip building projects within the County, including public buildings to accommodate or house lawful county activities including, without limitation, records, county personnel, administrative and attorneys' offices and county equipment, as provided in NRS 244A.019 (the "Project"); and

WHEREAS, the Board of County Commissioners (the "Board") of the County proposes to issue the County's general obligation (limited tax) office building 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 consisting of certain of the consolidated tax revenues received by the County pursuant to NRS 377.080 (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 OFFICE BUILDING BONDS 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) office building bonds, in one series or more, in the aggregate principal amount of not exceeding \$20,000,000 for the purpose of financing, wholly or in part, the acquisition, construction, improvement and equipment of building projects, including public buildings to accommodate or house lawful county activities including, without limitation, records, county personnel, administrative and attorneys' offices and county equipment, as provided in NRS 244A.019, the bonds to mature 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 "Proposal"); and

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WHEREAS, subsection 1 of NRS § 350.014 provides, in relevant part, as follows:

"l. Before any proposal to issue general obligation debt . . . maybe 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 § 350.0145 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 and statement of contemplated debt 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 § 350.013 to the extent required to comply with NRS § 350.013.

Section 3. 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 4. 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 5. This resolution shall become effective and be in force immediately upon its adoption.

02-459 <u>THIRD QUARTER SALARY SWEEPS – FISCAL YEAR 2001-2002</u> - BUDGET

Upon recommendation of Lisa Gianoli, Budget Manager, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that the following adjustments for Fiscal year 2001-2002 third quarter salary savings allocations in the amount of \$139,921 be approved and the Comptroller be directed to make the necessary account changes:

- Reduce the General Fund salary and benefit accounts as specified in the amount of \$139,921.
- Transfer \$139,921 in cash and appropriation authority to the Accrued Benefits Fund.

02-460 ACCEPTANCE OF GRANT – BRETZLAFF FOUNDATION – 2002 PROJECT WALKABOUT/SILVER STATE ACADEMY PROGRAM – SHERIFF

Upon recommendation of Dennis Balaam, Sheriff, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that \$10,000 in grant monies, with no county match required, from the Bretzlaff Foundation to be utilized for the 2002 Project Walkabout/Silver State Academy program be accepted with gratitude. It was further ordered that the following account adjustments be authorized:

Increase Revenues Account	Amount
15230D/5802	\$10,000.00
Increase Expenditures Account	Amount
15230D/727999	\$10,000.00

It was noted that the funds would be used by Friends of Project Walkabout to pay for operating costs such as uniforms and student supplies needed during the nineweek program, beginning June 13, 2002 through August 17, 2002.

02-461 RESOLUTION – AUTHORIZING APPLICATION FOR GRANT – REGIONAL TRANSPORTATION COMMISSION – SENIOR SERVICES

Upon recommendation of Karen Mabry, Director, Senior Services, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that the Director of Senior Services be authorized to pursue a grant in the amount of \$8,000 from the Regional Transportation Commission. It was further ordered that the following Authorizing Resolution be adopted and Chairman Sferrazza be authorized to execute the same on behalf of the Commission:

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EXHIBIT C AUTHORIZING RESOLUTION

Resolution No. 7

Resolution authorizing filing of an application with the Regional Transportation Commission of Washoe County, Nevada, for appropriations from the Washoe County Public Transportation Sales Tax Fund (herein afterward referred to as the Public Transit Fund).

WHEREAS, the Regional Transportation Commission is authorized to award funds for public transportation projects in Washoe County, Nevada; and

WHEREAS, it is required by the Regional Transportation Commission in accord with the Policy for Approval of Public Transportation Programs from the Public Transit Fund that all applicants provide sufficient information as requested by the Regional Transportation Commission; and

WHEREAS, the applicant will comply with all reporting and audit requirements, including monthly operating reports, an annual report, and an independent annual audit if funded from the Public Transit Fund.

NOW, THEREFORE, BE IT RESOLVED BY Washoe County Board of Commissioners (Governing Body of Applicant)

- 1. That Director is authorized to execute and file (an) application(s) on behalf of Washoe County Senior Services with the Regional Transportation Commission to aid in the financing of public transportation programs from the Public Transit Fund.
- 2. That Director is authorized to furnish such additional information as the Regional Transportation Commission may require in connection with the application to the Public Transit Fund.
- 3. That Director is authorized to execute the Grant Agreements on behalf of Washoe County Senior Services with the Regional Transportation Commission for aid in financing of public transportation programs from the Public Transit Fund.

02-462 ACCEPTANCE OF DONATIONS – SENIOR SERVICES

Upon recommendation of Karen Mabry, Director, Senior Services, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that donations in the amount of \$4,683.00 from the following agencies be accepted with gratitude:

- \$3,283.00 from the Thomas A. Meger Estate to the Senior Law Program
- \$1,000.00 from the Twentieth Century Club to the Adult Daycare Program
- \$250.00 from the Harolds Pioneers to the Home Delivered Meal Program and \$150.00 to the Adult Daycare Program

02-463 <u>RESIGNATION – APPOINTMENT - REAPPOINTMENT –</u> SENIOR SERVICES ADVISORY BOARD

Upon recommendation of Rita Lencioni, Assistant to the County Manager, through Katy Singlaub, County Manager, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that the resignation of William Clem, effective immediately, from the Washoe County Senior Services Advisory Board, be accepted, and Doris Isaeff be appointed to fill his unexpired term to July 1, 2003. It was further ordered that Dolores Burnett be reappointed with a term to expire July 1, 2006 and Patricia McAlinden be appointed with a term to expire July 1, 2006.

02-464 <u>BUDGET AMENDMENT – FISCAL YEAR 2001/02 – FAMILY PLANNING PROGRAM – HEALTH</u>

Upon recommendation of Barbara Lee Hunt, District Health Officer, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that the amendment in the amount of \$2,500 to the Fiscal Year 2001/02 Family Planning Program Budget be approved and the following account transactions be authorized:

Account Number	Description	Amount of Increase
002-1700-1730G3-5890	Other Private Grants	\$2,500
002-1700-1730G3-7304	Advertising	\$2,500
	Total Expenditure	\$2,500

02-465 <u>FEE INCREASES – AUTOPSY SERVICES – CORONER</u>

Upon recommendation of Vernon McCarty, Washoe County Coroner, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that fees charged by the Coroner for autopsy services on behalf of agencies outside Washoe County be increased from \$475.00 to \$485.00 for the coming fiscal year. It was noted that the fee of \$320.00 for limited examination cases would remain the same.

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02-466 <u>AWARD OF INJOINDER BID – AUTOMOTIVE AND LIGHT</u> <u>TRUCK MAINTENANCE AND REPAIR PARTS AND SUPPLIES –</u> BID NO. ITB-2327-02/RW-EQUIPMENT SERVICES

This was the time to consider an award of bid. The Notice to Bidders for receipt of sealed bids was published in the Reno Gazette-Journal on February 27, 2002, for Automotive and Light Truck Maintenance and Repair Parts and Supplies for the Equipment Services Division of the General Services Department and participating joinder agencies. Joinder agencies that desire specific consideration pertaining to this bid include the City of Reno. Proof was made that due and legal Notice had been given.

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

Auto Diesel Electric, Inc. Axle Plus Automotive Warehouse Car Quest Auto Parts Finley Industries, Inc.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that Bid No. ITB-2327-02/RW for Automotive and Light Truck Maintenance and Repair Parts and Supplies for the Equipment Services Division of the General Services Department and other participating joinder agencies be awarded to the lowest, responsive and responsible bidders meeting specifications, terms and conditions, as follows:

Primary Supplier: Finley Industries Inc. dba Napa Auto & Truck Parts <u>Secondary Supplier:</u> Auto Diesel Electric, Inc.

It was further ordered that discounts, prices and exceptions as stated in the Bid document shall be honored and adhered to until February 28, 2004, with an option to renew for an additional one-year period through February 28, 2005.

It was noted that the expenditures for automotive and light truck maintenance and repair parts and supplies are estimated to be approximately \$51,000 per fiscal year 2001 through 2005; and that having a Primary Supplier and a Secondary Supplier provides the County with the flexibility to utilize a contracted second supplier when the primary supplier is out of stock, saves the County downtime, and insures a quality product to the County and participating joinder agencies at a guaranteed price.

02-467 GRANT OF ACCESS EASEMENT – UNDERGROUND ELECTRIC AND COMMUNICATION – RENO-SPARKS CONVENTION AND VISITOR'S AUTHORITY – SOMERSETT DEVELOPMENT – DISTRICT ATTORNEY

Upon recommendation of Madelyn Shipman, Assistant District Attorney, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that the Grant of Easement for Access, Underground Electric and Communication and a Temporary Construction Easement between Washoe County, on behalf of the Reno-Sparks Convention and Visitor's Authority, Grantor, and Sierra Pacific Power Company, Grantee, be approved and Chairman Sferrazza be authorized to execute the same on behalf of the Commission. It was noted that the easements are needed by the owners of the Somersett development through the Northgate Golf Course property.

02-468 WATER RIGHTS DEED – FALCON CAPITAL, LLC – WATER RESOURCES

Upon recommendation of John Collins, Manager, Utility Services 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 the following actions be taken:

1. The Water Rights Deed between Washoe County, as Grantor, and Falcon Capital, LLC, a Wyoming limited liability company, as Grantee, for a total combined duty* of 223.97 acre-feet of groundwater rights located in Washoe Valley be approved as follows:

Permit 61627	0.2564cfs	185.45af
Permit 61628	0.1297cfs	93.84af
Permit 61629	0.0461cfs	33.36af
Permit 61724	0.0155cfs	9.46af

^{*}Total combined duty is defined as the limit placed on supplemental water rights permits by the Nevada State Engineer. In this particular case, the face value of these four permits adds up to 322.11 acre-feet; however, they are limited to 223.97 acre-feet.

- 2. Chairman Sferrazza be authorized to execute the Water Rights Deed.
- 3. The Utility Services Division Manager be directed to return the Water Rights Deed to Falcon Capital, LLC.

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02-469 WATER RIGHTS DEED – WATER SALE AGREEMENT – TRUCKEE MEADOWS WATER AUTHORITY – SOUTHWEST VISTAS, UNIT 6 – WATER RESOURCES

Upon recommendation of John Collins, Manager, Utility Services 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 the following actions be taken regarding Southwest Vistas, Unit 6:

- 1. The Water Rights Deed for 54.78 acre-feet of surface water rights from a portion of Claim 209, further changed by Application 68492, between Truckee Meadows Water Authority, as Grantor, and Washoe County, as Grantee, be approved and Chairman Sferrazza be authorized to execute the Water Rights Deed.
- 2. The Water Sale Agreement for 36.75 acre-feet of surface water rights between Truckee Meadows Water Authority and Washoe County be approved and Chairman Sferrazza be authorized to execute the Water Sale Agreement.
- 3. The Utility Services Division Manager be directed to record the Water Rights Deed and Water Sale Agreement with the County Recorder.

02-470 <u>EQUIPMENT RENTAL – KARL NEEDHAM ENTERPRISES –</u> BROWN BEAR 400 SLUDGE AERATOR

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, Chairman Sferrazza ordered that the rental with Karl Needham Enterprise for operator training and a two-month rental of a Brown Bear 400 sludge aerator to assist in decommissioning the CDB Sewage Treatment Facility in an amount not-to-exceed \$25,700 be approved.

02-471 <u>CORRECTION OF FACTUAL/CLERICAL ERRORS ON TAX</u> <u>ROLLS - ASSESSOR</u>

Upon recommendation of Tom Sokol, Assistant Chief Deputy Assessor, Personal Property, 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 mailed to the affected property owners, a copy of which has been placed on file with the Clerk. It was further ordered that the Order on each roll change directing the Treasurer to correct the error be approved, and Chairman Sferrazza be authorized to execute the same on behalf of the Commission.

PROPERTY OWNER	ID/APN#	AMOUNT	ROLL
Liberty Leasing	2/341-829	[-\$6,006.33]	1999 Unsecured
Cory Cresse Entertainment	2/180-260	[-\$ 31.88]	2000 Unsecured
Bantek West Inc.	2/101-936	[-\$ 229.26]	2001 Unsecured
All In One Maintenance & Repair Inc.	2/102-795	[-\$ 15.20]	2001 Unsecured
Bags n Us	2/103-917	[-\$ 112.18]	2001 Unsecured
The Nevada Womens Fund	2/104-608	[-\$ 145.79]	2001 Unsecured
C P F Services	2/149-263	[-\$ 62.51]	2001 Unsecured
Weststar Loan Servicing Corp.	2/150-043	[-\$ 74.57]	2001 Unsecured
Cory Cresse Entertainment	2/180-260	[-\$ 34.30]	2001 Unsecured
Komatsu Financial	2/191-438	[-\$2,267.39]	2001 Unsecured
Castle International	2/202-064	[-\$ 366.34]	2001 Unsecured
Exide Corporation	2/300-018	[-\$ 46.76]	2001 Unsecured
GE Capital Colonial Pacific Leasing	2/341-932	[-\$4,268.39]	2001 Unsecured
Sampco of Nevada Inc.	2/524-009	[-\$7,341.62]	2001 Unsecured
Joe R. & Margaret P. Melcher	011-118-08	unknown at	2002 Secured
		this time	

02-472 <u>UPDATE – BUREAU OF LAND MANAGEMENT - SURPRISE</u> FIELD OFFICE

Owen Billingsley, Surprise Field Office Manager, Bureau of Land Management (BLM), advised he recently transferred to the BLM in California from eastern Montana. He said the Surprise Field Office manages about 1.5-million acres of land, most of which is in northern Washoe County. Mr. Billingsley then reviewed some of the Surprise Field Office projects and issues, including wild horse and burro management, and Home Camp Land and Livestock Company land acquisition. He advised that the second public comment period on the acquisition parcels closes tomorrow, and the BLM's proposal is to purchase 17,500 acres of private land owned by the Home Camp Land and Livestock Company under the Southern Nevada Public Land Management Act. He stated he plans to provide updates and solicit input from the Board a couple of times a year. Mr. Billingsley and Joe McFarlane, BLM, responded to questions of the Board.

Commissioner Galloway asked if the BLM has considered buying development rights and leaving ranching rights in private hands rather than buying the Home Camp land and exchanging it for all the rights. He noted this process would be his preference. Discussion was held concerning conservation easements. Mr. McFarlane advised that the BLM's experience with conservation easements has not been satisfactory. Chairman Sferrazza stated he does not support conservation easements unless they can be acquired for a minimal cost.

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02-473 <u>AWARD OF INJOINDER BID – TIRE AND TIRE SERVICE - BID</u> NO. ITB-2313-02/MB – EOUIPMENT SERVICES

This was the time to consider an award of bid. The Notice to Bidders for receipt of sealed bids was published in the Reno Gazette-Journal on January 9, 2002, for Tires and Tire Service for the Equipment Services Division of the General Services Department in joinder with the City of Reno and the Reno/Sparks Convention and Visitors Authority (RSCVA). Proof was made that due and legal Notice had been given.

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

D & D Tire, Inc. (Reno) Redburn Tire Co. Reno Vulcanizing Works, Inc. Tyres International, Inc. U.S. Tire Sales Les Schwab Tire Center

Silver State Tire and Retreading submitted a "no-bid" response.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried with Commissioner Short temporarily absent, Chairman Sferrazza ordered that Bid No. ITB-2313-02/MB for Tires and Tire Services for the Equipment Services Division of the General Services Department in joinder with the City of Reno and the Reno/Sparks Convention and Visitors Authority be awarded to the lowest, responsive and responsible bidders as follows:

Les Schwab Tire Center:

Category #1 – New Auto and Light Truck Tires, Tire Repair and Service. Bid item #1 through bid item #11.3. (Primary Supplier)

Category #2 – New Police Tires, Tire Repair and Service. Bid item #12 through bid item #14.3. (Secondary Supplier)

Category #3 – New Heavy Truck and Grader Tires, Tire Repair and Service. Bid item #15 through bid item #26.4.1. (Primary Supplier)

Category #4 – Heavy Truck Tire Service, Tire Recapping, and Heavy Truck and Equipment Recapped Tires. Bid item #27 through bid item #36.3. (Primary Supplier)

Category #5 – Disposal of used tires.

U. S. Tire Sales and D & D Tire, Inc. (Reno)

Category #2 – New Police Tires, Tire Repair and Service. Bid item #12 through bid item #14.3. (Primary Supplier)

Category #5 – Disposal of used tires.

It was noted that the award for multiple suppliers is based on the specific tires needed and the various brands being supplied and will allow Equipment Services the ability to select the best tire and supplier for the application; and that the award shall be for a twenty-four month period of time, commencing May 14, 2002 through April 30, 2004 with a provision for an extension of any resultant award from this Invitation to Bid for the balance of calendar year 2005.

It was further noted that the award is for requirements only and shall be for an indeterminate amount as these are vehicle and equipment repair and maintenance items for which future requirements are unknown; and that the estimated annual value of the award based on previous awards for Washoe County is approximately \$175,000.00.

02-474 <u>AWARD OF BID – 2002/2003 SLURRY SEAL OF SELECTED</u> <u>STREETS - BID NO. PWP-WA-2002-165 - ENGINEERING</u>

This was the time to consider an award of bid. The Notice to Bidders for receipt of sealed bids was published in the Reno Gazette-Journal on April 10 and 17, 2002, for the 2002/2003 Slurry Seal of Selected Streets in the Truckee Meadows, Incline Village and Gerlach Areas in Washoe County for the Engineering Division of the Public Works Department. Proof was made that due and legal Notice had been given.

The following is a summary of bids received:

Contractor	Total Bid
Intermountain	\$ 917,310.00
Valley Slurry	\$1,273,235.00
CPM	\$1,343,500.00

Upon recommendation of Greg Belancio, Engineering Division, through David Roundtree, Public Works Director, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried with Commissioner Short temporarily absent, it was ordered that Bid No. PWP-WA-2002-165 for the 2002/2003 Slurry Seal of Selected Streets in the Truckee Meadows, Incline Village and Gerlach Areas in Washoe County for the Engineering Division of the Public Works Department be awarded to the lowest, responsive and responsible bidder, Intermountain Slurry Seal, Inc. for the Base Bid and Alternates No. 1, 2 and 3 in the amount of \$917,310.00, and Chairman Sferrazza be authorized to execute the contract documents upon presentation.

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02-475 <u>ACCEPTANCE OF GRANT – NEVADA DEPARTMENT OF</u> MOTOR VEHICLES, OFFICE OF TRAFFIC SAFETY – SHERIFF

Upon recommendation of Dennis Balaam, Sheriff, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried with Commissioner Short temporarily absent, Chairman Sferrazza ordered that grant monies from the Nevada Department of Motor Vehicles, Office of Traffic Safety, in the amount of \$92,400.00 be accepted. It was further ordered that the following capital outlay purchases be approved and the revenue and expenditure budget adjustments be authorized:

Grant funds will be used to develop and implement an automated system for completing traffic accident reports in the field using handheld Personal Data Assistant (PDA) technology, augmented by laptop mobile data terminals. This will include the software fees for the creation and development of the State traffic accident report form, vehicle tow sheet, and field sobriety test and field interview form (approximately \$58,000.00) and capital outlay purchases of eight handheld PDAs (approximately \$13,500.00), eight printers (approximately \$8,900.00), and a computer server to house the database and interface with the Tiburon Records Management System (\$12,000.00)

Increase Revenues Account	Amount
15274G/4301	\$92,400.00
Increase Expenditures Account	Amount
15274G/7105	\$58,000.00
15274G/7849	\$34,400.00

02-476 ACCEPTANCE OF GRANT – CENTERS FOR DISEASE CONTROL & PREVENTION (CDC) PUBLIC HEALTH PREPAREDNESS AND RESPONSE FOR BIOTERRORISM – FY 2001/2002 BUDGET AMENDMENT – HEALTH

Upon recommendation of Barbara Lee Hunt, District Health Officer, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried with Commissioner Short temporarily absent, Chairman Sferrazza ordered that the Centers for Disease Control and Prevention (CDC) Public Health Preparedness and Response for Bioterrorism Grant in the amount of \$551,224 be accepted. It was further ordered that creation of three positions, subject to review and proper classification determination by the Job Evaluation Committee, be approved and the following amendments to the Health Department's Fiscal Year 2001/02 budget in various accounts be authorized:

Account Number	Description	Amount of Increase
002-1700-1748-1728-1728G1 4301	Federal Funds	\$551,224
7001	Base Salaries	\$221,459

7002	Part Time Salaries	\$ 40,334
7042	Group Insurance	\$ 10,031
7043	Dependent Insurance	\$ 2,990
7046	Workmen's Comp	\$ 618
7047	Unemploy Comp	\$ 150
7048	Retirement	\$ 49,086
7050	Medicare	\$ 3,796
7140	Other Prof Services	\$ 70,000
7237	Software	\$ 10,000
7250	Office Supplies	\$ 600
7322	Copy Machine	\$ 2,400
7382	Telephone	\$ 2,000
7364	Registration	\$ 5,000
7620	Travel	\$ 30,822
7802	Office Furnishings	\$ 9,000
7825	Misc Special Equipment	\$ 20,000
7828	Communication Equip	\$ 13,025
7829	PC Hardware	\$ 6,000
7863	Bldg & Improvements	\$ 53,913
	Total Expenditures	\$551,224

02-477 REQUEST FOR FUNDING – STATE OF NEVADA, DEPARTMENT OF AGRICULTURE – MORMON CRICKET CONTROL – RED ROCK/COLD SPRINGS/ANTELOPE VALLEY

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried with Commissioner Short temporarily absent, Chairman Sferrazza ordered that the request for funding in the amount of \$6,160 from the State of Nevada, Department of Agriculture, for Mormon Cricket control on land in the Red Rock/Cold Springs/Antelope Valley areas be granted.

02-478 TRANSFER OF OPEN SPACE – ARROWCREEK DEVELOPMENT – ARROWCREEK GOLF HOLDINGS, LLC

Upon recommendation of Mike Boster, Park Planner, through Karen Mullen, Director, Department of Parks and Recreation, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried with Commissioner Short temporarily absent, it was ordered that the Restrictive Covenant, the Grant, Bargain and Sale Deed and the Easement for Drainage and Utilities to transfer 20.62 acres of open space at ArrowCreek Development from ArrowCreek Golf Holdings L.L.C. to Washoe County for open space and trails along the Thomas Creek and Mackay/Fair Flume Trails be accepted and Chairman Sferrazza be authorized to execute said documents.

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02-479 <u>AMENDMENT – PROFESSIONAL SERVICES AGREEMENT – CHOICES GROUP, INC. - DRUG/ALCOHOL REHABILITATION SERVICES FOR ADULT DRUG COURT – DISTRICT COURT</u>

Upon recommendation of Ron Longtin, District Court Administrator, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried with Commissioner Short temporarily absent, it was ordered that the Amendment to Professional Services Agreement between Washoe County, the Second Judicial District Court, and Choices Group, Inc., concerning Drug/Alcohol Rehabilitation Services for Adult Drug Court be approved and Chairman Sferrazza be authorized to execute said Amendment. It was noted that the Amendment will raise the agreement's not-to-exceed amount to \$517,421.00

02-480 RECLASSIFICATIONS - NEW POSITION CLASSIFICATION – REVISED PAY GRADE OF EXISTING POSITION

Brigitte Kroll, speaking as an individual who is an employee of the County Clerk's Office, discussed issues concerning the recommendation to reduce her position by three steps, and the appeal process concerning the proposal to change her classification. She advised that she was never told why she was relieved of many of her major duties with the new Clerk's Office administration; she held the position for 14 years prior to the current administration and had outstanding performance evaluations and commendations; that neither the department head, the Chief Deputy, or the supervisor informed her that a reclassification had been requested; and she provided a packet of information for Human Resources but does not know what the Job Evaluation Committee considered or was presented with.

Ms. Kroll stated that when a decision so detrimental as a downgrade of three pay grades has been reached, the employee should receive more than a simple form letter; and her career, pay, and retirement are affected by this recommendation. She advised that, after seven months of anxiety and not knowing what her future would be, she received a letter from Neville Kenning of the Hay Group, dated January 30, 2002, indicating there would be no change in the classification for her position. She thought the matter was over and her classification would remain the same. When she discovered the position was coming before the Board for a downgrade, she called Human Resources, who told her the letter from Mr. Kenning was a misunderstanding and he would write another letter. Ms. Kroll said she hoped the Board would abide by the agreement and accept the January 30 letter indicating there would be no change in her classification.

Chairman Sferrazza said the District Attorney has advised that the Board cannot overturn the Hay Group since they are the final arbiter under the contract.

In response to Chairman Sferrazza, Joanne Ray, Director of Human Resources, advised that other positions have been reclassed at a lower level, and the County does not demote. She said this position would be handled the same as other positions that have been reclassified at a lower level through the WERCCS process where the current salary is frozen and step-down COLA's are granted. Ms. Kroll noted she is not presently maxed-out on her salary, and there would be a difference in her pay, not just in the COLA's.

Steve Watson, Labor Relations Manager, advised that, when the Hay classification process began, the job class specification submitted for this position was erroneous, as it contained duties and responsibilities that were not being performed by the incumbent. The job was then identified as one that was subject to review and a desk audit was performed that went to the Job Evaluation Committee. Upon inquiry of Commissioner Galloway, Mr. Watson advised that the January 30 letter referred to the lower classification proposed by the WERCCS Job Evaluation Committee.

Chairman Sferrazza said he has stated his position in the past that someone downgraded as a result of the Hay Study should have some kind of hearing. Mr. Watson advised that no one is allowed to appear before the Job Evaluation Committee and an appellant's submission has to be by written documentation.

Ms. Ray responded to questions of the Board and advised that Ms. Kroll's grandfathered situation is better for her than the salary she would have received as an Office Support Specialist, which is where she would have been placed if the Job Evaluation Committee and Hay Group had the job duty description they have today; and Ms. Kroll's current pay range is significantly higher than the range of the position prior to the Hay Study.

Commissioner Shaw said he is concerned about the lack of communication in response to the e-mails Ms. Kroll sent regarding the matter. Ms. Ray said she understands the confusion of Mr. Kenning's letter, but from her perspective, there was a lot of clear and informative communication about exactly what stage the review process was in. Chairman Sferrazza said Mr. Kenning's letter was terrible. Ms. Ray said it is regrettable that situation happened.

Commissioner Galloway said his concern would be whether the recommended classification is accurate. He stated that Human Resources believes it is now accurate, the erroneous classification resulted in some additional income to Ms. Kroll, and she experienced no salary detriment in the process. He commented that he does understand her concern and anxiety about the matter.

Upon inquiry of Commissioner Shaw, Ms. Kroll said the salary has not been to her detriment at this point. She reiterated that major duties were removed from the position for which she was hired, and Mr. Kenning's letter said there would be no change. She said when such a detrimental decision is made she believes she has the right to know more about how the decision was derived; and she does not agree with the

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current job description, noting several classifications in the County are more in line with what she does and are at her current pay grade.

Chairman Sferrazza asked if the original job description submitted to the Hay Group was signed off by Ms. Kroll's supervisor. Mr. Watson said the original description was signed off by Ms. Kroll and the department head. The description was identified as being erroneous and the department head subsequently said the description was not accurate. Ms. Ray noted there was some confusion during the process and some of the department heads signed off on specifications that were not accurate.

Commissioner Galloway stated there was some confusion in the communication from Mr. Kenning, and the department head signed off on something that was inaccurate. The specification has subsequently been corrected to what everyone in management is agreeing is accurate and he believes there is evidence to support that conclusion. He stated that, without any prejudice to Ms. Kroll's other remedies on the matters relative to any stress or suffering caused by the process, he would support staff's recommendation. Chairman Sferrazza stated that he would be in support of staff's other classification recommendations, but cannot support the recommendation relative to Ms. Kroll, as he does not think a demotion without a hearing is appropriate.

Upon recommendation of Joanne Ray, Director of Human Resources, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried with Chairman Sferrazza voting "no," it was ordered that the following reclassification of existing positions, classification of a new position, and the revised pay grade of an existing position be approved:

Reclassification of existing positions:

Department	Current Position	Pay Grade	Date of Reclassificati on Request	Recommended Class	Pay Grade
Clerk	Administrative	K	6/28/01	Office Support	Н
	Secretary Supervisor			Specialist	
District	Legal Secretary	I	4/23/02	Office Assistant II	Е
Attorney					

Classification of FY 01/02 New Positions:

Department	Current	Date of Request	Recommended Class	Pay
	Position			Grade
District Attorney	New Position	Approved by BCC for	Assistant Manager/	О
		FY 01/02 on 2/12/02	Family Support	
			(New class)	

Revised Pay Grade of an Existing Position:

Department	Current Position	Current Pay Grade	Recommended Pay Grade
District Attorney	DA Investigator III	O (P)	P

02-481 <u>INCREASE FISCAL YEAR 2002-2003 FINAL BUDGET</u> PROPERTY TAX RATE – FINANCE

John Sherman, Finance Director, reviewed the Fiscal Year 2002-2003 budget that includes a property tax increase of 3.5 cents for operating purposes and 2.5-cents for public health and safety for a total property tax rate of \$1.3453. He advised that earlier this year the County identified an estimated \$14-million budget deficit for next year and the County has taken a number of steps relating to hiring deferrals, reduction in service and supply accounts, deferral or cancellation of certain capital projects, and department reductions. The steps taken left a budget gap of approximately \$3.6-million that would be offset by a 3.5-cent operating increase. He noted that staff is looking at future public safety needs relative to jail expansion and homeland security, which is becoming an increasing cost to the County.

Mr. Sherman commented that the cumulative change in the combined rate of the County between 1997 and 2002 is approximately 2.6 cents, or 2.1%. By comparison, the City of Reno's combined rate has gone up over 22 cents for an approximate 26% increase and the City of Sparks has increased their combined rate by about 15.8 cents or approximately 22%. He stated that the County has the legal authority to increase its operating rate by about 38 cents and 6 cents would be about 16% of that total.

Commissioner Bond asked if a 6-cent increase might jeopardize the animal control shelter. Mr. Sherman said that would depend on several issues such as the size of the facility and whether the operating rate override component would include only the operation of the facility or be expanded to deal with field operations. He advised the capital and operating cost for the animal shelter was originally proposed at 4 cents, but he believes it could be done for less.

Commissioner Galloway said a smaller City of Reno park bond issue than the 5-cents approved at the Debt Management Commission (DMC) could allow for the animal shelter to go on the ballot. He noted there has been a request for reconsideration of the park bond that will be discussed at the DMC meeting scheduled for this Friday.

Commissioner Bond asked if a 5-cent property tax increase would be feasible, and Mr. Sherman said staff could make that work.

Chairman Sferrazza stated he believes an override put to a vote of the people is the appropriate way to address the shortfall rather than taxing the people in his district to subsidize Incline Village and other areas that will receive the lion's share of the money.

Richard Gammick, District Attorney, said no one likes to raise taxes. He stated that the County has cut back and realized more efficiencies over the past few years, but is in a position now where decisions have to be made. He spoke in support of the

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proposed tax increase, noting that without those efforts, services would have to be cut and there would be lay-offs.

Eddie Anderson, County resident, said any raise in taxes should be for public safety matters. He spoke in support of the animal control shelter.

Commissioner Galloway said he believes every member of the Board can be proud of their record on tax restraint, and noted that the need for a tax increase is because of an increased burden of service, not because the County did not manage well. He stated that overrides have traditionally been used for an optional increase in services, but that is not the case in this situation. Commissioner Galloway said he could support a 5-cent tax increase with the understanding that the County is affected by what other governments do, and consideration should be given that the Board might want to make an upward adjustment before adopting the final budget if new information comes forward that indicates it is needed.

Chairman Sferrazza said it is admirable that during the last eight years the County has not increased taxes, but during that same period of time expenditures have gone up for patrol, street maintenance, and park maintenance within the unincorporated area. He stated there is nothing implicit in County government that urban levels of service would be provided in the unincorporated areas. Citizens in his district that live in the City of Reno should not have to pay a tax increase that would benefit the unincorporated area without a vote. He reviewed budget items such as the street overlay program and flight operations and public relations in the Sheriff's office that he believes should go to the vote of the people. He said these items could be cut from the budget and would avoid the need for the tax increase. Commissioner Bond said Chairman Sferrazza is not taking into account the regional services the County provides, such as welfare, the jail, libraries, and the health department.

Commissioner Galloway moved that property taxes be raised by 5 cents and staff continue to look at what other governments do that could affect the County. It was further ordered that the Board reserves the right to consider an increase before adopting the final budget if compelling information is received that an additional increase should be considered. Commissioner Bond seconded the motion.

Tom Kearns, County resident, said money is being spent wildly, and the County, Sparks and Reno seem to have an open checkbook, which is not fair to the residents.

On call for the question, Chairman Sferrazza voted "no," and the motion passed 4 to $1.\,$

02-482 <u>LIMITED DURATION HYDROGEOLOGIST POSITION –</u> 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, Chairman Sferrazza ordered that the creation of a limited duration hydrogeologist position to perform groundwater characterization, data collection and modeling relative to the Spanish Springs Nitrate Occurrence Project and to provide assistance to the Central Truckee Meadows Remediation District be approved and the Water Resources Department be authorized to recruit for and fill the position.

02-483 BILL NO. 1339 - AMENDING ORDINANCE 1115 – SCHEDULE OF RATES AND CHARGES FOR PROVISION OF ARTIFICIAL RECHARGE WATER SERVICE

Neal Cobb, area resident, submitted a written statement in support of the request of Water Resources to help Golden Valley residents insure a healthy level of water.

Legal Counsel Shipman said, following discussion at yesterday's caucus meeting, the artificial recharge rate of \$22.46 appearing in the ordinance should be changed to "up to \$25" to allow staff to do the financing. She noted that \$25 is the amount the homeowners said they would be willing to pay.

Bill No. 1339, entitled, "AN ORDINANCE ADOPTING A SCHEDULE OF RATES AND CHARGES FOR PROVISION OF ARTIFICIAL RECHARGE WATER SERVICE BY WASHOE COUNTY WITHIN CERTAIN AREAS OF THE UNINCORPORATED AREA OF WASHOE COUNTY; REQUIRING THE DEPARTMENT OF WATER RESOURCES TO SUBMIT BILLINGS TO ALL WATER USERS WITHIN THE CERTAIN AREAS, REQUIRING PAYMENT THEREOF; AND PROVIDING PROCEDURES FOR ITS ENFORCEMENT. THIS ORDINANCE AMENDS ORDINANCE NO. 1115.

AN ORDINANCE ADOPTING AN AMENDED UNIFORM SCHEDULE OF CHARGES FOR WATER CONNECTION FEES WITHIN WASHOE COUNTY. AMENDS ORDINANCE NO. 1115, ARTICLE 5, SECTION 5.4, AND REPEALS WATER RATES ORDINANCE NO. 1124.

AN ORDINANCE ADOPTING A UNIFORM SCHEDULE OF CHARGES FOR WHOLESALE WATER SERVICE CONNECTION FEES WITHIN WASHOE COUNTY. AMENDS ORDINANCE NO. 1115" was introduced by Commissioner Bond, *as amended*, the title read to the Board and direction was given to publish legal notice for final action of adoption.

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02-484 RESOLUTION – INITIATING COMPREHENSIVE PLAN AMENDMENT RELATING TO RENO-STEAD CORRIDOR JOINT PLAN – BUSHEY/BUSI PROPERTY

Eric Young, Community Development, advised he met with the applicants and they now understand the amendment process. He said they submitted a letter requesting that the County initiate the Comprehensive Plan Amendment to the Reno/Stead Corridor Joint Plan concerning their property. Staff recommends the County initiate the Comprehensive Plan Amendment, which would result in a waiver of the fees for the applicant.

Legal Counsel Shipman advised that, in initiating the amendment, the Board is not taking a position on the proposed amendment. Commissioner Galloway commented he would support staff's recommendation but clarified that such action would not mean he would support every amendment request to the Reno sphere of influence.

Upon recommendation of Sandra Dutton, Planner, Department of Community Development, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the request from Mr. and Mrs. Edward Bushey and Mr. and Mrs. Charles Busi requesting initiation of a Comprehensive Plan Amendment to move their property from Washoe County to the City of Reno Sphere of Influence within the Reno-Stead Corridor Joint Plan (APN 552-250-02) be approved. It was further ordered that the following resolution be adopted and Chairman Sferrazza be authorized to execute the same:

RESOLUTION

INITIATING AN AMENDMENT TO THE WASHOE COUNTY COMPREHENSIVE PLAN AMENDMENT RELATING TO RENO-STEAD CORRIDOR JOINT PLAN

WHEREAS, The Truckee Meadows Regional Plan identifies the RENO-STEAD CORRIDOR JOINT PLAN as a part of the City of Reno Master Plan and the Washoe County Comprehensive Plan – North Valleys Area Plan and, further, NRS 278.02784 and 278.02786 specify the purpose and procedure for the adoption of a joint plan consistent with the Truckee Meadows Regional Plan and subsequent amendment of the Joint Plan;

WHEREAS, the Board of County Commissioners has indicated to the applicant that the appropriate process to be included in the Reno Sphere of Influence within that joint plan should begin with a letter requesting initiation of a Comprehensive Plan Amendment; and

WHEREAS, Mr. and Mrs. Bushey are following the correct process to establish Reno Sphere of Influence jurisdiction of their parcel of land; and

WHEREAS, once initiated by the Board, staff will proceed forward with a Comprehensive Plan Amendment to amend the Reno-Stead Corridor Joint Plan, and

NOW, THEREFORE, BE IT RESOLVED THAT THE Washoe County Board of Commissioners do hereby initiate an amendment to the Reno-Stead Corridor Joint Plan of the *Washoe County Comprehensive Plan and Reno Master Plan* without prejudice to the final dispensation of the proposed amendment.

02-485 REQUEST – INITIATE COMPREHENSIVE PLAN AMENDMENT – JAMES ROSS TRUST

This item was continued from February 12 and April 9, 2002.

Bob Webb, Community Development, advised that James Ross, owner of the subject property, is requesting that the Board initiate a Comprehensive Plan Amendment on his behalf, which would result in the waiver of fees. He said, based on evidence gathered to date, staff is recommending denial of the request pursuant to what they believe was proper notification to the property owner during the transition process.

Commissioner Galloway noted that the subject site is zoned high density suburban (HDS) and the adjacent properties are not, and he would see the need to evaluate the entire section rather than provide a fee benefit to a particular landowner. He noted his remarks do not prejudice him when considering the amendment request.

Commissioner Bond stated her original request that the Board consider initiating the amendment was prior to staff coming forward with documentation that the property owner had been notified of the process.

Commissioner Galloway commented that, if there is widespread support for the neighbors to request an amendment, they might join Mr. Ross in submitting an amendment request, but he does not think the Board should initiate the application.

Arne Hamala, Jeff Codega Planning/Design, representative for the property owner, said the subject property has been zoned commercial since the mid 1940's and when the property was rezoned to HDS in the 1990's Mr. Ross was precluded from improving or expanding the 4,000 square-foot building on the property and using the property to its fullest extent. He said he thinks it is appropriate for the Board to initiate the Comprehensive Plan Amendment to remove the problems created by the mid 1990's zoning.

James Ross, applicant, advised he had signatures from many neighboring property owners and they have no opposition to changing his property back to General Commercial (GC); and the Sun Valley Landowners and the CAB gave 100% approval for getting the zoning changed. He stated that going to HDS from GC has decreased the

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value of their property 30-40%, and several people that have asked if the property is for sale are not interested when they find out it is zoned HDS. He said his meeting with the representative of Community Development was only in reference to why the zoning was being changed, and he was never told there was a transition period. He advised he was told there was little to no chance to get his zoning changed and it would take a Comprehensive Plan Amendment at a cost of about \$15,000. Since he was living out of state at the time and there was little chance of getting the zoning changed, he did not pursue the matter, but he later found out several commercial properties have been added along Sun Valley Boulevard. Upon inquiry, Mr. Ross advised he was not denying that notices were mailed, but he never received the notices and was not aware of the transition period. Upon inquiry of Commissioner Galloway, Mr. Ross read the document signed by the neighboring property owners. Commissioner Galloway noted that the document did not indicate all the things that could be done under general commercial, but, even though the neighbors say they do not object, to him this is a request for the benefit of the value of the property and he thinks Mr. Ross should pay the fee. He noted that, if the Board would initiate the amendment for Mr. Ross, why should it not do so for every parcel in Washoe County affected by the transition process where the property owner wants to upgrade their zoning.

Commissioner Bond stated she knows staff mailed notices to an address containing all the information regarding the process but does not know whether Mr. Ross received them. Commissioner Bond moved to sponsor the request from Mr. Ross that the County initiate a Comprehensive Plan Amendment for his parcel with no fee. The motion died for lack of a second.

Chairman Sferrazza stated his concern is that many properties are similarly situated, and he would not want to open the door relative to this issue.

Mr. Webb suggested that Mr. Ross might consider waiting until the Community Management Plan process catches up to Sun Valley, which would seem to be a valid vehicle to discuss all the properties in the context of planning principals involved in the commercial nodes along Sun Valley Boulevard. He noted it would be up to the property owner to participate in that process or submit a separate Comprehensive Plan Amendment.

Mike Harper, Planning Manager, Department of Community Development, provided additional information concerning the Community Management Plan process, which would start in September and go through December.

Upon inquiry of Commissioner Bond, Mr. Ross said he would be willing to wait another six months for the Community Management Plan process.

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that the request of the James Ross Trust that the Board initiate a Comprehensive Plan Amendment on his behalf to the

Comprehensive Plan for the Sun Valley Area Plan regarding APN 085-155-18 (5350 Sun Valley Boulevard) be <u>denied.</u>

02-486 <u>REGIONAL PLAN UPDATE</u>

Mike Harper, Planning Manager, Department of Community Development, advised that the Board received a memorandum dated May 13, 2002 identifying 35 discussion points scheduled for review by the Regional Planning Governing Board and the Regional Planning Commission on May 22, 2002. He said staff has identified what they consider to be the more important discussion points and has outlined some of the work they believe still needs to be done now that the Regional Plan has been adopted.

Eric Young, Community Development, advised that nothing new is being presented in the 35 discussion items than what has been discussed over the last year.

Chairman Sferrazza temporarily left the meeting and
Vice Chairman Bond assumed the gavel.

Mr. Young reviewed several discussion items that staff believes need quick attention. He said staff would like to pursue an amendment on each item as soon as an amendment process is generated through the regional process. He advised that staff members from the three jurisdictions would be meeting tomorrow to determine if there is agreement on any of the items that could be sent to the Regional Planning Commission for an immediate amendment.

Legal Counsel Shipman asked how the Regional Planning Commission could consider an immediate amendment, and Mr. Young advised that his understanding is they would use Policy No. 4.3.2, which provides the plan can be amended at any time for health, safety, and the good of the region. Mr. Young said there is talk of establishing a subcommittee of the Regional Planning Commission concerning anything not agreed upon, but staff is very cautious of that concept and would prefer to request a one to two-year transition amendment process.

Commissioner Galloway expressed concern that a committee could put something in a drawer forever, and noted the previous subcommittee was not friendly to County positions. He suggested that staff present the entire list to the Regional Planning Commission and any items they would not be willing to sponsor would be appealed to the Regional Planning Governing Board, as they committed to revisit those issues.

Mr. Young reviewed several issues that staff recommends be brought forth at the Board's next joint meeting with Reno and Sparks.

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Discussion was held concerning Policy 1.2.18 described in discussion item Nos. 28 and 29 relative to land use conformance issues.

Gary Schmidt, Mt. Rose Highway resident and business operator, discussed issues relative to Policy 1.2.18. He noted the issue is tied to the new Special Assessment District for the Mt. Rose Sewer Interceptor.

On motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Sferrazza ordered that the following actions be taken:

- 1. The discussion points concerning the Regional Plan, as outlined in the agenda memorandum and addendum, be approved.
- 2. The entire list of discussion items, with a concentration on the items identified by staff as priority issues to include item No. 28, be presented to the Regional Planning Commission for consideration for immediate amendment, and the items denied by the Regional Planning Commission be appealed to the Regional Planning Governing Board.
- 3. The items identified by staff to present for discussion at the Joint Meeting of May 21, 2002 be approved.

02-487 <u>ORDINANCE NO. 1162 - BILL NO. 1338 - AMENDING CHAPTER</u> 5 - PUBLIC GUARDIAN

<u>5:30 p.m.</u> This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on May 3, 2002, to consider the second reading and adoption of Bill No. 1338. Proof was made that due and legal Notice had been given.

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

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that Ordinance No. 1162, 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," be approved, adopted and published in accordance with NRS 244.100.

02-488 PUBLIC HEARING - PROPOSED AMENDMENTS TO THE BOUNDARIES - SPECIAL ASSESSMENT DISTRICT NO. 24 - GROUNDWATER REMEDIATION

<u>5:30 p.m.</u> This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on April 26, 2002, to consider proposed amendments to the boundaries of Special Assessment District No. 24 (Groundwater Remediation). Proof was made that due and legal Notice had been given.

Chairman Sferrazza opened the public hearing by calling on anyone wishing to speak. There being no response, the public hearing was closed.

02-489 BILL NO. 1340 -AMENDING ORDINANCE 1000 - SPECIAL ASSESSMENT DISTRICT NO. 24 - GROUNDWATER REMEDIATION - PROPOSED BOUNDARY AMENDMENTS

Bill No. 1340, entitled, "AN ORDINANCE AMENDING ORDINANCE NO. 1000 CREATING THE WASHOE COUNTY, NEVADA DISTRICT NO. 24 (GROUNDWATER REMEDIATION) IN ORDER TO CHANGE THE BOUNDARIES OF THE DISTRICT; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN DIRECTED THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF," was introduced by Commissioner Shaw, the title read to the Board and direction was given to publish legal notice for final action of adoption.

02-490 <u>COMPREHENSIVE PLAN AMENDMENT CASE NO. CP02-002 -</u> TMJDKC, LLC - COMMUNITY DEVELOPMENT

5:30 p.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on May 3, 2002, to consider Comprehensive Plan Amendment Case Number CP02-002, 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. If approved, staff is also requesting the following Administrative Changes: Update the Incline Village Tourist Community Plan list of Permissible Uses, General List under the category of Public Service to include "Schools – Kindergarten to Secondary (S)."

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Eva Krause, Planner, provided background information stating other schools, including pre-schools, are allowed in the subject plan, but not elementary; and it appears they were inadvertently omitted when the community plan was adopted. She further advised there was no opposition to the proposal, and both the Incline Village Citizens Advisory Board and the Planning Commission unanimously recommended approval.

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

On motion by Commissioner Bond, seconded by Commissioner Galloway, which motion duly carried with Commissioner Short absent, Chairman Sferrazza ordered that Comprehensive Plan Amendment Case No. CP02-002 be approved. This action was based on the Board having made the following findings:

- 1. The proposed amendment to the adopted Incline Village Tourist Community Plan and the Tahoe Area Plan is in substantial compliance with the policies and action programs of the Washoe County Comprehensive Plan.
- 2. The proposed amendment to the adopted Incline Village Tourist Community Plan and the Tahoe Area Plan will provide for land uses compatible with existing and planned adjacent land uses and will not adversely impact the public health, safety or welfare. The proposal does support the following Goals of the Incline Village Tourist Community Plan: ITCP.1.2 Ensure compatibility of adjacent land uses and ITCP.3.3 Create a strong local economy which is less impacted by seasonal visitation and less reliant on tourism.
- 3. The proposed amendment to the adopted Incline Village Tourist Community Plan and the Tahoe Area Plan responds to changed conditions or further studies that have occurred since the plan was adopted by the Board of County Commissioners, and the requested amendment represents a more desirable use of land.
- 4. The proposed amendment to the adopted Incline Village Tourist Community Plan and the Tahoe Area Plan will not adversely affect the implementation of the policies and action programs of the Conservation Element, the Population Element and/or the Housing Element of the Washoe County Comprehensive Plan.
- 5. The proposed amendment to the adopted Incline Village Tourist Community Plan and the Tahoe Area Plan will promote the desired pattern for the orderly physical growth of the County and 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 proposed amendment to the adopted Incline Village Tourist Community Plan and the Tahoe Area Plan is the first amendment to the Plan in 2002, and therefore does not exceed the three permitted amendments as specified in Section 110.820.05 of the Washoe County Development Code.
- 7. The Washoe County Planning Commission public hearing, prior to action on the proposed amendment to the adopted Incline Village Tourist Community Plan and the Tahoe 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).
- 8. The Washoe County Planning Commission gave reasoned consideration to information contained within the staff report and information received during the public hearing.
- 9. The Washoe County Commission gave reasoned consideration to information received from the Washoe County Planning Commission and contained within the staff report and information received during the public hearing.

02-491 <u>DEVELOPMENT AGREEMENT CASE NO. DA12-4-98 - FINAL - GEORGE STINSON - COMMUNITY DEVELOPMENT</u>

5:30 p.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on May 3, 2002, to review the Final Development Agreement for George Stinson as required by Washoe County Code Section 110.814. The Development Agreement would facilitate development of a ±40.04-acre site into four parcels, each 10 acres in size. The property is located south of Whiskey Springs Road and east of Broken Spur, approximately 4 miles east of the Pyramid Lake Highway (SR 445). The site is within an area administered by the Warm Springs Citizens Advisory Board and County Commission District No. 4. The property is designated Medium Density Rural (MDR) in the Warm Springs Specific Plan and is within a portion of the NW/4 of Section 15, T22N, R21E, MDM, Washoe County, Nevada. (APN: 077-130-14)

Chairman Sferrazza opened the public hearing by calling on anyone wishing to speak concerning this matter. There being no response, the public hearing was closed.

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried with Commissioner Short absent, it was ordered that the Final

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Development Agreement for George Stinson, DA12-4-98, be approved and Chairman Sferrazza be authorized to execute it upon receipt.

02-492 <u>BILL NO. 1341 - APPROVING THE FINAL DEVELOPMENT</u> AGREEMENT - GEORGE STINSON

Bill No. 1341, entitled, "AN ORDINANCE PURSUANT TO NEVADA REVISED STATUTES 278.0201 THROUGH 278.0207 APPROVING THE FINAL DEVELOPMENT AGREEMENT FOR GEORGE W. STINSON. THE AGREEMENT FACILITATES THE DEVELOPMENT OF A ±40.04-ACRE SITE INTO FOUR PARCELS, EACH 10 ACRES IN SIZE. THE PROPERTY IS DESIGNATED MEDIUM DENSITY RURAL (MDR) AND GENERAL RURAL (GR) IN THE WARM SPRINGS SPECIFIC PLAN AND IS WITHIN A PORTION OF THE NW/4 OF SECTION 15, T22N, R21E, MDM, WASHOE COUNTY, NEVADA (APN: 077-130-14)" was introduced by Commissioner Bond, the title read to the Board and direction was given to publish legal notice for final action of adoption.

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There being no further business to come before the Board, the meeting adjourned at 5:55 p.m.

PETER J. SFERRAZZA, Chairman Washoe County Commission

ATTEST:

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

Minutes Prepared by Barbara Trow and Sharon Gotchy Deputy County Clerks