

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

1:00 P.M.

JUNE 17, 2003

PRESENT:

David Humke, Chairman
Jim Shaw, Vice Chairman
Jim Galloway, Commissioner
Pete Sferrazza, Commissioner *

Nancy Parent, Chief Deputy Clerk
Katy Singlaub, County Manager
David Watts-Vial, Legal Counsel

ABSENT:

Bonnie Weber, Commissioner

The Board met in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. Following the Pledge of Allegiance to the flag of our Country, the Clerk called the roll and the Board conducted the following business:

03-669 AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried with Commissioners Weber and Sferrazza absent, Chairman Humke ordered that the agenda for the June 17, 2003 meeting be approved.

PUBLIC COMMENTS

Sam Dehne, local resident, expressed his views on Burning Man, loud motorcycles and the taxes being considered by the Legislature.

Garth Elliott, area resident, spoke in support of the Burning Man event.

1:13 p.m. **Commissioner Sferrazza arrived at the meeting.*

Neal Cobb, area resident, stated he has been before the Board on five previous occasions requesting that the speeding and dust problems by off-road vehicles be addressed. When the issue was finally presented to the Sign Committee, that group decided an education program would work better. Mr. Cobb pleaded with the Board to urge the Sign Committee to reconsider, stating traffic signs are the best education because otherwise people do not know they are breaking the law.

MANAGER'S/COMMISSIONERS' COMMENTS

Commissioner Shaw requested that an item to reconsider the Board's appointee to the Washoe County Airport Authority be placed on the next possible agenda.

Commissioner Sferrazza requested a future agenda item to address the signage issue in Golden Valley with respect to dust, speed control and off-road vehicles brought up by Mr. Cobb. He further stated, if staff could just take care of the problem, he would request a report to the Board concerning the matter. Commissioner Sferrazza also indicated he could not support Commissioner Shaw's request, but would support a personnel session on the issue.

Commissioner Galloway requested a future agenda item concerning proliferation of unauthorized signage, billboards, illegal banners, etc.

03-670 MINUTES

On motion by Commissioner Sferrazza, seconded by Commissioner Shaw, which motion duly carried with Commissioner Weber absent, Chairman Humke ordered that the minutes of the regular meetings of February 11 and 18, 2003 be approved.

03-671 SEXUAL ASSAULT - MEDICAL CARE - PAYMENT

Pursuant to NRS 217.280 to 217.350, on motion by Commissioner Sferrazza, seconded by Commissioner Shaw, which motion duly carried with Commissioner Weber absent, Chairman Humke 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 70 sexual assault victims in an amount totaling \$11,366.19 as set forth in a memorandum from Lidia Osmetti, Office Manager, District Attorney's Office, dated May 28, 2003 and placed on file with the Clerk.

03-672 UNCOLLECTIBLE PERSONAL PROPERTY ACCOUNTS - COMPTROLLER

Upon recommendation of Kathy Garcia, Comptroller, on motion by Commissioner Sferrazza, seconded by Commissioner Shaw, which motion duly carried with Commissioner Weber absent, Chairman Humke ordered that deletion of the uncollectible personal property accounts, as set forth in the agenda memorandum dated June 10, 2003, and placed on file with the Clerk, be approved.

03-673 ACCEPTANCE OF GRANT – LIBRARY ACCESS AND DIVERSITY PROGRAM - LIBRARY

Upon recommendation of Nancy Cummings, Library Director, on motion by Commissioner Sferrazza, seconded by Commissioner Shaw, which motion duly

carried with Commissioner Weber absent, Chairman Humke ordered that the Library Services and Technology Act (LSTA) allocation of \$42,300 from the State of Nevada to be used for the Library Access and Diversity Program be accepted. It was further ordered that the Comptroller be directed to make the following account adjustments:

INCREASE		
Account	Description	Amount
132091G-4302	State Grant	\$42,300
132091G-7214	Library Materials	\$42,300

03-674 ACCEPTANCE OF GRANT – SPANISH SPRINGS LIBRARY

Upon recommendation of Nancy Cummings, Library Director, on motion by Commissioner Sferrazza, seconded by Commissioner Shaw, which motion duly carried with Commissioner Weber absent, Chairman Humke ordered that the Library Services and Technology Act (LSTA) allocation of \$40,000 from the State of Nevada to be used for the Opening Day Collection at the Spanish Springs Library be accepted. It was further ordered that the Comptroller be directed to make the following account adjustments:

INCREASE		
Account	Description	Amount
132090G-4302	State Grant	\$40,000
132090G-7214	Library Materials	\$40,000

03-675 TRANSFER OF LAND – CONSOLIDATED ANIMAL SERVICES – PUBLIC WORKS

Upon recommendation of Tom Gadd, Public Works Director, on motion by Commissioner Sferrazza, seconded by Commissioner Shaw, which motion duly carried with Commissioner Weber absent, it was ordered that the transfer of land from the City of Reno, a Nevada Municipal Corporation, “Grantor,” to Washoe County, a Political Subdivision of the State of Nevada, “Grantee,” more particularly described as Assessor's Parcel Number: 015-210-16, Parcel B, be accepted pursuant to an Interlocal Agreement effected May 13, 2003 relating to the future Consolidated Animal Services Shelter and Chairman Humke be authorized to sign the Deed when presented.

03-676 PURCHASE AUTHORIZATION – SPECIALIZED SOFTWARE – LIBRARY

Upon recommendation of Nancy Cummings, Library Director, on motion by Commissioner Sferrazza, seconded by Commissioner Shaw, which motion duly carried with Commissioner Weber absent, it was ordered that the purchase of a PC Scheduling and Print Management System from CMS Inc. for implementation at libraries throughout the Washoe County Library System, in the approximate amount of \$46,596,

as part of a total project cost of \$101,198, be approved and Chairman Humke be authorized to execute the same.

It was further ordered that the Comptroller be directed to make the following account adjustments:

Account	Description	Increase	Decrease
130661-7820	General Fund Library technology		\$101,198
920801-7820	Library automated internet service	\$101,198	
1885-8192	General Fund transfer out	\$101,198	
920801-6901	Public Works Construction Fund transfer in	\$101,198	

03-677 CORRECTION OF FACTUAL AND CLERICAL ERRORS – SECURED TAX ROLLS - ASSESSOR

Upon recommendation of Jean Tacchino, Assistant Chief Deputy Assessor, on motion by Commissioner Sferrazza, seconded by Commissioner Shaw, which motion duly carried with Commissioner Weber absent, it was ordered that the following Roll Change Requests correcting factual errors on tax bills and the Order directing the County Treasurer to correct the errors, be approved and Chairman Humke be authorized to execute the same.

PROPERTY OWNER	PARCEL #	AMOUNT	ROLL
Burger King Corporation Lessee	006-223-05	[-\$1,214.18]	2002 Secured
Shu Lan, et al	007-361-07	[-\$36.27]	2002 Secured
Robert A. Togliatti	008-195-06	[-\$93.65]	2002 Secured
Paul A. Ferrari, et al Tr.	008-195-06	[-76.67]	2002 Secured
Lorraine A. Desiderio Tr.	012-137-20	[-\$83.64]	2002 Secured
Ardyth Browne, et al	033-245-03	[-\$165.78]	2002 Secured
Nicky B. Simpson	081-031-25	[-\$201.32]	2002 Secured
Anna M. Lew, et al	085-155-32	[-\$151.04]	2002 Secured
Jeffrey S. Atkin	123-122-06	[-\$3,128.21]	2002 Secured
Jeffrey S. Atkin	123-122-06	[-\$2,195.24]	2001 Secured
Royce Wold	125-411-05	[-\$137.96]	2002 Secured
Royce Wold	125-411-05	[-\$133.27]	2001 Secured
Royce Wold	125-411-05	[-\$131.79]	2000 Secured

03-678 AMENDMENT – INTERLOCAL CONTRACT – CHILD WELFARE – SOCIAL SERVICES

Upon recommendation of Mike Capello, Social Services Director, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Commissioner Weber absent, it was ordered that the #2 Amendment to the Contract between the County of Washoe and the State of Nevada Department of Human Resources, Division of Child and Family Services, concerning extension of the contract regarding integration of State and County Child Welfare Services from June 30,

2003 to July 31, 2003, be approved and Chairman Humke be authorized to execute the same.

03-679 ARTOWN - 2003

Tom Outland, Chairman of the Board, Artown, displayed a picture of a painting that is being used for the Artown 2003 logo. Mr. Outland listed the scheduled events, the artists and the performances that will be occurring during the month of July and displayed pictures of last year's events on the overhead screen. He said ticket sales are going very well, and the Baryshnikov performance has already sold out.

Board members congratulated Mr. Outland for the success of Artown and for bringing this national recognition to the area.

Garth Elliott, Sun Valley resident, commended Artown for bringing world-class art to Reno. He asked what Washoe County is doing for the local artists and stated the home business license laws need to be revised to accommodate the struggling artists working out of their homes.

Sam Dehne, Reno resident, stated Artown is not free and the citizens pay the vast majority for these events through their taxes.

**03-680 ACCEPTANCE OF DONATIONS – WIR/NACO CONFERENCE
COMMUNITY RELATIONS**

Kathy Carter, Community Relations Director, read the names of the Washoe County employees who volunteered their time to assist at the conference and stated the employees were very good representatives for Washoe County. Commissioner Galloway expressed his appreciation to the volunteers and read the names of the organizations that donated funds to help make the conference a success. Commissioner Shaw reported that he attended another conference a week later where other County Commissioners were still talking about what a wonderful time they had at Rancho San Rafael. Commissioner Sferrazza said another person that needs to be acknowledged for her hard work is Kathy Carter, and he thanked her for her efforts. Chairman Humke also expressed his appreciation to staff.

Upon recommendation of Ms. Carter, on motion by Commissioner Galloway, seconded by Commissioners Sferrazza, Shaw and Humke, which motion duly carried with Commissioner Weber absent, it was ordered that the following additional donations totaling \$3,500 for the Western Interstate Regional (WIR) National Association of Counties (NACO) Conference be accepted with the Board's gratitude and that the Comptroller be directed to make the necessary account adjustments:

Cash Donations	
Nevada Security Bank	\$ 500
Stantec	\$ 500

Cararra Nevada	\$ 500	
Diebold Election Systems	\$1,000	
Southwest Gas	\$1,000	
Account Number	Description	Increase
001-1010-10162D-5802	General Donations	\$3,500
001-1010-10162D-7398	Misc. Expenses	\$3,500

**03-681 CONTRACT – ENGINEERING SERVICES – COLD SPRINGS
WATER RECLAMATION FACILITY - WATER RESOURCES**

Upon recommendation of John Collins, Utility Services Manager, and Paul Orphan, Engineering Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried with Commissioner Weber absent, it was ordered that an engineering contract between the County of Washoe and Kennedy/Jenks Consultants for the design of the Cold Springs Water Reclamation Facility expansion and the Cold Springs Diamond Peak Lift Station upgrade, in the amount of \$1,064,676, be approved and Chairman Humke be authorized to execute the same.

**03-682 COOPERATIVE AGREEMENT – CANEPA RANCH – U.S.
FOREST SERVICE – PARKS**

Karen Mullen, Parks and Recreation Director, advised staff is seeking approval to negotiate a cooperative agreement with the United States Forest Service (USFS) concerning exchanging a portion of the Canepa Ranch property for water rights. She said staff's goal is to keep the trailhead lands and the access areas, which would be approximately 10 acres of the ±120 acres owned by the County, and exchange the areas closest to the USFS lands for water rights held by the USFS. Ms. Mullen displayed maps of the subject property on the overhead screen.

Commissioner Galloway asked if the County would retain the trail easement over USFS land. Ms. Mullen stated the County would be keeping the trailhead area and the easement for the trail access. Commissioner Galloway asked if staff is seeking as much input as possible so they can be sure they also reserve what might be needed for any future plans. Ms. Mullen stated they would be sure to include some broad conditions to allow for the future. She described the areas on the map the County plans to keep and stated, as far as an equal value exchange, they would not know the value until the land is appraised; and that will determine exactly how much land is exchanged. Ms. Mullen stated Washoe County would retain the lands closest to the river.

Commissioner Galloway commented on the Forest Service closing the Seventh Street pits and asked that staff keep that in mind when negotiating this agreement.

Commissioner Sferrazza expressed a concern that selling the water rights would facilitate development in the Galena area that might not otherwise occur. He

stated it appears to be more of a pro-development issue than preserving open space and he is not sure that fits with the intent of the bonds. Ms. Mullen stated she does not believe there is a problem as long as the money from the sale of the water rights is specifically used to acquire additional property on the Truckee River.

Steve Kluge, USFS, stated the Forest Service does not have a sale authority for water rights, so they have been looking for a way to capitalize on these water rights, which they acquired through another land transaction. Commissioner Sferrazza asked if the USFS could use the water rights on Forest Service land. Mr. Kluge stated they have not been able to identify a public purpose for their use; and, if they are not put to use, the water rights, and their value to the public, will be lost.

Commissioner Galloway asked if the property would be deed restricted so that it must remain in public ownership with Washoe County as the beneficiary to the deed restriction. Mr. Kluge stated he would need to take that question to the USFS legal counsel.

Ms. Mullen stated, if the County does not do this exchange, the USFS would put the water rights out to bid for an exchange of land elsewhere, which could be anywhere in the country. She felt it was important to keep the money locally.

Upon recommendation of Ms. Mullen, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioner Weber absent, it was ordered that Washoe County Parks staff prepare a cooperative agreement for future Board approval delineating an exchange of approximately 110.66 acres of County owned Canepa Ranch property for equal value in water rights held by the USFS, subject to following conditions:

1. The property would remain in public ownership with the USFS.
2. An easement for the Truckee River bike path would be established.
3. All money from the County sale of the water rights would be returned to the WC-1 Bond account used to purchase land along the Truckee River and to make public access improvements as stated in the original voter approved Bond.

03-683 AWARD OF BID – 2003/04 STREET CUT PAVEMENT REPAIR PROJECT, INCLINE VILLAGE - BID NO. PWP-WA-2003-104 – PUBLIC WORKS

This was the time to consider award of bid for the 2003/04 Street Cut Pavement Repair Project, Incline Village Area, for the Public Works Department. The Notice to Bidders for receipt of sealed bids was published in the *Reno Gazette-Journal* on May 7, 14, and 29, 2003. Proof was made that due and legal Notice had been given.

Bids were received from the following:

Lakeside Paving

Sierra Nevada Construction

Upon recommendation of David Price, County Engineer, through Tom Gadd, Public Works Director, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioner Weber absent, it was ordered that the bid for 2003/04 Street Cut Pavement Repair Project, Incline Village Area, for the Public Works Department be awarded to the low bidder, Lakeside Paving, in the base bid estimated amount of \$159,800 and Chairman Humke be authorized to execute the agreement when presented.

03-684 RENEWAL OF CONTRACT – INTERMOUNTAIN SLURRY SEAL, INC. – 2003/04 SLURRY SEAL PROJECT - PUBLIC WORKS

Commissioner Sferrazza asked if any General Fund monies are being used to pay for the slurry seal projects. Katy Singlaub, County Manager, stated the funding is a combination of General Fund money and fuel taxes. Commissioner Sferrazza stated he could not support the recommendation if Washoe County General Funds are being used and there are no street improvements in the incorporated areas.

John Mayer, Sparks citizen, stated there is \$2.6-million for this program and not one road or street to be sealed is in Sparks or Reno. He stated he picked 11 streets from the list and compared them to Gandolfo Way in Sparks, and not one of the 11 was as bad as Gandolfo Way. The City of Sparks has a \$47-million backlog of street maintenance. Mr. Mayer stated all residents are citizens of the County and the issue of repairing the roads should be Countywide. He stated 37 percent of his taxes go to Washoe County, while 26 percent goes to the City of Sparks; and it would only be fair and just to spread street maintenance out equally between the unincorporated and incorporated areas.

Will Brown, Spanish Springs resident, stated this issue was discussed and argued about a great deal during the fiscal equity discussions. He cited numerous areas concerning fiscal equity between the entities and stated the whole picture has to be examined, not just one area.

Commissioner Sferrazza requested a workshop on this issue and stated he was not talking about fiscal equity, but what he wanted to see in the street maintenance program was District equity.

Commissioner Shaw advised the Regional Transportation Commission (RTC) is going to be providing some funds for a sealing program in Reno and Sparks. Tom Gadd, Public Works Director, stated the RTC is going to be distributing \$1.7-million towards a slurry seal and overlay program that will cover both the unincorporated and incorporated areas. He stated there is a meeting on June 18, 2003 to discuss the distribution of the funds.

Upon recommendation of David Price, County Engineer, through Tom Gadd, Public Works Director, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioner Sferrazza voting "no" and Commissioner Weber absent, it was ordered that the subject contract with Intermountain Slurry Seal, Inc., be renewed for the 2003/04 Slurry Seal of Selected Streets in Washoe County project in the amount of \$1,322,487.87 (PWP-WA-2003-152). It was further ordered that Chairman Humke be authorized to execute the contract documents when presented.

**03-685 LEASE PAYMENT AGREEMENT – HUMANE SOCIETY –
PUBLIC WORKS**

Upon recommendation of Tom Gadd, Public Works Director, on motion by Commissioner Sferrazza, seconded by Commissioner Shaw, which motion duly carried with Commissioner Weber absent, it was ordered that a Lease Payment Agreement between Washoe County and the Nevada Humane Society concerning repayment of financing the construction of and supplemental lease payments for space to be occupied by the Nevada Humane Society for the Regional Animal Services Shelter be approved and Chairman Humke be authorized to execute the same. It was further ordered that the form of the Lease Agreement attached to the Lease Payment Agreement also be approved.

It was noted the Humane Society has agreed to pay 10 semi-annual payments sufficient to repay the County's \$2.575-million medium-term bond issue, and the Lease Payment Agreement also permits the County to lease space to the Nevada Humane Society for an additional 20 years at the Humane Society's option. It was also noted that it is anticipated the Humane Society will make supplemental lease payments sufficient to pay the operational and maintenance expenses of the leased space.

03-686 2002 REGIONAL PLAN SETTLEMENTS

Adrian Freund, Director, Department of Community Development, reported there was a hearing before the Regional Planning Commission (RPC) regarding the differences between the criteria and development standards adopted by Washoe County versus those adopted by the Cities of Reno and Sparks; and the result was the RPC did agree it was preferable to have one set of criteria; however, the criteria they voted to adopt was that of the Cities. He stated staff is requesting direction as to whether or not to appeal that decision to the Regional Planning Governing Board (RPGB).

Commissioner Galloway relayed what occurred at the last RPGB meeting. He moved that staff be directed to file the appeal because that way each item will be addressed one-by-one. Commissioner Sferrazza seconded the motion.

Gary Schmidt, Washoe County resident and co-litigant in the Regional Plan Update, stated he whole-heartedly supports the County moving forward with the appeal.

Chairman Humke called for the vote, and the motion carried unanimously with Commissioner Weber absent.

COMMUNICATIONS AND REPORTS

The following communications and reports were received, duly noted, and ordered placed on file with the Clerk:

03-687 COMMUNICATIONS:

- A. Copy of fully executed Notice of Completion between Washoe County Department of Water Resources and Beylik Drilling Inc. for well construction in Golden Valley for the Golden Valley Injection Well #5 Construction. (BCC Item No. 03-92)
- B. Copy of Proof of Publication of Notice of Completion, published March 19, 28 and April 4, 2003, concerning the Lemmon Valley Water System Improvements, Project 3, which work was performed by Mike's Trenching. (BCC Item No. 02-547)
- C. Copy of Proof of Publication of Notice of Completion, published March 5, 14, 19, 28 and April 4, 2003, concerning the CDB Decommissioning, which work was performed by Peavine Construction, Inc. (BCC Item No. 02-926)
- D. Notice of Intent to Annex Land into the City of Sparks dated May 14, 2003 to annex 747.96 acres of land, owned by the Timothy O. Tucker, Tucker Estate and Washoe County located east of the Wingfield Springs and Cimarron Planned Developments, Washoe County, into the City of Sparks, and a copy of Bill No. 2340 introducing the proposed Ordinance.
- E. Original, fully executed Storm Drain Letter Agreement dated February 20, 2003 for the Sullivan Lane Rehabilitation (23178) between Washoe County, the City of Sparks and the Regional Transportation Commission. It was noted the estimate for construction is approximately \$90,000, without utility adjustment costs included and the three entities agreed to share the construction costs equally in a not-to-exceed amount of \$90,000.
- F. Regulations for Child Care Facilities, effective March 3, 2003 and approved by the Washoe County Child Care Advisory Board and the Washoe Board of County Commissioners. The Bureau of Services for Child Care for the State of Nevada reviewed the changes and also approved their usage.

03-688 REPORTS – Quarterly (March 2003)

- A. Washoe County School District

03-689 REPORTS – Monthly (April 2003)

- A. Washoe County Treasurer

03-690 BUDGETS – 2003-2004

- A. Gerlach General Improvement District – Final
- B. Reno-Sparks Convention & Visitors Authority – Final
- C. Sparks, City of – Final
- D. Sparks, City of, Redevelopment Agency 1 and 2 – Final
- E. Sun Valley General Improvement District – Final
- F. Verdi Television District – Final
- G. Washoe County – Final

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There being no further business to come before the Board, the meeting adjourned at 2:52 p.m.

DAVID E. HUMKE, Chairman
Washoe County Commission

ATTEST:

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

*Minutes Prepared by
Sharon Gotchy
Deputy County Clerk*