

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

2:00 P.M.

DECEMBER 14, 2004

PRESENT:

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

Amy Harvey, County Clerk
Katy Singlaub, County Manager
Melanie Foster, 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:

04-1218 AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried with Commissioner Sferrazza absent, Chairman Shaw ordered that the agenda for the December 14, 2004 meeting be approved with the following change: the 21A on top of page 9 should be 26A.

04-1219 PUBLIC COMMENTS

John Bradbury, Spanish Springs resident, complained that a West Coast Contractor striping crew blocked the entrance to the Lazy 5 Park on Saturday, December 11, 2004, which kept the visitors to the 4th annual Wonderful Christmas event down to 300 when last year there were 600 plus visitors. Mr. Bradbury said Nevada Department of Transportation had stated they would try to postpone the striping, and West Coast Contractors was given a calendar of events each month. Mr. Bradbury requested staff present a report of what happened and how it could be prevented from happening again to the Spanish Springs Citizen Advisory Board on January 12, 2005.

Don Weber, local resident, asked how he could obtain written material that would establish whether or not the County had used any resources to oppose the marijuana petition. Katy Singlaub, County Manager, responded that he should make his request in writing to the County Manager.

Andy Manor, Mogul/Verdi resident, thanked Commissioner Weber and staff for permanently closing to through traffic one of the roads that was a concern to Mogul residents.

Chairman Shaw read a letter addressed to Reno City Councilmember Sharon Zadra from Jerry Wright, Attorney and local resident, who lost his home in the Andrew Lane fire. A copy of this letter was placed on file with the Clerk.

Gary Schmidt, local resident, used his public comment time to finish reading the letter from Mr. Wright. He said he has also asked questions; and 16 weeks after the fire, there has still been no investigation.

Al Hesson, local resident, spoke on the plight of the homeless, particularly the need of a shelter for women and children. He said the priority being given to the development of the Lear Theatre and the Animal Shelter demonstrates how misplaced society's priorities are here.

***2:20 p.m.** Commissioner Sferrazza arrived.

Sam Dehne, local resident, spoke about the Reno-Tahoe Airport wanting him to pay their attorney fees after the jury found in their favor.

04-1220 COMMISSIONERS'/MANAGER'S ANNOUNCEMENTS

Commissioner Sferrazza stated he had requested an item for today's agenda to approve a contribution to Environmental Leadership in the amount of \$500 with part of the contribution funding a table at Earth Day, which Kathy Carter, Community Relations Director, said she was funding. Katy Singlaub, County Manager, said that was correct and staff would advise Environmental Leadership of that fact.

Commissioner Weber requested an agenda item in January 2005 on the Flood Control project. In response to Commissioner Weber, Ms. Singlaub said the request for monthly reports had already been made.

Commissioner Humke read an e-mail from Bill Berrum, Treasurer, responding to criticism voiced during the audit report about certain investments, which was placed on file with the Clerk.

Commissioner Galloway requested agenda items on the status of land dedications for Arrow Creek, staff options to reduce Rancho San Rafael Park through traffic, and a date for receiving the report on the handling of the Andrew Lane fire.

In response to Chairman Shaw, Ms. Singlaub said she would respond to Spanish Springs resident John Bradbury's concerns regarding the blocking of the entrance to the Lazy 5 Park.

04-1221 INTRODUCTION OF NEW WASHOE COUNTY EMPLOYEES

Chairman Shaw invited approximately 22 new Washoe County employees to come forward and introduce themselves to the Board. The Board members welcomed the new employees.

04-1222 MINUTES

On motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, Chairman Shaw ordered that the minutes of the regular meetings of November 9 and 16, 2004 be approved.

04-1223 SETTLEMENT – CLAIM NUMBER 24349 – NGUYET THI VO

Upon recommendation of Jim Jeppson, Risk Manager, through John Sherman, Finance Director, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, Chairman Shaw ordered that the payment in the amount of \$50,000 to Nguyet Thi Vo as full and final settlement of Claim Number 24349 against Washoe County be approved.

04-1224 BUDGET AMENDMENT – FY 2004/05 – HIV SURVEILLANCE PROGRAM BUDGET – HEALTH

Upon recommendation of Patsy Buxton, Health Analyst, through Eileen Coulombe, Administrative Health Services Officer, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, Chairman Shaw ordered that the amendments totaling \$20,000 in both revenue and expenses to the adopted Fiscal Year 2004/05 District Health Department’s HIV Surveillance Program Budget (internal order #10012) in support of Travel, Equipment and Operating Expenditures funded by a Notice of Subgrant Award from the Nevada State Health Division be approved. It was further ordered that the Finance Department be directed to make the following budget adjustments:

ACCOUNT NUMBER	DESCRIPTION	AMOUNT OF INCREASE
2002-10012-431100	Federal Contributions	\$20,000
Expenses:		
2002-10012-710300	Operating Supplies	\$ 2,600
2002-10012-710508	Telephone	\$ 428
2002-10012-710509	Seminars and Meetings	\$ 775
2002-10012-711504	Equipment <\$10,000	\$16,197
	Total Expenses	\$20,000

**04-1225 AWARD REQUEST FOR PROPOSAL – REGIONAL
EMERGENCY OPERATIONS CENTER TECHNOLOGY -
EMERGENCY MANAGEMENT**

Upon recommendation of Aaron Kenneston, Emergency Management Administrator, through John Slaughter, Management Services Director, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, Chairman Shaw ordered that the Request for Proposal for the Regional Emergency Operations Center Technology be awarded to Quantum Audio Video in the amount of \$97,195.10 and the Purchasing and Contracts Administrator be authorized to execute a contract for the same.

**04-1226 WRITTEN CONSENT FOR CONTINUED REPRESENTATION –
ALLISON, MACKENZIE, RUSSELL, PAVLAKIS, WRIGHT AND
FAGAN, LTD.**

Upon recommendation of Madelyn Shipman, Assistant District Attorney, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the Written Consent for Continued Representation by Allison, MacKenzie, Russell, Pavlakis, Wright and Fagan, Ltd. in *Utilities, Inc. v. Nevada Public Utilities Commission* (04-00276A, First Judicial District) and Verdi Meadows Utility, Inc.’s *Application before the Public Utilities Commission* and for said firm’s undertaking the representation of the plaintiff in *Persighel v. Washoe County* (CV04-02304) be approved and Chairman Shaw be authorized to execute the same.

**04-1227 GRANT – WAL-MART FOUNDATION – COMMUNITY
EMERGENCY RESPONSE TEAM PROGRAM - SHERIFF**

Upon recommendation of Jim Lopey, Assistant Sheriff, through Dennis Balaam, Sheriff, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, Chairman Shaw ordered that the donation in the amount of \$2,500 from the Wal-Mart Foundation to the Washoe County Community Emergency Response Team Program be accepted with the gratitude of the Board. It was further ordered that the Finance Department be directed to make the following budget adjustments:

ACCOUNT	AMOUNT
Increase Revenues	
20236-484000 CERT - Contributions and Donations	\$2,500
Increase Expenditures	
20236-710300 CERT – Operating Supplies	\$2,500

04-1228

**RESOLUTION – DONATE 1980 INTERNATIONAL CARGO STAR
MOBILE COMMAND POST – UNIVERSITY OF NEVADA RENO,
DEPARTMENT OF POLICE SERVICES - SHERIFF**

Upon recommendation of Jim Lopey, Assistant Sheriff, and Jean Ely, General Services Director, through Dennis Balaam, Sheriff, and Tom Gadd, Public Works Director, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the following Resolution to donate one used surplus 1980 International Cargo Star Mobile Command Post, including law enforcement equipment, from Equipment Services Division on behalf of the Washoe County Sheriff's Office to the University of Nevada Reno, Department of Police Services, in accordance with NRS 244.1505, Section 2.(a) be adopted and Chairman Shaw be authorized to execute the same:

A RESOLUTION TO DONATE ASSETS OF THE EQUIPMENT SERVICES FUND

WHEREAS, Equipment Services was established to provide fleet services including acquisition, maintenance and disposal of fleet vehicles and equipment and to provide management and administration of related fleet services for Washoe County; and

WHEREAS, Equipment Services in cooperation with the Washoe County Sheriffs Office is disposing of one (1) 1980 International Cargo Star Mobile Command Post; vehicle identification number D1022KCA23892 which is surplus to its needs; and

WHEREAS, the University of Nevada Reno Department of Police Services is in need of a mobile command post for use at University special events;

WHEREAS, the University of Nevada Reno Department of Police Services has agreed to affix identification of both the University of Nevada and the Washoe County's Sheriffs Office on this vehicle and to allow the Sheriffs Office future use of the vehicle upon request;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE IN THE STATE OF NEVADA, that we support the needs of the University of Nevada Reno Department of Police Services and declare:

Section 1. NRS 244.1505, Section 2.(a) empowers the Board of County Commissioners to donate certain property that the Board determines to have reached the end of their useful life to non-profit organizations or governmental entities including those created for educational purposes.

Section 2. The above-mentioned surplus used Washoe County asset will be donated in "as is" condition to the University of Nevada Reno Department of Police Services.

Section 3. This Resolution shall be effective on passage and approval by the Board of County Commissioners.

Section 4. The County Clerk is hereby directed to distribute copies of this Resolution to the Sheriff Office, Comptroller's Office, Finance, Purchasing and Equipment Services.

04-1229 STREET NAME CHANGE – SILVERTIP DRIVE

Upon recommendation of the Regional Street Naming Committee, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, Chairman Shaw ordered that the request to change the name of First Creek Way, located in Incline Village near State Route 28, to Silvertip Drive be approved effective May 14, 2005.

04-1230 STREET NAME CHANGE – SKYFIRE COURT

Upon recommendation of the Regional Street Naming Committee, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, Chairman Shaw ordered that the request to change the name of Schwarzbier Court, located in Spanish Springs near West Calle de la Plata, to Skyfire Court be approved effective May 14, 2005.

04-1231 CONTRACT AMENDMENT – HERSHENOW + KLIPPENSTEIN ARCHITECTS – INCLINE VILLAGE MAINTENANCE FACILITY – PUBLIC WORKS

Sam Dehne, local resident, objected to approving any additional money for the project. Commissioner Galloway responded that the amendment to the architectural contract was the result of requirements placed on the project by the Tahoe Regional Planning Agency.

Upon recommendation of Roger Van Alyne, Capital Projects Division Director, through Tom Gadd, Public Works Director, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, Chairman Shaw ordered that the Amendment to the Contract for Professional Design Services with Hershenow + Klippenstein Architects in the amount of \$9,229.18, concerning the Incline Village Maintenance Facility, be approved and the Contract Administrator be authorized to execute the same.

04-1232 CONTRACT AMENDMENT – HERSHENOW + KLIPPENSTEIN ARCHITECTS – INCLINE VILLAGE LIBRARY – PUBLIC WORKS

Upon recommendation of Roger Van Alyne, Capital Projects Division Director, through Tom Gadd, Public Works Director, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, Chairman Shaw ordered that the Amendment to the Contract for Professional Design Services with Hershenow + Klippenstein Architects in the amount of \$13,190.65, concerning the Incline Village Library, be approved and the Contract Administrator be authorized to execute the same.

04-1233 CHANGE ORDER NUMBER 1 - GOLDENROD WATERLINE EXTENSION – WATER RESOURCES

Upon recommendation of Joseph Stowell, Licensed Engineer, and Paul Orphan, Engineering Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, Chairman Shaw ordered that Change Order No. 1 in the amount of \$39,240.73, concerning additional work on the Goldenrod Waterline Extension project, be approved and the Water Resources Director be authorized to execute the same.

04-1234 2005 GOLF COURSE FEE SCHEDULE - PARKS

Upon recommendation of Doug Doolittle, Assistant Director, through Karen Mullen, Regional Parks and Open Space Director, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, Chairman Shaw ordered that the 2005 Fee Schedule for the Washoe County Golf Courses operated by the Department of Regional Parks and Open Space be approved.

04-1235 RESOLUTION – APPLICATION – NEVADA DIVISION OF STATE LANDS – CONSERVATION AND RESOURCE PROTECTION GRANT PROGRAM - PARKS

Upon recommendation of Karen Mullen, Regional Parks and Open Space Director, through Michelle Poché, Assistant County Manager, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the following Resolution to support a grant application from the Nevada Division of State Lands, Conservation and Resource Protection Grant Program to receive \$225,000 for extension of the existing Swan Lake Boardwalk and Interpretive Path be approved and Chairman Shaw be authorized to execute the same:

**RESOLUTION OF SUPPORT
STATE QUESTION 1 GRANT APPLICATION**

WHEREAS, The State Question 1, approved by Nevada voters in 2002, calls for \$200,000,000 in funding in support of clean water, parks and wildlife across the state; and

WHEREAS, A portion of this funding is set aside for 50/50 matching grant applications for land acquisition and trails; and

WHEREAS, The Swan Lake Boardwalk and Interpretive Path Extension will provide a better interpretive experience for visitors by extending the path system into the area that remains a wetland during drought periods; and

WHEREAS, There is broad public support with over 8 agencies partnering in the project; and

WHEREAS, Washoe County school children regularly visit the site for educational field trips;

NOW, THEREFORE, be it resolved that the Washoe County Board of County Commissioners supports the Swan Lake Boardwalk and Interpretive Path Extension grant application.

**04-1236 HIDDEN VALLEY REGIONAL PARK 2004 MASTER PLAN
UPDATE AND NEIGHBORHOOD PARK CONCEPTUAL PLAN**

Upon recommendation of Bill Gardner, Park Planner, through Karen Mullen, Regional Parks and Open Space Director, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, Chairman Shaw ordered that the Hidden Valley Regional Park 2004 Master Plan Update and Hidden Valley Neighborhood Park Conceptual Plan be approved.

**04-1237 CORRECTION OF FACTUAL AND CLERICAL ERRORS –
ASSESSOR**

Upon recommendation of Jean Tacchino, Assistant Chief Deputy Assessor, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, 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 Shaw be authorized to execute the same:

PROPERTY OWNER	PARCEL NO.	AMOUNT	ROLL
Gary A. & Judith A. Kruger	001-340-29	[-\$474.06]	2004 Secured
David D. & Amy Rocovits	011-083-14	[-\$136.37]	2004 Secured

PROPERTY OWNER	PARCEL NO.	AMOUNT	ROLL
Kelly Rae	013-103-15	[-\$16.48]	2004 Secured
Dynamic Diversified Devel Ent, et al	018-223-05	[-\$354.02]	2004 Secured
Joseph S. Coyle	024-062-07	[-\$62.35]	2004 Secured
Vitality Center	026-021-15	[-\$1,092.81]	2004 Secured
George Boykins, Jr.	026-525-23	[-\$844.05]	2004 Secured
William B./ Francine S. Egdamin, Jr.	026-525-24	[-\$864.98]	2004 Secured
Sharon K. Muller	026-525-25	[-\$850.28]	2004 Secured
Sparks Blacksmith & Welding Inc.	034-371-02	[-\$238.36]	2004 Secured
Vitality Center	035-051-06	[-\$1,330.21]	2004 Secured
The River Christian Center Inc.	038-800-08	[-\$3,952.45]	2004 Secured
Joseph J. & Constance L. Eberle TR	040-491-22	[-\$37.82]	2004 Secured
David A. & Brenda Dubois	041-402-01	[-\$200.47]	2004 Secured
Theodoros & Monet F. Paputsidis	047-031-29	[-\$93.68]	2002 Secured
Theodoros & Monet F. Paputsidis	047-031-29	[-\$96.36]	2003 Secured
Theodoros & Monet F. Paputsidis	047-031-29	[-\$94.25]	2004 Secured
Imelda Reno LLC	090-030-25	[-\$8,729.63]	2002 Secured
Imelda Reno LLC	090-030-25	[-\$11,003.62]	2003 Secured
Imelda Reno LLC	090-030-25	[-\$11,146.65]	2004 Secured
Lynn L. & Melody A. Fetterly TR	122-112-13	[-\$38.16]	2004 Secured
Ronda D. Tycer TR	125-142-03	[-\$839.13]	2001 Secured
Ronda D. Tycer TR	125-142-03	[-\$868.96]	2002 Secured
Ronda D. Tycer TR	125-142-03	[-\$866.83]	2003 Secured
Ronda D. Tycer TR	125-142-03	[-\$864.75]	2004 Secured
Michael M. & Katherine C. Holland	125-156-04	[-\$1,262.85]	2004 Secured
Henry J. Malasky, et al	126-082-24	[-\$99.17]	2002 Secured
Henry J. Malasky, et al	126-082-24	[-\$202.62]	2003 Secured
Henry J. Malasky, et al	126-082-24	[-\$202.12]	2004 Secured
Daniel N. & Virginia P. Salerno	126-251-04	[-\$13.07]	2001 Secured
Daniel N. & Virginia P. Salerno	126-251-04	[-\$13.53]	2002 Secured
Daniel N. & Virginia P. Salerno	126-251-04	[-\$13.46]	2003 Secured
Jeff & Susan Homola	130-202-07	[-\$359.14]	2004 Secured
William G. & Diane D. Simmons	131-224-08	[-\$1,564.27]	2004 Secured
Daniel N. & Virginia P. Salerno TR	131-232-02	[-\$50.83]	2001 Secured
Daniel N. & Virginia P. Salerno TR	131-232-02	[-\$52.63]	2002 Secured
Daniel N. & Virginia P. Salerno TR	131-232-02	[-\$52.49]	2003 Secured
Jack N. & Nancy J. Tedford III	131-250-09	[\$-347.71]	2001 Secured
Jack N. & Nancy J. Tedford III	131-250-09	[-\$401.52]	2002 Secured
Jack N. & Nancy J. Tedford III	131-250-09	[-\$400.50]	2003 Secured
Jon S. & Nancy E. Thomas	131-261-06	[-\$115.85]	2001 Secured
Jon S. & Nancy E. Thomas	131-261-06	[-\$136.30]	2002 Secured
Jon S. & Nancy E. Thomas	131-261-06	[-\$48.79]	2003 Secured
FAE Holdings101736R LLC	160-090-17	[-\$196.11]	2004 Secured

04-1238 CREATION – UNFUNDED DEPUTY SHERIFF RECRUIT POSITIONS - SHERIFF

Upon recommendation of Carrie Bennett, Lieutenant, through Dennis Balaam, Sheriff, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, Chairman Shaw ordered that the creation of 15 unfunded Deputy Sheriff Recruit positions within the Sheriff’s Office be approved.

04-1239 RECLASSIFICATIONS – ABOLISHED JOB CLASSES – PAY GRADE CHANGE - HUMAN RESOURCES

Upon recommendation of Joanne Ray, Human Resources, through John Berkich, Assistant County Manager, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, Chairman Shaw ordered that the following reclassifications of existing positions, abolished job classes, and pay grade change be approved:

Reclassification of Existing Positions:

Department	Current Position	Pay Grade	Recommended Job Class	Pay Grade
Assessor	Principle Account Clerk	J	Office Support Specialist	H
Assessor	Personal Property Auditor Appraiser (2 positions)	K	Appraiser III	N
Information Technology	GIS Manager	R(S)	IT Manager	T
Information Technology	Client Technologies Manager	S	IT Manager	T

Abolished Job Classes:

Job Class Title	Pay Grade
GIS Manager	R(S)
Client Technologies Manager	S

Pay Grade Change:

Job Class Title	Existing Pay Grade	New Pay Grade
DA Investigator III	P	P(Q)

04-1240

**CHILD WELFARE INTEGRATION – STATE GENERAL FUNDS
AND FEDERAL MATCH FY 2004 - SOCIAL SERVICES**

Upon recommendation of Mike Capello, Social Services Director, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, Chairman Shaw ordered that the recommendation for the Department of Social Services to expend a total of \$860,772 in Fiscal Year 2005 from savings of State General Funds and Federal match budgeted for Washoe County in Fiscal Year 2004 to support child welfare integration, which includes approval of two new Family Preservation Therapist positions (Mental Health Counselor II) effective January 1, 2005, be approved. It was further ordered that the Finance Department be directed to make following budget adjustments:

Increase Revenue Authority in Internal Order 10454 (Integration Case Management - State General Fund - 432100 (State Grants) by \$691,866

Increase Revenue Authority in Internal Order 10078 (Title IV-E Admin) – 431100 (Federal Grants) by \$126,390

Increase Revenue Authority in Internal Order 10083 (Integration Case Management - Medicaid) - 431602 (Medicaid Management Service) by \$26,316

Increase Revenue Authority in Cost Center 280910 (Integration Case Management) - 460630 (Adoption Services) by \$16,200

Increase expenditure authority as follows (Cost Center - Integration Case Management):

280910-701110 (Base Salaries)	\$ 69,364
280910-705210 (Retirement)	\$ 14,046
280910-705110 (Group Insurance)	\$ 10,788
280910-705230 (Medicare)	\$ 1,006
280910-705330 (Unemploy Comp)	\$ 100
280910-705320 (Workmen's Comp)	\$ 400
280910-710300 (Operating Supplies)	\$ 783
280910-711210 (Travel)	\$ 1,814
280910-710600 (Leases)	\$ 2,519
280910-711504 (Equip. < \$10,000)	\$ 14,730
280910-710509 (Seminars & Mtgs.)	\$ 294
280910-710714 (Referral Services)	\$100,000
280910-710100 (Prof Svcs)	\$438,375
280910-710594 (Ins Premiums)	\$125,000
280910-781004 (Equip > \$10,000)	\$ 81,553

**04-1241 AWARD OF BID – NUMBER 2458-05 – FLEET HEAVY
EQUIPMENT - PURCHASING**

This was the time to consider the award of the bid for Fleet Heavy Equipment for the Purchasing Department. The Notice to Bidders for receipt of sealed bids was published in the *Reno Gazette-Journal* on October 15, 2004. Proof was made that due and legal Notice had been given.

Bids were received from the following vendors:

Cashman Equipment Company, Inc.
Empire Equipment Company L.P. dba Nortrax

Upon recommendation of Michael Sullens, Senior Buyer, through John Balentine, Purchasing and Contracts Administrator, Jean Ely, Equipment Services, and Tom Gadd, Public Works Director, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, Chairman Shaw ordered that Bid No. 2458-05 for new Fleet Heavy Equipment be awarded to Empire Equipment Company L.P., dba Nortrax, in the net amount of \$690,444, and Washoe County's right to procure additional fleet heavy equipment from the successful bidder through December 31, 2005, be affirmed provided there is no increase in pricing offered and capital outlay requests have been approved.

**04-1242 SOFTWARE LICENSES – COUNTYWIDE IMAGING SOLUTION
- INFORMATION TECHNOLOGY**

Upon recommendation of Tom Gadd, Public Works Director, and Matt Beckstedt, Information Technology Director, through Michelle Poché, Assistant County Manager, and Katy Singlaub, County Manager, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, Chairman Shaw ordered that the purchase of 100 additional concurrent software licenses and subsequent training for the Countywide imaging solution from High Desert Microimaging in the amount of \$121,100 be approved.

**04-1243 REDUCE DEPUTY CIVIL MARRIAGE COMMISSIONER HOURS
– ADD OFFICE SUPPORT SPECIALIST - BOARD RECORDS
AND MINUTES DIVISION - CLERK**

Upon recommendation of Amy Harvey, County Clerk, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, Chairman Shaw ordered that the reduction of the 1.00 Full Time Equivalent (FTE) Deputy Civil Marriage Commissioner to one part time .60 FTE with benefits Deputy Civil Marriage Commissioner and the addition of a 1.00 FTE Office Support Specialist for the Board Records and Minutes Division of the Clerk's Office be approved. It was further ordered that the District Attorney's Civil Division be directed to prepare the necessary Ordinance to accomplish a change in the hours and days of operation for

the Civil Marriage Commissioner's Office. It was also ordered that the Clerk's Office, Human Resources and Finance take the necessary steps to implement the recommendations.

04-1244 WATER RIGHTS APPLICATION 71738

Upon recommendation of Vahid Behmaram, Water Rights Supervisor, and Paul Orphan, Engineering Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, it was ordered that Chairman Shaw be authorized to recommend approval of Water Rights Application 71738 to the Nevada State Engineer.

**04-1245 SPONSORSHIP – DIRECTIONS 2005 ECONOMIC FORUM
EVENT – COMMUNITY RELATIONS**

After discussion, on motion by Commissioner Sferrazza, seconded by Commissioner Humke, which motion duly carried, Chairman Shaw ordered that the discussion on sponsoring the Directions 2005 Economic Forum Event be continued until the January 11, 2005 meeting to allow for adoption of a sponsorship policy.

**04-1246 RELEASE REQUEST FOR PROPOSALS (RFP'S) –
TREASURER'S TAX BILLING AND COLLECTION SYSTEM**

Katy Singlaub, County Manager, stated automating and modernizing the County's revenue collection system was a recommendation of the citizen led Charting Our Course Committee.

In response to questions raised at caucus, Bill Berrum, Treasurer, said there would be a better idea of the cost after receipt of the Request for Proposals (RFPs). He said the results of the RFP and a more detailed cost analysis would be available in March. Mr. Berrum said one issue is the current system will not accept partial payments. He said it has been determined that the savings from getting the money in the bank and not sending it back because of a partial payment would be around \$38,000 a year for investment revenue. Mr. Berrum said another issue is penalty amounts on delinquent taxes are being under calculated, costing the County \$57,000 a year.

In response to Commissioner Galloway, Mr. Berrum said there were over 40 prospective vendors at a recent review of the list. He said the tax system going out for an RFP was part of the integrated financial system that the Board approved in October 2002. Mr. Berrum said because of financial considerations at that time, the tax system was delayed.

Gary Schmidt, local resident, spoke on the stupidity of government refusing to accept a partial payment.

Upon recommendation of Mr. Berrum, and John Sherman, Finance Director, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, Chairman Shaw ordered that the release of Request for Proposals for the Treasurer's Tax Billing and Collection System be approved.

04-1247 RESOLUTION – DESIGNATING ALTERNATES – TAHOE REGIONAL PLANNING AGENCY GOVERNING BODY

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

RESOLUTION - DESIGNATING ALTERNATES TO THE TAHOE REGIONAL PLANNING AGENCY GOVERNING BODY ON BEHALF OF WASHOE COUNTY

WHEREAS, Pursuant to NRS 278.792, Washoe County is represented on the governing board of the Tahoe Regional Planning Agency (hereinafter "TRPA") by one representative appointed by the Board of County Commissioners; and

WHEREAS, James Galloway, Commissioner for Washoe County District 1, is the currently appointed Washoe County representative to the TRPA governing board; and

WHEREAS, On the rare occasions when the representative may be unable to attend TRPA meetings due to illness or other absence, it is necessary under TRPA rules to designate an alternate; and

WHEREAS, It is not always possible to know sufficiently in advance of an absence of the representative that would permit the Board of County Commissioners to place on an agenda the appointment of an alternate to the TRPA Governing Board; and

WHEREAS, From time to time, the representative is requested to attend other, non-governing, TRPA meetings; and

WHEREAS, The Washoe County Board of County Commissioners has determined that the following individuals: Michael Harper, FAICP; Eva Krause, AICP; Richard Harris and Adrian Freund, AICP, are very knowledgeable regarding TRPA matters and the Lake Tahoe Basin, therefore, are suitable alternates to sit with the TRPA; and

WHEREAS, The Washoe County Board of County Commissioners has further deemed it appropriate that any sitting member of the Washoe County Board of County Commissioners may represent the county on the TRPA Governing Board, therefore, are also suitable alternates to sit with the TRPA; now, therefore, be it

RESOLVED, That Michael Harper, Eva Krause, Richard Harris, Adrian Freund, and any sitting member of the Washoe County Board of County Commissioners are hereby designated as alternates to sit with the TRPA governing body or other TRPA meetings in the absence of the representative; and be it further

RESOLVED, That the representative, Commissioner Galloway, shall have the authority to select Michael Harper, Eva Krause, Richard Harris, Adrian Freund, or any sitting member of the Washoe County Board of County Commissioners to sit with the TRPA governing body or other TRPA meetings in his absence; and be it further

RESOLVED, That the designation of Michael Harper, Eva Krause, Richard Harris, Adrian Freund, and any sitting member of the Washoe County Board of County Commissioners shall continue until modified by future action of the Board of County Commissioners; and be it further

RESOLVED, That a copy of this Resolution be forwarded to the TRPA.

04-1248

**INTERLOCAL AGREEMENT – STATE OF NEVADA – IV-D
SERVICES – DISTRICT ATTORNEY**

Commissioner Humke stated his concerns regarding the NOMAD system that was mandated to the State by the Federal Government with a sole source contract, and the stance by the State that the County must take responsibility for things that are not the County's fault.

Commissioner Galloway said, if this agreement was not signed, the County would not get reimbursed for entering data into the system, which must be done by law. He said the data is difficult to enter into the NOMAD system, but if it is entered incorrectly there are consequences to the County.

In response to Chairman Shaw, Melanie Foster, Legal Counsel, said Commissioner Galloway was correct that approval of the agreement was necessary for reimbursement, and the State was well aware of the County's concerns because they were communicated several times during negotiations.

Commissioner Sferrazza reiterated his standing request to get copies of all contracts to be approved. He said he understood the contract being approved was an improvement over the contract originally proposed because it includes the State in the relative responsibility language.

Sam Dehne, local resident, agreed with Commissioner Humke and also agreed with Commissioner Sferrazza that the Commissioners should have copies of all contracts that are to be approved.

Gary Schmidt, local resident, spoke on the arrogance of the District Attorney's Office asking the Board to approve a contract without seeing it beforehand.

In response to Commissioner Sferrazza, Ms. Foster said the same contact is going to all of the counties.

Commissioner Galloway requested that he also receive copies of all contracts rather than on demand as previously requested.

Board members asked questions about the reimbursement amounts, and Ms. Foster replied she would have to get that information.

Later in the meeting, Ms. Foster said the January reimbursement would be approximately \$300,000, the first year of the contract would be worth approximately \$2 million, and three years would be worth approximately \$16 million. She said approval is needed today on the contract so it can go before the January Board of Examiners meeting; otherwise, if it goes in for the February meeting, the reimbursements would be delayed until March.

Upon recommendation of Madelyn Shipman, Assistant District Attorney, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the Interlocal Contract for IV-D Services between the Washoe County and the State of Nevada be approved and Chairman Shaw be authorized to execute the same.

04-1249 APPEARANCE – PEGGY POUND – NEVADA CHAPTER PUBLIC WORKS ASSOCIATION - PROJECT OF THE YEAR AWARD – PUBLIC WORKS

Peggy Pound, Nevada Chapter of the American Public Works Association, presented the “2004 Project of the Year - Buildings” Award to Washoe County for the Regional Dispatch and Emergency Operations Center. Chairman Shaw accepted on behalf of Washoe County staff and read the plaque inscription for the record. Tom Gadd, Public Works Director, and Roger Van Alyne, Capital Projects Division Director, thanked the Commissioners for their support. Ms. Pound also noted the second place winner was the Washoe County Library known as the “Big Yellow Bus.”

04-1250 APPEARANCE – BOB HADFIELD - NEVADA ASSOCIATION OF COUNTIES EXECUTIVE DIRECTOR

Bob Hadfield, Executive Director, Nevada Association of Counties (NACO) spoke about the incredible effort of Washoe County staff and elected officials in hosting the 2004 NACO Conference and presented a plaque in appreciation to Washoe County.

Chairman Shaw spoke about Mr. Hadfield’s retirement as Executive Director of NACO and presented him with a token of Washoe County’s appreciation. Commissioners Sferrazza and Humke also thanked Mr. Hadfield for his service.

04-1251 RESOLUTION - SALE OF WATER RIGHTS – WASHOE COUNTY SCHOOL DISTRICT - PARKS

After discussion during which it was confirmed that the School District needed 105-acre feet of water rights for two schools, on motion by Commissioner Weber, seconded by Commissioner Humke, which motion duly carried, Chairman Shaw ordered that the sale of up to 105 acre-feet of water rights to the Washoe County School District and the Resolution concerning the sale of the remaining water rights available from the total amount of 194.03 acre-feet of water rights be continued until February 8, 2005 after a public workshop prior to the Caucus meeting on January 24, 2005.

3:45 p.m. The Board recessed.

4:05 p.m. The Board reconvened with Commissioner Sferrazza absent.

04-1252 BILL NO. 1435 -AMENDING WCC CHAPTER 110 DEVELOPMENT CODE – FLOOD HAZARDS

Bill No. 1435, entitled, "AN ORDINANCE AMENDING PROVISIONS RELATING TO WASHOE COUNTY CODE CHAPTER 110, ARTICLE 416, FLOOD HAZARDS, BY AMENDING WASHOE COUNTY CODE, CHAPTER 110, DEVELOPMENT CODE, ARTICLE 416, FLOOD HAZARDS, TO ADD SECTIONS PERTAINING TO FLOOD STORAGE MITIGATION REQUIREMENTS. THE PROPOSED CHANGES WILL SET DEVELOPMENT STANDARDS FOR PROPERTIES LOCATED WITHIN FLOOD PLAIN STORAGE ZONE 1, AND OTHER MATTERS PROPERLY RELATING THERETO." was introduced by Commissioner Humke, the title read to the Board and legal notice for final action of adoption directed.

04-1253 WATER RIGHTS APPLICATION 71382 – WATER RESOURCES

Vahid Behmaram, Water Rights Supervisor, spoke about the summary of a State Engineer ruling relevant to this item, which was placed on file with the Clerk. In response to Commissioner Galloway, he said he reviews all applications and only files a protest on those that have a clear impact on Washoe County.

Upon recommendation of Mr. Behmaram, and Paul Orphan, Engineering Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Commissioner Sferrazza absent, it was ordered that Chairman Shaw be authorized to recommend denial of Water Rights Application 71382 to the Nevada State Engineer for the following reasons:

1. the Dodge Flat Basin is fully appropriated, and

2. over appropriation is contrary to the Washoe County Development Code and Nevada Revised Statute 533.370.

04-1254 2005 FEE SCHEDULE – REGIONAL PARKS AND OPEN SPACE – PARKS

Commissioner Sferrazza commented on receiving a letter from Great Basin Outdoor School requesting a tiered fee structure and inquired if that was being adopted today. Gregg Finkler, Parks Operations Superintendent, responded the fees for Camp WeChMe are included as part of the overall fee schedule as outlined in the agenda memorandum dated November 18, 2004. Commissioner Sferrazza said he reviewed the schedule and does not see any tiered system. Mr. Finkler responded the discounted rate was a request from the Great Basin Outdoor School.

In response to Commissioner Sferrazza, Mr. Finkler said the season pass for the Davis Creek Park Campground was eliminated due to a reduction of requests over the years. Commissioner Sferrazza inquired if swim lessons offered by the County are taught by County employees. Doug Mullen, Recreation Services, replied the County's seasonal lifeguard staff provides the swim lessons. He said staff also works with the Family Resource Center and other agencies in providing services for underprivileged children so they have the opportunity to enjoy the pools.

Chairman Shaw asked if staff had a recommendation regarding Great Basin Outdoor School. Mr. Mullen responded he met with representatives from the school, and they submitted a request for a discounted rate from what is posted on the proposed fee schedule.

Commissioner Humke asked if the camp would function at a loss if staff provided the lower rate to the Great Basin Outdoor School. Mr. Mullen replied staff would have to subsidize in order to accommodate. The fees take into account the investment of the facility, normal operating costs, and staffing.

Sue Jacox, Great Basin Outdoor School Board member, said the school currently uses Camp Galilee; however, their program is growing and they would like to offer programs for Washoe County children at Camp WeChMe. She said the school is requesting consideration of a tiered fee structure enabling school groups to utilize the facility during blocks of mid-week off-season time.

Mike Masterpool, Great Basin Outdoor School, commented the school is looking at two six-week periods, mid-week, which would bring children to camp to learn environmental studies. Mr. Masterpool said the request for a significant reduction is to keep the program affordable.

Commissioner Sferrazza asked if the school would accept a pre-emptable rate. Mr. Masterpool said that would be a reasonable thing, except they have to deal with coordinating school buses, fundraisers, and reduced lunches. In response to

Commissioner Sferrazza, Ms. Jacox replied the master plan now calls for six weeks in the spring and six weeks in the fall for school groups, and takes months to coordinate.

Commissioner Galloway questioned what would happen if another school not receiving the discount wished to book at the same time. Mr. Masterpool replied they are looking for a reduced rate for any school program supporting the education of children.

In response to Chairman Shaw, Mr. Masterpool stated the school has a contract with Camp Galilee, and the fees are different from the public fees. He said recently Camp Galilee received a request from a full paying customer on a weekend when Great Basin School was booked, and they lost that weekend. Chairman Shaw asked Mr. Finkler if this could be done on a trial basis to see how the bookings go. Mr. Finkler responded staff has their request and are also taking requests from other organizations. He cautioned the Board that staff does not wish to be put into a position of having to bargain with each group, and once a the discount has been afforded to one organization, other groups would be seeking reductions as well.

Ms. Jacox suggested the Board approve a discounted rate for students on a trial basis for two weeks this spring. She said if the school could run the program at Camp WeChMe for two weeks out of the six weeks, the County would still have the opportunity to book the remaining weeks.

In response to Commissioner Humke, Ms. Jacox replied Great Basin Outdoor School applies for grants and continues to generate support from the public. She said they hope to accommodate all children.

Commissioner Weber suggested staff move forward with the actual fee schedule while omitting Camp WeChMe and bring it back before the Board in January. Commissioner Sferrazza suggested keeping the proposed schedule and checking the bookings in February.

Mr. Finkler said staff could block those dates for the Great Basin School with the fee to be approved by the Board in February or March.

Commissioner Galloway suggested approving the fee schedule and having Great Basin Outdoor School come back before the Board to see if they could accommodate a pre-empted rate on one month's notice. He suggested staff go before the Parks Commission to request an advanced booking rate for no more than two weeks per group.

Upon recommendation of Gregg Finkler, Parks Operations Superintendent, through Karen Mullen, Regional Parks and Open Space Director, on motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, Chairman Shaw ordered that the 2005 fee schedule for the Department of Regional Parks and Open Space be approved. It was further ordered that the Parks

Department be directed to go before the Parks Commission in January and recommend review of the tiered fee schedule.

04-1255 POLICY – DEDICATION PLAQUES – PUBLIC WORKS

Commissioner Sferrazza requested other entities, which have made a substantial contribution to a project, also be included when a dedication plaque is installed.

Tom Gadd, Public Works Director, replied section three of the proposed policy states, “The Board of County Commissioners shall approve all requests for variance or exception to this Policy”, since there would be circumstances where the plaque design would come back before the Board.

Katy Singlaub, County Manager, questioned staff on the nature of the contribution from another entity resulting in their addition to the plaque. Mr. Gadd replied staff commits to bringing those back to the Board when there is a significant contribution from another entity.

Commissioner Galloway said, if a policy is established involving an outside entity, the question of multiple recognition should come back before the Board in ample time before the groundbreaking.

Upon recommendation of Roger Van Alyne, Capital Projects Division Director, through Tom Gadd, Public Works Director, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Shaw ordered that the policy for placing Dedication Plaques on new County Facilities be adopted with the following condition: when an outside entity is involved resulting in multiple recognition, it come to the Board in ample time before groundbreaking.

04-1256 CHARTER COMMUNICATIONS PETITION FOR SPECIAL RELIEF – MANAGER

Upon recommendation of John Berkich, Assistant County Manager, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, Chairman Shaw ordered that staff be directed to file with the Federal Communications Commission an Opposition to Charter Communications’ Petition for Special Relief for Determination of Effective Competition filed on November 8, 2004. It was further ordered that the payment of \$1,000 representing the County’s portion of the legal fees for such Opposition be approved.

**04-1257 RESOLUTION - REFUND OF TAXES - NORTHERN NEVADA
HOUSING SOLUTION AND COTTONWOOD APARTMENTS -
APN 020-021-40**

Upon recommendation of Terrance Shea, Deputy District Attorney, as stated in D.A. Opinion No. 6431, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the following Resolution be adopted and Chairman Shaw be authorized to execute on behalf of Washoe County:

RESOLUTION - Directing the County Treasurer to Refund Taxes

WHEREAS, the Board of Commissioners of Washoe County, pursuant to NRS 354.240, has the authority to direct the County Treasurer to refund to an applicant the amount of money paid into the County Treasury in excess of the amount legally payable; and

WHEREAS, Northern Nevada Housing Solutions and the Cottonwood Village Apartments (“Taxpayer”) made application for a partial refund of real property taxes for the 2003-2004 tax year on APN 020-021-40; and

WHEREAS, the Taxpayer has overpaid taxes for fiscal year 2003-2004 in the amount of \$19,053.50; and

WHEREAS, it is the opinion of the Board of Commissioners of Washoe County that the taxpayer has just cause for making such application and that the granting of the partial refund would be equitable.

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

1. That the Treasurer of Washoe County be and hereby is authorized and directed to refund to Northern Nevada Housing Solutions and the Cottonwood Village Apartments a total of \$19,053.50, which is the amount of the prorated taxes overpaid for the 2003-2004 tax year on APN 020-021-40.
2. The Treasurer of Washoe County is further directed to debit the account of each governmental entity which has shared in the excess of the taxes collected in error for its pro rata share of the refund.

**04-1258 AWARD OF BID – VARIABLE DATA PRINTER – BID NO.
2424-04 – PUBLIC WORKS**

This was the time to consider an Award of Bid for the rental of one new Variable Data Printer. Notice to Bidders for receipt of sealed bids was published in the

Reno Gazette Journal on February 25, 2004. Proof was made that due and legal notice had been given.

Bids were received from the following vendors:

IKON Office Solutions, Inc.
Machabee Office Environments
Nevada Office Machines
The Swenson Group
Xerox Corporation

Upon recommendation of Charlene Collins, Purchasing Department, through John Balentine, Purchasing and Contracts Administrator, Jean Ely, General Services Division Director, and Tom Gadd, Public Works Director, on motion by Commissioner Sferrazza, seconded by Commissioner Weber, which motion duly carried, Chairman Shaw ordered that Bid No. 2424-04 for the rental of one Docutech 6615 Variable Data Printer for the Public Works Department be awarded to Xerox Corporation in the approximate amount of \$336,000 for a five year rental term. It was further ordered that the Purchasing and Contracts Administrator be authorized to enter into a five-year rental agreement with Xerox Corporation, commencing approximately December 6, 2004 through December 5, 2009.

**04-1259 COMPREHENSIVE PLAN AMENDMENT CASE NUMBER
CP04-014 (LA DERA RANCH) – COMMUNITY DEVELOPMENT**

5:30 p.m. This was the time set in a notice of Public Hearing in the *Reno Gazette Journal* and mailed to affected property owners on December 3, 2004 to consider the Washoe County Planning Commission's actions of November 3, 2004 and December 7, 2004 on this item, and to consider the applicant's request to amend the Sun Valley Area Plan and the North Valleys Area Plan, being parts of the Washoe County Comprehensive Plan. The amendment request would re-designate Assessor's Parcel Numbers 82-473-06, 82-473-07, 82-473-08, 82-473-09, 82-473-11, 82-473-12 and 502-250-05 from the combined land use designations of General Rural (GR, 374 acres), Low (1) Density Suburban (LDS, 10 acres) and LLR-1 (10 acres, in City of Reno) to the land use designations of Medium Density Suburban (MDS, 103.77 acres), Low Density Suburban (LDS, 136.09 acres), High Density Rural (HDR, 61.41 acres) and Open Space (OS, 83.69 acres). The subject parcels are contiguous to each other and located to the south of Golden Valley Road/West Seventh Avenue, approximately one mile west of the intersection of West Seventh Avenue and Sun Valley Boulevard and approximately one mile east of the intersection of Golden Valley Road and Spearhead Way. The request would re-designate those areas with slopes up to 15 percent to the land use designation of Medium Density Suburban, areas with slopes above 15 percent but less than 30 percent to Low Density Suburban and High Density Rural and those areas with slopes of 30 percent or greater to Open Space (OS). The request would also remove the Sphere of Influence of the City of Reno from a small portion of the project area, as the property is proposed to be developed under County jurisdiction. The proposal would result in land use

designations that would allow a total of 471 dwelling units to be constructed. The parcels are within the Truckee Meadows Service Area, and within the Area of Interest for the City of Reno and the City of Sparks, as identified by the 2002 Truckee Meadows Regional Plan. The parcels are located within Sections 13 and 24, T20N, R19E, MDM, Washoe County, Nevada. The property is within the Washoe County Commission District No. 5 and is primarily within the Sun Valley Citizen Advisory Board boundary, with a small portion within the North Valleys Citizen Advisory Board Boundary.

To reflect changes requested within this application and to maintain currency of general area plan data, administrative changes to the area plan are proposed. These administrative changes include: a revised map series with updated parcel base and revised table of land uses and one administrative change to the Sun Valley Area Plan.

The administrative change requested is the re-designation of approximately 0.34 of an acre of Assessors Parcel Number 085-330-40 from a land use designation of Industrial (I) to Medium Density Suburban (MDS). The entire parcel is a portion of the proposed Harmony Mesa subdivision. The Planning Commission took a separate vote on the administrative change, which was approved unanimously.

Chairman Shaw opened the public hearing by calling on anyone wishing to speak.

Roger Pelham, Planner, described the requested amendment and provided background information as detailed in the agenda memorandum dated November 22, 2004.

Dave Snelgrove, Wood Rogers, representing the applicant, stated this project would provide the Sun Valley General Improvement District with a loop system for water benefiting the Sun Valley area. He said the project would also provide pedestrian connectivity to the Washoe County Regional Park and also approximately \$825,000 to the Regional Road Impact Fee system.

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

Commissioner Galloway commented on the growth of entry level housing near services already existing and not altering the character of the existing community in a detrimental manner.

Chairman Shaw questioned if Mr. Pelham received the approval of the Citizen Advisory Board's (CAB) and various entities. Mr. Pelham replied the Sun Valley CAB recommended approval and there were no recommendations for denial from others.

Commissioner Weber commented this developer worked very well with the County and thanked staff for being committed to working towards this project for Sun Valley.

Having made the following findings, on motion by Commissioner Weber, seconded by Commissioner Sferrazza, which motion duly carried, it was ordered that Comprehensive Plan Amendment Case Number CP04-014 (La Dera Ranch) be approved and the Chairman be authorized to execute the Resolution for the updated area plans after a determination of conformance with the Regional Plan by the Truckee Meadows Regional Planning Agency. It was further ordered that and an amendment to the 2002 Truckee Meadows Regional Plan to withdraw Assessor's Parcel Number 082-473-06 from the City of Reno Sphere of Influence be initiated.

1. The proposed amendments to the Sun Valley Area Plan and the North Valleys Area Plan are in substantial compliance with the policies and action programs of the Washoe County Comprehensive Plan.
2. The proposed amendments to the Sun Valley Area Plan and the North Valleys 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.
3. The proposed amendments to the Sun Valley Area Plan and the North Valleys 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.
4. The proposed amendments to the Sun Valley Area Plan and the North Valleys Area Plan will promote the desired pattern for the physical growth of the County and guides 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.
5. The proposed amendments to the Sun Valley Area Plan and the proposed amendment to the North Valleys Area Plan will be approved in 2005, and will be the first amendment to those plans in 2005 and therefore do not exceed the three permitted amendments as specified in Section 110.820.05 of the Washoe County Development Code.
6. The Washoe County Planning Commission gave reasoned consideration to information contained within the staff report and information received during the public hearing.
7. The Washoe County Commission gave reasoned consideration to information contained within the reports transmitted to the County Commission from the Washoe County Planning Commission, and the information received during the Washoe County Commission public hearing.

SPECIAL ASSESSMENT DISTRICT NUMBER 35 (RHODES ROAD) – ENGINEERS REPORT - PUBLIC WORKS

5:30 p.m. This was the time set in a notice of Public Hearing to conduct a public hearing to consider all complaints, protests, and objections made in writing or verbally to the assessment roll or to the proposed assessments, and to the regularity of the proceedings in making such assessments, by the owners of the property specially benefited by, and proposed to be assessed for, the improvements in the Special Assessment District No. 35 (Rhodes Road), by any person interested, and by any parties aggrieved by such assessments.

Chairman Shaw opened the public hearing by calling on anyone wishing to speak.

Kendra Follett, Swendseid and Stern, stated one written protest was received from Mr. James Griffith, Annie Lane resident.

Dave Price, Engineer, reviewed the information presented in the agenda memorandum dated December 13, 2004. He said, in response to the protest, staff believes the project benefits to the property since it essentially provides primary secondary access with a shorter distance to Highway 395. Mr. Price said it also allows an enhanced emergency response route, and he said 17 other parcels were also affected within the Special Assessment District.

Commissioner Galloway questioned if the occupants have easements allowing them to build a driveways. Mr. Price said there is no driveway access; Mr. Griffith uses Paddlewheel Drive, which in turn provides access to Rhodes Road. Commissioner Galloway asked if Mr. Griffith had direct access to Highway 395, and Mr. Price responded he does not; Andrew Lane is the access.

Zaydee Cuffe, representing Mr. Griffith, said Mr. Griffith does not have direct access to Rhodes Road nor a driveway; and all access to Highway 395 is through Andrew Lane or Paddlewheel, which ends at the property. She said, since there is no access to Rhodes Road, it does not seem appropriate to pay for the assessment.

Commissioner Galloway asked if it would be a benefit to have a secondary access in case Andrew Lane was closed. Ms. Cuffe replied she does not see why it would be.

Commissioner Sferrazza questioned if others residing on Paddlewheel are also being assessed. Mr. Price replied the homeowners requested formation of this assessment district. There was some difficulty determining the boundaries, but it was based on resident's interest and a secondary access.

Referring to the map, Annie Lane was pointed out along with the access to the Griffith property.

Commissioner Sferrazza stated anything to the left of Paddlewheel should be treated the same, and their extension is an extension of Paddlewheel.

Chairman Shaw asked if this protest is unique to these homeowners or would others also come forward. Melanie Foster, Legal Counsel, remarked this is the protest hearing; and if protesters are not present at this meeting, they have lost their ability to file a protest.

Commissioner Humke questioned when the district boundaries were defined. Ms. Follett replied the District was created October 28, 2003, after the required public hearings were conducted by the Board. Under statute, that was the time to protest formation of the District, inclusion in the District or to challenge the benefit/assessment. She said, if residents did not protest then, it was presumed that they waived. Commissioner Humke asked if this was the first time Mr. Griffith had protested. Mr. Price replied to his knowledge it was. In response to Commissioner Humke, Ms. Follett recounted the previous hearings, the notices sent to all property owners, the newspaper publications and posting of the notices.

Commissioner Sferrazza questioned if this protest was timely. Ms. Follett replied this hearing is a time to challenge the mathematical calculations of the assessment. She said, if a resident did not protest and file a claim within 30 days of the provisional order hearing on September 2003, they were presumed to waive any challenge to the estimated benefit and to the method used to apportion the cost.

Ms. Follett reminded the Board this project has already been constructed and is complete. She said there is a County interfund loan expiring in March 2005; and, if this property owner were released from the SAD, the funds would have to come out of County funds, or the assessment proceedings would have to be redone to accommodate the additional \$4,200.

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

On motion by Commissioner Sferrazza, seconded by Commissioner Weber, which motion duly carried, it was ordered that the Board finds that the protest was not timely and should have been made on or before September 9, 2003 and is therefore denied.

04-1261 RESOLUTION - CONFIRMING THE ASSESSMENT ROLL FOR SPECIAL ASSESSMENT DISTRICT NO. 35 (RHODES ROAD)

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

A RESOLUTION CONCERNING WASHOE COUNTY, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 35 (RHODES ROAD); CONSIDERING COMPLAINTS, PROTESTS, AND OBJECTIONS MADE TO THE ASSESSMENTS AT THE HEARING ON THE ASSESSMENT ROLL AND MAKING DETERMINATIONS THEREON; VALIDATING AND CONFIRMING THE ASSESSMENT ROLL; PROVIDING OTHER DETAILS IN CONNECTION THEREWITH.

WHEREAS, the Board of County Commissioners (herein "Board") of the County of Washoe (the "County"), in the State of Nevada, pursuant to an Ordinance, adopted October 28, 2003 (the "District Ordinance"), created Washoe County, Nevada, Special Assessment District No. 35 (Rhodes Road) (the "District") and ordered the acquisition of a street project (the "Project"); and

WHEREAS, the Board has heretofore determined that the cost and expense of the Project is to be paid by special assessments levied against the benefited lots, tracts and parcels of land in the District; and

WHEREAS, the Board has heretofore determined and does hereby declare that the net cost to the County of all the improvements in the District (including all necessary incidentals which either have been or will be incurred in connection with the District) is \$195,591, of which \$195,591 is to be assessed upon the benefited tracts and parcels of land in the District; and

WHEREAS, the Board together with the County engineer as the engineer for the County with respect to the District (the "Engineer") made out an assessment roll for the District which contains, among other things, the names and addresses of the last-known owners of the property to be assessed, or if not known stating that the name is "unknown"; a description of each lot, tract or parcel of land to be assessed; and the amount of the proposed assessment to be levied thereon; and the Engineer has reported the assessment roll to the Board and filed the same with the County Clerk; and

WHEREAS, the Board by resolution duly adopted on November 16, 2004, established a date, time and location at which the Board would hear and consider any and all complaints, protests and objections to the assessment roll and to the assessments contained therein; and

WHEREAS, the Board has, in accordance with the provisions of law relating thereto, given the requisite legal notice by both mail and publication that complaints, protests and objections to assessments for improvements in the District should be filed with the County Clerk, and that the Board would hear and consider any and all complaints, protests or objections on Tuesday, December 14, 2004, at 5:30 p.m.,

at the First Floor Commission Chambers, Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada; and

WHEREAS, the Board met at the place and time to hear and consider all complaints, protests and objections made or filed; and

WHEREAS, the written and oral protests or objections were noted for the record and a copy of the minutes of the public hearing are attached hereto as Exhibit A; and

WHEREAS, all complaints, protests and objections, both written and oral, were heard and considered by the Board on December 14, 2004, and after extensive review and deliberation hereby are found to be without sufficient merit and are hereby overruled; provided, however, that the Board has, nevertheless, concluded that it is necessary and equitable that the assessment roll be corrected and revised as follows:
Revised Amount of:

(No Revisions)

and

WHEREAS, the Board has determined and does hereby again determine, that all of the assessable property in the County which is specially benefited by the improvements acquired in the District, and only the property which is so specially benefited, is included on the assessment roll heretofore filed with the County Clerk on November 16, 2004; and

WHEREAS, the Board has determined, and does hereby determine, that the notice, both mailed and published, for the hearing held on December 14, 2004, on the assessment roll was reasonably calculated to inform each interested person of the proceedings concerning the District which may directly and adversely affect his or her legally protected rights and interests.

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

Section 1. This resolution shall be known as and may be cited by the short title "District No. 35 (Rhodes Road) Assessment Protest Resolution" (the "Resolution").

Section 2. All complaints, protests and objections, both written and oral, are hereby found to be without sufficient merit and are hereby overruled, except as otherwise provided in this resolution.

Section 3. The Board hereby validates and confirms the assessment roll for the District, as made out by the Board, together with the Engineer, and filed in the

records of the office of the County Clerk on November 16, 2004, is hereinabove modified, revised, corrected and made de novo.

Section 4. All action, proceedings, matters and things heretofore taken, had and done by the County and the officers thereof (not inconsistent with the Provisions of this Resolution) concerning Special Assessment District No. 35 (Rhodes Road), including, but not limited to the acquisition of the Project and the validation and confirmation of the assessment roll and the assessments therein, be, and the same hereby are, ratified, approved and confirmed.

Section 5. The Engineer and officers of the County be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution.

Section 6. All resolutions, or parts thereof, in conflict with this Resolution are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any Resolution or part of any Resolution heretofore repealed.

Section 7. If any section, paragraph, clause or 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 provision shall in no way effect any remaining provisions of this Resolution.

Section 8. The Board has determined, and does hereby declare, that this Resolution shall be in effect immediately after its passage in accordance with law.

04-1262 BILL NO. 1436 – SPECIAL ASSESSMENT DISTRICT 35 (RHODES ROAD) - PUBLIC WORKS

Bill No. 1436 entitled: **AN ORDINANCE CONCERNING WASHOE COUNTY, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 35 (RHODES ROAD); ASSESSING THE COST OF STREET IMPROVEMENTS AGAINST THE ASSESSABLE TRACTS OF LAND BENEFITED BY THE IMPROVEMENTS; DESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF THE ASSESSMENTS; PROVIDING PENALTY FOR DELINQUENT PAYMENTS; PROVIDING OTHER DETAILS IN CONNECTION THEREWITH**, was introduced by Commissioner Sferazza, the title read to the Board and legal notice for final action of adoption directed.

04-1263 SPECIAL ASSESSMENT DISTRICT NO. 36 – EVERGREEN HILLS DRIVE – PUBLIC WORKS

5:30 p.m. This was the time set in a Notice of Public Hearing to conduct a public hearing to consider all complaints, protests, and objections made in writing or verbally to

the assessment roll or to the proposed assessments, and to the regularity of the proceedings in making such assessments, by the owners of the property specially benefited by, and proposed to be assessed for, the improvements in the Special Assessment District No. 36 (Evergreen Hills Drive), by any person interested, and by any parties aggrieved by such assessments.

Chairman Shaw opened the public hearing by calling on anyone wishing to speak.

Colin Duncan, local resident, said he has provided timely notices of protest to being included in the Special Assessment District. He stated he is not protesting the assessment roll amount but would like to continue to maintain his objection of being included and preserve his rights to take legal action.

Greg Bischoff, resident, commented he would like to make a formal protest on the amount of the assessment since it is substantially higher than they were lead to believe.

Walt West, Engineer, said the total projected cost was \$17,000 per parcel and has increased to approximately \$19,000 due to the added construction cost.

Michelle Poché, Assistant County Manager, asked staff if the breakdown was distributed to the residents. Mr. West responded those costs were provided to the Bischoffs and the other residents.

In response to Commissioner Humke, Mr. West replied the administration fees are included in the cost as a flat rate of four percent.

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

In response to Commissioner Humke, Mr. Bischoff stated the information received from the County had not been as accurate as was presented here. He said they had estimates from the beginning, however, were not notified of the extra costs along the way or that it would be over \$19,000 per parcel.

Tom Gadd, Public Works Director, said the construction portion was approximately \$60,000 over staff's initial estimate.

Kendra Follett, Bond Counsel, stated at the provisional order hearing staff was required to state the maximum special benefit, which in this case was about \$24,000 per parcel. The preliminary estimate of the assessment must also be stated, which was \$14,000-\$15,000, based on the estimated construction cost. She said this hearing is where the final cost is produced. Ms. Follett said the final cost does not exceed the special benefit of \$24,000 per parcel.

In response to Commissioner Weber, Ms. Follett said residents were notified by mail, and the final assessment cost was also published in the newspaper. Statutorily there is no process for a mid construction notification.

On motion by Commissioner Sferrazza, seconded by Commissioner Humke, which motion duly carried, Chairman Shaw ordered that staff be directed to provide a detailed analysis to the residents of increased cost.

04-1264 SPECIAL ASSESSMENT DISTRICT NO. 36 – EVERGREEN HILLS DRIVE – RESOLUTION

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

A RESOLUTION CONCERNING WASHOE COUNTY, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 36 (EVERGREEN HILLS DRIVE); CONSIDERING COMPLAINTS, PROTESTS, AND OBJECTIONS MADE TO THE ASSESSMENTS AT THE HEARING ON THE ASSESSMENT ROLL AND MAKING DETERMINATIONS THEREON; VALIDATING AND CONFIRMING THE ASSESSMENT ROLL; PROVIDING OTHER DETAILS IN CONNECTION THEREWITH.

WHEREAS, the Board of County Commissioners (herein "Board") of the County of Washoe (the "County"), in the State of Nevada, pursuant to an Ordinance, adopted April 27, 2004 (the "District Ordinance"), created Washoe County, Nevada, Special Assessment District No. 36 (Evergreen Hills Drive) (the "District") and ordered the acquisition of a street project (the "Street Project") and a water project (the "Water Project" and together with the Street Project, the "Project"); and

WHEREAS, the Board has heretofore determined that the cost and expense of the Project is to be paid by special assessments levied against the benefited lots, tracts and parcels of land in the District; and

WHEREAS, the Board has heretofore determined and does hereby declare that the net cost to the County of all the improvements in the District (including all necessary incidentals which either have been or will be incurred in connection with the District) is \$338,644, of which \$333,390 is to be assessed upon the benefited tracts and parcels of land in Unit 1 in the District for the Street Project and \$5,254 is to be assessed upon the benefited tracts and parcels of land in Unit 2 in the District for the Water Project; and

WHEREAS, the Board together with the County engineer as the engineer for the County with respect to the District (the "Engineer") made out an assessment roll for the District which contains, among other things, the names and addresses of the last-known owners of the property to be assessed, or if not known stating that the name is "unknown"; a description of each lot, tract or parcel of land to be assessed; and the amount of the proposed assessment to be levied thereon; and the Engineer has reported the assessment roll to the Board and filed the same with the County Clerk; and

WHEREAS, the Board by resolution duly adopted on November 16, 2004, established a date, time and location at which the Board would hear and consider any and all complaints, protests and objections to the assessment roll and to the assessments contained therein; and

WHEREAS, the Board has, in accordance with the provisions of law relating thereto, given the requisite legal notice by both mail and publication that complaints, protests and objections to assessments for improvements in the District should be filed with the County Clerk, and that the Board would hear and consider any and all complaints, protests or objections on Tuesday, December 14, 2004, at 5:30 p.m., at the First Floor Commission Chambers, Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada; and

WHEREAS, the Board met at the place and time to hear and consider all complaints, protests and objections made or filed; and

WHEREAS, the written and oral protests or objections were noted for the record and a copy of the minutes of the public hearing are attached hereto as Exhibit A; and

WHEREAS, all complaints, protests and objections, both written and oral, were heard and considered by the Board on December 14, 2004, and after extensive review and deliberation hereby are found to be without sufficient merit and are hereby overruled; provided, however, that the Board has, nevertheless, concluded that it is necessary and equitable that the assessment roll be corrected and revised as follows:

(No Revisions)

and

WHEREAS, the Board has determined and does hereby again determine, that all of the assessable property in the County which is specially benefited by the improvements acquired in the District, and only the property which is so specially benefited, is included on the assessment roll heretofore filed with the County Clerk on November 16, 2004; and

WHEREAS, the Board has determined, and does hereby determine, that the notice, both mailed and published, for the hearing held on December 14, 2004, on the assessment roll was reasonably calculated to inform each interested person of the

proceedings concerning the District which may directly and adversely affect his or her legally protected rights and interests.

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

Section 1. This resolution shall be known as and may be cited by the short title "District No. 36 (Evergreen Hills Drive) Assessment Protest Resolution" (the "Resolution").

Section 2. All complaints, protests and objections, both written and oral, are hereby found to be without sufficient merit and are hereby overruled, except as otherwise provided in this resolution.

Section 3. The Board hereby validates and confirms the assessment roll for the District, as made out by the Board, together with the Engineer, and filed in the records of the office of the County Clerk on November 16, 2004, is hereinabove modified, revised, corrected and made de novo.

Section 4. All action, proceedings, matters and things heretofore taken, had and done by the County and the officers thereof (not inconsistent with the Provisions of this Resolution) concerning Special Assessment District No. 36 (Evergreen Hills Drive), including, but not limited to the acquisition of the Project and the validation and confirmation of the assessment roll and the assessments therein, be, and the same hereby are, ratified, approved and confirmed.

Section 5. The Engineer and officers of the County be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution.

Section 6. All resolutions, or parts thereof, in conflict with this Resolution are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any Resolution or part of any Resolution heretofore repealed.

Section 7. If any section, paragraph, clause or 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 provision shall in no way effect any remaining provisions of this Resolution.

Section 8. The Board has determined, and does hereby declare, that this Resolution shall be in effect immediately after its passage in accordance with law.

04-1265

**BILL NO. 1437 – SPECIAL ASSESSMENT DISTRICT NO. 36
(EVERGREEN HILLS DRIVE) – PUBLIC WORKS**

Bill No. 1437 entitled: **AN ORDINANCE CONCERNING WASHOE COUNTY, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 36 (EVERGREEN HILLS DRIVE); ASSESSING THE COST OF STREET AND WATER IMPROVEMENTS AGAINST THE ASSESSABLE TRACTS OF LAND BENEFITED BY THE IMPROVEMENTS; DESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF THE ASSESSMENTS; PROVIDING PENALTY FOR DELINQUENT PAYMENTS; PROVIDING OTHER DETAILS IN CONNECTION THEREWITH.** Introduced by Commissioner Humke, the title read to the Board: and legal notice for final action of adoption directed.

04-1266

**COMPREHENSIVE PLAN AMENDMENT CASE NO. CP04-005
(SPANISH SPRINGS AREA PLAN UPDATE) – COMMUNITY
DEVELOPMENT**

5:30 p.m. This was the time to consider an amendment to the Spanish Springs Area Plan and the Spanish Springs Specific Plan that provides a wholesale update of the Spanish Springs Area Plan such that the Spanish Springs Specific Plan is dissolved, incorporating certain features of the Specific Plan into the updated Area Plan; establishing updated goals and policies relating to Land Use, Transportation, Scenic, Recreational and Cultural Resources, Natural Resources (Air, Land and Water), and establishing specific findings, criteria and thresholds for future amendments; amending the Land Use Map for certain land use changes within a proposed suburban character management area; and establishing a Land Use Map, Character Management Map, Recreational Opportunities Map, Public Services and Facilities Map, Streets and Highway Systems Map, and Development Suitability Map.

Pursuant to the ethics and government law, Chairman Shaw disclosed that his wife, Linda Shane, owns property within the Spanish Springs Area Plan. The zoning on her property located in Broken Hills would be changed under the plan, and the change may affect the value of the property. Accordingly, as required by NRS 281.501, Chairman Shaw abstained from the discussion and vote regarding this item.

Chairman Shaw turned the gavel over to Vice Chairman Weber.

Vice Chairman Weber opened the public hearing by calling on anyone wishing to speak.

Eric Young, Planner, provided background information summarizing the Spanish Springs Area Plan update as outlined in the agenda memorandum dated November 22, 2004. He highlighted the major changes.

The following residents spoke in opposition to the Spanish Springs Area Plan expressing concerns regarding traffic, flood control, and the impact of growth: Vernie and Dennis McCrohan, David Snelgrove, Donald Crank, Cyndy Brown, Duane Brown, Joan March, Monique Brite, Steve Witt, Larry Levy, Aaron Brite, and Scott Donovan.

The following residents spoke in favor of the Spanish Springs Area Plan: Vallea Rose, Charles Swift, Stephen Rogers, Lois Avery, Dan Lambert, Fred Horlacher, Christy Magers, Marge Frandsen, Bob Sader, Alan Rock, Duncan MacLean, and Pierre Hascheff.

Dan Herman, Margaret Powell, Jack Lorbeer and John Bradbury spoke on the item but were neither opposed or in favor.

Vice Chairman Weber announced that Mr. Young's response to the anonymous flyer received by many Spanish Springs residents was available for them and located on the back table.

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

In response to several of the comments made by residents, Mr. Young advised that 10,900 notices have been sent out to residents on six occasions over the last two years. In response to how much potential future commercial is possible, Mr. Young replied there is a policy stating that 7.25 percent of the land use could be non-residential, which would include light industrial and commercial. He said staff researched other communities for several months to see how they cope and came to the 7.25 percent of the overall suburban area being appropriate for non-residential, which would permit 30 more acres of non-residential than currently exists.

Commissioner Sferrazza questioned if Hawco gave up three units per acre on the flood control detention area, would that be exchanged for the Harris Ranch density. Mr. Young replied there is no actual exchange there; the neighborhood commercial zoning on Eagle Canyon represents what is being received in return. Commissioner Sferrazza stated it was understood the County would be giving up medium density suburban for the Hawco commercial zoning. Mr. Young stated currently the zoning for the 100-acre commercial area is 15 acres general commercial and medium density suburban. Mr. Young also stated that the Spanish Springs airport is protected under this plan. Commissioner Sferrazza also asked if the two projects together have a combined 820 acres between the Harris Ranch and Broken Hills. Mr. Young replied, if a request were made for three units per acre, a land use change would have to be made, which would require all of the findings of the planned maintenance section be met; and at this point those findings would be difficult to make. Mr. Young said there is a substantial portion of 113 acres of medium density suburban, which is not being changed to commercial but is not being allowed to develop residential uses. He said approximately 100 acres are being given to the County in the flood control area.

Commissioner Galloway asked how the commitments that Broken Hills and Harris Ranch would be built below the allowable maximum density and how the commitment that Eagle Canyon Road would be expanded were provided. Mr. Young responded there is no written document; there are minutes and tapes of public workshops, public hearings and Citizen Advisory Board meetings; and the representatives of those two areas made those commitments on the public record. Commissioner Galloway questioned if Harris Ranch is outside the Truckee Meadows Service Area and therefore could not be allowed to have one-acre parcels. Mr. Young explained there are Truckee Meadows Service Area amendments that would be required in order for this plan to be found in conformance.

Commissioner Humke noted the allegation by a citizen of faulty noticing and asked legal counsel if the 10,000+ mailings along with the noticing requirements and the Open Meeting Law requirements were met. Melanie Foster, Legal Counsel, stated she believes all of the requirements had been met. Commissioner Humke also stated a number of citizens wished to delay this item until the new Commissioner was sworn into Office in January. He believed to delay any action on this plan would not keep faith with the County Planning Commission, the CAB or staff.

Commissioner Galloway stated his main concern was that a flood control project be done in that area. He would rather have a plan in place; and then, if need be, amend it later.

Commissioner Sferrazza stated he has opposed suburban type densities in the unincorporated County as such densities should be in the city; however, what is being proposed here more than meets the criteria with one unit to almost two acres. He said there is a broad spectrum of people who support this, although it is a compromise; and he would also support this plan.

Commissioner Weber expressed appreciation to the citizens who have put numerous hours and energy into this project.

Having made the following findings, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried with Chairman Shaw abstaining, it was ordered that the Comprehensive Plan Amendment Case Number CP04-005 be approved. It was further ordered that the Vice Chairman be authorized to sign the resolution amending the area plan after a determination of conformance with the Regional Plan by the Truckee Meadows Regional Planning Agency:

1. The proposed amendment to the Spanish Springs Area Plan is in substantial compliance with the policies and action programs of the Comprehensive Plan.

2. The proposed amendment to the Spanish Springs 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.
3. The proposed amendment to the Spanish Springs Area Plan responds to changed conditions that have occurred since the Board of County Commissioners adopted the plan, and the requested amendment represents a more desirable utilization of land.
4. The proposed amendment to the Spanish Springs Area Plan will promote the desired pattern for orderly physical growth of the County and guides 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.
5. The proposed amendment to the Spanish Springs Area Plan does not exceed the three permitted amendments as specified in Section 110.820.05 of the Washoe County Development Code.
6. That the Planning Commission has reviewed the required regional findings in Article 822 for conformance with the Regional Plan, including Section 822.25, findings for Regional Form and Pattern, Section 822.35, findings for Concurrency, Timing and Phasing of Infrastructure; Section 822.40, findings for Public Service Levels and Fiscal Effect,
7. The Washoe County Planning Commission gave reasoned consideration to information contained within the staff report and information received during the public hearing.
8. That the Washoe County Board of Commissioners gave reasoned consideration to the information transmitted from the Washoe County Planning Commission and to the information received during the public hearing.

Chairman Shaw resumed the gavel.

**04-1267 SEVENTH MEMBER OF THE TRUCKEE MEADOWS WATER
AUTHORITY BOARD – MANAGER**

Upon recommendation of Michelle Poché, Assistant County Manager, through Katy Singlaub, County Manager, on motion by Commissioner Galloway, seconded by Chairman Shaw, which motion duly carried with Commissioner Sferrazza abstaining, it was ordered that the 7th seat on the Truckee Meadows Water Authority Board be rotated between the three jurisdictions appointing an elected official for a two-year term, beginning with Washoe County, followed by Sparks, followed by Reno. It

was further ordered that the jurisdiction whose turn it is to appoint be allowed to select its appointee without requiring concurrence from the other two jurisdictions.

REPORTS AND UPDATES FROM COUNTY COMMISSIONERS

Commissioner Sferrazza commented that a Nevada Association of Counties (NACO) Board meeting would be held on December 16, 2004 in Las Vegas and asked if any Board member would be willing to attend since he would be unavailable. He said there would also be a meeting on February 4, 2005, in Carson City.

Commissioner Weber said she and Commissioner Galloway recently attended the West University Neighborhood Advisory Board. She said it was apparent there are concerns that need to be addressed and suggested a liaison from the Parks Department appear at the NAB meetings held on the 3rd Thursday of each month.

2002 REGIONAL PLAN SETTLEMENT UPDATE

Michelle Poché, Assistant County Manager, stated the County mediation team met with Judge Hardesty on December 3rd on the annexation program; and he directed the County and the City of Reno Representatives to go back to their Boards and invite them to consider participating in additional facilitation and mediation with him on other issues.

* * * * *

There being no further business to come before the Board, the meeting adjourned at 10:30 p.m.

JAMES M. SHAW, Chairman
Washoe County Commission

ATTEST:

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

*Minutes Prepared by:
Jan Frazzetta, Deputy County Clerk
Stacy Gonzales, Deputy County Clerk*