

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

2:00 P.M.

OCTOBER 25, 2005

PRESENT:

Bonnie Weber, Chairman
Bob Larkin, 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:

05-1117 AGENDA

Sam Dehne, local resident, stated he did not agree with the consent agenda unless it contained mundane items.

Chairman Weber warned members of the audience to refrain from vocal outbursts and applause after every speaker. She said she would not tolerate disruption and would remove the public if it continued.

In response to Chairman Weber, Katy Singlaub, County Manager, explained the Board received their packets on the Wednesday preceding the meeting. She said Commissioners reviewed the packet and submitted any questions to staff by the Monday prior to the meeting. Ms. Singlaub added Board members might suggest options on improving the efficiency of the agenda, such as placing non-controversial items on a block vote. She said it was the Board's practice to take public comment on any action item that members of the public wished to speak on.

Gary Schmidt, Washoe County resident, said notice was not given to the public concerning the block vote. He contended that was a violation of the Open Meeting Law.

Melanie Foster, Legal Counsel, noted the public was given notice that these items would be heard at 2:00 p.m., or sometime thereafter, and anyone who desired to comment on one of the items could do so. She said the agenda noticed items may not

be considered in the order they were listed. Ms. Foster said the Open Meeting Law did not prohibit the Board from voting on a number of items at the same time.

Commissioner Sferrazza said he supported the Chairman's position. He said the Board had discussion on block voting, and surmised at times there were appropriate items that could be moved up on the agenda. Commissioner Sferrazza remarked there were no "secret meetings or discussions," and all decisions were conducted in a public forum.

In accordance with the Open Meeting Law, on motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried, Chairman Weber ordered that the agenda for the October 25, 2005 meeting be approved.

05-1118 PUBLIC COMMENTS

Chairman Weber stated there would be decorum in the meeting room. The Open Meeting Law does not require a public body to tolerate comments that are willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational, or amounting to personal attacks. She said Section 8.05 of the Nevada Open Meeting Law manual states, "The Chair of a public body may, without the vote of the public body, declare a recess to remove a person who is disrupting the meeting." She said there were Deputy Sheriffs in the back of the room and violators would be removed.

James Covert, Reno resident, shared his concerns of unprofessional behavior exhibited by a Planning Commission member at the October 18, 2005 Planning Commission meeting. He explained, while hearing discussion on an item, a Planning Commissioner referred to a speaker representing a development by his first name on several occasions. Mr. Covert considered this unprofessional and believed this gave the public the impression of collusion and predetermination. He remarked the Chair did not respond to this unprofessional behavior.

Chairman Weber read a comment from Betty and Walden Joura concerning the Homeward Bound resolution.

Patricia Axelrod, local resident, commented she would continue to applaud any statement in support of democracy and would not be silenced. Ms. Axelrod thanked Commissioner Sferrazza for recommending the Homeward Bound resolution for a future agenda.

Guy Felton, Reno resident, invited Chairman Weber and Commissioner Larkin to meet with him on a local television talk show to discuss decent American Government. He ended his public comment with a derogatory remark aimed at Chairman Weber. Chairman Weber interrupted saying she was calling a recess to have Mr. Felton removed.

2:35 p.m. The Board recessed until Mr. Felton left the meeting.

2:43 p.m. The Board reconvened with all members present.

Chairman Weber reiterated her stance on profanity and insults directed to the Board. She said citizens would be removed if such action occurred.

Al Hesson, local resident, spoke loudly on his objection to the war in Iraq and his dislike of President Bush. He spoke over his time limit and did not heed the Chairman's warning. Chairman Weber interrupted saying she was calling a recess to have Mr. Hesson removed.

2:45 p.m. The Board recessed until Mr. Hesson left the meeting.

2:51 p.m. The Board reconvened with all members present.

Gary Schmidt, Washoe County resident, stated his disapproval of the block vote. He said items noticed on the agenda should receive three minutes of public comment; however, the Chair reduced the time allowed to three minutes total on all items within the block vote. He said this was a blatant violation of the Open Meeting Law, and he would file an Open Meeting Law complaint. He noted the Chair brought it upon herself by violating the Open Meeting Law, the United States Constitution, and the Nevada Constitution, along with decency and common sense. Mr. Schmidt said he did not agree with Mr. Hesson's views; however, he would defend the right to speak at any public forum. He disagreed with the Chairman's actions during this meeting and noticed the Board with two Open Meeting Law violations.

Juanita Cox, local resident, suggested the County implement the 3-1-1-phone system, which would alleviate non-emergency calls from the 9-1-1 system. She voiced her concerns concerning the security screening process located at the County Courthouse on Virginia and Court Streets.

Sam Dehne, local resident, inquired how the Board chose the words, slanderous, repetitious, irrelevant, offensive, inflammatory and irrational in judging public comment.

Tom Noblett, Sun Valley resident, spoke on the approval of the Virginia City – Truckee (V&T) project to Moundhouse.

COMMISSIONERS'/MANAGER'S ANNOUNCEMENTS

Commissioner Humke congratulated Attorney General Brian Sandoval on his appointment to the Federal District Court Bench. He remarked the department head retreat, held on October 24, 2005 at the May Museum, was a rich and fulfilling experience.

Commissioner Larkin thanked the Manager's Office and staff for a successful department head retreat. He requested a presentation from the Desert Research Institute (DRI) on their computer animation program. Commissioner Larkin requested a review of the 3-1-1-phone system. He applauded Chairman Weber on her strength in bringing decorum and reason to the Commission.

Commissioner Galloway requested a report from Ira Victor, Information Technology Committee, Electronics and Computer Security Specialist, be placed on a future agenda to provide the Board with a presentation concerning the current controversies and insights within that field. Commissioner Galloway suggested reviewing the three-minute rule on public comment relating to consolidating items in a block vote.

Commissioner Sferrazza thanked the Chairman and staff for organizing a successful retreat. He did not agree with the Attorney General's Office ruling that Board members were not allowed to participate in developing goals and priorities by meeting in breakout groups, saying the public would be denied input. Commissioner Sferrazza hoped the Attorney General's Office would reconsider that ruling in the future so a Commissioner could participate.

Chairman Weber suggested Commissioner Sferrazza address his remarks to the Attorney General's Office via the District Attorney's Office.

***3:15 p.m.** Commissioner Humke left the meeting.

Melanie Foster, Legal Counsel, explained how the agenda was compiled for the retreat.

Chairman Weber commented the retreat was successful, an excellent opportunity, and thanked the staff for coordinating the event. She requested a Waste Management item discussing the fee increase on a future agenda. Katy Singlaub, County Manager, replied staff had been meeting with Waste Management and a report would be presented to the Board.

05-1119 **MINUTES**

On motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried with Commissioner Humke absent, Chairman Weber ordered that the minutes of the regular meeting of September 20, 2005 be approved.

05-1120 **AUTHORIZE EXPENDITURE - NATIONAL ADOPTION DAY –
SOCIAL SERVICES**

Sam Dehne, local resident, spoke in favor of supporting Adoption Day festivities.

Upon recommendation of Mike Capello, Social Services Director, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried with Commissioner Humke absent, Chairman Weber ordered that Social Services be authorized to expend a total of \$10,000 in fiscal year 2005/06 for the National Adoption Day in November 2005. It was noted these funds would cover the costs of sponsoring adoption day activities including entertainment, decorations, a reception for adoptive families, public awareness, photographs, and video recording of adoption hearings.

**05-1121 REJECTION OF BID - HIDDEN VALLEY NEIGHBORHOOD
PARK - PUBLIC WORKS**

Sam Dehne, local resident, asked why the bid was rejected.

Laura Carmen, Hidden Valley Homeowners Association representative, supported rejection of the bid. She requested the re-advertisement be noticed in November or December rather than the spring when the bidding process would be more palliative.

Katy Singlaub, County Manager, said the Engineer's estimate and budget for the Hidden Valley Park project was \$482,843. She said the only bid received was \$676,789. Ms. Singlaub remarked staff was moving forward with the re-bidding process.

Upon recommendation of Roger Van Alyne, Public Works Deputy Director, through Tom Gadd, Public Works Director, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried with Commissioner Humke absent, Chairman Weber ordered that the bid for the Hidden Valley Neighborhood Park be rejected.

**05-1122 PURCHASE - LIBERTY CENTER FIRST FLOOR RENOVATION -
PUBLIC WORKS**

Upon recommendation of Roger Van Alyne, Public Works Deputy Director, through Tom Gadd, Public Works Director, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried with Commissioner Humke absent, Chairman Weber ordered that the purchase of modular partitions for the Liberty Center First Floor Renovation from Reno Business Interiors in the amount of \$52,190.71 be approved. It was noted this would be facilitated through a joinder of the State of Nevada's contract with RBI pursuant to joinder provisions of NRS 332.195.

RESOLUTION - SALE OF THREE SURPLUS USED COMPACT PICKUPS - PUBLIC WORKS

Upon recommendation of Jean Ely, General Services Division Director, through Tom Gadd, Public Works Director, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried with Commissioner Humke absent, it was ordered that the following resolution be adopted and Chairman Weber be authorized to execute the same:

RESOLUTION**DISPOSE OF ASSETS BY SALE TO THE UNIVERSITY OF NEVADA, RENO, BUILDINGS AND GROUNDS DEPARTMENT FROM THE WASHOE COUNTY 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 is disposing of certain used equipment, which is surplus to its needs, including; one (1) 1990 ½-Ton Ford Ranger Compact Light Duty Pickup (VIN No. 1FTCR10A5LUB21587) having 148,829 miles, one (1) 1990 ½ -Ton Ford Ranger Compact Light Duty Pickup (VIN No. 1FTCR10A5LUB21590) having 145,098 miles, and one (1) 1991 ½-Ton Ford Ranger Compact Light Duty Pickup (VIN No. 1FTCR10U9MTA49830) having 135,662 miles; and

WHEREAS, the University of Nevada, Reno, Building and Grounds Department is in need of three vehicles to use in the course of maintaining the buildings and grounds at their campus and has expressed an interest in purchasing these vehicles from Washoe County, the two 1990 vehicles for Five Hundred Fifteen Dollars (\$515) each and the 1991 vehicle for Five Hundred Eighty Dollars (\$580) or a combined total of One Thousand Six Hundred Ten Dollars (\$1,610) which is considered fair market salvage value for these vehicles; and now, therefore, be it

RESOLVED, that the Washoe County Board of County Commissioners supports the needs of the University of Nevada, Reno Buildings and Grounds Department and declare:

Section 1. NRS 332.185, Section 1., empowers the Board of County Commissioners to dispose of personal property of the County provided it is determined that the property is no longer required for public use and is determined to have reached the end of its useful life.

Section 2. The above mentioned surplus used Washoe County assets will be sold in “as is” condition to the University of Nevada, Reno, Building and Grounds

Department for a combined total of One Thousand Six Hundred Ten Dollars (\$1,610) and the funds, upon receipt from this sale, will be deposited into the Equipment Services Fund, account 690300-509001.

Section 3. This Resolution shall be effective upon 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 Comptroller's Office, Finance, Purchasing and Equipment Services.

**05-1124 PURCHASE - CORRECTIONS MANAGEMENT SYSTEM -
COMPU DYNE PUBLIC SAFETY AND JUSTICE INC. -
INFORMATION TECHNOLOGY**

Upon recommendation of Mike Burdett, Buyer, through John Balentine, Purchasing and Contracts Administrator, Matt Beckstedt, Information Technology Director, and Kraig Smith, IT Manager, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried with Commissioner Humke absent, Chairman Weber ordered that the upgrade purchase of a new Corrections Management System (CMS) server from CompuDyne Public Safety & Justice Inc., including data migration and interfaces to the existing Records Management Systems (RMS) System by CompuDyne be approved. It was further ordered that the Purchasing and Contracts Administrator be authorized to sign subsequent vendor agreements for a total cost of \$98,677. It was noted the funds had been budgeted for this fiscal year as part of a CIP technology project fund, and the upgrade was approved by the Information Technology Advisory Committee (ITAC).

05-1125 ACCEPTANCE OF DONATION - SENIOR SERVICES

In response to Commissioner Galloway, Trish Armer, Administrative Assistant, Senior Services, explained TADS as Temporary Assistance for Displaced Seniors.

Upon recommendation of Marietta Bobba, Senior Services Director, through John Berkich, Assistant County Manager, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried with Commissioner Humke absent, Chairman Weber ordered that the following cash donations for the first quarter of fiscal year 2005/06 in the amount of \$11,560.23 be accepted with the Board's gratitude:

<u>Donor (Purpose/Program)</u>	<u>Amount</u>
United Way (General Donation)	\$ 416.21
Anonymous Donor (General Donation)	217.00
Lend-A-Check (General Donation)	1,050.00

Anonymous Donations (Mental Health Program)	105.00
Anne McDonald (General Donation)	500.00
Antioch Company Fund (General Donation)	400.00
Scolari's (Sparks Senior Center)	26.13
Anonymous Donations (Senior Law Project)	785.00
Nevada Law Fund (Senior Law Project)	5,000.00
Rosemann Family Foundation (Adult Day Care Program)	2,500.00
City of Reno (TADS Program)	450.00
<u>Janyce N. Schlesener (Nutrition Program)</u>	<u>110.89</u>
Total Cash Donations	\$11,560.23

It was further ordered that the Finance Department be directed to make the appropriate budget adjustments.

ACCOUNT NUMBER	DESCRIPTION	AMOUNT OF INCREASE
Increase Revenues		
20046-484000	General Donations	\$ 1,533.21
20074-484000	Mental Health Donations	105.00
20051-484000	Sparks General Donations	26.13
20223-484000	Lend-A-Check Donations	1,050.00
20071-484000	Adult Daycare Donations	2,500.00
20067-484000	Legal General Donations	785.00
20047-484000	Nutrition Program Donations	110.89
20070-484000	NV Law Fund Donations	5,000.00
20271-484000	TADS Donations	450.00
TOTAL		\$11,560.23

ACCOUNT NUMBER	DESCRIPTION	AMOUNT OF INCREASE
Increase Expenditures		
20046-710500	General Donations	\$ 1,533.21
20074-710500	Mental Health Donations	105.00
20051-710500	Sparks General Donations	26.13
20223-710500	Lend-A-Check Donations	1,050.00
20071-710500	Adult Daycare Donations	2,500.00
20067-710500	Legal General Donations	785.00
20047-710500	Nutrition Program Donations	110.89
20070-710500	NV Law Fund Donations	5,000.00
20271-710500	TADS Donations	450.00
TOTAL		\$11,560.23

**05-1126 ACCEPTANCE OF SUPPLEMENTAL GRANT AWARD -
DIVISION OF AGING SERVICES - SENIOR SERVICES CASE
MANAGEMENT PROGRAM - SENIOR SERVICES**

Upon recommendation of Marietta Bobba, Senior Services Director, through John Berkich, Assistant County Manager, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried with Commissioner Humke absent, Chairman Weber ordered that a supplemental grant award from the Division of Aging Services, concerning the Senior Case Management Program, for the period of July 1, 2005 through June 30, 2006 in the amount of \$25,875 (with \$4,566 County match) be accepted. It was further ordered that the Finance Department be directed to make the following budget adjustments:

ACCOUNT NUMBER	DESCRIPTION	AMOUNT OF INCREASE/ (DECREASE)
10087-431100	DAS Case Mgmt-Federal Revenue	\$25,875
10087-701110	DAS Case Mgmt-Base Salaries	25,875
10219-432100	ILG Case Mgmt-Federal Revenue	(\$25,875)
10219-701110	ILG Case Mgmt-Base Salaries	(25,875)

**05-1127 ACCEPTANCE OF INDEPENDENT LIVING GRANT - DIVISION
OF AGING SERVICES - SENIOR SERVICES ADVOCACY
PROGRAM - SENIOR SERVICES**

Upon recommendation of Marietta Bobba, Senior Services Director, through John Berkich, Assistant County Manager, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried with Commissioner Humke absent, Chairman Weber ordered that an Independent Living grant award from the Division of Aging Services, concerning the Senior Services Advocacy Program, for the period of October 1, 2005 through September 30, 2006 in the amount of \$20,000 (with \$3,000 County match) be accepted. It was further ordered that the Finance Department be directed to make the appropriate budget adjustments.

**05-1128 ACCEPTANCE OF INDEPENDENT LIVING GRANT - DIVISION
OF AGING SERVICES - SENIOR LAW PROJECT - SENIOR
SERVICES**

Upon recommendation of Marietta Bobba, Senior Services Director, through John Berkich, Assistant County Manager, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried with Commissioner Humke absent, Chairman Weber ordered that an Independent Living grant award from the Division of Aging Services, concerning the Senior Law Project, for the period of October 1, 2005 through September 30, 2006 in the amount of \$69,717 (with \$10,458 in-kind match) be accepted. It was further ordered that the Finance Department be directed to make the following budget adjustments:

ACCOUNT NUMBER	DESCRIPTION	AMOUNT OF INCREASE
10217-432100	ILG Legal Services/State Grants	\$717
10217-711504	ILG Legal Services/Equip. <\$10,000	\$717

05-1129 ACCEPTANCE OF INDEPENDENT LIVING GRANT - DIVISION OF AGING SERVICES - SENIOR SERVICES MENTAL HEALTH AND WELLNESS PROGRAM - SENIOR SERVICES

Upon recommendation of Marietta Bobba, Senior Services Director, through John Berkich, Assistant County Manager, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried with Commissioner Humke absent, Chairman Weber ordered that an Independent Living grant award from the Division of Aging Services, concerning the Senior Services Mental Health and Wellness Program, for the period of October 1, 2005 through September 30, 2006 in the amount of \$83,000 (with \$10,267 cash match and \$1,823 in-kind match) be accepted. It was further ordered that the Finance Department be directed to make the following budget adjustments:

ACCOUNT NUMBER	DESCRIPTION	AMOUNT OF (DECREASE)
10442-432100	ILG Mental Health and Wellness/State Grants	(\$ 7,445)
10442-701110	ILG Mental Health and Wellness/Base Salaries	(\$ 7,445)

05-1130 ACCEPTANCE OF INDEPENDENT LIVING GRANT - DIVISION OF AGING SERVICES - SENIOR SERVICES REPRESENTATIVE PAYEE PROGRAM - SENIOR SERVICES

Upon recommendation of Marietta Bobba, Senior Services Director, through John Berkich, Assistant County Manager, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried with Commissioner Humke absent, Chairman Weber ordered that an Independent Living grant award from the Division of Aging Services, concerning the Senior Services Representative Payee Program, for the period of October 1, 2005 through September 30, 2006 in the amount of \$20,000 (with \$3,000 County match) be accepted. It was further ordered that the Finance Department be directed to make the appropriate budget adjustments.

05-1131 ACCEPTANCE OF INDEPENDENT LIVING GRANT - DIVISION OF AGING SERVICES - SENIOR SERVICES VISITING NURSE PROGRAM - SENIOR SERVICES

Upon recommendation of Marietta Bobba, Senior Services Director, through John Berkich, Assistant County Manager, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried with Commissioner Humke absent, Chairman Weber ordered that an Independent Living grant award from

the Division of Aging Services, concerning the Senior Services Visiting Nurse Program, for the period of October 1, 2005 through September 30, 2006 in the amount of \$39,093 (with \$5,864 in-kind match) be accepted. It was further ordered that the Finance Department be directed to make the following budget adjustments:

ACCOUNT NUMBER	DESCRIPTION	AMOUNT OF INCREASE
10216-432100	ILG Visiting Nurse/State Grants	\$93
10216-710300	ILG Visiting Nurse/Operating Supplies	\$93

05-1132 APPOINTMENT - WELL MITIGATION HEARING BOARD - WATER RESOURCES

On motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried with Commissioner Humke absent, Chairman Weber ordered that Roger Jacobson, Pete Morros, Karen Rosenau and Greg Pohll be appointed as the members of the Well Mitigation Hearing Board for a one-year renewable term. It was noted that Jim Harrill withdrew his name.

05-1133 APPROVE - MEMORANDUM OF UNDERSTANDING - KEEP TRUCKEE MEADOWS BEAUTIFUL - PUBLIC WORKS

In response to Chairman Weber, Doug Doolittle, Regional Parks and Open Space Assistant Director, stated the following 11 priorities for the County's rights-of-way: Sun Valley Boulevard, Golden Valley Road, White Lake Parkway, Lemmon Drive, Seventh Avenue, Zolezzi Lane, Toll Road, Wedge Parkway, Butch Cassidy Drive, Juniper Hills Equestrian Trails, and East Lake Boulevard.

Upon recommendation of Carolyn Poissant, Park Planning Projects Coordinator, through Karen Mullen, Regional Parks and Open Space Director, and Tom Gadd, Public Works Director, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried with Commissioner Humke absent, Chairman Weber ordered that the Memorandum of Understanding (MOU) with Keep Truckee Meadows Beautiful for the Adopt-a-Spot Program be approved. It was further ordered that the Public Works Director be authorized to execute the MOU.

05-1134 APPOINTMENT - VERDI TOWNSHIP CITIZEN ADVISORY BOARD

On motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried with Commissioner Humke absent, Chairman Weber ordered that John Heal and James E. Nichols be appointed as At-Large members of the Verdi Township Citizen Advisory Board with terms beginning October 25, 2005 and ending June 30, 2007.

**05-1135 APPOINTMENT - WEST WASHOE VALLEY CITIZEN
ADVISORY BOARD**

On motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried with Commissioner Humke absent, Chairman Weber ordered that Rod Smith be appointed as an At-Large member of the West Washoe Valley Citizen Advisory Board with a term beginning October 25, 2005 and ending June 30, 2006.

**05-1136 APPOINTMENT - SOUTHEAST TRUCKEE MEADOWS CITIZEN
ADVISORY BOARD**

On motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried with Commissioner Humke absent, Chairman Weber ordered that Fran DeAvila be appointed as an At-Large member of the Southeast Truckee Meadows Citizen Advisory Board with a term beginning October 25, 2005 and ending June 30, 2007.

**05-1137 ACCEPTANCE - 2005 HISTORIC PRESERVATION GRANT -
COMMUNITY DEVELOPMENT**

Upon recommendation of Eva Krause, Planner, through Adrian Freund, Community Development Director, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried with Commissioner Humke absent, it was ordered that the grant from the State Historic Preservation Office acting on behalf of the National Park Services in the amount of \$7,500 be approved. It was further ordered that Chairman Weber be authorized to execute the Historic Properties Funding Agreement and the Comptroller be authorized to prepare accounts for this project.

It was noted the County's match portion for this grant was \$5,000, and the match requirement would be met through an in-kind contribution of professional services.

ACCOUNT NUMBER	DESCRIPTION	AMOUNT OF INCREASE
Revenue		
431100	Federal Contribution	\$7,500
Expenditure		
710100	Professional Services	\$7,500

**05-1138 RESOLUTION - TRUCKEE RIVER FLOOD CONTROL
MANAGEMENT COOPERATIVE AGREEMENT - DISTRICT
ATTORNEY**

Upon recommendation of Melanie Foster, Assistant District Attorney, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion

duly carried with Commissioner Humke absent, it was ordered that the following resolution be adopted and Chairman Weber be authorized to execute the same:

RESOLUTION

**APPROVING AMENDMENT TO THE TRUCKEE RIVER FLOOD CONTROL
MANAGEMENT PROJECT COOPERATIVE AGREEMENT**

WHEREAS, Washoe County, the City of Reno, the City of Sparks and the University of Nevada, Reno entered into the Truckee Meadows Flood Management Project Cooperative Agreement (the “Cooperative Agreement”) in April of 2005; and

WHEREAS, the Flood Management Coordinating Committee acted on July 22, 2005 to recommend to the parties to the Cooperative Agreement that it be amended by changing the number of non-decision-making members to 22, because of the addition of a representative designated by the Storey County Commission and a representative designated by the Pyramid Lake Paiute Tribe, and by allowing the University of Nevada, decision-making members the same ability to designate alternatives as was granted to the other decision-making members; and

WHEREAS, in a duly-noticed public meeting that occurred on August 23, 2005, the Board of County Commissioners consented to the Coordinating Committee’s action and voted to approve the amendments to the Cooperative Agreement as recommended; and

WHEREAS, chapter 277 of the Nevada Revised Statutes requires that public agencies approve cooperative agreements by resolution, and thus, amendments to such agreements should be approved by resolution as well; and

WHEREAS, the action of the Board of County Commissioners on August 23, 2005 was not taken by resolution.

NOW THEREFORE, it is hereby resolved by the Board of County Commissioners of Washoe County that the amendments to the Truckee Meadows Flood Management Project Cooperative Agreement, placed on file with the Clerk, are approved and the action of the Board of County Commissions of August 23, 2005 is ratified.

**05-1139 ACCEPTANCE - REPORTS/PAYMENT - COUNTY
INTERVENTION - UTILITIES INC. OF NEVADA - DISTRICT
ATTORNEY**

Upon recommendation of Steve Bradhurst, Water Resources Director, John Rhodes, Deputy District Attorney, and Ron Steele, Fiscal Analyst II, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried with Commissioner Humke absent, Chairman Weber ordered that:

1. the report on County intervention in the application by Utilities, Inc. of Nevada before the Nevada Public Utilities Commission (Docket No. 03-6009), and subsequent appeals be accepted; and

2. the report on County intervention in the application by Verdi Meadows Utility Company before the Nevada Public Utilities Commission (Docket No. 04-3023) be accepted; and

3. payment to the law firm of Allison, MacKenzie, Russell, Pavlakis, Wright & Fagan, Ltd. in the total amount of \$38,817 be approved.

It was further ordered that the Finance Department be directed to make the following account adjustment to cover the unbudgeted expense of \$38,817 and make the following adjustments to cash accounts:

ACCOUNT NUMBER	DESCRIPTION	AMOUNT OF INCREASE/ (DECREASE)
18900-820000	Contingency	(\$38,817)
5130-710120	Water Resources	\$38,817

05-1140 CANDIDATE INTERVIEWS - REGIONAL WATER PLANNING COMMISSION

Board members each chose a question to ask the candidates. The candidates waited outside while the Board interviewed each candidate in the following order:

- David Carlson
- Derek Morse, P.E.
- Susan Donaldson, Ph.D.
- Peter Krenkel, Ph.D., P.E.

Gary Schmidt, Washoe County resident, complimented the applicants and was impressed with their qualifications.

Following the interviews and Board deliberation concerning the qualifications of each candidate, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Commissioner Humke absent, Chairman Weber ordered that Dr. Peter Krenkel be appointed as the voting member to the Regional Water Planning Commission, and Dr. Susan Donaldson be appointed as the voting alternate member with terms ending on June 30, 2008.

05-1141 AWARD OF BID - SPRING CREEK WATER SYSTEM WELL NO. 7 - BID NO. PWP-WA-2005-327 - WATER RESOURCES

This was the time to consider award of the bid for construction of the Spring Creek Water System Well No. 7 for the Water Resources Department. The Notice to Bidders for receipt of sealed bids was published in the *Reno Gazette-Journal* on September 7, 8, 14, 15, 21, 22, 28 and 29, 2005. Proof was made that due and legal Notice had been given.

Bids were received from the following vendors:

Resource Development Corporation
Building Solutions, Inc.
Northern Sierra Construction, Inc.
Canyon Construction Company

Upon recommendation of Joe Howard, Licensed Engineer, and Paul Orphan, Engineering Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried with Commissioner Humke absent, it was ordered that Bid No. PWP-WA-2005-327 for construction of the Spring Creek Water System Well No. 7 Improvements for the Water Resources Department be awarded to Resource Development Corporation in the amount of \$764,302. It was further ordered that Chairman Weber be authorized to execute the contract documents upon their receipt and the Engineering Manager be authorized to issue the Notice to Proceed.

05-1142 AWARD OF BID - SPRING CREEK NORTHEAST PHASE 2B WATER TRANSMISSION MAIN - BID NO. PWP-WA-2006-08 - WATER RESOURCES

This was the time to consider award of the bid for constructing the Spring Creek Northeast Phase 2B Water Transmission Main for the Water Resources Department. The Notice to Bidders for receipt of sealed bids was published in the *Reno Gazette-Journal* on September 15, 16, 21, 22, 28, 29 and October 3, 2005. Proof was made that due and legal Notice had been given.

Bids were received from the following vendors:

Mike's Trenching, Inc.
Z 7 Development
Cruz Construction Company, Inc.
Hard Line Excavating
B.M.S.W., Inc.
Northern Sierra Construction, Inc.
Aspen Developers Corporation
A & K Earth Movers, Inc.

Canyon Construction Company
Marv McQueary Excavating, Inc.

Gary Schmidt, Washoe County resident, voiced his support for Mike's Trenching.

Upon recommendation of Alan Jones, Licensed Engineer, and Paul Orphan, Engineering Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried with Commissioner Humke absent, it was ordered that Bid No. PWP-WA-2006-08 for constructing the Spring Creek Northeast Phase 2B Water Transmission Main for the Water Resources Department be awarded to Mike's Trenching, Inc, in the amount of \$346,008. It was further ordered that Chairman Weber be authorized to execute the contract documents upon their receipt and the Engineering Manager be authorized to issue the Notice to Proceed.

**05-1143 AWARD OF BID - MOUNT ROSE WATER SYSTEM
IMPROVEMENTS - BID NO. PWP-WA-2006-20 - WATER
RESOURCES**

This was the time to consider award of the bid for constructing Mount Rose Water System Improvements - 2005 Capital Improvement Project PWP-WA-2006-20 for the Water Resources Department. The Notice to Bidders for receipt of sealed bids was published in the *Reno Gazette-Journal* on September 21, 22, 28, 29, 2005. Proof was made that due and legal Notice had been given.

Bids were received from the following vendors:

Z 7 Development
Burdick Excavating Co., Inc.
Marv McQueary Excavating, Inc.
Canyon Construction Company
A & K Earth Movers, Inc.
Cruz Excavation, Inc
Mike's Trenching, Inc.

Upon recommendation of Joe Stowell, Licensed Engineer, and Paul Orphan, Engineering Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried with Commissioner Humke absent, it was ordered that Bid No. PWP-WA-2006-20 for constructing the Mount Rose Water System Improvements - 2005 Capital Improvement Project for the Water Resources Department be awarded to Z 7 Development in the amount of \$992,154. It was further ordered that Chairman Weber be authorized to execute the contract documents upon their receipt and the Engineering Manager be authorized to issue the Notice to Proceed.

**05-1144 AMENDMENT - PROFESSIONAL SERVICES AGREEMENT -
AMEC INFRASTRUCTURE INC. - CONSTRUCTION
MANAGEMENT SERVICES - WATER RESOURCES**

Commissioner Larkin asked for collaboration and noticing on traffic and construction located in the Eagle Canyon area and requested an update on the road closures relative to this issue.

Jeanne Ruefer, Planning Manager, commented staff had successfully installed the culverts under Eagle Canyon and Eagle Canyon was now open. She said staff was working on placing the culverts under Pyramid Highway during two weekends, providing a lane of traffic in both directions with flaggers and traffic control. She said if they were to provide additional lanes per Nevada Department of Transportation (NDOT), a change order would have to be placed in the amount of \$300,000.

In response to Commissioner Galloway, Ms. Ruefer replied there was no competition for this project because AMEC did the basic engineering design services. Commissioner Galloway remarked a sole source statement should have been attached. Katy Singlaub, County Manager, noted professional service agreements were not subject to sole-source justification.

Commissioner Sferrazza asked why the County was paying to prepare plans and specifications for a separate bid item on the box culverts that were not part of the design. Ms. Ruefer said staffed required AMEC to go through two bidding processes, one for the box culverts, and the other to provide an analysis of the bid, and the construction management from the rest of the contract. She said \$2.5 million was a third of the cost of the total project. Ms. Ruefer added the original contract called for the contractor to review geotechnical investigation, design drawings, and bidding services. She commented the contractor would still complete the detention basins and the appurtenant channels, but do a separate process for the culverts. Commissioner Sferrazza said he would not support a motion because he believed the County already paid for the box culverts.

In response to Commissioner Galloway, Ms. Ruefer explained the plans and specifications would have been part of the bigger project if staff had not separated it. She said the contractor spent time soliciting and evaluating the bids received and recommending a bid for the construction of the box culverts. She said the same process would have to be completed again for the full project. Commissioner Galloway asked if \$537,000 included this particular preparation of plans and specifications for a separate item. Ms. Ruefer said the primary cost was associated with going through the bid process for the box culverts separately.

Ms. Singlaub confirmed the analysis of the bid had to be completed twice.

Upon recommendation of Ms. Ruefer, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried with Commissioner Sferrazza voting “no,” and Commissioner Humke absent, Chairman Weber ordered that the amendment to the Professional Services Agreement with AMEC Infrastructure, Inc. to provide Construction Management Services for the construction of the North Spanish Springs Floodplain Detention Facility and Appurtenant structures, in an amount not to exceed \$134,300, be approved.

05-1145 APPROVAL OF PURCHASE - STONHARD FLOORING SYSTEMS - SHERIFF’S COMPLEX - PUBLIC WORKS

Commissioner Sferrazza said he could approve the specific type of flooring; however, he could not support the “sole-source” justification.

Katy Singlaub, County Manager, replied the sole source justification was prepared because the bacterial resistance for the needs of the detention facility in a high use area needed to be considered.

In response to Commissioner Galloway, Tom Gadd, Public Works Director, said staff discussed a variety of floor products. He said this particular product was used in several other County facilities and had received positive testimonials. Mr. Gadd said there were similar products available; however, they did not have the superior level of bacterial, temperature and chemical resistance. He said this company would guarantee coming to the jail, removing the old floor and kitchen equipment, laying the new floor, reinstalling the kitchen equipment; and they guarantee both labor and parts for five years.

Gary Schmidt, Washoe County resident, thanked Commissioner Sferrazza for asking the questions. He said he was interested in efficient contractor awarding.

In response to Commissioner Sferrazza, Mr. Gadd replied the square footage was 4,500 square feet. He said it would cost \$14.33 per square foot with an additional \$4.35 per square foot for removal and installation.

Upon recommendation of Mike Turner, Facility Management Division Director, through Mr. Gadd, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried with Commissioner Sferrazza voting “no,” and Commissioner Humke absent, it was ordered that the purchase and installation of a new seamless floor for the main kitchen located at the Sheriff’s Complex on Parr Boulevard from Stonhard Flooring Systems (a sole source) in the amount of \$84,400 be approved. It was noted the demolition of the currently damaged and unsafe floor and removal and re-installation of existing kitchen equipment be included.

4:47 p.m. On motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried with Commissioner Humke absent, it was ordered

that the meeting be adjourned to a closed session at 4:47 p.m. for the purpose of discussion negotiations with Employee Organizations per NRS 288.220.

5:37 p.m. The Board reconvened with Commissioner Humke absent.

05-1146 **COMMUNITY WILDFIRE RISK AND HAZARD ASSESSMENT –
NORTH LAKE TAHOE FIRE PROTECTION DISTRICT**

John Slaughter, Management Services Director, said the Board reviewed and approved the Washoe County Community Wildfire Risk and Hazard Assessment on October 11, 2005 with amendments that will come back before the Board. He stated that plan excluded North Lake Tahoe, which is the plan before the Board today.

Jim Linardos, North Lake Tahoe Fire Protection District (NLTFPD) Fire Chief, said this plan was put together prior to that of the rest of the County because it was done in conjunction with a consortium of the Lake Tahoe Basin Fire Departments in an effort to get some money for the plan. He said the North Lake Tahoe plan was completed a year ago and was adopted on October 19, 2005 by the NLTFPD Board of Directors. He stated the NLTFPD was asking the Board to adopt the plan, which might help with future funding.

Commissioner Galloway recommended the Board adopt the plan, but it was on the agenda to accept. Melanie Foster, Legal Counsel, said a motion to accept was appropriate. She said the NLTFPD Board of Directors had adopted it and they had the main authority in this area because they were an independently elected board. Commissioner Galloway said the main concern was the possibility the NLTFPD might be on the verge of getting some money and would not get it because the Board did not give its okay or an indication of support.

Upon recommendation of Chief Linardos, through Mr. Slaughter, on motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried with Commissioner Humke absent, it was ordered that the Nevada Community Wildfire Risk and Hazard Assessment for the North Lake Tahoe Fire Protection District be accepted. It was further ordered that Chairman Weber be authorized to execute the implementation document and further express the Board of County Commissioners' support for the plan.

05-1147 **UPDATE – REGIONAL ANIMAL SERVICES**

Tom Gadd, Public Works Director, conducted a PowerPoint presentation on the Regional Animal Services status since the consolidation with the City of Reno and the process used to issue a citation when violations of Washoe County Code, Chapter 55, were observed, which was placed on file with the Clerk.

6:17 p.m. During Mr. Gadd's presentation, Commissioner Humke rejoined the meeting via telephone.

Mr. Gadd introduced the new Humane Society Executive Director, Dr. Michelle Williams. Ms. Williams said she was glad to be a part of the community and of the project. She stated she was impressed with the quality of the construction and with the cooperation of the involved entities.

Chairman Weber said someone mentioned to her they had applied to be the exotic animal representative on the Animal Control Board. Jean Ely, General Services Division Director, replied no applications were received as a result of a prior advertisement, but another advertisement ended today. She stated that person might have applied during the most recent application period.

Commissioner Galloway said he forwarded two complaints to Mr. Gadd but did not believe he got a full response to Ms. Brock's complaint. He asked if better track was being kept of calls and actions taken in response to the calls. Mr. Gadd said things had been done differently since the dispatch service was transferred to Incline Village with calls being tracked and logged. Commissioner Galloway remarked, when people are advised of their right to cite, he would like it done in a neutral manner. Mr. Gadd said there was an active campaign to make sure the animal control officers knew what the protocols were when they go out to deal with a vicious dog or a citizen that was unhappy with a situation.

Commissioner Larkin asked for clarification on the statement "presentation by the animal control officer may be more at issue than the actual action taken by the officer." Mr. Gadd replied it involved how the facts were presented to the person they were dealing with. He said the process of serving and report of violations was adequate in terms of an officer's authority and responsibilities in responding to a service call.

Gary Schmidt, local resident, said having more than four dogs in Washoe County was a violation of the law and subject to incarceration and a fine unless the person had a kennel permit and permitted periodic inspections by government officials. He said kennels could involve thousands of dollars in construction costs, resulting in people having to get rid of life long pets. He opposed the law and requested if a three-dog limit is imposed, a three-child limit also be imposed because they are more trouble than dogs. He stated Senator Randolph Townsend admitted to having five dogs without having a kennel permit at the dedication of the combined kennel. He said he was now placing an oral complaint with Mr. Gadd about Senator Townsend having five dogs. He expected the complaint to be followed up on, and he expected a report. He continued to talk as the timer went off, and Chairman Weber interrupted by saying, "Thank you, Mr. Schmidt."

Commissioner Galloway said he wanted to correct an error in perception that may have been created by something Mr. Schmidt said. He stated he was not aware of anyone being sent to jail because they had more than three dogs. He said the practice of the County was to give them an opportunity to apply for a kennel permit; and, if they did not, then they would face penalties if they did not reduce the number of animals.

Upon recommendation of Ms. Ely, through Mr. Gadd, on motion by Commissioner Larkin, seconded by Commissioner Humke, which motion duly carried, Chairman Weber ordered that the report on the status of the Regional Animal Services Program and the clarification on the process for the issuance of citations for violations of Washoe County Code, Chapter 55, be accepted.

05-1148 ORDINANCE NO. 1277 – BILL NO. 1455 – CREATING SPECIAL ASSESSMENT DISTRICT 37 – SPANISH SPRINGS SEWER PHASE 1A – WATER RESOURCES

5:30 p.m. This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on October 14, 2005 to consider second reading and adoption of Bill No. 1455. Proof was made that due and legal Notice had been given.

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

On motion by Commissioner Larkin, seconded by Commissioner Humke, which motion duly carried, Chairman Weber ordered that Ordinance No. 1277, Bill No. 1455, entitled, “**AN ORDINANCE CREATING WASHOE COUNTY, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 37 (SPANISH SPRINGS SEWER PHASE 1A); ORDERING A SANITARY SEWER PROJECT WITHIN WASHOE COUNTY, NEVADA; PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS THEREFOR; AND PRESCRIBING OTHER MATTERS RELATING THERETO.**” be approved, adopted and published in accordance with NRS 244.100.

05-1149 APPEAL CASE NO. AX05-010 – VARIANCE CASE NO. VA05-023 – COMMUNITY DEVELOPMENT

5:30 p.m. This was the time set in a Notice of Public Hearing mailed to affected property owners on October 14, 2005, concerning Appeal Case No. AX05-010, of the Planning Commission’s denial of Variance Case No. VA05-023, Dennis Veile, to consider reducing the side yard setback from ten feet to five feet to facilitate the construction of a single-family dwelling unit as authorized in Article 406 of the Washoe County Development Code. The project is located at 893 Incline Way, approximately 100 feet north of the intersection of Southwood Boulevard and Incline Way, Commercial 1 Subdivision, Lot 1, Block B. The ±0.4-acre parcel is designated General Commercial (GC) in the Tahoe Area Plan, and is situated in a portion of Section 15, T16, R18, MDM, Washoe County, Nevada. The property is located in the Incline Village Citizen Advisory Board boundary and Washoe County Commission District No. 1. (APN: 132-221-08)

Katy Singlaub, County Manager, said there was a request by the appellant to continue the appeal to December 13, 2005.

The Chairman opened the public hearing by calling on anyone wishing to speak for or against this appeal.

Cathy Brandhorst, local resident, addressed the Board about the Planning Commission changing zones from commercial to residential and residential to commercial. Chairman Weber requested Ms. Brandhorst stick to the subject. After the first warning, when Ms. Brandhorst did not stick to the subject, Chairman Weber called for a recess while Ms. Brandhorst was removed.

6:44 p.m. The Board recessed while Ms. Brandhorst left under escort.

6:47 p.m. The Board reconvened with Commissioner Sferrazza absent.

On motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried with Commissioner Sferrazza absent, Chairman Weber ordered that the appeal hearing for Appeal Case No. AX05-010 of the Planning Commission's denial of Variance Case No. VA05-023 be continued to December 13, 2005.

05-1150 **COMPREHENSIVE PLAN AMENDMENT CASE NO. CP05-007 –
REGIONAL PLAN CONFORMANCE ELEMENT – COMMUNITY
DEVELOPMENT**

5:30 p.m. This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on October 14, 2005, to consider a recommendation to amend the Washoe County Comprehensive Plan relating to the addition of a new element entitled "Regional Plan Conformance Element" and, if approved, authorize the Chair to sign the Resolution for the new element after a determination of conformance with the Regional Plan by the Truckee Meadows Regional Planning Agency.

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

Eric Young, Planner, said since the adoption of the last Regional Plan, staff had been working to bring the County's Comprehensive Plan into conformance with the Regional Plan, which presented some significant challenges, mostly administrative. He stated staff was also working on a comprehensive update of all of the elements of the Comprehensive Plan and of all of the area plans. He said there was concern on how to present all of the changes to the community without causing confusion. He stated what was before the Board was the approach to the issue, which was the creation of a new Regional Plan Conformance Element in the Master Plan. Mr. Young confirmed this was being done, even though it was so close to the next update, because it was a commitment made to Regional Planning, and staff was committed to maintaining that commitment.

Commissioner Larkin read the public comment card from Juanita Cox, local resident, expressing concern regarding slope management for individual private properties. She stated she did not feel private property owners needed any more hoops to jump through.

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

Commissioner Larkin asked for clarification on item two regarding slopes. Mr. Young replied it would not make homeowners go through additional hoops and staff's opinion was the current Development Code for hillside development was adequate.

In response to Commissioner Humke, Mr. Young said under the Regional Plan, if this were passed, the County would be free to control water resources as much as it does today. He said this was a promise by the County to conform to the Regional Plan and did not ask the County to do anything different than the Regional Plan asks the County to do.

Based on the following findings, on motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried with Commissioner Sferrazza absent, it was ordered that Comprehensive Plan Amendment Case No. CP05-007, Regional Plan Conformance Element, be approved and Chairman Weber be authorized to execute the Resolution for the new element after a determination of conformance with the Regional Plan by the Truckee Meadows Regional Planning Agency:

FINDINGS:

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

5. The proposed amendment to Volume One of the Washoe County Comprehensive Plan does promote the desired pattern for the orderly physical growth of the County or adequately guide development of the County. The proposed amendment does guide development of the County based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services;
6. The proposed amendment to Volume One of the Washoe County Comprehensive Plan is the first amendment to Volume One of the Washoe County Comprehensive Plan in 2005, and therefore does not exceed the three permitted amendments as specified in Section 110.820.05 of the Washoe County Development Code;
7. The Washoe County Planning Commission gave reasoned consideration to information contained within the staff report and information received during the public hearing; and
8. That the Washoe County Board of County Commissioners gave reasoned consideration to the information transmitted from the Washoe County Planning Commission and to the information received during the public hearing.

**05-1151 COMPREHENSIVE PLAN AMENDMENT CASE NO. CP05-008 –
SPANISH SPRINGS AREA PLAN – NORTH SPANISH SPRINGS
FLOOD DETENTION BASIN REALIGNMENT – COMMUNITY
DEVELOPMENT**

5:30 p.m. This was the time set in a Notice of Public Hearing mailed to affected property owners on October 14, 2005 and published in the *Reno Gazette-Journal* on October 14, 2005, to consider a recommendation to amend the Spanish Springs Area Plan, being a part of the Washoe County Comprehensive Plan and, if approved, authorize the Chair to sign the Resolution for the new element after a determination of conformance with the Regional Plan by the Truckee Meadows Regional Planning Agency. The amendment request would realign the boundaries of land use designations in order to accommodate the final design of the North Spanish Springs Flood Detention Basin. The proposed realignments will neither decrease nor increase the existing development potential. Other proposed changes in the request include amendments to reflect a settlement proposal regarding a civil disagreement between the Spanish Springs Airport and adjacent property owners, and various administrative amendments to clarify the language recently adopted in the update of the area plan. These amendments will be accompanied by a new map series to reflect the proposed changes. The parcels involved in the re-alignment are APNs 530-280-59, 532-020-01, 089-160-53, and 532-031-09. These parcels are a mix of LDS, MDS, PSP, OS, PR and I. All parcels are within the Spanish Springs Area Plan, within the jurisdiction of the Spanish Springs Citizen Advisory Board, and in Washoe County Commission District No. 4.

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

Eric Young, Planner, said staff had been working to implement the Spanish Springs update since its adoption. He said they had attempted to change the land use map to ensure the flood control project the Board had endorsed was possible, which required a small rearrangement of land uses. He stated staff's number one priority was there was no net change to potential development, and staff had been very cautious during the rearrangement to ensure the net development potential and the net development impact would remain the same as in the existing plan.

6:57 p.m. Commissioner Sferrazza returned to the meeting.

Based on the following findings, on motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried, it was ordered that Comprehensive Plan Amendment Case No. CP05-008, Spanish Springs Area Plan, North Spanish Springs Flood Detention Basin Realignment, being a part of the Washoe County Comprehensive Plan, be approved and Chairman Weber be authorized to execute the Resolution for the new element after a determination of conformance with the Regional Plan by the Truckee Meadows Regional Planning Agency:

FINDINGS:

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 110.822.25, findings for Regional Form and Pattern; Section 110.822.35, findings for Concurrency, Timing and Phasing of Infrastructure; Section 110.822.40, 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; and
8. That the Washoe County Board of County Commissioners gave reasoned consideration to the information transmitted from the Washoe County Planning Commission and to the information received during the public hearing.

**05-1152 BILL NO. 1457 - AMENDING WCC CHAPTER 15 – INCREASING
AUTHORITY OF PURCHASING AND CONTRACT
ADMINISTRATOR**

Commissioner Larkin stated the Purchasing and Contracts Administrator should be granted the authority to purchase supplies and services in the amount of \$100,000 up from \$25,000. He had observed over the last 10 months some of the contracts the Board had reviewed on a case-by-case basis or as part of the Consent Agenda needed to be delegated to the most appropriate level in an organization of half a billion dollars. He indicated it was the intent of the ordinance to delegate that authority to the Purchasing and Contracts Administrator as a single point of contact and oversight. He stated there would be restrictions on when audits needed to be done and what items would come to the Board, along with a policy on sole source.

Commissioner Sferrazza said he was adamantly opposed to this increase because he felt \$25,000 was too high. He said currently any item that was not contentious goes into the Consent Agenda, and he saw no reason to increase the possibility of something happening with which the majority of the Board would not agree.

In response to Commissioner Galloway, Katy Singlaub, County Manager, said John Balentine was the Purchasing and Contracts Administrator. She said Mr. Balentine had indicated \$100,000 was on the low end of what other County and local governments authorized the Purchasing and Contracts Administrator to sign for; and there was plenty of opportunity for the system to provide checks and balances so there would not be one point of review, such as the Board directing all contracts go through the District Attorney, Finance, and the Risk Manager. She commented the Public Works Director has signature authority of up to one million dollars for public works contracts in Clark County without review by the Board, but that was not what was being recommended. Ms. Singlaub indicated the Public Works Director had signature authority for most Public Works projects and the Department of Water Resources for utility projects that are within the enterprise fund for Water Resources. She said the Courts do not go through the Purchasing and Contracts Administrator, but they do go to the Board

for anything over \$25,000. Commissioner Galloway agreed the amount needed updating because \$25,000 was authorized in 1993, but he was uncomfortable going over \$50,000. He commented on the concern the Board had recently with construction contracts.

Commissioner Humke said he understood it would be styled as an experiment and could be tried for a time, which he would support.

Chairman Weber remarked she does not support the increase to \$100,000, because it was the Board's job to oversee. She would consider increasing the amount to \$50,000.

Commissioner Larkin stated the Board has oversight authority, which should be diligently exercised. He said oversight could include process as well as individual project amounts. He hoped the Board would move more towards having oversight of the process and would use exceptions management rather than inclusive management for each of the contracts. He said this would not delegate the Board's authority nor relegate the Board's responsibilities elsewhere. He felt there were several contracts over the last several months that would have seized the market if they had been delegated downward. He stated he was open to \$50,000 and the possibility of looking at it again in a year or two.

Commissioner Galloway said he understood the ordinance had to be introduced the way it was and could not be changed except to make it less restrictive. He was concerned about letting go of consulting contracts; so, if it could be introduced using \$50,000 and excluding consultant contracts, he would support the reading even though that would not guarantee he would support it later.

Melanie Foster, Legal Counsel, said the Board could do what Commissioner Galloway suggested regarding the reading as long as the authority was increased over what exists, and she could incorporate the changes for the second reading.

Commissioner Larkin said he would have no hesitation with Commissioner Galloway's inclusion of the personal contracts, and he asked if \$75,000 would be an appropriate level for procedures related to non-professional services. Chairman Weber suggested starting at \$50,000 and looking at it again in six months or a year. Commissioner Larkin said he would include in the introduction that the amount be changed to \$50,000 and that it exclude professional contracts.

Ms. Foster asked for guidance on exactly the types of contracts that concerned the Board. Commissioner Galloway replied he would like to have \$25,000 still apply for consultant contracts, such as paying someone to write a report, or service contracts that were purely knowledge based.

Bill No. 1457, entitled, "AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY INCREASING THE AUTHORITY OF THE PURCHASING AND CONTRACTS ADMINISTRATOR FOR PURCHASE OF

SUPPLIES AND SERVICES." was introduced as amended by Commissioner Larkin, the title read to the Board and legal notice for final action of adoption directed.

05-1153 2002 REGIONAL PLAN SETTLEMENTS

Melanie Foster, Legal Counsel, said Judge Hardesty reviewed the progress at last Thursday's hearing on the implementation of the settlement agreement; and he set another hearing for December 6, 2005. She said some of the legal issues raised by the parties were discussed, and the County received responses on two issues. She said Judge Hardesty was told the County would do its best to take care of the rest of the issues while working through the details of developing maps of areas that were appropriate for the tentative transfers under discussion. She received one strong admonition from the Judge that the County needed to make the determination on whether it needed his resolution on the St. James Village issue. She expected the maps, numbers, graph breakouts, and the rules of engagement for implementing the settlement agreement would be back before the Board in November. She said it was represented to the Judge everything would be ready to go to Regional Planning by December and finalized by early January. She stated, if the County had to go back before Judge Hardesty on the St. James Village issue, that would be agendized.

Chairman Weber shared that, after leaving the meeting, she commended staff on the many hours devoted to this process. She said the County Commissioners needed to sit down and decide where the land would come from to do this and it needed to be done sooner than later. She stated it was only fair to inform Judge Hardesty and the Cities of Reno and Sparks of the County's position without waiting until December to do so. Katy Singlaub, County Manager, replied staff had been working to craft such a review by the Board. Chairman Weber said she believed it should be the first week of November with the other entities and the public invited to be in the audience.

Commissioner Galloway reminded the Board that the County did not have to identify the full 9,000 acres because of an agreement made with the City of Reno, only a significant number of those acres. He said the Board should not predict where all of the land was, because it pre-decided issues that depended on the availability of water and other infrastructure.

Chairman Weber stated the City of Reno had agreed the County did not have to find the full 9,000 acres, but there was no guarantee that the mediators for the City of Reno would not change their minds. She felt the Board needed to be realistic because no one was guaranteed of anything now.

Ms. Foster said the City of Reno had a number of major issues. One discussed on Friday was identifying federal lands for possible transfer of ownership to be available for future development, which would have to be considered by the entire Council. She stated the City was struggling with where all of the land was coming from considering the City's expressed desire not to annex existing communities within the unincorporated areas.

In response to Commissioner Sferrazza, Commissioner Galloway said this was about sphere of influence (SOI) and service area, not annexation. Whether it would be annexed right away or never was not part of the agreement. He said the agreement sidebars meant the SOI would be the same as the Truckee Meadows Service Area for that entity, but that does not mean it all had to be annexed right away.

Commissioner Sferrazza said he did not care if the City annexed the property if the County could approve the property's development. He has a problem if the County gave the City development approval. He asked if there had been any discussion on the County controlling the density, because in his discussions with Councilmembers, there was major concern about development planned by the County that would not be paying city taxes.

Commissioner Galloway replied early on there was discussion about joint approval areas that would have been true joint planning, but it was rejected.

Commissioner Larkin stated he wanted to see staff's recommendation on at least three options, maybe five. He would like staff to be directed to bring back those maps and all participants be invited to the table.

Adrian Freund, Community Development Director, discussed the City's program of annexation; and he said voluntary annexation was outside of the settlement agreement. He reminded the Board property owners were still free to approach the City to seek annexation.

Ms. Foster stated the Cold Springs citizens were before the Supreme Court making the argument regarding 670 annexations versus the other kind. She said they had filed a pleading in the County's action, but had not moved to intervene; and she was not sure whether or not they would.

REPORTS/UPDATES FROM COUNTY COMMISSION MEMBERS

Commissioner Galloway reported on the actions taken at the Nevada Tahoe Regional Planning Agency (TRPA) meeting. It approved connecting one structure with gaming to another structure with gaming by means of an enclosed walkway. He said the decision was narrow in scope and dealt with a specific application, but it set a precedent. He said it was still up to the full TRPA to decide if such a walkway would be permitted; but, according to the findings made, the compact did not prohibit it. He said a further action provided another interpretation on an ordinance amendment that would allow placing an ice rink or similar outdoor and temporary activities on the roof of the Crystal Bay Club if found they were not to be related to gaming activity.

Commissioner Larkin invited anyone interested to the Siena Hotel Spa and Casino tomorrow for breakfast and here in Chambers tomorrow night to hear a former Governor of Maryland discuss what Maryland had done regarding planning.

Commissioner Sferrazza said the Reno Sparks Convention and Visitors Authority (RSCVA) Board had interviewed interim Chief Executive Officer (CEO) candidates and had hired a firm to solicit applications for the permanent position. He stated there was extensive discussion about acquiring water rights at the Truckee Meadows Water Authority (TMWA) Board, and Washoe County indicated it did not want to participate in that process. He said the County staff indicated it should be exempt from the requirement for entities to dedicate water for any project built, because the County was a wholesale purveyor.

Katy Singlaub, County Manager, clarified that staff was not recommending the County not be a holder of water rights or be a water bank; it was staff's intention that the County not get into bidding wars with TMWA thereby driving up the cost of water rights. She said discussion would be brought back to the Board on SCR 26 and some of the parameters the Board might have in the Legislative Subcommittee's look at addressing the water consolidation issues in Washoe County.

Chairman Weber advised she had attended the North Valleys Neighborhood Advisory Board (NAB) meeting and the Cold Springs Citizen Advisory Board (CAB) meeting, which are both held Monday night. She said the Cold Springs CAB had requested a change in dates because many of the issues of the two boards overlap. Chairman Weber requested a summit of all of the North Valleys Advisory Boards and the Homeowner Boards, sometime on a Saturday afternoon in February at the North Valley Regional Sports Complex, to discuss what was being contemplated for the North Valleys. She requested cutting the salary in half for new RSCVA director.

Commissioner Sferrazza said he voted against all of the salary increases for the position, but he doubted the Board would approve cutting the salary in half. Chairman Weber asked if the RSCVA Board could look at restructuring, and Commissioner Sferrazza said he thought some of that would happen.

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There being no further business to come before the Board, the meeting adjourned at 7:45 p.m.

BONNIE WEBER, Chairman
Washoe County Commission

ATTEST:

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

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