

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

2:00 P.M.

AUGUST 17, 2004

PRESENT:

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

Sharon Gotchy, Deputy County Clerk
Katy Singlaub, County Manager
Madelyn Shipman, Legal Counsel

ABSENT:

Jim Shaw, Chairman

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:

04-852 AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Chairman Shaw and Commissioner Sferrazza absent, Vice Chairman Weber ordered that the agenda for the August 17, 2004 meeting be approved with the following change: **Delete** 8N(2) – Resolution to acquire by eminent domain 4,135 square feet of land from William and Vickie McCartney and Hazel Creel for the construction of Running Bear Drive.

PUBLIC COMMENTS

Susan Donaldson, University of Nevada Cooperative Extension Water Quality Specialist, invited the Commissioners to attend the Nonpoint Education for Municipal Officials (NEMO) workshop series, which is a national program that brings information and technical assistance to those engaged in land use decision making. She said it helps officials ask the questions that will clarify whether water resources are being protected during growth. Ms. Donaldson said many organizations are helping to design the content of the workshops, and the program has been very effective in other communities.

2:15 p.m. Commissioner Sferrazza arrived during Public Comment.

Sam Dehne, local resident, said he has made 3,000 public comments before local government.

Al Hesson, local resident, spoke about the Iraq war and the bigger threat of North Korea.

Gary Schmidt, local resident, commented on local governments' power of condemnation and said he reluctantly supported the Board's vote for condemnation of the Ballardini Ranch, but commended Vice Chairman Weber for her stand in opposing the condemnation.

MANAGER'S/COMMISSIONERS' COMMENTS

Commissioner Galloway said the Board was very responsive to public concerns about event and entertainment related noise. He requested staff investigate alternatives to using the 24-hour average to determine noise levels.

Commissioner Humke requested an agenda item for a proposed resolution to the Nevada Department of Transportation (NDOT), concerning a fax from Mr. David Jones citing the danger on 395 south of the Mt. Rose Highway. NDOT needs to do something now, besides posting 50 miles per hour speed limit, because the I-580 extension will not be completed for years. He requested staff look at what would be the most appropriate measures for NDOT to take. Commissioner Humke commended the citizens who have put up signs asking people to stay within the speed limit and the Washoe County Sheriff and the Nevada Highway Patrol for stepping up enforcement.

Commissioner Sferrazza requested the Waste Management Contract and the Conflict Counsel Contract be put on an agenda; and Katy Singlaub, County Manager, said Waste Management was on the agenda for August 24th and the Conflict Counsel Contract would be in September.

04-853 INTRODUCTION OF NEW EMPLOYEES

Vice Chairman Weber invited approximately 21 new Washoe County employees to come forward and introduce themselves to the Board. The Board members welcomed the new employees.

04-854 PROCLAMATION – SIERRA NEVADA JOB CORPS DAY

On motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Chairman Shaw absent, it was ordered that the following Proclamation, which Vice Chairman Weber read and presented to Kenneth Dugan and Greg Martin, Sierra Nevada Job Corps, be adopted and the Vice Chairman be authorized to execute the same:

PROCLAMATION

WHEREAS, August 19, 2004 the Sierra Nevada Job Corps Center will celebrate 25 years of service to the community and Washoe County; therefore, it is appropriate at this time that Sierra Nevada Job Corps receive special honors and highest commendations; and

WHEREAS, Job Corps has trained and educated students since 1964 in the pursuit of fighting poverty one job at a time; and

WHEREAS, For 25 years Sierra Nevada has maintained a commitment to excellence in education and provided over 20,000 previously unemployed young men and women, 16 to 24 years of age, the opportunity to become skilled workers and productive taxpaying citizens; and

WHEREAS, the Sierra Nevada Center operated under contract by Management and Training Corporation for the United States Department of Labor, continuously trains 570 young adults in residential and non-residential programs, which include high school, general equivalency degree, career counseling and 15 vocational training courses; and

WHEREAS, The Center stresses proficiency in basic reading, mathematics, social skills, positive work ethic and good work habits; and

WHEREAS, The effects of the Job Corps program have proved to be long lasting and have provided an economic benefit to Washoe County though reduced welfare and unemployment costs, combined with the increased taxpaying productivity of Job Corps students; and

WHEREAS, The people of Washoe County are indeed fortunate to be served by an organization of the caliber of the Sierra Nevada Job Corps Center, and it is appropriate at this time that its efforts be recognized and commended; now, therefore, be it

PROCLAIMED, By the Washoe County Board of Commissioners that August 19, 2004 is Sierra Nevada Job Corps Day in recognition of its Director, Kenneth C. Dugan, its staff, its students and over 20,000 graduates for a job well done, and the Board conveys its sincere best wishes for every success in the future.

Vice Chairman Weber thanked Mr. Dugan for all the services provided by the Sierra Nevada Job Corps. Mr. Dugan thanked the Board for the honor.

**04-855 RESOLUTION OF APPRECIATION – CHRISTIE & BRUCE
GESCHEIDER**

Upon recommendation of Lynda Nelson, Horticulturist, through Karen Mullen, Parks and Recreation Director, on motion by Commissioner Humke, seconded by Vice Chairman Weber, which motion duly carried with Chairman Shaw absent, it was ordered that the donation of \$9,800 raised at the "Evening of Wine & Roses" be accepted. It was further ordered that the following Resolution, which Commissioner Galloway read, be approved and Vice Chairman Weber be authorized to execute the same:

**RESOLUTION OF APPRECIATION
CHRISTIE & BRUCE GESCHEIDER**

WHEREAS, Christie and Bruce Gescheider and the staff at Moana Nursery sponsored an "Evening of Wine & Roses" giving 100% of the profits, over \$9,800, to the May Arboretum & Botanical Garden's proposed resource and visitor education center; and

WHEREAS, Christie and Bruce previously donated 100, 15-gallon trees and numerous 5-gallon shrubs, to be sold at the Rancho San Rafael Botanical Society's annual Plant Sale; and

WHEREAS, With their contribution accounting for \$6,000 of the total \$12,000 raised, Christie and Bruce's donation made the Plant Sale the most successful yet; and

WHEREAS, Christie and Bruce offer free workshops to educate citizens about gardening and horticulture in Washoe County; and

WHEREAS, Christie and Bruce set a model for private-public partnership in the community; now, therefore, be it

RESOLVED, That the Washoe County Board of Commissioners expresses their appreciation and respect for the example Christie and Bruce Gescheider and the staff of Moana Nursery have shown in their support of the May Arboretum and Botanical Garden.

Mr. Gescheider said patronizing local businesses pays dividends to the local community and cited this as an example.

04-856 MINUTES

On motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Shaw absent, Vice Chairman Weber ordered that the minutes of the regular meetings of May 18 and May 25, 2004 be approved.

04-857 SEXUAL ASSAULT - MEDICAL CARE - PAYMENT

Pursuant to NRS 217.280 to 217.350, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Shaw absent, Vice Chairman Weber ordered that payments with funds from the District Attorney's account designated Sexual Assault Victims Expenses be authorized for initial emergency medical care and follow-up medical or psychological treatment for 43 sexual assault victims in an amount totaling \$8,066.27 as set forth in a memorandum from Kim Schweickert, Program Assistant, District Attorney's Office, dated July 30, 2004 and placed on file with the Clerk.

04-858 ACCEPTANCE OF CASH DONATIONS – SENIORS PROGRAMS AND SERVICES – SENIOR SERVICES

Upon recommendation of Marietta Bobba, Senior Services Director, through John Berkich, Assistant County Manager, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Shaw absent, it was ordered that the cash donations to assist in programs and services for seniors from the following individuals and organizations from June 2, 2004 through June 30, 2004 in the amount of \$933.28, be accepted with the gratitude of the Board:

- \$50.00 First Baptist Church – Sparks Senior Center
- \$25.68 Scolari's – Sparks Senior Center
- \$372.00 Lend-A-Check – to the department
- \$60.00 Anonymous – Mental Health Program
- \$375.60 United Way – to the department
- \$50.00 The First Baptist Church – Reno Senior Center

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

ACCOUNT	INCREASE AMOUNT
Revenue	
20046-484000 General Donations	\$425.60
20074-484000 Mental Health Donations	\$ 60.00
20051-484000 Sparks General Donations	\$ 75.68
20223-484000 Lend-A-Check Donation	\$372.00
	\$933.28
Expenditure	
20046-710400 Payment to Other Agencies	\$425.60
20074-710400 Payment to Other Agencies	\$ 60.00
20051-710400 Payment to Other Agencies	\$ 75.68
20051-710400 Payment to Other Agencies	\$372.00
	\$933.28

**04-859 REFRESHMENTS – WORKSHOPS/WORK SESSIONS FOR
PLANNING COMMISSIONERS – PLANNING**

Upon recommendation of Michael Harper, Planning Manager, through Adrian Freund, Community Development Director, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Shaw absent, Vice Chairman Weber ordered that the expenditure of no more than \$1,000 for the provision of refreshments for Planning Commissioners attending Workshops/Work Sessions in fiscal year 2004/05 be approved.

**04-860 LICENSE AGREEMENT - SCOTIA CONSULTING - PC
ALTERNATIVE SENTENCING/CASE MANAGEMENT SYSTEM -
DISTRICT COURT**

Upon recommendation of Tom Bolan, Alternative Sentencing Officer Supervisor, through John Berkich, Assistant County Manager, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Shaw absent, it was ordered that an agreement between Washoe County and Scotia Consulting, concerning adapting the Court Services software so that Washoe County can operate their Pretrial Services and Alternative Sentencing systems as two separate entities, be approved and Vice Chairman Weber be authorized to execute the same. It was noted that funds in the amount of \$30,000 have been allotted for this expenditure in the Alternative Sentencing Division within the County Manager's Office in the approved fiscal year 2004/05 budget.

**04-861 ACCEPTANCE OF RURAL FIRE ASSISTANCE GRANT –
VOLUNTEER FIRE DEPARTMENTS**

Upon recommendation of Roy Slate, Division Chief, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Shaw absent, Vice Chairman Weber ordered that the grant monies in the amount of \$7,000 from the U.S. Department of the Interior, Bureau of Land Management's fiscal year 2004 Rural Fire Assistance Grant Program be accepted and Vice Chairman Weber be authorized to execute acceptance documents. It was further ordered that the Comptroller be directed to increase the appropriate accounts of the Washoe County Fire Suppression Fund by \$7,000 and staff be authorized to use these grant funds, in combination within \$700 matching funds, to purchase replacement wildland hose and associated equipment. It was noted the total grant is \$21,000 and that a separate agenda item will be presented to the Truckee Meadows Fire Protection District Board of Commissioners, concerning the remaining \$14,000 relative to funding for the TMFPD Volunteer Fire Departments and requesting expenditure authority.

RESOLUTION – USA MEDIA GROUP LLC TO CEQUEL III COMMUNICATIONS I, LLC – SALE OF ASSETS AND TRANSFER OF CABLE FRANCHISE

Upon recommendation of John Balentine, Purchasing Director, through John Sherman, Finance Director, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Shaw absent, it was ordered that the following resolution concerning the assets purchase and non-exclusive franchise transfer of the small Cable TV system in Mogul and Verdi, Nevada, from USA Media Group, LLC, to Cequel III Communication I, LLC be adopted and Vice Chairman Weber be authorized to execute the same:

Washoe County, Nevada
RESOLUTION

A RESOLUTION CONSENTING TO THE SALE OF ASSETS AND THE TRANSFER OF THE CABLE TELEVISION FRANCHISE FROM USA MEDIA GROUP LLC TO CEQUEL III COMMUNICATIONS I, LLC SUBJECT TO CERTAIN CONDITIONS

WHEREAS, the provision of cable television service in the County is governed by Washoe County Code Chapter 90 (the “Cable Ordinance”) as it may have been amended from time to time; and

WHEREAS, USA Media Group LLC (USA Media) is the current holder of a franchise (“Franchise”) to provide cable television service in the Mogul, Verdi area of the County pursuant to Board of County Commissioner action No 99-46 (the “Franchise Resolution”), among other ordinances, resolutions and agreements relating to USA Media’s authority to construct, operate and maintain the cable television system (“System”) in the County (collectively, the “Franchise Documents”); and

WHEREAS, pursuant to a transaction (“the Proposed Transaction”) described in an Asset Purchase Agreement dated as of March 5, 2004 (the “Purchase agreement”), the System currently operated by USA Media will be purchased by Cequel III Communications I, LLC (“Cequel”); and

WHEREAS, Cequel is indirectly owned and controlled by Cebridge Connections Holdings, LLC; and

WHEREAS, if consummated, the Proposed Transaction will result in a transfer of the Franchise from USA Media to Cequel (the “Transfer”); and

WHEREAS, Section 90.240 of the Cable Ordinance provides that prior approval of the County is required for any transaction which will result in a transfer of the Franchise; and

WHEREAS, USA Media and Cequel have filed FCC Form 394 (the “Transfer Application”) pursuant to the 1992 Cable Act and FCC regulations, and have requested that the County approve the application for transfer of the franchise from USA Media to Cequel; and

WHEREAS, the County has reviewed the Transfer Application and examined the financial responsibility, technical expertise and legal qualifications of Cequel in accordance with applicable laws and the Franchise Documents: and

WHEREAS, based on such review and examination, and in reliance upon the representations, documents, and information provided by USA Media, Cequel and Cebridge Connections Holdings LLC in connection with the Transfer Application and supplemental information thereto, the County is willing to grant its consent to the Transfer, subject to the willingness of Cequel, USA Media and Cebridge Connections Holdings, LLC accept and agree to terms and conditions which the County believes necessary to protect the public interest; and

WHEREAS, the County, Cequel and USA Media have been negotiating such terms and conditions; and

WHEREAS, as a further result of these negotiations, the County, Cequel and the USA Media have reached a conditional agreement wherein all of the issues that would form the basis for the County’s denial of the Transfer Application will be resolved to the County’s satisfaction, and of which a Transfer Agreement by and among the County, Cequel, Cebridge Connection Holdings, and USA Media are integral parts;

NOW, THEREFORE, BASED ON THESE PREMISES, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF WASHOE COUNTY, NEVADA, THAT:

Section 1. The Transfer Application is hereby approved as of August 17, 2004, subject to the following conditions:

- A. USA Media, Cequel, and Cebridge Connections Holdings, LLC must execute the Transfer Agreement in substantially the form attached hereto and deliver the executed copy of the Transfer Agreement to the County Clerk no later than 5:00 PST on August 31, 2004.
- B. The Proposed Transaction must be consummated on or before September 1, 2004 and on terms that are not in any material respect different from those described in the Transfer Application and other related materials provided to the County.

Section 2. If the foregoing conditions are satisfied, the Transfer Application shall be deemed approved in accordance with the applicable law. Otherwise,

the County's consent to the Transfer Application may be voidable in the County's sole discretion and in such event deemed, by the terms of this Resolution, to have been denied as of August 17, 2004, without prejudice to any party to re-file for approval of the Proposed Transaction or a similar transaction.

**04-863 CONTRACTS – ENTERASYS – SERVICE AGREEMENT –
INFORMATION TECHNOLOGY**

Upon recommendation of Matt Beckstedt, Information Technology Director, and John Balentine, Purchasing and Contracts Administrator, through Katy Singlaub, County Manager, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Shaw absent, it was ordered that the service agreement renewal (via service quote) between Washoe County and Enterasys, concerning technology maintenance and service contracts to be conducted throughout the year in the amount of \$77,143.67, be approved and Vice Chairman Weber be authorized to execute the same. It was further ordered that the Purchasing and Contracts Administrator be authorized to sign off on subsequent Enterasys renewals as they come due after approval from the District Attorney, Budget Office and Risk Management.

**04-864 INTERLOCAL AGREEMENT – UNIVERSITY OF NEVADA,
RENO – AMERICANS WITH DISABILTY ACTS – HUMAN
RESOURCES**

Upon recommendation of Joanne Ray, Human Resources Director, through John Berkich, Assistant County Manager, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Shaw absent, it was ordered that the Interlocal Agreement between Washoe County and University of Nevada, Reno, concerning provision of professional services for ongoing Americans with Disabilities Act (ADA) consulting issues, be approved and Vice Chairman Weber be authorized to execute the same.

**04-865 BUDGET AMENDMENTS – FISCAL YEAR 2004/05 –
WOMEN/INFANTS AND CHILDREN STATEWIDE OUTREACH
AND MARKETING/MEDICAID - HEALTH**

Upon recommendation of Patsy Buxton, Health Analyst, through Eileen Coulombe, Administrative Health Services Officer, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Shaw absent, Vice Chairman Weber ordered that an amendment to the District Health Department Fiscal Year 2004/05 Women, Infants and Children Statewide Outreach and Marketing/Medicaid Program budget in the amount of \$125,000, be approved and the Finance Department be directed to make the following budget adjustments:

ACCOUNT NUMBER	DESCRIPTION	AMOUNT OF (DECREASE)
2002-IO-10040-431601	Medicaid	(125,000.00)
2002-IO-10040-701110	Base Salaries	(29,419.10)
-701200	Incentive Longevity	(625.00)
-701300	Overtime	(292.20)
-705110	Group Insurance	(4,877.60)
-705210	Retirement	(6,083.92)
-705230	Medicare	(401.18)
-705320	Workmens Comp	(397.00)
-705330	Unemployment Comp	(50.00)
-710100	Professional Services	(36,349.00)
-710300	Operating Supplies	(500.00)
-710334	Copy Machine Exp	(100.00)
-710350	Office Supplies	(150.00)
-710361	Postage Exp	(100.00)
-710500	Other Expense	(15,630.00)
-710502	Printing	(1,200.00)
-710508	Telephone	(4,000.00)
-710509	Seminars & Meetings	(500.00)
-710512	Auto Expense	(200.00)
-710529	Dues	(625.00)
-710546	Advertising	(18,000.00)
-711115	Equip Srv Motor Pool	(1,000.00)
-711210	Travel	(4,500.00)
	Total Expenditures	(125,000.00)

**04-866 BUDGET AMENDMENT -FY 2004/05 – UNDERGROUND
STORAGE/LEAKING UNDERGROUND STORAGE TANKS -
HEALTH**

Upon recommendation of Patsy Buxton, Health Analyst, through Eileen Coulombe, Administrative Health Services Officer, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Shaw absent, Vice Chairman Weber ordered that an amendment to the District Health Department Fiscal Year 2004/05 Underground Storage Tanks and Leaking Underground Storage Tanks Program budget in the amount of \$4,189, be approved and the Finance Department be directed to make the following budget adjustments:

ACCOUNT NUMBER	DESCRIPTION	AMOUNT OF INCREASE/(DECREASE)
2002-IO-10023-431100	Federal Contributions	(\$ 4,189.00)
2002-IO-10023-701110	Base Salaries	(2,803.19)
-701300	Overtime	(1,730.70)
-705110	Group Insurance	(249.63)

ACCOUNT NUMBER	DESCRIPTION	AMOUNT OF INCREASE/(DECREASE)
-705210	Retirement	(567.09)
-705230	Medicare	(37.39)
-705320	Workmens Comp	(36.00)
-705330	Unemployment Comp	(4.00)
-710300	Operating Supplies	200.00
-710302	Small Tools and Allow	269.00
-710334	Copy Machine Exp	150.00
-710350	Office Supplies	200.00
-710361	Postage Exp	120.00
-710502	Printing	100.00
-710508	Telephone	500.00
-710509	Seminars and Meetings	2,450.00
-710500	Film Developing	50.00
-711113	Equip Svc Replacement	(3,300.00)
-711114	Equip Svc O & M	(1,500.00)
-711504	Equipment< \$10,000	2,000.00
	Total Expenditures	(4,189.00)

04-867 BUDGET AMENDMENT -FY 2004/05 – CHRONIC DISEASE AND INJURY PREVENTION PROGRAM - HEALTH

Upon recommendation of Pamela Fine, Health Analyst, through Eileen Coulombe, Administrative Health Services Officer, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Shaw absent, Vice Chairman Weber ordered that an amendment to the District Health Department Fiscal Year 2004/05 Chronic Disease and Injury Prevention Program budget in support of Other Professional Services, Educational Materials, Operating Expenditures, and Travel funded by a Notice of Grant Award in the amount of \$50,000, be approved and the Finance Department be directed to make the following budget adjustments:

ACCOUNT NUMBER	DESCRIPTION	AMOUNT OF INCREASE
2002- 10426 -432100	State Revenue	\$50,000.00
2002- 10426 -710100	Other Professional Services	20,000.00
2002- 10426 -710300	Educational Supplies	\$ 8,055.00
-710334	Copy Machine	500.00
-710350	Office Supplies	200.00
-710355	Books and Subscriptions	1,000.00
-710361	Postage	100.00
-710502	Printing	4,950.00
-711504	Minor Equipment	7,505.00
-710508	Telephone	200.00

ACCOUNT NUMBER	DESCRIPTION	AMOUNT OF INCREASE
-710512	Mileage	500.00
-711210	Travel	6,990.00
	Total Expenses	50,000.00

**04-868 BUDGET AMENDMENT - FY 2004/05 – HEALTH EDUCATION/
PROMOTION PROGRAM - HEALTH**

Upon recommendation of Pamela Fine, Health Analyst, through Eileen Coulombe, Administrative Health Services Officer, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Shaw absent, Vice Chairman Weber ordered that the amendment to the District Health Department Fiscal Year 2004/05 Health Education and Promotion Campaign Program budget in the amount of \$10,000, be approved and the Finance Department be directed to make the following adjustments:

ACCOUNT NUMBER	DESCRIPTION	AMOUNT OF INCREASE
2002-IO-10405-431100	Federal Revenue	\$10,000.00
2002-IO-10405-710100	Other Professional Services	5,000.00
-710546	Advertising	5,000.00
	Total Expenditures	\$10,000.00

**04-869 INTERLOCAL AGREEMENT - SOCIAL SERVICES - PUBLIC
HEALTH NURSING SERVICES - HEALTH**

Upon recommendation of Pamela Fine, Health Analyst, through Eileen Coulombe, Administrative Health Services Officer, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Shaw absent, it was ordered that an agreement between the Washoe County District Health Department and the Social Services Department, concerning 40 hours per week of public health nursing services to the 0 - 6 year old program for the period July 1, 2004 through June 30, 2005 in the approximate amount of \$94,000, be approved and Vice Chairman Weber be authorized to execute the same.

**04-870 CONTRACT – ONLINE COMPUTER LIBRARY CENTER –
BUDGET – LIBRARY**

Upon recommendation of Martha Greene, Collection Management Coordinator, through Nancy Cummings, Library Director, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Shaw absent, it was ordered that the competitive bidding requirements be exempt and the contract between Washoe County Library and Online Computer Library Center (OCLC), for fiscal year 2004/05, in the amount of \$40,000, be approved on the basis of OCLC being considered a “sole source” of the desired products and services at

this time. It was ordered that Vice Chairman Weber be authorized to execute contract upon presentation.

04-871 LIBRARY ASSISTANT II POSITIONS – LIBRARY

Upon recommendation of Melody Ballard, Programs and Services Associate Library Director, through Nancy Cummings, Library Director, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Shaw absent, it was ordered that two existing vacant 21-hour-per-week Library Assistant II positions be abolished and four 15-hour-per-week Library Assistant II positions be created, in accordance with the established precedent for the Library.

04-872 AGREEMENT – GREAT RENO BALLOON RACE – PARKS AND RECREATION

Upon recommendation of Gregg Finkler, Parks Operation Superintendent, through Karen Mullen, Parks and Recreation Director, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Shaw absent, it was ordered that an agreement between Washoe County and the Great Reno Balloon Race, Inc., concerning the Great Reno Balloon race to be held at Rancho San Rafael Regional Park on September 9 through 12, 2004, be approved and Vice Chairman Weber be authorized to execute the same.

04-873 ACCEPTANCE OF DONATION – ANIMAL SERVICES – PUBLIC WORKS

Upon recommendation of Jean Ely, General Services Division Director, through Tom Gadd, Public Works Director, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Shaw absent, Vice Chairman Weber ordered that the cash donation from Mr. and Mrs. Alderson in the amount of \$100, which would be used for animals at the shelter by Animal Services, be accepted with the Board's gratitude.

04-874 SECURITY AGREEMENT – 2004 RENO-TAHOE OPEN CHAMPIONSHIP GOLF TOURNAMENT – SHERIFF

Upon recommendation of Ron Breaux, Sergeant, through Dennis Balaam, Sheriff, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Shaw absent, it was ordered that the security agreement between the Washoe County Sheriff and the Reno-Tahoe Open Foundation to provide uniformed Deputy Sheriffs for the 2004 Reno-Tahoe Open Golf Tournament to be held on August 16, 2004 through August 22, 2004, be approved and Vice Chairman Weber be authorized to execute the same.

04-875

ACCEPTANCE OF GRANT – UNITED STATES DEPARTMENT OF JUSTICE/BUREAU OF JUSTICE ASSISTANCE – SHERIFF

Upon recommendation of Valerie Gilmore, Fiscal Compliance Officer, and Michael Burdett, Buyer, through Dennis Balaam, Sheriff, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Shaw absent, it was ordered that the United States Department of Justice, Bureau of Justice Assistance Grant, which pays a maximum of up to 50 percent of the total cost of each bulletproof vest order, be accepted. It was further ordered that the Budget Division be directed to make the following budget adjustments:

ACCOUNT	INCREASE AMOUNT
Revenue: 104270-431100	\$14,753.47
Expenditure: 104270-710577	\$14,753.47

04-876

CORRECTION OF FACTUAL AND CLERICAL ERRORS – ASSESSOR

Upon recommendation of Thomas Sokol, Personal Property Supervisor, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Shaw absent, it was ordered that the following Roll Change Requests, correcting factual errors on tax bills, and the Order directing the County Treasurer to correct the errors, be approved and Vice Chairman Weber be authorized to execute the same:

PROPERTY OWNER	ID NUMBER	AMOUNT	ROLL
Walt Stafford	31/05-606	[-\$29.01]	2004 Unsecured.
Robert W. Hixson	31/05-607	[-\$27.04]	2004 Unsecured.
Norma Meyers	31/16-865	[-\$23.54]	2004 Unsecured.
Vince Campanaro	32-07-033	[-\$118.54]	2004 Unsecured.
Gold Key Motel	2/063-003	[-\$34.40]	2003 Unsecured.
Hyde Park Financial	2/101-542	[-\$25.67]	2003 Unsecured.
Wyman Development Corporation	2/105-431	[-\$1,879.44]	2003 Unsecured.
PSI Net	2/105-495	[-\$486.35]	2003 Unsecured.
Mosler Inc	2/114-244	[-\$202.82]	2003 Unsecured.
Reno Surgery for Children	2/160-364	[-\$114.63]	2003 Unsecured.
Annabell Whiting Hall	2/171-176	[-\$21.69]	2003 Unsecured.
P.Thomas J. Gaffney	2/171-443	[-\$20.18]	2003 Unsecured.
CIT Group Equipment Financing Inc	2/191-350	[-\$2,482.76]	2003 Unsecured.
U. S. Commerce Equipment Finance	2/191-935	[-\$108.53]	2003 Unsecured.
Trek Alliance Inc.	2/202-282	[-\$3,366.08]	2003 Unsecured.
Shannon Quick-Coester	31/21-079	[-\$27.62]	2003 Unsecured.
PSI Net	2/105-495	[-\$690.61]	2002 Unsecured.
Spanish Springs Veterinary	2/160-733	[-\$1,070.97]	2002 Unsecured.
SNCA Cath Lab LLC	2/160-944	[-\$10,999.53]	2002 Unsecured.
Ronald E. Wright, Contractor	2/463-289	[-\$49.57]	2001 Unsecured.

Bill Mikawa, Internal Audit Manager, discussed the Annual Report for FY 2003/04 that summarizes of all of the audits that were performed and presented to the Board during the year, and summarizes the implementation plans that address audit recommendations. The report also listed the audits and implementation plans currently in progress.

Mr. Mikawa said other Internal Audit Division accomplishments were the Code change to obtain provisions for an Audit Committee and the clarification of the duties and responsibilities of the Internal Auditor regarding the departments and agencies under the jurisdiction of elected officials and Internal Audit Division performance standards and majors. The division also looked at a proposal concerning a wellness program.

Commissioner Sferrazza said he understood funding occurs when a currently retired or currently employed Deputy files a Workers' Compensation claim for heart disease. He said it is unknown how many claims will be filed and accepted; but, based on historic figures, it would be several million dollars not a hundred million dollars. Commissioner Sferrazza said when it was initially presented to the Board, offset was not discussed in the savings in medical insurance for retirees and currently employed people, which he wanted included in those numbers before adopting a specific figure. Mr. Mikawa said the projection he made was substantiated by the actuary report based on the population and the conditions that are in the general population that could apply to current staff. Commissioner Sferrazza said he felt the report implies there are accepted claims with 100 million dollars of unfunded liability.

Mr. Mikawa said his figures were based on the current Sheriff's Office employees, the expected time they will serve, and their retirement. He said the statute makes them eligible for compensation even if they are retired.

Katy Singlaub, County Manager, said better phrasing would be an estimated exposure based on the best information of the County's actuary. Ms. Singlaub said the point is, whatever the figure, the County needs to address funding of the potential exposure. She said staff will continue to refine the numbers and the information will be brought back to the Board.

Commissioner Galloway said that typically a million dollars is reserved when a claim is received, but questioned if this was the amount ultimately paid out. Mr. Mikawa agreed. Commissioner Galloway said a case could pay out a million dollars but average would be a lot less. He said he agreed with Commissioner Sferrazza that a period of time analysis be done as well as a current population analysis.

Upon recommendation of Mr. Mikawa, through Ms. Singlaub, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Shaw absent, it was ordered that the receipt of the Annual Report

for the Audit Division for FY 2003/04 be accepted. It was further ordered that work continue on the issues raised by the Board.

04-878 THREE YEAR SCHEDULE – INTERNAL AUDIT DIVISION

Bill Mikawa, Internal Audit Manager, said administrative duties, consulting services to other departments, development of an intranet website, and continuing education for staff to retain their certified status are some of the activities the department does besides audits.

Upon recommendation of Mr. Mikawa, through Katy Singlaub, County Manager, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Shaw absent, Vice Chairman Weber ordered that the three year schedule for Internal Audits be approved.

04-879 E-GOVERNMENT AUDIT REPORT – INTERNAL AUDIT DIVISION

Bill Mikawa, Internal Audit Manager, said the E-Government audit was a benchmark audit to find out where the County was regarding electronic information, interactive transactions, and so forth. Each department had strategic plans, but the audit identified the need for more strategic plans for where the County overall wanted to go. It was also identified that the County needed to establish acceptable use, privacy, security, and payment transactions policies to be brought to the Board for approval. He said procedures need to be documented for constructing websites, identifying target audience, testing, verifying information is accurate, marketing, and maintenance.

Mr. Mikawa said out of 35 websites only about a third update the information, which can be misleading. About half of the websites provided a limited way of transacting business by downloading forms that have to be filled out and submitted. Only four of the sites have electronic transaction capability where the form can be submitted electronically and have online credit card payments. He said the strategic plan should look at systems where data that is input by the user can be integrated directly into the County system so the information does not have to be rekeyed. Mr. Mikawa said the County needed to focus on a direction, do some additional planning, and identify and provide the resources.

Upon recommendation of Mr. Mikawa, through Katy Singlaub, County Manager, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Shaw absent, Vice Chairman Weber ordered that the E-Government Audit Report be accepted.

04-880

**FORENSIC SERVICES CONTRACTS – STATE AND LOCAL
LAW ENFORCEMENT AGENCIES – SHERIFF’S OFFICE CRIME
LABORATORY**

Commissioner Galloway complimented the very efficient work of the Coroner’s Office and the Crime Laboratory.

Upon recommendation of Will McHardy, Forensic Science Division Captain, through Dennis Balaam, Sheriff, on motion by Commissioner Sferrazza, seconded by Commissioner Humke, which motion duly carried with Chairman Shaw absent, it was ordered that the Forensic Support Services Agreements between Washoe County (Sheriff’s Office) and the following law enforcement agencies, for total revenue of \$129,720 for Fiscal Year 2004/05, be approved and Vice Chairman Weber be authorized to execute the same:

Carson City Sheriff’s Office	\$13,371
Churchill County Sheriff’s Office	\$4,420
Douglas County Sheriff’s Office	\$20,498
Elko County Sheriff’s Office	\$11,039
Elko Police Department	\$11,824
Eureka County Sheriff’s Office	\$995
Fallon Police Department	\$9,899
Humboldt County Sheriff’s Office	\$6,630
Lander County Sheriff’s Office	\$5,683
Lovelock Police Department	\$1,331
Lyon County Sheriff’s Office	\$17,349
Mineral County Sheriff’s Office	\$332
Pershing County Sheriff’s Office	\$4,095
Storey County Sheriff’s Office	\$4,641
West Wendover Police Department	\$7,025
White Pine County Sheriff’s Office	\$1,281
Winnemucca Police Department	\$8,395
Yerington Police Department	\$912

04-881

**ACCEPTANCE OF SUPPLEMENTAL GRANT – EMERGENCY
MANAGEMENT PERFORMANCE FOR CITIZENS CORPS**

Upon recommendation of Jim Lopey, Assistant Sheriff, and Tami Cummings, Admin II, through Dennis Balaam, Sheriff, on motion by Commissioner Sferrazza, seconded by Commissioner Humke, which motion duly carried with Chairman Shaw absent, Vice Chairman Weber ordered that the Grant Award from FFY 2003/04 Emergency Management Performance Grant supplemental for Citizen Corps (Citizen Homeland Security Council and Community Emergency Response Teams) in the amount of \$118,932 be accepted and the Budget Division be directed to make following budget adjustments:

Account	Increase Amount
Revenue:	
10432-431100 Emer Mngt Perf – Fed’l Grants	\$118,932
Expenditures:	
10432-710300 Emer Mngt Perf – Oper Supplies	\$16,432
10432-710546 Emer Mngt Perf-Advertising	\$102,500

04-882 UPDATE – WEST NILE VIRUS

Barbara Hunt, District Health Officer, thanked the Board for supporting the Vector-Borne Diseases Program. She said it is an important public health issue because a small percentage of infected people become very sick and die.

Scott Mosen, Vector-Borne Diseases Program Coordinator, said Washoe County and the State have had time to prepare for the arrival of the West Nile Virus. He stated this is one of the few areas to actively prepare by obtaining funds, preparing a response plan, and having a signed Interlocal agreement in place. He thanked Melanie Foster, Legal Counsel, for her effort in composing the Interlocal agreement. Mr. Mosen said the West Nile Virus Working Group is composed of local and state agencies, Indian Health Services and the Tribes that was formed to mount a response to the virus.

Mr. Mosen discussed the spread of the virus since it was first detected in Carson City, and the response to control its spread. The primary goal is to suppress the mosquito population in areas where the virus has been found. The product used is relatively non-toxic to humans but very effective in mosquito control, leaves no residue and does not harm beneficial insects because of the time of day it is used. He also talked about the 40 percent fatality rate on unvaccinated horses.

Mr. Mosen discussed sentinel systems used to monitor the virus and the Animal Diseases Laboratory turnaround time for mosquito pools and dead bird samples in 18-24 hours, which is unheard of since California requires 4-6 weeks. This allows focus of control efforts within two days. He said the public has been instrumental in identifying areas with West Nile Virus by reporting dead birds, and he identified which birds are most affected by the virus. Ms. Hunt said some zip codes have been identified as having West Nile Virus and the State will not accept birds from those areas.

Mr. Mosen said there has been a major effort to educate the public, and an extensive media campaign to identify what the public can do to help contain and protect themselves against the virus. He discussed the number of cases, the range of infection in humans, who is most affected, long-term outcomes, and fatality rates.

In response to Commissioner Sferrazza, Mr. Mosen said a physician sends a blood sample to the State Health Division Laboratory based on symptoms for testing, vaccines take extensive testing before being released for use on humans, and there is a focused control effort on infected mosquito population.

Commissioner Weber commended Mr. Monsen and the Vector-Borne Disease Program on the brochure and their efforts to educate the public through attending Citizen Advisory Board and Neighborhood Advisory Board meetings. Commissioner Humke agreed.

In response to Commissioner Galloway, Mr. Monsen said the bird death must have occurred in the last 24-48 hours to be reported. Commissioner Galloway asked if controlling the mosquito population would help prevent massive bird deaths and possible extinction of entire species. Mr. Monsen said yes, and it will also help the wild horse population. Commissioner Galloway thanked Program staff for the cooperation he has received to help deal with the unique standing water situations in the Lake Tahoe area.

Commissioner Sferrazza asked if last year's shortage of materials for mosquito abatement had been corrected, and Mr. Monsen replied it has. He said Purchasing has been fast tracking their requests for supplies. Ms. Hunt said the emergency funds are being spent as needed. She said it is apparent that by the end of the fiscal year they will have gone over the budgeted amount.

04-883 BILL DRAFT REQUESTS – 2005 LEGISLATIVE SESSION

John Slaughter, Emergency Management Services Director, said the County is allowed 10 Bill Draft Requests (BDR's) and staff recommends the following four:

- Voter Approved Increase in Sales and Use Tax
- Sierra Forest Fire Protection District/Truckee Meadows Fire Protection District Boundaries
- Debt Management Commission (DMC)
- Recording of Wire or Oral Transmission

Mr. Slaughter discussed the intent and the status of the remaining six BDR's. Commissioner Galloway asked that staff investigate if the legal impediments could be removed, in the same DMC BDR, to provide compensation for at-large members of the DMC.

Sam Dehne, local resident, said the important BDR should be to eliminate the Regional Planning Governing Board, which has been a disaster to the entire community. Katy Singlaub, County Manager, stated a Regional Plan Settlement Agreement precluded the County from pursuing legislation that would be in direct conflict with the provisions of the settlement.

Commissioner Galloway felt there should be a check on how much in-kind County time could be authorized by managers without approval of the Board. He said a BDR should have accountability provisions that require the knowledge and consent of the Board. Ms. Singlaub said this issue requires further study to arrive at a better solution for the Board.

Upon recommendation of Mr. Slaughter, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried with Chairman Shaw absent, it was ordered that staff be directed to proceed with Bill Draft Requests numbers 1, 2, 4, and 6, including adding compensation for DMC at-large members in number 4.

04-884 2002 REGIONAL PLAN SETTLEMENTS

Sam Dehne, local resident, said he remembered two and a half years ago that virtually every citizen in packed chambers, except for a few large landowners that wanted to be annexed, was against this plan, but the vote was for the plan. The Cities of Reno and Sparks then annexed thousands of acres and immediately rezoned it. He said the Board should stand up to them and tell them to stop.

Commissioner Sferrazza said this action does not in any way support annexation only the negotiated settlement. Commissioner Galloway agreed the Board did not get everything it wanted, but did get this. Commissioner Humke said this is a necessary step in a long process and hopefully brings it closer to conclusion.

Upon recommendation of Madelyn Shipman, Legal Counsel, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried with Chairman Shaw absent, it was ordered that District Attorney's Office report to the Court the Board is willing to accept the amendments to the Cities of Reno and Sparks cooperative planning criteria even though the Board would have liked more detail and specificity. The Board also approves the revised and expedited appeal process as set forth in Attachment B.

Commissioner Galloway commended staff on an excellent presentation on the Verdi issue and he felt the presentation showed there was inadequate consideration. He said staff also showed there are huge gaps in the substantiation that the Development Standards Handbook was proper and there are huge gaps in information. He questioned how the Regional Planning Commission could have found it adequate or in conformance with the plan.

At the request of Vice Chairman Weber to provide a synopsis of what happened regarding the Verdi issue at the Regional Planning Governing Board, Adrian Freund, Community Development Director, said the Settlement Agreement for Verdi did not automatically grant without limitation 3,000 units of housing and roughly 200 acres of commercial development. He said the Settlement Agreement stated those development levels had to be justified based on available infrastructure and lack of negative impacts on

existing development, including traffic and domestic wells. If these criteria could not be met, then the appropriate response would be to scale back development density.

Mr. Freund said the County argued there was insufficient analysis on the impacts on potentially good recharge areas as identified by the Regional Water Planning Commission, and there was a lack of modeling on what those impacts might be on ground water resources or existing wells. He said there was very little analysis in the Handbook regarding the impact of pumping potentially 880 acre-feet of water at Boomtown. Boomtown has never had sustained pumping of even 200 acre-feet. Mr. Freund said the applicant indicated a complete water facilities plan had been done for the Verdi area, but County staff pointed out a number of existing properties and residents were not considered; and, in fact it was not a facilities plan, but laid the groundwork for one.

Mr. Freund said regarding traffic impacts, the engineer's report for the property owners pointed out there would be service level drops on I-80 beginning with the project in 2012 and continuing out to 2020 and 2030 without substantial I-80 expansion. He said it also pointed out the inadequacies of the Boomtown and Gold Ranch interchanges off of I-80.

Mr. Freund said the vote was 6-3 that the Development Standards Handbook complied with the Settlement Agreement and also generally in conformance with the Regional Plan.

Madelyn Shipman, Legal Counsel, said she felt it would take the approval of all parties, which could include the property owners, to extend the time limit. She indicated she was not even sure who all the parties would be.

After discussion, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Shaw absent, it was ordered that staff prepare a letter for the Chairman's signature inviting the City of Reno to meet at staff and policy level to try to resolve these issues prior to a likely appeal in the absence of resolution to Judge Hardesty. It was further ordered that staff request an extension of the appeal date; and, because of the likelihood that all parties would have to agree to the extension, this effort be expedited.

COMMUNICATIONS AND REPORTS

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

COMMUNICATIONS:

- 04-885** A. Copy of fully executed NDOT Contract No. 3206, Project Nos. SPI-080-1(058); IMD-IM-080-1(147); STP-080-1(146); BRI-080-1(149) and SPI-080-1(059), on I-80 in west Reno, at the West

McCarran Interchange (I-1301 east/west) and at the Stoker Grade Separation (H-1162 east/west); on I-80 from 1.044 kilometers west of Robb Drive in Reno to Keystone Avenue; on I-80 westbound off ramp at West McCarran Boulevard (SR 651) in Reno; on I-80 at the Garson Road Interchange (I-770); and at the Garson Truck Inspection site along I-80, Washoe County, Road and Highway Builders, LLC, Contractor. (documents and maps forwarded to Public Works, Engineer)

- 04-886** B. Copy of fully executed NDOT Contract No. 3210, Project Nos. SPF-028-1(016) and STP-0028(004), on SR 28, Tahoe Boulevard, from Lakeshore Boulevard to SR 431, Mount Rose Highway, and on SR 28, Tahoe Boulevard in Incline Village, from Country Club to the east terminus of Southwood Boulevard and from Centerpoint to the west terminus of Southwood Boulevard, Washoe County, MKD Construction, Inc., Contractor. (documents and maps forwarded to Public Works, Engineer)
- 04-887** C. Copy of Notice of Completion between Washoe County Water Resources, Utility Services Division and Mike's Trenching, Inc., for Arrowcreek Well Construction.
- 04-888** D. Copy of Notice of Completion between Washoe County Water Resources, Utility Services Division and Mike's Trenching, Inc., for SAD – 29 Mount Rose Sewer, Phase I.
- 04-889** E. Notice of Intent to Annex Land into the City of Sparks dated July 14, 2004 to annex 2.5 acres of land owned by Gary M. and Beth S. Hale, generally located at 8330 Eaglenest Road, Washoe County, into the City of Sparks, and a copy of Bill No. 2409 introducing the proposed ordinance. The public hearing on Bill No. 2409 was scheduled for the Council Meeting on July 26, 2004. (documents forwarded to Community Development)

04-890 **REPORTS – Quarterly (June 2004)**

- A. Constable – Incline Village/Crystal Bay Township
- B. Justice Court – Incline Village-Crystal Bay Township

04-891 **ANNUAL FISCAL REPORT (2003)**

- A. Central Truckee Meadows Remediation District

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There being no further business to come before the Board, the meeting adjourned at 5:02 p.m. to a closed session for the purpose of discussing negotiations with employee organizations.

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*