

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

11:30 A.M.

OCTOBER 16, 2007

PRESENT:

**Bob Larkin, Chairman**  
**Bonnie Weber, Vice Chairman**  
**Jim Galloway, Commissioner**  
**David Humke, Commissioner\***  
**Kitty Jung, Commissioner**

**Amy Harvey, County Clerk**  
**Katy Singlaub, County Manager**  
**Melanie Foster, Legal Counsel**

The Board met in special session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. The Clerk called the roll and the Board conducted the following business:

**07-1183      AGENDA ITEM 3**

**Agenda Subject:** "Approval of the agenda for the Board of County Commissioners' special meeting of October 16, 2007."

There was no public comment on this item.

In accordance with the Open Meeting Law, on motion by Commissioner Weber, seconded by Commissioner Galloway, which motion duly carried with Commissioner Humke absent, Chairman Larkin ordered that Agenda Item 3 be approved.

**AGENDA ITEM 4 – PUBLIC COMMENT**

**Agenda Subject:** "Public Comment. Comment heard under this item will be limited to two minutes per person and may pertain to matters both on and off the Commission agenda. The Commission will also hear public comment during the individual action items, with comment limited to two minutes per person. Comments are to be made to the Commission as a whole."

There was no response to the call for public comment.

**07-1184      AGENDA ITEM 5 – REGIONAL PARKS AND OPEN SPACE**

**Agenda Subject:** "Discussion and possible action regarding revisions to the Regional Parks and Open Space Fees and Charges Policy."

**\*11:38 a.m.** Commissioner Humke arrived.

The Board combined its discussion of Agenda Items 5 and 6. Please refer to 07-1185 below for the motions pertaining to Agenda Item 6.

Doug Doolittle, Director of the Regional Parks and Open Space Department, stated the Fees and Charges Schedule as proposed would cover a two-year period, for 2008 and 2009. He explained the fees were determined based on past recommendations of the Board, as well as a review of cost recovery strategies and a thorough market analysis.

Al Rogers, Assistant Director, conducted a PowerPoint presentation regarding the Fees and Charges Policy for Agenda Item 5, which was placed on file with the Clerk. He indicated the Fees and Charges Policy was first initiated January 16, 2007, at which time definitions, guidelines, cost recovery levels, governmental use policies, and policies concerning deposits and refunds were established. Mr. Rogers stated the proposed policy revisions included the following ranges for each cost recovery level:

Level I (0 to 9 percent cost recovery range): Programs with the broadest degree of community benefit, such as parks, playgrounds, basketball courts and trails. Most, although not all, Level I services were offered free of charge to the public.

Level II (10 to 49 percent cost recovery range): Examples included reserved picnic areas, reserved facilities for meetings or educational functions, athletic fields and the Regional Shooting Facility. These programs generally required some staff, planning and/or supervision, and had some fees associated with their use.

Level III (50 to 100 percent cost recovery range): Services that required specialized or intensive programming, staff and facilities development such as youth camps, the May Center and Special Events. Most or all direct costs and a portion of indirect costs should be recovered.

Level IV (100 percent or greater cost recovery range): Programs enjoyed by specialized participants rather than the community at large. All direct costs and some indirect costs should be recovered. Examples included adult and senior recreation, sports and educational programs, equipment rental and specific exhibits.

Mr. Rogers displayed charts analyzing cost recovery data for some of the County's specific programs and facilities. He highlighted a correction to the Policy, noting the "Reserved Facilities – Private Socials" category listed under Level IV actually belonged with Level II services.

In response to a question by Chairman Larkin, Mr. Rogers clarified that it was primarily direct costs that were targeted for recovery. He stated the Department was not currently seeking to recover capital costs but was evaluating them for some programs. He confirmed for Commissioner Galloway that "cost recovery" generally included actual operational costs and perhaps some maintenance costs for repair of incidental damage.

When asked by Commissioner Galloway where lighted athletic fields were categorized, Mr. Rogers identified them as a Level III service with a cost recovery range of 50 to 55 percent.

In response to questions by Commissioner Weber, Mr. Rogers indicated the County's fees were comparable to those of other local governments, as well as to those throughout the region and across the State. He stated he could provide data about usage of specific facilities. Mr. Rogers clarified for Commissioner Weber that youth leagues with an agreement to use the athletic fields paid a \$5.00 fee per youth per season but were not charged additional user fees. He stated the hourly field rental fee was for groups that did not have an agreement with the County, such as those who held athletic tournaments. Commissioner Weber observed that the athletic fields were dedicated to a specific group when in use by one of the youth leagues and not available to other members of the public. Mr. Rogers commented that the County looked to those nonprofit community groups to provide recreational programs and opportunities, which were open to most or all youth in the community.

Commissioner Humke stated there was a strong effort underway by the Reno-Sparks Convention and Visitors Authority to attract private sector management to the public golf courses in the community. Mr. Rogers explained the golf courses operated under an enterprise fund but were otherwise no different from athletic fields in terms of policy. Commissioner Humke and Chairman Larkin agreed it would be best for the County to wait for the community discussion regarding golf course management before attempting to make any policy changes.

Commissioner Humke observed there was a lower rate of cost recovery for youth programs than there was for adult services. Mr. Rogers said that was by design and stated it was an industry standard to make youth programs more financially available. Commissioner Humke recalled past negotiations with the City of Reno, at which time the County decided the City could more efficiently provide recreation programs. He believed it was appropriate for the County to provide the land and facilities while private nonprofits groups managed the various youth recreation programs.

Commissioner Galloway pointed out the cost recovery ranges gave staff quite a bit of latitude from one facility to another. Mr. Rogers stated there were many factors taken into account such as the geographic location of a facility. He said many facilities also housed County staff or were used by the County for other programs besides community rental, so staff was careful not to include those types of costs into the recovery equation when setting fees. Mr. Rogers assured Commissioner Galloway that any change in fees would continue to require the Board's approval. He indicated it was

the Department's intention to have the Board review the Fees and Charges Policy at least every three years, although he believed an annual review was appropriate until the policy became more established. Mr. Rogers believed that staff would continue to refine the cost recovery ranges as more data was collected and future direction was received from the Commission.

In response to questions by Commissioner Galloway, Mr. Rogers indicated there was currently no provision for non-resident fees. He stated there was not a high percentage of non-resident use for the County's facilities and services. Mr. Rogers explained that special events such as the Great Reno Balloon Race were negotiated under individual agreements. Commissioner Galloway pointed out there was nothing in the policy pertaining to special events. Mr. Doolittle noted there was a separate special events policy, which identified how those agreements were set up, and many of the fees were established based on the Fees and Charges Schedule. Commissioner Galloway suggested an additional footnote in the policy that major special events were subject to the County's special event policy.

Commissioner Weber asked how members of the community were encouraged to call and make reservations, for a picnic pavilion for example, rather than camping out at the park and hoping no one showed up that day. She also wondered how the Department arrived at its cost estimates. Mr. Rogers remarked that marketing services were utilized to make the community aware of the amenities available to them. He estimated that usage for picnic pavilions tended to be at 80 to 90 percent of capacity and he had not heard complaints that the public could not afford the pavilions. Mr. Rogers explained a ranger checked the pavilion in and out with each user. He stated pavilion costs typically ranged from \$100 to \$120 per day in direct expenses and the County was charging \$150. Mr. Rogers pointed out the higher percentage of cost recovery for picnic pavilions was driven by a comparative market analysis. Mr. Doolittle pointed out that reservations provided a guarantee to the individual that the pavilion would be clean and available for use.

Mr. Rogers proceeded with a PowerPoint presentation regarding the Fees and Charges Schedule for Agenda Item 6, which was placed on file with the Clerk. In addition to looking at regional and nationwide trends for fees and charges, he explained a comparative market analysis was done that included a review of fees charged by the City of Reno, City of Sparks, Carson City and Douglas County. Mr. Rogers displayed charts analyzing Washoe County's fees for facility rental and picnic pavilions compared with those for the Cities of Reno and Sparks.

Mr. Rogers explained the proposed 2008 Fees and Charges Schedule maintained most of the fees at status quo as compared to 2007, whereas the proposed 2009 Schedule included a 5 percent increase for inflation. He outlined changes to the 2008 schedule, including a proposed \$250 cleaning and security deposit for horse arenas. Due to problems with bears at Davis Creek Park Campground, it was proposed that the overnight campsite fee be increased to \$19 per night in 2008 and \$20 per night in 2009. Mr. Rogers stated this was consistent with fees charged for other campgrounds in the area

and would cover the cost of bear-resistant food and trash containers. It was also recommended that charges for usage of the dump station at Davis Creek be increased, as these were found to be below market. Mr. Rogers indicated several special events and programs were to be removed from the Schedule because they had not been utilized. He stated agreements for special events would be negotiated on a case-by-case basis in the future. Other highlights of the Schedule included a rental fee for community use of the classroom at the Regional Shooting Facility, a fee charged to commercial photographers using County parks, and a \$1.00 per person fee for rafters who entered or exited County parks. Mr. Rogers concluded by discussing continued discounts of 5 to 50 percent for those who rented the same facility multiple times.

Discussion of golf fees was deferred because the spreadsheet was not available in the staff report provided to the Commission and the public.

In response to the call for public comment, Parks Commissioner Sarah Chvilicek expressed concern over reservation conflicts that were resulting in ill will and hard feelings among repeat users. Specifically addressing the Lemmon Valley Horse Arena, which was the "gold standard" in the County, she stated she spoke with Open Space and Regional Parks staff about facilitating discussion between user groups to come up with solutions to the problem.

Bill Haass identified himself as a resident of Antelope Valley who used the Lemmon Valley Horse Arena. He stated he arranged for approximately \$10,000 worth of maintenance to bring the arena up to the safety standards required for his barrel racing events. Mr. Haass requested the County provide such services so the end users would not have to obtain contracts for such services on their own.

James Tatomer thanked the Open Space and Regional Parks Department for providing athletic fields to youth and adult programs with only a modest increase in user fees. He expressed his appreciation that the fees were not raised exorbitantly.

In response to Commissioner Weber's question, Mr. Haass indicated his barrel racing events generated revenue. Commissioner Galloway asked Mr. Haass if he was interested in getting horse arena services provided so that he would not have to individually contract for them but could agree that taxpayers should not be expected to bear those costs. Mr. Haass stated he wanted the costs incorporated into the Fee Schedule. He believed a fee of \$150 per day would be reasonable under such circumstances.

Commissioner Galloway announced he was unable to stay at the meeting and stated his opinion that extraordinary costs such as those for the horse events must be borne by the users, although it might be possible for users to negotiate with the Parks Department to facilitate the provision of such services. He urged that, if fees were to be lowered for one facility per Commissioner Weber' request, they should still be within the cost recovery range specified in the policy. Finally, Commissioner Galloway suggested the Parks Department add a statement to the policy regarding situations such as the picnic

pavilions, where the County charged more than the stated cost recovery range due to high demand.

**12:42 p.m.** Commissioner Galloway left the meeting.

Commissioner Weber asked whether the Parks Department had considered a drawing or some other mechanism to handle reservations for competing horse arena users. Mr. Rogers indicated they would consider many options, such as a lottery or first right of refusal system, provided they met legal requirements. He stated staff was willing to meet with user groups to find a solution.

Commissioner Weber stated her position on several of the issues under consideration. She said she was not willing to approve fees for the horse arenas until a solution to the reservation problem was found. She wanted consideration for higher fees to non-resident facility users. Commissioner Weber thought usage could be higher for several North Valleys facilities, such as Cold Springs, the North Valleys Regional Park, the Westbrook Facility and the Joe Mitchell Community Center, but she did not believe the people in those areas could afford the rates being charged. She suggested consideration for a 50-percent discount in the area, at least for security deposits that she described as cost prohibitive. Commissioner Weber acknowledged that picnic pavilions could perhaps be exempted from the discount. She stated it would be interesting to see if a discount for six months to one year would increase usage of those facilities. Commissioner Weber questioned whether there had ever been consideration for after-hours or off-season fees.

Regarding athletic fields, Commissioner Weber pointed out the individual person was paying the league rather than the Parks Department and she wondered what the leagues did to support the athletic fields. Mr. Rogers stated the leagues paid all direct utility costs for any lights they used and that most of the leagues provided additional maintenance or capital above and beyond their use of the fields.

Commissioner Jung asked if there was data showing facility usage, which would show the Board where it needed to provide incentives for increased usage. Mr. Rogers stated numbers were available comparing usage from January to August of 2006 with the same period in 2007. He explained there had been a decline in facility usage in some cases but it might not have been based solely on facility prices. He acknowledged that some nonprofit organizations stopped using the facilities when the policy was changed to no longer allow their use free of charge.

Commissioner Weber asked Ms. Chvilicek whether she had any specific proposals regarding reservations for the horse arenas. Ms. Chvilicek indicated that many groups used the same corresponding dates from one year to the next. She suggested a first right of refusal system, as well as the possibility of bringing other horse arenas up to the same standard as the Lemmon Valley Arena to spread usage among them. In response to Commissioner Weber's proposal of 50 percent fee discounts, Ms. Chvilicek

expressed her personal belief that there had to be an overall level of fairness applied to all user fees.

Melanie Foster, Assistant District Attorney, pointed out that a broad statement of greater economic need in certain communities was not sufficient to justify a policy and staff would have to verify the income of individual users in order to apply a reduced fee schedule based on economic need. She stated it was problematic for the County to allow discounts to groups or organizations with no verification of income status. Additionally, Ms. Foster requested the District Attorney's office be given an opportunity to evaluate the legal issues surrounding a resident versus non-resident fee policy before one was instituted.

In response to Chairman Larkin's questions, Mr. Doolittle stated there was no way his Department could guarantee that those utilizing fee discounts were residents of the North Valleys rather than some other area and he did not have the authority in any Department policies to reduce fees based on certain criteria.

Commissioner Humke suggested groups could more easily afford the facilities if they pooled together to increase the number of individuals. He pointed out it was very easy in the State of Nevada to form a private nonprofit corporation.

Chairman Larkin asked if the Parks Department had considered the use of a lottery or other mechanisms for allocating reservations at high-demand facilities. Mr. Doolittle commented the Department had looked at various options and expressed concern about having a different policy for one arena when all other County facilities were reserved on a first-come, first-served basis using a rolling 12-month calendar. He believed the Parks Department had the authority to seek a solution under its policies and indicated a meeting was being scheduled to discuss the horse arena.

In response to Chairman Larkin's question, Mr. Doolittle stated the Parks Department would bring the Fees and Charges Schedule back to the Board for annual review.

Commissioner Weber proposed the Commissioners extend the fee listed in the Schedule for the first hour of facility use to include the first two hours of use. She asked that the Joe Mitchell Center and the Cold Springs Community Center be moved to the small facility category. Mr. Rogers stated it was possible that usage of the facilities would increase enough to balance the decreased revenue based on Commissioner Weber's proposal. Chairman Larkin suggested a one-year test of Commissioner Weber's pricing strategy, at which time the Commission could review the data. Mr. Doolittle clarified the hourly fee listed in the Schedule for usage greater than two hours would still apply. Chairman Larkin asked about a justification for the Joe Mitchell Center as a medium or small facility. Mr. Doolittle stated it was currently the least utilized facility and its primary use in the past was for nonprofit groups at no charge. Chairman Larkin proposed a one-year test, applying the first-hour fee for two hours to all facilities in the large, medium and small categories. He stated he did not agree with dropping the Joe Mitchell

and Cold Springs Centers to the small facility category. Commissioner Weber argued the Joe Mitchell Center was older and its category should be changed. Commissioner Jung wondered if there was a way to project cost recovery of the category change based on existing data. Mr. Rogers stated he could do an analysis but believed the impact on cost recovery would be minimal based on the low usage of the facility.

Commissioner Weber moved to approve the Fees and Charges Schedule with the changes discussed, to move the Joe Mitchell and Cold Springs Centers to the small facility category, and to continue consideration of fees for the Silver Knolls facility, the Lemmon Valley horse arena and the golf fees at future Commission meetings. Commissioner Jung seconded the motion.

Chairman Larkin suggested an amended motion that extension of the first-hour fee to two hours be tested for a period of one year and Commissioner Humke agreed. Chairman Larkin did not agree with moving facilities to a lower category without data to support such a decision. Discussion ensued on this point, as well as the justification for continuing discussion of the Silver Knolls facility. Commissioner Weber agreed to compromise on the Cold Springs facility but pointed out the age and low usage of the Joe Mitchell Center justified moving it to the small facility category. She indicated the Silver Knolls facility was new and would not be open for use until January 2008.

Mr. Doolittle clarified the golf fees would likely come before the Board at its meeting on November 13, 2007. He reiterated direction given to him by the Board to meet with user groups and seek a resolution to reservation conflicts at the Lemmon Valley Horse Arena. Since there was no statement about reservation policies in the Fees and Charges policy, Mr. Doolittle indicated a solution to the reservation problem would be implemented at the staff level and he would provide a status report to the Board. Commissioner Weber indicated she would request an agenda item for discussion of the Silver Knolls facility prior to its opening in January 2008. Chairman Larkin pointed out the statement in the policy that read, "it is recommended these targets be reviewed annually".

On motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried with Commissioner Galloway absent, Chairman Larkin ordered that revisions to the Regional Parks and Open Space Fees and Charges Policy in Agenda Item 5 be adopted as recommended by staff.

**07-1185      AGENDA ITEM 6 – REGIONAL PARKS AND OPEN SPACE**

**Agenda Subject: "Discussion and possible action regarding the proposed 2008 and 2009 Regional Parks and Open Space Fees and Charges Schedule. (Requested by Commissioner Weber.)"**

The Board combined its discussion of Agenda Items 5 and 6. Please refer to 07-1184 above for a summary of the full discussion and public comment concerning both items, as well as the motion pertaining to Agenda Item 5.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried with Commissioner Galloway absent, Chairman Larkin ordered that the 2008 and 2009 Regional Parks and Open Space Fees and Charges Schedule in Agenda Item 6 be approved with the following changes:

1. The facility rental fees listed for the first hour under items 2A, 2B and 2C would apply for the first two hours of use.
2. The Joe Mitchell Center was moved to the small facility category.
3. Consideration of fees for the Silver Knolls facility, the Lemmon Valley Horse Arena, and golf course usage was continued to future County Commission meetings.

On motion by Chairman Larkin, seconded by Commissioner Humke, which motion duly carried with Commissioner Galloway absent, Commissioner Weber's motion above was amended such that extension of the proposed first-hour fee to cover two hours of usage in items 2A, 2B and 2C was to be instituted on a trial basis and reviewed after a one-year period of time.

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**1:24 p.m.** There being no further business to come before the Board, the meeting was adjourned.

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**ROBERT M. LARKIN**, Chairman  
Washoe County Commission

**ATTEST:**

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

*Minutes Prepared by  
Lisa McNeill, Deputy County Clerk*