

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

5:15 P.M.

FEBRUARY 14, 1995

PRESENT:

Jim Shaw, Chairman
Steve Bradhurst, Vice Chairman
Joanne Bond, Commissioner
Mike Mouliot, Commissioner
Grant Sims, Commissioner

Judi Bailey, County Clerk
John MacIntyre, County Manager
Madelyn Shipman, Legal Counsel

The Board met in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 E. 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:

AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Sims, seconded by Commissioner Bond, which motion duly carried, Chairman Shaw ordered that the agenda for the February 14, 1995 meeting be approved with the following amendment: Delete Item 10, First Reading of Ordinance merging the Crystal Bay General Improvement District into the Incline Village General Improvement District.

County Manager John MacIntyre advised that Item 9C, public hearing regarding the proposed merger of Crystal Bay General Improvement District into the Incline Village General Improvement District, will be opened and anyone present wishing to speak will be able to address the Board, after which it will be continued to March 28, 1995; and that staff attempted to contact all persons who submitted letters regarding this item to advise them of this change.

MINUTES

On motion by Commissioner Bond, seconded by Commissioner Mullet, which motion duly carried, Chairman Shaw ordered that the minutes of the regular meetings of January 10 and 17, 1995 be approved.

PUBLIC COMMENTS

There was no response to the call for public comments.

95-65 WORK CARD PERMIT APPEAL - TERENCE PATRICK STERBA

This appeal was considered on Monday, February 13, 1995, at 1:30 p.m., with all members of the Board in attendance with Chairman Shaw presiding.

On motion by Commissioner Bradhurst, seconded by Commissioner Bond, which motion duly carried, the Board convened in a closed personnel session to hear the appeal of Terence Patrick Sterba from the recommendation of the Sheriff's department to deny him the issuance of a work card to work as a Security Guard with Vanguard Security. Following the closed personnel session, the Board reconvened in open session wherein the Board took the following action:

On motion by Commissioner Bradhurst, seconded by Commissioner Mouliot, which motion duly carried with Commissioner Sims voting "no," it was ordered that the appeal of TERENCE PATRICK STERBA be accepted and his application for a work card be issued to work as a security guard with Vanguard Security based on his compliance with conditions imposed in connection with his conviction.

95-66 WORK CARD PERMIT APPEAL - WILLIE JACK HOKETT

This appeal was considered on Monday, February 13, 1995, at 1:30 p.m., with all Commissioners present and Chairman Shaw presiding. The appellant was not in attendance and, therefore, the Board did not meet in closed session.

On motion by Commissioner Bradhurst, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the denial by the Sheriff's office of the work permit for Willie Jack Hokett as a private security guard with Sentry Security be upheld.

95-67 RECONSIDERATION OF DENIM KENNEL PERMIT - RICK AND JANET THORNE

Janet Thorne, applicant, addressed the Board regarding their request for a Kennel Permit to keep six dogs at 5570 Shepherd Circle, Sun Valley, Nevada. Upon inquiry of Commissioner Bond she advised that there is no problem with any of the neighbors as far as she knows.

Chairman Shaw commented that this item was previously before the Board and was denied primarily on the basis of too many dogs in the neighborhood.

Legal Counsel Madelyn Shipman requested that the minutes and the records from the prior hearing on this matter, as well as the reconsideration motion discussion, be incorporated into the minutes by reference so that would all be part of the record tonight [Minute Items 94-703 and 95-6, respectively].

Commissioner Bradhurst noted that the Board took action on August 16, 1994 and the applicants had 30 days to comply, which would have been September 16; that the applicants requested a temporary restraining order, which was issued by the District Court on September 15, enjoining the Board from enforcing the August 16 decision; that on November 7 the District Court supported the Board's decision of August 16 and the Thornes had 30 days to comply with the Board's order which would have been December 7; and that on January 25, 1995 there appears to have been another violation where the applicants have four dogs.

Mrs. Thorne responded that they had a small puppy at that time, which they do not have now; that a neighbor who they have several criminal charges against had reported them to animal control; and that an animal control officer who was in the area investigated the complaint and reported that the complaint was bogus. Mrs. Thorne then responded to further questions of the Board.

Commissioner Bond asked if a stipulation could be placed on the permit that any problems with barking or any violation would bring it back to the Board for review. Mrs. Thorne requested that any complaint be verified.

Katie Stevens, Animal Control Officer, responded to questions of the Board and stated that Animal Control could occasionally check on the situation. She reviewed the ordinance and regulations relative to permits and the handling of complaints and advised that the ordinance allows for no more than 3 dogs over 6 months of age without a special permit; and that the number of dogs in the cul-de-sac has decreased by approximately four since the permit application was first before the Board for a total of approximately 20 dogs at this time.

Rick Thorne provided information relative to relocation and construction plans for the kennel. He stated that if they are allowed six dogs, there will be a total of 13 dogs in the court, and noted the area is a rural setting and they are located on approximately 1/2 acre.

Legal Counsel Shipman reviewed the complaint process and advised that a citizens complaint is referred to the Sheriff's Office and an investigation is conducted and there is a process it would go through before the Board would receive it, but the Board could condition the permit if they felt it appropriate to do so.

Ms. Stevens noted that the permit could be revoked for any noncompliance of the ordinance. She stated that Animal Control has not seen the new plans regarding the garage and construction of kennels, which is a requirement of the ordinance; and that the applicants have not obtained a business license for selling the dogs.

Mrs. Thorne stated that their kennels have already been approved by Animal Control; that there was no complaint until the criminal charges were filed against the neighbor; that she could put all the dogs in the house at night if necessary; and that they hope to have the kennels completed by April 1, 1995 if the weather allows.

Commissioner Bond advised that she visited the residence and saw the animals, and she understands the special circumstances of Mr. Thorne's disability and that the dogs are a major source of income for the applicants.

Barbara Smith, neighboring resident, stated that she has observed the dogs and the barking has been minimal, noting that the applicants take exceptional care of the animals.

Following further discussion, on motion by Commissioner Bond, seconded by Commissioner Bradhurst, which motion duly carried, Chairman Shaw ordered that the. Kennel Permit for Rick and Janet Thorne to keep six dogs at 5570 Shepherd Circle, Sun Valley, Nevada be approved subject to the following conditions:

1. That a business license shall be forthcoming.
2. That the kennels meet the approval of Animal Control.
3. That if the permit is forthcoming, the applicants will be allowed to proceed with the breeding program.
4. That any problems or complaints are to come back directly before the Board and not follow the usual procedure in the ordinance where a court issue would be involved.
5. That the permit is to be reviewed by the Board in six months.
6. That the new kennel is operational by April 1, 1995 as long as weather permits and if extenuating circumstances exist due to the weather the Board will be notified.
7. That if a nuisance complaint is filed with the Board, and the Board finds there is a nuisance, it would be grounds for revocation.

Commissioner Sims commented that anyone can file a nuisance complaint and the Board must be discretionary to insure that the complaint is valid.

Commissioner Bradhurst stated that his understanding is that if the Board makes a finding that there is a nuisance, it would then decide whether or not that would be the basis for revocation.

95-68 AWARD OF BID - HIGHWAY SIGNS AND MATERIAL - BID NO. 1810-94 -
ROADS DIVISION

This was the time to consider award of bid, Notice to Bidders for receipt of sealed bids having been published in the Reno Gazette-Journal on November 16, 1994, for Highway Signs and Material for the Roads Division of the Public Works Department. Proof was made that due and legal Notice to Bidders had been given.

Bids, copies of which were placed on file with the Clerk, were received from the following vendors:

3 M Traffic Control
Interstate Sales
Roadmarker Company
Sierra Supply, Inc.
Traffic Safety Supply

Vulcan, Inc.
Washoe Building Supply
Zumar Industries

Brite Line Industries, Inc., EMED Co., Inc., Maneri Sign Company, and Pave-mark Corp. submitted "No Bid" responses. American Roll Forming was disqualified because it failed to return the entire document, and Hall Signs, Inc. submitted a late bid. Best Barricades, Carsonite International, Davidson Plastic, Decker Supply Company, Flasher Barricades, Hawkins Traffic Safety, Line Connection, Inc., Pacemaker Industries, Safety Sign Company, Schaffer Industries, Signs & Blanks, and Unistrut Northern failed to respond to the invitation to bid.

Upon recommendation of John Balentine, Purchasing and Contract Administrator, on motion by Commissioner Bond, seconded by Commissioner Bradhurst, which motion duly carried, Chairman Shaw ordered that Bid No. 1810-94 for Highway Sign and Material for the Roads Division of the Public Works Department and subsequent joinder agencies be awarded as follows:

<u>COMPANY</u>	<u>CATEGORIES</u>
Zumar Industries, Inc.	1, 2 and 6 Bid Items 1 - 35, 52 - 57
Vulcan, Inc.	3 and 5 Bid Items 36 - 40, 44 - 51
Sierra Supply, Inc.	4, 10 and 12 Bid Items 41 - 43, 78 - 82, 87
3M Company	7 and 8 Bid Items 58 - 75
Interstate Sales	9 and 13 Bid Items 76 - 77, 88
Washoe Building Supply	11, 14, 14A, 15, 15A Bid Items 83 - 86, 89 - 100
Roadmaker Company	13 and 14 (Exception) Bid Items 76, 77, 84 - 87

It was noted that the effective period of award shall be for one year from date of bid award and shall be for an indeterminate amount as exact future requirements for these items are not known at this time; that the estimated value of this award for Washoe County is \$27,500; that in fiscal year 94/95 Washoe County has spent \$16,285 thus far on the category of bid items listed, in 93/94 the amount was \$42,325.36, and in fiscal year 92/93 the amount was \$53,699.05; and that the categories listed on the expenditure account also includes other areas and categories that are not included in the bid solicitation.

AWARD OF CONSTRUCTION BID - REHABILITATION OF MOANA LANE
BRIDGE AT LAKE DITCH - ENGINEERING

This was the time to consider award of construction bid, Notice to Bidders for receipt of sealed bids having been published in the Reno Gazette-Journal on January 19 and 26, 1995, for Rehabilitation of Moana Lane Bridge at Lake Ditch. Proof was made that due and legal Notice to Bidders had been given.

The following bids were received:

<u>BIDDER</u>	<u>BID AMOUNT</u>
Q & D Construction, Inc.	\$48,600
C & I Construction	\$60,557
Granite Construction	\$66,666
Byars Construction	\$87,557

Upon recommendation of David Price, County Engineer, through Craig McConnell, Public Works Director, on motion by Commissioner Mouliot, seconded by Commissioner Bond, which motion duly carried, it was ordered that the bid for Rehabilitation of Moana Lane Bridge at Lake Ditch be awarded to the lowest responsive and responsible bidder, Q & D Construction, Inc. in the amount of \$48,600, and that Chairman Shaw be authorized to execute the contract documents when presented.

REQUEST TO WAIVE COMPREHENSIVE PLAN AMENDMENT APPLICATION FEES
- EVERETT FLAGG

Dean Diederich, Department of Comprehensive Planning, presented a map depicting the location of the subject parcels and advised that the the City of Reno is requesting to further expand the Sphere of Influence and annex one of the parcels, noting that the entire area is migrating, into the City of Rena. He stated that the Board has waived fees in the past for a class of applicants, such as the commercial area in Gerlach and the commercial corridor in the South Valleys, but, to his knowledge, the Board has never waived the fee for an individual. Upon inquiry of Commissioner Bradhurst as to why the applicant has not followed the site review process, Mr. Diederich advised that the applicant has been made aware of his options and has continued to pursue the comprehensive plan amendment and the waiver of the fee.

Everett Flagg, property owner, stated that he feels he already went through the site review process when he had the property rezoned following the mechanics of the CAB and receiving their approval unconditionally, and also complying with the various County and local requirements. He stated that prior to the Specific. Plan land use designation he was in the process of developing a five-acre parcel which is now in a state of limbo; that he has approximately \$40,000 tied up in excavation and other processes relative to development of the parcel; and that at this point, he has a Piece of around that he is incapable of doing anything with until he goes through the process again, which he feels is

double jeopardy. Mr. Flagg commented that he does not object to following guidelines and requirements, but continually running back to various boards and commissions is time consuming and a financial burden.

A lengthy discussion commenced and the Board discussed with the applicant and staff the various issues relative to the site review plan process versus the comprehensive plan amendment process and proving up the water permits.

Commissioner Bradhurst inquired as to the fastest route to develop the property for industrial purposes and Mr. Diederich advised that the site review process would be the quickest way to accomplish this. He also advised that if a property owner chooses to annex into the City of Reno, they would then be required to follow the City's requirements, and the property owners in this area are encouraged to contact the City of Reno to see what their development options are.

Mike Harper, Director, Department of Development Review, reviewed the fee structure for a site review and for the comprehensive plan amendment.

Commissioner Bradhurst noted that the staff report asks 1) Is there a public interest to be served by waiving the fee, 2) Is there a hardship that should be corrected, or 3) Is there a problem with the implementation of the County ordinance and procedures. He stated that he cannot make an affirmative response to any of those questions and feels the better way for Mr. Flagg to proceed in order to accomplish development of the property quickly would be the site plan review process.

On motion by Commissioner Bradhurst, seconded by Commissioner Sims, which motion duly carried, Chairman Shaw ordered that the request by Everett Flagg to waive Comprehensive Plan Amendment Application Fees be denied.

95-71 OCCUPANT PROTECTION MINI-GRANT - DEPARTMENT OF MOTOR VEHICLES
AND PUBLIC SAFETY - SHERIFF

Upon recommendation of Richard Kirkland, Sheriff, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Shaw ordered that submittal of the Occupant Protection Mini-Grant from the Department of Motor Vehicles and Public Safety in the amount of \$16,500 be authorized retroactively.

It was noted that these funds have been made available by the Department of Motor Vehicles to increase seat belt enforcement and education activities; and that there will be no fiscal impact on current or future appropriations due to the 100% reimbursement provisions.

95-72 GRANT REQUEST - COPS MORE: MAKING OFFICER REDEPLOYMENT
EFFECTIVE - U.S. DEPARTMENT OF JUSTICE - SHERIFF

Commissioner Bradhurst expressed concern that the amount of the grant request is not known and with 25% matching funds, would the grant require that support personnel be funded.

Sheriff Richard Kirkland advised that they are moving very quickly on the grant because their contacts in Washington, D.C. have indicated that this money will not be available much longer and suggested quick application submittal; that the County is not obligated; that his recommendation will not require additional funds by the County to the Sheriff's budget and will use only available funds and available positions; and that if the grant request is approved, the Board will be apprised of what was offered.

Following discussion, upon recommendation of Richard Kirkland, Sheriff, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Shaw ordered that submittal of the U.S. Department of Justice grant application for COPS MORE: Making Officer Redeployment Effective due March 17, 1995 be authorized.

It was noted that funds obtained through the grant are restricted to the purchase of technology or equipment, the procurement of support resources, or the payment of overtime; that the grant is for one year with renewal for up to two additional years; and that the amount of the grant request and the required 25% of matching funds has not been determined but will be during the application preparation process.

95-73 GRANT REQUEST - FRIDAY NIGHT LIVE PREVENTION PROGRAM
 - BUREAU OF ALCOHOL AND DRUG ABUSE - SHERIFF

Upon recommendation of Richard Kirkland, Sheriff, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Shaw ordered that submittal and acceptance of the Bureau of Alcohol and Drug Abuse Grant #P206 in the amount of \$6,010 be approved retroactively, and that the following budget adjustments be authorized:

Increase Revenues	15264G-4301	\$6,010
Increase Expenditures	15264G-7001	3,611
	15264G-7230	2,399

It was noted that the grant was applied for on September 23, 1994, notification of approval was received on December 23, 1994, and the grant was accepted on January 5, 1995 as there was a ten day deadline to accept; that the grant will work towards providing education programs at a minimum of ten school assemblies and at least one "ATOD free" major event to promote traffic safety and to prevent alcohol, tobacco, and drug use among teenagers; and that there will be no fiscal impact on current or future appropriations due to the 100% reimbursement provisions.

95-74 GRANT REQUEST - PURCHASE INTOXILIZER FOR SHERIFF'S LAB-
 DEPARTMENT OF MOTOR VEHICLES - SHERIFF

Upon recommendation of Richard Kirkland, Sheriff, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Shaw ordered that the grant from the Department of Motor Vehicles in the amount of \$6,658 for the purchase of a new intoxilizer to

enhance the Sheriff's labs capabilities of performing D.U.I. services be accepted.

It was noted that there will be no fiscal impact on current or future appropriations due to the 100% reimbursement provision.

95-75 ABANDONMENT CASE NO. AB9-11-94 - ARCHIE AND JACQUELINE
DE RYCHERE APN: 125-141-22

6:00 p.m. This was the time set in a Notice of Public Hearing mailed by certified mail to abutting property owners on February 1, 1995, and published in the Reno Gazette-Journal on February 3, 1995, to consider the recommendation of the Washoe County Planning Commission to approve Abandonment Case No. AB9-11-94 to abandon a 200 x 20 foot snow storage easement [The Planning Commission is recommending abandonment of the rear 180-foot by 20-foot portion of the easement] to allow an increased building pad on property located at 434 Valerie Court, Lot 7, Block T, Incline Village Subdivision, Unit No. 2 on a ±.531-acre parcel designated Medium Density Suburban (MDS) in the Tahoe Area Plan and situated in a portion of Section 9, T16N, R18E, MDM, Washoe County, Nevada. Proof was made that due and legal Notice had been given.

Mike Harper, Director, Department of Development Review, advised that in discussions with the applicant and the Roads Division, it appears there may be a solution that would work to the benefit of both parties and the applicant has indicated that he would be requesting a continuance.

Archie De Rychere, applicant, advised that the Roads Division has suggested that the easement be moved from the right side of the lot to the left side where it is presently accessible; that, however, on the right hand side there is a grove of 13 trees within 14 feet of the frontage which has restricted the Road Division from using it as snow storage; that he is agreeable to changing the easement if agreement can be obtained from the Forest Service and TRPA to allow removal of those trees to provide access to the lot for construction; and that he would request a continuance to see if this could be worked out.

The Chairman opened the public hearing and called on those wishing to speak and there was no response.

On motion by Commissioner Bradhurst, seconded by Commissioner Bond, which motion duly carried, Chairman Shaw ordered that the public hearing on AB9-11-94 for Archie and Jacqueline De Rychere be continued to March 14, 1995.

95-76 COMPREHENSIVE PLAN AMENDMENT CASE NO: CPA94-SV-1
(ADMINISTRATIVE CHANGES) - SOUTHWEST TRUCKEE MEADOWS/SOUTHEAST
TRUCKEE MEADOWS/SOUTH VALLEYS LAND USE PLAN MAPS

6:00 p.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on February 3, 1995, to consider a unanimous Washoe County Planning Commission action to amend the Southwest Truckee

Meadows/Southeast Truckee Meadows/South Valleys Land Use Plan Maps by redesignating the Assessor's Parcel Numbers (APN's) outlined in Attachment 1 of the Washoe County Planning Commission Staff Report dated January 11, 1995, under the heading of "Administrative Changes," which were originally a part of CPA94-SV-1 for Steamboat Properties' application and were included therewith only as a mechanism for their review and approval. Proof was made that due and legal Notice had been given.

Skip Canfield, Department of Comprehensive Planning, reviewed background information and stated that the requested amendment represents administrative changes recommended by the Planning Commission.

Chairman Shaw opened the public hearing and called on those wishing to speak. There being no response, the public hearing was closed.

Based on the findings that:

1. The proposed amendments to the Southwest Truckee Meadows/Southeast Truckee Meadows/South Valleys Area Plans are in substantial compliance with the policies and action programs of the Comprehensive Plan;
2. The proposed amendments to the Southwest Truckee Meadows/Southeast Truckee Meadows/South Valleys Area Plans would result in land uses which are compatible with existing or planned adjacent land uses, and would not adversely impact the public health, safety or welfare;
3. The proposed amendments to the Southwest Truckee Meadows/Southeast Truckee Meadows/South Valleys Area Plans will not adversely affect the implementation of the policies and action programs of the Conservation Element or the Population Element of the Washoe County Comprehensive Plan;
4. The proposed amendments to the Southwest Truckee Meadows/Southeast Truckee Meadows/South Valleys Area Plan 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 represents a more desirable utilization of land. The changes represent more accurate information that has become available;
5. The Washoe County Planning Commission public hearing prior to adoption of the proposed amendment has been properly noticed in a newspaper of general circulation in Washoe County as prescribed under Nevada Revised Statutes 278.210(1);
6. The Planning Commission gave reasoned consideration to information contained within the staff report and information received during the public hearing(s); and
7. The Washoe County Commission gave reasoned consideration to information contained within the reports transmitted to the Washoe

County Planning Commission and the Washoe County Commission, and information received during the public hearings;

on motion by Commissioner Bradhurst, seconded by Commissioner Sims, which motion duly carried, Chairman Shaw ordered that Comprehensive Plan Amendment Case No. CPA94-SV-1 be approved.

95-77 PROPOSED MERGER OF CRYSTAL BAY GENERAL IMPROVEMENT DISTRICT
INTO THE INCLINE VILLAGE GENERAL IMPROVEMENT DISTRICT

6:00 p.m. This was the time set in a Notice of Public Hearing mailed to Incline Village and Crystal Bay property owners on January 20, 1995, published in the North Lake Tahoe Bonanza and the Reno Gazette-Journal on January 27 and February 3, 1995, to consider the proposed merger of the Crystal Bay General Improvement District into the Incline Village General Improvement District. Proof was made that due and legal Notice had been given.

John MacIntyre, County Manager, advised that written protests were received regarding the proposed merger and the public hearing on this item will be opened to receive any testimony and will then be continued to March 28, 1995.

Chairman Shaw asked if the meeting could possibly be scheduled at Incline Village. Mr. MacIntyre advised that he will check into the noticing requirements to see if this can be done.

Commissioner Sims commented that the letters of protest disagree with the statement made by Mr. Manoukian from IVGID that the IVGID tax base will be enhanced by this merger. He asked if this issue is going to be thoroughly studied.

Legal Counsel Shipman advised that the Board can request that representatives from IVGID and CBGID provide information on the tax base questions when the Board next meets regarding the merger. Commissioner Sims so requested and Legal Counsel Shipman advised that she will make that request on behalf of the Board.

Chairman Shaw opened the public hearing and called on those wishing to speak.

Rick Jones, Chair of the Crystal Bay General Improvement District, advised that he was not aware of any protests regarding the merger; that they have worked diligently on this matter over the last several months; and that he could respond to questions regarding the tax base.

Commissioner Bradhurst stated that the common thread of the protest letters is that the IVGID property owners do not want to assume the indebtedness of CBGID and do not want to dilute their recreational privileges. He noted that most of the comments are from people who live outside the Incline/Crystal Bay area who are probably not familiar with

what has been covered in the local newspaper and were not able to attend the meetings held on this; that his understanding is that the CBGID property owners will be assuming the complete debt and it would not be borne by the IVGID property owners; and that some of the recreational facilities cannot be used by the CBGID residents. He requested that CBGID and/or IVGID respond to the letters of protest and address their concerns.

On motion by Commissioner Bradhurst, seconded by Commissioners Bond, which notion duly carried, Chairman Shaw ordered that the public hearing regarding the proposed merger of Crystal Bay General Improvement District into the Incline Village General Improvement District be continued to March 28, 1995; that the deadline for receiving written protests be extended to 5:00 p.m. on March 27, 1995; and that a request be forwarded to IVGID that they respond to the written protests that have been received.

95-78 DISPOSAL OF BLM LAND - INCLUDING NEVADA FLYER'S
INC. AIRPORT LEASE - SPANISH SPRINGS PLANNING AREA -
COMPREHENSIVE PLANNING

Dean Diederich, Department of Comprehensive Planning, reviewed background information and proposed correspondence for the Board to consider to forward to the Bureau of Land Management (BLM) encouraging that the approximately 245 acres in the Spanish Springs area, which Nevada Flyers, Inc. had requested to purchase, be retained in the public domain. He advised that Nevada Flyers, Inc. has withdrawn their request to purchase the land. Mr. Diederich stated that several meetings have been held regarding this matter and the Spanish Springs Advisory Board recommended that the BLM, not dispose of the land; that the Airport Authority voted to encourage continuation of the public use airport but declined an interest to purchase or operate the facility; and that several people were present in the audience who attended the meetings regarding this issue who would probably encourage the Board to consider some type of correspondence in this matter. Mr. Diederich responded to questions of the Board regarding the proposed correspondence and comprehensive plan policies.

Daniel Hansen, Spanish Springs resident, stated that he believes it is in the public interest to keep the public access airport the way it is and not give up this lease and transfer the property to private property. He presented a petition containing approximately 400 signatures protesting the sale of the property by the BLM and pictures taken last Saturday showing actual use of the airport. Mr. Hansen stated that the citizens have maintained the airport, are using it, and intend to continue using it; and that he encourages the Board to do everything possible to help the residents continue maintaining the use of the public access airport.

Pat Schweigert, Spanish Springs Citizen Advisory Board, stated that they had very extensive and often heated debate on this issue and the resultant decision of the CAB was to come forward with their concerns; that the primary concern was issued by the pilots who felt that if this property was sold or became a part of private property then it would no

longer be in the interest of anyone economically to keep that as an open airport; that they feel the airport is a valued and important part of the community and should remain as an airport; that there are very few airports of this nature available and the pilots need them; that for public safety it is important that the pilots have this type of facility; that the community is happier with the land used as a limited use airport than with having to deal with the impacts of a subdivision or larger user; and that it was the unanimous decision of the CAB to request that the Board strongly discourage the sale of the property to a private entity.

Patrick Thornley, Air Traffic Controller, Reno-Tahoe International Airport, stated that his views do not represent the FAA; that he has personally seen and experienced the importance of the airport to the Northern Nevada airport systems; that his professional concerns are primarily those of safety; that the airport provides an emergency landing strip and primary flight training, and is an important reliever airport during busy times at the Reno-Tahoe Airport; and that he encourages the Board to support the current lease and enforcement of its provisions by the BIM.

A discussion commenced regarding the BLM lease and the Spanish Springs area plan. Mr. Diederich advised that this particular lease is under some very clear federal guidelines and that the airport is shown on the area plan map.

Commissioner Bond asked whether the Board has any real input into the decision to sell the property. Mr. Diederich advised that the BLM makes the final decision but the Federal directives are to consider the local elected body's position.

Commissioner Bradhurst stated that he feels it would be in the public interest to leave the land in public domain for the specific purpose of an operating airport and noted there could be a problem with the Spanish Springs Area Plan if the property were disposed of; and that due to the history of correspondence regarding this issue, it is appropriate for this Board to set forth its position in this regard.

On motion by Commissioner Bradhurst, seconded by Commissioner Bond, which motion duly carried, it was ordered that the letter to the Bureau of Land Management stating that the County Commission has determined that it would not be in the public interest to dispose of the land as long as a public use airport lease is in effect be approved and Chairman Shaw be authorized to execute.

95-79 LETTER OF UNDERSTANDING - DISSOLUTION OF HORIZON HILLS GENERAL IMPROVEMENT DISTRICT

John MacIntyre, County Manager, provided background information as contained in a memorandum prepared by John Collins, Chief Sanitary Engineer, regarding the dissolution of the Horizon Hills General Improvement District (HHGID) because of the great amount of time and

effort required of Trustees to operate the District while the Utility Division has the capability to perform the same function.

Commissioner Bradhurst asked why it is necessary to hire special outside legal counsel to assist in the dissolution of the HHGID. Legal Counsel Shipman advised that Mr. Soumbeniotis has particular expertise in the valuing of water companies and facilities and has represented the County in previous acquisitions.

John Collins, Chief Sanitary Engineer, responded to questions of the Board regarding the services that would be provided by outside counsel, the condition of the HHGID water and sewer facilities, requirements of the GID system to meet safe drinking water act standards, and responsibilities that would be assumed by the County with acquisition. He advised that the estimated costs for outside counsel would be up to \$5,000. Commissioner Mouliot expressed concern that no dollar amount is listed for outside counsel and stated that he would want to cap the amount expended for those services.

Commissioner Sims discussed revenue issues and Bob Jasper, Assistant County Manager-Finance, provided information regarding HHGID's tax rate and SCCRT allocation.

Commissioner Sims asked if the acquisition would be in the public's benefit. Mr. Collins responded that it definitely would be as HHGID has approximately 130 customers which does not provide an economic base to operate a water or sewer system and because it is very difficult for the trustees, who hold other full time jobs, to run a water district. He advised that the GID requested that both Sierra Pacific Power Company and the County present proposals for the acquisition and they have continued negotiations with the County.

Commissioner Mouliot asked about the indebtedness of the District and Mr. Collins stated that he does not believe there is any indebtedness and that there is sufficient revenue to support the contracts they currently have. He noted that the request before the Board tonight would just commence the process and all costs would be identified and brought back to the Board for consideration. He added that the assets of the GID would physically become data of the County and no money would change hands.

Ruth Hart, Horizon Hills General Improvement District, answered questions of the Board and advised that the GID is debt free and will have a new water tank; and that they meet the clean water standards, but do not meet secondary standards because of too much iron and manganese, which they have worked on and improved.

Upon recommendation of John Collins, Chief Sanitary Engineer, through Craig McConnell, Public Works Director, on motion by Commissioner Bradhurst, seconded by Commissioner Sims, which motion duly carried, Chairman Shaw ordered that the following actions be taken:

1. The Letter of Understanding regarding dissolution of the Horizon Hills General Improvement District (HHGID) be approved.
2. The retention of special outside legal counsel, Mike Soumbeniotis of Allison, MacKenzie, Hartman, Soumbeniotis and Russell Ltd., to assist in the preparation of the appropriate documents in a not to exceed amount of \$5,000 be approved.
3. Staff be directed to proceed in accordance with the schedule of events contained in the attachment to the agenda memorandum dated February 2, 1995 regarding the dissolution of HHGID.

95-80 DEPARTMENT BUDGET CARRYOVERS FOR FISCAL YEAR 1994-95

John MacIntyre, County Manager, reviewed background information regarding this item and advised that a supplement report from Lisa Gianoli has been provided to the Board.

Commissioner Sims disclosed that the title company he works for uses a Metroscan system which is an expense request of the Assessor's office; and that he has discussed this with the District Attorney's office and has been advised that there is no conflict of interest.

Lisa Gianoli, Finance Division, stated that, pursuant to comments at caucus, she contacted several departments for additional information which is contained in the supplemental report. Commissioner Bradhurst stated that he is pleased with the additional information and commented that if the Finance Division feels the resolution regarding County financial policies and procedures needs to be enhanced, he would suggest that it come before the Board sometime in the next year with proposed language changes. Ms. Gianoli advised that, in some situations agreements will be prepared that will be presented to the Board for approval, and items exceeding \$3,000 will come before the Board for final approval.

Commissioner Sims stated that there are a lot of situations where fiscal responsibility is involved and he would like to move forward on incorporating some department budgets based on specific work programs as tied to performance measures. He requested that Finance look at the RTC's efficiency study to determine if those recommendations are related to the County's additional purchasing of equipment relative to the Road Department's request.

Mr. MacIntyre recommended that the Board consider not proceeding with the proposed remodeling of the Comprehensive Planning and Development Review departments until a workshop is held relative to the future of those two departments and how they relate to one another.

A discussion commenced regarding ways to preserve contingency funds and minimize the impact to contingency with respect to the requests coming before the Board on tonight's agenda for public access television and the DA's office. Commissioner Bradhurst commented that at yesterday's caucus a suggestion was made relative to the possibility of having a 100%

carryover instead of 65%; and that the Board may wish to consider this issue.

Chairman Shaw suggested that a workshop be set where all these issues might be discussed.

On motion by Commissioner Bradhurst, seconded by Commissioner Bond, which motion duly carried, Chairman Shaw ordered that department plans to expend their carryover amounts for fiscal year 1994-95 be acknowledged, and that the allocation schedules attached to the agenda memorandum dated January 31, 1995 be authorized.

It was further ordered that a workshop be scheduled to discuss carryover percentages and other budget issues including the proposed remodeling of the Department of Comprehensive Planning and the Department of Development Review.

95-81 ACQUISITION AND INSTALLATION OF EQUIPMENT FOR GOVERNMENT ACCESS TELEVISION

Mary Henderson, Government Affairs Director, provided viewership figures, as requested at yesterday's caucus, and advised that there is a substantial viewership of government access television. She reviewed the proposed SNCAT installation for the Commission Chambers and advised that it would require minimal remodeling.

Commissioner Sims stated that he has a problem with taking contingency funds away from law enforcement, being the DA's office in this case; that he is a strong believer in open access government and feels that being on SNCAT is a benefit to the community; but that this item should be placed on hold for now and put into the 1995/96 budget requests; and that he does not believe there is a comparison in terms of importance between an efficient and effective DA's office and public access television.

Commissioner Bradhurst stated that he is a strong supporter of bringing government to the people, noting that a couple of years ago he requested, and the Board agreed, to meet outside the County Seat; but that the approval of this request and the DA's request would bring contingency down to \$70,000, which he feels is too low with several months left before the end of the fiscal year.

Ms. Henderson commented that staff never intended to bring the Board a dilemma in terms of one department competing with another and everyone understands the needs of the DA's office; and that if the Board is willing to at least commit to cable access then staff could start on engineering work, which would cost approximately \$40,000, with some of these monies possibly available from budget carryovers.

The Board discussed several possible options and Commissioner Bradhurst stated that he thinks the project needs to get started and would support the approval of engineering costs. He requested that staff look for cost cutting methods and areas where savings could be applied towards

the cost of the project. Chairman Shaw agreed and commented that the longer the project is postponed, the more expensive it will become. Commissioner Sims stated that he would rather have this item included in the budget discussions for the next fiscal year where it would be reviewed in terms of its importance in comparison to other County needs and services.

On motion by Commissioner Bradhurst, seconded by Commissioner Mouliot, which motion duly carried, with Commissioner Sims voting "no," Chairman Shaw ordered that the expenditure of \$40,000 from FY94/95 contingency funds to commence the engineering work for cable access television through Sierra Nevada Community Access Television (SNCAT) be approved.

It was further ordered that the funding of up to \$140,000 needed to complete the project from the FY95/96 budget be pursued and that staff look at all possible methods to reduce costs.

95-82 CONTINGENCY TRANSFER - GOVERNMENT ACCESS TELEVISION FUNDING

On motion by Commissioner Bradhurst, seconded by Commissioner Bond, which motion duly carried, with Commissioner Sims voting "no," Chairman Shaw ordered that the following transfer of appropriations from the contingency account for funding of the engineering work for government access television be approved:

<u>DECREASE ACCOUNT</u>	<u>AMOUNT</u>	<u>INCREASE ACCOUNT</u>	<u>AMOUNT</u>
001-1890-7328	\$40,000	001-1011-7849	\$40,000

95-83 TRANSFER FROM CONTINGENCY - COMPUTERS, SOFTWARE AND PROFESSIONAL SERVICES - DISTRICT ATTORNEY

Richard Gammick, District Attorney, responded to questions presented at yesterday's caucus relative to any carryover funds from the District Attorney's budget and the bid process for the requested computers. He stated that the District Attorney's office is underbudgeted; that he has reviewed the budget very thoroughly with the budget analyst and doesn't see any prospect for any carryover funds; but that he is fully committed to applying any carryover funds towards this project. He advised that the person who approached Commissioner Mouliot and questioned the bid on the computer equipment was contacted and furnished the full specification of the equipment; and that he indicated he could, not meet the bid and that the County was getting a very good price on the equipment. He reviewed the equipment, software and professional services proposal and stated that they have worked very closely with MIS and believe they have a good package that buys some very good equipment for the most reasonable price they have been able to find. District Attorney Gammick stated that his request is for \$210,730 with \$146,510 coming from contingency, this year to pay for the hardware and installation, and the balance of \$64,220 over base budget would come out of the 1995/96 budget to purchase the CD-ROM Server and the WESTLAW package.

Ron Wolff, Director, Management Information Systems, responded to questions of the Board relative to the status of networking with Reno and Sparks. He advised that the County is currently networked with the City of Reno and will have limited connectivity to the City of Sparks in the near future, noting that the network is designed and engineered to be fully connected if Sparks decides they want to become a more active participant.

Commissioner Bradhurst stated that he would encourage staff to look for methods to reduce costs. Bob Jasper, Assistant County Manager-Finance, discussed financing alternatives and suggested that Finance could be directed to reserve the \$146,510 in contingency but not transfer it, which would authorize the purchase of the equipment; and that Finance would hold the monies until the-end of the year to determine if any saving are available that could be applied to the cost.

Following further discussion, upon recommendation of Robert Jasper, Assistant County Manager, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Shaw ordered that \$146,510 of contingency funds for the purchase of computer hardware and installation for the District Attorney's office be approved.

It was further ordered that staff be directed to pursue methods to reduce costs and, should any savings or carryover monies become available, only the actual costs up to the amounts noted would be authorized.

It was noted that \$64,220 for the purchase of computer software and professional services will be included in the District Attorney's base budge for 1995/96.

95-84 RESOLUTIONS AUGMENTING THE GENERAL FUND, HEALTH FUND, CAPITAL FACILITIES FUND AND PUBLIC WORKS CONSTRUCTION FUND

Following discussion, upon recommendation of Jerry McKnight, Finance Division, on motion by Commissioner Bradhurst, seconded by Commissioner Bond, which motion duly carried, it was ordered that the following Resolutions to augment the General Fund, Health Fund, Capital Facilities Fund and Public Works Construction Fund be adopted and Chairman Shaw be authorized to execute:

A RESOLUTION TO AUGMENT THE GENERAL FUND (FUND 001)

WHEREAS, the General Fund was established to account for all revenues and expenditures not specifically authorized in another fund; and

WHEREAS, the General Fund has been determined to have an unappropriated fund balance of \$1,543,184; and

WHEREAS, the Risk Management Fund has an identified shortfall of \$167,008 that can be funded from the unbudgeted General Fund resources; and

WHEREAS, the Capital Facilities Fund has an identified need of \$800,000 which can be funded from the unbudgeted General Fund resources; and

WHEREAS, the contingency account of the General Fund does not have sufficient appropriation authority to meet all of the requests for additional appropriation and there is \$189,062 of unbudgeted resources available within the General Fund.

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

Section 1. The budget of the General Fund be augmented as follows:

	<u>Increased Resource</u>	
Fund Balance	001-3438	\$1,728,715.00
	<u>Increased Appropriations</u>	
Transfer to Risk Management Fund	019-1901-8101	\$ 167,008.00
Transfer to Capital Facilities Fund	089-89031-8101	800,000.00
Land Acquisition - Seville Property	001-160917-7856	387,113.48
Contingency	001-1890-7328	189,062.52
Department Carryover	001-1890-7331	185,531.00

Section 2. This Resolution shall be effective on passage and approval and reverses the Board action of 12-13-94 transferring appropriations of \$387,113.48 from contingency account 001-1890-7328 to 001-160917-7856.

Section 3. The County Clerk is hereby directed to distribute copies of the Resolution to the Department of Taxation, the Comptroller and the Finance Division within 30 days.

A RESOLUTION TO AUGMENT THE CAPITAL FACILITIES FUND (FUND 89)

WHEREAS, the Capital Facilities Fund was established to account for the capital projects ad valorem tax proceeds; and

WHEREAS, the Capital Facilities Fund resources allocated to County projects are being utilized to construct a new County Courthouse; and

WHEREAS, the completion of the third floor of the courthouse was not budgeted for and will require additional resources to complete.

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

Section 1. The budget of the Capital Facilities Fund be augmented as follows:

WHEREAS, the Health Fund under the current County policy is allowed to carryover 65% of the unexpended appropriation authority to be utilized within the department to create efficiencies; and

WHEREAS, the Risk Management Fund has an identified shortfall which can be funded from the unbudgeted resource in the health fund.

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

Section 1. The budget of the Health Fund be augmented as follows:

<u>Increased Resource</u>		
Fund Balance	002-3438	\$ 229,945
<u>Increased Appropriations</u>		
Undesignated Expenditure	002-170267398	\$ 149,464
Transfer to Risk Management	002-1702-8119	80,481

Section 2. This Resolution shall be effective on passage and approval.

Section 3. The County Clerk is hereby directed to distribute copies of the Resolution to the Department of Taxation, the Comptroller and the Finance Division within 30 days.

It was further ordered that the following transfers of funds be authorized and the Comptroller be directed to post the necessary entries to complete the transfer of cash:

<u>FUND</u>	<u>FROM</u>	<u>AMOUNT</u>	<u>FUND</u>	<u>TO</u>	<u>AMOUNT</u>
002-1702G-8119		\$ 80,481	019-1954-6902		\$ 80,481
001-1885-8119		167,008	019-1954-6901		167,008
001-1885-8189		800,000	089-89031-6901		800,000
092-9201-8119		190,511	019-1954-6992		190,511

95-85 RESOLUTION AUTHORIZING AN INTERFUND IRAN FROM THE GENERAL FUND TO TEE CAPITAL FACILITIES FUND

Following discussion, on motion by Commissioner Bradhurst, seconded by Commissioner Bond, which motion duly carried, it was ordered that the following Resolution be adopted and Chairman Shaw be authorized to execute:

A RESOLUTION AUTHORIZING INTERFUND LOAN - GENERAL FUND (001)
TO CAPITAL FACILITIES FUND (089)

WHEREAS, the General Fund of the County (Fund 001) has sufficient cash resources to finance a short-term interfund loan in an amount not to exceed \$800,000; and

WHEREAS, the Capital Facilities Fund (Fund 089) was established to account for the capital facilities tax; and

WHEREAS, the Capital Facilities Fund has been designated as the fund to account for the design and construction of the County Courthouse complex and the fund is in need of a short-term cash loan to cover interim financing requirements associated with the completion of the third floor; and

WHEREAS, the Capital Facilities Fund will be budgeted to receive a transfer from the General Fund in 95/96 sufficient to repay the short-term loan.

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

Section 1. The County Comptroller is hereby directed to transfer in amounts as needed, up to \$800,000 from the General Fund (001) to the Capital Facilities Fund (089) to cover construction costs.

Section 2. The cash interfund transaction for this loan is as follows:

	<u>Amount</u>	
	<u>Debit</u>	<u>Credit</u>
<u>General Fund</u>		
Due from Capital Fac. Fund (Acct. 001-0000-1389)	\$800,000	
Cash (Acct. 001-0000-1001)		\$800,000
<u>Capital Facilities Fund</u>		
Cash (Acct. 089-0000-1001)	\$800,000	
Due to General Fund (Acct. 089-0000-2601)		\$800,000

Section 3. There is adequate appropriation authority within the Capital Facilities Fund.

Section 4. The term of this interfund loan shall be twelve calendar months, commencing on February 14, 1995, to be repaid within that term.

Section 5. There shall be no interest on this interfund loan.

Section 6. This Resolution shall be effective on passage and approval.

Section 7. The County Clerk is hereby directed to distribute copies of the Resolution to the Department of Taxation, the Comptroller and the Finance Division within 30 days.

95-86 ESTABLISHMENT OF GRANT POSITION - STATE D.A.R.E. COORDINATOR - SHERIFF

Richard Kirkland, Sheriff, advised that these types of grants provide funding to increase personnel; and that three grants have been presented to the Board which will increase staffing by three persons.

Upon recommendation of Richard Kirkland, Sheriff, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Shaw ordered that the establishment of a grant position for the deputy administering the grant that funds the D.A.R.E. State Training Coordinator Program, which was approved by the Board on December 13, 1994, Order No. 94-1049, be approved.

95-87 INTERSTATE AGREEMENT FOR CROSS DESIGNATION OF LAW ENFORCEMENT OFFICERS - WASHOE COUNTY AND PLACER COUNTY, CALIFORNIA SHERIFF

Commissioner Bradhurst commented that he believes this agreement will be beneficial to both Washoe County and Placer County, noting there has been an unofficial arrangement in years past.

Sheriff Kirkland stated that the agreement makes the current arrangement official and gives Placer County the necessary liability; and that the arrangement will be better for the men and women who are on the line everyday.

Chairman Shaw requested that the Sheriff provide periodic updates of how the program is working and Sheriff Kirkland stated that he would do this.

Upon recommendation of Richard Kirkland, Sheriff, on motion by Commissioner Bradhurst, seconded by Commissioner Bond, which motion duly carried, it was ordered that the Interstate Agreement between Washoe County and Placer County, California which will enable mutual aid between the Washoe County Sheriff's Office and Placer County Sheriff's Office during those occasions when emergency law enforcement assistance is more readily available from across the state line, be approved and Chairman Shaw authorized to execute.

95-88 PERSONAL SERVICES CONTRACT - COOPER AND ASSOCIATES, INC. - PROFESSIONAL LOBBYIST - SHERIFF

Commissioner Mouliot disclosed that he has known Eric Cooper for many years.

Commissioner Sims noted that the agreement terminates on July 15, 1995 and the legislative session may extend beyond that. He requested that the termination date on the agreement be kept open if possible for this reason.

Sheriff Kirkland advised that this will be done if legally possible, and that Mr. Cooper has assured him that his representation will be for the duration of the legislative session.

On motion by Commissioner Mouliot, seconded by Commissioner Bond, which motion duly carried, it was ordered that the agreement between the Sheriff's Department and Eric Cooper, a professional Lobbyist, to represent the interests of the Sheriff's Office during the current legislative session in the amount of \$20,000 be approved.

It was noted that the Sheriff's Office has existing budgeted funds to cover this cost, and that the cost represents a savings of several thousand dollars compared to the cost of a full time Sheriff's officer to perform this function.

95-89 APPOINTMENT - SPANISH SPRINGS CITIZEN ADVISORY BOARD

Upon recommendation of Leslie Roylance, Department of Comprehensive Planning, on motion by Commissioner Bond, seconded by Commissioner Bradhurst, which motion duly carried, Chairman Shaw ordered that James Jackson be appointed to fill the unexpired term of Patrick Peregrin, as an At-Large representative on the Spanish Springs Citizen Advisory Board, with term to expire June 30, 1996.

95-90 TRAVEL

On motion by Commissioner Bradhurst, seconded by Commissioner Bond, which motion duly carried, Chairman Shaw ordered that the following, travel requests and advancement of travel funds be approved:

Name	Department	Destination	Date	Amount
R. Calderone	Juvenile Services	Phoenix, AZ	3/18/95 3/22/95	\$1,070.48
J. Forbus	Sheriff	San Francisco, CA	3/8/95 3/10/95	\$ 350.00
C. Galantuomini	Juvenile Services	San Francisco, CA	3/24/95 3/27/95	\$ 406.32
D. Means	Sheriff	San Francisco, CA	3/7/95 3/10/95	\$ 500.00
E. Shipp	Sheriff	Santa Ana, CA	2/26/95 3/2/95	\$ 475.00
W. Stevenson	Sheriff	Santa Ana, CA	2/26/95 3/2/95	\$ 850.00
F. Whiting	Sheriff	Boise, ID	2/21/95 2/24/95	\$ 400.00

P. Young	Health	Las Vegas , NV	6/4/95 6/8/95	\$ 500.00
R. Young	Sheriff	Boise, ID	2/21/95 2/24/95	\$ 400.00

95-91 NEW POSITION - PERMANENT PART-TIME PUBLIC SERVICE INTERN -
FINANCE DIVISION

Upon recommendation of Jerry McKnight, Finance Division, on motion by Commissioner Bradhurst, seconded by Commissioner Mouliot, which motion duly carried, Chairman Shaw ordered that the addition of a permanent part-time public service intern position in the Finance Division be approved and the subsequent increase in the base budget for years after 1994/95 be authorized.

It was noted that funding for the position will come from the Finance Division's existing budget by reallocating overtime and consulting money for 1994/95 and will increase the base budget in 1995/96 by \$9,000.

95-92 AGREEMENT - WASHOE COUNTY AS DISBURSING AGENT OF THE MAY
FOUNDATION BUILDING FUND AND BENNY BANKS CONSTRUCTION COMPANY -
DISCOVERY ROOM - WILBUR D. MAY GREAT BASIN ADVENTURE - RANCHO
SAN RAFAEL PARK

John MacIntyre, County Manager, commented that the May Foundation has provided funding over the years to the various facilities at Rancho San Rafael Park and has been very clear about their preference for Benny Banks Construction Company, and the Board will see the two names linked together from time to time; and that this has been reviewed by the District Attorney's office and they have indicated that the arrangement and conditions are appropriate since the May Foundation is the granting entity.

On motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the Agreement between Washoe County, as disbursing agent of the May Foundation Building Fund, and Benny Banks Construction Company to construct a 24' x 22' expansion to the existing Discovery Room, and a 12' x 12' addition to the existing hay barn, both located within the Wilbur D. May Great Basin Adventure at Rancho San Rafael Park, be approved and Chairman Shaw be authorized to execute,

95-93 AGREEMENT FOR ENGINEERING SERVICES - SUN VALLEY FLOOD DETENTION
FACILITY - COMPREHENSIVE PLANNING

Leonard Crowe, Flood Control Manager, responded to questions raised by the Board at yesterday's caucus relative to working in cooperation with the Parks Department to incorporate the flood control facilities and park design and funding issues. He presented maps and additional information regarding the Flood Control Master Plan for the Sun Valley area and answered questions of the Board.

Upon recommendation of John Hester, Director, Department of Comprehensive Planning, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the Agreement for Engineering Services with Kennedy/Jenks Consultants in the amount of \$60,000 for design, plans and specifications, and construction cost estimate for the Sun Valley Flood Detention Facility be approved and Chairman Shaw be authorized to execute.

It was further ordered that staff be authorized to issue a Notice to Proceed to Kennedy/Jenks Consultants.

95-94 DISCUSSION - DRAFT MEMORANDUM OF AGREEMENT - SIERRA PACIFIC
POWER COMPANY - WATER SYSTEM PURVEYOR

This item was continued from the January 17, 1995 meeting. [Item No. 95-37].

John MacIntyre, County Manager, advised that discussion was held on this item at yesterday's caucus and noted that the agenda item should read "...concerning delivery and single purveyor water system for Washoe County." He stated that the draft agreement is currently being reviewed by the District Attorney's office.

Sam McMullen, facilitator, stated that many areas of the draft agreement will probably need attention and at this point the parties involved should meet to determine the appropriate language to assure the agreement does as intended; and that a meeting is tentatively scheduled, for this Friday. He then provided a detailed review of the draft Agreement and responded to questions of the Board.

John Hester, Director, Department of Comprehensive Planning, provided additional information and responded to further questions of the Board.

Commissioner Bradhurst requested that staff prepare a briefing document regarding the pros and cons of the County selling its water systems to include historical information and a summary of the RMI report, etc. He stated that he feels the next appropriate step would then be for the Board to meet with the CEO of Sierra Pacific Power Company in a workshop setting and have a candid discussion to flesh out the many issues involved. Mr. McMullen advised that Mr. Higgins, CEO of Sierra Pacific, has indicated a willingness to meet and it would take approximately two to three weeks to schedule a meeting.

Upon inquiry of Commissioner Bradhurst, Mike Reed, Sierra Pacific Power Company, stated that their request is that a draft document be completed that is acceptable to the staffs of both the County and Sierra Pacific by the time the Board meets with the Power Company so that all parties know the discussion issues.

95-95 LEGISLATIVE UPDATE

Mary Henderson, Government Affairs Director, provided an update of legislative issues and discussed the regional juvenile facility, the state mental health budget, and the Clark home rule bill. She advised that they are currently tracking 78 bills in the Assembly and 78 bills in the Senate that impact Washoe County, which range from a very low priority to a few that have significant impact; and that the County has three bill packages that will probably be introduced in the next week or two.

Ms. Henderson and Assistant District Attorney Madelyn Shipman provided information regarding the impact fee legislation. Ms. Shipman advised that the impact fee legislation is a strong issue for the School District as they are asking to be exempt; that the 1989 committee, on which she sat as a representative from the City of Reno, approved that request; and that she has worked towards getting rid of that exception, as panel members and the development community have indicated their contention that there should be no exceptions to the payment of these fees. She stated that impact fees represent the proportional share of funds needed to meet infrastructure needs of new growth and if everyone does not pay their fair share, a shortfall results, and this would have a significant impact on the County if it participates in the regional impact fee program currently being developed through the RTC. She advised that impact fees meet the constitutional requirement of proportionality and the Supreme Court has ruled that impact fees are the best way to do that; that the committee has said there will be no exemptions; that this is a policy issue for the Board to decide; and that they need direction from the Board on whether to lobby this issue.

Commissioner Sims stated that he agrees when you start exempting people from the process, you don't have a regional impact fee system; and that the Board represents every person in the County and a regional impact fee system that determines the proportionate share of an impact to growth must include everyone.

Further discussion commenced and the consensus of the Board was for staff to lobby the impact fee legislation.

95-96 UNBUDGETED CAPITAL OUTLAY - SUN SPARCSTATION 5,
ARC/INFO SINGLE-USER LICENSE, AND COGO SINGLE-USER
LICENSE - MAPPING DIVISION- ASSESSOR

Upon recommendation of Robert McGowan, Assessor, on motion by Commissioner Bradhurst, seconded by Commissioner Mouliot, which motion duly carried, Chairman Shaw ordered that the unbudgeted capital outlay expenditure of \$16,699 for the Assessor's Department to purchase a Sun SPARCstation 5, ARC/INFO single-user license, and COGO Single-User license for the use of the Mapping Division be approved.

It was noted that the Assessor's Department has sufficient funds in salaries to fund this purchase due to position turnover and resulting salary savings.

95-97 REFUND OF BUSINESS LICENSE FEE - DAVID KROPELNICKI AND LISA MOSCHETTI DBA K&M IMPORT/EXPORT CO.

Upon recommendation of Karin Kremers, Business License Division, on motion by Commissioner Bradhurst, seconded by Commissioner Bond, which motion duly carried, Chairman Shaw ordered that the refund of \$300 of the \$400 that David Kropelnicki and Lisa Moschettie, dba K&M Import/Export Co., paid on December 16, 1994 to obtain a wholesale liquor license be approved.

It was noted that the applicants have decided not to pursue the license and the Business License Division will retain the \$100 fee they paid for their investigation.

95-98 REFUND OF UTILITY FEES FOR SPB9-22-94 - PONDEROSA RANCH EMPLOYEE R.V. PARK - DEVELOPMENT REVIEW

Upon recommendation of Michael Harper, Director, Department of Development Review, on motion by Commissioner Bradhurst, seconded by Commissioner Bond, which motion duly carried, Chairman Shaw ordered that the refund of utility fees in the amount of \$80 for SPB9-22-94, Ponderosa Ranch Employee R.V. Park, be approved.

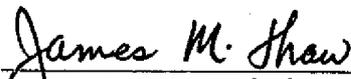
It was noted that this fee was inadvertently disbursed to the Utility Division as applicant was unaware that they do not review applications in the Incline Village General Improvement District.

95-99 WAIVER OF BUSINESS LICENSE FEES - KOINONIA FOSTER HOME, INC.

Upon recommendation of Carla Fells, Business License Division, on motion by Commissioner Bond, seconded by Commissioner Sims, which motion duly carried, Chairman Shaw ordered that the waiver of Business License Fees for Koinonia Foster Home, Inc., a non-profit organization, be approved.

* * * * *

There being no further business to come before the Board, the meeting adjourned at 11:10 p.m.



JAMES M. SHAW, Chairman
Washoe County Commission

ATTEST: JUDI BAILEY, County Clerk

