

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY 9:00 A.M. JULY 22, 1997

PRESENT:

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

Betty Lewis, Chief Deputy County Clerk
Katy Simon, Assistant County Manager
Madelyn Shipman, Legal Counsel

The Board met in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. Following the pledge of allegiance to the flag of our Country, the Clerk called the roll and the Board conducted the following business:

97-771 AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sims ordered that the agenda for the July 22, 1997, meeting be approved with the following amendments: delete Item 13.C., execution of sublease agreement with IGT for office/warehouse space at 4930 Energy Way for the Department of Water Resources, and Item 15., 1997 legislative update--final report.

PUBLIC COMMENTS

There was no response to the call for public comments.

97-772 ORDINANCE NO. 987, BILL NO. 1162 - AMENDING WCC CHAPTER 65 - SAFETY & HEALTH OF COUNTY OFFICERS AND EMPLOYEES

9:30 a.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on July 11, 1997, to consider second reading and adoption of Bill No. 1162. Proof was made that due and legal Notice had been given.

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

On motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, Chairman Sims ordered that Ordinance No. 987, Bill No. 1162, entitled, "AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY REVISING PROVISIONS OF CHAPTER 65 RELATING TO SAFETY AND HEALTH OF COUNTY OFFICERS AND EMPLOYEES, TO RISK MANAGEMENT, AND OTHER MATTERS PROPERLY RELATING THERETO," be approved, adopted and published in accordance with NRS 244.100.

97-773 PUBLIC HEARING - NEVADA PETROLEUM FUND - CLEANUP OF CONTAMINATION FROM UNDERGROUND STORAGE TANKS - RANCHO SAN RAFAEL & WASHOE COUNTY GOLF COURSE

9:30 a.m. This was the time set to conduct a public hearing concerning Washoe County's application to the Nevada Petroleum Fund for insurance coverage of expenses incurred in the assessment and remediation of contamination resulting from leakage of underground storage tanks formerly located at Rancho San Rafael Park and the Washoe County Golf Course. Katy Simon, Assistant County Manager, noted that the tanks have been removed and remediation is underway.

Chairman Sims opened the public hearing by calling on anyone wishing to speak concerning this item. There being no response, the

public hearing was closed.

97-774 LETTER OF REQUEST TO DEPARTMENT OF ENERGY - SHIPMENT OF SPENT NUCLEAR FUEL THROUGH WASHOE COUNTY

Robert Loux, Executive Director, Nevada Agency for Nuclear Projects, briefed the Board concerning a proposal by the Department of Energy (DOE) to ship spent nuclear fuel from foreign reactors through Nevada via Union Pacific Railroad, stating that they believe there will be 5 to 8 shipments over the next 13 years with the first shipment being sometime after the first of the year. He advised that the Governor has requested that the DOE conduct risk assessments of the potential routes, interact with all local governments along the route, and provide resources for emergency response training and other preparedness activities in the event an emergency situation does occur; that so far the response from DOE has not been adequate and none of these things have been done yet; that the State has made it clear that those three items are prerequisites for the material to move through Nevada; and that they are waiting for the DOE response.

Chairman Sims asked what legal recourse would be available to the State and/or local governments if the DOE does not come forth as requested and whether the State has the authority to stop the shipments. Mr. Loux stated that they probably do not have such authority or any other legal recourse.

In response to Commissioner Galloway, Mr. Loux stated that it is possible that the Feather River route may be the selected route, which would mean that the shipments would not come through Reno-Sparks; but since there are times when that route is not available due to weather conditions, etc., they believe an analysis should also be done on the route through Reno-Sparks.

Commissioner Bond asked questions concerning response and clean-up in the event of an incident. Mr. Loux advised that obviously local authorities would be the first responders; that DOE has stated that they will fly in their teams as soon as they can after an incident; and that the State believes clean-up is a federal responsibility, but so far that issue has not been fully resolved and understood to the State's satisfaction.

Mr. Loux also explained that notice of the shipments will not be general public information for security reasons and will be provided only on a "need-to-know" basis. Chairman Sims expressed that it would be ludicrous for local officials not to know when shipments will be going through their areas and that that needs to be made very clear to the Secretary, as well as that it is absolutely critical that haz-mat teams be properly trained and equipped before the first shipment.

The Board concurred that it is imperative that DOE personnel come to Reno-Sparks to meet with local officials; that it is urgent that federal resources be provided for planning, preparation, equipment and training in case of an incident; and that there must be advance notification to local officials regarding shipments. On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that receipt of the information and the presentation by Mr. Loux be acknowledged; that the letter drafted to the Department of Energy, Secretary Pena, be amended to include a request that DOE meet with local officials and the addition of the notification issue; and that Chairman Sims be authorized to execute the letter on behalf of Washoe County.

97-775 SEXUAL ASSAULT - MEDICAL CARE - PAYMENT

Pursuant to NRS 217.280 to 217.350, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sims 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 24 sexual assault victims in an amount totaling \$12,975.28 as set forth in a memorandum from Vickie Wedow, Administrative Assistant, District Attorney's Office, dated July 3, 1997, and placed on file with the Clerk.

97-776 ACCEPTANCE OF DONATION - 1986 DODGE VAN - SHERIFF

Upon recommendation of Sheriff Richard Kirkland, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sims ordered that the donation of a 1986 Dodge Model B350 Van (VIN 2B5WB31WOGK508897), purchased via the Inmate Commissary Fund at no cost to the taxpayer, be accepted with the Board's gratitude.

97-777 UNBUDGETED CAPITAL OUTLAY - MOBILE COMPUTER TERMINALS & VEHICULAR RADIO FREQUENCY MODEMS - SHERIFF

Upon recommendation of Sheriff Richard Kirkland, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sims ordered that the unbudgeted capital outlay for the sole source purchase of mobile computer terminals (MCT's) and vehicular radio frequency modems from Motorola be approved. It was noted that the Sheriff's Office has received and will expend Federal grant funds for this purchase and that Motorola is the only manufacturer who can provide the requested equipment.

97-778 ACCEPTANCE OF GRANT - SYMMS NATIONAL RECREATIONAL TRAILS FUND - LEMMON VALLEY MARSH INTERPRETIVE AREA - PARKS

Upon recommendation of Karen Mullen, Acting Director, Parks and Recreation Department, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sims ordered that a \$20,000 grant from the Symms National Recreational Trails Fund be accepted for the design and construction of the Lemmon Valley Marsh Interpretive Area and that the following account transactions be authorized:

Increase Revenue Account	090-90060-4301	\$20,000.00
Increase Expense Accounts	090-90060-7873	\$ 9,700.00
	090-90060-7878	\$10,300.00

It was further ordered that the immediate expenditure of \$9,700 of grant funds for the design portion of this project be approved. It was noted that no materials will be purchased nor shall any construction take place until an operating management plan is approved by the Board.

97-779 ACCEPTANCE OF ELMER H. ANDERSON PARKS EXCELLENCE AWARD - SUN VALLEY COMMUNITY PARK

Karen Mullen, Acting Director, Parks and Recreation Department, stated that she would like to pay special recognition to the citizens of the Sun Valley community in accepting this award because they made it possible. Katy Simon, Assistant County Manager, stated that she would also like to acknowledge that many Washoe County staff members worked very hard on this project and also deserve special recognition.

Upon recommendation of Ms. Mullen, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sims ordered that the Nevada Recreation and Park Society's Elmer H. Anderson Parks Excellence Award be accepted by the Board on behalf of the citizens of Sun Valley for the design and construction of the Sun Valley Community Park.

97-780 AWARD OF BID - KITTS WAY CONSTRUCTION PROJECT - ENGINEERING

This was the time to consider award of bid, Notice to Contractors for receipt of sealed bids having been published in the Reno Gazette-Journal on July 3 and 10, 1997, for the "Summer 1997 Kitts Way Construction and Overlay Project, Washoe County, Nevada" on behalf of the Engineering Division of the Department of Public Works. Proof was made that due and legal Notice had been given.

Following is a summary of the bid results:

Sierra Nevada Construction	\$ 87,466.00
A & K Earthmovers	\$ 96,600.00
Canyon Creek Construction	\$104,155.30
Granite Construction	\$119,119.00

Upon recommendation of David Price, County Engineer, through David Roundtree, Public Works Director, on motion by Commissioner Bond, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the bid for the "Summer 1997 Kitts Way Construction and Overlay Project, Washoe County, Nevada" be awarded to the low, responsible bidder, Sierra Nevada Construction, in the amount of \$87,466.00, and that Chairman Sims be authorized to execute the contract when presented.

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 May 26, 1997, for law enforcement uniforms and accessories for the Washoe County Sheriff's Office in joinder with the City of Reno and City of Sparks Police Departments. Proof was made that due and legal Notice had been given.

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

Dick Bruhn Inc., dba Butler's Uniforms
Silver State Uniforms

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sims ordered that Bid No. 1997-97 for law enforcement uniforms and accessories for the Washoe County Sheriff's Office in joinder with the City of Reno and City of Sparks Police Departments be awarded on a requirements basis for a 23-month period to the overall lowest qualified bidders as follows:

Dick Bruhn Inc., dba Butler's Uniforms

Bid Items #1-54, on behalf of the Washoe County Sheriff's Office, for an approximate award amount of \$326,000.00.

Silver State Uniforms

Bid Items #55-84, on behalf of the City of Reno Police Department requirements, for an approximate award amount of \$100,000.00.

It was further ordered that all bids on Bid Items #85 - 111 on behalf of the City of Sparks Police Department be rejected due to recent specification changes and the low dollar amount not requiring a formal bid process; that the Purchasing and Contracts Administrator be authorized to enter into an agreement with Butler's Uniforms; that the City of Reno Police Department be authorized to enter into an agreement with Silver State Uniforms, both agreements commencing August 1, 1997 through June 30, 1999; and that prices shall not increase for the duration of the agreements.

97-782 CORRECTION OF FACTUAL ERROR - 1996-97 UNSECURED TAX ROLL

Upon recommendation of Tom Sokol, Assistant Chief Deputy Assessor, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, it was ordered that the Roll Change Request for Amplicon, Inc., APN No. 2/190-503, correcting a factual error on a tax bill already mailed, be approved for the reason stated thereon and mailed to the affected property owner, a copy of which has been placed on file with the Clerk. It was further ordered that the Order on each roll change directing the Treasurer to correct the error be approved and that Chairman Sims be authorized to execute on behalf of the Commission.

97-783 REFUND OF TAXES - AMERICAN WATER HEATER

Pursuant to District Attorney Opinion No. 6345, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Sims be authorized to execute on behalf of Washoe County:

RESOLUTION -- Directing the County Treasurer to Refund Taxes

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

WHEREAS, American Water Heater (Taxpayer) made application for the refund of 1993-1994, 1994-1995, and 1995-1996 personal property taxes because Taxpayer had erroneously over-reported assets on its personal property statement and, as a result, had overpaid

taxes on the Taxpayer's property ID #2/537-000 and APN 090-050-10; and

WHEREAS, American Water Heater has overpaid taxes for fiscal years 1993-1994, 1994-1995 and 1995-1996 in the amount of \$104,980.63; and

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

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Washoe County as follows:

1. The Treasurer of Washoe County be and hereby is authorized and directed to refund to American Water Heater a total of \$104,980.63, that amount being the taxes overpaid by American Water Heater for the tax years 1993-1994, 1994-1995 and 1995-1996 on ID #2/537-000 and APN 090-050-10.
2. The Treasurer of Washoe County is further directed to debit the account of each governmental entity which has shared in the excess of the taxes collected in error for their pro rata share of the refund.

97-784 REQUEST FOR REFUND OF TAXES - QUILICI RANCH

Ed Graham of the Quilici Family Ranch related the history of the ranch properties in Verdi stating that this property has been a working ranch since 1866 and that they do have agricultural deferments on the land that belongs to the Quilici family. He stated that the parcels that are in contention are the ones that they lease from the Southern Pacific Transportation Company; that these parcels are a strip of land adjacent to the railroad tracks, which is just a continuation of their hayfield; that the agricultural deferment has never been applied to these parcels because when the family received the tax bill from the railroad, they just paid it every year assuming that the agricultural deferment applied to that land as well. Mr. Graham showed photographs to the Board of the land in question and stated that he has spent several hours in the Assessor's office.

In response to Commissioner Galloway, Legal Counsel Madelyn Shipman explained the remedy available to the property owner through the Board of Equalization. She also stated that if the whole ranch was subject to an agricultural deferment, it would be her opinion that the Board needs more information from the Assessor's office in order to determine if, in fact, a second agricultural deferment was necessary for these parcels.

Following further discussion, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sims ordered that this item be continued and that the Assessor's office report back to the Board concerning the status of the agricultural deferment on the Quilici Ranch and subject property.

97-785 WATER RIGHTS DEED - TAYWOOD-DERMODY PARTNERSHIP - HERONS LANDING, UNIT 2

Chairman Sims questioned why the County is providing water to this development since it is within the Reno city limits. Mr. Collins responded that this property is within the Hidden Valley service territory and Washoe County is the water purveyor for that area.

Upon recommendation of John Collins, Utility Services Manager, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the following actions be taken regarding dedication of water rights in accordance with the Washoe County Code in support of 62 lots for Herons Landing, Unit 2:

1. The Water Rights Deed between Taywood-Dermody Partnership, a Nevada General Partnership, as Grantor, and Washoe County, as Grantee, for 2.55 acre feet being a portion of Claim 236, be approved; Chairman Sims be authorized to execute; and the Utility Services Manager be directed to record the Water Rights Deed with the County Recorder.

97-786 WATER RIGHTS DEED - SIERRA PACIFIC POWER COMPANY - THE WM. BOGARD COMPANY/WILD HAWK RIDGE, PHASE I

Upon recommendation of John Collins, Utility Services Manager, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the following actions be taken regarding dedication of water rights in accordance with the Washoe County Code in support of 51 lots in Wild Hawk Ridge, Phase I:

1. The Water Rights Deed for 0.72 acre-feet of surface water rights being a portion of Claim 369 and 9.36 acre-feet of surface water being a portion of Claim 322 between Wm. Bogard Company as Grantor and Washoe County as Grantee, and Water Rights Deed for 23.66 acre-feet of surface water being a portion of Claim 211 between Sierra Pacific Power Company as Grantor and Washoe County as Grantee, be approved; Chairman Sims be authorized to execute these two deeds; and the Utility Services Manager be directed to record these two Water Rights Deeds with the County Recorder.

97-787 APPOINTMENTS - INCLINE VILLAGE-CRYSTAL BAY CITIZEN ADVISORY BOARD

Upon recommendation of Commissioner Galloway, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sims ordered that Beverly Mason and Floyd E. "Mace" Mason be appointed to the Incline Village-Crystal Bay Citizen Advisory Board as at-large representatives with terms to expire June 30, 1999.

97-788 DISSOLUTION OF MT. ROSE-GEIGER GRADE CITIZEN ADVISORY BOARD & CREATION OF TWO NEW CITIZEN ADVISORY BOARDS

In addition to the recommendations from the CAB that Chairman Sims pointed out, Russ Carpenter, Mt. Rose-Geiger Grade Citizen Advisory Board Chairman, stated that they currently have a task force committee studying the issues related to the I-580 freeway extension; and that they would like to keep that committee intact until they complete their work.

Chairman Sims expressed his gratitude to Mr. Carpenter and to Lyn Mundt for their service to their community.

On motion by Commissioner Bond, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the Board supports the recommendations of the CAB as outlined in the agenda memorandum; that the resolution establishing the new CAB be amended to include a paragraph regarding keeping task forces/committees intact; and that the following resolutions be adopted and duly executed:

R E S O L U T I O N

WHEREAS, The Mt. Rose/Geiger Grade Citizen Advisory Board was initially established in July 1989 with the current geographical areas of responsibility; and

WHEREAS, The Board of Commissioners of Washoe County determined at a public meeting held on July 8, 1997, that two citizen advisory boards would more adequately serve the residents; and

WHEREAS, In accordance with Washoe County Code Chapter 5 - Citizens Advisory Boards, Section 5.435, Advisory Boards: Dissolution, the Board of County Commissioners determined that the Mt. Rose/Geiger Grade Citizen Advisory Board is no longer needed to meet the purposes for which it was established; now therefore let it be

RESOLVED, BY THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY, NEVADA, That the Mt. Rose/Geiger Grade Citizen Advisory Board be dissolved, effective August 15, 1997, based on the findings stated above.

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R E S O L U T I O N

WHEREAS, The Board of Commissioners of Washoe County held a public meeting on July 22, 1997, and dissolved the Mt. Rose/Geiger Grade Citizen Advisory Board effective August 15, 1997; and

WHEREAS, The citizens of the southern suburban area of Washoe County have expressed a desire for a formal organization through which they can communicate their views and concerns to the Board of County Commissioners; and

WHEREAS, With such an organization, citizens can be kept better informed of decisions and actions of the Board of County Commissioners; now therefore let it be

RESOLVED, BY THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY, NEVADA, That the Galena-Steamboat Citizen Advisory Board be established under Sections 5.425 to 5.435, inclusive, of the Washoe County Code; and be it

RESOLVED, That the Citizen Advisory Board's purpose shall be to provide a forum for residents' concerns and to provide on-going two-way communications between the residents and the Board of County Commissioners; and be it

RESOLVED, That the Citizen Advisory Board may provide advice on any matter within the Board of County Commissioners' jurisdiction such as land use, zoning, services, budget, taxes and other matters affecting the lives, health, property or well-being of the residents; and be it

RESOLVED, That the Galena-Steamboat Citizen Advisory Board's geographical area of responsibility shall include the area within Washoe County south of Geiger Grade Highway, west across U.S. 395 and south and west along Mt. Rose Highway to the Tahoe Basin, as more specifically defined on a map placed on file with the Clerk; and be it

RESOLVED, That the membership of the Galena-Steamboat Citizen Advisory Board shall consist of five members appointed by the Board of County Commissioners, with the following representation:

- Callahan Ranch
- Galena Forest/Southwest Pines
- Pleasant Valley
- Steamboat/Toll Road Area
- One At-Large

and be it

RESOLVED, That the existing members of the Mt. Rose\Geiger Grade Citizen Advisory Board can serve on the new citizen advisory board representing their respective areas until the end of their terms; and be it

RESOLVED, That any standing committee or efforts established by the Mt. Rose/Geiger Grade CAB which are specific to the geographic area represented by the Galena-Steamboat Citizen Advisory Board remain intact and continue to operate; and be it

RESOLVED, That in addition to applications from individuals as described under Sections 5.425 to 5.435, inclusive, of the Washoe County Code, membership nominations may be made by homeowners associations and other neighborhood based organizations; and be it

RESOLVED, That the I-580 Task Force, which was a subcommittee created by the former Mt. Rose/Geiger Grade Citizen Advisory Board, be allowed to continue as established; and be it

RESOLVED, That the initial terms of office shall officially begin the date the Board of County Commissioners appoint the members, but shall thereafter run from July 1 through June 30 of the appropriate years; and be it further

RESOLVED, That the Galena-Steamboat Citizen Advisory Board shall be established August 15, 1997.

97-789 SALARY ADJUSTMENTS - RENO, SPARKS AND INCLINE JUSTICES OF THE PEACE - PERSONNEL

Joanne Ray, Personnel Division, distributed and reviewed additional information pursuant to questions at Caucus, concerning

previous salary adjustments for the Incline Village Justice of the Peace, explaining that Incline has historically been set at 90 percent of the Reno/Sparks Justices' salaries and outlining the extra duties that the Incline Justice performs.

Commissioner Mouliot stated that staff has been working on the Reno/Sparks Justices' salaries for over two years and questioned why the Incline Justice is being added now. He also stressed that, in the future, these salary adjustments should be done at budget time so the funds do not have to come out of contingency and that the outlying Justices (Gerlach, Wadsworth and Verdi) should not be tied to Incline any longer.

Chairman Sims asked Ms. Ray to explain why the salary for the Incline Justice of the Peace is even on the agenda. Ms. Ray stated that she included Incline because it has historically been tied to Reno/Sparks and apologized that it was not included in the budget process.

Following further discussion, on motion by Commissioner Mouliot, seconded by Commissioner Galloway, which motion duly carried with Chairman Sims voting "no," it was ordered that:

1. That the salaries for the Reno/Sparks Justices and Incline Justice be adjusted from \$72,488 to \$85,009.60, and from \$65,239 to \$76,502.40, respectively, effective July 1, 1997;
2. That the salary of the Incline Justice be maintained at 90 percent of the Reno/Sparks Justices and, in the future, Incline be tied to Reno/Sparks and be totally separated from the outlying (Gerlach, Wadsworth and Verdi) Justices; and
3. That these salary adjustments be included in the budget process in the future.

In voting against the motion, Chairman Sims stated that he is not opposed to a salary adjustment for the Reno/Sparks Justices, but he believes the Incline issue needs to be studied more thoroughly with updated workload statistics comparisons, etc.

97-790 AMENDMENT TO SPONSORSHIP OF EMERGENCY WATERSHED PROTECTION PROJECT - BEASLEY PROPERTY - WADSWORTH

Commissioner Bond asked if it would be appropriate to request a Deed of Trust on the property in question to assure that the County does get paid back for the property owner's share of the cost. Legal Counsel Madelyn Shipman stated that the parties have signed agreements stating that they will pay. Leonard Crowe, Water Resources Planning Manager, confirmed that and further advised that if the property owner does not pay, there would then be other remedies, such as a tax lien, available to the County.

Following further discussion, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that:

1. Revising the Emergency Watershed Protection Project on the Beasley property in Wadsworth, Nevada, be approved;
2. Chairman Sims be authorized to sign the revised agreement with the USDA Natural Resources Conservation Service to construct the project; and
3. A lien in favor of Washoe County be placed against the property until the Beasley's share of the restoration project on their property (\$6,000) is paid.

It was noted that the Beasley's have agreed to pay \$20.00 per month until the \$6,000 is paid off.

97-791 FIRST ADDENDUM TO LEASE AGREEMENT - DP OPERATING PARTNERSHIP/DERMODY PROPERTIES - DEPARTMENT OF WATER RESOURCES/GENERAL SERVICES

Upon recommendation of Bud Fujii, General Services Director, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, it was ordered that the First Addendum to Lease between DP Operating Partnership, L.P., a Delaware

Limited Partnership, by: Dermody Properties, a Nevada Corporation (Lessor) and Washoe County (Lessee) for the purpose of extending the lease term for office space at 1195 Corporate Boulevard for an additional 17-month period retroactive to July 1, 1996 and terminating November 30, 1997, and for expanding the area of occupancy to a total 11,059 square feet to facilitate operation of the Department of Water Resources, and for such other terms and conditions as stated therein, be approved and Chairman Sims be authorized to execute on behalf of Washoe County.

97-792 FIRST ADDENDUM TO LEASE AGREEMENT - MCMILLAN RENTALS - JUVENILE SERVICES COMMUNITY RESOURCE OUTREACH CENTER - GENERAL SERVICES

Upon recommendation of Bud Fujii, General Services Director, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the First Addendum to Lease between McMillan Rentals (Lessor) and Washoe County (Lessee) for the continued operation of a Community Resource Outreach Center for Juvenile Services at 1665 Sullivan Lane for an additional 34-month period retroactive to July 1, 1997 and terminating April 30, 2000, to coincide with the lease term previously established for 1675 Sullivan Lane, and for such other terms and conditions as stated therein, be approved and Chairman Sims be authorized to execute on behalf of Washoe County.

97-793 TRANSFER OF APPROPRIATIONS - JUVENILE SERVICES TO GENERAL SERVICES - FINANCE

Upon recommendation of Brian Mirch, Senior Administrative Analyst, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sims ordered that the following transfer for lease costs from Juvenile Services to General Services for the Community Resource Outreach Center be approved and that the Comptroller be directed to make the account changes:

Increase:	Account 01-1611-7340	\$12,000.00
Decrease:	Account 01-1295-7362	\$12,000.00

97-794 BURNING MAN FESTIVAL PERMIT - PROGRESS REPORT - CONDITIONS

Legal Counsel Madelyn Shipman advised that staff is seeking direction from the Board concerning how much discretion they have to negotiate with the Burning Man people on some of the conditions of the festival permit. Rik Kajans, Truckee Meadows Fire Protection District, explained that an example of what has occurred which necessitates changing some of the conditions of approval is that the applicant has proposed to move the festival down into the playa which would significantly change the threat of fires. Chief Kajans further stated that there has been a great deal of confusion in that different departments are receiving information and proposals from three different sources; i.e., the Burning Man people, the private land owner, and Skip Canfield; and that staff wishes to confirm that Mr. Canfield is to be the official avenue for all communications.

In response to Chairman Sims, Will Roger, Manager and Controller of the Burning Man Project, confirmed that Mr. Canfield will be the only person working with County staff.

Lt. Larry McGee, Washoe County Sheriff's Office, cited another example which necessitates changing conditions in that they had requested the applicant provide illumination of the campsites and telephone communications, which conditions cannot be met; and that the applicant has been negotiating with staff as far as possibly having a satellite link to satisfy the telephone problem and proposing lanterns and other types of illumination since there is no electricity out there.

Commissioner Galloway suggested that the Board could give staff direction to negotiate with the applicant concerning the conditions to the extent that they do not increase the risk to public safety or increase disturbance to property. Chairman Sims noted that when staff devised the original conditions, there must have been a certain level of safety they were trying to maintain and asked if the same basic principles and assumptions could be applied to a changed application. Chief Kajans affirmed that staff could certainly do so.

Commissioner Bond explained that when she stated that the conditions were not negotiable in her motion to approve the permit, what she meant was that the applicant would not be excused from meeting any of the conditions, not that the conditions could not be

changed if circumstances changed.

Brian Jennison, Director of Air Quality, District Health Department, was also present and discussed what he would like to see in the applicant's dust control plan.

Dean Diederich, Planner, Department of Community Development, responded to questions of the Board concerning the applicant's special use permit for grading.

Following discussion, the Board directed that staff continue working with the applicant, through their representative Skip Canfield, negotiating and modifying conditions where necessary, maintaining the level and standards of public safety originally established and not increasing risk to life or property.

Mr. Diederich also requested clarification on whether this is to come back to the Board for final approval on August 19th, or if staff is authorized to go ahead and issue the festival permit, assuming all the conditions can be worked out and met by the applicant. Chairman Sims stated that he does not have a problem with staff issuing the permit consistent with the direction the Board just gave. Legal Counsel Madelyn Shipman suggested that there be an item on the August 19, 1997, agenda just in case there is any concern, noting that it can always be withdrawn if there are no concerns.

COMMISSIONERS' COMMENTS

Commissioner Mouliot requested a workshop be scheduled concerning the Citizen Advisory Boards. Ms. Simon advised that that will be set for August 18, 1997.

Commissioner Bond stated that she gets very distressed when she hears comments that a County department indicated they do not have to consider what another department is doing such as Mr. Quilici reported earlier.

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There being no further business to come before the Board, the meeting adjourned at 12:05 p.m.

GRANT D. SIMS, Chairman
Washoe County Commission

ATTEST: JUDI BAILEY, County Clerk