

TUESDAY 9:00 A.M. FEBRUARY 16, 1999

PRESENT:

- Jim Galloway, Chairman
- Ted Short, Vice Chairman
- Joanne Bond, Commissioner
- Pete Sferrazza, Commissioner
- Jim Shaw, Commissioner
- Amy Harvey, County Clerk
- Katy Simon, County Manager
- Maureen Griswold, 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:

**99-135 AGENDA**

In accordance with the Open Meeting Law, on motion by Commissioner Short, seconded by Commissioner Shaw, which motion duly carried, Chairman Galloway ordered that the agenda for the February 16, 1999, meeting be approved with the following amendment:

- Delete Item 12
- Discussion and possible direction to staff regarding televising County Commission meetings.

**99-136 INTRODUCTION OF NEW EMPLOYEES**

Several new employees introduced themselves and the Board welcomed them to the County.

**PUBLIC COMMENTS**

Sam Dehne, a Reno citizen, stated that there is too much cancerous growth, too much nasty government, too much back-room politics, and too many meetings behind closed doors. He cited EDawn as an example stating that EDawn is 50 percent funded with public funds, taxpayer dollars, and is not subject to the open meeting laws; and told the Board members to pretend it was their money they were spending.

**MINUTES**

On motion by Commissioner Sferrazza, seconded by Commissioner Short, which motion duly carried, Chairman Galloway ordered that the minutes of the regular meeting of January 19, 1999, be approved. Chairman Galloway noted a typographical error on Page 239, in the second line from the bottom, where the word understanding should be understandable. The correction was included in the motion.

**99-137 WASHOE COUNTY JUVENILE JUSTICE BLUE RIBBON COMMITTEE - INTERIM REPORT**

Judge Charles McGee, Chief Judge of the Second Judicial District Court, stated that somehow something has to be done about Wittenberg Hall whether the public is against it or not. He stated that he thinks there is a fear in the community that there's a population of violent punks out there and the public does not care if they suffer a little privation at the Mill Street facility, which is simply not true; and that the vast majority of the kids at Wittenberg are not violent offenders, but are just children of

this community who have committed acts that would be considered misdemeanor offenses if they were adults.

Leonard Pugh, Director of Juvenile Services, noted that several members of the task force are present and reviewed the findings and recommendations of the interim report prepared by the Juvenile Justice Blue Ribbon Committee. He stated that from 1990 to 1998, there was an 85 percent increase in person offenses, such as robbery, sexual assaults, assaults with a deadly weapon, batteries and domestic violence; that during that same period of time there was a 280 percent increase in drug related cases; and that because these offenses are more serious in nature, these juveniles remain in custody longer and usually require placement. Mr. Pugh further stated that when the facility was opened in 1961, it opened for 24 kids; that beds were added increasing the capacity to 68; that the recommended capacity for the facility is 44 because half of those beds are dormitory style housing units; and that there is no way to increase the programming space which is necessary for the educational and recreational responsibilities. He also stated that because of the lack of space, there are no separate facilities for visiting, which means that the public is brought into the secure detention center, which increases the danger to the residents.

Commissioner Bond stated that the public is willing to build jail facilities for the adult offenders, but it appears they want to ignore the problems at the juvenile facility; and that if anything can be turned around to keep some of the juveniles from becoming adult offenders, this is where it would start. She asked if the County would be able to get any assistance through the two State Senators who were on the task force. Mr. Pugh stated that Assemblywoman Jan Evans has introduced a bill that will provide partial funding for a facility in the amount of \$3-million; that he understands she wants to put a time limit on accessing the funds, though; and that is why they rushed this report to the Board, so that if a window of opportunity does open during this legislative session, the County will be able to respond.

Chairman Galloway stated that the Board needs more financial information, including information on bonds that may be retiring or might be paid off sooner, if the Board is going to adopt the proposed recommendations; and that staff needs to explore both long-term and intermediate-term financing to determine how much money could be raised without raising the tax rate.

Judge McGee stated that if the State legislature provided \$3-million, which is a big "if," and if the current Wittenberg facility and the old County Administration building were sold to Washoe Medical Center for \$5-million, that would provide \$8-million, or about half of what is needed. He further stated that the global picture of juvenile justice really needs to be examined, i.e., what is the State doing, what are the other Counties doing, because the practice of sending kids to the overcrowded Elko facility cannot continue; that the State is not going to come up with a solution to that problem either; and that the County is going to have to solve this problem. The Judge stated that he has been working for several months with Sheriff Kirkland and Tony Clark, who is the Adjutant General; that they have a line on several million federal dollars available through a project called Walkabout; that these funds could be used for a campus across from the Parr Boulevard facility, which would have room for a Wittenberg site if the Board elected to use that facility; and that they are willing to throw that into the mix.

Judge McGee stated that if all of this could come together and the County has some property, the burden would not be on the taxpayers.

Katy Simon, County Manager, stated that various funding packages have been explored; that she requested that the Blue Ribbon Committee ask the Board to direct staff to come back with several funding packages; that if the County were to finance \$12-million over a 30-year period, it would be about the equivalent of 1-cent of tax rate; and that information is just for the Board's consideration to better understand the numbers because she heard Chairman Galloway's comments about tax increases.

Chairman Galloway stated that if this could be done with intermediate term financing and if the number is low enough, perhaps this could be accomplished without going to the taxpayers. Ms. Simon stated that other options such as lease-purchase and grant funding are also available.

Commissioner Sferrazza asked if some of the juveniles currently going to Wittenberg Hall could go to the McGee Center. Judge McGee stated that they are currently doing that and he will let Mr. Pugh describe that program. He stated that he wanted to emphasize that the McGee center was built to handle CHINS (Children in Need of Supervision) or status offenders; that there is by federal law a need to separate the status offenders from the delinquents; that there must be complete sight and sound separation; and

because of that, the McGee center cannot be used just for overflow from Wittenberg. Mr. Pugh stated that all the CHINS and out-of-county runaways are processed at the McGee Center; that they have started moving more light-weight misdemeanor offenders to that facility; and that staff is currently working on a component at the McGee Center that would house female offenders on a long term basis.

A lengthy discussion ensued concerning holding children, especially first time offenders, instead of releasing them to their parents. Mr. Pugh explained that deciding whether or not to hold an offender is a judicial decision and there are statutory requirements that must be met.

Commissioner Bond stated that she does not think the current site will work; that it is just too small; and that something really needs to be done. Commissioner Short thanked the people who served on the committee.

Commissioner Shaw stated that it is obvious to him that a new facility is needed; that he would move that the report, and recommendations outlined therein, be accepted; that the County Manager be directed to look at funding packages and report back to the Board; and that staff write letters of gratitude to the people that served on the task force. The motion was seconded by Commissioner Sferrazza. Chairman Galloway called for the vote and the motion carried unanimously.

Sam Dehne stated that the Board asked good questions, but failed to ask the most important question and that is what is driving the need for more juvenile facilities. He stated it is the cancerous growth that is not paying its own way causing all of these problems.

**99-138 PURCHASE OF LEEBOY 8500 ELITE ASPHALT PAVER - EQUIPMENT SERVICES - CITY OF SPARKS BID NO. 98/99-0191**

John Madole, Associated General Contractors, stated that the piece of equipment being considered is not just a small pothole repair machine; that it is a machine capable of paving highways 10 feet wide; and that it is a substantial investment. He requested that before this is approved, they be given a chance to meet with staff because they would like to hear some justification as to why this is needed.

Dave Roundtree, Public Works Director, stated that the justification for this purchase is to replace a machine that was totaled in a fire last year; that Washoe County has always had a paver in its equipment fleet; that it is used generally for patching purposes; and that the reason staff is asking to be part of the Sparks joinder bid is because Sparks got a very attractive price.

Commissioner Bond asked if this machine could be used for the bike paths in Lemmon Valley or the sidewalks in Sun Valley. Mr. Roundtree stated that it could.

Mr. Madole stated that a machine this big is not needed to do a bicycle path; and that when doing paving work, the County does not have the same standard of accountability as the contractors.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Sferrazza, seconded by Commissioner Short, which motion duly carried, Chairman Galloway ordered that the Purchasing and Contracts Administrator be authorized to purchase a new Leeboy 8500 Elite Asphalt Paver from Western Traction Company on behalf of the Equipment Services Division of the Washoe County General Services Department in the net amount of \$74,565.73 in joinder with City of Sparks Bid No. 98/99-0191.

**99-139 FISCAL YEAR 1997-1998 GENERAL FUND AND HEALTH FUND DEPARTMENT CARRYOVER - FINANCE**

Upon recommendation of John Sherman, Interim Finance Director, on motion by Commissioner Bond, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Galloway ordered that the schedule of carryover funding for the purchase of unbudgeted capital and other projects, as outlined in the agenda memorandum and placed on file with the Clerk, be approved and that the Comptroller be directed to post the necessary journal entries. It was further ordered that carryover funds not specifically approved for expenditure be returned to the General Fund fund balance at the close of 1998/99. It was noted that the total General Fund appropriations equal \$1,383,205.26 and that the total Health Fund appropriations equal \$274,357.00.

**99-140 SPONSORSHIP OF WASHOE COUNTY EMPLOYEES IN THE CITY OF RENO'S CORPORATE CHALLENGE - PARKS**

Upon recommendation of Karen Mullen, Parks and Recreation Director, on motion by Commissioner Bond, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Galloway ordered that the Board of County Commissioners sponsor Washoe County employees in the City of Reno's Corporate Challenge to support the health and wellness of County employees. It was further ordered that the \$735 fee for the use of Rancho San Rafael by the City of Reno be waived and applied as the County's portion of the \$1,400 sponsorship for the County team. It was noted that the remaining \$665 will be funded by donations from Washoe County employees.

**99-141 ACCEPTANCE OF DONATION - VICKI CORRISTON - ANIMAL CONTROL**

On motion by Commissioner Bond, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Galloway ordered that a donation of \$20.00 to Animal Control for injured animals received from Vicki Corrison be accepted with the Board's gratitude.

**99-142 ACCEPTANCE OF DONATION - MOYA LEAR - PARKS**

Chairman Galloway noted that the donation from Moya Lear to Parks is very generous.

Karen Mullen, Parks and Recreation Director, stated that this Silver Lake property is a very important piece of open space, and introduced Tom Gribbin who represents Moya Lear and has been working with staff on this project.

Mr. Gribbin stated that they have been working on this project for many years; that meeting with Bill Whitney and Karen Mullen has been a pleasure; that this is a giant step forward in public-private relationships; that the Boy Scouts of America are going to be donating a tremendous number of hours in putting in paths and signs; and that this is a really great thing for the North Valleys area. He stated that he wanted to thank staff for their efforts and Moya Lear for her kind and generous donation.

Upon recommendation of Ms. Mullen, on motion by Commissioner Bond, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Galloway ordered that donations of approximately 346.8 acres of Silver Lake properties from Learen (Moya Lear) to preserve the lake, playa and wetland habitats and to establish a nature trail for the citizens of Washoe County be accepted with the Board's gratitude. It was further ordered that the Chairman be authorized to execute the appropriate documents upon receipt.

**99-143 ACCEPTANCE OF DONATION - SHERIFF'S OFFICE HONOR GUARD - BOWL-A-THON**

Upon recommendation of Sheriff Richard Kirkland, on motion by Commissioner Bond, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Galloway ordered that donations totaling \$145.00 for the Sheriff's Office be accepted. It was noted that these funds are the total contributions earned from the proceeds of the Sheriff's Office Honor Guard Bowl-a-thon conducted January 23 and 24, 1999.

**99-144 ACCEPTANCE OF GRANT - ATTORNEY GENERAL - VIOLENCE AGAINST WOMEN ACT - VICTIM ADVOCATE PROGRAM AND EQUIPMENT - SHERIFF**

Upon recommendation of Sheriff Richard Kirkland, on motion by Commissioner Bond, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Galloway ordered that a total of \$38,000 in grant monies from the Office of the Nevada State Attorney General under the Violence Against Women Act be accepted; that capital outlay purchases of equipment such as cameras and film to be used by the first responding Deputies be authorized; and that the following budget adjustments be authorized:

INCREASE REVENUE:		
152489G-4301		\$38,000.00
INCREASE EXPENDITURES:		
152489G-7140	(Victim Advocate)	\$26,000.00
152489G-7245	(Hi Risk Supplies)	5,000.00
152489G-7257	(Photo Supplies)	2,500.00

152489G-7385	(Training)	2,700.00
152489G-7620	(Travel)	1,800.00
		\$38,000.00

It was noted that there is a 25 percent match requirement that will be satisfied by in-kind donation as the salary of the Investigators will more than cover it and that the funds will be used to support a project to dedicate a victim advocate for victims of domestic violence.

**99-145 AUTHORIZE CAPITAL OUTLAY PURCHASE - SHERIFF**

Upon recommendation of Sheriff Richard Kirkland, on motion by Commissioner Bond, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Galloway ordered that the capital outlay purchase of an Instrument Technologies remote viewing camera and accessories, from forfeiture funds, in the total expenditure amount of \$4,310.00, be authorized.

**99-146 WATER RIGHTS DEED - JERRY AND BAMBI VAN DYKE**

Upon recommendation of John Collins, Manager, Utility Services Division Manager, through Ed Schmidt, Director, Department of Water Resources, on motion by Commissioner Bond, seconded by Commissioner Sferrazza, which motion duly carried, it was ordered that the following actions be taken regarding the Van Dyke's parcel map creating APN 84-282-26:

1. The Water Rights Deed for 2.02 acre feet of water rights being all of Permit 63937, between Jerry and Bambi Van Dyke, as Grantor, and Washoe County, as Grantee, be approved and Chairman Galloway be authorized to execute;
2. The Utility Services Division Manager be directed to record the Water Rights Deed with the County Recorder.

**99-147 WATER RIGHTS DEED - WILLIAM WAY WALKER AND SHIRENE J. URTON**

Upon recommendation of John Collins, Manager, Utility Services Division Manager, through Ed Schmidt, Director, Department of Water Resources, on motion by Commissioner Bond, seconded by Commissioner Sferrazza, which motion duly carried, it was ordered that the following actions be taken in support of two parcel maps, one for Herman Adams and one for James Gordon currently a part of APN's 077-320-06 and 077-300-04, respectively:

1. The Water Rights Deed for 3.50 acre feet of water rights being a portion of Permit 53343, between William Way Walker and Shirene J. Urton, as Grantor, and Washoe County, as Grantee, be approved and Chairman Galloway be authorized to execute;
2. The Utility Services Division Manager be directed to record the Water Rights Deed with the County Recorder.

**99-148 WATER RIGHTS DEED - MAC PARTNERS, L.L.C., A NEVADA LIMITED LIABILITY COMPANY - WATER SALE AGREEMENT - SIERRA PACIFIC POWER COMPANY**

Upon recommendation of John Collins, Manager, Utility Services Division Manager, through Ed Schmidt, Director, Department of Water Resources, on motion by Commissioner Bond, seconded by Commissioner Sferrazza, which motion duly carried, it was ordered that the following actions be taken regarding the Sun Valley Commercial Center:

1. The Water Rights Deed for 2.70 acre feet of surface water rights from a portion of Claim 83, further changed by Application 63887, between Mac Partners, L.L.C., as Grantors, and Washoe County, as Grantee, be approved and Chairman Galloway be authorized to execute;
2. The Water Sale Agreement between Sierra Pacific Power Company and Washoe County be approved and Chairman Galloway be authorized to execute; and

3. The Utility Services Division Manager be directed to record the Water Rights Deed and Water Sale Agreement with the County Recorder.

**99-149 WATER RIGHTS DEED AND WATER SALE AGREEMENT - SIERRA PACIFIC POWER COMPANY**

Upon recommendation of John Collins, Manager, Utility Services Division Manager, through Ed Schmidt, Director, Department of Water Resources, on motion by Commissioner Bond, seconded by Commissioner Sferrazza, which motion duly carried, it was ordered that the following actions be taken in support of a commercial project consisting of McChevron Gas Station, Mini-Mart and McDonalds in Sun Valley:

1. The Water Rights Deed and Water Sale Agreement for 3.43 acre feet of surface water rights from a portion of Permit 25444, formerly Truckee River Claim 67, further changed by Application 64728, between Sierra Pacific Power Company and Washoe County be approved;
2. Chairman Galloway be authorized to execute the Water Rights Deed and Water Sale Agreement; and
3. The Utility Services Division Manager be directed to record the Water Rights Deed and Water Sale Agreement with the County Recorder.

**99-150 CORRECTION OF FACTUAL ERRORS - 1998-99 SECURED AND UNSECURED TAX ROLLS**

Upon recommendation of Jean Tacchino and Tom Sokol, Assistant Chief Deputy Assessors, on motion by Commissioner Bond, seconded by Commissioner Sferrazza, which motion duly carried, it was ordered that the following Roll Change Requests, correcting factual errors on tax bills already mailed, be approved for the reasons stated thereon and mailed to the affected property owners, 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 Chairman Galloway be authorized to execute on behalf of the Commission.

Edwin S. & Carol A. Rousseau	Parcel No. 049-312-10	(1998/99 Secured Roll)
John Dc Coffee	I.D. #2/100-788	(1998/99 Unsecured Roll)
Sagewinds Taxes & Ledgers	I.D. #2/102-633	(1998/99 Unsecured Roll)
Sierra Nevada Reports	I.D. #2/110-160	(1998/99 Unsecured Roll)
American Ad Co.	I.D. 2/110-313	(1998/99 Unsecured Roll)
Auto Masters	I.D. #2/130-296	(1998/99 Unsecured Roll)
The Bagel Stand Co.	I.D. 2/203-269	(1998/99 Unsecured Roll)
Lous Wayside Cafe	I.D. #2/210-261	(1998/99 Unsecured Roll)
Transcapital Corp.	I.D. #2/191-684	(1998/99 Unsecured Roll)
Advanced Design Inc.	I.D. 2/176-062	(1998/99 Unsecured Roll)
Ron Trombly Construction	I.D. #2/174-003	(1998/99 Unsecured Roll)
Mary Cannon CPM	I.D. #2/169-150	(1998/99 Unsecured Roll)
First Mortgage Corporation	I.D. #2/150-069	(1998/99 Unsecured Roll)
Harold & Gorden Waugh	I.D. #2/214-003	(1998/99 Unsecured Roll)
Bruns Flooring Supply	I.D. #2/251-061	(1998/99 Unsecured Roll)
Martin Religious Articles	I.D. #2/293-367	(1998/99 Unsecured Roll)
Color Tile #8983	I.D. #2/274-004	(1998/99 Unsecured Roll)
Cypress	I.D. #2/319-182	(1998/99 Unsecured Roll)
Affordable Axle	I.D. #2/574-008	(1998/99 Unsecured Roll)

**99-151 LAW LIBRARY ANNUAL REPORT - REAPPOINTMENTS - LAW LIBRARY BOARD OF TRUSTEES**

Upon recommendation of Sandy Marz, Law Library Director, on motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, Chairman Galloway ordered that the 1997-98 Annual Report for the Law Library be accepted.

It was further ordered that Bruce Beesley and Scott Buell be reappointed to the Law Library Board of Trustees for a second term.

**99-152 UPDATE ON CENSUS 2000 - DEPARTMENT OF COMMUNITY DEVELOPMENT**

Bob Webb, Department of Community Development, provided brief background information on the progress of the Census 2000 Program Team, stating that they have completed two parts of the census program to date.

Commissioner Sferrazza stated that a consultant was hired to work on the Commissioner Districts and asked if that was totally separate from this. Mr. Webb stated that it is a separate function; and that staff is working on that contract for future Board consideration concerning redistricting and future census work. He also stated that a complete count is not necessary for redistricting.

Upon recommendation of Mr. Webb and Bob Harmon, Public Information Officer, on motion by Commissioner Bond, seconded by Commissioner Sferrazza, which motion duly carried, it was ordered that the progress report and update on the Census 2000 Program be accepted and that the following resolution be adopted and duly executed:

**RESOLUTION WASHOE COUNTY CENSUS 2000**

WHEREAS, The Census is vital to our community in that it determines the apportionment of seats in the United States House of Representatives and the Nevada State Legislature, and is the basis for the allocation of millions of dollars of federal, state, and county funds for transportation, social and other programs; and

WHEREAS, The Census is also used to help determine where to locate schools, day care centers, senior citizen centers, hospitals, and other facilities and is used to make decisions concerning business growth and jobs; and

WHEREAS, in Washoe County we are committed to a full and accurate Census count and are placing special emphasis on enumerating members of population groups traditionally undercounted; and

WHEREAS, Washoe County understands that its primary role in this partnership is to formulate a COMPLETE COUNT COMMITTEE whose duties would include, but not limited to, development of a public information program to gather support for and completion of the Census 2000 project; now, therefore, be it

RESOLVED, That the Washoe County Board of Commissioners hereby gives full support of and participation in the overwhelming success of Census 2000 through the formulation of a COMPLETE COUNT COMMITTEE.

**99-153 RENO-SPARKS INDIAN COLONY - TRUST APPLICATION AND RULING BY INTERIOR BOARD OF INDIAN APPEALS - VERDI PROPERTY**

Katy Simon, County Manager, noted the agenda memorandum from Deputy District Attorney Maureen Sheppard-Griswold concerning the Interior Board of Indian Appeals ruling on the County's appeal of the decision to take the 1.1 acre Verdi parcel in trust for the Reno-Sparks Indian Colony and stated that staff is looking for Board direction with regard to any future action on this matter.

Commissioner Bond stated that she has met with the residents of Verdi and that their issue has always been that this is a smokeshop, but cigarettes are being sold right down the road.

Following discussion, on motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, Chairman Galloway ordered that the decision be accepted and that the County file no further proceedings in this case.

**99-154 SPHERE CHANGE REQUEST - GOLDEN VALLEY**

Katy Simon, County Manager, stated that discussion was held on the City of Reno sphere change request in Golden Valley at the last meeting and it is being brought back for further Board discussion and/or direction to staff.

Commissioner Sferrazza moved that the County oppose the sphere change request in Golden Valley and that staff appear at the Regional Planning Commission when that body considers this sphere change request to express the County's opposition. The motion was seconded by Commissioner Bond, and, upon call for the vote, carried unanimously.

**99-155 PROPOSED REORGANIZATION OF WASHOE COUNTY GOVERNMENT**

Katy Simon, County Manager, provided background information on the Board's action of November 24, 1998, approving a reorganization plan that included three assistant county manager positions. She stated that when she discussed this with Howard Reynolds, Assistant County Manager, Mr. Reynolds was concerned that supervising several departments while at the same time conducting contract negotiations with the employee groups would be too great a workload to do justice to both responsibilities; and that they are recommending that the proposed reorganization be modified so that there are two assistant county manager positions and a labor relations manager position.

Upon inquiry of Chairman Galloway, Ms. Simon stated that the labor relations manager would also direct Personnel.

A lengthy discussion then ensued concerning the fiscal impacts of this recommendation and the other recommendations concerning reorganization later on this same agenda. Ms. Simon explained that some of the positions are already included in the budget, but are currently vacant, and the fiscal impact is the impact on the budget.

Joanne Ray, Chief of Personnel, distributed handouts to the Board detailing how the fiscal impact was calculated and stated that when that was done back in November, they were also looking at elimination of the Assistant Director position in General Services, so those personnel costs were also deducted. Commissioner Sferrazza stated that the actual impact then for the two assistant county managers plus a labor person is \$208,000, and for three assistant county managers is \$244,000. Ms. Simon confirmed that that would be correct.

Commissioner Sferrazza asked where the County is going to get this money, noting that he had been told at a meeting before he was seated that the County was going to have a \$4-million shortfall. Ms. Simon stated that at that meeting what they were outlining was not a shortfall in the budget, but a shortfall in the revenue projections. She added that sales tax revenues have been coming in fairly well; that there is in excess of \$1,000,000 in contingency; and that the County does have the resources to make these changes without negatively impacting the budget.

Commissioner Sferrazza asked what the total actual salary will be for the assistant county manager positions, the Comptroller, and the finance director position.

Howard Reynolds, Assistant County Manager, stated that the Deputy County Manager, which was Ms. Simon's old position and is still a vacant position, is \$109,387; and that his salary as Assistant County Manager is \$98,967. Joanne Ray advised that the Comptroller's salary is \$89,668; and that the finance director position is being plugged in approximately 10 percent above that.

Mr. Reynolds asked that the Board just look at the recommendation for this item; that last November the Board approved three deputy county manager positions at \$109,387 each; and that if you change that to two deputy county managers and a labor relations position, the savings for this is \$35,800.

Commissioner Short requested a salary survey comparing Washoe County to other government entities.

In response to Chairman Galloway, Ms. Simon stated that if recruitment began immediately, it would probably be May or June before people are on board.

Upon recommendation of County Manager Katy Simon, on motion by Commissioner Shaw, seconded by Chairman Galloway, which motion duly carried with Commissioner Sferrazza voting "no," it was ordered that the proposed reorganization of Washoe County government approved November 24, 1998, to include three assistant county managers be modified to two assistant county managers and a labor relations manager.

Commissioner Sferrazza stated that it has always been his position that no public official should earn more than the Governor of the State of Nevada, therefore, he cannot support the motion.

**99-156 BILL NO. 1231 - AMENDING WCC CHAPTER 5 - ASSISTANT COUNTY MANAGER POSITIONS**

Bill No. 1231, entitled, "AN ORDINANCE REPEALING AND AMENDING CERTAIN SECTIONS OF THE WASHOE COUNTY CODE TO ELIMINATE THE POSITIONS OF ASSISTANT COUNTY MANAGER FOR FINANCE AND ASSISTANT COUNTY MANAGER FOR PERSONNEL AND BY ADDING PROVISIONS CREATING ASSISTANT COUNTY MANAGER POSITIONS, PROVIDING FOR THE APPOINTMENT OF ASSISTANT COUNTY MANAGERS, AND OTHER MATTERS PROPERLY RELATING THERETO" was introduced by Commissioner Bond, the title read to the Board and legal notice for final action of adoption directed.

**99-157 BILL NO. 1232 - AMENDING WCC CHAPTER 5 - CREATES COMMUNITY RELATIONS DIRECTOR AND PROGRAMS RELATING TO STRATEGIC PLANNING AND LEGISLATIVE/GOVERNMENT AFFAIRS - MANAGER'S OFFICE**

Bill No. 1232, entitled, "AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY ADDING PROVISIONS CREATING CERTAIN PROGRAMS AND POSITIONS WITHIN THE COUNTY MANAGER'S OFFICE, INCLUDING A COMMUNITY RELATIONS PROGRAM AND THE POSITION OF COMMUNITY RELATIONS DIRECTOR, MANAGEMENT ANALYSIS PROGRAM, AND PROGRAMS RELATING TO STRATEGIC PLANNING AND LEGISLATIVE/GOVERNMENT AFFAIRS, PROVIDING FOR THE CREATION OF PROGRAM MANAGERS AND THE APPOINTMENT THEREOF, AND OTHER MATTERS PROPERLY RELATING THERETO" was introduced by Commissioner Bond, the title read to the Board and legal notice for final action of adoption directed.

Sam Dehne stated that as a tax paying citizen, he is very concerned about government creating community relations programs; that the City of Reno started this about three years ago with one person at about \$50,000; that they now have eight people, with the head of it making \$100,000, and there's an assistant, and they are spending millions. He stated that he would hope the County puts a limit on this.

A discussion ensued concerning the purpose of this ordinance and the program as it currently exists. Legal Counsel Maureen Griswold stated that this is simply to codify existing programs and set up their structure in the Manager's Office.

Commissioner Sferrazza asked that when this is brought back for final adoption that he be provided the salary ranges of all these positions. Katy Simon, County Manager, stated that the salaries are in the budget document and that she would be glad to meet with the Commissioner and go over all of that. Commissioner Sferrazza stated that it appears to him that these organizational changes seem to be justifying salary increases, which increases the budget.

**99-158 BILL NO. 1233 - AMENDING WCC CHAPTERS 80 & 110 - CREATING DEPARTMENT OF BUILDING AND SAFETY AND COUNTY BUILDING OFFICIAL POSITION**

Bill No. 1233, entitled, "AN ORDINANCE REPEALING CERTAIN SECTIONS OF THE WASHOE COUNTY CODE RELATING TO THE BUILDING AND SAFETY DIVISION, AND BY ADDING PROVISIONS CREATING THE DEPARTMENT OF BUILDING AND SAFETY, PROVIDING FOR THE APPOINTMENT OF A COUNTY BUILDING OFFICIAL BY THE BOARD OF COUNTY COMMISSIONERS, PROVIDING FOR THE DUTIES OF THE COUNTY BUILDING OFFICIAL, AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO" was introduced by Commissioner Bond, the title read to the Board and legal notice for final action of adoption directed.

**99-159 BILL NO. 1234 - AMENDING WCC CHAPTER 15 - CREATING DEPARTMENT OF FINANCE AND POSITION OF DIRECTOR OF FINANCE**

Bill No. 1234, entitled, "AN ORDINANCE REPEALING AND AMENDING CERTAIN SECTIONS OF THE WASHOE COUNTY CODE AND BY ADDING PROVISIONS CREATING THE DEPARTMENT OF FINANCE, CREATING DIVISIONS WITHIN THE DEPARTMENT OF FINANCE, INCLUDING THE BUDGET DIVISION, THE COLLECTIONS DIVISION, THE RISK MANAGEMENT DIVISION AND THE OFFICE OF THE COMPTROLLER, AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO" was introduced by Commissioner Bond, the title read to the Board and legal notice for final action of adoption directed.

**99-160 BILL NO. 1235 - AMENDING WCC CHAPTER 65 - REORGANIZING THE DIVISION OF EMERGENCY MANAGEMENT INTO COUNTY MANAGER'S OFFICE**

Bill No. 1235, entitled, "AN ORDINANCE AMENDING WASHOE COUNTY CODE TO REORGANIZE THE DIVISION OF EMERGENCY MANAGEMENT INTO A PROGRAM IN THE COUNTY MANAGER'S OFFICE AND BY REVISING PROVISIONS RELATING TO THE APPOINTMENT OF THE EMERGENCY MANAGEMENT ADMINISTRATOR, AND OTHER MATTERS PROPERLY RELATING THERETO" was introduced by Commissioner Bond, the title read to the Board and legal notice for final action of adoption directed.

**99-161 BILL NO. 1236 - AMENDING WCC CHAPTER 5 - REORGANIZING PERSONNEL DIVISION INTO DEPARTMENT OF HUMAN RESOURCES & CREATING POSITION OF DIRECTOR OF HUMAN RESOURCES**

Bill No. 1236, entitled, "AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY REORGANIZING THE PERSONNEL DIVISION INTO A DEPARTMENT OF HUMAN RESOURCES, BY ELIMINATING THE CHIEF OF PERSONNEL ADMINISTRATION AND CREATING THE POSITION OF THE DIRECTOR OF HUMAN RESOURCES, PROVIDING FOR THE APPOINTMENT OF THE DIRECTOR OF HUMAN RESOURCES, BY ELIMINATING CERTAIN DUTIES OF THE PERSONNEL COMMITTEE, AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO" was introduced by Commissioner Bond, the title read to the Board and legal notice for final action of adoption directed.

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County Manager Katy Simon had to temporarily leave the meeting and Howard Reynolds, Assistant County Manager, took over for her.

\* \* \* \* \*

**99-162 ESTABLISH TWO NEW EMPLOYEE CLASSIFICATIONS - DIRECTOR OF FINANCE AND BUDGET MANAGER - PERSONNEL**

Joanne Ray, Personnel Division, provided background information on this item and answered questions of the Board.

Commissioner Sferrazza stated that he believes the Governor's salary is \$95,000, therefore, he cannot support the \$98,000 top of the salary range.

Upon recommendation of Ms. Ray, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried with Commissioner Sferrazza voting "no," Chairman Galloway ordered that the following new unclassified management classifications and salary ranges be approved:

Class			Salary
Title	Code	Grade	Salary Range
Director of Finance	9047	M085	\$79,185.60 -
			\$98,966.40
Budget Manager	0152	M050	\$63,398.40 -
			\$79,227.20

It was further ordered that the existing classification of Director of Budget and Finance (class code 9407) be abolished.

\* \* \* \* \*

Katy Simon, County Manager, returned to the meeting.

\* \* \* \* \*

**99-163 APPROVAL OF NEW POSITION FOR BUDGET MANAGER**

Upon recommendation of Katy Simon, County Manager, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Galloway ordered that a new position of Budget Manager to oversee the daily operations of the Budget Division be approved.

**99-164 RECONSIDERATION OF REGIONAL PLAN AMENDMENT - SOUTH VIRGINIA CORRIDOR SPHERE OF INFLUENCE BOUNDARY CHANGE - COMMUNITY DEVELOPMENT**

Dean Diederich, Planning Manager, provided procedural information on reconsideration of the South Virginia Corridor Sphere of Influence Boundary Change and submittal of the Regional Plan Amendment approved by the Board on June 23, 1998.

Katy Simon, County Manager, advised that the deadline for submitting regional plan amendments has been moved to April, which gives the Board a little more time to resolve this.

Chairman Galloway drew the Board's attention to the correspondence that he and Ms. Simon sent to the City of Reno, which basically proposes a one-year truce on the sphere amendments, and stated that they are hoping for a positive response from the City.

Commissioner Bond stated that the reason the County and the City are in this dilemma is because of one piece of property located on the South Virginia corridor; that this property owner was assured by a previous County Commissioner and by staff that he was going to be very happy with the results of the planning efforts for the specific plan but the fact is he is not; that this property owner is very restricted on what he can do with his property and how he can do it; and that this situation needs to be resolved. Commissioner Shaw concurred. Chairman Galloway asked if they were suggesting that the specific plan be reconsidered. Commissioner Bond stated that this particular piece of property has to be addressed; and that the people who are trying to keep this property in the specific plan are going to lose what they are trying to maintain if agreements cannot be reached.

Mr. Diederich then displayed graphics on the overhead depicting the current sphere line, the proposed extensions and the boundaries of the specific plan area, and answered questions of the Board concerning height limitations, etc.

Ben Farahi, South Hills Investment Corporation, stated his family has had this property for 18 years; that it originally had C-2 zoning; that in the early 90's the property was included in the specific plan without any input from the property owner; that the line was drawn without even asking them; and that they did not even learn about this for two years, which was about the same time they learned that the height limitation had been reduced to 35 feet. Mr. Farahi further stated that in 1995 the County hired a group from Sacramento to do this plan; that at the very beginning he expressed that he was not interested in the plan and wanted his zoning kept in place; and that former Commissioner Grant Sims and County staff told him the plan would be good, would make it easier for him to develop his property, and he would be happy with the results.

He stated that they then went through two long years of meeting and planning; that about June, 1997, staff did a plan with no input from them; that they expressed their concerns at the Planning Commission meeting and staff was directed at that time to go back and work on it some more; that toward the end of 1997, staff came back with basically the same plan, again with no input from them, which plan was finally approved by the County; and that during this process there were misrepresentations and property owners were held hostage. Mr. Farahi stated that they made a commitment, which they are still making, that if the County can come up with a plan for the west side of South Virginia that is more along the lines of what is happening on the east side, he will not annex this property into the City of Reno; that they have already been waiting for four years; and that he does not see what waiting one more year will accomplish.

Robert Sellman, Department of Community Development Director, responded to the jurisdictional question stating that Reno could exercise control over development of this property if it is in their sphere and they have it in their masterplan.

Following further discussion, on motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, Chairman Galloway ordered that Commission Rule No. 7, concerning reconsideration of previous actions, be suspended.

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Galloway ordered that the Board of County Commissioners' action of June 23, 1998, concerning sponsorship of a Regional Plan Amendment be reconsidered.

Chairman Galloway suggested that reconsideration of the Regional Plan Amendment be continued to next week; that if the other Board members would endorse the letter that he and Ms. Simon sent to Reno, then Reno could view that as the County's position; and that perhaps there might be a favorable response from Reno by next week.

Commissioner Sferrazza stated that he would like to be able to discuss the specific plan also as well as all the alternatives. He suggested that if the area residents are willing to pay for it, this property could be condemned and then kept as open space through a special assessment district.

Commissioner Bond asked if the Farahi property could be taken out of the specific plan. Mr. Diederich stated that the currently adopted plan could be amended; that there would have to be public hearings; and that the Board would then have to adopt a land use designation for the property. Chairman Galloway suggested that the property would not necessarily have to be taken out of the specific plan and, instead, that part of the plan could just be changed to the zoning that Mr. Farahi would accept.

Mr. Farahi stated that the regional plan amendments have to go to the Regional Governing Board; that it will probably be May or June before that body has a hearing; and that if the County agrees to the third point in Reno's letter (sponsorship of a regional plan amendment on the west side of South Virginia Street), and Reno includes that in the sphere amendment, and if the issue of the specific plan is resolved with the County by then, he would ask that it be removed from the agenda at the Regional Governing Board.

Ms. Simon stated that either sponsorship of the regional plan amendment or revisiting the specific plan would require a specific plan amendment and suggested that this be continued to the next meeting. She further stated that an addendum to the next agenda could be done to add a discussion and possible direction to staff concerning the specific plan itself.

Following further discussion, on motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, Chairman Galloway ordered that any action on the County's proposed sphere amendment be held in abeyance; that an addendum be added to the February 23, 1999 agenda to allow the Board to also discuss and possibly provide direction to staff on the South Virginia Corridor Specific Plan; and that further consideration of this matter be continued to next week.

**99-165 LEGISLATIVE UPDATE**

John Slaughter, Strategic Planning Manager, and Joan Lambert, lobbyist, distributed the weekly Legislative Update and brought the Board up to speed on the status of the County's proposed legislation as well as other bills of interest to the County.

Following discussion, on motion by Commissioner Sferrazza, seconded by Commissioner Short, which motion duly carried, Chairman Galloway ordered that the following actions be taken concerning pending legislation:

1. BDR's 32-551, 1-553, and 23-561 be withdrawn;
2. BDR's 21-559 and 22-556 be conditionally withdrawn with the following comment:

Because the Regional Planning Agency has now established a subcommittee to seek resolution or workable compromises to certain annexation-related issues through the regional plan, the County now pledges that it will not initiate or support any annexation-related legislation this session except where there is full consensus between Reno, Sparks, and Washoe County, and that

it will therefore withdraw nonconsensus portions of all its annexation-related BDR's. This pledged action isto be finally effective at such time that the Cities of Reno and Sparks have both notified the County in writing that, in consideration of these withdrawals by the County, they will likewise refrain this session from initiating or supporting any non-consensus annexation-related legislation.

3. The Board supports AB212;
4. AB222 be monitored and staff be directed to determine who requested this legislation.

Mr. Slaughter then advised that AB223 is scheduled for hearing on Friday, February 19th. Commissioner Short moved that the Board support this legislation.

Chairman Galloway stated that he would second the motion but that he would also like to suggest that the motion include support of an amendment that would allow for the earliest possible seating of newly elected members of local government bodies. Commissioner Sferrazza stated that he would support the amendment, but that he does not support the bill as currently written. Ms. Lambert advised that the legislative rules do not allow that kind of amendment because it is a total and complete change of the bill.

Commissioner Sferrazza stated that if what the Board wants is to end lame-duck sessions, then that is what they should be trying to do; that he does not support what happened with the sales tax, but on the other hand, people are elected to make decisions during their term of office; and that precluding a body from making decisions is not appropriate. He further stated that he has a problem with section (b) and could only support the bill if that were deleted and if "unanimous" in Section 2 was changed to "majority." Commissioner Shaw stated that he knows what Chairman Galloway is trying to do, but he does not believe this bill will accomplish that as it is written. Commissioner Bond stated that she does not want to make her support contingent upon an amendment that may or may not occur.

Chairman Galloway stated that there is a motion and a second on the floor. Commissioner Sferrazza stated that he would like to move to amend the motion to indicate that he would prefer to support the elimination of the lame-duck session by having the new County Commission sworn in immediately at the first meeting after the election; and that, in the event that cannot be done, he would only support this with the elimination of paragraph (b) and amending paragraph 2 to provide for a majority vote. Commissioner Short stated that he would withdraw his original motion and second Commissioner Sferrazza's motion. Chairman Galloway stated that as he understands this now, this action will allow Board members to go to the legislature and express their support for the amendment or, if it is not amended, express that Board members have problems with certain sections; and that Board members could express their individual opinions as well.

Commissioner Sferrazza stated that he thought the Board was going to speak as a Board and not allow individual opinions. Chairman Galloway stated that he would rather the Board have no position on the bill at all if it precludes individual opinions. Commissioner Shaw stated that he was uncomfortable about this because it puts conditions on future Boards. Chairman Galloway asked Commissioner Sferrazza if he would amend the motion to the Board taking no action. Commissioner Sferrazza stated that he did tell Assemblywoman Gibbons that he would support the amendment. Chairman Galloway asked if he would amend his motion to just support the amendment. Commissioner Bond stated that a bill with such an amendment does not currently exist and may never exist.

Chairman Galloway stated that Board members could go to the legislature and say that they support a change. Commissioner Sferrazza stated that he thought there had to be a majority vote of the Board concerning legislation. Chairman Galloway stated that the Board does not have to take a position and individual Board members can go to the legislature and express their opinion. Ms. Lambert stated that the Board could have a position that they would support an amendment and maybe they would draft another bill.

Commissioner Sferrazza moved that the Board has no position on AB223 as written, but would support the bill with an amendment that would end lame-duck sessions. The motion was seconded by Commissioner Short. Ms. Lambert stated that the County needs to speak with one voice or it will not be heard at all. Commissioner Bond stated that she believes these are two different bills and cannot be put together in the same piece of legislation. Ms. Lambert stated that it would be better if the Board took a position one way or the other on the legislation as written. Commissioner Sferrazza stated that he thinks that would offend the Assemblywoman. Chairman Galloway stated that if the Board takes no position, then individual Board members can go to the hearing and the lobbyist

would not be involved.

Commissioner Sferrazza stated that he would try another motion because he told the Assemblywoman that he would support it, but he thought she was going to amend it. He then moved that the Board support AB223 with an amendment that the County Commission will take office at the first regular meeting after the election and that in the event the amendment fails, then the Board supports the bill. Commissioner Short seconded the motion. Chairman Galloway then called for the vote and the motion passed 3 to 2 with Commissioners Bond and Shaw voting "no."

#### **COMMISSIONERS' /MANAGER'S COMMENTS**

Commissioner Bond stated that there is a situation in Sun Valley where the only bank that serves a community of 15,000 people, Wells Fargo, is seriously considering closing; that her constituents really do not want that branch to close; and that she has a commitment from Bob Lissner, Lifestyle Homes, that he will keep his accounts with that bank even after he has completed his buildout in Sun Valley if Wells Fargo will keep that branch open. She requested that the Board adopt a resolution at a future meeting encouraging Wells Fargo to keep the Sun Valley branch open.

#### **COMMUNICATIONS AND REPORTS**

##### **99-166 Communications**

A. Resolutions adopted jointly by the Nevada Cattlemen's Association and Nevada Woolgrowers Association at their joint convention in Sparks, Nevada on November 14, 1998, as follows:

- 1) Protection of water resources of impacted counties.
- 2) Control and eradication of noxious weeds.
- 3) Promotion of non-use on public grazing allotment due to drought conditions.
- 4) Consideration given explicitly to natural resource dependent communities in the public land planning process.
- 5) Encouragement to the Department of Defense and the various National Guard agencies to cooperate and coordinate to make maximum effective use of existing training installations before new or expanded facilities are proposed.
- 6) Urging each county commission to maintain a Public Land Advisory Committee.
- 7) Intensification of rangeland monitoring in accordance with recommendations by the range science community embodied by professional associations and land grant universities.
- 8) Encouragement to the Attorney General of Nevada to ensure compliance by the appropriate state agencies with the Takings Implication Assessment developed by that office.

B. From the State Department of Human Resources Health Division, Amendments to Ryan White Title II Consortium Services Subgrant Award #RW21-98, the original agreement dated April 14, 1998, Item No. 98-313.

C. Letter from the City of Sparks City Clerk advising that Ms. Laurie-Ann Squartsoff has been appointed to the District Board of Health to a term ending December 31, 2002.

D. From the Nevada Department of Transportation, concerning Contract No. 2918 for the Bridge Structures at the IR 580, IR 80, and US 395 interchanges in Reno and on SR 648, Glendale Avenue, at the Truckee River Bridge, including special provisions, proposal and bond. Accurate Companies LLC, Contractor, forwarded to Public Works January 14, 1999.

E. Annual Claims Report for the Truckee Meadows Fire Protection District for 1998, as required under NRS 41.

##### **99-167 Reports - Monthly (December 1998)**

- A. Animal Control
- B. County Clerk

- C. Court Clerk
- D. Social Services (also November 1998)

**99-168 Reports - Quarterly - 1998/1999**

- A. Constable, Reno, Oct-Nov-Dec, 1998
- B. Court Clerk/County Clerk, Oct-Nov-Dec, 1998
- C. J.P. Incline Village/Crystal Bay, Oct-Nov-Dec, 1998
- D. J.P. of Sparks, Oct-Nov-Dec, 1998
- E. J.P. of Verdi, Oct-Nov-Dec, 1998
- F. Verdi Television District, Jul-Aug-Sep, 1998
- G. Washoe County, Oct-Nov-Dec, 1998

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There being no further business to come before the Board, the meeting adjourned at 2:00 p.m.

JIM GALLOWAY, Chairman  
Washoe County Commission

ATTEST: AMY HARVEY, County Clerk

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