

**BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA**

TUESDAY

2:00 P.M.

OCTOBER 24, 2000

PRESENT:

**Ted Short, Chairman**  
**Jim Shaw, Vice Chairman**  
**Joanne Bond, Commissioner**  
**Jim Galloway, Commissioner**  
**Pete Sferrazza, Commissioner (arr @ 2:10 p.m.)**

**Amy Harvey, County Clerk (left @ 2:45 p.m.)**  
**Katy Singlaub, 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:

**00-1014      AGENDA**

In accordance with the Open Meeting Law, on motion by Commissioner Bond, seconded by Commissioner Galloway, which motion duly carried with Commissioner Sferrazza absent, Chairman Short ordered that the agenda for the October 24, 2000, meeting be approved.

**PUBLIC COMMENTS**

Al Hesson, area resident, expressed his concern about the Regional Justice Facility and said he would encourage voters to vote no on the bond issue. He suggested a better proposal regarding the courts be provided to the voters before putting this bond issue on the ballot.

**MINUTES**

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried with Commissioner Sferrazza absent, Chairman Short ordered that the minutes of the joint meeting of September 25, 2000, and regular meeting of September 26, 2000; and, amended/corrected minutes for the special meeting of September 7, 2000, be approved.

**00-1015      DONATION – SAVIN MODEL DESKTOP PHOTOCOPIER – SIERRA PACIFIC POWER COMPANY – SHERIFF’S DEPARTMENT**

Upon recommendation of Dennis Balaam, Sheriff, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried with Commissioner Sferrazza absent, Chairman Short ordered that the donation from Sierra Pacific Power Company, of a Savin Model 9130Z desktop photocopier, valued at \$500, to be used by the Sheriff’s Office Search and Rescue Unit, be accepted with gratitude.

**00-1016      TRANSFER OF BUDGET APPROPRIATIONS – PAINT STRIPER – GENERAL SERVICES DEPARTMENT**

Upon recommendation of Anna Heenan, Senior Administrative Analyst, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried with Commissioner Sferrazza absent, Chairman Short ordered that the following transfer of budget appropriations for the purchase of a paint striper, in the amount of \$4,295, be approved and the Comptroller be directed to make the following adjustment:

<b>Decrease</b>	<b>Increase</b>
1619-7160 R&M General \$4,295	1619-7825 Misc. Special Equipment \$4,295

**00-1017      HEALTH DEPARTMENT BUDGET ADJUSTMENTS – FINANCE DEPARTMENT**

Upon recommendation of Anna Heenan, Senior Administrative Analyst, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried with Commissioner Sferrazza absent, Chairman Short ordered that the following adjustments to the Health Department Budget, be approved and the Comptroller be directed to make the following adjustments:

<b>DECREASE</b>			<b>INCREASE</b>	
<i>Community Clinical Health Services</i>			<i>Tuberculosis Program</i>	
Base Pay	17110-7001	\$32,906	17140-7001	\$32,906
Longevity	17110-7004	\$1,150	17140-7004	\$1,150
Health Insurance	17110-7042	\$3,120	17140-7042	\$3,120
Medicare	17110-7050	\$494	17140-7050	\$494
Retirement	17110-7048	\$6,386	17140-7048	\$6,386
<i>Community Clinical Health Services</i>			<i>Field Nursing</i>	
Base Pay	17110-7001	\$566,314	17060-7001	\$743,277
Longevity	17110-7004	\$10,200	17060-7004	\$10,950
Health Insurance	17110-7042	\$36,000	17060-7042	\$48,000
Dependent Insurance	17110-7043	\$15,112	17060-7043	\$17,001
Retirement	17110-7048	\$108,107	17060-7048	\$141,431
Medicare	17110-7050	\$8,368	17060-7050	\$10,947
Audio Visual Aids	17110-7204	\$150	17060-7204	\$150

Minor Furniture	17110-7205	\$225	17060-7205	\$225
Educational Materials	17110-7230	\$375	17060-7230	\$375
Medical Supplies	17110-7247	\$188	17060-7247	\$188
Office Supplies	17110-7250	\$750	17060-7250	\$750
Postage & Express	17110-7261	\$150	17060-7261	\$150
Auto Expense	17110-7307	\$6,750	17060-7307	\$6,750
Copy Machine	17110-7322	\$375	17060-7322	\$375
Printing	17110-7357	\$750	17060-7357	\$750
Licenses & Permits	17110-7358	\$1,125	17060-7358	\$1,125
Registration	17110-7364	\$1,125	17060-7364	\$1,125
Special Dept Expense	17110-7376	\$1,313	17060-7376	\$1,313
Telephone	17110-7382	\$3,000	17060-7382	\$3,000
Laundry	17110-7396	\$750	17060-7396	\$750
<i>Sexually Transmitted Disease</i>				
Base Pay	17130-7001	\$145,075		
Longevity	17130-7004	\$750		
Health Insurance	17130-7042	\$9,600		
Dependent Insurance	17130-7043	\$1,889		
Retirement	17130-7048	\$27,344		
Medicare	17130-7050	\$2,116		
<i>Immunization Control</i>				
Base Pay	17350-7001	\$31,888		
Health Insurance	17350-7042	\$2,400		
Retirement	17350-7048	\$5,980		
Medicare	17350-7050	\$463		
<b>Total Adjustments</b>		<b>\$1,032,688</b>		<b>\$1,032,688</b>

**00-1018            BUDGET APPROPRIATION TRANSFER – INFORMATION TECHNOLOGY – TELECOMMUNICATIONS**

Upon recommendation of Anna Heenan, Senior Administrative Analyst, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried with Commissioner Sferrazza absent, Chairman Short ordered that the budget appropriations transfer of \$17,900 from account 1084-7381 Information Technology to account 1625-7382 Reimbursable Telephone, be acknowledged and the Comptroller be directed to make the adjustments in fiscal year 2000/2001. It was further ordered that the adjustments be part of the base budget starting fiscal year 2000/2001.

**00-1019            PROPOSED AMENDMENT – FY 2000/2001 AIR QUALITY MANAGEMENT PROGRAM BUDGET**

Upon recommendation of Barbara Hunt, District Health Officer, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried with Commissioner Sferrazza absent, Chairman Short ordered that the proposed

amendment to the Air Quality Management Program Budget be approved and the Comptroller be directed to make the following adjustments:

<b>Account Number</b>	<b>Description</b>	<b>Amount of Increase</b>
002-1700-17230-7140	Other Professional Services	\$(26,000)
7851	Vehicles	\$26,000
	<b>Total</b>	<b>\$ -0-</b>

**00-1020      HUMAN SERVICES SUPPORT SPECIALIST – POSITION CONTROL 216 – HEALTH DEPARTMENT**

It was noted that during the 2000/2001 budget process the Health Department received notice from the state that the grant award for the Women, Infant and Children (WIC) program would be decreased. Due to the decrease in the grant award and workload, three positions were eliminated effective October 1, 2000, one of which was the Human Services Support Specialist Supervisor (HSSS) position control 216. However, since position number 216-HSSS-Supervisor was the supervisor for the Sun Valley WIC location, they will not have a supervisor. Approval of this item will give back the supervisor position that is needed and eliminate a Human Services Support Specialist position.

Upon recommendation of Anna Heenan, Senior Administrative Analyst, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried with Commissioner Sferrazza absent, Chairman Short ordered that position number 170 Human Services Support Specialist be abolished and position number 216 Human Services Support Specialist-Supervisor not be abolished.

**00-1021      NEW CLASSIFICATION – INCLINE JUSTICE COURT – JUSTICE SUPPORT SPECIALIST (ON-CALL) – STANDBY PAY TO JUSTICE SUPPORT SPECIALIST**

Upon recommendation of Brian Mirch, Senior Administrative Analyst, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried with Commissioner Sferrazza absent, Chairman Short ordered that a new classification for the Incline Justice Court, Justice Support Specialist (On-Call), with an hourly salary range of \$10.80 - \$16.20 be approved. It was further ordered that the Justice Support Specialists receive standby pay that was approved in the 2000/2001 budget in the amount of \$25 per 12-hour shift on a rotational basis of one deputy per shift.

It was noted there is \$11,700 budgeted to fund a total of 9 shifts per week in fiscal year 2000/2001, and the standby pay will be retroactive to July 1, 2000.

**00-1022      QUITCLAIM DEED – ALENA WAY – WASHOE COUNTY  
SCHOOL DISTRICT**

Upon recommendation of James Gale, Sr. Property Agent, through Dave Roundtree, Public Works Director, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried with Commissioner Sferrazza absent, it was ordered that the Quitclaim Deed (Alena Way) from the Washoe County School District be approved and Chairman Short be authorized to execute.

**00-1023      EASEMENT – JOHN SHAW FIELD FOUNDATION – PUBLIC  
WORKS**

Upon recommendation of James Gale, Sr. Property Agent, through Dave Roundtree, Public Works Director, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried with Commissioner Sferrazza absent, it was ordered that the two Grants of Easement to the John Shaw Field Foundation be approved and Chairman Short be authorized to execute.

It was noted the drainage easement is located on an existing Washoe County well site and is required to provide adequate drainage for Fieldcreek Unit 12A and to protect existing adjacent lots in Whites Creek Estates Unit 2. The emergency access easement is located on vacant Washoe County property and required to provide emergency access from Fieldcreek Unit 12A to Arrowcreek Parkway. This easement is a condition on the development of Fieldcreek Unit 12A.

**00-1024      EASEMENT – SIERRA PACIFIC POWER COMPANY – PUBLIC  
WORKS**

Upon recommendation of James Gale, Sr. Property Agent, through Dave Roundtree, Public Works Director, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried with Commissioner Sferrazza absent, it was ordered that the Grant of Easement to Sierra Pacific Power Company be approved and Chairman Short be authorized to execute.

It was noted that this easement is needed to provide power to the Sun Valley Teen Center and Ball Fields.

**00-1025      CORRECTION OF FACTUAL AND CLERICAL ERRORS ON  
TAX ROLLS – ASSESSOR**

Upon recommendation of Jean Tacchino, Assistant Chief Deputy Assessor, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried with Commissioner Sferrazza absent, it was ordered that the following Roll Change Requests correcting factual errors on tax bills already mailed, be approved for the reasons indicated thereon and mailed to the property owners, a copy of which is placed on file with the Clerk. It was further ordered that the Orders directing the Treasurer to

correct the errors be approved and Chairman Short be authorized to execute on behalf of the Commission.

Jacob & Arezou Saeedi, et al.--Parcel #019-242-06 [\$6,995.54] (2000 Secured Roll)  
Jacob & Arezou Saeedi, et al.--Parcel #019-242-06 [\$6,995.55] (1999 Secured Roll)  
Martha A. Burke, Tr.--Parcel #023-194-05 [-\$78.53] (2000 Secured Roll)  
Kent L. & Patricia A. Phillips--Parcel #040-632-04 [-\$164.57] (2000 Secured Roll)  
Glen D. & Rebecca T. Bates--Parcel #041-130-02 [\$232.52] (1999 Secured Roll)  
Glen D. & Rebecca T. Bates--Parcel #041-130-02 [\$232.51] (2000 Secured Roll)  
Sherryl D. Miranda--Parcel #050-371-10 [\$359.24] (2000 Secured Roll)  
Robert C. & Dorothy S. Ramsdell--Parcel #055-210-20 [-\$287.88] (2000 Secured Roll)  
Robert C. & Dorothy S. Ramsdell--Parcel #055-210-20 [-\$283.98] (1999 Secured Roll)  
Robert C. & Dorothy S. Ramsdell--Parcel #055-210-20 [-\$275.94] (1998 Secured Roll)  
Bret V. Ragland, et al.--Parcel #086-572-05 [-\$18.55] (2000 Secured Roll)  
Bret V. Ragland, et al.--Parcel #086-572-05 [-\$18.58] (1999 Secured Roll)  
Calvin G. & Nancy K. Andre, Tr.--Parcel #122-113-09 [-\$2,929.87] (2000 Secured Roll)  
Thomas D. Martin--Parcel #124-063-05 [-\$942.14] (2000 Secured Roll)  
Phoenix Landing, LLC--Parcel #127-030-14 [-\$8,057.76] (2000 Secured Roll)  
Gerald A. & Cecilia R. Hahn--Parcel #200-242-12 [-\$89.51] (2000 Secured Roll)  
Gerald A. & Cecilia R. Hahn--Parcel #200-242-12 [-\$89.51] (1999 Secured Roll)  
Gerald A. & Cecilia R. Hahn--Parcel #200-242-12 [-\$141.44] (1998 Secured Roll)  
Saxton Incorporated--Parcel #510-120-11 [-\$517.70] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-120-12 [-\$493.96] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-120-13 [-\$493.96] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-120-14 [-\$493.96] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-120-15 [-\$493.96] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-120-16 [-\$517.70] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-120-17 [-\$517.70] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-120-18 [-\$493.96] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-120-19 [-\$493.96] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-120-20 [-\$493.96] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-120-21 [-\$493.96] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-120-22 [-\$517.70] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-120-27 [-\$713.80] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-120-28 [-\$720.82] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-120-29 [-\$680.37] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-120-30 [-\$720.82] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-120-31 [-\$680.37] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-120-32 [-\$720.82] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-120-33 [-\$680.37] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-120-34 [-\$756.65] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-120-35 [-\$908.01] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-120-36 [-\$816.42] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-120-37 [-\$865.01] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-120-38 [-\$816.42] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-120-39 [-\$865.01] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-120-40 [-\$856.55] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-120-41 [-\$517.70] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-120-42 [-\$493.96] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-120-43 [-\$493.96] (2000 Secured Roll)

Saxton Incorporated--Parcel #510-120-44 [-\$517.70] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-130-01 [-\$621.24] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-130-02 [-\$592.74] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-130-03 [-\$592.74] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-130-04 [-\$592.74] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-130-05 [-\$592.74] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-130-06 [-\$621.24] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-130-07 [-\$517.70] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-130-08 [-\$493.96] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-130-09 [-\$493.96] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-130-10 [-\$517.70] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-140-13 [-\$414.16] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-140-14 [-\$151.38] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-140-15 [-\$395.17] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-140-16 [-\$395.17] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-140-17 [-\$395.17] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-140-18 [-\$414.16] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-140-19 [-\$403.54] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-140-20 [-\$362.86] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-140-21 [-\$384.42] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-140-22 [-\$362.86] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-140-23 [-\$404.98] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-140-24 [-\$380.68] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-140-25 [-\$403.54] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-140-26 [-\$362.86] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-140-27 [-\$384.42] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-140-28 [-\$380.68] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-140-29 [-\$517.70] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-140-30 [-\$493.96] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-140-31 [-\$493.96] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-140-32 [-\$845.82] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-140-33 [-\$403.54] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-140-34 [-\$362.86] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-140-35 [-\$384.42] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-140-36 [-\$362.86] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-140-37 [-\$384.42] (2000 Secured Roll)  
Saxton Incorporated--Parcel #510-140-38 [-\$380.68] (2000 Secured Roll)

**00-1026            UNCOLLECTIBLE PERSONAL PROPERTY ACCOUNTS**

Upon recommendation of Kathy Garcia, Comptroller, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried with Commissioner Sferrazza absent, Chairman Short ordered that deletion of the Uncollectible Personal Property Accounts, as set forth in the agenda memorandum dated September 19, 2000, and placed on file with the Clerk, be approved.

**00-1027      AWARD OF RFP #2256-2001 – CHILD ABUSE AND NEGLECT  
PREVENTION PLAN – GRANTS ADMINISTRATOR**

This was the time to consider award of RFP, Notice to Bidders for receipt of sealed bids having been published in the Reno-Gazette Journal on August 23 and September 14, 2000, for a Statewide Child Abuse and Neglect Prevention Plan, on behalf of Washoe County. Proof was made that due and legal Notice had been given.

Proposals were received from the following:

Turning Point  
Sherri Rice

Upon recommendation of Sheila Leslie, Grants Administrator, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Short ordered that RFP No. 2256-2001 for a Statewide Child Abuse and Neglect Prevention Plan, on behalf of Washoe County, be awarded to Sherri Rice, in the amount of \$30,000.

**00-1028      AWARD OF BID – BID #2260-01 – LOADER MOUNTED SELF-  
CONTAINED SNOWBLOWER – GENERAL SERVICES**

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 September 14, 2000, for a loader mounted self-contained snowblower, on behalf of the Equipment Services Division of the General Services Department. Proof was made that due and legal Notice had been given.

A bid, a copy of which was placed on file with the Clerk, was received from the following vendor:

Kodiak Northwest Inc.

Penske Truck, Plows Unlimited and Snoquip failed to respond to the invitation to bid.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried with Commissioner Sferrazza absent, Chairman Short ordered that Bid No. 2260-01 for a loader mounted self-contained snowblower on behalf of the Equipment Services Division, be awarded to Kodiak Northwest Inc., in the amount of \$92,300.00. Award of this bid provides the County the option to procure additional loader mounted self-contained snowblowers from Kodiak Northwest through March 31, 2001, subject to capital outlay approval, and provided there is no increase in the pricing offered.



**00-1029      AWARD OF BID – BID #2262-01 – 200 GALLON CRACK SEAL KETTLE – GENERAL SERVICES**

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 September 27, 2000, for a 200 Gallon Crack Seal Kettle, on behalf of the Equipment Services Division of the General Services Department. 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:

Construction Sealants & Supply  
Holland Equipment

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried with Commissioner Sferrazza absent, Chairman Short ordered that Bid No. 2262-01 for a 200 Gallon Crack Seal Kettle, on behalf of the Equipment Services Division, be awarded to the lowest responsive, responsible bidder, Construction Sealants & Supply. It was further ordered that the purchase of one additional 200 Gallon Crack Seal Kettle be approved pursuant to this bid award, as the bid provided the County the option to procure additional 200 Gallon Crack Seal Kettles from the successful bidder through December 31, 2001, provided there is no increase in the pricing offered. Bid price for the crack seal kettles is \$37,600 each for a total bid award of \$75,200.00.

**00-1030      AGREEMENT FOR SECURITY SERVICES – UNIVERSITY OF NEVADA RENO – SHERIFF’S DEPARTMENT**

Upon recommendation of Dennis Balaam, Sheriff, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried with Commissioner Sferrazza absent, it was ordered that the Agreement for Security Services between the Washoe County Sheriff’s Office and the Board of Regents of the University and Community College System, on behalf of the University of Nevada, Reno, to provide an adequate response to any disturbance or problem at the University of Nevada, Reno, from September 1, 2000 through December 31, 2000, be approved and Chairman Short be authorized to execute.

**00-1031      RECIPROCAL USE AND MAINTENANCE AGREEMENT FOR VARIOUS FACILITIES – WASHOE COUNTY SCHOOL DISTRICT**

Upon recommendation of Karen Mullen, Parks & Recreation Director, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried with Commissioner Sferrazza absent, it was ordered that the Reciprocal Use and Maintenance Agreement between Washoe County and Washoe County School District be approved and Chairman Short be authorized to execute.

It was noted this agreement would eliminate five existing agreements and provide one agreement for those facilities to be covered under this agreement, see Exhibits A & B for a list of facilities, a copy of which was placed on file with the Clerk's Office. This agreement would also provide for dispute resolution committees and grandfathers all existing programs.

**00-1032      AGREEMENT – CITY OF RENO – NOVEMBER 2000 PARKS TRAILS AND OPEN SPACE BOND ISSUE**

Upon recommendation of John Sherman, Finance Director, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried with Commissioner Sferrazza absent, it was ordered that the Agreement between Washoe County and the City of Reno regarding the November 2000 Parks, Trails and Open Space Bond Issue be approved and Chairman Short be authorized to execute.

It was noted the agreement provides, among other matters, the following:

- \* The specific projects included in the bond issue that will be the responsibility of the City of Reno to manage the design, bidding, construction and maintenance.
- \* The process by which that portion of the proceeds of the bond issue for the City of Reno projects will be transferred from Washoe County to the City of Reno.
- \* The process by which funds for specific projects subsequently considered not feasible will be reallocated.

**00-1033      WILBUR D. MAY CENTER ANNUAL OPERATING REPORT SEPTEMBER 2000 – PARKS DEPARTMENT**

Upon recommendation of Karen Mullen, Parks & Recreation Director, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried with Commissioner Sferrazza absent, Chairman Short ordered that the Annual Operating Report – September 2000, for the Wilbur D. May Center be accepted.

**00-1034      HEALTH CARE ASSISTANCE PROGRAM – ELIGIBILITY CRITERIA AND SERVICES – PROPOSED REVISIONS – SOCIAL SERVICES DEPARTMENT**

Ken Ratterath, Division Director, Washoe County Social Services Department, reviewed the background of the current eligibility criteria being used and the proposed recommendations by staff. He answered questions from the Board concerning those recommendations.

\* \* \* \* \*  
**Commissioner Sferrazza arrived at 2:10 p.m.**  
\* \* \* \* \*

Mr. Ratterath said they will be placing itinerate eligibility workers at Washoe Medical Center (WMC) in order to provide better communications with the hospital concerning customer service and accessibility for determining eligibility. WMC is also providing work space and work stations for the eligibility workers as well as allowing their Information Technology staff to connect the stations for the workers.

Commissioner Bond asked how they came up with the amount of \$1000 to use as the asset level. Mr. Ratterath responded the \$1000 is one-half of the asset level used by Medicaid. He indicated they tried to pick a reasonable asset level that would not impact the program greatly.

Commissioner Shaw noted the background information indicated that this program would be reviewed after 6 months. Mr. Ratterath said after the 6 months they could come back to the Board to readjust the guidelines if necessary.

Commissioner Sferrazza said he thought Health Assistance Washoe County (HAWC) covered people ineligible for Medicaid and also for this program. Mr. Ratterath said HAWC's mission is to cover the working poor who generally do not qualify for this program and also covers the Medicaid population for which they receive a special rate.

Commissioner Sferrazza asked if they could contract with HAWC to provide this service. Mr. Ratterath said he does not believe HAWC could handle the one thousand additional patients a month that Washoe Medical Center Clinic sees as well as Saint Mary's Neighborhood Health Center. Commissioner Sferrazza said he would like staff to speak with HAWC about running this program.

Commissioner Bond commented she does not want staff to come back in 6 months to change the asset level. This is confusing enough for the people they are trying to assist. There are so many different programs and so many different amounts for eligibility requirements. She would like to see some standards that will be in place for a period of time instead of changing the amount all the time, which makes it more confusing.

Madelyn Shipman, Legal Counsel, advised that by state law this is one of the few funds that is limited. This fund cannot be supplemented with any other monies unless it is a dire emergency, and then it has to go through a very specific process.

Commissioner Sferrazza inquired about the responsibility of Washoe Medical Center covering the cost of indigent care. He noted the hospital was built with Hill Burton Funds; and when the County owned it, indigent health care was provided. He asked what the original contract provided for in terms of the responsibility for providing indigent health care. Mr. Ratterath said when Washoe Medical Center became privat-

ized, they agreed to have a clinic; and Washoe County did agree to reimburse the clinic at a certain rate for indigent care.

Mike Capello, Social Services Director, said the transfer agreement delineates the mutual obligation to the continuing status of the Indigent Health Care Program, particularly with the clinic. The reimbursement to Washoe Medical Center Clinic does not cover all of the costs to operate the clinic. It is a partnership between Washoe County, Washoe Medical Center and the University of Nevada Reno School of Medicine, and many of the services provided to the patients are through the residency program. He said Washoe Medical Center has indicated they are spending far above the approximate \$2.5 to \$3 million paid by Washoe County in clinic fees each year.

Commissioner Sferrazza asked to have the specific language and numbers provided to the Board concerning the transfer agreement and how it is monitored.

Upon recommendation of Mike Capello, Social Services Director, on motion by Commissioner Bond, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Short ordered that the proposed revisions to the eligibility criteria for the Health Care Assistance Program (HCAP), be approved as follows:

1. Raise the HCAP income eligibility test to the 2000 federal poverty level;
2. Increase the asset level from \$300 to \$1,000; and
3. Reinstate the income deduction for childcare expenses.

**00-1035      PRESENTATION – COMPREHENSIVE ANNUAL FINANCING  
REPORT – JUNE 30, 2000 - COMPTROLLER**

Katy Singlaub, County Manager, congratulated staff on compiling all of the information for the annual report and noted this is the earliest the report has been completed.

Kathy Garcia, Comptroller, reviewed the annual report and noted they received a Certificate of Achievement for Excellence in Financial Reporting for the 18<sup>th</sup> consecutive year. The County has received an unqualified opinion from Kafoury, Armstrong & Co., which is the best opinion they can receive.

On motion by Commissioner Bond, seconded by Commissioner Galloway, which motion duly carried, Chairman Short ordered that the Comprehensive Annual Financial Report for the Fiscal Year ended June 30, 2000, be accepted. {A copy of the Comprehensive Annual Financial Report can be found in the November 21, 2000, Communications and Reports.}

00-1036

**APPEARANCE – FELICIA O’CARROLL – KAFOURY  
ARMSTRONG & COMPANY – MANAGEMENT LETTER FOR  
FISCAL YEAR ENDING JUNE 30, 2000**

Felicia O’Carroll, Kafoury, Armstrong & Company, reviewed the Management Letter for the fiscal year ending June 30, 2000. Washoe County received a clean opinion, which is the highest level of assurance the accounting profession can issue on the financial statements. The federal awards carry with them significant restrictions, and one of the charges of the auditor is to audit the County’s compliance with the requirements that go along with federal awards. This year it took more hours to audit the eight federal awards that they are required to audit then to audit the rest of the County. The more federal money the County receives, the bigger chance of the compliance audit being the biggest part of the audit. She advised there is a chance for an increase in audit fees as the County obtains more federal monies. The County made a change in the scope of the audit this year. Instead of auditing each and every fund as a stand alone fund, they now group like funds so that all of the debt service funds are added together, and they audit the total, which saves the County money in the long run. She reviewed the recommendations from the audit with the Board.

On motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that the Management Letter for Fiscal Year ending June 30, 2000, be accepted.

00-1037

**RESOLUTION – DONATING ASSETS OF THE EQUIPMENT  
SERVICES FUND – GENERAL SERVICES**

Upon recommendation of Tom Gadd, Director, General Services, on motion by Commissioner Bond, seconded by Commissioner Sferrazza, which motion duly carried, it was ordered that the following Resolution be adopted and Chairman Short be authorized to execute:

**RESOLUTION – DONATING ASSETS OF THE EQUIPMENT SERVICES FUND**

**WHEREAS**, Equipment Services was established to provide fleet services including acquisition, maintenance and disposal of fleet vehicles and equipment and to provide management and administration of related fleet services in Washoe County; and

**WHEREAS**, Equipment Services is disposing of certain used equipment which is surplus to its needs, including one (1) 1984 International Semi-Truck Tractor, Model F4370, serial number: 2HTVDJXT6ECA14006; and one (1) 1982 Etnyre 600 Gallon Asphalt Oil Distributor, serial number MU-6TRL; and

**WHEREAS**, The Palomino Valley General Improvement District has the need for one (1) used 1984 Semi-Truck Tractor and one (1) used 1982 Asphalt Oil Distributor; now, therefore, be it

**RESOLVED**, By the Washoe County Board of Commissioners that we support the needs of the Palomino Valley General Improvement District and declare:

The above-mentioned used Washoe County assets will be donated to Palomino Valley General Improvement District.

This Resolution shall be effective on passage and approval.

The County Clerk is hereby directed to distribute copies of the Resolution to the Comptroller, Budget, Purchasing and Equipment Services.

**00-1038      FOREST PARK – MASTER PLAN – PARKS DEPARTMENT**

Upon recommendation of Karen Mullen, Parks & Recreation Director, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, Chairman Short ordered that the Forest Park (formerly known as Woodland Park) Master Plan be approved.

**00-1039      FOREST PARK – DESIGN AND CONSTRUCTION AGREEMENT  
– COLD SPRINGS 2000 INC. – PARKS DEPARTMENT**

Upon recommendation of Karen Mullen, Parks & Recreation Director, on motion by Commissioner Sferrazza, seconded by Commissioner Shaw, which motion duly carried, Chairman Short ordered that the Forest Park Design and Construction Agreement between Washoe County and Cold Springs 2000, Inc. for the construction of Forest Park, with costs not to exceed \$675,000 including design fees, be approved.

**00-1040      INFRASTRUCTURE SALES TAX – EMERGENCY OPERATION  
CENTER/DISPATCH FACILITY – PUBLIC SAFETY TRAINING  
CENTER – TRUCKEE RIVER FLOOD CONTROL PROJECT**

John Sherman, Finance Director, reviewed his October 16, 2000, memo concerning expenditure of the proceeds of the infrastructure sales tax for the purpose of financing the EOC/Dispatch Facility, the Public Safety Training Center and the Truckee River Flood Control Project. He explained the difference between Certification in Participation (COP) financing and the traditional financing method used by the County. He advised that COP's financing is more expensive than the traditional method.

Commissioner Bond said she had understood that land owned by governmental entities would be donated for this project and inquired why there was a dollar amount for land. Mr. Sherman responded the amount counts as a contribution to the project.

Commissioner Galloway advised he understood any land necessary to the Flood Control Project, which are owned by the Cities or the County, would be donated for the Flood Control Project. Katy Singlaub, County Manager, advised they do not have

interlocal agreements to that effect yet, but that is the County's understanding as well. Commissioner Galloway said he thought there had been action taken by the Councils concerning this issue.

Commissioner Sferrazza asked why they had to use COP's for financing the PSTC. Mr. Sherman stated the tax-exempt bonds they issued in 1997 cannot be used for a lease-purchase project. If they wanted to do a design-build outside of a lease-purchase mechanism, there is a \$30 million threshold.

Commissioner Galloway clarified that the County is doing a lease-purchase, and the contractor designs as he builds; however, the contractor stands good to the County. The County already has a contractor building the PSTC, and the only way the County can integrate the EOC/Dispatch Facility with the PSTC is if the contractor constructs both facilities. Commissioner Galloway said he does not want to be locked into a specific amount for the Flood Control Project, but they could specify amounts for the EOC/Dispatch Facility and the PSTC.

Commissioner Sferrazza asked if the County had the option to stop the sales tax sooner if they do not need all of the proceeds. Mr. Sherman said they are committed now to making debt payments on at least 30 years worth of debt. The COP financing will be completed in approximately 10 years. He reminded the Board that there were a number of other projects that were on the list entertained by the Board and the Regional Planning Commission at the time of approval.

Madelyn Shipman, Legal Counsel, cautioned the Board and explained that the way the law reads is the projects that were identified need to be completed before any other projects can be started.

Commissioner Sferrazza said he would like staff to consider shared facilities as much as possible during the design of the PSTC and EOC/Dispatch Facility.

Commissioner Bond said that she is concerned about giving direction of combining the PSTC and EOC/Dispatch Facility at this point and time, but maybe they could say "if it's feasible."

Sam Dehne, area resident, expressed his concern about local issues.

Frank Partlow, area resident, expressed his concern about the projects financed by the Infrastructure Sales Tax, and said they need to build these facilities right the first time.

Jerry Morgan, Q&D Construction, answered questions from the Board concerning the design of the PSTC.

Dave Roundtree, Public Works Director, said timing is key for these projects and it is important to keep moving forward. Some items could be shared, but that

goes against everything they have been talking about for these facilities. He advised the user groups have spent numerous hours working together on all three of these projects.

Following further discussion, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that an amendment to the plan for expenditure of the proceeds of the Infrastructure Sales Tax for the purpose of financing the Emergency Operation Center/Dispatch Facility, Public Safety Training Center and the Truckee River Flood Control Project be approved as follows:

- \* Fully fund the Emergency Operation Center/Dispatch Facility at \$7 million from the 1998 Infrastructure Sales Tax bond proceeds;
- \* Apply an additional \$1.8 million of Infrastructure Sales Tax proceeds to the Public Safety Training Center Project;
- \* Apply the balance of the 1998 Infrastructure Sales Tax bond proceeds interest income and unexpended Infrastructure Sales Tax proceeds to the Truckee River Flood Control Project; and
- \* Direct staff to proceed with the steps necessary to hold a public hearing to amend the plan for expenditure of the proceeds of the Infrastructure Sales Tax imposed pursuant to NRS Chapter 377B for the purpose of Financing Public Safety and Flood Control Projects.

**00-1041      TRUCKEE MEADOWS FLOOD PROTECTION PROJECT –  
CONTRACT EXTENSION FOR FACILITATION AND PUBLIC  
INFORMATION SERVICES – MOORE, IACOFANO,  
GOLTSMAN, INC. (MIG)**

Madelyn Shipman, Legal Counsel, said bond counsel is still of the opinion the bond proceeds cannot be used to pay for this type of project. She advised that the law discusses acquisition and construction of capital projects. Ms. Shipman stated she would not tell the Board they cannot direct that the money come from the sales tax revenue. She does not know whether a court would uphold this decision if it was challenged, but the likelihood of a challenge is minimal. This type of process, which is not a traditional or typical process associated with a capital project, is necessary and essential to this particular project. She believes the background would help support any argument if it were challenged as to the use of this money for this purpose. Litigation costs in defending the use of this money are also capable of coming out of sales tax proceeds.

Commissioner Sferrazza said he is satisfied with the clarification by legal counsel concerning the sales tax fund reimbursing the general fund for these expenses. A project of this magnitude requires public input to the maximum extent possible, and this process does allow for public input and is a significant part of the design.



Upon recommendation of Paul Urban, Flood Control Manager, through Ed Schmidt, Director of Water Resources Department, on motion by Commissioner Sferazza, seconded by Commissioner Galloway, which motion duly carried, Chairman Short ordered that the contract extension with Moore, Iacofano, Goltsman, Inc. (MIG) for an additional amount not to exceed \$250,000 for facilitation and public information services for the second phase of the Truckee Meadows Flood Protection Project be approved and Chairman Short be authorized to execute. It was further ordered that the infrastructure sales tax be used to reimburse the general fund for these expenses as this is part of the design process for this particular project.

**00-1042      APPOINTMENT – BOARD OF SUPERVISORS – WASHOE-STOREY CONSERVATION DISTRICT**

On motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that Bryan Tyre be appointed as the representative to the Board of Supervisors, Washoe-Storey Conservation District, for a two-year term from July 1, 2000 to June 30, 2002, and Tina Nappe be appointed as an alternate to the Board.

**00-1043      COUNTY PROPERTY – APN 552-131-01 & 02 (SAD 17 NORTH HILLS BOULEVARD) – PUBLIC WORKS**

Following discussion by the Board, on motion by Commissioner Sferazza, seconded by Commissioner Galloway, which motion duly carried Chairman Short ordered that the offer by Flemming H. Carstensen to purchase County property, APN 552-131-01 & 02 (SAD 17 North Hills Boulevard) be rejected.

**00-1044      RESOLUTION – GENERAL OBLIGATION (LIMITED TAX) SEWER BONDS (STMWRF) SERIES 2001 – FINANCING SEWER PROJECTS FOR THE COUNTY**

On motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried it was ordered that the following Resolution be adopted and Chairman Short be authorized to execute:

**RESOLUTION NO. 00-1044**

**A RESOLUTION OF INTENT, PROPOSING THE ISSUANCE OF, AND AUTHORIZING THE PUBLICATION OF NOTICES RELATING TO GENERAL OBLIGATION (LIMITED TAX) SEWER BONDS (STMWRF) (ADDITIONALLY SECURED BY PLEDGED REVENUES) SERIES 2001 FOR THE PURPOSE OF FINANCING SEWER PROJECTS FOR THE COUNTY; PROVIDING THE MANNER, FORM AND CONTENTS OF THE NOTICE THEREOF; RATIFYING ACTION HERETOFORE TAKEN NOT INCONSISTENT**

**HEREWITH; PROVIDING OTHER MATTERS  
PROPERLY RELATED THERETO; AND PROVIDING  
THE EFFECTIVE DATE HEREOF.**

**WHEREAS**, Washoe County in the State of Nevada (the "County" and the "State", respectively) is a county duly organized and created under the provisions of Nevada Revised Statutes ("NRS") Section 243.340; and

**WHEREAS**, the County now owns and operates a municipal sanitary sewer system (the "Sewer System") and municipal water system (the "Water System"; collectively, the "Utility System"); and

**WHEREAS**, the Board of County Commissioners of the County (the "Board") has determined and hereby declares that the public interest, health and welfare necessitates acquiring, improving, equipping, operating and maintaining a sewer project within the County, including, but not limited to facilities pertaining to the Sewer System for the collection, interception, transportation, treatment, purification and disposal of sewage, liquid wastes, solid wastes, night soil and industrial wastes as provided in NRS 244A.0505 (the "Project"); and

**WHEREAS**, pursuant to NRS §§ 244A.011 through 244A.065, inclusive, and pursuant to chapter 350 of NRS and all laws amendatory thereof which includes the Local Government Securities Laws, being §§ 350.500 through 350.720, NRS, and all laws amendatory thereof, the County is authorized to borrow money and to issue general obligation bonds of the County for the purpose of defraying wholly or in part the cost of the Project; and

**WHEREAS**, the Board proposes to issue up to \$21,000,000 of general obligation bonds of the County (the "Bonds") for the Project; and

**WHEREAS**, such Bonds will be additionally secured by a pledge of net revenues of the Utility System of which the Project is a part (the "Pledged Revenues"); and

**WHEREAS**, based on the revenue study (a copy of which was placed on file with the Clerk) prepared with the assistance of the County's staff, the Board has determined and does hereby determine that the "Pledged Revenues" will at least equal the amount required in each year for the payment of interest and principal on the Bonds:

**WHEREAS**, the Board proposes to incur this general obligation without an election unless a petition signed by the requisite number of registered voters of the County who together with any corporate petitioners represent the requisite assessed value of the taxable property of the County is presented to the Board requiring the Board to submit to the qualified electors of the County for their approval or disapproval the following proposal:

**GENERAL OBLIGATION SEWER BOND ADDITIONALLY SECURED BY PLEDGED REVENUES PROPOSAL:**

**Shall the Board of County Commissioners of Washoe County in the State of Nevada, be authorized to incur a general obligation indebtedness on behalf of the County by the issuance at one time, or from time to time, of the County's general obligation (limited tax) sewer bonds, in one series or more, in the aggregate principal amount of not exceeding \$21,000,000 for the purpose of financing, wholly or in part, the acquisition, construction, improvement and equipment of sewer projects, including, but not limited to, facilities pertaining to a county sanitary sewerage system for the collection, interception, transportation, treatment, purification and disposal of sewage, liquid wastes, solid wastes, night soil and industrial wastes, as provided in NRS 244A.0505, the bonds to mature serially commencing not later than five (5) years from the date or respective dates of the bonds and ending not later than thirty (30) years therefrom, to bear interest at a rate or rates not in excess of the statutory maximum rate in effect at the time bonds are sold, to be payable from general (ad valorem) taxes (except to the extent pledged revenues and other moneys are available therefor), and to be issued and sold at par, or below or above par, and otherwise in such manner, upon such terms and conditions, and with such other detail as the Board may determine, including at its option but not necessarily limited to provisions for the redemption of bonds prior to maturity without or with the payment of a premium?**

**(the "Proposal"); and**

**WHEREAS**, pursuant to Sections 350.001 to 350.006, inclusive, Nevada Revised Statutes ("NRS"), the Board has submitted the Proposal to the Debt Management Commission of Washoe County (the "Commission"); and **WHEREAS**, the Commission has heretofore approved the Proposal; and **WHEREAS**, subsection 3 of NRS § 350.020 in effect provides that if the payment of a general obligation of the County is additionally secured by a pledge of the net revenues of a project to be financed by its issue, and the governing body (i.e., the Board) determines that the pledged revenues will at least equal the amount required in each year for the payment of interest and principal, the County may incur the general obligation without an election, unless a petition requesting an election signed by 5% of the registered voters who, together with any corporate petitioners, own not less than 2% in assessed value of the taxable property in the County is presented to the Board within 60 days after the publication of a notice of the adoption of this resolution of intent; and

**WHEREAS**, Subsection 3 of NRS § 350.020 also requires that a public hearing be held before the Bonds are issued.

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

Section 1. This resolution shall be known as and may be cited by the short title "Resolution of Intent to Issue 2001 Sewer Bonds" (this "Resolution").

Section 2. All action heretofore taken (not inconsistent with the provisions of this Resolution) by the Board and the officers of the Board directed:

- (a) Toward the Project to be financed by the Bonds; and
- (b) Toward the issuance of the Bonds to defray, in part, the cost thereof, be, and the same hereby is, ratified, approved and confirmed.

Section 3. The County and the officers of the County be, and they hereby are, authorized and directed to publish a notice of the adoption of the resolution of intent relating to the Board's proposal to issue the Bonds in a newspaper of general circulation in the County, at least once, such notice to be published (as in the form provided and placed on file with the Clerk).

Section 4. The County Clerk is authorized and directed to publish once, at least 10 days before the date of the public hearing described in the notice (placed on file with the Clerk), in a newspaper of general circulation in the County a notice of public hearing, at least as large as 5 inches high by 4 inches wide.

Section 5. A public hearing on the Bonds is hereby ordered to be held before the Board at the time, date and place specified in the notice set forth in Section 4 hereof, or as otherwise specified by the Director of Finance of the County.

Section 6. The Bonds, in the event no petition is filed during the period allowed by NRS § 350.020(3), shall be authorized by an ordinance or ordinances to be effective after the expiration of the above specified period of publication.

Section 7. The authority to issue the Bonds designated in the Proposal set forth in the notice shall be deemed and considered a continuing authority to issue and deliver the Bonds designated in such Proposal at one time or from time to time, in one series or in more than one series, all as ordered by the Board. Neither the partial exercise of the authority so conferred nor the lapse of time shall be considered as exhausting or limiting the full authority so conferred.

Section 8. The officers of the Board be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution.

Section 9. All resolutions, or parts thereof, in conflict with the provisions of this resolution, are hereby repealed to the extent only of such inconsistency. This

repealer shall not be constructed to revive any resolution, or part thereof, heretofore repealed.

Section 10. If any section, paragraph, clause or other provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or other provision shall not affect any of the remaining provisions of this resolution.

Section 11. This resolution shall become effective and be in force immediately upon its adoption.

**00-1045      ARROWCREEK PARK MASTER PLAN – PARKS DEPARTMENT**

Upon recommendation of Karen Mullen, Parks & Recreation Director, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried Chairman Short ordered that the Master Plan for the ArrowCreek Park be approved.

**00-1046      BLACK SPRINGS COMMUNITY CENTER RENOVATION –  
PARKS DEPARTMENT**

Upon recommendation of Karen Mullen, Parks & Recreation Director, on motion by Commissioner Bond, seconded by Commissioner Sferrazza, which motion duly carried Chairman Short ordered that the Renovation and Remodel Plan for the Black Springs Community Center be approved.

**00-1047      APPEAL – REGIONAL PLANNING COMMISSION’S DECISION –  
DAMONTE RANCH – CITY OF RENO SPHERE OF INFLUENCE**

Upon recommendation of Howard Reynolds, Assistant County Manager, on motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried Chairman Short ordered that staff be directed to appeal to the Regional Planning Governing Board the Regional Planning Commission’s finding that the inclusion of the Damonte Ranch in Reno’s Sphere of Influence was a “Minor Amendment” to the Regional Plan.

**00-1048      WEST TRUCKEE MEADOWS SPHERE OF INFLUENCE –  
REGIONAL PLAN AMENDMENT (TMRPA 00-031)**

Upon recommendation of Mike Boster, Community Development, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, Chairman Short ordered that the map of the proposed West Truckee Meadows Sphere of Influence boundary change and related findings (listed below) be approved. It was further ordered that any desired changes to the map and/or the findings be made before staff continues processing the amendment request.

- \* A preponderance of the area currently within the sphere of influence is developed at suburban/rural densities: one acre and larger lots;
- \* New municipal services are not needed as most of the developed lots are on community water and many are connected or are connecting to community sewer;
- \* The current vagaries of NRS 268 and NRS 278 as they relate to annexation and extraterritorial authority do not assure the developed lot owners in the current sphere of influence that their investments in their current lifestyles can be guaranteed.

**5:15 p.m.**      **The Board recessed.**

**5:30 p.m.**      **The Board reconvened with all members present.**

**00-1049      DISCUSSION – ADULT CHARACTERIZED BUSINESS LICENSE ORDINANCE – COMMUNITY DEVELOPMENT**

Bob Webb, Planning Manager, Department of Community Development, discussed issues relative to potential locations in Washoe County for adult characterized businesses. He advised that restricting residential zoning to within a 500-foot radius of and adult businesses provides for approximately 100 potential locations; within 750 feet the number drops to 67; within 1000 feet the number is 40; and within 2,000 feet the number drops to 10 potential sites. He reviewed a list depicting the number of potential sites with the same residential distancing restrictions in various planning areas in Washoe County, which he displayed on the document camera and placed on file with the Clerk. Mr. Webb advised that staff is continuing their analysis and needs to determine whether it is possible to capture the appropriate information from the Assessor's file for occupied dwelling units. Mr. Webb noted this process will take some time. Legal Counsel Shipman stated that other issues to be investigated include support infrastructure (water, sewer, etc.) and looking at churches, schools, or parks, which are also subject to location and distance guidelines in the ordinance.

The question arose relative to distancing restrictions from motels and Mr. Webb advised that motels are not included in the current ordinance. Legal Counsel Shipman advised that the Board would need to state specific reasons for anything it would include in the ordinance and the impacts on alternative sites would need to be reviewed.

Upon inquiry of Commissioner Sferrazza, Mike Harper, Planning Manager, advised that the initial analysis looked at limiting sites to industrial zones. There is a concern that Washoe County has very little industrial zoning and these areas are somewhat remote. Mr. Harper stated that the analysis conducted when the ordinance was adopted in 1999 looked at distancing based on zoning and did not look at restricting sites on arterials. He noted that, if arterial criteria were used, no sites would have existed in

Washoe County. If the Board requests additional criteria be added to the ordinance, a specific site review would probably be required, as well as a good definition of what would be considered residential, etc. Mr. Harper responded to further questions and advised that the Board needs to articulate what they want regulated and what government interests are being promoted, making sure a sufficient number of potential sites exist with appropriate geographical distribution.

Legal Counsel Shipman stated that case law on adult businesses is very clear and whenever a restraint on speech is imposed, the Board has the burden of proof as to why it is regulating and what issue is being dealt with as the local government. She said this is why staff is suggesting a more in-depth review in order to assure the ordinance would not be subject to being thrown out by a court.

Mr. Webb then reviewed maps displayed on the document camera showing the number of potential adult characterized business sites in Washoe County within 500, 750, 1000, and 2000 feet of residentially zoned properties, which were placed on file with the Clerk.

Legal Counsel Shipman advised there are not many adult businesses in the Truckee Meadows and, since there is no empirical evidence as to any deleterious affect of these businesses in the sense of added police patrol, complaints, or criminal activity, staff has looked at the ordinances of nearby cities. She said Reno's ordinance became the model because it is the closest city, and noted she has never seen a radius from a residence less than 1,000 feet except for the City of Renton case, which she believes is 750 feet. She stated if the Board was to establish a 2,000-foot radius, significant justification indicating why that is necessary would have to be presented.

Katy Singlaub, County Manager, provided the following summary of issues that came forth from the workshop and letters from the public:

1. Distancing and impacts on site availability.
2. Zoning and impacts on site availability.
3. Ability to issue a temporary license.
4. Residential zoning versus residential use language.
5. Inclusion of City sites and sufficient County sites.
6. Display windows and control of what is seen from the street.

Chairman Short advised he would take public comment at this time and requested that people wishing to speak come forward.

Anita Alger, County resident, spoke about quality of life concerns and asked that the Board listen to the community regarding this issue.

Tom Pagnano, County resident, discussed concerns relative to the increase of crime, and asked if decreased property values are addressed by law. Legal Counsel Shipman advised that the courts have recognized property value as a secondary affect

where there is clustering of these kinds of businesses. She said, to her knowledge, there is no empirical evidence to indicate any negative impact on property values if the businesses are spread out and there is no clustering. Mr. Pagnano then discussed an issue where property located approximately 1,000 feet from Suzie's on Kietzke Lane decreased in value after the business was established. He said it would seem a decrease in assessed value of property after an adult business goes in would represent empirical evidence.

Rew Goodenow, County resident, commended the efforts of the District Attorney's Office for the work done on case law relative to the distancing issue. He discussed *Diamond vs. City of Taft* handed down by the 9th Circuit Court in July of this year, and advised it is the culminating case in a series of decisions addressing distance requirements. He advised that the case considered an ordinance that contained a 1,000-foot distance requirement, and the ordinance was upheld. He read language from the case stating "...may not be located within 1,000 feet of any area zoned for residential use, any other entertainment business, any public or private school, park, playground, public building, church, commercial establishment operated by a bona fide religious organization, or any establishment likely to be used by minors." Mr. Goodenow then advised that the Court said there is no constitutional requirement that a city make available a certain number of sites. He said this is a difficult issue and the Board needs to weigh the provision of sufficient potential sites for adult oriented businesses and protection of public health, safety, and morals, and he would urge the Board to craft the most restrictive ordinance possible.

Robert Ogden, Pastor, Mt. Rose Evangelical Free Church, discussed issues concerning the negative affects of adult businesses on marriages and families and asked if it would be considered empirical evidence for his fellow pastors to address this issue with the Board. Legal Counsel Shipman advised the external aspect of an adult business where people have a choice about entering or not entering would not, by itself, result in hard evidence. She said she does not question there may be severe issues, but does not see those as being relevant to a study the County would conduct or as evidence in determining location criteria for adult businesses. Chairman Short commented that adult businesses have been determined to be legal. He said he appreciates Pastor Ogden's position, but does not think bringing pastors to a County Commission meeting would change the legality issue.

Ron Krump, County resident, thanked the Board for the time and effort being put into this matter. He said Suzie's is located at the entrance to Reno and that South Virginia Street is being cleaned up pretty well, and it would be too bad if something like this is allowed in that area.

Mark Evans, County resident, discussed issues concerning two Texas counties that have addressed sexually oriented businesses. He said he obtained a copy of an ordinance for the City of Conroe, Texas that might be of interest to the Board. He advised they were able to establish the setbacks at a minimum of 1500 feet and addressed the first amendment issues. Chairman Short requested that the District Attorney be provided with a copy of the ordinance and a copy be placed on file with the Clerk.



Chairman Short advised that communications were received from Peg O'Malley (containing suggestions for ordinance revisions), Ellen Steiner (requesting as restrictive an ordinance as possible), Daniel Gallian (containing suggestions for ordinance revisions), and Marcia McCormick (supporting first amendment rights), which were placed on file with the Clerk.

Discussion commenced relative to potential revision issues concerning the adult businesses ordinance, including moral objection, protection of minors, window or exterior wall displays, signage regulations, enforcement challenges, Reno and Sparks adult business ordinances, etc. Legal Counsel Shipman addressed legal issues concerning these matters and Mr. Webb discussed enforcement issues.

Mr. Webb stated that whatever restrictions the Board adopts, staff would request that the intent behind those restrictions be clearly stated in order to provide a clear explanation to the business owner and have legal support when trying to enforce regulations. Legal Counsel Shipman advised it would be appropriate for the Board to amend the ordinance but it should be specific as to what would be prohibited on all businesses, not just adult businesses.

Chairman Short suggested staff look at a revision stating no adult characterized business will have a display fronting on a public street. Commissioner Bond requested staff investigate a 1500-foot distance restriction from parks, schools, churches, etc., and follow some of the guidelines spelled out in the City of Reno and City of Sparks Codes. She said when a distance requirement is adopted, language should state the distance is from residential zones and/or residential uses. Commissioner Galloway agreed and added he would like staff to look at existing residences at 500 and 750 feet based on the rough numbers presented by staff. He said the tightest ordinance that will legally stand should be crafted. Commissioner Shaw commented that the issues summarized by County Manager Singlaub should be analyzed.

Chairman Short asked if the Board could deny a temporary license if a business is located in a sphere of influence. Legal Counsel Shipman responded that language could probably be crafted to give the Board authority to impose a condition on a permit requiring a sign-off from any other entity that would have review authority, and that this would apply to any business. She said additional amendments need to be made to clarify that a temporary license to operate a business simply doing remodeling would not be required. She stated staff would also suggest issuing a temporary license within 30 days and issue or deny a permanent license within 120 days.

Whether to allow adult characterized businesses on major arterials and limit them to industrial areas was discussed. Legal Counsel Shipman advised that prohibition relative to major arterials was removed from the ordinance based on her determination, supported by case law, that the mere attempt to eliminate blight in a community without supportive evidence was too arbitrary and over broad, and was unconstitutional. She said that, although the court deemed there might be some legitimate reasons for not

allowing an adult business in certain areas, she does not believe the Board could simply do a blanket restriction on arterials.

Commissioner Sferrazza requested that staff analyze whether permitted locations would be available if restricted to industrial zones and not allowed on major arterials using the same criteria contained in Reno's ordinance relative to industrial areas.

Further discussion was held concerning distance requirements, residential zoning, pre-existing residences, etc. Mr. Webb advised that staff would come back with a definition of what a residence is for the Board's evaluation. He then commented staff also requests permission to go forward on several issues outlined in the staff report including barriers, ability of County Code Enforcement Officers to look at work cards, and temporary licenses. Staff will also bring proposed changes regarding those matters back to the Board. He advised additional revisions to Chapter 25 of the County Code concerning business licenses will be needed. The Board then determined that these issues would be brought back to a workshop meeting.

**COMMISSIONERS'/MANAGER'S COMMENTS**

Commissioner Bond commented a workshop might be needed regarding the change of boundary issue around Pyramid Lake.

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There being no further business to come before the Board, the meeting adjourned at 7:20 p.m.

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TED SHORT, Chairman  
Washoe County Commission

ATTEST: AMY HARVEY, County Clerk

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*Minutes Prepared By:  
Jeraldine Magee and Barbara Trow  
Deputy County Clerks*