

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

1:00 P.M.

FEBRUARY 19, 2002

PRESENT:

Pete Sferrazza, Chairman
Joanne Bond, Vice Chairman
Jim Galloway, Commissioner
Ted Short, Commissioner

Amy Harvey, County Clerk
Nancy Parent, Chief Deputy Clerk
Katy Singlaub, County Manager
Madelyn Shipman, Legal Counsel

ABSENT:

Jim Shaw, Commissioner

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:

02-166 AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that the agenda for the February 19, 2002, meeting be approved with the following amendments: **Delete** *Item 7E* concerning the appointment of James Spoo to the County Suggestion Program Committee and *Item 7I* concerning application requesting annexation and zone change to public facility for the Lazy 5 Park property.

PUBLIC COMMENTS

There were no public comments.

MANAGER'S/COMMISSIONERS' COMMENTS

Commissioner Bond requested an update concerning the bifurcation of the Child Welfare System. Chairman Sferrazza requested an update on the noise abatement procedures at the Public Safety Training Center to include activities on air inversion days.

MINUTES

On motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that the minutes of the regular meeting of January 15, 2002, be approved.

INTRODUCTION OF NEW WASHOE COUNTY EMPLOYEES

Approximately 17 new Washoe County employees introduced themselves to the Board. Chairman Sferrazza welcomed the new employees.

02-167 PROCLAMATION – FEBRUARY 24 – MARCH 2, 2002 – "EARTHQUAKE AWARENESS WEEK"

Chairman Sferrazza read the Earthquake Awareness Week Proclamation into the record.

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

PROCLAMATION

WHEREAS, Washoe County is located in the heart of "Earthquake Country" and the State of Nevada is the third most seismic state in the continental U.S. with thousands of faults, many of which can be found in close proximity to highly populated areas of Washoe County; and

WHEREAS, Awareness and preparation are the most important steps individuals, families and businesses can take to help lessen panic, reduce damage and potentially save lives in the event of a major earthquake; and

WHEREAS, Most of the information needed for residents to prepare themselves is available locally through the Washoe County Emergency Management Program, the University of Nevada Reno Seismology Lab and the Nevada Bureau of Mines and Geology; and

WHEREAS, Even though earthquake education information is easily available, and effective earthquake preparation is a relatively inexpensive process that only requires a few simple steps, most residents have not prepared and educated themselves, their families or their workplace; and

WHEREAS, The purpose of Earthquake Awareness Week is to bring the issue of earthquake preparedness to the forefront because earthquakes are likely in this area and remind residents that they can truly save lives and reduce injuries and damage

by having a disaster plan and disaster supply kit in place before an earthquake strikes;
and

WHEREAS, Residents are encouraged to use Earthquake Awareness Week as an incentive to take these steps immediately so that they are able to respond knowledgeably and with a degree of confidence once the shaking begins; now, therefore, be it

PROCLAIMED, By the Washoe County Board of Commissioners that February 24th through March 2nd is **Earthquake Awareness Week** for the purpose of helping to reduce damage, injuries and loss of life during and after an earthquake through preparation.

02-168 ALCOHOL BEVERAGE WAIVER – DAUGHTERS OF NORWAY ANNUAL EVENT – SENIOR SERVICES CENTER

Upon recommendation of Karen Mabry, Director, Senior Services, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that a waiver of prohibition of serving alcoholic beverages for Daughters of Norway's annual smorgasbord event on Saturday, April 20, 2002, to be held at Reno Senior Services Center be approved.

02-169 ACCEPTANCE OF DONATIONS – D.A.R.E. PROGRAM – SHERIFF

Upon recommendation of Dennis Balaam, Sheriff, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that the following donations be accepted with gratitude:

- From Lee Bros. Leasing, for use as a D.A.R.E. car, a 2001 "PT Cruiser," VIN 3C4FY4BB01T596143, valued at \$9,600. Lee Bros. Leasing agrees to sell the car to the Sheriff's Office for \$1.00, and at the end of two years, the Sheriff's Office will sell the car back to Lee Bros. Leasing for \$1.00
- From Feature Graphics, the installation of donor's logos, the material, installation and labor for Sheriff's Office graphics and the placement of D.A.R.E. graphics on the car, valued at \$1,000
- From Tires Unlimited, installation of custom wheels and tires valued at \$1,700
- From Summit Racing Equipment, automotive accessories for the PT Cruiser up to \$1,000 in value.

It was noted that the Sheriff's Office will pay for the costs of operating and insuring the vehicle at approximately \$125/month from account number 15043-76104.

**02-170 ADDITIONAL ARCHITECTURAL SERVICES – INCLINE
VILLAGE MAINTENANCE FACILITY – PUBLIC WORKS**

Upon recommendation of Don Jeppson, Public Works Project Coordinator, through Rodney Savini, Capital Projects Manager, Public Works, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that staff be authorized to direct Hershenow and Klippenstein to complete additional architectural services for the Incline Village Maintenance Facility in the amount of \$42,000.

**02-171 REJECT BID - BID NO. 2325-02 – 6,000 GALLON WATER
TANKER TRAILER – ROADS DIVISION**

This was the time to consider award of bid, Notice to Bidders for receipt of sealed bids having been published in the Reno Gazette-Journal on January 11, 2002, for a 6,000 gallon water tanker trailer for the Roads Division. Proof was made that due and legal Notice had been given.

One bid, copy of which was placed on file with the Clerk, was received from United Truck & Equipment, Inc.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that the sole bid received for Bid No. 2325-02 for a 6,000 gallon water tanker for the Roads Division be rejected.

It was noted that the bid received exceeded the budget for this item and the Roads Division indicated they would prefer to revise specifications and rebid the water tanker trailer at a later date.

**02-172 AWARD OF BID – SEMI TRUCK TRACTOR - BID NO. 2329-02 –
EQUIPMENT SERVICES DIVISION – 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 January 18, 2002, for a new Semi Truck Tractor for 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:

Worthen Kenworth
Sierra Freightliner
Silver State International
Truck Center of Nevada

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that Bid No. 2329-02 for a new Semi Truck Tractor for the Equipment Services Division of the General Services Department be awarded to the lowest responsive, responsible bidder, Worthen Kenworth, Inc., in the amount of \$78,648.00. It was further ordered that Washoe County's right to procure additional semi truck tractors from the successful bidder through December 31, 2002 provided there is no increase in bid pricing and with the prior approval of the Finance Division be acknowledged.

02-173 PROCUREMENT OF PLAYGROUND EQUIPMENT – PARKS AND RECREATION

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that the Parks and Recreation Department be authorized to procure new playground equipment to replace existing equipment at three Washoe County Parks, Cold Springs, Gepford Park in Sun Valley and Sun Valley Community Park, utilizing the contract for playground equipment between Carson City, Nevada and Rich Boyce Recreation, Inc. in the net amount of \$46,695.91.

It was further ordered that the Purchasing and Contracts Administrator be authorized to use the Carson City, Nevada contract for procurement of future playground equipment requirements for the duration of the contract, August 2, 2001 through August 4, 2004, upon request of the Parks and Recreation Director or designee and subject to budget approval of the Finance Department.

02-174 RESOLUTION – AMENDMENT TO DEFERRED COMPENSATION PLAN - HUMAN RESOURCES

Upon recommendation of Joanne Ray, Director of Human Resources, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that the following Resolution be adopted and Chairman Sferrazza be authorized to execute:

RESOLUTION ADOPTING AMENDMENT TO WASHOE COUNTY DEFERRED COMPENSATION PLAN

WHEREAS, Washoe County (hereinafter "Employer") heretofore established the Washoe County Deferred Compensation Plan (hereinafter "Plan"); and

WHEREAS, the Employer desires to amend the Plan to conform with changes in the federal law brought about by the Economic Growth and Tax Relief Reconciliation Act of 2001. ("EGTRRA"); and

WHEREAS, this amendment is intended as good faith compliance with the requirements of EGTRRA and guidance issued thereunder, and

WHEREAS, this amendment shall supersede the provisions of the Plan to the extent those provisions are inconsistent with the provisions of this amendment.

NOW THEREFORE, BE IT RESOLVED, that, effective retroactive to January 1, 2002, the Employer hereby amends the Plan as follows:

"Contribution Limit" - The maximum amount a Participant may defer during a calendar year to this and/or any other Eligible Deferred Compensation Plan shall not exceed the lesser of: (i) the applicable dollar amount as set forth in Section 457(e)(15) of the Code; or (ii) 100% of the Participant's Includible Compensation.

Pre-Retirement Catch-Up Contribution - The maximum amount a Participant may defer under Section 457(b)(3) of the Code each calendar year to this or any other Eligible Deferred Compensation Plan shall not exceed the lesser of: (1) twice the applicable dollar limit as set forth in Section 457(e)(15) of the Code; or (2) the applicable dollar limit as set forth in Section 457(e)(15) of the Code plus any Employer provided compensation eligible for deferral that was not deferred for any prior taxable year which began after December 31, 1978.

Age 50+ Catch-Up Contribution - All Participants who have attained age 50 before the close of the plan year shall be eligible to make catch-up contributions in accordance with, and subject to the limitations of, Section 414(v) of the Code. Such contribution shall not, with respect to the year in which the contribution is made, be subject to any otherwise applicable limitation contained in Section 457 of the Code, or be taken into account in applying such limitations to other contributions or benefits under this Plan or any other plan. This provision shall not apply for any year in which Section 457(b)(3) of the Code applies.

Rollover Contribution - An Employee may contribute a Rollover Contribution to the Plan. A Rollover Contribution is a Participant contribution or a direct rollover of an eligible rollover distribution as defined under Section 402(c)(4) of the Code. The Plan Administrator may require the Employee to certify, either in writing or in any other form permitted under rules promulgated by the IRS, that the contribution qualifies as a Rollover Contribution under the applicable provisions of the Code. If it is later determined that all or part of a Rollover Contribution was ineligible to be contributed to the Plan, the Plan Administrator shall direct that any ineligible amounts, plus earnings or losses attributable thereto (determined in a uniform and nondiscriminatory manner) be distributed from the Plan to the Employee as soon as administratively feasible. Separate accounting shall be maintained by the Plan Administrator for any Rollover Contribution not attributable to an Eligible Deferred Compensation Plan. Rollover Contributions will be nonforfeitable at all times.

Distribution Eligibility - All references to "separation from service" contained in the Plan are hereby replaced with "severance from employment."

Installment Payments - Upon becoming eligible for a distribution, a Participant may elect to receive so much of his or her Participant Account in installment payments made at least annually. A Participant may elect to vary the amount or frequency of any such payments at least once each calendar quarter. However, at no time may the installment payment period exceed the Participant's life expectancy.

Distribution On or After Age 70-1/2 or Severance From Employment - Upon becoming eligible for a distribution, a Participant may elect to commence distribution of his or her Participant Account in accordance with the payment options available under the Plan. A Participant who wishes to receive a distribution must submit a request to the Plan Administrator. Upon a valid request, distribution will commence as soon as administratively feasible.

Distribution On Account of the Participant's Death - In the event of the Participant's death, if distribution has not commenced prior to the death of the Participant:

(a) a non-spousal beneficiary must either;

- (i) elect a distribution payable over a period not extending beyond the life expectancy of the beneficiary, commencing no later than the end of the calendar year following the calendar year in which the Participant died; or
- (ii) elect a single-sum payment to be made no later than the end of the calendar year which contains the fifth anniversary of the date of death of the employee, otherwise, such single-sum payment shall be made by the end of such calendar year.

(b) a spousal beneficiary may elect a single-sum payment or a distribution payable over a period not extending beyond the life expectancy of the spousal beneficiary. Distribution to the spousal beneficiary must commence on or before the later of: (i) the calendar year immediately following the calendar year in which the Participant died; or (ii) the year the deceased Participant would have reached age 70-1/2.

Minimum Distribution Requirements - Notwithstanding anything in this plan to the contrary, distribution from the Plan shall commence and be made in accordance with Section 401 (a)(9) of the Code and, until the last calendar year beginning before the effective date of the final regulations under section 401 (a)(9) or such other date as may be published by the Internal Revenue Service, the regulations under section 401 (a)(9) that were proposed on January 17, 2001. Participants must commence distribution no later than April 1st following the later of (i) the calendar year in which the Participant attains age 70-1/2 or (ii) the calendar year in which the Participant retires.

Domestic Relations Orders - No benefit or interest available hereunder will be subject to assignment or alienation, either voluntarily or involuntarily pursuant to a domestic relations order, unless such order is determined to be a qualified domestic relations order, as defined under Section 414(p) of the Code.

Direct Rollovers - A distributee may elect to have all or any portion of an Eligible Rollover Distribution paid directly to an Eligible Retirement Plan specified by the distributee.

For purposes of this section an Eligible Rollover Distribution means any distribution of all or any portion of the balance to the credit of the distributee, except that an Eligible Rollover Distribution does not include: any distribution that is one of a series of substantially equal periodic payments (not less frequently than annually) made for the life (or life expectancy) of the distributee or the joint lives (or joint life expectancies) of the distributee and the distributee's designated Beneficiary, or for a specified period of ten years or more; any distribution to the extent such distribution is required under Section 401 (a)(9) of the Code; or any amount that is distributed on account of hardship.

For purposes of this section an Eligible Retirement Plan means an eligible retirement plan that is an individual retirement account described in Section 408(a) of the Code, an individual retirement annuity described in Section 408(b) of the Code, an eligible deferred compensation plan described in Section 457(b) of the Code which is maintained by an eligible employer described in Section 457(e)(1)(A) of the Code, an annuity plan described in Section 403(a) of the Code, an annuity contract described in section 403(b) of the Code, or a qualified trust described in Section 401 (a) of the Code, that accepts the distributee's eligible rollover distribution. The definition of eligible retirement plan shall also apply in the case of a distribution to a surviving spouse, or to a spouse or former spouse who is the alternate payee under a qualified domestic relation order, as defined under section 414(p) of the Code.

For purposes of this section, a distributee includes an Employee or former Employee. In addition, the Employee's or former Employee's surviving spouse and the Employee's or former Employee's spouse or former spouse who is the alternate payee under a qualified domestic relations order, as defined under Section 414(p) of the Code, are distributees with regard to the interest of the spouse or former spouse.

For purposes of this section a Direct Rollover is a payment by the Plan to the Eligible Retirement Plan specified by the distributee.

Distribution for Certain Non-Participating Participants - Rollover Contributions are excluded in determining whether the total amount of a Participant's Account under the Plan exceeds the dollar limit under Section 411(a)(11)(A) of the Code.

Transfers In - If a transfer is associated with a distributable event and the Employee is eligible to receive an eligible rollover distribution as defined under Section 402(c)(4) of the Code, such transfer will be considered a Rollover Contribution.

Transfers Out - If a transfer is associated with a distributable event and the distribution is an eligible rollover distribution as defined under Section 402(c)(4) of the Code, such transfer will be considered a Direct Rollover.

Trustee to Trustee Transfers to Purchase Permissive Service Credit - A Participant may elect to have all or a portion of a his/her Participant Account directly transferred to a defined benefit governmental plan (as defined under Section 414(d) of the Code) if such transfer is:

(a) for the purchase of permissive service credit (as defined under Section 415(n)(3)(A) of the Code) under such plan; or

(b) a repayment to which Section 415 of the Code does not apply by reason of subsection (k)(3) thereof.

02-175 **COOPERATIVE (STEWARDSHIP) AGREEMENTS – ROAD PROJECTS - NEVADA DEPARTMENT OF TRANSPORTATION - ENGINEERING**

Upon recommendation of Clara Lawson, Engineering Division, through David Roundtree, Public Works Director, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that three Cooperative (Stewardship) Agreements for El Rancho Drive Pedestrian Improvements, Sun Valley Bike Lanes, and Toll Road Pedestrian Improvements, between Washoe County and the State of Nevada, Department of Transportation (NDOT) be approved and Chairman Sferazza be authorized to execute.

It was noted that the Enhancement Funding represents 95% of the total cost of the projects and the County's 5% match will be provided in engineering services.

02-176 **DISCUSSION – IMPLEMENTATION AND FUNDING – REGIONAL OPEN SPACE PLAN**

Bill Whitney, Department of Community Development, provided documentation and reviewed background information concerning the 1991 enabling legislation to provide funding mechanisms for open space acquisition and maintenance, the implementation of the Regional Open Space Plan since late 1994 when the Open Space Plan was adopted, and the open space acquisitions since adoption of the plan. He advised the plan is successfully being used as a tool by the County to help develop a system of open spaces for the greater Truckee Meadows area and was not intended to be used as a regulatory limitation to individual property rights. Mr. Whitney responded to questions of the Board and advised he believes larger open space acquisition figures will be forthcoming

this year and continuing into the near future, due to funding from the 2000 bond issue; and that all potential funding sources enabled by the State Legislature would require a vote of the people.

Chairman Sferrazza said he would like to have discussion in the near future about putting the issue of open space acquisition on the ballot. Mr. Whitney stated a workshop is scheduled in April on the Parks and Open Space Bond issue, which would be a good time to have that discussion.

Richard Hobbs, County resident, discussed matters concerning the Open Space Plan. He stated, when Washoe County adopted the plan, it became obligatory that the County provide for development use of open space land and for financing the acquisition of open space land for a 20-year period. He said, when land designated as open space on the map is threatened with development, such as the Copper Canyon project, statute says it should receive special consideration for acquisition. Mr. Hobbs then responded to questions of the Board.

Gary Schmidt, Washoe County resident, said access to open space is almost more important than open space itself. He stated he would like to see the 120 acres of Vista Point south of Galena Park placed on the list for open space acquisition.

02-177 CITY OF SPARKS COPPER CANYON PROJECT

Legal Counsel Shipman noted that the alternatives listed on the agenda concerning possible action to send a letter to the City of Sparks regarding the Copper Canyon project were requested in a letter that came to the Board and are not necessarily staff suggestions.

Chairman Sferrazza called on people wishing to speak on this item.

Johnie Audrey Golden, Sunset View Estates property owner, advised that her property is adjacent to the proposed Copper Canyon project. She said the project should be placed on hold until everything is known about what is intended to be done with the property.

Katy Singlaub, County Manager, noted that several letters were received from members of the Sunset View Estates Lot Owners' Association requesting the Copper Canyon Project be placed on hold.

Richard Hobbs, County resident, discussed issues concerning the Copper Canyon project. He stated the area is under threat of development, and the County is required to give special consideration for acquisition. He said there are many issues with the property including views, traffic, water, cutting the hillside, and preserving the mountain.

Sam Dehne, Reno citizen, said Copper Canyon sounds like a good project from the aspect of reducing commute traffic in the community.

Randy Mellinger, Assistant City Manager, City of Sparks, advised that the 1238-acre project approved by the Sparks Planning Commission contains 813 acres of permanent open space. He said the project is primarily a business park and Sparks is very interested in trying to get jobs and housing close to each other to address the growing commute problems in the community.

Chairman Sferrazza said he was not aware that much open space was included in the project and asked if it would be dedicated. Mr. Mellinger advised the open space would be placed in a permanent common open space and there would be a trail system, environmental channels, park space, etc.

* * * * *

2:10 p.m. Commissioner Galloway arrived at the meeting.

Upon inquiry of Chairman Sferrazza, Mr. Mellinger advised that minimum one-acre lots would be required adjacent to Sunset View Estates, and the City of Sparks put a lot of thought into the project and is trying to address all major issues.

Chairman Sferrazza stated that the property is in the unincorporated area of Washoe County and, if the County does not request to preserve the remainder of the space, he would ask that the open space be dedicated so there is no risk of changing it in the future.

Commissioner Galloway stated he does not have a problem with individual Commissioners making comments to the Sparks City Council or any concerned parties, but does not support the actions noted on the agenda. He said he thinks the issue is not totally separate from the Regional Plan, and believes taking action as a Board puts the County in an adversarial situation that might make it difficult to compromise on other issues.

Chairman Sferrazza said he would support a request that Sparks delay approval so the County could investigate alternative funding sources to acquire the open space. At a bare minimum, he would request the City of Sparks deed restrict the open space proposed for the project, as he is concerned that the way it is drafted would provide the opportunity and possibly an economic incentive in the future to develop some of that open space. He would also ask that the open space be dedicated to Washoe County and the City of Sparks and be subject to development constraints.

Commissioner Galloway said he is supportive of the dedication of open space but would like to keep that as his individual comment and not as an action of the County Commission.

On motion by Commissioner Galloway, seconded by Commissioner Short, which motion duly carried, with Chairman Sferrazza voting "no," it was ordered that this item be tabled.

Chairman Sferrazza noted that, if they so choose, Board members would write individual letters to the City of Sparks setting forth their comments with regard to the Copper Canyon Project.

**02-178 BILL NO. 1329 -AMENDING WCC CHAPTER 60 – FURTHER
DEFINING ABATEMENT PROCESS**

Bill No. 1329, entitled, "AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY FURTHER DEFINING THE ABATEMENT PROCESS IN CHAPTER 60" was introduced by Commissioner Bond, the title read to the Board and legal notice for final action of adoption directed.

**02-179 BILL NO. 1330 -AMENDING WCC CHAPTER 15 – NON-
EXCLUSIVE FOSTER CARE AGREEMENTS**

Bill No. 1330, entitled, "AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY AUTHORIZING THE PURCHASING AND CONTRACTS ADMINISTRATOR TO EXECUTE NON-EXCLUSIVE FOSTER CARE AGREEMENTS UNDER CERTAIN CONDITIONS, AND OTHER MATTERS RELATING THERETO," was introduced by Commissioner Bond, the title read to the Board and legal notice for final action of adoption directed.

**02-180 BILL NO. 1331 -AMENDING WCC CHAPTER 110 –
TRANSFERRING DEVELOPMENT REQUIREMENTS**

Mike Harper, Planning Manager, Department of Community Development, responded to questions of the Board regarding this ordinance.

Bill No. 1331, entitled, "AN ORDINANCE AMENDING PROVISIONS RELATING TO WASHOE COUNTY CODE CHAPTER 110, ARTICLE 814, DEVELOPMENT AGREEMENT AND ARTICLE 816, SPECIFIC PLANS, BY DELETING A SUBSTANTIAL NUMBER OF DEVELOPMENT REQUIREMENTS FROM ARTICLE 814 AND PLACING THEM IN ARTICLE 816, AND OTHER MATTERS PROPERLY RELATING THERETO," was introduced by Commissioner Galloway, the title read to the Board and legal notice for final action of adoption directed.

**02-181 BILL NO. 1332 - AMENDING WCC CHAPTER 110 –
COMPLIANCE WITH LEGISLATIVE CHANGES**

Mike Harper, Planning Manager, Department of Community Development, reviewed the following amendments suggested by the District Attorney to be added

to the ordinance to better meet the intent of the state legislative changes or better clarify the Planning Commission's recommendation on moratoria:

- Add clarifying language concerning tie votes on appeals so that it refers to a tie vote of the Board of County Commissioners caused by the absence of a member, and that the continuation of the final action to a future meeting will occur unless otherwise requested by the appellant.
- Add clarifying language that an abandonment or vacation of a street or easement shall not result in material injury to the public.
- Add clarifying language that states that abandonment of a patent easement only affects the County's interest in the easement and cannot be relied upon to completely clear title to the property.
- Add clarifying language that a moratorium declared by the Board of County Commissioners is in effect only after the date of action on the Planning Commission's recommendation.

Mr. Harper and Legal Counsel Shipman responded to questions of the Board regarding the proposed amendments.

Bill No. 1332, entitled, "AN ORDINANCE AMENDING PROVISIONS RELATING TO WASHOE COUNTY CODE CHAPTER 110, BY AMENDING ARTICLE 304, USE CLASSIFICATION SYSTEM, BY AMENDING THE DEFINITIONS OF RESIDENTIAL GROUP HOME AND GROUP CARE; ARTICLE 606, PARCEL MAPS, BY AMENDING THE TIME PERIOD FOR ACTION REQUIRED BY THE PARCEL MAP REVIEW COMMITTEE, AMENDING THE TIME PERIOD FOR SUBMITTING A FINAL MAP, BY SPECIFYING TO WHOM AN APPEAL SHALL BE FILED, WHEN AN APPEAL HEARING SHALL BE SCHEDULED, THE TIME FRAME FOR ACTION BY THE BOARD OF COUNTY COMMISSIONERS ON AN APPEAL, THAT AN ACTION ON AN APPEAL BY THE BOARD OF COUNTY COMMISSIONERS MUST BE BY A MAJORITY OF THE FULL COMMISSION, THAT THE COMMISSION'S DECISION IS FINAL FOR JUDICIAL REVIEW PURPOSES, BY AMENDING THE PERIOD OF TIME FOR RECORDATION OR EXPIRATION OF THE MAP IF AN APPEAL IS FILED, BY SPECIFYING WHEN A REQUEST FOR WAIVER TO FILE A PARCEL MAP MUST BE ACTED UPON; ARTICLE 608, TENTATIVE SUBDIVISION MAP, BY AMENDING THE TIME PERIOD FOR ACTION REQUIRED BY THE PLANNING COMMISSION, BY SPECIFYING THAT AN ACTION ON A TENTATIVE MAP BY THE PLANNING COMMISSION MUST BE BY A MAJORITY OF THE FULL COMMISSION, BY SPECIFYING THAT AN ACTION ON AN APPEAL BY THE BOARD OF COUNTY COMMISSIONERS MUST BE BY A MAJORITY OF THE FULL COMMISSION, THAT THE COMMISSION'S DECISION IS FINAL FOR JUDICIAL REVIEW PURPOSES, BY AMENDING THE AREA FOR NOTICING, BY SPECIFYING THAT A MINIMUM OF 30 SEPARATE PROPERTY OWNERS MUST BE NOTIFIED; ARTICLE 610, FINAL SUBDIVISION MAPS, BY SPECIFYING THE DATE OF FILING A FINAL MAP FOR RECORDATION, BY SPECIFYING WHEN AN APPEAL HEARING SHALL BE SCHEDULED, THE TIME FRAME FOR ACTION BY THE BOARD OF

COUNTY COMMISSIONERS ON AN APPEAL, THAT AN ACTION ON AN APPEAL BY THE BOARD OF COUNTY COMMISSIONERS MUST BE BY A MAJORITY OF THE FULL COMMISSION, THAT THE COMMISSION'S DECISION IS FINAL FOR JUDICIAL REVIEW PURPOSES; ARTICLE 612, DIVISION OF LAND INTO LARGE PARCELS, BY SPECIFYING THE TIME PERIOD FOR SUBMITTING A FINAL MAP, BY AMENDING THE TIME FRAME FOR APPROVING A FINAL MAP BY THE DIRECTOR OF COMMUNITY DEVELOPMENT, BY SPECIFYING THE TIME FRAME FOR ACTION BY THE BOARD OF COUNTY COMMISSIONERS ON AN APPEAL, THAT AN ACTION ON AN APPEAL BY THE BOARD OF COUNTY COMMISSIONERS MUST BE BY A MAJORITY OF THE FULL COMMISSION; ARTICLE 804, VARIANCES, BY AMENDING THE AREA FOR NOTICING, BY SPECIFYING THAT A MINIMUM OF 30 SEPARATE PROPERTY OWNERS MUST BE NOTIFIED, BY SPECIFYING WHEN AN APPEAL HEARING SHALL BE SCHEDULED, THE TIME FRAME FOR ACTION BY THE BOARD OF COUNTY COMMISSIONERS ON AN APPEAL, THAT AN ACTION ON AN APPEAL BY THE BOARD OF COUNTY COMMISSIONERS MUST BE BY A MAJORITY OF THE FULL COMMISSION, THAT THE COMMISSION'S DECISION IS FINAL FOR JUDICIAL REVIEW PURPOSES; ARTICLE 806, VACATIONS AND ABANDONMENTS OF EASEMENT OR STREETS, BY INCLUDING A GOVERNMENT PATENT EASEMENT AS BEING QUALIFIED FOR THE PROCESSES ENUMERATED IN THIS ARTICLE, BY SPECIFYING THAT AN ABANDONMENT OR VACATION MUST NOT RESULT IN MATERIAL INJURY TO THE PUBLIC, BY STATING THAT AN ACTION BY THE COUNTY ONLY ADDRESSES ITS INTEREST IN THE EASEMENT OR STREET BEING ABANDONED OR VACATED, BY SPECIFYING THAT THE COMMISSION'S DECISION IS FINAL FOR JUDICIAL REVIEW; ARTICLE 810, SPECIAL USE PERMITS, BY AMENDING THE TIME PERIOD FOR ACTION REQUIRED BY THE PLANNING COMMISSION OR BOARD OF ADJUSTMENT, BY PERMITTING THE PLANNING COMMISSION OR BOARD OF ADJUSTMENT TO VARY DEVELOPMENT STANDARDS AS PART OF THE REVIEW OF A SPECIAL USE PERMIT, BY AMENDING THE AREA FOR NOTICING, BY SPECIFYING THAT A MINIMUM OF 30 SEPARATE PROPERTY OWNERS MUST BE NOTIFIED, BY SPECIFYING THE TIME FRAME FOR ACTION BY THE BOARD OF COUNTY COMMISSIONERS ON AN APPEAL, THAT AN ACTION ON AN APPEAL BY THE BOARD OF COUNTY COMMISSIONERS MUST BE BY A MAJORITY OF THE FULL COMMISSION, THAT THE COMMISSION'S DECISION IS FINAL FOR JUDICIAL REVIEW PURPOSES; ARTICLE 818, AMENDMENT OF DEVELOPMENT CODE, BY AMENDING THE TIME PERIOD FOR A REPORT TO THE BOARD OF COUNTY COMMISSIONERS ON THE PLANNING COMMISSION'S RECOMMENDATION, BY AMENDING THE TIME PERIOD FOR A HEARING BY THE BOARD OF COUNTY COMMISSIONERS, BY SPECIFYING THAT THE COMMISSION'S DECISION IS FINAL FOR JUDICIAL REVIEW PURPOSES; BY ADDING A PROVISION THAT A MORATORIUM TAKES EFFECT AFTER APPROVAL OF A RESOLUTION TO DECLARE A MORATORIUM; BY AMENDING THE TIME PERIOD FOR HOLDING A PUBLIC HEARING ON THE DECLARATION OF A MORATORIUM, BY SPECIFYING THAT THE COMMISSION'S DECISION IS FINAL FOR JUDICIAL REVIEW PUR-

POSES; ARTICLE 820, AMENDMENT OF COMPREHENSIVE PLAN, BY SPECIFYING HOW OFTEN THE COMPREHENSIVE PLAN CAN BE AMENDED, BY AMENDING THE AREA FOR NOTICING, BY SPECIFYING THAT A MINIMUM OF 30 SEPARATE PROPERTY OWNERS MUST BE NOTIFIED, BY AMENDING THE TIME PERIOD FOR A HEARING BY THE BOARD OF COUNTY COMMISSIONERS, BY SPECIFYING THAT THE COMMISSION'S DECISION IS FINAL FOR JUDICIAL REVIEW PURPOSES; BY ADDING A PROVISION THAT A MORATORIUM TAKES EFFECT AFTER APPROVAL OF A RESOLUTION TO DECLARE A MORATORIUM; BY AMENDING THE TIME PERIOD FOR HOLDING A PUBLIC HEARING ON THE DECLARATION OF A MORATORIUM, BY SPECIFYING THAT THE COMMISSION'S DECISION IS FINAL FOR JUDICIAL REVIEW PURPOSES, BY PERMITTING THE CERTIFICATION OF LAND USE MAPS BY ELECTRONIC MEANS; ARTICLE 902, DEFINITIONS, BY ADDING A DEFINITION OF GOVERNMENT PATENT EASEMENT; ARTICLE 912, ESTABLISHMENT OF COMMISSIONS, BOARDS AND HEARING EXAMINERS, BY INCREASING THE MEETING COMPENSATION AND THE MONTHLY LIMIT FOR COMPENSATION FOR THE PLANNING COMMISSION AND THE BOARD OF ADJUSTMENT; ARTICLE 914, ESTABLISHMENT OF DEPARTMENT, BY ADDING A PROVISION PERMITTING THE DIRECTOR OF COMMUNITY DEVELOPMENT TO INTERPRET THE PROVISIONS OF THIS CHAPTER, BY MAKING THE APPOINTMENT OF A ZONING ADMINISTRATOR DISCRETIONARY, BY DELETING THE BUILDING AND SAFETY DEPARTMENT AS A DIVISION OF THE DEPARTMENT OF COMMUNITY DEVELOPMENT, BY SPECIFYING THE PROCESS FOR APPEALING THE DIRECTOR'S INTERPRETATION; AND OTHER MATTERS PROPERLY RELATING THERETO," was introduced by Commissioner Bond, as amended, the title read to the Board and legal notice for final action of adoption directed.

02-182 MILITARY PAY DIFFERENTIAL – HUMAN RESOURCES

Bill Ames, President, Washoe County Sheriff's Deputies Association, spoke in support of the recommendation to implement military pay differential for the deputies called to service for the U. S. and the War on Terrorism due to the events of September 11.

Upon inquiry, Joanne Ray, Director of Human Resources, advised that six employees have been called up but, in some instances, the military pay is higher than their County position, and they would not be entitled to additional pay. She then responded to questions of the Board.

Commissioner Galloway commented this particular situation would not cause a financial problem, but if the U. S. was ever mobilized, the economic impact of a pay differential would not be affordable. Discussion was held concerning safeguards that could be implemented if this item were to be approved today.

Upon inquiry of Commissioner Sferrazza, Ms. Ray advised she is aware of one individual that was called prior to September 11 and may have been carried over as a result of that event. Commissioner Galloway commented that if a person was called to active duty before September 11 and would have been back but was carried over because of that event, that person should also receive the differential effective on the date of their extension.

Sam Dehne, Reno Citizen and retired Air Force officer, said he is not speaking against a pay differential but consideration needs to be given concerning what happens if another tragic event takes place.

On motion by Commissioner Bond, seconded by Commissioner Galloway, which motion duly carried, Chairman Sferrazza ordered that implementation of the "Military Pay Differential" for an employee called to active involuntary military duty as a result of events of September 11, 2001, be approved. It was further ordered that this action be effective through June 30, 2002, and come back to the Board in June for consideration of whether the differential pay would be extended beyond that date.

**02-183 NOVEMBER 2002 GENERAL ELECTION BALLOT QUESTION –
FLUORIDATION IN PUBLIC WATER SYSTEMS**

Chairman Sferrazza advised that several people have requested to speak concerning this item.

Ben Moss, County resident, provided documentation to the Board concerning the fluoride issue. Mr. Moss spoke in opposition to putting fluoride in the water, stating that all fluorine compounds are poisonous.

Jan Rudd, Chairperson, Northern Nevada Citizens for Healthy Smiles, advised that several people are present to support putting the fluoride issue on the ballot to allow the public to choose. She advised a few major supporters submitted letters of support that are included in the Board's agenda material. Ms. Rudd commented that, if fluoride was going to kill everyone, that would have been happening over the last 56 years it has been in water supplies across the country.

The following people spoke in support of placing the fluoride issue on the ballot: Ann Thompson, County resident; Dr. Michael Rodolico, Executive Director, HAWC Community Health Center; Stephen Vaughn, Northern Nevada Citizens for Healthy Smiles; Maury Astley, Executive Director, Nevada Dental Association; Michael Johnson, St. Mary's Health Network. Several people present presented statements of support for putting the fluoride issue on the ballot.

Sam Dehne, Reno citizen, stated he always favors putting things on the ballot so citizens can vote on issues. He said, if fluoride is proven to be beneficial, he would prefer that its use be voluntary. He stated it would be just as easy and less expen-

sive to provide fluoride tablets to citizens and they could decide whether they want to use it or not.

Commissioner Short said he would like to hear from the General Improvement Districts before putting the issue on the ballot. He noted that Santa Rosa put the matter on the ballot and had a terrible time getting even distribution in the water.

Legal Counsel Shipman advised, by constitution, an issue cannot be on the ballot that would mandate the appropriation of money, and this issue would be in the form of an advisory question. Commissioner Galloway said an advisory question would resolve some of Commissioner Short's concerns because any implementation problems would be taken into account. He said he believes the Health Department is the proper organization to take a position regarding fluoridation of the public water systems, and he would rather the Board only act on the ballot issue and not on the Resolution of support.

Doug Coulter, District Health Department, advised there are procedures relative to fluoridating water, and the water purveyors would only be allowed to fluoridate the water by the District Health Department if they have properly designed and installed equipment, use approved chemicals, and have trained operators. Any water purveyor would have to go through a review process. He advised that passage of the ballot advisory question would not mandate anyone to fluoridate the water. Commissioner Galloway said the advisory question would make the public aware of the procedures involved. Legal Counsel Shipman stated that an advisory question is required to include language stating the results of voting on the question and it does not place any legal obligation on the political subdivision.

Terri Shannon, South Truckee Meadows General Improvement District, spoke in support of placing the matter on the ballot. She expressed concern about perception and said that, when a ballot issue overwhelmingly passes, the public thinks it is going to happen. She said a study should be conducted for logical argumentation for both sides concerning costs.

On motion by Commissioner Bond, seconded by Commissioner Galloway, which motion duly carried, Chairman Sferrazza ordered that a question pertaining to fluoridation in public water systems be placed on the November 2002 General Election Ballot. It was further ordered that applications be taken for people who wish to be part of the committee to articulately advise support or opposition to the ballot question; and that staff gather as much cost information as possible to be included with the advisory question.

**02-184 RESOLUTION – AUGMENT EQUIPMENT SERVICES FUND –
PURCHASE OF REPLACEMENT VEHICLES/EQUIPMENT –
GENERAL SERVICES**

Katy Singlaub, County Manager, and Tom Gadd, Director, General Services Department, provided information regarding this item.

Upon recommendation of Tom Gadd, Director, General Services Department, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that the following Resolution to augment the Equipment Services Fund (069) in the amount of \$1,140,848 for the purchase of replacement vehicles/equipment be adopted and Chairman Sferrazza be authorized to execute. It was further ordered that the Comptroller be directed to make the appropriate adjustments; and that the purchase of the remaining replacement vehicles and heavy equipment in conjunction with the original replacement schedule be authorized.

A RESOLUTION TO AUGMENT EQUIPMENT SERVICES (FUND 069)

WHEREAS, the Equipment Services Fund purchased vehicles and equipment in the 2000/2001 fiscal year, and the vehicles/equipment were not delivered and paid for until the current 2001/2002 fiscal year; and

WHEREAS, the Division is in need of funding to restore its original purchasing authority to its full purchasing potential so as to complete its scheduled replacement of vehicles/equipment in the 2001/2002 fiscal year; and

WHEREAS, the Equipment Services Fund (069) has sufficient resources available from retained earnings to allow for appropriation authority adjustments necessary to fund these expenditures:

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

Section 1. That the budget of the Equipment Services Fund be augmented as follows:

<u>Decrease Retained Earnings</u>		
069-3431	Retained Earnings	\$1,140,848
<u>Increase Capital</u>		
6901-7851	Vehicles	\$ 117,205
6901-7852	Heavy Equipment	\$1,023,643

Section 2. This Resolution shall be effective on passage and approval by the Board of County Commissioners.

Section 3. The County Clerk is hereby directed to distribute copies of this Resolution to the Comptroller's Office, Equipment Services, Manager's Office and Finance Division.

02-185

ACKNOWLEDGE PUBLICATION - NOTICE OF INTENT TO AUGMENT BUDGET – RESOLUTION TO AUGMENT PUBLIC WORKS CONSTRUCTION FUND – DISTRICT ATTORNEY/RENO MUNICIPAL COURT BUILDING (SIERRA-COURT BUILDING) – FINANCE

Katy Singlaub, County Manager, advised this item reflects the payment by the City of Reno for the joint District Attorney/Reno Municipal Court project.

Upon recommendation of Kim Carlson, Finance Department, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that the publication of the Notice of Intent to Augment the Budget published in the Reno Gazette-Journal on February 8, 2002, concerning costs associated with the design and construction, relocation of occupants, and demolition of the Sierra-Court Building at 195 S. Sierra Street be acknowledged. It was further ordered that the following Resolution to augment the Public Works Construction Fund (092) in the amount of \$2,300,000 be adopted and Chairman Sferrazza be authorized to execute; and that the Comptroller be directed to make the appropriate adjustments.

RESOLUTION

A RESOLUTION TO AUGMENT THE PUBLIC WORKS CONSTRUCTION FUND (092)

WHEREAS, The Public Works Construction Fund will experience an increase in appropriations due to costs associated with the design and construction of the Sierra-Court Building; and

WHEREAS, Additional revenues are available from a contribution from the City of Reno for the project pursuant to an interlocal agreement between the parties which is effective January 9, 2002; now, therefore, be it

RESOLVED, BY THE BOARD OF COMMISSIONERS OF WASHOE COUNTY, NEVADA:

Section 1. That the budget of the Public Works Construction Fund be augmented as follows:

Increase Revenues

092-920329-4307 Sierra-Court Building Intergovernmental Revenue \$2,300,000

Increase Expenditures

092-920329-7873 Sierra-Court Building Architectural & Prof. fees \$1,400,000

092-920330-7880 Abatement/Demolition 195 S Sierra 600,000

092-920331-7872 Tenant improvements and lease costs 300,000

Section 2. This Resolution shall be effective on passage and approval and the augmentation will be effective upon delivery of an executed copy of this Resolution to the Department of Taxation pursuant to NRS. 354.598005.

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

02-186 INTERLOCAL CONTRACT – INTEGRATION OF LOCAL CHILD WELFARE SYSTEMS – SOCIAL SERVICES

Michael Capello, Director, Department of Social Services, reviewed funding issues and the legislation that authorized integration of State local child welfare services in Washoe and Clark Counties. He advised the State has budgeted funding for the next two years, and the State and Counties are required to work together to present a future funding plan for the next legislative session. He said an implementation plan has been developed and this agreement funds that implementation over the next two years. Mr. Capello responded to questions of the Board and advised that the contract was negotiated so that, in the event agreement concerning future funding cannot be reached by the end of the next legislative session, the County has a legal avenue to terminate the agreement or some portion thereof or renegotiate the contract.

Commissioner Bond said she has been a strong component of the integration of child welfare services but there is concern about the tremendous economic change transpiring in the State and Counties. Mr. Capello advised that the State and County are aware of the funding situation and have been working diligently on cost alternatives. He said the need is going to grow and tough times will be experienced, but it is important to continue the partnership with the State, and integrating the system would ultimately cost the State and County less money. Katy Singlaub, County Manager, advised there are supportive Legislators who want to make this integration happen and are keeping the process moving forward. Mr. Capello advised that staff will present a detailed proposal that analyzes all the issues and sets forth the costs.

Upon recommendation of Michael Capello, Director, Department of Social Services, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that the Interlocal Contract between Washoe County and the State of Nevada, Division of Child and Family Services, concerning integration of local child welfare services be approved and Chairman Sferrazza be authorized to execute.

It was noted that Expenditures by Washoe County over the biennium is anticipated to be \$1,204,188 in Fiscal Year 2002 and \$7,930,132 in Fiscal Year 2003; and that the State has budgeted state general fund monies for this purpose and anticipates that approximately 35% of these funds will be available to Washoe County from federal reimbursements.

**SPONSORSHIP – AMENDMENTS TO 1996 TRUCKEE
MEADOWS REGIONAL PLAN – COMMUNITY DEVELOPMENT**

Mike Harper, Planning Manager, Department of Community Development, reviewed the staff report concerning the recommendation to sponsor a concurrent amendment to the 1996 Regional Plan to designate twenty proposed Community Management Plan areas as Suburban Communities. He said Silver Knolls and Lemmon Valley now considered Rural Communities are recommended to be redesignated as Suburban Communities. He commented that staff is not sure why they were ever designated as rural communities because most of the lot sizes are one acre or less.

Sarah Chvilicek, Chair, North Valleys Citizens Advisory Board, advised they are requesting that Anderson Acres and Horizon Hills communities be included as part of the North Valleys Community Management Plan.

Chairman Sferrazza said changing communities from rural to suburban would increase density and asked why that change is being recommended. Mr. Harper stated that staff was looking for consistency. Commissioner Short asked why the Bridle Path Subdivision was not included in the Spanish Springs Suburban Community. Mr. Harper advised that was not included because of the application sponsored by the Regional Planning Commission in 1999 for the Spanish Springs rural community, but it could be added if the Board so desires. Chairman Sferrazza said he disagrees with the suburban designation for Golden Valley, Lemmon Valley, and Silver Knolls because it is contrary to the desires of everyone he has worked with over the last three years to preserve the rural lifestyle. Mr. Harper said there has been some discussion about retaining the 1996 plan in exchange for not pursuing the 2002 update, and staff is trying to cover the bases in that eventuality; and this is a planning document that establishes areas the County has an interest in protecting. Mr. Harper responded to questions of the Board and advised that the Homeowner's Association indicated they were comfortable with suburban designation for purposes of the community amendments for the 1996 plan; and that the residents are interested in being designated a community to resist the ability to be annexed, which is first and foremost in their mindsets. He said, if the County does not take advantage of this amendment process, there is a possibility the next opportunity to preserve and protect communities will be lost until 2006.

Commissioner Galloway said he believes the three communities that were rural should be held out and the rest should be designated as suburban communities. Ms. Chvilicek stated that the North Valleys residents would want the lowest designation possible for protection.

Terri Shannon, County resident, said she hopes the Board will keep the bigger picture of no net increase in mind.

A discussion commenced relative to designating Verdi as a rural community instead of suburban. Commissioner Galloway said he would be reluctant to go into an area and change it unless the residents agree. He noted the County has had complaints

from Verdi property owners on both sides of the zoning issue for either allowing too much or not enough development. Mr. Harper suggested leaving Verdi at suburban for now and have staff go the Verdi CAB to see if they want to change their designation from suburban to rural. If they are interested in doing that, staff would then ask for an amendment.

Following further discussion, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that the following actions be taken:

1. Sponsor an amendment to the 1996 Truckee Meadows Regional Plan that would request 22 proposed Community Management Plan areas as follows: Retain the current communities at their current designations, which would leave Lemmon Valley and Silver Knolls as rural; add rural designation for Golden Valley; add the Spanish Springs community that includes Bridle Path; add Horizon Hills and Anderson Acres as new rural communities.

2. Where a conflict between boundaries of the designated community and the Community Management Plan area exist, substitute the Community Management Plan areas as the designated Community boundaries.

3. Allow the proposed rural community for Spanish Springs to be evaluated separately by the Regional Planning staff and Regional Planning Commission.

4. Staff be directed to survey the Verdi CAB as to their interest in having the 1996 community designated as rural and, if there is an interest in doing so, submit an addendum to the application. If there is not a clear consensus by the Verdi CAB, the issue is to be brought back to the Board.

5. Staff be further directed to (1) forward correspondence to the Truckee Meadows Regional Planning Agency requesting that before any determinations of 'major' or 'conflicting' are rendered, a specific set of criteria must be developed and adopted by the Regional Planning Commission, (2) inquire about what additional information may be required and the justification for this information, and (3) seek assurances from the Regional Planning staff that any applications sponsored by the County will not be considered to be incomplete until the above issues are resolved and the County has been provided sufficient time to provide a response.

7. Payment of the \$5,000 application fee from account No. 11631-7398 be authorized.

**02-188 COUNTY POSITIONS WITH RESPECT TO REGIONAL PLAN
UPDATE – COMMUNITY DEVELOPMENT**

Eric Young, Community Development, said staff is recommending that the Board reaffirm their position adopted in October and support the public feedback re-

sults as they relate to the draft maps and language. He advised the position the Board adopted in October was that sphere of growth should be based on identified land use, service and natural resources needs and capacity, communities and their management plans are an important tool for growth management and refocusing growth into the urban core. There was also a position that areas that would not be in a community and would not be in a sphere would have a no net increase while the areas were being studied for their best use. Mr. Young said some questions in the public survey were very broad and did not specifically ask about draft language and the draft map, and staff recommends the public survey be supported only in the areas where the questions were pointed at the draft.

Mr. Young advised that 140,000 people are anticipated to move to the Truckee Meadows over the next 20 years. He said, in order to control sprawl, planners want to try and put people where development and infrastructure already exists so citizens do not have to rely on automobiles, and the three jurisdictions have indicated they agree with this concept. He advised that on February 25 and March 6 the Regional Planning Commission will hold public workshops to hear from all affected entities and the positions given to staff today will be presented at those meetings.

Discussion was held about the density proposals inside and outside of the McCarran Ring. Commissioner Sferrazza expressed concern that these proposals would proliferate more traffic problems. Commissioner Galloway said he supports staff's recommendation but would like to provide them with some flexibility if it is needed to accomplish the desired result. He stated that, although the County stands by its principles, he would not want something to be in the way of a workable compromise.

A lengthy discussion was held about the issue of no net increase. Mr. Young said no net increase means no amendments or changes would be made to existing zonings that would increase development potential without some sort of a decrease elsewhere. Chairman Sferrazza stated that his understanding of no net increase is that there would no increase in the development already approved. Mr. Young said that could be accomplished by imposing a moratorium on any zoning or master plan changes, which the County did not want to do. Commissioner Galloway stated no net increase means no increase in total build out intensity for the project zoning. Legal Counsel Shipman advised there is a big difference between increasing intensity and saying no to any additional use beyond that allowed under current zoning. She said, if no one could come in with a building permit, all use for property would be denied and the County would probably be subject to legal action for the taking of property. This would not occur as long as some use is available for the property, which is what the no net increase policy allows. Katy Singlaub, County Manager, said it appears there needs to be an intensive study on this particular issue.

Following further discussion, on motion by Commissioner Galloway, seconded by Commissioner Short, which motion duly carried, with Chairman Sferrazza voting "no," it was ordered that the County's positions outlined in October and stated by Mr. Young be reaffirmed with some flexibility allowed in negotiation, and the public in-

put survey be supported where it relates specifically to the content of the Regional Plan Update.

Chairman Sferrazza stated he did not support the motion because he opposes the no net increase position outlined by staff.

02-189 WASHOE COUNTY 2002 FEDERAL LEGISLATIVE PRIORITIES
- MANAGER

Michelle Poché, Assistant County Manager, reviewed background information concerning the 2002 Federal Legislative Priorities document. Chairman Sferrazza requested that the PILT be added, noting that NACO requested the County strongly lobby not to reduce the PILT, which would have a detrimental impact on Washoe County. Ms. Poché said staff is requesting an amendment that has been added under the category of Homeland Security and concerns emergency management communications and public safety communications. Katy Singlaub, County Manager, noted the NACO report discussed concerns about welfare reform and possible reductions of TANF funding, and the County would want to make sure the temporary aid to needy families funding is maintained. Commissioner Bond said workforce development training should also be included.

On motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that the 2002 Federal Legislative Priorities, including the additions requested, be approved.

02-190 2002 WASHOE COUNTY STRATEGIC PLAN

John Slaughter, Strategic Planning Manager, reviewed background information concerning the 2002 Washoe County Strategic Plan. He advised County management staff and department and division heads held a strategic planning retreat where they discussed the Board's information from their strategic planning retreat in January and reviewed the management priorities they saw facing the County; and from that discussion a list of Washoe County Priorities for Fiscal Year 2002/03 was developed. Mr. Slaughter noted that a change in the former strategic plan process is that the departments will take those priorities and develop goals for the next fiscal year to be included in their budgets. He reviewed the summary of proposed priorities and responded to questions of the Board, advising staff also recommends that growth and natural resource management be added to the Quality of Life priority.

Chairman Sferrazza expressed concern that the summation list of priorities language is very broad compared to the priorities developed by the Board at the retreat. Katy Singlaub, County Manager, commented that the summation allows department heads to set quantifiable goals for how they would reflect the priorities and work programs into their budget priorities.

Following discussion, on motion by Commissioner Short, seconded by Commissioner Bond, which motion duly carried, Chairman Sferrazza ordered that the 2002 Washoe County Strategic Plan be adopted to include the addition of language concerning growth and natural resources and preservation and enhancement of the Truckee River.

Mr. Slaughter noted that the Board requested quarterly workshops on the strategic planning priorities. Commissioner Galloway commented that the priorities language could be improved as time goes on, and Chairman Sferrazza stated he would hope the goals would become very specific.

COMMUNICATIONS AND REPORTS

The following communications and reports were received, duly noted, and ordered placed on file with the Clerk:

02-191 Communications

A. Notice from City of Sparks' intent to annex 163 acres of land, generally located at the southwest corner of the intersection of Vista Boulevard and Wingfield Hills, Washoe County, into the City of Sparks. (Bill No. 2285)

B. Notice from City of Sparks' intent to annex 11.89 acres of land, located at Southern Development Division of Kiley Ranch west of Sparks Boulevard, north of Los Altos Parkway, Washoe County, into the City of Sparks. (Bill No. 2292)

C. Notice from City of Sparks' intent to annex 0.215 acres of land, located at the southeast corner of the intersection of Vista Boulevard and Los Altos Parkway, Washoe County, into the City of Sparks. (Bill No. 2290)

D. Resolution – Reno-Sparks Convention & Visitors Authority to acquire by the exercise of the power of eminent domain certain real property located at the southeast corner of Peckham Lane and Virginia Street. (Refer to Item 01-629 BCC Meeting June 19, 2001.)

02-192 Reports - Monthly (December 2001)

- A. County Clerk
- B. Treasurer
- C. Animal Control

02-193 Reports – Quarterly (ending December 2001)

- A. County Clerk
- B. Sparks Justice Court
- C. Verdi Township

- D. Washoe County Sheriff's Department (Civil Fees & Commissions)
- E. Incline Village/Crystal Bay Township Constable
- F. Incline Village/Crystal Bay Township Justice Court

Reports – Comprehensive Annual (ended June 30, 2001)

- 02-194** A. City of Sparks
- 02-195** B. City of Reno
- 02-196** C. Truckee Meadows Water Reclamation Facility
- 02-197** D. Sun Valley General Improvement District 6/30/2000 & 2001

02-198 Report – Audit and Control – November, December & January, 2002

- A. Washoe County Treasurer for County Clerk and Court Clerk

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There being no further business to come before the Board, the meeting adjourned at 6:10 p.m.

PETER J. SFERRAZZA, Chairman
 Washoe County Commission

ATTEST: AMY HARVEY, County Clerk

*Minutes Prepared by
 Barbara Trow
 Deputy County Clerk*