

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

2:00 P.M.

JULY 23, 2002

PRESENT:

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

Amy Harvey, County Clerk
Katy Singlaub, County Manager
Madelyn Shipman, Legal Counsel
John Rhodes, Deputy District Attorney

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.

02-787 WORK CARD PERMIT APPEAL – ELIZABETH C. GILLIAM

The appeal by Elizabeth C. Gilliam of the Sheriff's denial of her work card permit application was considered on Monday, July 22, 2002, prior to the Caucus meeting.

On motion by Commissioner Short, seconded by Commissioner Galloway, which motion duly carried with Commissioner Shaw absent, the Board convened in closed session to hear testimony as to why the work card for Elizabeth C. Gilliam should or should not be granted. The appellant was present to offer testimony during the closed session. Maureen Thomas, Chief Records Clerk, Administrative Division of the Sheriff's Department, read into the record her memo to the Board dated July 22, 2002. The Board then reconvened in open session, and the following action was taken.

On motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried with Commissioner Shaw absent, Chairman Sferrazza ordered that the work card permit be issued to Elizabeth C. Gilliam for employment at La Petite Academy only.

02-788 **AGENDA**

In accordance with the Open Meeting Law, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried with Commissioner Shaw absent, Chairman Sferrazza ordered that the agenda for the July 23, 2002 meeting be approved with the following amendment: Item 14, an appeal of Condition No. 1 for the Record of Survey Boundary Line Adjustment River Pines Case No. BL02-500 has been continued to August 13, 2002.

PUBLIC COMMENTS

Bonnie Curtis, and Jim Richenberger, Spanish Springs Action Committee, spoke in support of the latest proposal for the Spanish Springs septic-to-sewer conversion and voiced their appreciation to staff of the Water Resources Department for working with the community on this issue.

Sam Dehne, Reno resident, discussed the County's decision to place a question on the election ballot concerning the railroad trench.

Eddie Anderson, area citizen, discussed the concept of a monorail. Mr. Anderson cited accomplishments by the City of Reno and praised Mayor Jeff Griffin and the Council.

MANAGER'S/COMMISSIONERS' COMMENTS

Chairman Sferrazza reported that Washoe County received five awards at the National Association of Counties convention for the County's public information program.

Katy Singlaub, County Manager, announced that Assistant County Manager Howard Reynolds would be retiring August 2, 2002.

02-789 **DISTINGUISHED BUDGET PRESENTATION AWARD – FY
2001/02 – FINANCE**

John Sherman, Finance Director, congratulated the staff of the Budget Division, particularly Lisa Gianoli and Trish Armer, for their initiative and efforts in preparing the budgets. Chairman Sferrazza presented the Government Finance Officers Association Distinguished Budget Presentation Award to Ms. Gianoli and Ms. Armer and also expressed the Board's appreciation to Mr. Sherman for his outstanding efforts.

**02-790 UNAUDITED SCHEDULES – 11 MONTHS ENDED MAY 31, 2002 –
GENERAL FUND, ALTURAS POWER MITIGATION, AND
CHILD PROTECTIVE SERVICES – COMPTROLLER**

Upon recommendation of Kathy Garcia, Comptroller, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried with Commissioner Shaw absent, Chairman Sferrazza ordered that the General Fund Cash Flows and Schedules and Alturas Power Mitigation and Child Protective Services Fund Schedules for the Eleven Months Ended May 31, 2002—Unaudited be accepted.

02-791 INCREASE CHANGE FUND – TREASURER

Upon recommendation of Bill Berrum, Treasurer, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried with Commissioner Shaw absent, it was ordered that the following Resolution be adopted and Chairman Sferrazza be authorized to execute the Resolution on behalf of Washoe County:

RESOLUTION

WHEREAS, The Board of County Commissioners of Washoe County, pursuant to NRS 354.609, has the authority to create and fund change and petty cash fund accounts; and

WHEREAS, The Washoe County Treasurer's Office has requested an increase in their change fund from \$1,500.00 to \$2,500.00 to assist in the administration of that office; now, therefore, be it

RESOLVED, By the Board of Commissioners of Washoe County, Nevada as follows:

1. That, pursuant to the provisions of NRS 354.609, the County Treasurer and the County Comptroller are hereby authorized and directed to take all necessary steps to establish and account for a \$1,000.00 increase in the change fund (for a total of \$2,500) for the Washoe County Treasurer's Office.
2. That the above additional \$1,000.00 will be transferred from the Washoe County Treasurer's Commercial Bank Account.
3. That said petty cash fund be used exclusively for transactions related to the Washoe County Treasurer's Office.
4. That the Washoe County Treasurer shall henceforth be held accountable for the change fund authorized by this resolution.

5. That the County Clerk is directed to distribute copies of this Resolution to the Washoe County Treasurer, Comptroller, and the Nevada Department of Taxation.

02-792 NEW POSITION – PUBLIC HEALTH EMERGENCY RESPONSE COORDINATOR – HUMAN RESOURCES

Upon recommendation of Joanne Ray, Director of Human Resources, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried with Commissioner Shaw absent, Chairman Sferrazza ordered that the following new employee classification be approved.

Department	Current Position	Date of Request	Recommended Class	Pay Grade
Health	New Position	Approved by BCC 5/14/02	Public Health Emergency Response Coordinator (New Class)	O

It was noted the District Health Department received a grant for prevention and preparedness for bioterrorism and this position will be funded through that grant.

02-793 RESIGNATION, REDUCTION OF MEMBERSHIP, AND RESOLUTION – GERLACH-EMPIRE CITIZEN ADVISORY BOARD – COMMUNITY DEVELOPMENT

On motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried with Commissioner Shaw absent, it was ordered that the resignation of Michael Stewart as the business representative on the Gerlach-Empire Citizen Advisory Board (CAB) be accepted. It was further ordered that the membership of the CAB be reduced from seven to five at-large representatives effective August 1, 2002, the following Resolution ratifying the change be adopted, and Chairman Sferrazza be authorized to execute the Resolution on behalf of Washoe County:

RESOLUTION

WHEREAS, it was requested that the Board of Commissioners of Washoe County reduce the membership of the Gerlach/Empire Citizen Advisory Board from seven (7) to five (5) at-large representatives; and

WHEREAS, the citizens of Gerlach and Empire believe they can be effectively represented and informed of decisions and actions of the Board of County Commissioners with reduced membership of the Gerlach/Empire Citizen Advisory Board; now, therefore, be it

RESOLVED, BY THE BOARD OF COMMISSIONERS OF WASHOE COUNTY, NEVADA, that the Gerlach/Empire Citizen Advisory Board be restructured, as amended in the following paragraph, as set forth under Sections 5.425 to 5.435, inclusive, of the Washoe County Code; and be it further

RESOLVED, that Gerlach/Empire Citizen Advisory Board shall henceforth consist of five at-large members (reduced from seven members) appointed by the Board of County Commissioners.

02-794 ACCEPTANCE OF GRANT – NEVADA DEPARTMENT OF MOTOR VEHICLES AND PUBLIC SAFETY, OFFICE OF CRIMINAL JUSTICE ASSISTANCE – DISTRICT COURT

Upon recommendation of Ron Longtin, District Court Administrator, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried with Commissioner Shaw absent, Chairman Sferrazza ordered that the Byrne Memorial Formula Grant, of which the Second Judicial District Court is serving as the subgrantee or “pass through” agency for federal funds to North Star Treatment and Recovery Center, in the amount of \$54,629 for the Reach-In Program for July 1, 2002 through June 30, 2003, be accepted and the following account changes be authorized:

INCREASE REVENUES	
120514G-4301	\$54,629
INCREASE APPROPRIATIONS	
120514G-7103	\$54,629

02-795 ACCEPTANCE OF GRANT – ATTORNEY GENERAL – DISTRICT COURT

Upon recommendation of Ron Longtin, District Court Administrator, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried with Commissioner Shaw absent, Chairman Sferrazza ordered that \$24,500 from the Office of Attorney General as pass-through from the federal Violence Against Women Act be accepted. It was further ordered that the Human Resources Department be directed to establish a part-time Administrative Secretary II position within the Judicial Branch job classification system and position control number to effectuate the terms of the grant and the following account changes be authorized:

INCREASE REVENUES	
120341 G	\$24,500
INCREASE EXPENDITURES	
120341G-7001	\$16,000
120341G-7042	\$ 4,000
120341G-7048	\$ 4,000
120341G-7050	\$ 500

02-796

ACCEPTANCE OF GRANTS – BILL AND MELINDA GATES FOUNDATION – WASHOE COUNTY LIBRARY

Upon recommendation of Nancy Cummings, Library Director, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried with Commissioner Shaw absent, Chairman Sferrazza ordered that the Bill and Melinda Gates Foundation grants in the aggregate amount of \$112,540 be accepted with gratitude and the following account changes be authorized:

INCREASE REVENUES	
132182D-5802	\$33,240
132182D-5802	\$79,300
INCREASE APPROPRIATIONS	
132182D-72051	\$33,240
132183D-72051	\$79,300

It was noted a \$79,300 grant will provide 24 additional or replacement computers in total to the downtown Reno (4), Duncan\Traner (4), Senior Center (4), Sparks (4), Sierra View (4), Incline Village (2) and Gerlach (2) libraries; and a second grant of \$33,240 will be used to establish a regional training lab with 11 computers for use by local library staff, librarians throughout the state, county staff and patrons.

02-797

ACCEPTANCE OF GRANT – PUBLIC AWARENESS CAMPAIGN - RAPE PREVENTION ON UNIVERSITY CAMPUS – NEVADA DEPARTMENT OF HUMAN RESOURCES

Upon recommendation of Richard Gammick, District Attorney, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried with Commissioner Shaw absent, Chairman Sferrazza ordered that grant funds from the Nevada Department of Human Resources, Health Division, be accepted. The grant award is in the amount of \$9,500, will expire on June 30, 2003, and will be used to launch a campaign to address sexual assault and rape of women on college campuses. The focus of this campaign is to increase awareness and provide information on resources available to help the victim. The grant award will be used to purchase posters and promotional items, print information brochures, purchase ad time in local movie theaters, and for a speaker during the Sexual Assault Awareness month in April 2003.

It was further ordered the following accounts and funds be assigned to the District Attorney’s budget for the term of this grant:

Account No.	Account Description	Increase Budget
Revenue:		
1066G1-4301	Federal Contribution	\$9,500.00
Expenditures:		
1066G1-7250	Office Supplies	\$3,000.00
1066G1-7357	Printing	\$1,000.00

1066G1-7304	Advertising	\$2,500.00
1066G1-7103	Professional Services	\$1,500.00
1066G1-7620	Travel	\$1,500.00
	TOTAL	\$9,500.00

02-798 ACCEPTANCE OF DONATION – VIRGINIA RANGE WILDLIFE PROTECTION ASSOCIATION – SHERIFF

Upon recommendation of Dennis Balaam, Sheriff, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried with Commissioner Shaw absent, Chairman Sferrazza ordered that a \$2,000 donation from the Virginia Range Wildlife Protection Association (VRWPA), a nonprofit corporation, be accepted with the Board’s gratitude. This donation was made for the specific purpose of assisting with the operational needs of the Washoe County Sheriff’s Office Regional Aviation Enforcement – RAVEN – Unit. It was further ordered that the following budget adjustments be authorized:

INCREASE REVENUES	
15228D-5802	\$2,000
INCREASE EXPENDITURES	
15228D-7398	\$2,000

02-799 ACCEPTANCE OF DONATION – PARASOL FOUNDATION OF INCLINE VILLAGE – SHERIFF

Upon recommendation of Dennis Balaam, Sheriff, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried with Commissioner Shaw absent, Chairman Sferrazza ordered that a donation from the Parasol Foundation of Incline Village for 5,000 fingerprint identification kits for the youth of Incline Village valued at \$3,044.95 be accepted with the Board’s gratitude.

02-800 CORRECTED INVOICE – THE FERGUSON GROUP – WATER RESOURCES

Upon recommendation of Jeanne Ruefer, Manager, Water Resources Planning Division, and Paul Urban, Flood Control Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried with Commissioner Shaw absent, Chairman Sferrazza ordered that payment of the corrected invoice for work performed by The Ferguson Group in the amount of \$5,792.50 be authorized.

02-801 AWARD OF BID – SPANISH SPRINGS VALLEY MONITORING WELLS – WATER RESOURCES

This was the time to consider award of the bid for construction of the Spanish Springs Valley Monitoring Wells. The Notice to Bidders for receipt of sealed

bids was published in the *Reno Gazette-Journal* on June 7, 12, 14, 20, and 26, 2002. Proof was made that due and legal Notice had been given.

The following is a summary of the bid results:

Bidder	Option A	Option B
Western Strata Exploration (Westex)	\$43,505.00	\$23,030.00
Humboldt Drilling & Pump	\$53,540.00	\$38,300.00
Boart Longyear	\$62,476.00	\$30,864.00
Aqua Drilling	\$69,190.80	\$35,496.00

Upon recommendation of Jeanne Ruefer, Manager, Water Resources Planning Division, through Steve Bradhurst, Director, Department of Water Resources, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried with Commissioner Shaw absent, it was ordered that:

1. The bid for construction of the Spanish Springs Valley Monitoring Wells be awarded to the lowest, responsive, responsible bidder, Western Strata Exploration (Westex), in the combined amount of \$66,535.00;
2. Chairman Sferrazza be authorized to execute the contract documents upon their receipt; and
3. The Water Resources Planning Division Manager be authorized to issue the Notice to Proceed.

02-802 INTERLOCAL AGREEMENT – WASHOE COUNTY SCHOOL DISTRICT – INVESTMENT SERVICES – TREASURER

Upon recommendation of Bill Berrum, Washoe County Treasurer, and the Washoe County Investment Committee, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried with Commissioner Shaw absent, it was ordered that the Interlocal Agreement between Washoe County and the Washoe County School District concerning a mutually acceptable investment agreement outlining conditions under which the County, through its Investment Officer, the Washoe County Treasurer, shall invest certain funds for the School District, be approved and Chairman Sferrazza be authorized to execute the same.

02-803 SPONSORSHIP AGREEMENT – HOT AUGUST NIGHTS, INC. – COMMUNITY RELATIONS

Upon recommendation of Kathy Carter, Community Relations Director, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried with Commissioner Shaw absent, it was ordered that the Sponsorship Agreement between Hot August Nights, Inc. (a non-profit organization) and Washoe County for a

period of three years (2003, 2004, 2005) providing for revenues to the County of \$10,400 in 2003, \$10,816 in 2004, and \$11,249 in 2005, be approved and Chairman Sferrazza be authorized to execute the same.

02-804 INTERLOCAL AGREEMENT – EARTHQUAKE MONITORING STATION - UNIVERSITY OF NEVADA RENO – PARKS AND RECREATION

Upon recommendation of Doug Doolittle, Assistant Director, through Karen Mullen, Director, Parks and Recreation Department, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried with Commissioner Shaw absent, it was ordered that the Interlocal Agreement between Washoe County and the University of Nevada Reno for placement of an earthquake monitoring station at the Washoe Golf Course be approved and Chairman Sferrazza be authorized to execute the Agreement.

02-805 CORRECTION OF FACTUAL/CLERICAL ERRORS ON TAX ROLLS – ASSESSOR

Upon recommendation of Jean Tacchino, Assistant Chief Deputy Assessor, Real Property, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried with Commissioner Shaw absent, it was ordered that the following Roll Change Requests, correcting factual errors on tax bills already mailed, be approved for the reasons stated thereon and mailed to the affected property owners, a copy of which has been placed on file with the Clerk. It was further ordered that the Order on each roll change directing the Treasurer to correct the error be approved and Chairman Sferrazza be authorized to execute the Order on behalf of the Commission.

PROPERTY OWNER	PARCEL #	AMOUNT	ROLL
David B. Davidow	001-061-04	[-\$491.62]	2002 Secured
Keith D. Polen	023-490-38	[-\$476.11]	2001 Supplemental (Improvements only)
Keith D. Polen	023-490-38	[-\$436.12]	2002 Secured
Pep Boys Manny Moe & Jack Cal	033-141-50	[-\$1,012.24]	2001 Secured
Clifford R. & Tina M. Springmeyer	050-402-07	[-\$81.04]	2002 Secured
City of Reno Housing Authority	082-290-79	[-\$31,816.66]	2002 Secured
Robert E. & Sallie R. Blank, Jr. Tr.	150-300-12	[-\$114.52]	2001 Supplemental (Improvements only)
Fred E. Thaheld, et al	224-092-05	[-\$25.04]	2002 Secured

02-806 UPDATE - LEGISLATIVE STUDY TO CREATE INCORPORATED TOWNS - MANAGER

John Slaughter, Strategic Planning, reported that John Sherman, Finance Director, attended the meetings of the Legislative Commission's Subcommittee to

Develop Enabling Legislation for the Creation of Incorporated Towns to present Washoe County's concerns and comments. He advised the Committee did include some of the comments; however, the decision of the Committee was not to bring forward a bill draft, but to leave it up to their Chairman, Mr. Bache, to bring a bill draft on his own after working with National Association of Counties (NACO) on their concerns. Katy Singlaub, County Manager, reminded the Board members that the County's primary concern has been to make sure certain responsibilities are attached to authority.

Madelyn Shipman, Assistant District Attorney, explained that, since the Interim Committee decided not to do a bill draft, Mr. Bache, Chairman of Government Affairs, is on his own introducing this bill draft. She further stated this puts the County in the best of positions.

Commissioner Galloway stated it was his understanding that NACO was opposed to this bill. He expressed his thinking that it would be helpful to provide the County's concerns and comments to Mr. Bache before a bill is introduced and to make him aware the County could support the bill if it included comment number three from the staff report concerning responsibilities associated with authority and protection for property owners from involuntary annexation.

Mr. Slaughter advised that Mr. Bache has indicated this issue will not be discussed again until after November. Ms. Shipman stated it would be better to wait to provide comments until a bill draft is actually presented. Ms. Singlaub suggested continuing this item to the August 13, 2002 meeting when a discussion concerning the County's legislative package is scheduled.

On motion by Commissioner Short, seconded by Commissioner Galloway, which motion duly carried with Commissioner Shaw absent, Chairman Sferrazza ordered that discussion concerning legislation for creating incorporated towns be continued to August 13, 2002.

02-807 GALENA/STEAMBOAT CITIZEN ADVISORY BOARD - OPEN
BURNING IN FORESTED AREAS

Bill Isert, Galena Forest Homeowners Association (GFHOA), stated the homeowners are very concerned about fire in the forested areas and the burn permits issued by the Nevada Division of Forestry (NDF) that allow property owners to do open burning on their lots. He stated there are other ways to dispose of the materials; and in light of the current drought and the extremely dry conditions, it appears to them that this open burning is a very unnecessary major risk. Mr. Isert requested that the NDF fire permits be discontinued immediately.

Sam Coleman, GFHOA, stated the Martis fire last year really got their attention, and a major concern is the time it takes to re-forest an area. He further stated controlled burns, done by professionals, get out of hand all the time; and now there are people with no fire fighting training burning brush on their property.

Chairman Sferrazza read cards submitted by John and Mary Dickerson who stated that a total ban on open burning would be a mistake and the system set up by NDF is working. Ms. Dickerson also submitted a letter from Kelly McInerney representing Lodestar Financial Group, et al, supporting the continuation of the burn permits. Chairman Sferrazza read the letter into the record.

Sam Dehne, area resident, stated anytime there is burning in the forest, there cannot be too much oversight and control.

Robert Ruffridge, Sierra Forest Fire Protection District, explained the procedures for allowing property owners to burn. He stated that in Washoe County there are only about 30 days in the spring and 30 days in the fall when burning is allowed; and last year, because the fire season extended into the fall, burning was not allowed. He emphasized they only issue permits when the fire danger warrants, and he feels NDF does a good job of controlling this.

Commissioner Short asked whether NDF is inspecting homes in the Galena area and assisting homeowners with providing defensible space. Mr. Ruffridge stated they are doing those activities. Commissioner Short requested a list of the burning permits that have been issued in the Galena Forest/Joy Lake Road area. He also asked if NDF would station a brush truck in the area and charge the people doing the burning. Mr. Ruffridge stated that is what they do if someone is burning a lot of material or a large area.

Chairman Sferrazza asked if the burning could be limited to the winter months. Mr. Ruffridge stated they usually cannot burn in the winter because of the air quality limitations in Washoe County.

Commissioner Galloway asked several questions about changing the regulations and whether Washoe County has the authority to do so. Madelyn Shipman, Assistant District Attorney, advised the Board probably does have such authority, but if the Board wanted to change the regulations Countywide, it should work through the fire departments.

Katy Singlaub, County Manager, stated she would like to work with NDF and Reno Fire on alternatives to burning.

On motion by Commissioner Bond, seconded by Commissioner Galloway, which motion duly carried with Commissioner Shaw absent, Chairman Sferrazza ordered that the matter be referred to staff and staff be directed to bring an ordinance or other acceptable method of handling controlled burns back to the Board for consideration.

02-808

CONTINGENCY TRANSFER - SECOND JUDICIAL DISTRICT COURT - FINANCE

Ron Longtin, District Court Administrator, explained the Court is requesting appropriation authority in the amount of \$4,500 to the Second Judicial District Court budget to cover overtime that will be incurred by Court Services in support of Hot August Nights and New Years 2003. The request is based on the fact that the Court budget is already austere in the area of overtime.

John Sherman, Finance Director, stated the Finance Department is recommending this request be denied at this time and that Finance staff be directed to do additional analysis on the Court's policy concerning overtime. He further stated the fiscal year is just beginning and the amount budgeted for overtime has not been tapped into yet.

Sam Dehne, area citizen, stated the agenda says "in support of" and should say "because of" Hot August Nights.

Katy Singlaub, County Manager, suggested that no transfer be made at this time; that staff wait until the actual expenditures are known; and that, if and when the Court's budget needs augmented, it will be done.

Chairman Sferrazza advised that he did commit to Judge Hardesty that he would support this request, but he did not realize the funds were already in the budget to cover this.

On motion by Commissioner Short, seconded by Commissioner Bond, which motion duly carried with Commissioner Shaw absent, Chairman Sferrazza ordered that the request to transfer funds from Contingency to the District Court, Court Services, budget be deferred until the actual impact of Hot August Nights is known and that Finance staff be directed to conduct an analysis of the District Court's budget concerning overtime.

Commissioner Galloway requested that staff consider whether Court Services is a reimbursable item to be considered in future Hot August Nights agreements.

02-809

INDEPENDENT CONTRACTOR AGREEMENT FOR LEGAL SERVICES - DAVID D. SPITZER, ESQ. - DISTRICT COURT

Upon recommendation of Ron Longtin, District Court Administrator, on motion by Commissioner Short, seconded by Commissioner Bond, which motion duly carried with Commissioner Shaw absent, it was ordered that the Independent Contractor Agreement for Legal Services in Specialty Courts between Washoe County and David D. Spitzer, Esq., concerning providing legal services for defendants in Adult Drug Court and Diversion Court, in the amount of \$115,000, be approved and Chairman Sferrazza be authorized to execute the same.

**GRANT PROGRAM CONTRACT AND RESOLUTION - RENO-
SPARKS GOSPEL MISSION HOMELESS SHELTER**

Eddie Anderson, area citizen, stated this homeless shelter is for adults, not children; and they should be charged at least \$3.00 per night because these people are also very good at panhandling downtown.

Upon recommendation of Gabrielle Enfield, Grants Administrator, on motion by Commissioner Bond, seconded by Commissioner Galloway, which motion duly carried with Commissioner Shaw absent, it was ordered that the Grant Program Contract between Washoe County and the Reno-Sparks Gospel Mission, in the amount of \$115,200 for fiscal year 2002/03, concerning supporting the operation of the emergency homeless shelter in Reno be approved and Chairman Sferrazza be authorized to execute the same. It was further ordered that the following Resolution be adopted and Chairman Sferrazza be authorized to execute the same:

**RESOLUTION - Authorizing the Grant of Public Money to a Nonprofit
Organization Created for Religious, Charitable or Educational
Purposes**

WHEREAS, NRS 244.1505 provides that a Board of County Commissioners may expend money for any purpose which will provide a substantial benefit to the inhabitants of the County and that a board may make a grant of money to a nonprofit organization created for religious, charitable or educational purposes to be expended for a selected purpose; and

WHEREAS, the Board of Commissioners of Washoe County has determined that a certain amount of money is available for fiscal year 2002-2003 for community support grants, which grants will provide a substantial benefit to the inhabitants of Washoe County and which are made to private nonprofit organizations; now, therefore, be it

RESOLVED, by the Board of Commissioners of Washoe County that:

1. The Board hereby grants to the Reno-Sparks Gospel Mission, Inc., a private, non-profit organization, a grant for fiscal year 2002-2003 in the amount of \$115,200 (Community Support).
2. The purpose of the grant is to provide for homeless shelter services.
3. The maximum amount to be expended from the grant and the conditions and limitations upon the grant are as set forth in the Grant Program Contract, which Contract is attached hereto (placed on file with the Clerk) and incorporated herein by reference.

02-811

**RESCIND RESOLUTION TO TRANSFER TAX DELINQUENT
PROPERTY (APN 016-740-01) TO OPEN SPACE PROGRAM -
TREASURER**

Katy Singlaub, County Manager, explained the issue on this item is there was an estate of a deceased party; and, when the estate proceeded to sell the parcel and cure the property tax delinquency, it was discovered the property had been transferred by the County to the Open Space Program without providing proper notice to the estate. She stated that action (see Item No. 01-1174) needs to be reversed.

Treasurer Bill Berrum explained that, through an oversight, his office did not provide the required legal notice to the Public Administrator's Office, who was representing the estate of the property owner, of the intent to sell or transfer the tax delinquent property.

A lengthy discussion ensued concerning the impact on the Open Space Program of the loss of this parcel. Commissioner Bond pointed out that the parcel never was the County's to lose. Commissioner Galloway stated he could not support the recommended action without knowing all the facts, such as where the parcel is located, a map of the property, who the buyer is, and where it was on the Open Space Program.

Commissioner Bond moved to adopt the resolution rescinding the November 13, 2001 action. Commissioner Short seconded the motion. Chairman Sferrazza stated he would like to continue the item due to Commissioner Galloway's concerns. It was decided to defer the item and staff proceeded to obtain the information requested.

Later in the meeting, Mr. Berrum supplied the information requested concerning the pending sale of the subject parcel. Bill Whitney, Community Development, displayed a large map identifying the property for the Board and responded to questions concerning topography and zoning.

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

RESOLUTION

**DECLARATION AND ORDER REGARDING TAX DELINQUENT REAL
PROPERTY TRANSFERRED TO PARKS DEPARTMENT**

WHEREAS, the Washoe County Treasurer held a parcel of real property in trust, namely APN 016-740-01, as a result of delinquent taxes, and pursuant to Washoe County Code Section 20.471, this parcel was listed in the Treasurer's Tax Delinquent book and reviewed for public need by the Department of Parks and Recreation;

WHEREAS, the Department of Parks and Recreation recommended that the benefits of public ownership of APN 016-740-01 outweighed the County's need to sell this parcel at public auction and receive payment of taxes, interest and penalties;

WHEREAS, The Washoe County Board of Commissioners ("BCC") accepted that recommendation and adopted the same by resolution dated November 13, 2001, ordering that this parcel be deeded over to the regional open space program; and

WHEREAS, the Washoe County Public Administrator served as personal representative for the estate of the delinquent taxpayer but the Public Administrator was not provided legal notice of sale or transfer as required by NRS 361.603, and the Public Administrator now has an offer to purchase this parcel, which purchase was just confirmed by the Washoe County District Probate Court.

NOW, THEREFORE, BE IT RESOLVED BY THE BCC that, good cause existing, the Resolution of the BCC dated November 13, 2001, is hereby rescinded and rendered void as if it never existed but only as it pertains to APN 016-740-01. Any deed that has been recorded to reflect the November 13, 2001 Resolution shall be corrected accordingly.

This Resolution shall be effective on passage and approval.

The County Clerk is hereby directed to distribute copies of this Resolution to the Public Administrator, Treasurer, and Department of Parks and Recreation.

**02-812 BILL NO. 1346 -AMENDING WCC CHAPTER 55 - ADDING
WADSWORTH AREA TO DEFINITION OF CONGESTED AREA
FOR PURPOSE OF CONTROL OF DOGS**

Chairman Sferrazza distributed a copy of a newspaper article from Joe Carter, Sparks resident, concerning a Wadsworth youngster who had been bitten by a dog. He also stated he talked to Wadsworth Justice of the Peace Graham, who was concerned about dogs from the Reservation. He asked that the Judge be provided a copy of the map.

Bill No. 1346, entitled, "**AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY ADDING THE WADSWORTH AREA AND STAMPMILL ESTATES SUBDIVISION TO THE DEFINITION OF CONGESTED AREA FOR PURPOSES OF CONTROL OF DOGS, AND OTHER MATTERS PROPERLY RELATING THERETO**" was introduced by Commissioner Bond; the title was read to the Board; and direction was given to publish legal notice for final action of adoption.

**BILL - AMENDING ORDINANCE 1038 - SCHEDULE OF RATES
AND CHARGES FOR RECLAIMED WATER SERVICE**

Robert Sader, Attorney representing South Meadows Properties Limited Partnership, requested the Board consider not introducing the ordinance and referring it back to staff to consider the amendment he was proposing concerning an exception. He stated the proposed ordinance would only impact the Wolf Run Golf Course, which is owned by the University of Nevada. The impact to Wolf Run would be: 1) an increase in the amount of water needed by Wolf Run this irrigation season, which would exceed 337 acre-feet; and 2) a 300 percent increase in the rate the University would be charged for the water needed over 337 acre-feet. Mr. Sader stated another impact would be that the University would be prohibited from using additional reclaimed water after this irrigation season because the ordinance only allows the water to be used twice, and it was used last season. That means the University would have to go out and buy water rights, which could cost up to \$1,000,000. Mr. Sader stated South Meadows Properties is donating the water rights to the University, and every year the County allows this temporary water use arrangement to continue is another year that the University does not have to come up with the money to buy the water rights.

Chairman Sferrazza asked about the 200 acre-feet South Meadows Properties donated to the County. Mr. Sader explained the 1996 agreement whereby South Meadows provided the creek water rights to the County to use in the reclaimed water system until such time as the sewer plant generates enough effluent on its own.

Chairman Sferrazza noted the County has forgiven approximately \$1,000,000 in charges due from Wolf Run for water usage in excess of their dedication. John Collins, Utility Services Division Manager, stated that Wolf Run also agreed to take steps to limit their use to the 337 acre-feet, which they have not been able to do.

Chairman Sferrazza asked what Wolf Run would be paying versus the actual cost of delivering 1,000 gallons. Mr. Collins responded the 55-cents per 1,000 gallons does cover the cost of delivery. He further explained that, with the proposed 45-cents per 1,000 gallons surcharge, the County would, in effect, be providing financing to Wolf Run for the hookup fees, which would be paid in approximately four years.

Commissioner Bond stated this situation with the Wolf Run Golf Course must be resolved so the Board does not have to deal with it year in and year out.

Mr. Collins stated if the 45-cent surcharge were implemented, Wolf Run could make the economic decision themselves concerning which course of action they want to take.

Following further discussion, on motion by Commissioner Short, seconded by Commissioner Bond, which motion duly carried with Commissioner Shaw absent, Chairman Sferrazza ordered that the introduction and first reading of this bill be

continued and staff be directed to work with Mr. Sader and bring back amendments to the proposed ordinance for Board consideration.

**02-814 APPOINTMENT - WASHOE COUNTY ADVISORY BOARD TO
MANAGE WILDLIFE**

Chairman Sferrazza noted the following individuals have been nominated, or have applied, for appointment to the Washoe County Advisory Board to Manage Wildlife: Joel Blakeslee, Fred Church, Dan Heinz, Judith Caron, Fran Oppio, Gary Bader, Lance Pecetti and Steven Reich.

Commissioner Galloway stated his understanding that individuals were to be nominated by a qualified organization in order to be eligible for appointment, and he noted Mr. Pecetti and Mr. Reich have applied without sponsorship. He asked if the Board could consider their applications.

Madelyn Shipman, Assistant District Attorney, stated the statute also discusses being recommended by an individual as well as by an organization. Commissioner Galloway stated there is no letter of recommendation for these two individuals. Ms. Shipman stated she believes the intent is to obtain qualified nominees and the Board would have leeway in deciding how to choose the appointee based upon applications received in addition to recommendations made.

The following nominees addressed the Board describing their experience and qualifications for appointment: Fran Oppio, Joel Blakeslee, Judi Caron, and Fred Church.

The following individuals spoke, or submitted written comments which were read by the Chairman, in support of Fred Church: Robert L. Brooks, Jerry Lowery, John Septien (Silver Arrow Bowmen/Nevada Bow Hunter Association), Ed Wagner, Tom Smith (Truckee River Fly Fishers), Clint Wells (Nevada Waterfowl Association), and Larry Johnson (Nevada Bighorns Unlimited and Coalition for Nevada's Wildlife). There were also numerous letters of support submitted on behalf of Mr. Church, Ms. Caron and Mr. Oppio.

Wildlife Board Member Gerald Lent reminded the Board of the previous discussion (see: minutes of June 25, 2002, Item 02-687) concerning the importance of having balanced representation from all of the various hunting groups on this Board.

Following deliberation, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried with Commissioner Shaw absent, Chairman Sferrazza ordered that Judith Caron be appointed to the Washoe County Advisory Board to Manage Wildlife with the term expiring July 1, 2005. The Board members thanked the other applicants for their interest and asked them to stay involved and come back next year when there will be another position open.

02-815 **BILL NO. 1344 - AMENDING CHAPTER 50 - MOTORCYCLES
AND OFF-ROAD VEHICLES WITHIN 500 FEET OF
RESIDENCES**

5:30 p.m. This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on July 12, 2002, to consider second reading and adoption of Bill No. 1344, entitled "AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY REPEALING CERTAIN PROVISIONS RELATING TO THE RIDING OF MOTORCYCLES ON MOTORCYCLE COURSES AND BY ADDING PROVISIONS PROHIBITING THE OPERATION OF OFF-ROAD VEHICLES WITHIN 500 FEET OF RESIDENCES OR IN SUCH A MANNER AS TO DISTURB THE PEACE." Proof was made that due and legal Notice had been given.

The Chairman opened the public hearing by calling on anyone wishing to speak for or against adoption of said Ordinance.

Chairman Sferrazza stated that, pursuant to discussion at Caucus, adoption of this ordinance would be continued. Commissioner Galloway advised the proposed ordinance does not accomplish what was intended for the Peavine area.

Jim Calkins, Reno resident, stated he agrees a new ordinance is needed. David Smith, Reno resident, stated there is no signage in the Peavine area to let people know shooting is not allowed.

There being no one else wishing to speak, Chairman Sferrazza closed the public hearing.

On motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried with Commissioner Shaw absent, Chairman Sferrazza ordered that Bill No. 1344 not be adopted.

02-816 **UPDATE - COMMUNITY MANAGEMENT PLANS -
COMMUNITY DEVELOPMENT**

Maryann DeHaven, Planner, reviewed her staff report providing background information and updating the Board concerning development and progress of the community management plans, noting the original concept was to establish boundaries to protect and preserve existing communities and to protect areas from involuntary annexation. She advised that in the 2002 Regional Plan, the County's language was changed and the protection from annexation was not included. Ms. DeHaven stated staff is working through the area Citizen Advisory Boards and provided a timetable for completion of the community plans. She further stated staff is proceeding regardless of the outcome of the legal issues with the 2002 Regional Plan because they believe good land use plans will result from this process. Ms. DeHaven and Michael Harper, Community Development, responded to questions from Board members.

02-817 2002 REGIONAL PLAN - UPDATE

Commissioner Galloway reported that at the last Regional Planning Governing Board meeting the RPGB decided not to proceed with some of the changes as previously agreed.

**02-818 BALLOT ARGUMENTS COMMITTEES - BALLOT QUESTIONS
WC1 - WC9 - REGISTRAR OF VOTERS**

Dan Burk, Registrar of Voters, submitted information concerning the individuals who have volunteered to serve on the ballot arguments committees, both pro and con, for the County's nine ballot questions. He stated there are quite a few "empty" slots, and, if the Board directs, he will run an ad in the newspaper to solicit more committee members. Mr. Burk explained the ideal situation is to have three individuals per committee; the Board can appoint individuals, subject to their acceptance of the appointment; or, if the Board directs, he can select the committee members.

Board members then suggested several people and organizations Mr. Burk could contact to see if they would be willing to serve on the arguments committees for the various issues.

On motion by Commissioner Bond, seconded by Commissioner Galloway, which motion duly carried with Commissioner Shaw absent, Chairman Sferrazza ordered that the Ballot Questions Arguments Committee Members list submitted by the Registrar of Voters be approved and that the Registrar be directed to contact the people and organizations suggested by the Board members in order to complete formation of the committees needed to write the arguments for the County's ballot questions, WC-1 through WC-9.

There being no further business to come before the Board, the meeting adjourned at 6:30 p.m.

PETER J. SFERRAZZA, Chairman
Washoe County Commission

ATTEST:

AMY HARVEY, County Clerk
and Clerk of the Board of
County Commissioners

*Minutes Prepared by
Sharon Gotchy
Deputy County Clerk*