

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

2:00 P.M.

AUGUST 13, 2002

PRESENT:

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

Amy Harvey, County Clerk
Katy Singlaub, County Manager
Madelyn Shipman, Legal Counsel

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

02-819 WORK CARD PERMIT APPEAL – FRANK B. IRWIN

This appeal was considered on Monday, August 12, 2002, prior to the Caucus meeting, the Board having convened in open session with Chairman Sferrazza presiding, to consider the appeal of Frank B. Irwin from the Sheriff's denial of his work card permit application.

On motion by Commissioner Shaw, seconded by Commissioner Short, which motion duly carried, the Board convened in closed session to hear testimony as to why the work card should or should not be granted. The appellant was present to offer testimony during the closed session. Maurene Thomas, Chief Records Clerk, Administrative Division of the Sheriff's Department, read into the record her memo to the Board dated August 12, 2002. The Board then reconvened in open session, and the following action was taken:

On motion by Commissioner Short, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that the appeal of Frank B. Irwin be granted and the work card permit be issued.

02-820 AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried with Commissioner Short temporarily absent, Chairman Sferrazza ordered that the agenda for the August 13, 2002, meeting be approved with the following amendments: Delete – Item 8M(2)

concerning execution of an Interlocal Agreement between Washoe County (Juvenile Services) and Washoe County District Health Department for the continuance of a full time Advanced Practitioner of Nursing for medical services at Wittenberg Hall. Delete – Item 23 concerning Appeal of Condition #1 for the Record of Survey Boundary Line Adjustment River Pines Case No. BL02-005.

PUBLIC COMMENTS

Sam Dehne, Reno resident, expressed his dissatisfaction with the Airport Authority's appointments of Chairman and Vice Chairman, his aversion to "billboard blight", and his disgust with the *Reno Gazette-Journal* and Channel 4 concerning a poll they recently conducted regarding consolidation of local government.

David Smith, Reno resident, thanked Commissioner Galloway for taking time to talk with citizens concerning the Peavine issue and performing decibel tests in the area.

James Calkins, Reno resident, said the City of Reno gave no consideration to solving the firearm and recreational motor vehicle problem in the Northwest Reno/Peavine area.

***2:15 p.m. Commissioner Short arrived at the meeting.**

Mrs. Joe Farage, Cold Springs resident, said she was dissatisfied with the way Washoe County staff handled her phone calls. She stated that she contacted 15 agencies within Washoe County and none were willing to help clean up an abandoned house that squatters moved into in her neighborhood in Cold Springs. She thanked the Contractor's Board and Vice Chairman Bond for taking time to come out and begin to help resolve the situation. Katy Singlaub, County Manager, advised Mrs. Farage that she would look into the situation.

Dian Vander Well, Cold Springs resident, described the unhealthy environment at the abandoned house in her neighborhood. She said that, while her four and a half-year-old daughter was playing in her own backyard, she found a dirty hypodermic needle that apparently had been improperly disposed of by squatters in the neighborhood, and stabbed herself in the leg with it. She stated her daughter would now have to endure several years of HIV and hepatitis tests.

MANAGER'S/COMMISSIONERS' COMMENTS

Commissioner Bond advised that people are moving into the Vya area in Northern Washoe County. She is concerned about road maintenance and snow removal and requested that staff research which entity is responsible for these services in that area.

Commissioner Bond further advised that there is a serious problem with water wells drying up in Lemmon Valley, and residents are interested in creating an

assessment structure to bring water lines to their properties. Katy Singlaub, County Manager, explained that the County is working on facilities plans for each of the hydrographic basins to address the issue.

Commissioner Bond requested follow-up concerning Chocolate Drive road maintenance.

Commissioner Short asked that the County contact the Nevada Department of Transportation to look into putting a traffic light at Damonte Ranch Parkway and I-580. He said there is more traffic now that the road is open to the new school, and there have been a number of accidents.

Chairman Sferrazza requested the complaints by Mrs. Joe Farage and Dian Vander Well be investigated and staff report back to the Commissioners. Ms. Singlaub advised that a plan would be implemented to prevent this from happening in the future.

Commissioner Galloway advised he has asked staff to review whether the County has financial obligations under any agreements with the Regional Planning Governing Board (RPGB) concerning their hiring a lobbyist. He said this has not been done in the past and he and another County representative on the RPGB did not support the action.

Commissioner Shaw indicated that, as the Board of County Commissioners' representative on the Health Board, he would look into the Cold Springs matter presented by Mrs. Farage and Mrs. Vander Well.

02-821 RESOLUTION – HONORING THE LIFE OF MARY HANSEN

Chairman Sferrazza went to the podium, read the Resolution honoring the life of Mary Hansen, and presented a plaque to Diana Langs and Jim Ainsworth. Mr. Ainsworth said Mary would be greatly missed in the community.

The Board adopted the following Resolution and ordered that Chairman Sferrazza be authorized to execute the same on behalf of the Commission:

RESOLUTION

WHEREAS, With Mary Hansen's recent passing a void will definitely be felt in Washoe County and most particularly in the Sun Valley community; and

WHEREAS, Mary had been an extremely active participant in various programs and committees that helped enhance her Sun Valley community; and

WHEREAS, Mary was instrumental in the rousing success of the "Looking Fine in '99" project, as well as selflessly volunteering her time on the Sun

Valley Citizen's Advisory Board, Washoe County Infrastructure Committee, Washoe County Parks Commission and many other Task Forces and Advisory Committees; and

WHEREAS, The Sun Valley Community was also greatly served by Mary's tireless dedication to the Community by her serving as Vice President of the Sun Valley Sertoma, a member of the Task Force for the Sun Valley Schools, board member of the Sun Valley General Improvement District, advisory board member of the Sun Valley Teen Center, member of the Sun Valley Resident's Association; as well as being instrumental in the completion of the St. Mary's Children's Clinic, signal lights on Sun Valley Boulevard, bike path, a community park and numerous other projects that benefited Sun Valley; and

WHEREAS, Mary also assisted in fundraising for tree planting at the Sun Valley Community Park, as well as food and clothing for disadvantaged community members; now therefore, be it

RESOLVED, That the Washoe County Board of Commissioners hereby declare Tuesday, August 13, 2002, as Mary Hansen Day in honor of Mary's many contributions and devotion to Washoe County and the Sun Valley Community; and be it further

RESOLVED, That the Board offers condolences to Mary's family and many friends and that her unselfish volunteerism and leadership remain with the community to which she gave so much.

**02-822 RESOLUTION – ACKNOWLEDGING HOWARD REYNOLDS’
RETIREMENT FROM WASHOE COUNTY SERVICE**

Chairman Sferrazza went to the podium, read the Resolution acknowledging Howard Reynolds’ retirement from Washoe County service, and presented a plaque to Mr. Reynolds. Mr. Reynolds thanked everyone for the opportunities he had been given as a Washoe County employee.

The Board adopted the following Resolution and ordered that Chairman Sferrazza be authorized to execute the same on behalf of the Commission:

RESOLUTION

WHEREAS, I. Howard Reynolds began his employment with Washoe County government on January 2, 1979, serving in the capacity as Personnel Director; and

WHEREAS, Howard will officially start his well-deserved retirement on September 6, 2002 after serving as an Assistant County Manager since August 20, 1984; and

WHEREAS, "Howie" has worn many hats during his tenure with Washoe County by serving as Interim Collections Division Manager, Interim Registrar of Voters, Interim Community Development Director and Interim Public Guardian; and

WHEREAS, Washoe County benefited greatly by his willingness to serve in these many varied capacities, which proved his leadership abilities time after time; and

WHEREAS, Howard's fantastic memory recall should probably be in the Guinness Book of Records as more often than not, he could tell a person the exact date of when an instance occurred; and

WHEREAS, Throughout "Howie's" employment in the County Manager's Office, his sense of humor has been greatly appreciated (most of the time) and the singing of the last song he heard as he parked his car will be sorely missed; and

WHEREAS, His dedication to duty will definitely be missed by his "Washoe County Family", as well as his untiring excellence in public service; now, therefore, be it,

RESOLVED, That the Washoe County Board of Commissioners send their appreciation and respect to I. Howard Reynolds for his many years of dedication to Washoe County; and be it further

RESOLVED, That the Board sincerely wishes him the best in his retirement and that any roads he may travel be safe with fair winds.

**02-823 PRESENTATION OF CHECK – SIERRA ARTS FOUNDATION –
COMMUNITY RELATIONS**

Kathy Carter, Community Relations Manager, explained the County's \$5,000 sponsorship for Artown's Counting Sheep project. Lonnie Harris, Sierra Arts Foundation, presented a check in the amount of \$1,630.33, the excess proceeds from the \$5,000 sponsorship, to Leonard Pugh, Juvenile Services Director. The money will go toward facilitating the Juvenile Services Department art program.

Sam Dehne, Reno resident, said taxpayers' money should not be wasted on Artown because he feels they misuse their funds and should be disbanded until they prove they can account for public funds. He said the Reno-Sparks Convention & Visitor's Authority was created to handle these types of events.

MINUTES

On motion by Commissioner Short, seconded by Commissioner Galloway, which motion duly carried, with Commissioners Shaw and Bond abstaining, Chairman

Sferrazza ordered that the minutes of the regular Board of County Commissioners' meeting of May 21, 2002 be approved.

On motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that the minutes of the regular Board of County Commissioners' meeting of May 28, 2002 be approved.

**02-824 AIRCRAFT LIABILITY AND HULL INSURANCE – RISK
MANAGEMENT**

Chairman Sferrazza asked that staff provide him information concerning the reimbursement method from the Sheriff's Department to Risk Management for this insurance policy.

Upon recommendation of Jim Jeppson, Risk Manager, through John Sherman, Finance Director, on motion by Commissioner Short, seconded by Commissioner Shaw, which motion duly carried with Chairman Sferrazza abstaining, it was ordered that the Risk Manager be authorized to renew the Aircraft Liability and Hull Insurance Policy for the aircraft and helicopters operated by the Sheriff's Office.

It was noted the annual premium for 07/01/02-07/01/03 is \$37,787, a 7 ½ percent increase over last year's premium of \$35,150. However, the County earned a credit of \$9,450 for downtime of aircraft during the past year for a net premium of \$28,337 for the new policy term.

It was further noted this premium is paid by the Risk Management Division and reimbursed by the Sheriff's Department.

**02-825 SOLE SOURCE JUSTIFICATION – FIRE ALARM SYSTEM
UPGRADE – DETENTION FACILITY – PUBLIC WORKS**

In response to Commissioners' concerns, Katy Singlaub, County Manager, advised that this fire alarm system is a completely different product and would be installed by a different vendor than the product that allowed the recent escape of a Washoe County Jail inmate, and a security assessment has been initiated concerning that escape. Dave Roundtree, Public Works Director, said the original fire alarm system was installed with the initial construction 18 years ago. The control panel has reached capacity and needs to be replaced due to normal wear and tear and new technology. He said the manufacturer no longer supports the outdated technology, and the sole source vendor is being recommended so as not to jeopardize operations of other components of the system and void the Underwriters Laboratories (UL) listing. He further explained that throughout the jail building there are a number of fire and smoke detection elements tied together into this central control panel, and if the central control panel is not with the same system, all the individual detection elements throughout the entire jail would have to be replaced. He stated that sending this project out to bid would require replacing the entire system throughout the jail and cost thousands of dollars. Ms. Singlaub said the

new panel could be integrated with the existing outlying buildings. Mr. Roundtree said the new panel would accommodate anticipated jail expansion over the next eight to ten years. He noted the current jail site is large and, depending on how it is developed, a second control panel may be required. He further stated that the recommendation for the sole source purchase is based on the idea that the Simplex detectors and a different brand control panel might not be compatible. Ms. Singlaub said staff would confirm that a Simplex control panel is required with the Simplex detectors and report back to the Board.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Short, seconded by Commissioner Shaw, which motion duly carried with Chairman Sferrazza and Commissioner Galloway voting “no,” it was ordered that the upgrade of the main control panel for the fire alarm system at the Washoe County Detention Center, on behalf of the Washoe County Public Works Department, by SimplexGrinnell LP in the amount of \$96,420.00 be approved. It was noted this sole source procurement is based on the fact that the entire jail complex is protected by a Simplex Fire Alarm System and upgrading to a panel other than Simplex would jeopardize operations of other components of the system and void the UL listing for the system. SimplexGrinnell LP is the local representative and services the Northern Nevada area. They have indicated by letter, placed on file with the Clerk, that the pricing offered the County is below their normal rates and would not exceed pricing used on GSA projects. It was further noted that, pursuant to the County’s sole source procurement policy, the Public Works Department has completed the sole source purchase request form, placed on file with the Clerk, and the Purchasing Office concurs that this procurement qualifies for sole source consideration.

**02-826 PROFESSIONAL MAINTENANCE AND DEVELOPMENT
SERVICES AGREEMENT – CANYON SOLUTIONS, INC. – RENO
JUSTICE COURT**

Katy Singlaub, County Manager, said this Agreement is for a not-to-exceed amount of \$82,500 and is in fulfillment of requests she and John Sherman, Finance Director, made of the vendor to provide additional work documentation for the Case Management System so that internal staff would be properly trained to take over the project. She stated this has been an ongoing venture for several years and was designed to be a mentoring project where the vendor provides a portion of the software development side by side with staff. Mr. Sherman stated there is no guarantee this is the last year for this expense, and any software that is in place needs maintenance over its lifetime.

Upon recommendation of Marie Etchemendy, Court Administrator, Reno Justice Court, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, it was ordered that the Agreement for Professional Maintenance and Development Services between Canyon Solutions, Inc. and Washoe County concerning professional consultant services for the computer software and related materials known as the Reno Justice Court Case Management System be approved and

Chairman Sferrazza be authorized to execute said Agreement. The amount is \$82,500 for a one-year period, retroactive effective July 1, 2002 notwithstanding the date(s) of execution by the Parties. It was further ordered that, if staff does not see these expenses decreasing, alternatives would be considered. Staff was directed to provide the Board with quarterly progress updates.

**02-827 2002/03 SPONSOR FEES – NORTH CAL-NEVA RESOURCE
CONSERVATION & DEVELOPMENT COUNCIL**

On motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that sponsor fees in the amount of \$300 be paid to the North Cal-Neva Resource Conservation & Development Council for the 2002/03 period.

**02-828 ACCEPTANCE OF DONATION – SHERIFF’S AIR SQUADRON –
SHERIFF**

Upon recommendation of Dennis Balaam, Sheriff, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that a donation from the Sheriff’s Air Squadron (a non-profit 501(c) corporation) of one VHF radio repeater system (Make: Kenwood, Model: TCR-750, Serial #40200219) valued at \$1,338.00 be accepted with the Board’s gratitude. It was noted this donation is to be used to extend radio communications in the remote areas of Washoe County for Search and Rescue missions.

**02-829 ACCEPTANCE OF DONATION – RICHARD G. HILL, ESQ. –
ANIMAL CONTROL**

Upon recommendation of Tom Gadd, Director, General Services, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that two donations totaling \$411.08 on behalf of Richard G. Hill, Esq. be accepted with the Board’s gratitude; one check in the amount of \$205.54 from the Law Offices of Alverson, Taylor, Mortensen, Nelson & Sanders, and a second check in the like amount of \$205.54 from Piscevich & Fenner, Attorneys at Law. It was noted that Mr. Hill has generously donated his fees to Washoe County Animal Control to encourage responsible pet ownership. It was further noted this donation would result in an increase of \$411.08 to Washoe County Animal Control account number 1561-5802.

02-830 REAPPOINTMENT – PARK COMMISSION

Upon recommendation of Rita Lencioni, Assistant to the County Manager, through Katy Singlaub, Washoe County Manager, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that Kenneth Rose be reappointed to the Park Commission with term a to expire June 30, 2006.

02-831 APPOINTMENT – SAFETY COMMITTEE

Upon recommendation of Jim Caughron, Risk Management Division, through Jim Jeppson, Risk Manager, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that John Balentine, Purchasing Director, be appointed to the Safety Committee with term to expire August 30, 2004.

02-832 APPOINTMENT – TAHOE TRANSPORTATION DISTRICT AND TAHOE TRANSPORTATION COMMISSION – ALTERNATE

Upon recommendation of Michael Harper, Planning Manager, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that Eva Krause, Planner, be appointed as the County’s alternate to the Tahoe Transportation District and Tahoe Transportation Commission.

02-833 ACCEPTANCE OF GRANT – NEVADA DEPARTMENT OF MOTOR VEHICLES, OFFICE OF TRAFFIC SAFETY – JOINING FORCES – SHERIFF

Upon recommendation of Dennis Balaam, Sheriff, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that a total of \$9,934.50 in grant monies from the Nevada Department of Motor Vehicles, Office of Traffic Safety, to be used for the “Joining Forces” program, be accepted and the following revenue and expenditure budget adjustments be authorized:

INCREASE REVENUES	
152460G1/4301	\$9,934.50
INCREASE EXPENDITURES	
152460G1/7003	\$9,934.50

It was noted the “Joining Forces” program provides for local law enforcement agencies to work in conjunction with each other in DUI saturation patrols, special target enforcement areas, and DUI checkpoints.

It was further noted the Office of Traffic Safety has allotted \$9,934.50 to cover reimbursement of overtime costs incurred during this program. The grant period ends September 30, 2002.

02-834 ACCEPTANCE OF GRANT – NEVADA ATTORNEY GENERAL – VIOLENCE AGAINST WOMEN ACT– SHERIFF

Upon recommendation of Dennis Balaam, Sheriff, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried,

Chairman Sferrazza ordered that a total of \$10,000 in grant monies from the Nevada Attorney General’s Office, to be used for domestic violence training and the purchase of 20 digital cameras, be accepted and the following budget adjustments be authorized:

INCREASE REVENUES	
152473G-4301	\$10,000.00
INCREASE EXPENDITURES	
152473G-7245	\$ 6,000.00
152473G-7385	\$ 4,000.00

It was noted that the matching funding requirement of \$3,333.00 will be met by in-kind contributions of the two Detectives’ and Victim Advocate’s salary and benefits that are currently assigned to the Domestic Violence Investigations Unit.

02-835 SETTLEMENT OF LAWSUITS – HULL V. WASHOE COUNTY, ET AL. – FILE NOS. 21115 AND 22322 – RISK MANAGEMENT

Upon recommendation of Jim Jeppson, Risk Manager, through John Sherman, Finance Director, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that the settlement of the two lawsuits, Hull v. Washoe County, et al., File Numbers 21115 and 22322, be approved.

02-836 EXPENDITURE INCREASE – LEXIS-NEXIS SERVICES – SECOND JUDICIAL DISTRICT COURT

Upon recommendation of Ron Longtin, District Court Administrator, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that the payment of \$30,000 for an annual subscription to Lexis-Nexis for the purpose of legal research for the Second Judicial District Court be approved.

02-837 STREET NAME CHANGE – PORTION OF MIRA LOMA ROAD TO DESERT WAY

Upon recommendation of Stephen Weber, Street Naming Coordinator, through David Roundtree, Public Works Director, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that the request to rename a portion of Mira Loma Road to Desert Way be approved, effective immediately.

02-838 STREET NAME CHANGE – PORTION OF MIRA LOMA ROAD TO WESTERN SKIES DRIVE

Upon recommendation of Stephen Weber, Street Naming Coordinator, through David Roundtree, Public Works Director, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that the request to rename a portion of Mira Loma Road to Western Skies Drive be approved, effective immediately.

02-839 FY 2002/03 BUDGET AMENDMENT – CAPITAL EXPENDITURES – HEALTH ALERT NETWORK BIOTERRORISM PREPAREDNESS PROGRAM – HEALTH

Upon recommendation of Barbara Hunt, District Health Officer, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that the capital expenditures over \$5,000 and the amendments to the District Health Department Fiscal Year 2002/03 budget in the amount of \$80,000 in State funds be approved and the following account changes be authorized:

Account Number	Description	Amount of Increase/(Decrease)
002-1700-1728G3-4301	Federal Funds	\$ 80,000
002-1700-1728G3-7140	Other Professional Svcs.	\$ 20,000
-7250	Office Supplies	\$ 7,228
-7364	Registration	\$ 6,000
-7620	Travel	\$ 6,000
-7825	Misc. Special Equipment	\$ 22,000
-7829	Computer Equip. Hardware	\$ 18,772
	Total Expenditures	\$ 80,000

It was noted that this Subgrant Award is for the period July 1, 2002 through August 30, 2002. It was further noted that this amendment creates a new project entitled Health Alert Network Bioterrorism Preparedness Program in the Administrative Health Services Division. This award includes funding for other professional services, training and travel, office supplies, specialized equipment and computer equipment hardware and will support training for bioterrorism preparedness to healthcare workers and providers.

02-840 FY 2002/03 PURCHASE REQUISITION – NEVADA STATE HEALTH LABORATORY SERVICES – HEALTH

Upon recommendation of Barbara Hunt, District Health Officer, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that purchase requisition number 161447 for Fiscal Year 2002/03 to the Board of Regents of the University and Community College System of Nevada, Medical School, Nevada State Health Laboratory in the amount of \$55,800 for clinical laboratory services on behalf of the Community & Clinical Health Services Division of the District Health Department be approved.

**02-841 FY 2002/03 PURCHASE REQUISITION – BERGEN BRUNSWIG
PHARMACEUTICALS – HEALTH**

Upon recommendation of Barbara Hunt, District Health Officer, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that purchase requisition number 161445 for Fiscal Year 2002/03 to Bergen Brunswig Pharmaceuticals in the amount of \$43,500 for clinical pharmaceutical purchases on behalf of the Community & Clinical Health Services Division of the District Health Department be approved.

**02-842 FY 2002/03 BUDGET AMENDMENT – COMMUNICABLE
DISEASE PROGRAM – HEALTH**

Upon recommendation of Barbara Hunt, District Health Officer, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that the amendment to the Fiscal Year 2002/03 Communicable Disease Program budget in the amount of \$10,802 be approved and the following account transactions be authorized:

Account Number	Description	Amount of Increase
002-1700-1711G3-4301	Federal Contributions	\$ 10,802
-7002	Part Time Salaries	\$ 5,825
-7048	Retirement	\$ 1,092
-7050	Medicare	\$ 85
-7205	Office Supplies	\$ 400
-7357	Printing	\$ 400
-7364	Registration	\$ 500
-7620	Travel	\$ 2,500
	Total Expenses	\$ 10,802

It was noted this grant award would continue the Epidemiological Surveillance Program related to foodborne illness, anti-microbial resistance, hepatitis B and C, and influenza in Washoe County for the period 4/1/02 to 3/31/03.

**02-843 FY 2002/03 BUDGET AMENDMENT – FAMILY PLANNING
PROGRAM – HEALTH**

Upon recommendation of Barbara Hunt, District Health Officer, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that the amendment to the Family Planning Program (1730G1) Fiscal Year 2002/03 budget in the amount of \$118,000 be approved and the following account transactions be authorized:

Account Number	Description	Amount of Increase/(Decrease)
002-1700-1730G1-4301	Federal Funds	\$118,000
002-1700-1730G1-7001	Salaries	\$ 6,096

-7002	Part Time Salaries	\$ 13,624
-7048	Retirement	\$ 1,144
-7049	FICA	\$ 845
-7050	Medicare	\$ 285
-7140	Other Professional Svcs.	\$ 24,500
-7247	Medical Supplies	\$ 5,000
-7423	Referral Services	\$ 33,000
-74231	Referral Services-Other	\$ 26,506
-7825	Equipment	\$ 7,000
	Total Expenditures	\$118,000

02-844 FY 2002/03 BUDGET AMENDMENT – WIC
MARKETING/MEDICAID PROGRAM – HEALTH

Upon recommendation of Barbara Hunt, District Health Officer, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that the amendments to the Fiscal Year 2002/03 WIC Marketing/Medicaid Program (1707G2) in the amount of \$1,399 be approved and the following account transactions be authorized:

Account Number	Description	Amount of Increase/(Decrease)
002-1700-1707G2-4304	Medicaid	\$ 1,399
002-1700-1707G2-7003	Overtime	\$ 1,399
	Total Expenditures	\$ 1,399

02-845 ACCEPTANCE OF ASSIGNMENT – REGIONAL 800 MHZ
TRUNKED RADIO SYSTEM CONTRACT – PURCHASING

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 Assignment of the Regional 800 MHz Trunked Radio System Contract from Ericsson Inc. to M/A-COM Private Radio Systems, Inc. be approved and the Purchasing and Contracts Administrator be authorized to sign the letter of Assignment on behalf of Washoe County.

It was noted the Board originally approved the Agreement with Ericsson Inc. on October 19, 1999 per Commission Order No. 99-1058. Part 2 of that agenda item approved an Interlocal Agreement with the Washoe County School District and the Nevada Department of Transportation concerning the acquisition and construction of the 800 MHz Trunked Radio System.

It was further noted that, as the Agreement identifies the “Buyer” as Washoe County, Washoe County School District, and the Nevada Department of Transportation, and further specifies that the “Buyer” must approve any Assignment, this Assignment will not be effective until all three entities have approved it.

**02-846 AGREEMENTS – VERIZON COMMUNICATIONS SYSTEMS –
E911 CALL TAKING EQUIPMENT – GENERAL SERVICES**

Upon recommendation of Brent Lee, Chairman, E911 Emergency Response Advisory Committee, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that the Maintenance Agreements with Verizon Communications Systems in the amounts of \$38,988.12 for Sparks equipment, and \$27,856.92 for equipment at Incline Village during the period April 2, 2002 through March 31, 2003 be approved. These Agreements provide 7-day a week, 24-hours per day maintenance coverage with a 2-hour guaranteed response for the E911 call taking equipment located at the Sparks and Incline Village Dispatch Centers. The Reno Dispatch Center Maintenance Agreement will be due for renewal in the near future.

**02-847 PROFESSIONAL SERVICES AGREEMENT – SAGEWIND –
JUVENILE DRUG-ALCOHOL REHABILITATION SERVICES –
SECOND JUDICIAL DISTRICT COURT**

Upon recommendation of Ron Longtin, District Court Administrator, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that the Professional Services Agreement between the District Court and SageWind, retroactive to July 1, 2002, for Juvenile Drug Court services be approved and Chairman Sferrazza be authorized to execute said Agreement. The total cost of this Agreement will not exceed \$40,000.

**02-848 INTERLOCAL CONTRACT – STATE OF NEVADA
DEPARTMENT OF PUBLIC SAFETY – FORENSIC SERVICES –
SHERIFF**

Upon recommendation of Dennis Balaam, Sheriff, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that the Interlocal Contract between the Washoe County Sheriff's Office Crime Laboratory and the State of Nevada Department of Motor Vehicles and Public Safety for Forensic Services be approved and Chairman Sferrazza be authorized to execute the Contract.

It was noted the revenue to Washoe County from these services is set at \$53,983.00 for Fiscal Year 2002/03.

**02-849 AGREEMENT – NEVADA STATE FAIR – SECURITY SERVICES
– SHERIFF**

Upon recommendation of Dennis Balaam, Sheriff, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that the Sheriff's Security Agreement between the Nevada State Fair, which will begin August 21, 2002 and continue until August 25, 2002 at the Reno Livestock

Events Center and Fairgrounds, and the Washoe County Sheriff's Office be approved and Chairman Sferrazza be authorized to execute the Agreement. It was noted the professional involvement of the Washoe County Sheriff's Office with the Nevada State Fair would be a cooperative venture that truly reflects "Dedicated Service in Partnership with our Community." There will be no fiscal impact on the Washoe County Sheriff's Office budget, as off duty personnel will be utilized to fill the required positions.

02-850 AGREEMENT – RENO-TAHOE OPEN FOUNDATION – SECURITY SERVICES – SHERIFF

Upon recommendation of Dennis Balaam, Sheriff, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that the Sheriff's Security Agreement between the Reno-Tahoe Open Foundation and the Washoe County Sheriff's Office be approved and Chairman Sferrazza be authorized to execute the Agreement. It was noted the professional involvement of the Washoe County Sheriff's Office with the Reno-Tahoe Open Foundation would be a cooperative venture that truly reflects "Dedicated Service in Partnership with our Community." It was further noted that the Reno-Tahoe Open Championship Golf Tournament is an event being hosted at the Montreux Golf and Country Club beginning August 19, 2002 and continuing until August 25, 2002.

02-851 CORRECTION OF FACTUAL/CLERICAL ERRORS ON TAX ROLLS – ASSESSOR

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

PROPERTY OWNER	PARCEL #	AMOUNT	ROLL
William B. & Betty J. Wakefield, Tr.	001-092-02	[-\$107.36]	2002 Secured
James J. Usey, Tr.	002-233-04	[-\$43.93]	2001 Secured
James J. Usey, Tr.	002-233-04	[-\$53.69]	2002 Secured
Eta Iota House Corporation of Delta Gamma Fraternity	007-182-22	[-\$852.97]	2002 Secured
Gayle Nance	010-321-30	[-\$141.77]	1999 Secured
Gayle Nance	010-321-30	[-\$115.75]	2000 Secured
Gayle Nance	010-321-30	[-\$118.08]	2001 Secured
James R. Doud	013-492-20	[-\$53.70]	2002 Secured
Joseph D. Lowell	017-271-06	[-\$320.07]	2002 Secured
Robert Togliatti	017-320-25	[-\$79.39]	2002 Secured

Robert C. & Eleanor Dodson	027-441-09	[-\$53.57]	2002 Secured
Center of Hope Christian Fellowship	027-450-01	[-\$5,983.46]	2002 Secured
Ronald G. Davidson	035-104-10	[-\$46.74]	2002 Secured
Calhoun Family Trust	031-183-03	[-\$571.26]	2002 Secured
Joseph J. Morrey, Tr.	051-180-10	[-\$46.70]	2002 Secured
Joseph W. & Mildred A. Townsend	078-172-05	[-\$457.07]	2002 Secured
Gary E. & Linda M. Archie	079-362-15	[-\$14.50]	1999 Secured
Gary E. & Linda M. Archie	079-362-15	[-\$14.50]	2000 Secured
Gary E. & Linda M. Archie	079-362-15	[-\$14.63]	2001 Secured
Gary E. & Linda M. Archie	079-362-15	[-\$12.83]	2002 Secured
Grandview Terrace General Improvement District	082-263-53	[-\$2,364.23]	2002 Secured
John L. Palmore, et al.	086-572-04	[-\$53.67]	2002 Secured
South Truckee Meadows General Improvement District	144-010-23	[-\$7,663.60]	2002 Secured
Juniper Trails Development Co.	218-240-03	[-\$1,613.82]	2002 Secured
United States of America	520-012-11	[-\$16,947.39]	2002 Secured
Gregorio S. Guevarra	522-052-01	[-\$348.91]	2000 Supplemental (Improvements Only)
Gregorio S. Guevarra	522-052-01	[-\$295.85]	2001 Supplemental (Improvements Only)
Gregorio S. Guevarra	522-052-01	[-\$368.73]	2001 Secured
Gregorio S. Guevarra	522-052-01	[-\$890.90]	2002 Secured

02-852 REVIEW/DISCUSSION – WASHOE COUNTY’S 2003 LEGISLATIVE PROGRAM – STRATEGIC PLANNING

John Slaughter, Strategic Planning Manager, discussed Washoe County’s 2003 Legislative Program and said that August 31, 2002 is the deadline for submitting bill draft requests (BDR’s) to the Legislative Counsel Bureau. He stated, once the Legislative session begins, he would be updating the Board on a weekly basis.

Commissioner Short requested that Mr. Slaughter have discussions with the Washoe County School District regarding redevelopment districts. He presented a chart setting forth assessed values by Commissioner District for land and buildings (first close of 2002 tax roll), which was placed on file with the Clerk. Katy Singlaub, County Manager, said she would bring to the Board the existing statutes concerning the process for expansion of redevelopment districts.

On motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that the Board continue to provide direction to staff on the County’s 2003 Legislative Program.

02-853

**GOVERNOR'S TASK FORCE ON TAX POLICY IN NEVADA –
MANAGER/FINANCE DIRECTOR**

John Sherman, Finance Director, stated that the primary focus of the Governor's Task Force on Tax Policy is to develop one or more definitive proposals to provide additional revenue for State programs to stabilize the tax base and to reduce the long-term State budget deficit. Katy Singlaub, County Manager, said staff would prepare a future workshop on this item. In response to Commissioners' questions and concerns, she said in February the County was asked by the Task Force to provide input to the Tax Policy Committee, but did not want to hinder their work.

Upon recommendation of Katy Singlaub, County Manager, and John Sherman, Finance Director, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, staff was directed to schedule a workshop regarding submitting comments on tax policy to the Governor's Task Force on Tax Policy in Nevada.

02-854

**LEGISLATIVE UPDATE – CREATION OF INCORPORATED
TOWNS – STRATEGIC PLANNING**

Katy Singlaub, County Manager, said staff is proposing different options for the County Commissioners to consider concerning the creation of Incorporated Towns should the Unincorporated Town ballot question not pass in November. She stated that one idea would be to have enabling legislation that would allow the Board to establish a taxing district for municipal type community services, provide protection around the taxing district, and include a provision that would allow voters to sunset the tax later on. Commissioner Galloway said he would support that option.

Gary Schmidt, local resident, requested the Board of County Commissioners seek legislation that would change State law to allow the Board and the County to hire and fire their own legal counsel rather than have legal counsel assigned by the District Attorney's Office.

Sam Dehne, local resident, stated he agrees with the concept that redevelopment agencies should be cut back or eliminated. He said that a salary increase for elected officials might assist in getting qualified people into local government. He requested the Board take a stance that the Nevada Ethics Commission be disbanded or that its members be chosen randomly. He stated that the Airport Authority monitors and oversees massive amounts of taxes and the people on that Board should be elected. He further stated he thinks the local government should remain as it is: Washoe County, the City of Reno and the City of Sparks.

Upon recommendation of John Slaughter, Strategic Planning Manager, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza authorized that the update report on the Legislative

Commission's Study to Develop Enabling Legislation for the Creation of Incorporated Towns be accepted.

**02-855 FY 2002/03 INCENTIVE MONEY – FAMILY SUPPORT DIVISION
– DISTRICT ATTORNEY**

Upon recommendation of Richard Gammick, District Attorney, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that acceptance of estimated incentive money in the amount of \$394,890.98 and actual incentive money in the amount of \$211,183.01 for the District Attorney's Family Support Division for Fiscal Year 2002 be approved and account number 1063G3-7140 be increased by \$606,073.99.

It was noted that the State must include estimated annual incentive payment on its quarterly expenditure reports to the Federal Office of Child Support Enforcement and, pursuant to the Interlocal Contract for IV-D services, dated December 11, 2001, between the State and the District Attorney's Office, these estimated incentive payments are passed on to the County.

**02-856 AWARD OF BID – COURTHOUSE WEST ASBESTOS
ABATEMENT – BID NO. PWP-WA-2002-288 – PUBLIC WORKS**

This was the time to consider award of the bid for the Courthouse West Asbestos Abatement for the Public Works Department. The Notice to Bidders for receipt of sealed bids was published in the *Reno Gazette-Journal* on July 24, 25, and 26, 2002. Proof was made that due and legal Notice had been given.

One bid, a copy of which was placed on file with the Clerk, was received from Advance Installations, Inc.

Upon recommendation of Roger Van Alyne, Capital Projects Division Manager, through David Roundtree, Public Works Director, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that Bid No. PWP-WA-2002-288 for the Courthouse West Asbestos Abatement for the Public Works Department be awarded to Advance Installations, Inc. in the amount of \$183,590.00. It was further ordered that Chairman Sferrazza be authorized to execute the contract documents on presentation.

It was noted that the engineer's estimate for this project was \$190,000.00 and this bid is within the budget for this project.

**02-857 AWARD OF INJOINDER BID – COMPUTER SUPPLIES – BID
NO. 2324-02 – PURCHASING**

This was the time to consider award of the bid for Computer Supplies for Washoe County and participating joinder agencies. The Notice to Bidders for receipt of

sealed bids was published in the *Reno Gazette-Journal* on April 24, 2002. 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:

Ram Discount Computer Supply	Boise Cascade Office Products
PC Now Inc.	Intelligent Office Products
Office Depot/Business Services	Laser Plus

The following vendors were disqualified for not bidding all items or not being able to meet the two day delivery requirement:

CLT Computers	Corporate Express
Custom Office Supply	Education Marketing
Educational Technology	Global Government
Imagine That!	Micro Warehouse
PC Connection	SDF Computers

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that Bid No. 2324-02 for Computer Supplies for Washoe County and participating joinder agencies, be awarded to Ram Discount Computer Supply, the lowest responsive and responsible bidder meeting specification, requirements, terms and conditions.

It is further ordered that bid item no. 32 be rejected as the manufacturer has discontinued this item.

It was noted that prices, as stated in Washoe County Bid No. 2324-02 for Computer Supplies, shall be honored and adhered to until July 31, 2003 with the County retaining an option to renew the award for four additional years at one year intervals through July 31, 2007, provided pricing does not increase beyond that allowed in the terms of the Bid.

It was further noted that this is a requirements type contract with an estimated annual value for Washoe County of approximately \$249,000.00.

**02-858 INCLINE VILLAGE GENERAL IMPROVEMENT DISTRICT
(IVGID) – ROSEWOOD CREEK WATERSHED RESTORATION
AND ENHANCEMENT PROJECT – PUBLIC WORKS**

Upon recommendation of Kimble Corbridge, Engineering Division, through David Roundtree, Public Works Director, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that the following actions be taken:

1. The Rosewood Creek Watershed Restoration and Enhancement Project which is proposed by Incline Village General Improvement District (IVGID) be approved;
2. The Resolution signed by the County Commission Chairman dated January 12, 1999, as required by the Nevada Division of State Lands for Tahoe Bond Act funds to be distributed to IVGID, and that appoints the Director of Public Works as agent for the County, be acknowledged;
3. Staff be authorized to request up to \$350,000 from Washoe County's Tahoe Regional Planning Agency (TRPA) Water Quality Mitigation Fund (Stream Environmental Zone (SEZ) portion only) for the purpose of helping to fund the 25% local match required of IVGID for State Bond Act funds; and
4. Staff be authorized to request up to \$50,000 from Washoe County's TRPA Water Quality Mitigation Fund (Water Quality), if there is not sufficient SEZ funds for the project. The supplemental funds from Water Quality and SEZ funds shall not exceed a total of \$350,000.
5. Chairman Sferrazza be authorized to approve and accept the Nevada Tahoe Bond Act project and administrative funds for the IVGID project and pass the project funds and up to ½ of the administrative funds on to IVGID.

02-859

**TRANSFER GRANT FUNDING – DISTRICT ATTORNEY TO
PUBLIC WORKS – DA/MUNICIPAL COURTS – BUDGET**

Upon recommendation of Anna Heenan, Senior Fiscal Analyst, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that the transfer of grant funding in the amount of \$350,000 from the District Attorney's budget to the DA/Municipal Courts building fund be approved, and the Comptroller be directed to make the necessary budget authority, transfer and cash adjustments to move the funding from the DA Account 1063G3-7140 to the Public Works Account 920329G-7873.

02-860

**ACCEPTANCE OF BYRNE GRANT – NEVADA DEPARTMENT
OF PUBLIC SAFETY – RENO JUSTICE COURT**

Upon recommendation of Harold Albright, Justice of the Peace, Dept. 4, and Barbara Finley, Justice of the Peace, Dept. 5, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that a total of \$38,798.00 in reimbursement grant monies from the Office of Public Safety be accepted and the following budget adjustments be approved:

INCREASE REVENUES	
12531G-4301	\$38,798.00
INCREASE EXPENDITURES	
12531G-7140	\$27,067.00
12531G-7620	\$ 1,752.00
12531G-7003	\$ 9,979.00

It was noted that no new staff would need to be employed. Subcontractor P.E.E.R., Inc. will allow the Court to utilize its drug testing equipment and procedures. Basic Recovery Associates, Inc. and North Star Treatment & Recovery will provide counseling services for indigent defendants. P.E.E.R., Inc. and North Star Treatment & Recovery will provide the reporting of expenses and data including the collection of data to evaluate the program and reporting client data monthly, quarterly, and annually. The sum of \$27,067.00 will be utilized for those services. There is an additional amount of funding for activating and monitoring house arrest equipment, but it is anticipated those funds will be requested to be changed and designated to provide additional equipment that may be necessary or those funds in the amount of \$10,000 will not be utilized.

It was further noted the Byrne Grant provides funds to pay overtime for a current bailiff of the Reno Justice Court, Joe Ingraham, to monitor defendants placed on suspended sentences in the amount of \$9,979.00. There is an additional \$1,752.00 to reimburse Mr. Ingraham for travel expenses. Mr. Ingraham is willing to work overtime and provide those monitoring services. Deputy District Attorney Peter Simeoni has determined that no new contract is necessary.

02-861 MODIFICATION OF INTERGOVERNMENTAL SERVICE AGREEMENT – UNITED STATES MARSHALS OFFICE – JUVENILE SERVICES

Upon recommendation of Mary Ann Woolley, Division Director, Juvenile Services, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that the Modification of Intergovernmental Service Agreement with the United States Marshals Office for the housing of juveniles in the new Jan Evans Juvenile Justice Facility and providing for full time occupancy of three bed spaces at a cost to the Department of Justice of \$109,500 be approved and Chairman Sferrazza be authorized to execute the Agreement.

02-862 MODIFICATION OF MASTER FEE SCHEDULE FOR DEVELOPMENT APPLICATIONS – EXEMPT FEES FOR AN ADMINISTRATIVE PERMIT FOR CARE OF THE INFIRMED – RESOLUTION – COMMUNITY DEVELOPMENT

Sharon Kvas, Planning Manager, explained that the processing of an Administrative Permit for temporary housing for Care of the Infirm requires: a doctor establishing there is a need, location of the temporary housing be compatible with

surrounding neighbors, and septic and water issues be resolved. She further stated that this is a temporary approval and it must be justified yearly that the care is a continuing need. Commissioner Bond said she has initiated at least two Care of the Infirm cases, and there are long term benefits of being able to keep the sick or elderly in their homes instead of formally placing them in a facility that is not affordable to the family and/or the County.

Ms. Kvas said she would be coming back to the Commission again next year concerning the Development Agreement to report any findings that may require adjusting.

Gary Schmidt, Washoe County resident, said he felt engineering fees have been charged illegally when engineering services were not required. He said he supports the changes currently being made and requests the Commission go back to the previous Resolution and examine and refund all engineering fees that were illegally charged over the last few years. He stated he does not feel a reading of this Resolution entitles the County to charge the current fees for appeals.

Upon recommendation of Sharon Kvas, Planning Manager, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that the Development Application Master Fee Schedule be modified to:

1. Divide the "Appeals" item into "Appeals" and "Appeals of Maps".
2. Require a deposit of \$5,000.00 for Development Agreement applications in lieu of the application fee of ±\$15,000.00 during this fiscal year. A time and materials record shall be maintained by each reviewing body to obtain actual costs for review.
3. Eliminate the fee for "Care of the Infirm" Administrative Permit.

It was further ordered that the following Resolution Amending the Development Application Master Fee Schedule be adopted and Chairman Sferrazza be authorized to execute the Resolution:

RESOLUTION

AMENDING THE DEVELOPMENT APPLICATION MASTER FEE SCHEDULE

WHEREAS, Changes in the administrative processes merit a re-examination of the Master Fee Schedule adopted on the 19th day of June, 2001; and

WHEREAS, This resolution is intended to amend Resolution No. 01-647 Adopting Amendments to the Master Fee Schedule for Processing Applications under Chapter 110 of the Washoe County Code (Development Code) the recitals and the resolution items of that resolution remain in full force and effect; and

WHEREAS, The appeals fees are more properly divided in two categories, appeals and appeals of maps; and

WHEREAS, The actual costs for processing a Development Agreement are unknown due to the change in process as reflected in the new Article 814, Development Agreements; and

WHEREAS, The public benefit is serviced, by eliminating the costs for an Administrative Permit for Care of the Infirm whereby family members can provide care for their ailing relatives instead of social or health care services; and

WHEREAS, The Board of County Commissioners is committed to fair and equitable fees for development applications; and

WHEREAS, now, therefore, be it

RESOLVED that the Washoe County Board of Commissioners does hereby modify the Master Fee Schedule for Processing Applications under Chapter 110 of the Washoe County Code.

**WASHOE COUNTY DEVELOPMENT SERVICES –
PROPOSED MASTER FEE SCHEDULE**
Modified Version of 08/06/02

Application Type	Planning Fees	Engineering Fees	WCDHD Fees**	Parks Fees	Utilities Fees	2002 Total Fees
Abandonments	631	120	47	—	23	821
Abandonments – TAHOE	631	120	47	—	—	798
Administrative Permit*	736	40	47	—	36	859
Administrative Permit-TAHOE*	736	40	47	—	—	823
Amendment of Condition of Approval	350	241		—	—	591
Appeals	420		—	—	—	420
Appeal of Maps	420	241	--	--	--	661
Boundary Line Adjustment	36	132	47	—	36	251
Bound Line Adjustment – TAHOE	36	132	47	—	—	215
Comprehensive Plan Amendment	2,173	40	129	56	2,381	4,779
Comprehensive Plan Amendment-TAHOE	2,173	40	129	56	--	2,398
Construction Plan Review (typically collect with final map)	210	1,201	—	—	—	1,411
Development Agreement No System	5,381	7,208	1,314	—	71	13,974
Development Agreement 1 System	5,381	7,208	1,314	—	1,429	15,332
Development Agreement 2 System	5,381	7,208	1,314	—	2,381	16,284
Development Agreement Tahoe	5,381	7,208	1,314	—	—	13,903
Development Agreement**						5,000
Development Code Amendment	1,402	801	—	—	—	2,203

Division Large Parcels***	252	416	47	—	35	750
Extension of Time Requests (Not Subs)	106	—	—	—	12	118
Extension of Time Requests (Not Subs)-TAHOE	106	—	—	—	—	106
Extension of Time Requests - Subdivisions	106	—	—	—	—	106
Final Map Certification of Amendment	227	106	—	—	—	333
Final Map Amendment (NRS 278.473 & 475)	227	211	—	—	—	438
Final Subdivision Map	228	480	—	—	95	803
Final Subdivision Map-TAHOE	228	480	—	—	—	708
Parcel Map-No System-TENTATIVE	420	106	567	—	63	1,156
Parcel Map - 1 System (Sewer)-TENTATIVE	420	106	242	—	143	911
Parcel Map - 1 System (No Sewer)-TENTATIVE	420	106	567	—	143	1,236
Parcel Map - 2 Systems-TENTATIVE	420	106	242	—	191	959
Parcel Map - Tahoe -TENTATIVE	420	106	242	—	—	768
Parcel Map - Sun Valley (No WC Utilities)	420	106	242	—	48	816
Reversion to Acreage	36	106	—	—	23	165
Reversion to Acreage_– TAHOE	36	106	—	—	—	142
Special Use Permit/Res/Minor	666	40	112	—	191	1,009
Special Use Permit/Res/Minor-TAHOE	666	40	112	—	—	818
Special Use Permit/Comm & Ind/Minor	1,350	80	112	—	191	1,733
Special Use Permit/Comm & Ind/Minor-TAHOE	1,350	80	112	—	—	1,542
Special Use Permit/Res/Major	666	53	1,314	—	191	2,224
Special Use Permit/Res/Major-TAHOE	666	53	1,314	—	—	2,033
Special Use Permit/Comm & Ind/Major	1,350	321	1,314	—	191	3,176
Special Use Permit/Comm & Ind/Major-TAHOE	1,350	321	1,314	—	—	2,985
Specific Plan	2,226	640	1,314	56	1,191	5,427
Specific Plan-Tahoe	2,226	640	1,314	56	—	4,236
Subdivision Map –No System****	1,525	801	889	112	—	3,327
Subdivision Map - 1 System (Sewer)****	1,525	801	435	112	1,905	4,778
Subdivision Map - 1 System (No Sewer)****	1,525	801	889	112	952	4,279
Subdivision Map 2 Systems****	1,525	801	435	112	2,857	5,730
Subdivision Map -Tahoe (Sewer)****	1,525	801	435	112	—	2,873
Variance Residential & Commercial/Industrial	596	26	47	—	23	692
Variance/Residential & Commercial/Industrial-TAHOE	596	26	47	—	—	669

Notes: Resolution 01-647 Re-basing Fees Adopted 6/19/01, eff 7/1/01.
Fiscal Year 2002 Fees based on Nat'l Annual CPI thru 3/02 of 1.5% and includes Health Dept. Fees eff. 3/04/02.
*Care of Infirm, Exempt
**DEPOSIT, time and materials to be calculated (ADDITIONAL \$5,000 increments may be required)
***Division of Land Into Large Parcels Capped at \$750 by NRS.
****Health District Charges an additional \$5 per lot for subdivisions.

* * * * *

It was further ordered that the Resolution Initiating an Amendment to the Washoe County Development Code Relating to Article 906 – Fees to establish a method for waiver of fees and other matters related thereto be adopted and Chairman Sferrazza be authorized to execute the Resolution:

**RESOLUTION
INITIATING AN AMENDMENT TO THE WASHOE COUNTY
DEVELOPMENT CODE RELATING TO DEVELOPMENT FEES**

WHEREAS, The Board of County Commissioners have determined that it is important to have consistency and equitable policies related to waiver of fees; and

WHEREAS, A waiver of fees is appropriate to correct a staff error; and

WHEREAS, The Board of County Commissioners, has adopted a policy requiring two Commissioners’ support to place a waiver request on the BCC agenda when the request is generated by a property owner or applicant; and

WHEREAS, Certain entire classifications requiring a discretionary permit should be waived to provide for the public good; and

WHEREAS, there is no one person, group or entity who might appropriately file a WASHOE COUNTY DEVELOPMENT CODE amendment application on this subject; and

WHEREAS, now, therefore, be it

RESOLVED That the Washoe County Board of Commissioners does hereby initiate an amendment to Article 906, Fees, of the *Washoe County Development Code* without prejudice to the final dispensation of the proposed amendment.

* * * * *

It was further ordered that staff be directed to hold a workshop to look at the original cost of an application and relating the appeal costs to the original cost.

**02-863 SPANISH SPRINGS VALLEY NITRATE OCCURRENCE
PROJECT FACILITY PLAN – WATER RESOURCES**

Steve Bradhurst, Director, Water Resources, discussed the background of the Spanish Springs Valley Nitrate Occurrence and the Alternatives Matrix, which was placed on file with the Clerk. He said that the Spanish Springs Citizen Advisory Board, the Spanish Springs Project Focus Group, the Spanish Springs Action Committee (SSAC) and staff recommend Alternative 8, which includes a provision for safe drinking water, a

water quality management program, phased sewerage, and nitrate reducing on site systems, and provided there is at least 75 percent funding from the Federal Government Water Resources Development Act (WRDA). He said discussions with Senator Reid concerning this Federal funding have been positive.

In response to Commissioner Bond, Mr. Bradhurst explained the Federal funding strategy would be to secure as much money as possible by way of appropriations, as it appears there is a good chance of getting \$3 million for Fiscal Year 2003 for this project, and that would get the project beyond phase one and into phase two and accelerate the program. He stated that Water Resources has tried to lay out nine phases for \$3 million with a \$1 million match. He further explained, if jurisdictions do not file for the Federal funding that has been set aside and another jurisdiction is ready to secure those funds, the money may be given to the jurisdiction that is ready to proceed. Mr. Bradhurst said, if the Spanish Springs area was annexed into the City of Sparks, it would not be eligible for the Federal match.

Commissioner Shaw thanked Mr. Bradhurst, his staff, the residents of Spanish Springs, and the Focus Group for their hard work.

In response to Commissioner Galloway, Mr. Bradhurst explained that the nitrate reducing pilot program would determine effectiveness and operations and maintenance costs of the on site systems. The actual decision is made by the Nevada Division of Environmental Protection (NDEP) and the County Health Department as to whether or not they feel these on site nitrate reducing systems may be used.

Bonnie Curtis, SSAC, spoke in favor of the Facility Plan with the guarantee there would be consistent connection fees to the Truckee Meadows Reclamation Facility from the first subdivision to the last subdivision. She asked for a construction cap and that, if costs exceed the cap, the State and the County absorb the additional costs.

Donna Stevens, Spanish Springs resident and member of the SSAC, spoke in support of adoption of the Water Resources sewer proposal, as presented, and said she feels she can afford the cost of this proposal.

Jim Richenberger, President of the SSAC and Spanish Springs resident, said the SSAC represents a clear majority of Spanish Springs residents affected by septic to sewer conversion, and the Committee agrees with the Washoe County Water Resources Department's recommendation.

Robert Curtis, Spanish Springs resident and member of the SSAC, spoke in favor of the Facility Plan presented by Water Resources. He stated his concern is that this is only a proposal and the costs may change the longer it takes to complete the project. He thanked Mr. Bradhurst and Commissioner Shaw for their efforts on this project.

Matthew Parker, Spanish Springs homeowner, said he did not receive advance notice of the action being taken by the Board at this meeting, except that he read it in the *Reno Gazette-Journal* this morning. He said the SSAC does not represent his view on this issue.

Chairman Sferrazza responded to Mr. Parker that there have been at least seven public hearings before the Board and approximately 46 other meetings with Spanish Springs residents. Madelyn Shipman, Legal Counsel, advised that all meetings to date have been attempts to gain a consensus and direction from the community. She said the legal notices of an Assessment District do not occur until later and there is no legal requirement of notice up to now, including this hearing. John Collins, Manager, Utility Services Division, said all that is being done today is adopting a facility plan and any financing that goes toward implementing the facility plan would follow legal procedures. He further stated that, in his 22 years with Washoe County, this nitrate problem has shown up in different locations in the County and sewerage has been the answer. He said there is a report identifying septic tanks as the source of the nitrate problem, and the problem needs to be eliminated.

Stan Finchman, representing Advanced Environmental Systems, said a great deal of progress has been made and he commended the citizens and the SSAC working together with County staff on this project. He submitted a list titled Spanish Springs Citizen's Questions Regarding the Proposal for Nitrate Mitigation, which was placed on file with the Clerk.

Karen Hunt Richenberger, SSAC, said the SSAC represents 1,723 people who signed a petition against the cost of sewerage. She further stated a newsletter was sent out in the last week to the 2,000 homes affected by the nitrate problem notifying the people of this meeting and urging that they attend.

Upon recommendation of Steve Bradhurst, Director, Water Resources, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, Chairman Sferrazza ordered that the following actions be taken:

1. The Spanish Springs Valley Nitrate Occurrence Project Facility Plan, including the Plan's preferred action (Alternative 8), as outlined in the agenda material, be approved;
2. Staff be directed to request that the Regional Water Planning Commission approve the Plan for conformance with the Washoe County Regional Water Management Plan; and
3. Staff request that the Regional Water Planning Commission include the Plan in the Washoe County Regional Water Management Plan 2002 Update.

It was noted that Alternative 8 is cost effective because it: minimizes the cost of sewerage to property owners, minimizes potential environmental and health

threats, enhances the value of property, and maximizes the use of available Federal, State and local government assistance.

**EVALUATION OF ROAD MAINTENANCE SERVICES
PROVIDED BY CITY OF RENO, CITY OF SPARKS AND
WASHOE COUNTY**

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that this item be continued.

02-864 PEAVINE MOUNTAIN ISSUES

James Lopey, Assistant Sheriff, conducted a PowerPoint presentation and discussed maps and staff recommendations regarding firearms use and off-road vehicles that clash with development in the Peavine Mountain area. He discussed the recent noise testing conducted in the area and advised that a committee is currently working on the draft noise ordinance. He said, under current Washoe County Code regulations, it is unlawful to discharge a shotgun within 1,000 feet and all other firearms within 5,000 feet of an occupied dwelling. Assistant Sheriff Lopey advised that an inspection of the traditional Peavine shooting sites revealed a need to expand the existing congested area boundaries and their recommended expansion approaches the ridgeline of Peavine Mountain. He advised they propose a combination of strategic planning, education, enforcement, and changes to the off-road County ordinance. He noted that no ordinance revision or boundary expansion would intend to cut off any access to public lands or restrict vehicle use of those routes. He then reviewed the seven recommendations proposed by the Sheriff's Office, as outlined in the agenda material, which include (1) develop a 5,000-foot congested area buffer zone around existing and pending development based on present and future growth projections to protect citizens from firearms usage, (2) post signs prohibiting shooting in congested areas, (3) revise the Washoe County Code concerning off-road vehicles, which currently applies only to motorcycles and has a 500-foot buffer zone, to include quad runners and other motor craft, (4) promote the education process, (5) clean up the area to discourage further dumping and firearms usage, (6) directed enforcement of ordinances in hot zones, and (7) develop key partnerships with stakeholders including County Engineering, the Forest Service, Reno Police, citizens' groups and private property owners.

Assistant Sheriff Lopey commented that changing existing ordinances would affect all County residents, and what is good for Peavine may not be good for other County areas. He stated that expansion of buffer zones must be carefully considered because they affect all recreational shooters and off-road enthusiasts, and the Sheriff's Office believes that, prior to changing any buffer zones, there should be some buy-in from other area residents.

Deputy Jeff Masten, Sheriff's Office, responded to questions of the Board regarding boundary areas and signage.

Commissioner Galloway asked if the County could single out an area to change the 500-foot buffer zone for off-road vehicles. Legal Counsel Shipman said she believes that would have to be tied to a congested area, and the County could not have a separate distance ordinance for just the Peavine area.

James Calkins, Peavine area resident, referred to the petition he submitted in May signed by 306 people that supports a ban on firearm use on the south slope of Peavine Peak, a 3,000-foot buffer zone, and a limitation on access points in residential areas. He said the Sheriff's analysis is a step in the right direction but does not solve the problem of firearm use and recreational motor vehicle interference with the homeowners in the area. He presented pictures on the overhead screen that showed firearm use directed toward the new elementary school and residential areas. Mr. Calkins said firearm and recreational vehicle users have just as much right to use the area as anyone, and the residents are not talking about banning recreational motor vehicle activity. However, that activity needs to be moved so it does not cause interference with the use and quiet enjoyment of people's homes. He said some of the ammunition being used travels past I-80, there is extensive evidence that alcohol consumption occurs in conjunction with firearm use, and this deadly situation needs to be stopped. Mr. Calkins said the Sheriff proposes to leave a one-half mile strip on the south slope of Peavine where firearm use would be allowed, but they would like the firearm ban to go to the ridgeline of Peavine Peak and be extended one-half mile on the other side. The residents suggest a 2,000-foot buffer under a two-year ordinance with a sunset clause to see if that would be sufficient to mitigate noise problems.

Marilyn Christopherson, Peavine area resident, said she hoped their issues could be addressed before someone is injured.

Chairman Sferrazza read a statement submitted by Marie Johnson, Peavine area resident, requesting help to control dust and noise pollution occurring near her back yard from motorcycles and dirt bikes.

Gary Schmidt, Washoe County resident, presented and discussed information concerning the County's current firearms discharge ordinance and his suggestion for revision to the ordinance to deal with bows, crossbows, blow guns and dart guns. He said he does not agree with the laws as currently written, and the ordinance is too restrictive. He noted that it prohibits the discharge of B-B guns or pellet rifles within 1,000 feet of a dwelling and, if a residence is located on a one-acre or larger parcel, a person could not shoot those firearms on their own property. He said the County has no regulations regarding paintball guns, and this should be addressed in the ordinance.

Dan Herman, County resident, said most firearm users are responsible individuals and do not drink and shoot. He said citizens' rights are being taken away, and the ordinances on the books should be enforced. He requested that the Board not expand the congested area.

Commissioner Galloway said it seems most everyone agrees the congested area needs to be expanded, and the only disagreement is how far. He sees some point to having the firearm ban go to the ridgeline of Peavine Peak, but does not see any point to having it on the other side. He commented that he would want a 1,000-foot regulation for bows and arrows. He suggested the matter could be addressed in two phases, one being to expand the congested area on firearms use, redefine the definition of off-road vehicles, and address the provision of access. The second phase would include the consideration of larger off-road vehicle boundaries, which he believes should be expanded from 500 feet. Commissioner Galloway stated that, when people build homes in areas that traditionally have these uses, he does not think they can expect those uses to be eliminated; and he would be willing to work toward finding a middle ground that would reduce the friction between these two groups of land users.

Commissioner Shaw said he supports the Sheriff's recommendations. He suggested that partnerships with the stakeholders be developed, and they be presented with the recommendations for their input.

Commissioner Short stated he believes a 1,000-foot buffer for off-road vehicles would create a severe hardship in many areas, such as for farmers hauling hay with an ATV and other property maintenance activities.

Commissioner Galloway agreed that the recommendations need to be circulated. He said the ordinance could possibly just regulate recreational off-road vehicles and exempt lawnmowers and other home maintenance equipment. He said the Sheriff's Office should also look at the feasibility of expanding the congested area to the ridgeline.

On motion by Commissioner Galloway, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that staff be directed to proceed in two phases to address issues relating to firearms and off-road vehicle use in areas where development is expanding. The first phase of the process would include firming up of the 500-foot off-road vehicle restriction, redefining off-road vehicles, allowing for ingress and egress, and taking the option of a 1,000-foot off-road vehicle restriction to the community for input to include language that the restriction would not interfere with lawnmowing and other property maintenance operations. The second phase would include preparation of a draft ordinance for circulation to the public on a larger congested area to include the expansion area proposed by the Sheriff's Office to include the ridgeline, if that is determined to be appropriate.

**02-865 ORDINANCE NO. 1168 - BILL NO. 1345 - AMENDING WCC
CHAPTER 5 – RETENTION OF RECORDS BY THE PUBLIC
GUARDIAN**

5:30 p.m. This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on August 2, 2002, to consider second reading and adoption of Bill No. 1345. Proof was made that due and legal Notice had been given.

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

On motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that Ordinance No. 1168, Bill No. 1345, entitled, "**AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY CREATING A SCHEDULE FOR THE RETENTION OF RECORDS BY THE PUBLIC GUARDIAN,**" be approved, adopted and published in accordance with NRS 244.100.

02-866 ORDINANCE NO. 1169 - BILL NO. 1346 - AMENDING WCC CHAPTER 55 – ADD WADSWORTH AREA AND STAMPMILL ESTATES SUBDIVISION TO CONGESTED AREA FOR PURPOSES OF CONTROL OF DOGS

5:30 p.m. This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on August 2, 2002, to consider second reading and adoption of Bill No. 1346. Proof was made that due and legal Notice had been given.

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

On motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that Ordinance No. 1169, 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,**" be approved, adopted and published in accordance with NRS 244.100.

02-867 APPEAL – TENTATIVE SUBDIVISION MAP CASE NO. TM02-002 – MATRIX ENGINEERING/BARKER COLEMAN (DONOVAN RANCH) - COMMUNITY DEVELOPMENT

5:30 p.m. This was the time set in a Notice of Public Hearing mailed by the Department of Community Development on August 2, 2002 to consider an appeal by the applicant of the denial by the Planning Commission of Tentative Subdivision Map Case No. TM02-002 (Donovan Ranch). The request is to develop a 450-lot single-family subdivision with Common Open Space on ±463 acres, of which ±141.4 acres is the site of a current aggregate pit operation. The project is within the Spanish Springs Specific Plan (SSSP), and will have Common Open Space as authorized in Article 608, Tentative Subdivision Maps, and Article 408, Common Open Space Development, of the Washoe

County Development Code. Lot sizes are proposed to range in size from 11,886 to 36,327 square feet. The project is located approximately one-half (½) mile north from the intersection of Calle de La Plata and Pyramid Highway (SR 445), on the east side of Pyramid Hwy, just to the south and across from the Rocky Ridge intersection. The subject parcel is designated Specific Plan (SP) on the Spanish Springs Area Plan Map, with ±544 acres having a land use of General Rural (GR) until development occurs, at which time the parcels being developed will be designated Low Density Suburban (LDS) and Open Space (OS) under the SSSP. The project site is situated in portions of Sections 24 & 19, T21N, R21E, MDM, Washoe County, Nevada. The property is located in the Spanish Springs Citizen Advisory Board boundary and Washoe County Commission District No. 5. (APN's: 076-401-26, 27, 28, 29, 30, & portions of 31, 32, 33, 34, 35 & 36). Proof was made that due and legal Notice had been given.

Sandra Dutton, Community Development, reviewed the proposed Tentative Subdivision Map (TSM) and the Planning Commission's denial of the proposal. She provided an area map on the overhead screen and reviewed the subject and other properties located in the Spanish Springs Specific Plan. She advised that the 463 acres of developable area for the project includes a 141-acre aggregate pit. She discussed Development Code regulations and said the property is designated low density suburban, which allows one dwelling unit per acre. She said the Development Code encourages the clustering of residential units to maintain open space and visual breaks, and the applicant wants to develop 450 lots on approximately 221 acres to the west of the pit operations. Ms. Dutton stated that, if approved, the TSM would be conditioned that with the recordation of each final map the same amount of common open space would also be recorded. She stated there would be 33 acres of open space trails within the development area, an 80-foot buffer to the south and a 100-foot buffer between the development and the pit operations to the east. With the current special use permit, only 35 acres of the pit could be mined at any one time and, once the mining has ceased, those 35 acres would be reclaimed. When the mining operations cease, the entire pit would be offered to the Homeowner's Association or the County as open space. She advised that staff recommended conditional approval of the TSM.

Chairman Sferrazza opened the public hearing and called on those wishing to speak on behalf of the applicant.

Carol Dotson, Lumos and Associates, Inc., provided maps on the overhead and reviewed the project and the analysis conducted to make sure the visions of the Specific Plan and the Donovans to create a sense of community and a rural environment were accomplished. They believe the proposal represents a very complimentary layout that provides for better utilization of the land, allows for preservation of more open space, and speaks to the rural character of the area. There is less pavement, less infrastructure, less road maintenance for the County and less overall water usage. They believe the project is consistent with the Specific Plan, and it complies with all County regulations. The densities are consistent and the compatibility features were designed to average one dwelling unit per acre and provide open space, trails and other amenities.

Rob Winkel, Barker Coleman Communities, advised the project is a result of a significant commitment of time and effort by very competent public and private professionals. He said Washoe County staff contributed greatly to the design and have supported the project. Through extensive efforts, a project was created that they believe meets the conceptual vision of the Spanish Springs Specific Plan and will be beneficial to the community.

Gary Duhon, attorney representing Barker Coleman Communities, addressed issues relating to the intent, vision and interpretation of the Specific Plan. He said the Specific Plan is a land planning document, as well as a contract between Washoe County and the landowners. He stated the purpose of the plan is to protect the natural environment and share compatible uses, conserve energy, achieve coherent and diverse development patterns and insure that the infrastructure for the project is adequate. Mr. Duhon commented that probably the most important goal of the Plan addresses the critical issue of whether or not this project is rural. Mr. Duhon stated that the Plan does not say there must be similar densities to ensure compatible development, but does say a variety of creative and flexible techniques could be used to achieve that goal. He said another directive in the Plan is that the language and intent of the parties has to be looked at, not preconceived notions of what is rural. He advised that a minimum lot size is not specified anywhere in the Specific Plan. He said he does not think there is any inconsistency with the vision for the property, as it clearly represents a flexible, creative and efficient planning process to achieve all the goals.

Jim Anderson, Spanish Springs resident, said the Donovan family has lived on their property for 40 years and always intended to isolate Sugar Loaf Peak. He said they could have developed Sugar Loaf Peak but did not. He stated he supports their application because they have endured many plan changes and made significant compromises to develop their property.

Scott Donovan, applicant, said, when the Specific Plan process started, they had several major criteria that encompassed their vision. The most important criteria was to protect Sugar Loaf Peak, and the second was the continued operation of the gravel pit until they were finished with it and it could be reclaimed, at which time it would revert into sagebrush and remain so in perpetuity. He said they made some major commitments when they entered into the Specific Plan. They determined they would designate Sugar Loaf Peak as open space, even though they considered it would be worth approximately \$12-million in aggregate; they were allowed approximately 550 units under the Plan, but settled for 463; they had the opportunity for general commercial, but decided to go with limited commercial; and they did not utilize their opportunity for industrial land uses and a business park. Mr. Donovan stated that they made a very important commitment to the County and believe the County made a commitment to them, which is what was contemplated when they committed to protecting Sugar Loaf Peak and having as much open space as possible.

Richard Donovan, applicant, said they fought their way through hundreds of rules and have complied with every one, and they expect the County to also follow the rules. He stated it has cost a fortune to put the proposal together.

Tom Donovan, applicant, said major concessions were made at the beginning of the Specific Plan process. They have gone through exhaustive planning and feel this is the best project for the site.

Chairman Sferrazza noted that the following persons submitted statements in support of the project: George Shaw; Charles Hancock; Terry Wolverton of Tuscarora Gas; Merl Jessop II; Rob Bagley; Damase Beaudoin; Jon Reha; Roger Thrall; and Keith Bantz.

Chairman Sferrazza then called on those wishing to speak in opposition to the project.

Lois Avery, Chairman, Spanish Springs Citizen Advisory Board (CAB), advised that she was speaking as an individual today. She agreed there are advantages to clustering in terms of water use and said she is grateful for Sugar Loaf being designated as open space. She stated the applicant has indicated that the Spanish Springs Specific Plan encourages clustering, but has ignored that it also states that residential development would be planned at appropriate densities for the surrounding areas. She said this project is much denser than anything nearby. Ms. Avery stated that one major complaint of the residents is that common open space is required to be an integral part of the community, and the pit does not meet that requirement. She said she thinks the Tuscarora line is very safe, but is concerned that its existence needs to be revealed in the CC&Rs; and a major issue is, if the County does not do the flood control plan soon, the Hawco and Spanish Springs Associates properties will probably end up in Sparks and become much denser in order to be revenue positive.

The following Spanish Springs area residents spoke in opposition to the project: Will Brown; Ralph Theiss, Gloria Barrere; Pan Lambert; Ken Theiss; Jerry Casale; Eric Ahlstrom; Dan Herman; Sandra Theiss; Ronald Bevers; and Christy Magers. Chairman Sferrazza read a statement of opposition submitted by Rick Depaoli. Reasons for opposition to the project included: the project has too much density compared to surrounding properties; inconsistency with the Comprehensive Plan and the Spanish Springs Specific Plan; houses would be built too close to the pit; the gravel pit may exist forever; water availability; the development needs parks and better access to Sugar Loaf Peak; the CAB voted unanimously to deny the project; an active gravel pit does not constitute common recreational open space; the proposal represents an urban project in a rural area; schools and traffic concerns; and the density is not what was envisioned by the developers of the Specific Plan.

Chairman Sferrazza closed the public hearing.

Commissioner Shaw disclosed that he spoke with Mr. Duhon and Louis Test, who represent the applicants. He said the fact that the CAB did not approve the project would weigh heavily on his decision. He does not want a development that does not conform to what is already in the area, and believes there is some merit to the statement that this is an urban project in a rural area.

Upon inquiry of Commissioner Galloway, Ms. Dutton discussed issues concerning the number of allocations allowed on the Donovan property, the pipeline and access issues. Commissioner Galloway disclosed that he had abbreviated conversations with Lois Avery and Louis Test. He also disclosed that Mr. Test has done legal work for him and his company, but he has no particular obligations to Mr. Test or his other clients.

Chairman Sferrazza disclosed that he was called by Lois Avery and a Barker Coleman representative and advised them he does not talk to people outside of public hearings relative to appeals. He asked what the distance was between Sugar Loaf Peak and the property, and Ms. Dutton advised it is one-half to one mile away. Chairman Sferrazza said he thought open space was supposed to be contiguous or within the project area, and Ms. Dutton said there would be open space trails within the subdivision. Chairman Sferrazza then stated he would not accept the mine as open space. He noted that the Board just went through a hearing in which they said locating an open pit mine next to a residential area was a bad thing. He asked how putting a residential area next to an open pit mine was good planning. Ms. Dutton advised there is a 100-foot buffer on the eastern edge of the entire subdivision; that what constitutes open space is to be debated; and that the pit is not meant to be used as open space with the subdivision right now.

Sharon Kvas, Planning Manager, Department of Community Development, discussed the difference between County open space and common open space. She said the mine is not meant to be open space in Washoe County, but would be common open space to the subdivision. Upon inquiry of Commissioner Short, Ms. Kvas explained trails and access issues and the reclamation process relative to the mine operation. Commissioner Short disclosed that he spoke with Mr. Duhon and Ms. Avery.

Upon inquiry of Commissioner Bond, Tom Donovan advised that 35 acres of the pit are being actively mined, and there are areas of reclamation and areas yet to be disturbed. He said it is a continuing process, and the reclamation area somewhat follows behind the mining. He advised that they try to get to the reclamation as quickly as possible because it eliminates the expense of controlling the dust; and that the pit would be mined into the future as long as there is a demand for gravel.

Commissioner Bond disclosed that she met with people on both sides of the issue. She said this project is not the worst she has seen, but the density is high.

Commissioner Short noted that the proposed development shows an additional 13 units at the base of Sugar Loaf Peak. Karl Matzoll, Matrix Engineer,

advised that the 13 units would be built on 11 acres, and that phase of the project would be done later.

Upon inquiry of Chairman Sferrazza, Ms. Kvas said the purpose of Article 408 of the Development Code concerning common open space is to set forth regulations to permit variation in lot sizes including density transfer subdivisions in order to preserve or provide open space, protect natural and scenic resources, achieve a more efficient use of land, minimize road building and encourage a sense of community. She advised that the Development Code states "Common Open Space means the total land area, not individually owned or dedicated for public use, which is designed and intended for the common use or enjoyment of the residents or occupants of the development. Common open space includes swimming pools, putting greens and other recreational leisure facilities; areas of scenic or natural beauty and habitat areas; hiking, riding or off street bicycle trails; and landscaped areas adjacent to roads which are in excess of minimum required rights-of-way."

Legal Counsel Shipman stated that a common and logical approach to the common open space section in the Code is that it speaks to a total number of acres to be developed, and instead of developing all of the property, density transfers within the total land area are made. She said the common open space would have to be contiguous in some way.

Upon inquiry of Commissioner Shaw, Terry Wolverton, Tuscarora Gas Transmission Company, discussed issues relating to the 50-foot right-of-way easement for the pipeline. He said pipeline safety rules and regulations are required by Congress and they believe it provides a safe area. He advised that some additional safety factors were included when the pipeline was constructed in consideration of future development. Mr. Wolverton presented photographs showing their pipelines that go through other developments in the area.

Commissioner Galloway stated that he understands that Sugar Loaf Peak provides a viewscape but does not think the pit area meets the definition of open space because it is not a design part of the development, is not integrated into the development, and does not serve a purpose. Ms. Kvas advised there are times when a common open space is not usable, such as with wetlands. Commissioner Galloway said wetlands open space is integrated, however.

Commissioner Bond stated she did not know an additional 13 units were planned at the base of Sugar Loaf Peak. She expressed concern that those units would be very visible. Ms. Dotson advised the units have not been designed yet, but they are looking at building them in pockets and not placing them around the base of the mountain because of the steep topography.

Commissioner Short said he was not convinced that this project is what the Spanish Springs Specific Plan envisioned. He stated he did not see any consistency,

many homes are placed in an area that is too compact, and he does not think the definition of common open space is being met.

Commissioner Galloway stated that, if the property owner would come back with something that makes the project more acceptable, such as reducing the number of units or ceasing the pit operation, he would not want them to have to pay the fees again. He said it is not an acceptable trade off that the homeowners would someday get the gravel pit.

Chairman Sferrazza stated he does not see how an open pit mine could ever meet the definition of open space for enjoyment. He said it would be a different story if the pit was fully reclaimed. He agreed that the number of units should be decreased.

Commissioner Short said there is probably a good demand for less than one-acre lots in the area, and he could support the plan if the 13 houses on Sugar Loaf were removed.

Commissioner Bond said she liked the project and noted that the community has reached the point where higher density developments are going to happen. She stated that she liked the buffering, but did not like the 13 additional houses planned at the base of the mountain. She would be willing to take another look if this were to be denied without prejudice, which gives the applicant the option to do some more creative work.

On motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried, Chairman Sferrazza ordered that the Planning Commission's denial of Tentative Subdivision Map Case No. TM02-002 be upheld and the appeal of Barker Coleman (Donovan Ranch) be denied without prejudice, and the following findings of the Planning Commission be reaffirmed:

1. Plan Consistency. That the proposed map is not consistent with the Spanish Springs Specific Plan;
2. Design or Improvement. That a Common Open Space subdivision is not appropriate in unincorporated Washoe County and that the design is not consistent with the "vision" for the Donovan property as stated in the Spanish Springs Specific Plan;
3. Public Safety. That the public safety is not provided for with the flood design and the proximity of the Tuscarora gas line.

**COMPREHENSIVE PLAN AMENDMENT CASE NO. CP02-008 –
TRANSPORTATION ELEMENT - COMMUNITY
DEVELOPMENT**

5:30 p.m. This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on August 2, 2002 to consider a request to amend the Land Use & Transportation Element and all twelve Area Plan Street & Highway System Plan maps, being a part of the *Washoe County Comprehensive Plan*. The amendment proposes to color code the street network and update lane widths to match Year 2020 planned roadways. The amendment proposes to replace obsolete information, text and policies contained in the Land Use & Transportation Element, based on the 2030 Regional Transportation Plan (RTP), adopted by the Regional Transportation Commission. Proof was made that due and legal Notice had been given.

Chairman Sferrazza stated he believed the Board members were in support of the request to delete Ridgeview Drive through the Ballardini Ranch. He opened the public hearing and called on those wishing to speak, noting that 14 statements of support of the proposed amendment and removal of Ridgeview Drive through the Ballardini Ranch were received.

Robert Ginocchio, Foothill Road resident, asked if Foothill Road would remain two lanes. Catherine McCarthy, Community Development, advised that Foothill Road is shown on the Southwest Area Plan Map as a two-lane collector facility, and there is no plan for that to change.

Lillian Trincherro, area resident, submitted a Resolution from the Southwest Truckee Meadows Citizen Advisory Board against the Ridgeview Drive extension through the Ballardini Ranch.

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

On motion by Commissioner Short, seconded by Commissioner Bond, which motion duly carried, Chairman Sferrazza ordered that Comprehensive Plan Amendment Case No. CP02-008 (Transportation Element) to include the Southwest Area Transportation Draft Map Alternative 1 dated August 13, 2002, which shows the proposed Ridgeview Drive extension removed, be approved. This action is based on the following reasons and findings:

Reasons:

1. It is anticipated that the Ballardini Ranch would soon become designated as open space.
2. The Regional Planning Commission adopted the same criteria, which is that nothing be done to develop the area.

3. Ridgeview Drive does not appear on the RTC 2030 Plan and removal of the road conforms the County plans to the 2030 Plan, which was the purpose of the amendment.

4. There was confusion about where the road was supposed to go.

5. Hundreds of faxes, telephone calls, and public testimony were received to support the deletion of Ridgeview Drive through the Ballardini Ranch, and the public voted to support bonds to acquire the Ballardini Ranch.

Findings:

1. The proposed amendment is in substantial compliance with the policies and action programs of the Washoe County Comprehensive Plan.

2. The proposed amendment will provide for street and highway systems compatible with existing and planned adjacent land uses and will not adversely impact the public health, safety or welfare.

3. The proposed amendment responds to changed conditions or further studies that have occurred since the Board of County Commissioners adopted the plan.

4. The proposed amendment will not adversely affect the implementation of the policies and action programs of the Conservation Element, the Population Element and/or the Housing Element of the Washoe County Comprehensive Plan.

5. The proposed amendment will promote the desired pattern for the orderly physical growth of the County and guides development of the County based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services.

6. The proposed amendment does not exceed the three permitted amendments as specified in Section 110.820.05 of the Washoe County Development Code.

7. The Washoe County Planning Commission public hearing, prior to action on the proposed amendment, and the related changes to the text and maps of the plan, has been properly noticed in a newspaper of general circulation in the County as prescribed under NRS 266.210(1).

8. The Washoe County Planning Commission gave reasoned consideration to information contained within the staff report and information received during the public hearing.

9. The Washoe County Commission gave reasoned consideration to information contained within the reports transmitted to the Washoe County Planning

Commission and the Washoe County Commission, and information received during the Washoe County Commission public hearings.

02-869 TRUCKEE MEADOWS WATER AUTHORITY - SEVENTH BOARD MEMBER

Malyn Malquist, General Manager, Truckee Meadows Water Authority (TMWA), said there was recent discussion at TMWA about the vacant seventh board seat. He said he appreciates the Board's interest in this issue and would be willing to put this on the next TMWA agenda for further discussion.

Commissioner Galloway stated this is an effort to break an impasse on filling the seventh seat. He said many people have indicated that the consumer is already represented by the elected officials. He suggested putting one more person on the board that does not represent any government and is familiar with handling consumer concerns. He proposed that the County Commission would not choose the member, the present Consumer Advocate be the first choice for the seat, his predecessor be the second choice and his predecessor be the third choice. If that failed, the seat would revert back to where the County Commission Chairman would represent Washoe County.

Mr. Malquist advised that Chairman Sferrazza made a proposal that TMWA would be discussing, which was to review a list of all of the elected officials from the three agencies to see if the TMWA board might agree on one name that could be taken to the three agencies. Chairman Sferrazza stated that, if everyone could agree on that elected official, he would be willing to step down as the County official.

On motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Sferrazza ordered that Mr. Malquist be requested to take this issue to the TMWA board for review, presenting the option outlined in today's discussion, whereby the County Commission would not choose the seventh TMWA board representative, but the seat would automatically be filled by the Consumer Advocate or his predecessor(s).

***10:08 p.m. Commissioner Short left the meeting.**

02-870 UPDATE – UNIVERSITY RIDGE PARK

A letter containing an update regarding the University Ridge Park Site dated August 9, 2002 was received from Tracy Chase, Deputy City Attorney, City of Reno.

Chairman Sferrazza stated it appears one person is holding up something that the entire area wants. He suggested writing a letter to the City of Reno urging them to accept the park site without the consent of Mr. Husted.

Legal Counsel Shipman said the City Attorney's Office has been working diligently to obtain the park and suggested they be given a little more time to accomplish this.

On motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried, with Commissioner Short absent, Chairman Sferrazza ordered that an update on the status of the University Ridge Park Site be presented to the Board in approximately one month.

UPDATE – 2002 REGIONAL PLAN

This item was continued.

* * * * *

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

PETER J. SFERRAZZA, Chairman
Washoe County Commission

ATTEST:

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

*Minutes Prepared By
Melissa Ayrault and
Barbara Trow, Deputy County Clerks*