

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

2:00 P.M.

OCTOBER 22, 2002

PRESENT:

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

Amy Harvey, County Clerk
Nancy Parent, Chief Deputy Clerk
Katy Singlaub, County Manager
Paul Lipparelli, Deputy District Attorney
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:

02-1089 WORK CARD PERMIT APPEAL – RUTH HAMPTON

This appeal was considered on October 21, 2002, prior to the Caucus meeting, the Board having convened in open session with Chairman Sferrazza presiding, to consider the appeal of Ruth L. Hampton from the Sheriff's denial of her work card permit application.

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, with Commissioner Short absent, 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. Maureen Thomas, Chief Records Clerk, Administrative Division of the Sheriff's Department, read into the record her memo to the Board dated October 21, 2002. Commissioner Short arrived during the discussion of the appeal. The Board then reconvened in open session, and the following action was taken.

On motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried with Commissioner Short voting in favor and Chairman Sferrazza and Commissioner Shaw voting "no," it was ordered that the appeal of Ruth L. Hampton be denied.

02-1090 **AGENDA**

In accordance with the Open Meeting Law, on motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried with Chairman Sferrazza and Commissioner Short temporarily absent, Vice Chairman Bond ordered that the agenda for the October 22, 2002 meeting be approved with the following amendments: Item 18 concerning the 2002 Regional Plan, Regional Plan Litigation will be set for a time certain of 5:00 p.m.

PUBLIC COMMENTS

Lois Avery, area resident, discussed the integrity of the voting machines in Washoe County and Clark County. She stated that Washoe County has approximately 200 voting machines, and it takes about three days for the Accuracy Certification Board to certify them. She said she believes Washoe County does a great job on the certification, but this is not the case in Clark County.

***2:05 p.m. Chairman Sferrazza arrived at the meeting and assumed the gavel.**

Ms. Avery discussed other concerns regarding Clark County's voting machines and certification process, and advised she has written to Dean Heller, Secretary of State, and Clark County listing her concerns. She said statewide elections are determined in Clark County, and the accuracy of the machines affects the entire State.

Gary Schmidt, Washoe County resident, requested that the Board consider the resolution of how the County responds to requests for public records. He then stated that the opinion drafted in favor of the train trench project advisory vote on the ballot grossly understated the cost of that trench to the taxpayer. He advised that the opinion writer said he obtained the information from the City of Reno's Website, and Reno has acknowledged they failed to update their Website with accurate information for over six weeks.

MANAGER'S/COMMISSIONERS' COMMENTS

Commissioner Galloway advised that the Tahoe Regional Planning Agency would be considering the scenic ordinance tomorrow at 9:00 a.m. at the Horizon Hotel at South Lake Tahoe.

Chairman Sferrazza said the Nevada Association of Counties (NACO) has inquired if the Board would want to nominate a Board member to the NACO Executive Board. He requested that this item be placed on a future agenda.

**02-1091 ACKNOWLEDGEMENT AND APPRECIATION OF COUNTY
COMMISSIONER JOANNE BOND**

On behalf of the citizens of Washoe County, Chairman Sferrazza presented Commissioner Bond with a commemorative award for her service to the people of Washoe County from January 1995 to January 2003. He said he has enjoyed serving with Commissioner Bond during the past four years and will miss her.

Commissioner Bond expressed appreciation for the recognition given to her today.

Katy Singlaub, County Manager, stated that Commissioner Bond has been a great champion for the people of Washoe County, and staff will miss her very much.

Gary Schmidt, Washoe County resident, thanked Commissioner Bond for her reasonable consideration of the issues presented to the Board and her loyalty to the community.

Commissioner Shaw said Commissioner Bond has always been very professional, objective, a good listener, and always prepared. He stated that she has been a wonderful friend and serving on the Board with her has been a pleasure.

Commissioner Galloway said it has been a pleasure to work with such a pleasant person as Commissioner Bond. He stated she was a good advocate for the improvement of Sun Valley for the benefit of the community.

**02-1092 PROCLAMATION – WORLD TOWN PLANNING DAY –
NOVEMBER 8, 2002**

Chairman Sferrazza read the Proclamation and presented it to Adrian Freund, Director, Community Development. Mr. Freund said he is proud of staff, the citizen planners on the Planning Commission, the Board of Adjustment, and the Board of County Commissioners for the attention the members bring to the business of community development and the attempts everyone makes on a daily basis to improve the quality of life for Washoe County citizens.

Commissioner Galloway recognized the members of the Community Development planning staff that were present and said Washoe County is grateful for the professionalism of staff.

Chairman Sferrazza stated he worked with many of the planners during the process conducted with Judge Hardesty, and their professionalism helped make the compromise resulting in the settlement agreement a reality.

The Board adopted the following Proclamation:

**PROCLAMATION BY THE WASHOE COUNTY, NEVADA
BOARD OF COUNTY COMMISSIONERS DECLARING
NOVEMBER 8, 2002 AS WORLD TOWN PLANNING DAY IN
WASHOE COUNTY**

WHEREAS; November 8th, 2002 is the 53rd Anniversary of WORLD TOWN PLANNING DAY, and

WHEREAS; November 8th of each year has been celebrated as World Town Planning Day in many countries since its inception in 1949, and

WHEREAS; The American Institute of Certified Planners (AICP), acting for the 14,000 members of the planning profession in America, a component of the 33,000-member American Planning Association, endorses World Town Planning Day as an opportunity to highlight the contributions sound planning makes to the quality of our settlements and environment and to celebrate American accomplishments in making collective decisions concerning our cities, counties and regions that bring quality and meaning to our lives, and

WHEREAS, World Town Planning Day is considered as a day to recognize planning programs and involved persons at all levels in which planning is performed: municipal, county, regional and state, and

WHEREAS; the celebration of World Town Planning Day gives the Washoe County Board of County Commissioners the opportunity to publicly recognize the participation and dedication of the members of the planning commission, board of adjustment and other citizen planners who have contributed their time and expertise to the improvement of the County, and

WHEREAS; the Board of County Commissioners recognizes the many valuable contributions made by the professional planning staff of Washoe County and further recognizes its continued commitment to public service,

NOW, THEREFORE, BE IT PROCLAIMED THAT; November 8, 2002, is hereby designated as

WORLD TOWN PLANNING DAY

in the County of Washoe in conjunction with the worldwide celebration of WORLD TOWN PLANNING DAY.

MINUTES

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried with Commissioner Short temporarily absent, Chairman Sferrazza ordered that the minutes of the regular meetings of August 13 and 20, 2002 be approved.

02-1093 ACCEPTANCE OF DONATION TO ANIMAL CONTROL – GENERAL SERVICES

Upon recommendation of Tom Gadd, Director, General Services Department, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried with Commissioner Short temporarily absent, Chairman Sferrazza ordered that the donation of \$20.00 from Sue King to Washoe County Animal Control be accepted with gratitude.

02-1094 ACCEPTANCE OF DONATION – JAN EVANS MEMORIAL GARDEN – JUVENILE SERVICES

Joni Kaiser, Executive Director, Committee to Aid Abused Women (CAAW), introduced the following five of 18 donors to the Jan Evans Memorial Garden who were present: Assemblywoman Debbie Smith, Maggie Tracy, Assembly District 26 candidate Jan Gilbert, Paula Berkley, and Lynn Williams. She thanked Washoe County for providing the opportunity to do something special for Jan Evans at the Juvenile Justice Center.

Chairman Sferrazza expressed appreciation to the *Friends of Jan Evans* for their generosity.

Upon recommendation of Mary Ann Woolley, Division Director, Juvenile Services, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried with Commissioner Short temporarily absent, Chairman Sferrazza ordered that the donation of \$5,850 from the *Friends of Jan Evans* to construct a memorial Japanese Garden at the new Jan Evans Juvenile Justice Facility be accepted with gratitude.

02-1095 GRANT – NEVADA ATTORNEY GENERAL'S OFFICE – ANNUAL NATIONAL CONFERENCE ON DOMESTIC VIOLENCE – DISTRICT ATTORNEY

Upon recommendation of Richard Gammick, District Attorney, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried with Commissioner Short temporarily absent, Chairman Sferrazza ordered that the District Attorney's Office be authorized to accept funds from the State of Nevada Attorney General's Office in the amount of \$2,000 (with no matching funds required), for travel expenses for two Deputy District Attorneys to attend the 12th Annual National

Conference on Domestic Violence in Chicago, Illinois, October 27-31, 2002. It was further ordered that assignment of the following accounts and funds to the District Attorney's budget for the term of this grant be authorized:

Account No.	Account Description	Increase Budget
Revenue:		
1066G4-4301	Federal Contribution	\$1,000.00
1066G4-4302	State Contribution	\$1,000.00
Expenditures:		
1066G4-7620	Travel	\$2,000.00

**02-1096 ACCEPTANCE OF TRAINING FUNDS – STATE OF NEVADA
DEPARTMENT OF ADMINISTRATION – ANNUAL
CALIFORNIA NARCOTICS OFFICERS ASSOCIATION
CONFERENCE – SHERIFF**

Upon recommendation of Dennis Balaam, Sheriff, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried with Commissioner Short temporarily absent, Chairman Sferrazza ordered that training funds in the amount of \$15,328 provided by the State of Nevada Department of Administration, through the Chapter 372A Taxes Account, to the Washoe County Sheriff's Office, Consolidated Narcotics Unit, to pay for tuition, lodging and per diem expenses to attend the 38th Annual California Narcotics Officers Association Conference, November 23-26, 2002, in Anaheim, California be approved. It was further ordered that the Comptroller be authorized to make the following budget adjustments:

Increase Revenues	Amount
152302G-4302	\$15,328
Increase Expenditures	
152302G-7385	\$5,680
152302G-7620	\$9,648

**02-1097 ACCEPTANCE OF SPECIAL TRAFFIC SAFETY GRANT –
NEVADA DEPARTMENT OF PUBLIC SAFETY – SHERIFF**

Upon recommendation of Dennis Balaam, Sheriff, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried with Commissioner Short temporarily absent, Chairman Sferrazza ordered that grant money from the Nevada Department of Public Safety, Office of Traffic Safety, in the amount of \$49,583 (no matching funds required) to support the Joining Forces Program in which local law enforcement agencies work in conjunction with each other in DUI saturation patrols, special target enforcement areas and DUI checkpoints be accepted with gratitude. It was further ordered that the Comptroller be authorized to make the following budget adjustments:

Increase Revenues	Amount
152460G3-4301	\$49,583
Increase Expenditures	
152460G3-7003	\$49,583

02-1098 AWARD OF BID – PRINTING OF 2003/2004 TAX ASSESSMENT LIST - BID NO. ITB 2352-03 - ASSESSOR

This was the time to consider award of the bid for the printing of the 2003/2004 Tax Assessment List for the Assessor's Office. The Notice to Bidders for receipt of sealed bids was published in the *Reno Gazette-Journal* on September 6, 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 the *Reno Gazette-Journal*. The Sparks Tribune submitted a "no-bid" response.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried with Commissioner Short temporarily absent, Chairman Sferrazza ordered that Bid No. ITB 2352-03 for the printing of the 2003/2004 Tax Assessment List for the Assessor's Office be awarded to the *Reno Gazette-Journal*. The award amount is \$332.82 per page for an estimated 133 pages and an estimated total cost of \$44,265.06, based on one printing of the list.

It was noted that the *Reno Gazette-Journal* submitted a responsive, responsible bid that meets all the criteria of NRS 244.330 (1), which requires the public printing of this type be placed with a bona fide commercial printing establishment within the County; and they have agreed to meet the delivery schedule requested by the distributor, Reno Newspapers.

02-1099 AWARD OF BID – SECURITY WINDOW COVERINGS – DETENTION FACILITY – SHERIFF/GENERAL SERVICES

This was the time to consider award of the bid for Security Window Coverings for the Sheriff's Detention Facility on behalf of the General Services Department, Facility Management Division.

Proposal specifications were faxed to three local licensed contractors and the following bidders responded:

BIDDER	TOTAL BID
Artistic Fence Company	\$56,591.76
Sparks Blacksmith & Welding	\$38,540.00
Hood Machine	NO-BID

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried with Commissioner Short temporarily absent, Chairman Sferrazza ordered that the bid for Security Window Coverings for the Sheriff's Detention Facility on behalf of the General Services Department, Facility Management Division be awarded to the lowest responsive bidder meeting specifications, terms and conditions, Sparks Blacksmith & Welding, in the amount of \$205/Double Window for a total of \$38,540.00. This will cover the 376 windows as requested.

It was further ordered that the Purchasing and Contracts Administrator be authorized to enter into an Agreement with Sparks Blacksmith & Welding to provide and install the same.

**02-1100 REQUEST FOR PROPOSAL – RFP NO. 2354-03 – FLEET
MANAGEMENT CONSULTING SERVICES - DEVELOPMENT
OF FLEET RATES AND SYSTEM OF CHARGES – GENERAL
SERVICES**

This was the time to consider award of the bid for Fleet Management Consulting Services – Development of Fleet Rates and System of Charges for the General Services Department. The Notice to Bidders for receipt of sealed bids was published in the *Reno Gazette-Journal* on September 11, 2002. Proof was made that due and legal Notice had been given. The Request for Proposal was also advertised through the online services of Demandstar.com.

Bids were received from the following vendors:

Spectrum Consultants, Inc.
Chatham Consulting, Inc.
Maximus, Inc.
Mercury
MGT of America
R. W. Beck

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried with Commissioner Short temporarily absent, Chairman Sferrazza ordered that Bid No. RFP No. 2354-03 for Fleet Management Consulting

Services – Development of Fleet Rates and System of Charges for the General Services Department be awarded to Spectrum Consultants, Inc. in the amount of \$41,952.00.

It was noted that the proposal submitted by Spectrum Consultants, Inc. met all the RFP requirements within the budget allowed and was recommended for acceptance by the evaluation committee headed by Jean Ely of the General Services Department.

02-1101 RELEASE OF FINANCIAL ASSURANCES – RECIPIENT FOR COMMERCIAL FLOOR AREA (CFA) – INCLINE VILLAGE TOURIST COMMUNITY PLAN AREA – COMMUNITY DEVELOPMENT

Upon recommendation of Eva Krause, Planner, Community Development Department, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried with Commissioner Short temporarily absent, Chairman Sferrazza ordered that the financial assurance in the amount of \$10,000 provided by the recipient, Gary Gottlob, for the Commercial Floor Area (CFA) within the Incline Village Tourist Community Plan Area be released, as the recipient does not wish to construct the proposed project and is forfeiting the CFA allocated to the project.

02-1102 REQUEST FOR INTEREST FUNDS – TAHOE REGIONAL PLANNING AGENCY WATER QUALITY MITIGATION FUNDS – SOIL EROSION SUBCOMMITTEE OF TAHOE BASIN EXECUTIVES – 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 with Commissioner Short temporarily absent, Chairman Sferrazza ordered that staff be authorized to request up to \$10,230 from the accumulated interest of Washoe County Tahoe Regional Planning Agency's (TRPA) Water Quality Mitigation Funds to help fund the consultant for the Soil Erosion Subcommittee of the Tahoe Basin Executives.

02-1103 WATER RIGHTS APPLICATION 68977 – HIGH ROCK HOLDING, LLC – WATER RESOURCES

This was time to consider Water Rights Application 68977 filed at the office of the State Engineer by High Rock Holding, LLC. The Notice of Public Meeting was published in the *Reno Gazette-Journal* on October 4, 11 and 18, 2002. Proof was made that due and legal Notice had been given.

Upon recommendation of John Collins, Manager, Utility Services Division, through Steve Bradhurst, Director, Department of Water Resources, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried

with Commissioner Short temporarily absent, it was ordered that Chairman Sferrazza be authorized to formally recommend approval to the Nevada State Engineer of Water Rights Application 68977 filed by High Rock Holding, LLC on July 22, 2002.

02-1104 **EXTENSION - GRANT OF EASEMENT AND MAINTENANCE AGREEMENT – JOSEPH AND DEBRA BARRUS REVOCABLE TRUST - MT. ROSE TANK 4 ACCESS ROAD – SCOTCH PINES SUBDIVISION – WATER RESOURCES**

Upon recommendation of Paul Orphan, Engineering Manager, and Steve Bradhurst, Director, Department of Water Resources, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried with Commissioner Short temporarily absent, Chairman Sferrazza ordered that the extension to November 1, 2003 of the Grant of Easement and Maintenance Agreement between Washoe County, Grantee, and Joseph P. Barrus or Debra S. Barrus, Trustees, or successor Trustee(s) of the 1997 Joseph P. Barrus and Debra S. Barrus Revocable Trust, Grantors, for the Mt. Rose Tank 4 Access Road within the Scotch Pines Subdivision be approved.

02-1105 **CORRECTION OF FACTUAL ERRORS - ASSESSOR**

Upon recommendation of Thomas Sokol, Assistant Chief Deputy Assessor, Personal Property, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried with Commissioner Short temporarily absent, it was ordered that the following Roll Change Requests, correcting factual errors on tax bills be approved and mailed to the affected property owners, copies of which were 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. It was noted that the cumulative amount of reduction is \$2,112.54.

Incline Pizza--I.D. #2/212-007 [-\$159.88] (2001 Unsecured Roll).
Shank Excavation & Const.--I.D.#2/460-508 [-\$420.40] (2001 Unsecured Roll).
Mercury Mortgage Company--I.D. #2/108-351 [-\$78.78] (2002 Unsecured Roll).
Burning Man--I.D. #2/680-317 [-\$985.83] (2002 Unsecured Roll).
Debra Marshall--I.D. #31/21-623 [-\$15.86] (2002 Unsecured Roll).
Jonathan H. King--I.D. #32/00-445 [-\$451.79] (2002 Unsecured Roll).

02-1106 **AGREEMENT – EMPLOYEE HOUSING – JEREME WORMINGTON – SHERIFF**

Upon recommendation of Tom Gadd, Director, General Services Department, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried with Commissioner Short temporarily absent, it was ordered that the Employee Housing Agreement between Washoe County and Jereme Wormington, an employee of the Sheriff's Department assigned to the Gerlach area, be approved and Chairman Sferrazza be authorized to execute the same.

It was noted that the County-owned residence is located within County-owned property in Gerlach, Nevada. Mr. Wormington has agreed to provide security to the County-owned facilities for which the premises are a part, and to maintain the interior and exterior of said premises at a standard acceptable to the Director of General Services.

02-1107 LEASE AGREEMENT – BUILDING AND TOWER SPACE ON CHIMNEY PEAK – SIERRA PACIFIC POWER COMPANY – GENERAL SERVICES

Upon recommendation of Tom Gadd, Director, General Services Department, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried with Commissioner Short temporarily absent, it was ordered that the Agreement between Washoe County and Sierra Pacific Power Company concerning the lease of building and tower space on Chimney Peak for the installation of communications equipment in conjunction with the operation of the 800 MHz Regional Radio System be approved and Chairman Sferrazza be authorized to execute the same.

It was noted that the lease rate would be \$2,000 per month for the entire lease term, and at such time as Sierra Pacific Power Company is granted permission to use certain resources in the Washoe County Regional Communications System, the lease rate will thereafter be reduced to \$1.00 per year. Expenses for the radio system are shared by partnering agencies.

02-1108 LEASE AGREEMENT – OFFICE SPACE FOR SOCIAL SERVICES – FRITZ-LIBERTY CENTER – GENERAL SERVICES

Upon recommendation of Tom Gadd, Director, General Services Department, and Michael Capello, Director, Department of Social Services, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried with Commissioner Short temporarily absent, it was ordered that the following actions be taken:

1. The Lease Agreement between Washoe County and Lynn C. Fritz dba Fritz-Liberty Center concerning the lease of office space for Social Services at 350 South Center Street, Suite No. 110, and for such other terms and conditions as stated therein, be approved and Chairman Sferrazza be authorized to execute the same.

2. A budget transfer in the amount of \$21,452 from Social Services Account No. 920703-7870 to General Services Account No. 1611-7340 required to cover lease costs through June 30, 2003 be approved.

3. Capital outlay expenditures in the approximate amount of \$85,550 for the costs of Information Technology/Telecommunications wiring, modular furniture, tenant improvements and moving expenses associated with leased space be approved.

**02-1109 AGREEMENT – PROFESSIONAL ARCHITECTURAL SERVICES
– TATE SNYDER KIMSEY ARCHITECTS – DISTRICT
ATTORNEY**

Commissioner Galloway noted that it was clarified at yesterday's Caucus meeting that the Agreement is for professional architectural services and also includes a space and needs analysis for the Violence Intervention Center.

Upon recommendation of John Helzer, Assistant District Attorney, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried with Commissioner Short temporarily absent, it was ordered that the Agreement for Professional Architectural Services between Washoe County and Tate Snyder Kimsey Architects concerning design of the Violence Intervention Center of Truckee Meadows be approved and Chairman Sferrazza be authorized to execute the same.

It was noted that Washoe County received a planning grant for \$25,000 from the State of Nevada Community Development Block Grant, which grant was approved by the Washoe County Commission on August 27, 2002. The Violence Intervention Center of Truckee Meadows is a collaboration of local government legal and law enforcement agencies and Washoe County Social Services. The Center will provide on-site services and support for both adult and child victims of sexual assault, domestic violence, stalking, abuse/neglect and runaways.

**02-1110 PROFESSIONAL SERVICES CONTRACT – MOUNT ROSE
SUMMIT WELCOME PLAZA AND TRAILHEAD – CFA, INC. -
PARKS**

Upon recommendation of Stephanie Morelan, Park Planning Project Coordinator, through Karen Mullen, Director, Department of Parks and Recreation, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried with Commissioner Short temporarily absent, it was ordered that the Agreement between Washoe County and CFA, Inc. concerning design services for the Mount Rose Summit Welcome Plaza and trailhead in the amount of \$48,300 be approved and Chairman Sferrazza be authorized to execute the same.

**02-1111 CANCEL REGULAR COUNTY COMMISSION MEETING OF
NOVEMBER 12, 2002**

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried with Commissioner Short temporarily absent, Chairman Sferrazza ordered that the regular Board of County Commission meeting scheduled for November 12, 2002 be cancelled. The meeting was cancelled as there would not be a quorum because several of the Board members would be attending the Nevada Association of Counties (NACO) meeting at Incline Village, Nevada.

02-1112

**BUDGET AMENDMENTS – FY 02/03 AIR QUALITY
MANAGEMENT SMOKING VEHICLE AND EXCESS RESERVE
PROGRAMS – HEALTH**

Commissioner Galloway said he does not have a problem with the Excess Reserve Program amendment but questions the efficacy of the Smoking Vehicle Program. He advised that a couple of years ago County staff said all that was being accomplished was a dozen or so citations. He said he has been asking for proof of effectiveness over the last several years, but has not received the information he has requested.

Andrew Goodrich, Division Director, Air Quality and Management Division, District Health Department, said it is difficult to measure the effectiveness of that program. He advised that the Department of Motor Vehicles (DMV) has indicated they receive an average of 9,000 telephone calls a year in Washoe County regarding smoking vehicles. He stated that a courtesy letter is sent to the vehicle owner on the first and second complaint advising their vehicle has been spotted as a smoking vehicle, which is a violation of State law; and that the vehicle needs to be repaired. If a third complaint is received on a vehicle, it is assigned to a DMV investigator. Mr. Goodrich advised the program is covered under the DMV and, if they confirm that the vehicle is smoking, enforcement action is then taken.

Commissioner Galloway suggested it would be more efficient to follow-up after the second warning rather than the third warning. He then asked if there was any justification for the expenditure for promotional items.

Commissioner Shaw stated that, as the Board's representative on the Health Board, the overall purpose and intent of the program is to educate the public. He said he does not think the program should be judged on how many citations are issued or the number of telephone calls received. He commented that the program has been in effect for a number of years, and he thinks appropriate information has been provided.

Commissioner Galloway said he has been asking year after year for some proof that the program is successful. He stated that portions of the program may be useful, such as billboards, but every vehicle in Washoe County has to have a smog check every year, and he is not sure the program is effective. He said he would not want to use these funds unless he knows they are being used effectively. Mr. Goodrich then stated he believes the idea behind not taking enforcement action until the third complaint is that there is a lot of false reporting.

Chairman Sferrazza suggested that an attempt should be made on the first notification letter to determine whether the vehicle has a current smog certificate. He said, if there is no smog certificate, the vehicle would be illegal, and the driver could be picked up immediately.

Commissioner Bond said the Health Department is trying to comply with the terms of the grant, but she has always had a problem with the grant. She said many

vehicles come into the County from other areas that do not require smog checks, and she would be surprised if all of the reports of smoking vehicles would be for Washoe County vehicles. She stated she would like staff to strongly express the Board's concerns regarding the validity of the entire program to the State.

Upon inquiry of Chairman Sferrazza, Mr. Goodrich advised that the agreement with the DMV is that Washoe County would do the marketing for the program. Chairman Sferrazza said he would be willing to approve this item, with the understanding the Board would receive answers to their questions.

Commissioner Galloway said he believes the Health Department is doing the best they can under the terms of the grant, but questions the State program and would register a protest vote on this item. He stated that might get some attention from the State to conduct some real analysis on the effectiveness of the program.

Upon recommendation of Barbara Hunt, District Health Officer, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried with Commissioner Galloway voting "no" and Commissioner Short temporarily absent, Chairman Sferrazza ordered that the amendments totaling \$380,000 for the Air Quality Management Program be approved and the following account transactions be authorized:

Account Number	Description	Amount of (Decrease)
002-1700-1723G12-4302	Revenue from State (Smoking Vehicle)	\$125,000
002-1700-1723G12-7140	Other Professional Services	\$125,000
	Total Expenditures	\$125,000
002-1700-1723G13-4302	Revenue from State (Excess Reserve)	\$255,000
002-1700-1723G13-7140	Other Professional Services	\$198,750
-7829	PC Hardware	56,250
	Total Expenditures	\$255,000

It was further ordered that staff be directed to request information from the State concerning the effectiveness of the program.

02-1113 CHANGE ORDER – PEAVINE CONSTRUCTION – CDB SEWAGE TREATMENT FACILITY DECOMMISSIONING PROJECT – WATER RESOURCES

Steve Bradhurst, Director, Department of Water Resources, advised that the CDB Sewage Treatment Facility has six ponds and this contract amendment focuses on Ponds 1 and 2. He stated that unforeseen groundwater conditions have been

encountered that will prevent the proper placement of fill material in those two ponds. The geotechnical engineer has recommended that geo-textile fabric be installed in the bottom of the ponds and two feet of imported structural fill be placed over it to correct the problem. He advised that, under the terms of the Lease Agreement for the facility, it is the County's responsibility to correct this problem.

***3:00 p.m. Commissioner Short arrived at the meeting.**

Upon inquiry of Chairman Sferrazza, John Collins, Manager, Utility Services Division, reviewed the Agreement with CDB. He stated that in 1984 the Board of County Commissioners adopted a facility plan that indicated that Washoe County should be the provider of water and sewer service in the South Truckee Meadows. At that time, the Board directed staff to begin to consolidate the utilities in the area and CDB was one of the first sewer operating utilities the County acquired. Mr. Collins said that staff is carrying out an agreement entered into by a previous board. Chairman Sferrazza said the agreement seems to be a bad deal because it appears the County bailed out the sewer utility and is now cleaning up the property for the benefit of the landowner. Commissioner Galloway said he was satisfied with the information provided by staff.

Upon recommendation of Paul Orphan, Engineering Manager, through John Collins, Manager, Utility Services Division, through Steve Bradhurst, Director, Department of Water Resources, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried with Chairman Sferrazza voting "no," it was ordered that the change order to Peavine Construction's contract in the amount of \$60,736 with 21 additional calendar days for completion of additional work at the CDB Sewage Treatment Facility Decommissioning Project be approved and the Utility Services Division Manager be authorized to execute the necessary documents to make the change.

02-1114 EXPENDITURES – EMERGENCY REPAIR ON ARROWCREEK WELL NO. 1

Steve Bradhurst, Director, Department of Water Resources, was present to provide information regarding the emergency repairs needed on ArrowCreek Well No. 1.

Upon recommendation of John Collins, Manager, Utility Services Division, and Jess Coffman, Chief of Utility Operations, through Steve Bradhurst, Director, Department of Water Resources, on motion by Commissioner Shaw, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that emergency expenditures not to exceed \$40,201 for emergency repairs on ArrowCreek Well No. 1 be approved.

02-1115

TRANSFER AND RECLASSIFICATION OF EMPLOYEE POSITION – GENERAL SERVICES/DISTRICT COURT

Upon recommendation of Tom Gadd, Director, General Services Department, and Ron Longtin, District Court Administrator, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that the following actions be taken:

1. The transfer of one Full Time Equivalent (FTE) vacant Supervisory Clerk II position from the District Court Microfilm Division (120221) to 1.4 FTE positions in General Services Imaging and Records Management (1627) for the purpose of centralizing records imaging services into a single location to serve all County needs be approved.

2. The reclassification of said position to 1.4 FTE Imaging Equipment Technician I positions and the transfer of three pieces of filming equipment from District Court to General Services be authorized.

3. Human Resources be directed to make the appropriate staffing modifications to reflect these changes.

4. The Comptroller be directed to transfer budgeted funds from District Court to General Services to fund this position through the fiscal year-end, as follows:

Account Number	Description	Decrease Amount	Increase Amount
120221-7001	District Courts – Base Salaries	\$33,673.60	
-7004	- Career Incentive	1,350.00	
-7042	- Group Insurance	2,720.00	
-7046	- Workers Comp.	91.50	
-7048	- Retirement	6,313.80	
-7050	- Medicare	488.10	
1627 -7001	General Services – Base Salaries		\$35,780.00
-7042	-Group Insurance		1,350.00
-7046	-Workers Comp		190.00
-7048	-Retirement		6,798.00
-7050	-Medicare		519.00

It was noted that camera equipment to be transferred from District Courts to General Services includes the following:

Description	Property/Serial Number
Kodak ImageLink Camera	251711
Kodak Relian Microfilmer 800	227546
Kodak Relian Microfilmer 700	227565/4208

02-1116 CLASSIFICATION OF NEW POSITIONS – HUMAN RESOURCES

Upon recommendation of Joanne Ray, Director of Human Resources, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that the classification of two new positions be approved as follows:

Classification of FY 02/03 New Positions

Department	Current Position	Class	Pay Grade
General Services	New Position	Account Clerk II	H
Community Relations	New Position	E-Government Information Officer	N

02-1117 WATER QUALITY IMPROVEMENT PROJECT - INCLINE VILLAGE NO. 4/PONDEROSA SUBDIVISIONS – PUBLIC WORKS

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

1. The Incline Village #4/Ponderosa Subdivisions Water Quality Improvement Project be approved in concept.
2. Staff be authorized to request \$500,000 from the U.S. Forest Service for design and construction of the project.
3. Staff be authorized to request up to \$500,000 from Washoe County's Tahoe Regional Planning Agency (TRPA) Water Quality Mitigation Fund (to supplement U.S. Forest Service funds) for design and construction of the project.
4. The following Resolution to request funding of approximately \$750,000 from the Nevada Tahoe Bond Act and to appoint the Director of Public Works as the agent for Washoe County be adopted and Chairman Sferrazza be authorized to execute the same.
5. Chairman Sferrazza be authorized to approve and accept grant funds from the U.S. Forest Service and Nevada Tahoe Bond Act if offered.

RESOLUTION

Resolution of the Washoe County Board of Commissioners approving the application for Nevada Tahoe Bond Act Erosion Control Funds.

I. V. #4/PONDEROSA SUBDIVISIONS WATER QUALITY IMPROVEMENT PROJECT, INCLINE VILLAGE, NEVADA

WHEREAS, the County of Washoe is submitting an application to the Division of State Lands (DIVISION) for financial assistance; and

WHEREAS, the Nevada Tahoe Conservation District has been assigned the administration of the program and has set up necessary procedures governing the program; and

WHEREAS, the adopted procedures established by the DIVISION require that the governing board must certify by resolution the approval of the proposed project application, including all understanding and assurances contained therein, and availability of matching funds prior to submission of said applications to the DIVISION.

NOW THEREFORE, BE IT RESOLVED that the proposed I.V. #4/PONDEROSA SUBDIVISIONS WATER QUALITY IMPROVEMENT PROJECT, is approved for implementation;

BE IT FURTHER RESOLVED that the Board of County Commissioners does hereby certify that said agency can finance 100% of their share of the project.

BE IT FURTHER RESOLVED that the Board of County Commissioners does hereby appoint the Director of Public Works as agent of the Board of County Commissioners to conduct all contract negotiations, execute and submit all documents including applications, agreements, engineering contracts, billing statements, and so on which may be necessary for the design and construction of the above project.

02-1118 APPLICATIONS FOR TRANSPORTATION EQUITY ACT 21ST CENTURY ENHANCEMENT FUNDS

Upon recommendation of Mike Harper, Planning Manager, Department of Community Development, David Roundtree, Public Works Director, and Karen Mullen, Director, Department of Parks and Recreation, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Sferrazza ordered that the prioritized list of potential applications for enhancement projects, as outlined in the agenda memorandum dated October 11, 2002, that would be done with funds anticipated by the Nevada Department of Transportation (NDOT) to be available through the Transportation Equity Act for the 21st Century (TEA-21) be approved.

02-1119 BOND AND SALES RESOLUTION – ISSUANCE OF REFUNDING BONDS

Upon recommendation of John Sherman, Finance Director, on motion by Commissioner Bond, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the following Resolution for the purpose of refunding wholly or in part notes or bonds previously issued by the County in order to reduce interest rates and effect other economies be adopted and Chairman Sferrazza be authorized to execute the same:

A RESOLUTION PERTAINING TO THE ISSUANCE OF REFUNDING BONDS BY WASHOE COUNTY, NEVADA; AUTHORIZING THE FINANCE DIRECTOR OR HIS DESIGNEE TO ARRANGE FOR THE SALE OF BONDS FOR THE PURPOSE OF DEFRAYING WHOLLY OR IN PART THE COST OF REFUNDING PROJECTS; AND PROVIDING OTHER DETAILS IN CONNECTION THEREWITH.

WHEREAS, pursuant to §§ 350.500 to 350.720, inclusive, Nevada Revised Statutes (the "Bond Act"), the Board of County Commissioners (the "Board") of Washoe County, Nevada (the "County") is authorized, on behalf and in the name of the County to issue bonds for the purpose of refunding wholly or in part notes or bonds previously issued by the County in order to reduce interest rates and effect other economies (the "Project").

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

Section 1. This resolution shall be known and may be cited by the short title "2002 Refunding Bond Sale Resolution."

Section 2. The Finance Director or his designee is hereby authorized to arrange for the issuance and sale of the refunding bonds (the "Bonds") issued to refund all or any part of outstanding bonds of the County, in accordance with the Bond Act, for the purpose of the Project.

Section 3. The Finance Director or his designee is authorized to specify the terms of the Bonds, the method of their sale, the final principal amount of the Bonds, the terms of their repayment and security therefor, and other details of the Bonds, which outstanding bonds of the County will be refunded, and if appropriate, to advertise the Bonds for public sale, or to negotiate the sale of the Bonds and execute a contract for the sale of Bonds, all subject to the Bond Act and ratification by the Board by the adoption of one or more ordinances specifying the Bond terms and details and the execution of a certificate of the Finance Director or a contract for purchase of the Bonds specifying the

Bond terms and details approving and ratifying their sale (collectively, the "Bond Ordinance"). The Board desires to sell certain of the Bonds pursuant to a negotiated sale and to distribute a notice of the request for proposals to underwriters pursuant to NRS 350.175. The form of notice of the request for proposals (the "RFP") on file with the Finance Director with such changes as are approved by the Finance Director is hereby approved. The Finance Director or his designee is authorized to distribute the RFP in accordance with NRS 350.175, receive responses to the RFP and select the underwriter, which selection shall be ratified by the Board upon the adoption of the Bond Ordinance.

Section 4. The officers and employees of the County are hereby authorized to take all action necessary or appropriate to effectuate the provisions of this resolution, including without limitation (a) assembling of financial and other information concerning the County, the Project, and the Bonds, (b) preparing and circulating an official statement for the Bonds, and, if deemed appropriate by the Finance Director or his designee, preparing and circulating a preliminary official statement in the form specified by the Finance Director or his designee, and (c) negotiating the terms of the contract for purchase of the Bonds. The Finance Director or his designee is authorized to deem the official statement or preliminary official statement to be a "final" official statement on behalf of the County for the purposes of Rule 15c2-12 of the Securities and Exchange Commission.

Section 5. This resolution shall be effective on its passage and approval.

02-1120 AGREEMENT – WILBUR D. MAY MUSEUM REMODEL – PARKS

Upon recommendation of Karen Mullen, Director, Department of Parks and Recreation, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, it was ordered that the Agreement between Washoe County, as disbursing agent of the May Foundation Building Fund, and Dennis Banks Construction Company concerning construction for the remodel of the Wilbur D. May Museum in the amount of \$214,581 be approved and Chairman Sferrazza be authorized to execute the Agreement.

02-1121 AGREEMENTS OF PURCHASE AND SALE (TWO) -- EVA CANEPA TRUST ET AL AND CANEPA REALTY LTD. ET AL – EVELYN G. CANEPA, LOUIS JOHN CANEPA AND GARY THOMAS CANEPA - LAND AND PROPERTY RIGHTS - PARKS

Upon recommendation of Karen Mullen, Director, Department of Parks and Recreation, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, it was ordered that the following actions be taken:

1. The Agreement of Purchase and Sale between Washoe County and the Eva Canepa Trust Et Al and Canepa Realty Ltd. Et Al concerning the acquisition of 80.85 acres, including 153.18 acre feet of water rights, of the Canepa Ranch located

along the Truckee River near Mogul in the amount of \$1,901,130 be approved and Chairman Sferrazza be authorized to execute all documents upon receipt.

2. The Agreement of Purchase and Sale between Washoe County and Evelyn G. Canepa, Louis John Canepa and Gary Thomas Canepa, as Tenants in Common, concerning acquisition of 40 acres, including 14.5 acre feet of water rights, of the Canepa Ranch located along the Truckee River near Mogul in the amount of \$290,750 be approved and Chairman Sferrazza be authorized to execute all documents upon receipt.

It was noted that these purchases would be funded by voter approved Regional Parks, Open Space and Trails Bond Account No. 9052105-7887.

02-1122 BILL NO. 1356 - AMENDING WCC CHAPTER 15 – COUNTY FINANCES

Bill No. 1356, entitled, "AN ORDINANCE REPEALING AND AMENDING CERTAIN SECTIONS OF CHAPTER 15 OF THE WASHOE COUNTY CODE CONCERNING COUNTY FINANCES, INCLUDING BUT NOT LIMITED TO MATTERS RELATING TO: ACCOUNTING STANDARDS AND POLICY, ACCOUNTING AND CONTROL OF CAPITAL ASSETS, MONEY GRANTS FROM PRIVATE AND PUBLIC SOURCES, PROCEDURES FOR LOST OR ABANDONED PROPERTY, CENTRAL RECEIVING AND DISBURSING SYSTEM, MONEY RECEIVED BY COUNTY OFFICERS, COUNTY BUDGET, RATES FOR SERVICES PROVIDED BY COUNTY, MISCELLANEOUS FINANCIAL PROVISIONS AND AUDITS," was introduced by Commissioner Shaw; the title was read to the Board; and direction was given to publish legal notice for final action of adoption.

02-1123 BILL NO. 1357 - AMENDING WCC CHAPTER 110 (DEVELOPMENT CODE) – SWIMMING POOL, SPA AND ABOVE GROUND POOL BARRIER STANDARDS

Bill No. 1357, entitled, "AN ORDINANCE AMENDING PROVISIONS RELATING TO WASHOE COUNTY CODE CHAPTER 110, ARTICLE 110.412 BY REMOVING THE REQUIREMENTS FOR A FIVE-FOOT OPAQUE SCREEN AROUND A SWIMMING POOL AND SUBSTITUTING FULL COMPLIANCE WITH THE ADOPTED WASHOE COUNTY BUILDING CODE WHICH INCLUDES BARRIER FENCES FOR SWIMMING POOLS, SPAS AND ABOVE GROUND POOLS INCLUDING STANDARDS FOR HEIGHT, DISTANCE FROM GROUND, OPENINGS, ACCESS GATES AND OTHER CRITERION TO MEET SAFETY STANDARDS REGARDING THE DESIGN AND CONSTRUCTION OF BARRIERS FOR RESIDENTIAL PROPERTIES, AND OTHER MATTERS PROPERLY RELATING THERETO," was introduced by Commissioner Short; the title was read to the Board; and direction was given to publish legal notice for final action of adoption.

02-1124 **BILL NO. 1358 - AMENDING WCC CHAPTER 110**
(DEVELOPMENT CODE) – VETERINARY SERVICES,
AGRICULTURAL

Bill No. 1358, entitled, "AN ORDINANCE AMENDING PROVISIONS RELATING TO WASHOE COUNTY CODE CHAPTER 110, ARTICLE 302.10 BY MODIFYING THE TABLE OF USES FOR VETERINARY SERVICES, AGRICULTURAL, FROM THE REQUIREMENT OF AN ADMINISTRATIVE PERMIT TO A SPECIAL USE PERMIT ISSUED BY THE BOARD OF ADJUSTMENT IN GENERAL RURAL LAND USE DESIGNATION AND CHAPTER 110, ARTICLE 304.25 (A) (5) TO EXPAND THE DEFINITION OF VETERINARY SERVICES, AGRICULTURAL TO INCLUDE VETERINARY SERVICES FOR SMALL ANIMALS IN CONJUNCTION WITH A LARGE ANIMAL PRACTICE, AND OTHER MATTERS PROPERLY RELATING THERETO," was introduced by Commissioner Bond; the title was read to the Board; and direction was given to publish legal notice for final action of adoption.

02-1125 **BILL NO. 1359 -AMENDING WCC CHAPTER 50 – EXPANDING**
CONGESTED AREA FOR DISCHARGE OF FIREARMS

Commissioner Galloway commented that discussion was held at yesterday's Caucus meeting on this item because there has been a lot of controversy over the proposed restrictions on bow use.

Chairman Sferrazza called on people wishing to speak.

Mark Rauh, President of the Nevada Bow Hunters Association and Silver Arrow Bowmen, stated the archers in the area are concerned they are going to lose their rights to shoot in their own back yards and request the definition of a firearm not be amended. He said a lot of investigation has been done concerning archery injuries that shows their sport is quite a bit safer than a lot of other sports.

James Calkins, Peavine area resident, presented photographs on the overhead screen and discussed firearm use in the Peavine Mountain area. He stated that the expansion of the current congested area by 5,000 feet is not adequate. He advised that some of the ammunition being used today has a discharge velocity that reaches a five-mile range. Mr. Calkins stated that residents in the Peavine area would like the expansion to go to the ridgeline and 5,000 feet on the other side. He said they disagree with a 1,000-foot restriction for shotguns and believe 5,000 feet is more appropriate. They agree with the crossbow and bow and arrow provisions in the proposed ordinance.

Rose Taylor, Steamboat Archery, spoke in opposition to amending the ordinance. She said archers are very safe and the ordinance would impact many residents

within Washoe County who shoot bows in their back yards. She stated they are opposed to anything that further restricts the use of bow and arrows or changes their classification.

John Septian, Silver Arrow Bowmen and Nevada Bow Hunters Association, advised that about 120 signatures have been acquired in opposition to the ordinance.

Gary Schmidt, Washoe County resident, said the County Code prohibits archery and the use of BB guns and pellet rifles in congested areas, which is overly restrictive and should be addressed.

Neal Cobb, Golden Valley resident, stated there are many violators of firearms regulations in the Golden Valley area, and he would like to see something done to address all of Washoe County regarding this problem.

Commissioner Galloway advised that Legal Counsel Shipman has provided a revised ordinance in response to the Board's request at yesterday's Caucus meeting that simply addresses the expansion of the congested area. He noted that the expansion of the congested area has been discussed at the Northwest Neighborhood Advisory Council (NAB), and, unless guns are banned across the country, people have to be responsible for their use. He stated the Sheriff recommended this expansion and the NAB supported that recommendation, advising they would like to try it and would want to hear about any problems that are experienced.

Chairman Sferrazza said he supports Mr. Calkins' position that the proposed 5,000-foot expansion is not adequate.

Commissioner Galloway stated he would like to proceed with the proposed expansion. He said he believes the expansion is adequate, but if it proves not to be, action could be taken later to address the situation.

Legal Counsel Shipman advised that the revised version of the ordinance removes all references to bow and arrow and crossbow in order for the Board to move forward with the expansion of the congested area. She said she does not believe the firearms definition would be an issue over the next two to three months while the Board attempts to clarify it.

Tom Kearns, Washoe County resident, stated he sympathizes with the homeowners, but they should have known about these issues before they bought their homes. He said the developers and real estate agents should have told buyers about what has been taking place in this area for many years.

Chairman Sferrazza moved to expand the congested area to include the ridgeline and 5,000 feet on the other side. The motion died for lack of a second.

Bill No. 1359, entitled, "AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY AMENDING PROVISIONS RELATING TO THE DISCHARGE OF FIREARMS IN THE UNINCORPORATED AREA WITHIN CERTAIN DISTANCES FROM DWELLINGS WHETHER THE DWELLING IS IN THE INCORPORATED OR UNINCORPORATED AREA, UPDATING AND EXPANDING THE DESCRIPTIONS OF CONGESTED AREAS FOR PURPOSES OF DISCHARGE OF FIREARMS, AND OTHER MATTERS PROPERLY RELATING THERETO" was introduced by Commissioner Galloway; the title was read to the Board; and direction was given to publish legal notice for final action of adoption.

02-1126 DRAFT PEAVINE MOUNTAIN ROADS AND RECREATION STRATEGY - COMMUNITY DEVELOPMENT

Bill Whitney, Senior Planner, Community Development, reviewed the Peavine Mountain Roads and Recreation Strategy. He advised that the document is a coordinated planning effort between the Carson Ranger District of the Humboldt-Toiyabe National Forest, the City of Reno and Washoe County; and staff recommends that the Board endorse the draft document. He advised that the process included public meetings and a great deal of public input was received. He reviewed maps showing the road network being proposed on Peavine Mountain and the 11 portals (access points) to the mountain. He advised that the goal is to develop a road system that best meets the people's needs, is safe, environmentally sound and affordable for the Forest Service to maintain.

***4:15 p.m. Commissioner Short left the meeting.**

Commissioner Galloway advised that some citizens have expressed concern that another portal in the Bailey/McGah subdivision area in Northwest Reno is needed. Mr. Whitney said the City of Reno is probably aware of that issue and the map reflects the official portals they want to put on the map.

Chairman Sferrazza advised that the Board received an opposition letter that stated a group of over 80 homeowners in the Roxbury Drive area oppose the Peavine Mountain Roads and Recreation Strategy and object to any off-road access points being located within existing residential neighborhoods.

Commissioner Galloway advised that the City of Reno looked at alternatives and determined that Roxbury Drive was the preferable access point for the time being. He said the intent is that the Roxbury portal would be for non-motorized access when the 7th Street pit area is closed for development. He stated he would support endorsement of Reno's recommendation, with the comment that he believes an alternative for motocross activity needs to be established when the 7th Street pit is closed.

James Calkins, Peavine area resident, stated that the plan being presented is a political document and does not solve the problems being experienced in Northwest Reno. He said the plan does not provide for specific time frames and is vague and ambiguous. He advised that off-road vehicles and firearm use are disrupting the neighborhood and causing a lot of conflict; and the residents want some action now, not years down the road.

On motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Chairman Sferrazza voting "no" and Commissioner Short absent, it was ordered that the draft Peavine Mountain Roads and Recreation Strategy be endorsed, subject to consideration of the following comments: (1) an alternative be provided away from residences on Forest Service land for motocross activity; (2) consideration be given for additional support for the Washoe County Sheriff for enforcement relative to the closure of the 7th Street pit; and (3) consideration be given to looking at establishing additional portals with citizen input, because housing areas exist that are isolated from the portals identified in the draft document.

Chairman Sferrazza said he did not think any portals should be located in residential areas, and an effort should be made to move them to rural areas where the users of the access points would not directly conflict with the residents.

Commissioner Galloway stated he ran for office on the position there should be public access to public lands. He said no neighborhood wants the portals, and access points in nonresidential areas would be difficult to find.

02-1127 UPDATE – UNIVERSITY RIDGE PARK

Chairman Sferrazza stated his understanding is the University Ridge Park matter would be resolved in the near future.

On motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioner Short absent, Chairman Sferrazza ordered that this item be continued to November 19, 2002.

02-1128 UNBUDGETED EXPENDITURE – SALVATION ARMY'S 2002 ANNUAL DINNER

On motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried with Commissioner Short absent, Chairman Sferrazza ordered that the unbudgeted expenditure in the amount of \$200 for a table for eight for the Salvation Army's 2002 Annual Dinner to be held November 22, 2002 at the Peppermill Hotel Resort be approved.

02-1129 TAHOE BASIN ENVIRONMENTAL IMPROVEMENT PROGRAM FUNDING PLAN – COMMUNITY DEVELOPMENT

Commissioner Galloway advised that no one from the Tahoe Regional Planning Agency could attend today's Board meeting to provide information regarding the Tahoe Basin Environmental Improvement Program Funding Plan.

Mike Harper, Planning Manager, Department of Community Development, said it would be appropriate to continue this matter. He advised that most of the data is very preliminary, and staff needs to look at some of the affects of the proposed funding plan.

Commissioner Galloway commented that the central issue is, if the proposed Environmental Improvement Program water quality project maintenance and transit programs in the Tahoe Basin receive capital funding by Federal grants and mitigation funds, they would require maintenance, which continually grows. He said the question then would be how that would be funded.

On motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioner Short absent, Chairman Sferrazza ordered that this item be continued to November 26, 2002.

02-1130 STATUS REPORT – ENTERPRISE RESOURCE PLANNING SYSTEM PROJECT (ERP) - FINANCE

Commissioner Galloway stated this is a substantial investment in updating the County's computer systems and processes to more efficiently take care of taxpayer monies. Commissioner Shaw said John Sherman, Finance Director, did an excellent job of explaining this item to the Board at yesterday's Caucus meeting.

Upon recommendation of John Sherman, Finance Director, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried with Commissioner Short absent, Chairman Sferrazza ordered that the status report concerning the Enterprise Resource Planning System Project (ERP) be accepted.

02-1131 LEASE AGREEMENT – RENO TECHNOLOGY CENTER I, LLC – INTEGRATED FINANCIAL MANAGEMENT SYSTEM (ERP) – GENERAL SERVICES

Upon recommendation of Tom Gadd, Director, General Services Department, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried with Commissioner Short absent, it was ordered that the Lease Agreement between Washoe County, Lessee, and Reno Technology Center I, LLC, Lessor, concerning the lease of office space to accommodate the Project Team developing Washoe County's Integrated Financial System (ERP) for a 24-month term commencing

December 1, 2002 and for a total cost of \$421,888 be approved and Chairman Sferrazza be authorized to execute the same.

02-1132 CREATION OF POSITIONS – INDEPENDENT CONTRACTOR AGREEMENT - ENTERPRISE RESOURCE PLANNING PROJECT (ERP) – HUMAN RESOURCES

Upon recommendation of Joanne Ray, Director of Human Resources, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried with Commissioner Short absent, Chairman Sferrazza ordered that the creation of 26 Full Time Equivalent (FTE) positions, as noted below, for 12 to 18 months for the Enterprise Resource Planning Project (ERP) be approved. It was further ordered that the Independent Contractor Agreement between Washoe County and Leckey Consulting, LLC, concerning consulting services for project management of the ERP in a not-to-exceed amount of \$580,000 be approved.

<u>Number of Positions</u>	<u>Title</u>
1	Account Clerk
1	Accountant I
1	Accountant II
1	Admin. Asst. II
1	Benefits Specialist
1	Buyer
1	Health Analyst
1	HR Analyst II
1	IT Manager
1	IT Project Coord. II
2	IT Systems Developer II
3	Network Engineer II
3	Office Assistant II
1	Office Support Specialist
1	Personnel/Payroll Clerk
1	Principal Account Clerk
1	Sr. Accountant
1	Sr. Fiscal Analyst
3	Sr. IT Systems Developer

02-1133 EXPENDITURE – ENTERPRISE RESOURCE PLANNING PROJECT (ERP) FACILITY – INFORMATION TECHNOLOGY

Upon recommendation of Matt Beckstedt, Information Technology Director, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried with Commissioner Short absent, Chairman Sferrazza ordered that the expenditure of \$1,195,587.86 for the ERP Project facility located at 9390 Gateway Drive with office furniture, conference rooms, computer master distribution facility, servers, PC's, base software, printers, and copy machines, as listed below, be approved.

- \$ 145,791.00 PC's, laptops, software, monitors, power strips and maintenance from Dell Computers per State of Nevada contract - Key Org 920259-7820
- \$ 302,636.00 Network equipment, storage area network, and development/production servers from Enterasys and Dell Computers per State of Nevada contracts - Key Org 920259-7820
- \$ 229,000.00 New and used Sun database and application servers to be purchased from Delta Marketing Group Inc., Direct Mid Range Systems, E-Bay Auctions and Avcom Technologies - Key Org 920259-7820
- \$ 216,000.00 Backup and storage software from Dell Computers and Integrated Archive Systems - Key Org 920259-7236
- \$ 46,000.00 Hardware and software maintenance - Key Org 920259-7160
- \$ 17,217.00 Increasing existing contracts with Sierra Pacific Communication to provide fiber optic support to the County - Key Org 920259-7381
- \$ 28,031.00 Materials, parts and supplies - Key Org 920259-7195
- \$ 135,727.96 Furniture to be acquired from Reno Business Interiors per contract approved by the Board on 9/19/00 - Key Org 920259-7802
- \$ 38,514.90 Conference room set-up, copy machines, fax, office supplies, etc. - Key Org 920259-7250
- \$ 36,670.00 Contractor installations from Venture Electric Company - Key Org 920259-7105
- \$1,195,587.86 TOTAL - ERP Project Facility Costs**

02-1134 SOFTWARE END-USER LICENSE AGREEMENT – ENTERPRISE RESOURCES PLANNING PROJECT (ERP) - FINANCE

Upon recommendation of John Sherman, Finance Director, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried with Commissioner Short absent, it was ordered that a Software End-User License Agreement between Washoe County and SAP Public Services, Inc. in the amount of \$1,046,211 for

the software license and system training for the Enterprise Resources Planning (ERP) Project be approved and Chairman Sferrazza be authorized to execute the same.

It was noted that the Agreement will commit the County to pay \$1,046,211 for the license and system training, and an annual maintenance fee of approximately \$142,813.

**02-1135 STATUS REPORT – IMPLEMENTATION OF GOLDEN VALLEY
ARTIFICIAL RECHARGE PROJECT – WATER RESOURCES**

Chairman Sferrazza noted that several people were present wishing to speak on this item. He read a statement of support for the Golden Valley Artificial Recharge Project from Joyce Mayo, Golden Valley resident. Neal Cobb, Golden Valley Property Owners Association, and Gary Sayer and Ed Griffith, Golden Valley residents, spoke in support of the project. Daniel Hogan, Greg Fontana, Gene Newman, Frank Benedicht and Kirk Reames, Golden Valley residents, spoke against the Golden Valley Artificial Recharge Project. Mr. Fontana stated he owns two parcels in Sun Valley with a very small portion of each parcel extending into Golden Valley. He also said these parcels are up gradient from the injection wells and he is seeking exemption due to these two factors. Charles Pacheco, Golden Valley resident, asked that staff look into reducing the cost of the Project to the property owners.

In response to public comments, Chairman Sferrazza said Washoe County initiated this project at the invitation of Golden Valley homeowners to provide water to Golden Valley and this does not generate income for the County.

Randy Van Hoozer, Hydrogeologist, Water Resources, confirmed that the majority of Mr. Fontana's properties are outside of Golden Valley and that he may be receiving water from a hydrographic basin other than Golden Valley. Mr. Van Hoozer stated that one of Mr. Fontana's parcels has a well that is outside Golden Valley. Commissioner Galloway asked if water levels would be lower without this project. Mr. Van Hoozer explained that Mr. Fontana is up gradient, but the water level would drop without the project because Mr. Fontana is in the fractured rock. There also is the possibility that a mound of water below his well would change the groundwater gradient, causing the water to flow away from his well more slowly than it otherwise would. He further stated there is also the possibility that fractures connect to the water that is being injected and that depends on how deep the well is. Commissioner Galloway suggested prorating Mr. Fontana based on a percentage of area of his parcels.

With regard to reducing the expense of the project to the property owners, Mr. Van Hoozer said the County has previously tried to receive grants for this project, but was unsuccessful. Mr. Van Hoozer stated the County would not drill deeper wells for property owners whose wells go dry.

Mr. Van Hoozer said the recharge permits require that the County sample for nitrates and other elements. No elements exceeding the standard have been detected

except nitrates, and the USGS (United States Geological Survey) leans toward septic tanks, rather than landfill, as the cause of the increased nitrates. He stated there is one test well where nitrates went from exceeding the standard to below the standard as the water level rose.

Commissioner Galloway said there are two benefits to this project:

- 1) Maintaining well water levels higher than they would otherwise be throughout the basin; and
- 2) Keeping nitrate levels lower than they might otherwise be.

Mr. Van Hoozer confirmed the two benefits and further said if the Health Department wanted to implement a plan for reducing nitrates, they probably would not bypass a parcel because it did not have nitrates. Commissioner Galloway said having a program that prevents water and sewer from going to municipal systems is an additional benefit. Mr. Van Hoozer stated there is no trend in the area of increased nitrate levels.

Chairman Sferrazza asked if there was evidence of water well levels changing due to the injection program versus changes due to precipitation. Mr. Van Hoozer said he has quite a bit of data on precipitation. He stated that 1998 to 2002 was a relatively dry period and water well levels actually went up during that time. He further stated the injection program was not running at that time, but the mound of water moved and caused water levels to rise.

Commissioner Short stated that the data shows septic tanks cause about one-half of the nitrates in Golden Valley, and if the problem is not solved, the NDEP (Nevada Division of Environmental Protection) could impose a superfund situation. He further said the limited time the recharge was tested in Spanish Springs indicated recharge did help nitrate levels, and Mr. Van Hoozer agreed.

In response to Commissioner Bond, Mr. Van Hoozer stated water would be injected year round and they have begun monitoring water levels on approximately 50 domestic wells from random areas. He further stated they are working on a fixed budget, but would be collecting additional nitrate data, as there are a certain number of wells that must be tested on a monthly basis. If test results are not positive at the end of a year, Commissioner Bond suggested that the artificial recharge project be discontinued, and Mr. Van Hoozer was of the same opinion.

Chairman Sferrazza read into the record a letter from Ron McFarland, which letter was placed on file with the Clerk. The letter asked that he be exempted from the project because his property is vacant, unimproved land. Commissioner Galloway stated that anybody whose water level or water quality was preserved or improved as a result of this project was a beneficiary and should share in the cost of the project.

Upon motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that the Status Report on

implementation of the Golden Valley Artificial Recharge Project be accepted. It was further ordered that staff be directed to draft a proposed amendment to Ordinance No. 1115 providing for exemptions or pro-rations, and criteria for exemptions or pro-rations, for properties that are only partially within the Golden Valley hydrographic basin.

5:45 p.m. The Board took a brief recess.

6:00 p.m. The Board reconvened with all Commissioners present.

02-1136 PROPOSED SETTLEMENT AGREEMENT – VERDI LAWSUIT – COMMUNITY DEVELOPMENT

Adrian Freund, Community Development Director, reviewed his staff report dated October 17, 2002 which was placed on file with the Clerk. He explained that the proposed Settlement Agreement emerged from collective, lengthy discussions with Judge Hardesty, Department Nine, Second Judicial District Court. He stated that it was difficult to find a meeting point between the Verdi property owners and other involved parties, and Judge Hardesty identified points of agreement. He further stated that Judge Hardesty has ordered the proposed Settlement Agreement be voted up or down by the governing bodies. He advised that the County was directed to go to the Verdi Citizen Advisory Board (CAB), which took place last night, and the draft minutes from that meeting have been placed on file with the County Clerk. The Verdi CAB supported “a” settlement agreement, but had additional issues they wanted addressed.

Mr. Freund then discussed potential outcomes of the Verdi lawsuit. If the Settlement Agreement is not approved, the lawsuit continues in the Nevada Supreme Court. He stated losing the lawsuit results in the property being annexed to the City of Reno and no review by the Regional Planning Agency. He said that approval of the proposed Settlement Agreement provides that the County’s Comprehensive Plan designations become the baseline for all future development and any proposals for increases in density or uses would have to be justified. If a development is approved, agreed upon development standards and criteria as described in the Settlement Agreement would be applied. In response to Chairman Sferrazza, Mr. Freund said that justification is based on development criteria and the Development Standards Handbook (DSH) that would be developed as part of the Settlement Agreement. He further said the Reno City Council is responsible for overseeing development approvals. He stated the right of appeal is included in the Settlement Agreement.

Commissioner Galloway stated that certain things do go to the Regional Planning Agency automatically. Legal Counsel Madelyn Shipman said the Settlement Agreement provides that any action by the Reno City Council or Verdi property owners would be reviewed by the Regional Planning Commission; and that review would be based upon whether past performance supports the action being taken by the City, whether the provisions of this Agreement have been followed as a result of the action itself, and whether it is in conformance with the Regional Plan. Any further review would be by appeal. She further said that any appeal to the Judge would probably

operate on the combined records of both the Regional Planning Agency and the City of Reno. Mr. Freund then explained that the City of Reno has not yet planned this area with a Master Plan that has been found to be in conformance with the Regional Plan. Determination of appropriate uses and densities of the involved parcels would include a review at minimum of natural constraints, availability of sewer at the time of the development, availability of water resources and delivery systems for water, traffic, including impacts on the existing Verdi community, efficiency and ability to deliver services such as fire and law enforcement, and impacts of future development on adjacent communities.

Mr. Freund said that the Judge insisted on citizen input and that the communities have a voice in what occurs in the future. Therefore, any proposals for development increases in density or intensity in this area would go before the Verdi Township CAB and Northwest Neighborhood Advisory Board (NAB) prior to any hearing before the Reno Planning Commission.

Ms. Shipman advised that the appeal process is available to property owners, the City, and the County.

Mr. Freund stated that the term of this Agreement in general is ten years, but there are related terms in the Regional Plan Settlement Agreement, which if phased out prior to ten years, could cause some aspects of this Agreement to operate for less than ten years.

Dee Ann Radcliffe, Verdi resident, speaking as an individual, said she is not in favor of the Commissioners approving the proposed Settlement Agreement as it does not support the existing character of Verdi, it does not afford ridgeline protection, there is no real opportunity for community input, and she is concerned about the impact on wildlife. She said if these concerns could not be renegotiated with the Judge, she would favor moving forward with the lawsuit at the Nevada Supreme Court.

Commissioner Galloway said a motion was made at the Verdi CAB meeting last night that the CAB wanted “a” settlement, but wanted certain concerns included in the settlement. He said he pointed out after that motion passed that this proposed Settlement Agreement does not address those concerns up front and asked if they wanted to make a more specific motion to support this proposed Settlement Agreement. A motion was made and then withdrawn, due to concerns with the proposed Settlement Agreement.

Ms. Shipman said it was her understanding the CAB was looking at three bad options, and there was discussion concerning the word “a” opposed to “the” Settlement Agreement. She further said the CAB understood when they made the motion that the Commissioners had been ordered to vote this proposed Settlement Agreement up or down. Commissioner Galloway said he did not feel the CAB wanted to put the final word on this and was giving the Washoe County Commission some latitude. Commissioner Bond said the CAB should have accepted or refused this particular

Settlement Agreement as it was the only one in front of them when they voted. Ms. Radcliffe said she concluded that people at the CAB meeting were overwhelmingly against this Settlement Agreement.

Michelle Poché, Assistant County Manager, said the CAB was encouraged to express their concerns on the record.

Andy Manor, Mogul resident, said she is in favor of this proposed Settlement Agreement, and having attended many of the meetings over the last few weeks, she said Ms. Shipman and Judge Hardesty did a great job.

Commissioner Galloway pointed out that this proposed Settlement Agreement is separate from the Regional Plan Settlement Agreement, and cooperative planning does not mean that everybody must agree before anything is approved.

Ms. Manor said she would like to see elected officials of Washoe County and the Cities of Sparks and Reno work collectively to provide a better future in planning the Truckee Meadows. For the record, she expressed her concern that it has been promised to the residents of Mogul that Somersett would not use the Mogul area for access to Interstate 80. Commissioner Galloway said that does not fall under this Verdi Settlement Agreement, but under cooperative planning in the Regional Plan Settlement Agreement.

Commissioner Bond reminded everybody there was a time when a compromise, drafted by herself and the City of Reno, was being offered to this Board. That compromise included the cap of 1,500 homes, the developable property would have remained in the County, and Boomtown and the commercial and industrial area would have gone to the City. She stated she did not even receive the courtesy of having any discussion or review of that compromise by this Board, and some people in Verdi threatened a recall against her. She further asked that, in the future, this Board at least consider proposals and compromises on major issues.

Ms. Manor stated she thinks that in the past people have not really been heard, and everything is rubber stamped so citizens feel they leave empty handed when they come before the Board.

In response to Commissioner Shaw, Ms. Shipman said concerns should be made a part of the record tonight, but this Board must vote one way or another on this Settlement Agreement. Commissioner Bond said she feels there is a willingness on the part of the City of Reno now, more than ever, to consider citizens concerns.

Commissioner Bond made a motion to accept the proposed Settlement Agreement for the Verdi property, incorporating comments and concerns expressed by the Verdi CAB in the minutes of the regular meeting held October 21, 2002 on file with the County Clerk; and Commissioner Shaw seconded the motion.

For the record, Commissioner Galloway expressed his concerns that the water issue only considers availability and supply, not the impact of water use on the rest of the region; the residential cap is higher than it should be; there are no smoke restrictions on canyon properties; there are no scenic ridgeline protections; and the phrase “compatible with existing development” is not well defined. He also said he feels most of these issues could be addressed through the process outlined in this Settlement Agreement.

Commissioner Short said he would support the proposed Settlement Agreement with some reluctance. He stated that if the parties proceeded with the lawsuit and lost, all of the property would fall under a specific planning area within the City of Reno with no input from anyone but the City. He further stated that the average specific planning area in the City of Reno over the last few years has been 7.5 units per acre and some areas have been higher, such as Double Diamond at 12.5 units per acre. He also said he feels Verdi is a gateway to the Truckee Meadows and he would not like to see the Truckee Meadows defined as congested and sprawled.

Chairman Sferrazza said up to 3,000 residential units in this proposed Settlement Agreement far exceeds what the County was willing to approve at 1,500 units, and unless he ignored the CAB, he cannot support this proposed Settlement Agreement.

Commissioner Galloway advised that at one point during mediation he offered that the Judge set a cap between 1,500 and 2,300 residential units, but that was rejected. He further said there is not a lot that could be gained up front, as most of the concerns would take time to define.

On call for the motion, the motion carried 4 to 1 with Chairman Sferrazza voting “no.”

It was further ordered that staff be directed to address the following items: impact of water use on the rest of the region, the high residential cap, smoke restrictions on canyon properties, scenic ridgeline protections, defining the phrase “compatible with existing developments,” and the items specifically identified by the Verdi CAB in their draft minutes of the meeting held October 21, 2002 placed on file with the Clerk.

02-1137 **BILL NO. 1354 – AMENDING WCC CHAPTER 110 – OFF-PREMISE SIGNS – BUS SHELTERS – COMMUNITY DEVELOPMENT**

5:30 p.m. This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on October 11, 2002 to consider the second reading and adoption of Bill No. 1354. 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.

Mike Harper, Planning Manager, Community Development, advised that the reference to bus bench was deleted and a statement added, at the request of the Board, that advertising be oriented to the interior of the shelters and kiosks. He stated that this Code would only apply to those bus kiosks and bus shelters that are operated or installed by a public transit operator.

Chairman Sferrazza commented that these signs are the same as billboards and Mr. Harper said they are considered the same type of off-premise sign as a billboard. Mr. Harper further said there are two exceptions to the billboard Ordinance included in this Ordinance:

- 1) They would not meet the requirement prohibiting new signs until all existing non-conforming signs are brought into conformance; and
- 2) The number of off-premise signs would be exempted from the cap of 109.

Commissioner Galloway said he does not have a problem with motorists seeing the advertising, but was concerned about pedestrians being subjected to it. He stated he thought bus kiosks had been deleted, because they can be large. Madelyn Shipman, Deputy District Attorney, advised that there was no mention of removing kiosk from this Ordinance at the last meeting. She further said as items are deleted, it does not become a substantial change, but she would recommend continuing this to another meeting if changes are to be made so that a properly changed Ordinance could be drafted.

David Jickling, Director of Public Transportation, Regional Transportation Commission (RTC), said NextMedia, the advertising agency involved, indicated there would be locations where it might be desirable to have a transit shelter for passengers, but because of right-of-way constraints or other issues, there may not be the ability to have an advertising panel associated with the shelter, and an adjacent kiosk might provide information about Citifare or the bus system. He also said that in our small market, the V shaped advertising panel is needed. He further stated this program would take away maintenance, operational, and procurement responsibilities from RTC, saving approximately \$160,000 per year in maintenance alone. He said RTC does have a capital program of \$800,000 to replace shelters if this program does not go forward, but that money could be used for other purposes providing public transportation. He said that with transit use expected to triple by 2030, this program would provide approximately three times as many shelters as RTC currently has, giving people a secure, dry, attractive place to board the bus. He also stated RTC is amiable to giving Washoe County the receipts from this program regarding the shelters in Washoe County.

Commissioner Short said RTC has a tremendous track record in our community and advertising on buses has been done in good taste. He stated that public transportation is facing financial difficulties, they would have to cut routes and raise fares, and this would be a great opportunity to get attractive bus shelters at no cost to the taxpayers. He further urged something be done to accommodate the RTC.

Commissioner Bond asked where the majority of the 180 new shelters would be and Mr. Jickling said the majority would be in the City of Reno.

Commissioner Shaw agreed with Commissioner Short's statements. He further said the RTC came up with this idea as a way of generating revenue by saving money and allowing them to provide better service.

Chairman Sferrazza said it is hypocritical to allow the increase of off-premise signs in the public sector, but limit them in the private sector. He then asked Doug Smith, Scenic Nevada, how he distinguishes between these off-premise signs and billboards. Mr. Smith said these are small billboards and he does not distinguish between them. He further said Scenic Nevada has not taken a position on this item. He did suggest devoting ten percent of the 180 new shelters to non-profit organizations to advertise, with the non-profit organizations paying for the cost of advertising materials only.

Commissioner Shaw said the RTC Board would be able to control and regulate, to some extent, this advertising.

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

On motion by Commissioner Shaw, seconded by Commissioner Bond, which motion carried 3 to 2 with Chairman Sferrazza and Commissioner Galloway voting "no," it was ordered that Bill No. 1354 not be adopted and staff be directed to bring back a new Ordinance with the revision that signage be oriented in two ways. Commissioner Galloway said he opposes this Ordinance because he only supports interior facing advertising. Chairman Sferrazza said he opposes this Ordinance because these are billboards.

**02-1138 COMPREHENSIVE PLAN AMENDMENT – CASE NUMBER
CP00SV-001 (REPTILE RIDGE PROPERTIES, INC.) –
COMMUNITY DEVELOPMENT**

5:30 p.m. This was the time set in a Notice of Public Hearing mailed to the affected property owners on October 11, 2002 to consider a request to change the Land Use Designation from Low Density Suburban (LDS) to High Density Rural (HDR) on ±4.00 acres, Low Density Suburban (LDS) to Medium Density Rural (MDR) on ±1.00 acre, General Rural (GR) to Medium Density Rural (MDR) on ±21.58 acres, and with ±5.14 acres to remain Low Density Suburban (LDS) and with ±2.20 acres to remain General Rural (GR). The three parcels total ±33.92 acres and the request is authorized by Article 820 of the Washoe County Development Code (Chapter 110 of the Washoe County Code). The change will not increase the development potential of these properties; it will distribute the existing parcel potential over a greater area and remove the concentration of development from the existing residences within the area. The requested rezoning is

located on the west side and at the southerly terminus of Neilson Road, which is south of Andrew Lane, and approximately one-mile southeast of US 395 South in Pleasant Valley. The parcels are designated Low Density Suburban (LDS) and General Rural (GR) in the South Valleys Area Plan, and are within the NW/4 of Section 9, T17N, R20E, MDM, Washoe County, Nevada. The properties are located in the Galena-Steamboat Citizen Advisory Board (CAB) boundary and Washoe County Commission District No. 2. To reflect the changes requested within this application and to maintain currency of general area plan data, administrative changes to the area plan are proposed. These administrative changes may include: new text or policy; a revised map series with updated parcel base and data sources related to development suitability, current assessed land use, planned land use, streets and highways, and public services and facilities; new population statistics; new references to past and future facility construction; new horizon date references and corrections to department or agencies names; and revisions to the Table of Land Uses and the Table of Approved Tentative Subdivisions. (APN: 017-360-03, 04, & 05) The parcels considered for the land use change are designated as Rural on the Truckee Meadows Regional Plan Land Use Diagram and should not require a Regional Plan Amendment.

Chairman Sferrazza opened the public hearing by calling on anyone wishing to speak for or against the proposed amendment.

Rose Taylor, Reno resident, spoke in opposition, because she is concerned about erosion, water well levels, and fire access. She said there is a private road off of Neilson Road for which Mr. Schmidt has an easement allowing him to go up to his property, and the neighbors have taken care of that road by contributing money and purchasing grindings and oil, and paving the road. She further said Mr. Schmidt refused to contribute. Commissioner Short asked if they had considered a Special Assessment District for the private road and Mrs. Taylor responded that they wanted to keep it as rural as possible and the neighbors would continue to maintain it, even if it was not up to County standard. She also said two water wells have dropped 40 feet and one went dry in the neighborhood. She stated that Gillegard owns some parcels there and they cut a road, which caused much of the erosion. In response to Commissioner Shaw, Mrs. Taylor said she attended the Planning Commission meeting on this issue and was very opposed then.

Mr. Gale Taylor spoke in opposition to the re-zoning. He said he is in favor of public access to BLM land, but not from a private road, unless the County maintained it. He further said he would prefer the zoning remain as it is.

Commissioner Bond noted that the staff report says there would not be an increase in the density or the number of allowable units. Don Young, Zoning Administrator/Senior Planner, Washoe County Planning Commission, said this is a boundary line adjustment to reconfigure the existing parcels and does not change the density or number of allowable units.

Commissioner Short asked if the Planning Commission passed this boundary line adjustment request unanimously and if there was a vote by the CAB. Mr.

Young advised that the Planning Commission did pass the request unanimously and there was no vote by the CAB, but the CAB did express concerns with the original proposal which increased density. The CAB's concerns were taken into account and the applicant was asked to revise his proposal. Mr. Young stated the applicant came back with a no net increase, redistributed the wells and septic tanks away from existing parcels, removed the development potential from very steep slopes, and is willing to provide access to BLM land. Mr. Young said staff could only see benefits in this request.

In response to Commissioner Galloway, Mr. Young said the Engineering and Building Divisions would address the drainage issue and there would be the opportunity during the development proposals to impose conditions to ensure the applicant mitigates drainage issues as he would have to go through a parcel map process.

Commissioner Bond asked if the applicant could sell the land without developing it once these land use designations are changed, creating the potential for increased density. Mr. Young said there is no potential for higher density unless it were to come back to this Board. He further said that is not the intent of the applicant and this redistribution would have beneficial impacts on everyone in the neighborhood.

In response to Chairman Sferrazza, Mr. Young stated he received a document just prior to this meeting, which was placed on file with the County Clerk, stating that Mr. Schmidt did pay Bob Sader, one of his neighbors, for road maintenance. He further said Mr. Schmidt paid it under protest because he did not agree with the current maintenance and improvements. Gary Schmidt, applicant, said he feels this maintenance should be organized through meetings and input from the contributors should be considered. Mr. Schmidt stated he is willing to spend whatever it takes to bring the road up to County standards.

Mr. Schmidt said he has voluntarily allowed equestrian and pedestrian access to BLM land through his property for the past four years and upon successful completion of this application, he would dedicate to the County a day light only equestrian and pedestrian easement through his property to the BLM land.

Commissioner Shaw asked if the Planning Commission took into consideration the concerns of the Taylors regarding the condition of the road and the amount of traffic that would use the road. Mr. Young said that was brought up, but it relates to the development of the parcels, and not to this Comprehensive Plan Amendment. He stated he did confirm that Mr. Schmidt has legal access over the road, and there are no limitations on the amount of traffic on the road.

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

Ms. Shipman advised that the Board could direct staff to take the appropriate action to condition the offer of donation of a day light equestrian and pedestrian easement upon Mr. Schmidt returning with a parcel map.

On motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that Comprehensive Plan Amendment Case No. CP00SV-001 be approved. This motion was based on the Board having made the following findings:

1. The proposed amendment to the South Valleys Area Plan is in substantial compliance with the policies and action programs of the Washoe County Comprehensive Plan.
2. The proposed amendments to the South Valleys Area Plan will provide for land uses more compatible with existing and planned adjacent land uses and will not adversely impact the public health, safety, or welfare.
3. The proposed amendment to the South Valleys Area Plan responds to changed conditions and refined assessments that have occurred since the plan was adopted by the Board of County Commissioners, and the requested amendment represents a more desirable use of land.
4. The proposed amendment to the South Valleys Area Plan will have no affect upon 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 to the South Valleys Area Plan will promote the desired pattern for the orderly physical growth of the County and guides development of Washoe 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 to the South Valleys Area Plan was the first amendment to the Plan in 2000, and did 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 and the related changes to the text and maps of the South Valleys Area Plan have been properly noticed in the 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 to the information received during the Washoe County Commission public hearings.

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There being no further business to come before the Board, the meeting adjourned at 8:05 p.m.

PETER J. SFERRAZZA, Chairman
Washoe County Commission

ATTEST:

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

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