

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

3:30 P.M.

MARCH 15, 2005

PRESENT:

Bonnie Weber, Chairman
Bob Larkin, Vice Chairman
Jim Galloway, Commissioner
David Humke, Commissioner
Pete Sferrazza, Commissioner

Nancy Parent, Chief Deputy Clerk
Katy Singlaub, County Manager
Melanie Foster, 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:

05-227 AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Sferrazza, seconded by Commissioner Larkin, which motion duly carried, Chairman Weber ordered that the agenda for the March 15, 2005 meeting be approved.

05-228 PUBLIC COMMENTS

Ken McKenna, attorney, requested the Board reconsider its previous decision on the Sierra Display billboard.

Al Hesson, local resident, expressed his opinion regarding the members of the Board.

Sam Dehne, local resident, expressed his views about making any changes to public comment and his opinion of the *Reno-Gazette Journal*.

Gary Schmidt, local resident, read his paper containing comments about alleged Board violations of the Open Meeting Law, which was placed on file with the Clerk.

Katy Singlaub, County Manager, said the District Attorney's Office was preparing a memorandum to the Board regarding Mr. McKenna's request. She requested the Board wait until its receipt before giving staff direction.

Melanie Foster, Legal Counsel, said the County won this case in District Court, but the case was now before the Supreme Court on appeal. She requested the Board not place this item on an agenda until reviewing the information from the District Attorney's Office and Mr. McKenna.

Commissioner Galloway requested staff place an item on the agenda for discussion of the procedures for issuance of encroachment permits. He said the final decision on what would be in the consent agenda would be made today and not at yesterday's Caucus. Commissioner Sferrazza concurred, stating the vote on the consent agenda was happening today.

Commissioner Sferrazza requested an agenda item concerning installation of a left-hand turn signal at the intersection of North Virginia and Parr Boulevard if it was within the County's jurisdiction. He also requested a Nevada Department of Transportation update on the Spaghetti Bowl and the appointments to fill the Parks Commission vacancies be put on the April 16th agenda. Commissioner Sferrazza said constituent Bill Holmes had requested details on the health care provided to indigent people by the Washoe Medical system and a report on the Locus and Hawk clinics' charges.

In response to Commissioner Sferrazza, Ms. Singlaub said the timeframes for action on the billboard were past. Ms. Foster said she would have the attorney handling the case contact Commissioner Sferrazza, and the Board would be receiving the memorandum from the District Attorney's Office by late tomorrow afternoon.

Commissioner Humke said he wanted to read the memorandum from the District Attorney's Office on the billboard before determining how to proceed. In response to Commissioner Humke, Ms. Singlaub said there already was a \$3.5 million rainy day fund, which can only be used for certain, proscribed circumstances as set out in the Nevada Administrative Code.

Commissioner Larkin thanked the Commissioners and the County Manager for participating in the City of Sparks Centennial celebration. He reminded everyone about the groundbreaking for the City of Sparks icon and the John Ascuaga's Nugget Hotel and Casino's Fiftieth Anniversary celebration on Thursday.

05-230 INTRODUCTION OF NEW WASHOE COUNTY EMPLOYEES

Chairman Weber invited approximately 24 new Washoe County employees to come forward and introduce themselves to the Board. The Board members welcomed the new employees.

05-231 PROCLAMATION – PROFESSIONAL SOCIAL WORK MONTH
MARCH 2005

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

PROCLAMATION

WHEREAS, Social workers help millions of people address social and psychological problems to improve lives; and

WHEREAS, Washoe County employs over 100 licensed professional social workers; and

WHEREAS, Social workers bridge the gap between resources and services and the people who need them; and

WHEREAS, Social workers use their education, training, and commitment to strengthen individuals, families and communities; and

WHEREAS, Social workers shape numerous programs and policies that improve community life; and

WHEREAS, Social workers provide services in many settings, including private practices, family counseling centers, courts, nursing homes, hospices, mental health clinics, child welfare agencies, hospitals, schools and universities, prisons, corporations, as well as public and private agencies; now, therefore, be it

PROCLAIMED, That the Washoe County Board of Commissioners hereby recognizes professional social workers and their commitment and dedication to individuals and families in our community and joins the National Association of Social Workers in proclaiming March 2005 as Professional Social Work Month.

Mike Capello, Social Services Director, thanked the Board for recognizing the County's social workers.

05-232 SEXUAL ASSAULT - MEDICAL CARE - PAYMENT

Pursuant to NRS 217.280 to 217.350, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried, Chairman Weber ordered that payments with funds from the District Attorney's account designated Sexual Assault Victims Expenses be authorized for initial emergency medical care and follow-up medical or psychological treatment for 19 sexual assault victims in an amount totaling \$4,154.00 as set forth in a memorandum from Kim Schweickert, Program Assistant, CARES/SART, District Attorney's Office, dated February 28, 2005. It was further ordered the Comptroller's office process the invoices for payment.

05-233 GRANT AWARD – ADOPTION INCENTIVE FUNDS – STATE DIVISION OF CHILD AND FAMILY SERVICES – SOCIAL SERVICES

Upon recommendation of Mike Capello, Social Services Director, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried, Chairman Weber ordered that the Director of Social Services be authorized to accept \$72,800 in Federal funds from the State Division of Child and Family Services to assist in the Adoption program. It was further ordered that the Finance Department make the following budget adjustments:

Account Number	Description	Amount
Revenue 280210-10446-43110	Federal Grant Funds	\$72,800
Expenditure 280210-10446-710563	Foster Care / Adoption Recruitment	\$72,800

05-234 TRANSFER OF FUNDS – STATE CRIMINAL ALIEN ASSISTANCE PROGRAM – FINANCE

Upon recommendation of Anna Heenan, Senior Fiscal Analyst, through John Sherman, Director of Finance, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried, Chairman Weber ordered the transfer of \$50,000 in budget authority and cash from the Public Works Construction Fund Jail Water Heater project number PW920457-781004 to the General Fund State Criminal Alien Assistance Program grant funding account 10060-781004 be approved and Finance be directed to make the necessary adjustments.

05-235 AGREEMENT – NEVADA DIVISION OF TRANSPORTATION – TRAFFIC SIGNAL AT PYRAMID HIGHWAY & GOLDEN VIEW DRIVE – PUBLIC WORKS

Katy Singlaub, County Manager, said the traffic signal at the intersection of Pyramid Highway and Golden View Drive was a great example of a partnership between a private, non-profit church, the Nevada Department of Transportation (NDOT),

and Washoe County. The County was providing an in-kind construction grant for the project in the amount of \$31,000.

Sam Dehne spoke in favor of the traffic signal. He suggested using the new traffic signal that was put up at the entrance of the Atlantis Hotel and Casino, which he felt was not needed.

Vallea Rose, Spanish Springs resident, said she objected to using tax dollars to subsidize the traffic signal. She said she felt this developer should be made to pay for the signal.

Steve Bond, Summit Christian Church Pastor, thanked staff for working with the church on solving this public safety issue on Pyramid Highway.

Commissioner Galloway said the issue of traffic signal funding should be addressed to the State, not the County. He said the State was either not doing what was warranted or asking other parties to participate because of budget issues, and he felt this was a reasonable solution for this traffic signal.

Upon recommendation of David Price, County Engineer, through Tom Gadd, Public Works Director, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the interlocal agreement between Washoe County and Nevada Division of Transportation, concerning the design, construction and maintenance of a traffic signal at the intersection of Pyramid Highway and Golden View Drive, be approved and Chairman Weber be authorized to execute the same.

05-236 AWARD OF BID – PLUMBING IMPROVEMENTS – PUBLIC WORKS

This was the time to consider award of the bid for plumbing improvements at the Jail Infirmary Remodel for the Public Works Department.

Proposals were received from the following vendors:

J. W. McClenahan
Savage & Sons

Upon recommendation of Roger Van Alyne, Capital Projects Director, through Tom Gadd, Public Works Director, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried, Chairman Weber ordered that the bid for plumbing improvements at the Jail Infirmary Remodel for the Public Works Department be awarded to the lowest, responsible and responsive bidder, J. W. McClenahan, in the amount of \$61,000.00 and the Public Works Director be authorized to execute the necessary documents.

**05-237 AWARD OF BID – RANCHO SAN RAFAEL GREAT BASIN
IMPROVEMENTS – PUBLIC WORKS**

This was the time to consider award of the bid for Rancho San Rafael Great Basin Improvements for the Public Works Department. The Notice to Bidders for receipt of sealed bids was published in the *Reno Gazette-Journal* on February 16, 2005.

Bids were received from the following vendors:

Garden Shop Nursery
Legends Landscaping

Upon recommendation of Roger Van Alyne, Capital Projects Director, through Tom Gadd, Public Works Director, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the bid for Rancho San Rafael Great Basin Improvements for the Public Works Department be awarded to the lowest bidder, Legends Landscaping, in the amount of \$94,807.00, and Chairman Weber be authorized to execute the contract documents upon presentation.

**05-238 PURCHASE - EXTERIOR SIGNAGE - JAN EVANS JUVENILE
JUSTICE CENTER – PUBLIC WORKS**

Upon recommendation of Roger Van Alyne, Capital Projects Director, through Tom Gadd, Public Works Director, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried, Chairman Weber ordered that the purchase and installation of exterior signage for the Jan Evans Juvenile Justice Center from Innerface Sign Systems, Inc, in the amount of \$31,126.81 be approved and the Public Works Director be authorized to execute the necessary documents.

**05-239 ACCEPTANCE OF DONATION OF OFFICE FURNITURE – U. S.
DEPARTMENT OF JUSTICE – DRUG ENFORCEMENT
ADMINISTRATION – SHERIFF**

Upon recommendation of Don Means, Assistant Sheriff, through Dennis Balaam, Sheriff, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the donation of office furniture valued at approximately \$22,302 from the U. S. Department of Justice, Drug Enforcement Administration, to assist with the operation and successful move of the Alternatives to Incarceration Unit to the former Drug Enforcement Administration Office in the Truckee River Office Tower, be accepted with the gratitude of the Board.

05-240 **ACCEPTANCE OF DONATION OF TOOLS – AMES/TRUE
TEMPER LAWN & GARDEN DISTRIBUTION CENTER –
SHERIFF**

Upon recommendation of Don Means, Assistant Sheriff, through Dennis Balaam, Sheriff, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the donation of tools valued at \$4,150 from Ames/True Temper Lawn & Garden Distribution Center, to assist with operation of Washoe County Sheriff's Office Community Work Program during the snow storms of January 2005, be accepted with the gratitude of the Board.

05-241 **AGREEMENT – FALLON PAIUTE SHOSHONE TRIBE –
HOUSING OF PRISONERS – SHERIFF**

Upon recommendation of Don Means, Assistant Sheriff, through Dennis Balaam, Sheriff, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried with Commissioner Sferrazza abstaining, it was ordered that the agreement between Washoe County and the Fallon Paiute Shoshone Tribe, concerning housing of prisoners be approved and Chairman Weber be authorized to execute the same.

05-242 **INTERLOCAL CONTRACT - PUBLIC SAFETY DIVISION OF
PAROLE AND PROBATION / NEVADA HIGHWAY PATROL -
TOXICOLOGY TESTING - SHERIFF**

Upon recommendation of Will McHardy, Commander, through Dennis Balaam, Sheriff, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the Interlocal Contract between the Department of Public Safety, Division of Parole and Probation / Nevada Highway Patrol and the Washoe County Sheriff's Office, Forensic Science Division for Toxicology Testing, be approved and Chairman Weber be authorized to execute the same.

05-243 **CHANGE THREE FULL-TIME SOCIAL WORKER POSITIONS
TO FOUR PART-TIME POSITIONS – SOCIAL SERVICES**

Sam Dehne, local resident, questioned changing three full-time positions to four part-time positions; but, if it was okay with the full-time employees, it was okay with him. Katy Singlaub, County Manager, said the positions were vacant and would provide nighttime staffing for Child Protective Services to investigate reports of abuse and neglect.

Upon recommendation from Michael Capello, Social Services Director, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried, it was ordered that three previously full-time Social Worker positions (40 hours per week) be changed to four part-time positions (27 hours per week) to provide

after hours operational response to allegations of child abuse and neglect. It was further ordered that Human Resources be directed to change position control numbers 70004052, 70004053, and 70004054 from full-time positions to 27 hours per week part-time positions, and create a new social worker position for a fourth part-time employee 27 hours per week. It was also ordered that Finance be directed to make the appropriate salary and benefit adjustments to Cost Center 280210.

05-244 PROCESS OF PUBLIC INPUT AND DEPARTMENT BUDGET PRESENTATIONS FOR FISCAL YEAR 2005/06

Katy Singlaub, County Manager, spoke about the plans for the departmental budget presentations and the online and written budget surveys, which would solicit public input when the recommended budget was ready for review. She said the presentations would be scheduled after receiving direction from the Board.

Commissioner Humke said all department heads should be summoned to make the presentation so the public would be informed on the budget. Chairman Weber said there would need to be a commitment from all of the Commissioners to participate as much as possible.

Commissioner Galloway said department heads should have the opportunity to decline. Commissioner Larkin replied that elected officials could not be compelled to comply, but this was a public process that compels them to come forward on their own volition to fully inform the public on the budget. Ms. Singlaub said department heads would be strongly encouraged to present their department's budget.

Sam Dehne, local resident, said the Open Meeting Law demanded public input, and he approved of the Board making plans on how best to obtain that input.

On motion by Commissioner Larkin, seconded by Commissioner Humke, which motion duly carried, Chairman Weber ordered that staff establish a process for public input on the budget presentations by the department heads.

05-245 RESIGNATION AND APPOINTMENT – COLD SPRINGS CITIZEN ADVISORY BOARD – COMMUNITY DEVELOPMENT

On motion by Commissioner Sferrazza, seconded by Commissioner Humke, which motion duly carried, Chairman Weber ordered that Juneil Mathis' resignation from the Cold Springs Citizen Advisory Board be accepted effective immediately. It was further ordered that Linn Fraher be appointed to fill the At-Large vacancy with a term expiring on June 30, 2006.

**05-246 RESIGNATION AND APPOINTMENT – EAST TRUCKEE
CANYON CITIZEN ADVISORY BOARD – COMMUNITY
DEVELOPMENT**

On motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried, Chairman Weber ordered that the resignation of Carolyn Adams from the East Truckee Canyon Citizen Advisory Board be accepted effective immediately. It was further ordered that Sandra Wagner be appointed to fill the At-Large vacancy with a term expiring on June 30, 2006.

**05-247 RESIGNATIONS AND APPOINTMENTS – SOUTHEAST
TRUCKEE MEADOWS CITIZEN ADVISORY BOARD -
COMMUNITY DEVELOPMENT**

Commissioner Sferrazza requested he participate in the selection of members of the Southeast Truckee Meadows Citizen Advisory Board in the future.

On motion by Commissioner Humke, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Weber ordered that the resignation of Joel Winitz (Virginia Foothill's representative) and Sharon Stanley (At-Large representative) from the Southeast Truckee Meadows Citizen Advisory Board be accepted effective immediately. It was further ordered that Brett South be appointed as the Virginia Foothill representative with a term expiring on June 30, 2006. It was also ordered that Brad Stanley be appointed as the At-Large representative, and William Fuller as the At-Large Alternate to fill the vacancies with terms expiring on June 30, 2007.

**05-248 RESIGNATIONS AND APPOINTMENT – SOUTHWEST
TRUCKEE MEADOWS CITIZEN ADVISORY BOARD –
COMMUNITY DEVELOPMENT**

On motion by Commissioner Humke, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Weber ordered that the resignation of Ray Martin (At-Large representative) and Marc Marengi (Mt. Rose representative) from the Southwest Truckee Meadows Citizen Advisory Board be accepted effective immediately. It was further ordered that Robert Wideman be appointed to fill the At-Large vacancy with a term to expire June 30, 2006.

**05-249 APPLICATION FOR OPEN SPACE USE ASSESSMENT – DAVID
G. AND ROSEMARY E. BJORKMAN ET AL – APN 081-070-10 –
ASSESSOR**

Ron Shane, Appraiser III, provided background on the Application for Open Space Use Assessment submitted by David G. and Rosemary E. Bjorkman, et al, for Assessor's APN 081-070-10 pursuant to NRS 361A.200. He said approval of this application would reduce the tax burden by 26 percent.

In response to Commissioner Larkin, Mr. Shane said the 26 percent equated to \$500 per year.

Commissioner Humke said \$500 was a small price for the County to pay in return for the landowner being responsible for the open space. He said, if the County owned the property, it would probably have to spend more than \$500 to manage and protect the property.

In response to Commissioner Sferrazza, Mr. Shane said public access was required based on a prior case.

Upon recommendation of Mr. Shane, through Steve Churchfield, Chief Appraiser, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, Chairman Weber ordered that the Application for Open Space Use Assessment submitted by David G. and Rosemary E. Bjorkman, et al, for Assessor's APN 081-070-10 pursuant to NRS 361A.200 be approved.

**05-250 PURCHASE – SPANISH SPRINGS LIBRARY EQUIPMENT –
PUBLIC WORKS**

Katy Singlaub, County Manager, said extensive donations were defraying part of the total cost of the equipment for the Spanish Springs Library, which the Board appreciated.

In response to questions raised at Caucus, Nancy Cummings, Library Director, said this equipment purchase was sent out to bid in February 2003; and, after extensive research, it was recommended that the 3M bid be approved even though it was not the lowest bid.

Commissioner Galloway said there should be a justification, which Ms. Cummings gave verbally. Ms. Cummings said the equipment would not be purchased from a vendor other than the 3M Corporation, and the prices were competitive. She said the prices had gone down approximately \$2,100 since the South Valleys Library purchase. Commissioner Galloway said there should be a guarantee that these prices were as low or lower as could be obtained from anyone else as part of the sole source justification.

Ms. Singlaub said Ms. Cummings had stated there was previously a bid on the 3M equipment in 2003, and it stated in the bid that the County was considering purchasing five additional checkout systems by June 30, 2004, which did not occur because of budget constraints. Only two were purchased, one for South Valleys and one for Sparks.

voting representative from the Regional Transportation Commission, not the Technical Committee. Commissioner Sferrazza said that was not what he was thinking about, and it had something to do with the bridges.

Commissioner Galloway made a motion, which was seconded by Commissioner Sferrazza, that Commissioner Galloway be authorized to attend the Technical Committee meeting with Commissioner Sferrazza as an alternate. In response to Commissioner Larkin, Melanie Foster, Legal Counsel, said formal action was inappropriate because no action had been agendized; but she had heard nothing that indicated a Commissioner could not attend.

In response to Commissioner Galloway, there were no objections by the other Commissioners to his attending the meeting.

05-252 SALE OF SIERRA SAGE GROUND WATER RIGHTS – SIERRA SAGE GOLF COURSE – CONTINUED FROM MARCH 8, 2005 – PARKS

4:30 p.m. This is the time set to receive sealed bids and hear oral bids with regards to the sale of 15 acre feet of water rights, being a portion of Permit No. 66958 and 66959 as changed by applications 71195 and 71194 respectively, from Sierra Sage Golf Course.

Katy Singlaub, County Manager, said the minimum opening oral bid had been changed to \$18,637.50 for lot 17 that had the remaining 15-acre feet.

Karen Mullen, Regional Parks and Open Space Director, said this sale was being held because Gary Sherrow/Vanguard from the March 8, 2005 sale failed to perform on the purchase agreement.

Ms. Mullen discussed the recap of the March 8th sale, which was placed on file with the Clerk. She said there was an overpayment by one bidder, which would be refunded.

In response to a question raised at Caucus, Ms. Mullen said the 15-acre feet were offered to the next highest bidder, who declined, as did the next highest bidder contacted. She said once the oral bids were reached, the District Attorney's Office said the decision whether to auction off the water rights should be brought back to the Board. The 32 previous bidders that had signed in were contacted, except one who could not be reached. She noted the bidders were also reminded at the March 8th meeting and it had been advertised that the sale would be continued to March 15, 2005 if any bidder failed to perform. Ms. Mullen stated there were 10 bidders signed up, and the Board needed to decide whether it wanted to proceed with the sale.

Gary Schmidt, local resident, said he was signed up to bid at the March 8th sale, but did not receive a phone call, and wanted to be assigned a bid card. Ms. Mullen said a message was left yesterday afternoon, and she would sign him in.

Commissioner Sferrazza said he wanted to reserve the 15-acre feet of water rights. Commissioner Galloway said he had also wanted to reserve more of the rights, but he would respect the will of the Board to sell these rights.

Chairman Weber said there were 50-acre feet reserved for the County's purposes.

Commissioner Humke said it was incumbent on the Board to get the greatest price for the County while still serving the needs of water users. He said there were a sufficient number of bidders present to go forward with the sale.

On motion by Commissioner Larkin, seconded by Commissioner Humke, which motion duly carried with Commissioner Sferrazza voting "no," it was ordered that the sale of 15-acre feet with a minimum bid price of \$18,637.50 per acre-foot be approved.

Ms. Mullen explained the bidding procedures and rules. She restated the oral minimum bid price of \$18,637.50 per acre-foot. She stated it was important to note that the ground water rights were sold without any representation or warranties from the County and potential bidders were urged to perform due diligence prior to submitting a bid.

The following were the successful Bidders as a result of the bidding:

	BIDS RECEIVED 3/8/05		174.03	\$ 7,048,993.80
	SALES AWARDED 3/8/05		159.03	\$ 6,403,993.80
	Average price paid per acre-foot	\$40,269.09		
	Bids Awarded - March 15, 2005			
Lot #	Bidder's Name	Bid Price per Acre-Foot	# of Acre Feet	Total Price
17A	Centex Homes	\$39,000.00	5.00	\$ 195,000.00
17B	Centex Homes	\$40,500.00	5.00	\$ 202,500.00
17C	Centex Homes	\$41,000.00	5.00	\$ 205,000.00
	BID RECEIVED 3/15/05			\$ 602,500.00
	Total Bids Received			\$ 7,006,493.80

Ms. Mullen instructed the successful Bidders to contact Vahid Behmaram, Water Rights Supervisor, with any questions, to fill out purchase agreements, and to provide a cashier's check to the County within 48 hours.

Commissioner Humke said this item was continued from the March 8th meeting in case some bids fell out, and asked if it should be continued again. Ms. Foster said the sale could be continued for ten days by law, so it would have to be done by the

next meeting; or the Board could wait to decide how to handle any remaining water rights.

On motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, it was ordered that the bids be approved pending the terms being met and Chairman Weber be authorized to execute the purchase agreement(s) upon presentation. It was further ordered that the auction be closed.

**05-253 APPOINTMENTS – TRUCKEE RIVER FLOOD MANAGEMENT
PROJECT COORDINATING COMMITTEE – WATER
RESOURCES**

Commissioner Larkin made a motion that the Commissioners in the districts most directly affected by flooding issues be appointed to the Truckee River Flood Management Project Coordinating Committee and all other Commissioners be appointed as alternates. Commissioner Larkin withdrew the motion so the appointments could be discussed.

Chairman Weber said the suggestion was made at the joint meeting that the Commission Chairman and the Mayors of the Cities of Sparks and Reno serve on the committee, and she would like to offer it as a suggestion for discussion.

Commissioner Larkin said the Cities of Sparks and Reno were significantly affected by the flood, but there also needed to be representation for areas of the County, such as Wadsworth, that do not have any other representation. He would like the Commissioner responsible for the areas downriver appointed to the committee.

Chairman Weber said she felt it was imperative that the Commission Chairman and the Mayors work together on this committee because they would bring some clout to the issue and everyone else should serve as alternates.

Commissioner Sferrazza said the Chairman was a transitory position. He said he had been working with this issue for years and he would like to be involved. He asked why the committee could not be expanded to more people.

Commissioner Galloway said the Sparks area was the most affected and downtown was a critical issue because it was not in the Army Corps of Engineers project. He said he believed the appointees should be Commissioners Larkin and Sferrazza.

Commissioner Humke said residential property in his district was devastated during the flood. He said the distinction between residential and commercial property was that people do not live on commercial property. He did not believe that Commission District 2 should take a back seat to any other district with regards to this issue. He said the Chair rotates, and there was no history of the Chair continuing for more than a one-year term.

Commissioner Galloway requested, if anyone appointed has trouble attending the meetings, that they come back to the Board so a change can be made.

On motion by Commissioner Galloway, seconded by Chairman Weber, which motion duly carried, it was ordered that Commissioners Larkin and Sferrazza be appointed to the Truckee River Flood Management Project Coordinating Committee with Commissioner Humke as the first alternate and Chairman Weber and Commissioner Galloway as alternates.

05-254 2002 REGIONAL PLAN SETTLEMENT UPDATE

Commissioner Galloway reported that the County had been pursuing a proposal where acreage would be assigned to the Cities of Reno and Sparks and the County on an annual basis, which the Cities rejected. He said other avenues were being explored, but there was nothing definite yet.

5:39 p.m. The Board recessed.

5:53 p.m. The Board reconvened with all members present.

05-255 DEVELOPMENT CODE ASSESSMENT WORKSHOP – DUNCAN ASSOCIATES

Adrian Freund, Public Works Director, introduced the consulting team for the Development Code project: Kirk Bishop, Duncan Associates, and Michel Dyett, Dyett & Bhatia. A copy of their presentation was placed on file with the Clerk. Mr. Freund said they had spent the day with staff and others getting input on Development Code related issues, and there was also an extensive public involvement process with all of the Development Code stakeholders. He stated the main purpose of the workshop was to give the consulting team initial direction and priorities. He said there would be an electronic code demonstration so the Board could think about the capabilities of the product for increasing access to the information by the public. He said the Board of Adjustment and Planning Commission members were invited to view this presentation and provide any comments they may have.

Mr. Bishop said the project was an assessment of the existing Development Code in terms of its structure and content. He discussed the assessment criteria and that the Code needed to meet the fundamental purposes of zoning and development regulations. He said the work consisted of three phases with this being the listening and learning phase. The next trip would be to do in-depth field surveys and interviews of staff, special interest groups, and regional jurisdictions and agencies about what was working and what was not with the existing Development Code framework. Mr. Bishop said the second phase would contain the preliminary analysis and recommendations issued in the form of a written report and presented in a public workshop to solicit further public input. He said the third phase would issue the final assessment report that would be presented in a workshop setting, and the findings and

recommendations from that workshop would be incorporated into the revised final report. Mr. Bishop said the project should be completed by December 2005.

Mr. Dyett discussed some of the preliminary issues that had emerged from staff interviews and examination of documents.

Dan Salerno, Washoe County Planning Commission Chair, requested distinct areas be identified and kept in mind during the process. He also said there were existing Development Code items that could not be enforced.

Bob Doxy, Planning Commission member, said all of the Citizen Advisory Boards and the public should be included in this process. He asked about projected savings.

Gary Ferro, Board of Adjustment and Design Review Committee member, said there have been projects with mandatory landscaping that require too many trees. He said landscaping requirements should consider the water necessary to maintain it in an area where water was an issue.

Sharon Stanley, Board of Adjustment member, asked how the new Development Code would fit in with the Reno and Sparks Development Codes.

At the request of Commissioner Larkin, Mr. Bishop added the comments to the PowerPoint presentation, which were then displayed on the chamber's screen.

Chairman Weber opened public comment.

Susan Seidl, local resident, requested that the Development Code comply with all Federal and State laws.

Chris Awood, local resident, said the Development Code should be constitutional, fair to everyone, enforceable, and very easy to understand. He said it should also be enforceable in a very quick timeline and people should have the power to require corrective action or implement fines.

Gary Schmidt, local resident, spoke about his feelings on public versus private land.

John Glathar, local resident, said the Development Code was impossible to use. He said he would like to see an "owner's manual" for the various regulatory zones, which would relieve staff from having to answer the same question over and over.

Commissioner Galloway said to provide an "owner's manual" for the various regulatory zones, first some sort of mapping would have to be done for every parcel that would identify every regulatory zone that applied to the parcel. He said only then could any restrictions on a parcel be identified. He hoped any system chosen would

do that and would allow searching by keywords. He said he would like to know the best practices from other jurisdictions regarding nuisance ordinances. Commissioner Galloway said he would like the interface between Engineering and other departments looked at because one department can grant an encroachment permit that could affect another. He wondered if two-map systems had improved or if they would still be too cumbersome. He asked if the County would really save money and people, and he would like to have the staffing and monetary consequences for Development Code enforcement changes.

Commissioner Sferrazza provided reasons why he felt the two-map system was a bad system. He would also like case law on zoning and master planning reviewed as it affected the County.

Commissioner Humke said the Development Code was too complex and should be made easy for the public to use. He agreed with Commissioner Galloway that it should be keyword searchable. He asked if the RFP left anything out that should be dealt with, because he would entertain change orders to the contract to make sure everything was addressed.

Commissioner Larkin said the denser areas of the County tend to get more attention than some of the rural areas. He said he hoped the consultants would be more evenhanded in how resources were applied to the rural areas.

Chairman Weber said the Development Code should be more area specific, and the Citizen Advisory Boards should be involved in providing input. She agreed with Mr. Ferro that the mandatory landscaping requirements needed to be examined. She said she liked the idea of an "owner's manual" that was brief and compact that people without access to the web could obtain.

Mack Burch, part of the consultant team, demonstrated navigating and searching the electronic Development Code for the City and County of Durham, North Carolina.

Commissioner Humke requested a link to the consultant's and the demonstration web site be placed on the County web site.

COMMUNICATIONS AND REPORTS

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

COMMUNICATIONS:

- 05-256** A. Notice of Intent to Annex Land into the City of Sparks dated January 28, 2005 to annex 2.5 acres of land, generally located at 8495 Eaglenest Road, Washoe County, into the City of Sparks, and a copy of Bill No. 2442 introducing the proposed Ordinance. The public hearing on Bill No. 2442 was scheduled for the Council meeting held on February 14, 2005. (Copy of Documents sent to Community Development on February 10, 2005.)

- 5-257** B. Nevada Department of Transportation - Letter to PAR Electrical Contractors Inc returning their bid bond for Contract No. 3230, Project No. STP-395-2(036), on US 395 Freeway at Damonte Ranch Parkway, Washoe County

- 05-258** C. Fully executed Agreement for the Use of Boat Lift for the Incline Village Substation from Ruth Page and Gregory Walsh, Jazz 2000 LLC and Spike 2000 LLC (see 04-698, 7/13/04 meeting)

- 05-259** D. Washoe County Sheriff's Office Memorandum from Rose Bator, Chief Records Clerk, Permits/Registrations Section, regarding the Annette O'Brien aka Tolentino Childcare Work Permit.

- 05-260** E. Nevada Department of Transportation - Letter to Sierra Nevada Construction Inc returning their bid bond for Contact No. 3251, Project Nos. SPSR-0426(001) and SPSR-0430(013), regarding South Meadows Parkway and South Virginia Street, Washoe County

05-261 **REPORTS – MONTHLY (January 2005)**

- A. County Clerk's

05-262 **REPORTS – QUARTERLY (December 2004)**

- A. Washoe County School District

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There being no further business to come before the Board, the meeting adjourned at 6:40 p.m.

BONNIE WEBER, Chairman
Washoe County Commission

ATTEST:

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

*Minutes Prepared by
Jan Frazzetta
Deputy County Clerk*