

**BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA**

TUESDAY

2:00 P.M.

APRIL 12, 2005

PRESENT:

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

**Amy Harvey, County 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:

Chairman Weber requested a moment of silence be held for Tom Sokol, Personal Property Supervisor, who passed away in March of 2005.

**05-306      AGENDA**

In accordance with the Open Meeting Law, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Weber ordered that the agenda for the April 12, 2005 meeting be approved.

**05-307      REVIEW – MONARCH PROPERTY APPLICATION**

Katy Singlaub, County Manager, stated Item 18, review of the Monarch Property Application, was requested to be placed on a future agenda by Reno Councilmember Jessica Sferrazza during the March 25, 2005 joint meeting. Ms. Singlaub said County policies and Board rules state only Board members or County staff who need business approved by the Board could place items on an agenda. Ms. Singlaub said a Commissioner had not asked to place this item on an agenda, and it appeared to be an error on the part of staff.

Commissioner Larkin made a motion to remove Item 18 from the agenda, but allow public comment to be heard. Commissioner Humke seconded the motion.

Commissioner Sferrazza stated he was opposed to the motion. He remarked he did not like the idea of forcing citizens who came to speak on this item to have to do so under general public comment. He believed those citizens should have the

opportunity to speak on Item 18 before the Board votes on whether or not to have it heard.

Melanie Foster, Legal Counsel, said it would be the Chairman's discretion whether or not to allow public comment on this item; however, Ms. Foster thought it best to offer the citizens who were present the opportunity to speak.

Chairman Weber opened public comment for Item 18.

Sam Dehne, Reno resident, stated he was against a casino being built in close proximity of a high school.

Shirley Bertschinger, Sparks resident, said she was opposed to the Monarch Casino and read her statement into the record, which was placed on file with the Clerk.

Alfred Vandenberg, South Hills Improvement Association, was opposed to the project as stated in his letter written to the Board and placed on file with the Clerk.

Gary Schmidt, Washoe County resident, said he was opposed to any large-scale casino establishment being located outside the downtown area.

Ike Eichbaum, South Hills Improvement Association, representing John Ryczkowski, President of the South Hills Improvement Association, stated Mr. Ryczkowski did not want the master plan amended or the zoning changed from arterial/commercial to hotel/casino. Mr. Eichbaum also referred to the many e-mails the Board received from citizens who opposed this project, which were placed on file with the Clerk.

Ginger Bevilacqua, South Reno resident, believed this item should not have been on the Board's agenda, and she felt frustrated by the format and process of placing items on agendas for government meetings.

John Frankovich, representing Bishop Manogue High School, was opposed to the project and said it was difficult to understand why this item was on the Board's agenda. Mr. Frankovich commented the casino was a controversial planning issue within the City of Reno and not within the County's jurisdiction.

Chairman Weber read a statement from Kerry Malone, Reno resident, who was opposed to the Board addressing the application of Monarch Development to the City of Reno for a master plan amendment and re-zoning. Ms. Malone stated the Commission had no jurisdiction over this issue and had no basis for commenting.

Commissioner Galloway said the County Commissioners were not the body making the decision on the application, and he supported the motion.

Commissioner Sferrazza stated he would not support the motion and was concerned the Board would not have input into such decision-making.

Commissioner Humke said this was not an issue for the Board, and it should not be placed on the agenda.

On call for the question, the motion passed on a 4-1 vote, with Commissioner Sferrazza voting "no."

**05-308        PUBLIC COMMENTS**

Sam Dehne, Reno resident, believed the County should have heard the Monarch Casino proposal and should have a say in whether the casino be built or not.

Willie Davison, Reno Celebrates America Chairman, read his request for the Board's financial support concerning a 4<sup>th</sup> of July Fireworks Celebration, which was placed on file with the Clerk.

Guy Felton, local resident, read and distributed copies of Congress.Org, concerning his disdain for Judge Larry Hicks, which was placed on file with the Clerk.

Charles Ragusa, Reno resident, requested the Board's help in defeating SB326, which was purported to reform Nevada Eminent Domain Laws.

Al Hesson, Reno resident, spoke on the homeless shelter and believed shelters should be built for all the homeless.

Lori Wray, Scenic Nevada, commented on opposition to SB262, relating to outdoor advertising structures. She referred to a letter she wrote, which was placed on file with the Clerk. Ms. Wray believed if this bill were to pass, there would be many complications.

Gary Schmidt, Washoe County resident, would like to see the Caucus meetings held in the Commission Chambers where they could be televised for the public to view deliberations and discussions.

Commissioner Larkin read an e-mail from Maryanne Ingemanson, Incline Village resident, relating to staff testifying against AB392 at the Legislature, which was placed on file with the Clerk. Ms. Ingemanson requested the County's policy on lobbying agents for the County, County employees, and/or members of the boards or commissions.

Commissioner Larkin also read a statement from Les Barta, Incline Village resident, that opposed the removal of Gary Schmidt from the Board of Equalization, which was placed on file with the Clerk.

## **COMMISSIONERS'/MANAGERS ANNOUNCEMENTS**

Commissioner Galloway was concerned about alleged testimony on a bill in which the County Commission had not taken a position. He asked if Terrance Shea, and Peter Simeoni, of the District Attorney's Office, had been given direction from the Assessor's Office and the Board of Equalization, respectively, to speak on those bills. Commissioner Galloway requested a report from staff if direction was given to those individuals.

Melanie Foster, Legal Counsel, commented Mr. Shea and Mr. Simeoni, appeared and testified before the Legislature for the District Attorney's Association on AB392, and the position taken was on behalf of the District Attorney's Office.

### **05-309      PROCLAMATION – NATIONAL EMERGENCY DISPATCHERS WEEK – APRIL 10-16, 2005**

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

#### **PROCLAMATION**

**WHEREAS**, The Incline Village Dispatch Center operates 24 hours a day, 7 days a week, 365 days a year and is staffed by 10 full time Dispatchers, 1 part time Dispatcher and 1 working Dispatch Supervisor; and

**WHEREAS**, The center dispatches calls for service not only to the Washoe County Sheriff's Office Deputies, but also for all fire and medical calls for the North Lake Tahoe Fire Protection District; and

**WHEREAS**, There are normally only two dispatchers on at any given time and during their shift they are responsible for answering all the phones including 911, initiating the computer aided dispatch (CAD) call for service, at the same time maintaining radio contact with the deputies in the field or the even more daunting task of maintaining communications with all the fire personnel who respond to a structure fire or medical call; and

**WHEREAS**, Other dispatch duties include providing emergency medical instructions (EMD) over the phone and coordinating mutual aid assistance from surrounding agencies. The dispatch center is also the central paging center for all Search and Rescue, SWAT, and Hostage negotiators calls; and

**WHEREAS**, The dispatchers process the bail money for prisoners who bail out of the sub-station maintaining custody of it until the Incline Justice Court can pick it up. They also process and distribute the police reports and citations to the Incline

Justice Court, as well as the Sparks and Reno Justice Courts and the District Attorney's Office; and

**WHEREAS**, All of these folks act day in and day out in the finest tradition of professional dispatchers and reflect great credit to the Washoe County Sheriff's Office, the North Lake Tahoe Fire Protection District, and Washoe County citizens; now, therefore, be it

**PROCLAIMED**, That the Washoe County Board of County Commissioners do hereby recognize April 10-16, 2005 as National Emergency Dispatchers Week and specifically recognize the following Washoe County dispatchers for their commitment and professionalism to the citizens of our community:

Clay Griffin, Ed Ferguson, Gary Herbeck, Terri Kubo, Jennifer Felter, Karl Holden, Tina Barrett, Sugey Duran, Jennifer Kannisto, Charity Rosasco, and Jeanette Martinez-Valcher.

**05-310            PROCLAMATION – NATIONAL LIBRARY WEEK – APRIL 10-16, 2005**

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

**WHEREAS**, The Washoe County Library System, serving Nevada communities for the past 101 years, will be celebrating "National Library Week," April 10-16, 2005; and

**WHEREAS**, The Washoe County Library System provides citizens the opportunity to access resources that can give every person the chance to learn and gain knowledge; and

**WHEREAS**, The Washoe County Library System helps fulfill the community's desire for information about popular, cultural and social trends, and satisfying recreational experiences; and

**WHEREAS**, The Washoe County Library System addresses the community's desire for self-directed personal growth and development opportunities; and

**WHEREAS**, The Washoe County Library System addresses the need of people to meet and interact with others, and to participate in public discourse; and

**WHEREAS**, The Washoe County Library System helps meet the need for information services and answers to questions on a broad array of topics; and

**WHEREAS**, The Washoe County Library System wishes to make known the vast resources, available free to library cardholders, that can give every citizen the tools for learning; now, therefore be it

**PROCLAIMED**, By the Washoe County Board of Commissioners that April 10-16, 2005 is designated as “National Library Week” and the Board urges all residents of the Truckee Meadows to take advantage of the resources available to them at the Washoe County Libraries by visiting any one of the twelve stationary locations, or Mobile Library I, or [www.washoe.lib.nv.us](http://www.washoe.lib.nv.us).

**05-311            PROCLAMATION – NATIONAL COUNTY GOVERNMENT**  
**WEEK – APRIL 10-16, 2005**

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

**PROCLAMATION**

**WHEREAS**, County employees serve America; and

**WHEREAS**, County employees police our streets, keep families healthy, build and repair our roadways, plow snow, help troubled youths and young adults, provide social services, protect abused and neglected children, encourage literacy through libraries, encourage fitness through parks and recreation, preserve open space, improve the community’s quality of life, and countless other jobs they deserve to be recognized for; and

**WHEREAS**, Counties provide public safety, offer medical and human services, and provide needed elderly services for grandmothers and grandfathers and healthcare to the disabled and needy. When natural or man-made disaster strikes, County emergency services keep children and their families safe and informed until order can be restored; and

**WHEREAS**, Counties provide services that make America’s communities stronger, safer places to live and raise families; and

**WHEREAS**, County Officials and employees use their role as local leaders to encourage economic development and therefore improve the lives of their citizens and make their communities more livable; and

**WHEREAS**, Counties have a long history of providing critical services. County governments are the citizen’s regional government voice, providing solutions that bring communities together; and

**WHEREAS**, In recognition of the leadership, innovation and valuable service provided by our nation's counties; now, therefore, be it

**PROCLAIMED**, By the Washoe County Board of Commissioners that April 10-16 2005, is National County Government Week and we ask all members of the Washoe County community to join us in acknowledging and commemorating the history and contributions of all of our nation's Counties and encourage citizen participation in their regional governments.

**05-312            PROCLAMATION – FAIR HOUSING MONTH – APRIL 2005**

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

**PROCLAMATION**

**WHEREAS**, April 2005 marks the 37<sup>th</sup> anniversary of the Title VIII of the Civil Rights Act of 1968, the Federal Fair Housing Act which provides equal opportunity for all Americans in the sale, rental, and financing of housing and prohibits discrimination on the basis of race, color, religion, sex, or national origin; and

**WHEREAS**, The Fair Housing Amendments Act of 1988 added familial status and handicap to those classes protected by Title VIII and added strong new rights, remedies, monetary penalties, and judicial and administrative enforcement procedures; and

**WHEREAS**, It is the solemn and sworn duty of government at all levels to protect and defend the rights of all its citizens and oppose housing discrimination whenever and wherever it occurs; and

**WHEREAS**, Illegal barriers to equal opportunity in housing, no matter how subtle, that diminish the rights of some of our citizens, diminish the rights of all; and

**WHEREAS**, Silver State Fair Housing Council actively works to ensure equal housing opportunity for all people in the Truckee Meadows to freely choose where they want and can afford to live; and

**WHEREAS**, Washoe County supports the efforts of Silver State Fair Housing Council and all other agencies pursuing fair housing; now, therefore be it

**PROCLAIMED**, that the Washoe County Board of County Commissioners do hereby proclaim April 2005 as Fair Housing Month and recognize the Silver State Fair Housing Council for their good work in pursuing fair housing in our community.

**05-313            PROCLAMATION – KITE MONTH – APRIL 2005**

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

**PROCLAMATION**

**WHEREAS**, Kite flying is family friendly, nonpolluting, healthy, educational, outdoor oriented, and fun,

**WHEREAS**, Kite flying and kite fliers, from Benjamin Franklin to Charlie Brown, are a constructive and quintessential part of our own American culture,

**WHEREAS**, Kites have made significant contributions to the arts, science, mathematics, cultural awareness, and history to our society,

**WHEREAS**, The American Kitefliers Association and the Kite Trade Association International have designated April to be National Kite Month, and are promoting kite festivals and kite workshops across the entire country,

**WHEREAS**, The Washoe County Department of Parks and Open Space and specifically the North Valley’s Regional Sports Complex fly a giant fifteen-foot kite in April for a candy drop and hold a Father’s Day Kite Festival for the last eight years to promote kite flying; now, therefore, be it

**PROCLAIMED**, by the Washoe County Board of County Commissioners that April of 2005 is officially designated to be Kite Month, and be it further proclaimed that Washoe County encourages everyone to participate in the joy and excitement of kite flying and urges all citizens to Go Fly a Kite!

**05-314            LEGISLATIVE UPDATE**

John Sherman, Finance Director, spoke on AB489, which would limit the property tax bill by providing tax abatement. He reviewed a description of the bill, which was placed on file with the Clerk, and said there would be a “trailer bill” behind this that dealt with technical issues not addressed in AB489. Mr. Sherman said the amount of the abatements would be determined by two classes: an owner occupied single family primary residence tax bill limited annually to a three percent increase; and revenue from the property tax allocated to each taxing entity based on the proportion of those entities combined rate, as it was apportioned to the overlapping rate in any particular taxing district. Mr. Sherman said the impact of AB489 on Washoe County was \$4.2 million, which was based on estimates from the Legislative Counsel Bureau. He said the Department of Taxation would be providing an estimate of the impact of AB489, subsequent to the filing of the tentative budgets, which local governments should take into consideration when developing their final budgets.

Commissioner Sferrazza asked for an explanation on how a homeowner acquired a rebate. Mr. Sherman said it was not a rebate, but an abatement. Calculations were done on prior tax bills and current year pending tax bills; and if that was over three percent for residential property, it abated the amount above the three percent. Commissioner Sferrazza inquired if renters could apply for the rebate or would the abatement go to the landlord. Mr. Sherman stated currently it was directed at the property owner; however, that issue would have to be dealt with in the trailer bill or administrative process.

Commissioner Galloway asked if this bill took away from the \$3.64 cap. Mr. Sherman replied it did not. Commissioner Galloway questioned if a second home would receive the three percent increase as the primary residence had, and Mr. Sherman responded the second home would receive the eight percent or the CPI limit. Commissioner Galloway asked if both primary residence and second home abatements would be re-set to market if a change of ownership occurred. Mr. Sherman replied neither of them would, as it would be an abatement of the tax.

Commissioner Larkin questioned if every homeowner would have to sign a waiver. Mr. Sherman replied that was still in draft form within the trailer bill. It would be anticipated that staff would mail affidavits to homeowners to be returned to the Assessor's Office to identify which single-family residential property was owner occupied. Commissioner Larkin asked if those had to precede the tax bills, and Mr. Sherman replied they would. He said he could foresee an intensive media campaign to inform homeowners of the new process.

Commissioner Humke questioned who would process the trailer bill, and Mr. Sherman replied the Department of Taxation. Commissioner Humke commented an intense public relations effort would have to be implemented, and Mr. Sherman concurred.

Sam Dehne, Reno resident, applauded the Legislature for placing a cap on property taxes.

Gary Schmidt, Washoe County resident, urged the Board to support AB419, which would increase the financial sanctions on boards and commissions that violate the Open Meeting Law.

Commissioner Galloway commented AB392 did not appear on the Board's Legislative list, and the intent of that list was to indicate all bills that a County Department was tracking. He said AB392 was not shown as being tracked by the District Attorney's Office. Commissioner Galloway stated if the District Attorney felt compelled to testify on this bill, it should have been on the list. Melanie Foster, Legal Counsel, explained a process was in place which informed John Slaughter, Management Services Director, or Julie Skow, Administrative Assistant II, when a staff member from the District Attorney's Office would appear at the Legislature per any matter and advise them of the position the District Attorney's Office would take.

Commissioner Sferrazza requested the Board take a position on SB262 that concerns raising, relocation or compensation for loss of outdoor advertising structures as result of certain governmental actions. He believed it was reasonable to allow billboards to be raised above the sound wall; but it was unreasonable to enable the billboards to be relocated within 500 feet, and to force government to compensate the building of a wall. Commissioner Sferrazza made a motion to oppose SB262.

Chairman Weber asked if there was a second to the motion and, hearing none, the motion died.

Commissioner Galloway said the Board should oppose SB262 as written. He said Community Development reviewed the bill and reported it would cause fewer problems for Washoe County if it only applied to conforming billboards, and if the restitution portion were eliminated. Commissioner Galloway made a motion to support the position of staff. Commissioner Sferrazza seconded the motion.

In response to Commissioner Humke, Mike Harper, Planning Manager, said there were no conforming billboards within Washoe County. He said this particular bill could eliminate the Board's previous action that assured all billboards would be located in appropriate areas. He said there had not been a new billboard in Washoe County for approximately 25 years, but some billboards had been removed as a request of the property owner. Mr. Harper said the last time an estimate was received for removal or relocation of existing billboards in 1981 the amount was approximately \$30 million. He commented there were 115 non-conforming billboards in unincorporated Washoe County.

A discussion ensued and the Board agreed this bill offered broad compensation not being offered to other citizens who have similar impacts as a result of what was approved or not approved by government.

On call for the question, the motion to oppose SB262 passed on a 5-0 vote.

**05-315      APPEARANCE – KYRS BART – RENO/TAHOE**  
**INTERNATIONAL AIRPORT**

Krys Bart, Executive Director of the Reno/Tahoe International Airport, updated the Board on airport activity and presented a PowerPoint presentation, which was placed on file with the Clerk.

Commissioner Larkin inquired how the Reno/Tahoe Airport compared to other airports in relation to Homeland Security. Ms. Bart replied the efforts of security by the Transportation Security Administration (TSA) were a multi-layered effort, and she believed that the Reno/Tahoe Airport would measure up to any airport similar in size or larger. Commissioner Larkin inquired if the issue concerning the Instrument Landing System (ILS) had been resolved. Ms. Bart said as a result of meetings with the Federal Aviation Administration (FAA) a new ILS had been designed for Runways 16 Right and

34 Left, that would be in place during the next 18 months. Ms. Bart also stated within the next three to four years a new tower and upgraded radar would be installed; and as a result of those changes, the Reno/Tahoe Airport would have the newest state-of-the-art technology of any airport on the West Coast.

Commissioner Galloway asked if the new ILS would be weather resistant and require less intensive maintenance. Ms. Bart said that was correct, and the new equipment was operational with a number of controls to prevent failure; and the FAA agreed to have a technician on-site whenever the threat of inclement weather would become a concern. Commissioner Galloway asked if the current parking garage would be upgraded to include additional parking spaces. Ms. Bart replied that structurally it was possible; however, the codes had changed making it economically unfeasible. Ms. Bart stated inevitably when a new terminal would be built, a parking structure would also be included in the design.

Sam Dehne, Reno resident, spoke on his contempt of the Airport Authority.

Gary Schmidt, Washoe County resident, would like to see the Airport Authority meetings televised again.

**5:02 p.m.** The Board recessed.

**5:35 p.m.** The Board reconvened with all members present.

**05-316** **MINUTES**

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that the minutes for the regular meetings of January 25, February 8, and February 15, 2005 be approved.

**05-317** **RESOLUTION - EXPENDITURE FROM COUNTY COMMISSION DISTRICT 3 - AFRICAN HERITAGE AND LEADERSHIP CONFERENCE**

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that an expenditure of \$100 from County Commission District 3 Special Funding Account for the African Heritage and Leadership Conference be approved. It was further ordered that the following resolution be adopted and Chairman Weber be authorized to execute the same:

**RESOLUTION**

**AUTHORIZING THE GRANT OF PUBLIC MONEY TO THE AFRICAN HERITAGE AND LEADERSHIP CONFERENCE**

**WHEREAS**, NRS 244.1505 provides that a Board of County Commissioners may expend money for any purpose which will provide a substantial benefit to the inhabitants of the County and that a Board may make a grant of money to a private organization, not for profit, or to a governmental entity, to be expended for a selected purpose; and

**WHEREAS**, The Board of County Commissioners of Washoe County has determined that a certain amount of money is available in Fiscal Year 2004/2005, to make a grant of money to the African Heritage and Leadership Conference to help clear up financial obligations from their initial conference and to support their upcoming Mini summits and that by providing this grant of money a substantial benefit will be provided to the inhabitants of Washoe County; now, therefore, be it

**RESOLVED**, By the Board of Commissioners of Washoe County that the Board hereby grants to the African Heritage and Leadership Conference, a grant for fiscal year 2004/2005 in the amount of \$100.

[Business Impact Note: The Board of County Commissioners hereby finds that this Resolution does not impose a direct and significant economic burden upon a business, nor does it directly restrict the formation, operation or expansion of a business.]

**05-318            APPOINTMENT – INTERIM PUBLIC DEFENDER – MANAGER**

Upon recommendation of John Berkich, Assistant County Manager, through Katy Singlaub, County Manager, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, Chairman Weber ordered that Ms. Jennifer Lunt be appointed as Interim Public Defender. It was noted that this appointment was to become effective immediately and continue until the Board made a permanent appointment for this position.

**05-319            DONATION – BOYS AND GIRLS CLUB OF TRUCKEE MEADOWS – WASHOE COUNTY SHERIFF’S OFFICE RESERVE DEPUTY SHERIFFS**

Commissioner Galloway acknowledged the donation from the Boys and Girls Club of Truckee Meadows.

Upon recommendation of Valerie Gilmore, Fiscal Compliance Officer, through Dennis Balaam, Sheriff, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, Chairman Weber ordered that the cash donation to the Washoe County Sheriff’s Reserve Deputy Sheriffs from the Boys &

Girls Club of Truckee Meadows in the amount of \$2,000 be accepted. It was further ordered that the Budget Division be directed to make the following budget adjustments:

<b>ACCOUNT NUMBER</b>	<b>DESCRIPTION</b>	<b>AMOUNT OF INCREASE</b>
20064-484000	Increase Revenues	\$2,000
20064-710300	Increase Expenditures	\$2,000

**05-320            REFUND OF SURPLUS FUNDS – SPECIAL ASSESSMENT DISTRICT NO. 18 – THOMAS CREEK WATER – TREASURER**

Upon recommendation of Tammi Davis, Deputy Treasurer, through Bill Berrum, Treasurer, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, Chairman Weber ordered that pursuant to NRS 271.429 a refund of surplus assessment funds for the 872 properties in Washoe County Special Assessment District No.18, Thomas Creek, in the amount of \$89,681.06, be approved.

**05-321            APPROVE EXPENDITURE – EMPLOYEE RECOGNITION BREAKFAST – MANAGEMENT SERVICES**

Upon recommendation of Julie Skow, Administrative Assistant II, through John Slaughter, Management Services Director, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, Chairman Weber ordered that an expenditure for the March 4, 2005 Employee Recognition Breakfast in the amount of \$2,002 be approved retroactively. It was further ordered that the expenditure for the May 6 and October 7, 2005 Employee Recognition Breakfasts in the amount not to exceed \$5,000 be approved and implemented in both fiscal year 2004/05 and fiscal year 2005/06.

**05-322            ACCEPTANCE OF CASH DONATIONS – SENIOR PROGRAMS AND SERVICES – SENIOR SERVICES**

Commissioner Galloway acknowledged the cash donations and gift certificates and read the names of the donors.

Upon recommendation of Marietta Bobba, Senior Services Director, through John Berkich, Assistant County Manager, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, Chairman Weber ordered that the following cash donations in the amount of \$33,849.52 and gift certificates in the amount of \$225 for the second quarter of fiscal year 2004/05 be accepted.

<u>Donor (Purpose/Program)</u>	<u>Cash Value</u>
First Baptist Church (Sparks Senior Center)	\$ 50.00
Scolari's (Sparks Senior Center)	27.62
Lend-A-Check (General Donation)	1,065.00
Anonymous Donations (Mental Health Program)	110.00
Gerald Pope (Mental Health Program)	200.00
United Way (General Donation)	261.90
First Baptist Church (General Donation)	50.00
E.L. Cord Foundation (General Donation)	25,000.00
Despina Hatton (Senior Law Project)	160.00
Woodburn/Wedge (Senior Law Project)	1,000.00
Hobey's Casino (Adult Day Care Program)	100.00
Senior Companion Program (Day of Art for Caregivers)	100.00
Debbie Torvinen (General Donation)	75.00
Zonta Organization (General Donation)	500.00
City of Reno (Day of Art for Caregivers)	150.00
McKenzie Properties (General Donation)	1,000.00
Wesley Witten (General Donation)	1,000.00
Sheryl Christenson (General Donation)	1,000.00
General Vascular Associates (Adult Day Care Program)	1,000.00
Roseman Family Foundation (Adult Day Care Program)	1,000.00
 Total Cash Donations	 \$33,849.52

Non-Cash Donation:

<u>Donor (Purpose/Program)</u>	<u>Cash Value</u>
Carolyn Rash (Sears gift card to the Adult Day Care Program)	\$ 125.00
Carolyn Rash (Ben Franklin gift card to the Adult Day Care Program)	<u>100.00</u>

Total Non-Cash Donations \$ 225.00

It was further ordered that the Finance Department be directed to make the following budget adjustments:

<b>ACCOUNT NUMBER</b>	<b>DESCRIPTION</b>	<b>AMOUNT OF INCREASE</b>
<b>Increase Revenues</b>		
20046-484000	General Donations	\$ 4,136.90
20074-484000	Mental Health Donations	310.00
20051-484000	Sparks General Donations	77.62
20223-484000	Lend-A-Check Donations	1,065.00

20071-484000	Adult Daycare Donations	2,100.00
20067-484000	Legal General Donations	1,160.00
<b>Total</b>		<b>\$ 8,849.52</b>
<b>Increase Expenditures</b>		
20046-710500	General Donations - Other Expense	\$ 4,136.90
20074-710500	Mental Health Donations - Other Expense	310.00
20051-710500	Sparks General Donations - Other Expense	77.62
20223-710500	Lend-A-Check Donation - Other Expense	1,065.00
20071-710500	Adult Daycare Donation - Other Expense	2,100.00
20067-710500	Legal General Donation - Other Expense	1,160.00
<b>Total</b>		<b>\$ 8,849.52</b>

It was noted the discrepancy between the total cash donations, \$33,849.52, and budget adjustments above, \$8,849.52, was due to the fact that the generous \$25,000 donation from E.L. Cord Foundation was previously included in the Department's fiscal year 2004/05 budget.

**05-323            GRANT – STATE OF NEVADA – NUTRITION PROGRAM FUNDING – SENIOR SERVICES**

Upon recommendation of Marietta Bobba, Senior Services Director, through John Berkich, Assistant County Manager, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, Chairman Weber ordered that the State of Nevada grant, to be used as a substantial component of the nutrition program funding, for the period of October 1, 2004 through June 30, 2005 in the amount of \$85,308 be accepted. It was further ordered that the Finance Department be directed to make the following budget adjustments:

<b>ACCOUNT NUMBER</b>	<b>DESCRIPTION</b>	<b>AMOUNT OF INCREASE</b>
10165-431100	Federal Revenue	\$26,737
10165-710592	Nutrition Program	\$26,737

**05-324            GRANT – STATE OF NEVADA – GERLACH NUTRITION SITE – SENIOR SERVICES**

Upon recommendation of Marietta Bobba, Senior Services Director, through John Berkich, Assistant County Manager, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, Chairman Weber ordered that the one-time State of Nevada grant for the purpose of purchasing dining chairs for the Gerlach Nutrition Site, for the period of February 1, 2005 through September 30, 2005, in the amount of \$937 be accepted. It was further ordered that the Finance Department be directed to make the following budget adjustments:

ACCOUNT NUMBER	DESCRIPTION	AMOUNT OF INCREASE
10464-432100	State Grants	\$937
10464-711504	ILG Gerlach Equipment	\$937

**05-325      AWARD OF BID – 16 GAUGE GALVANIZED CORRUGATED METAL (CULVERT) PIPE AND BANDS - BID NO. 2460-05 - PUBLIC WORKS**

This was the time to consider award of the bid for 16 Gauge Galvanized, Corrugated Metal (Culvert) Pipe and Bands for the Public Works Department. The Notice to Bidders for receipt of sealed bids was published in the *Reno Gazette-Journal* on December 22, 2004. Proof was made that due and legal Notice had been given.

Bids were received from the following vendors:

R Supply Company  
Western Nevada Supply

Upon recommendation of Richard Williams, Buyer, through John Balentine, Purchasing and Contracts Administrator, and Tom Gadd, Public Works Director, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, Chairman Weber ordered that Bid No. 2460-05 for 16 Gauge Galvanized, Corrugated Metal (Culvert) Pipe and Bands for the Public Works Department be awarded to the lowest, responsive and responsible bidder, R Supply Company, in the estimated amount per fiscal year in excess of \$25,000. It was noted the bid award shall run until December 30, 2007 with the County reserving the right to utilize this award for an additional twelve months, provided there was no increase in pricing.

**05-326      AWARD OF BID – PRINTING & MAILING SERVICES FOR WASHOE COUNTY PROPERTY TAX BILLS - BID NO. 2463-05 - TREASURER**

This was the time to consider award of the bid for Printing & Mailing Services for Washoe County Property Tax Bills for the Treasurer’s Department. The Notice to Bidders for receipt of sealed bids was published in the *Reno Gazette-Journal* on December 10, 2004. Proof was made that due and legal Notice had been given.

Bids were received from the following vendors:

Automated Computer Methods, Inc.  
Print Solution, Inc.  
Intraform, Inc.  
PCS Info Group

Upon recommendation of Michael Sullens, Senior Buyer, through John Balentine, Purchasing and Contracts Administrator, Bill Berrum, Treasurer, and John Sherman, Finance Director, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, Chairman Weber ordered that Bid No. 2463-05 for Printing & Mailing Services for Washoe County Property Tax Bills for the Treasurer's Department be awarded to the lowest, responsive bidder, Automated Computer Methods, Inc. (ACM), in the estimated annual amount of \$34,450. It was further ordered that the Purchasing and Contracts Administrator be authorized to execute an agreement between Washoe County and ACM for a one-year period and to retain a one-year renewal option.

**05-327            AWARD OF BID – WEED ABATEMENT SERVICES - BID NO. 2475-05 - PARKS**

This was the time to consider award of the bid for Weed Abatement Services for the Regional Parks and Open Space. The Notice to Bidders for receipt of sealed bids was published in the *Reno Gazette-Journal* on February 23, 2005. Proof was made that due and legal Notice had been given.

Bids were received from the following vendors:

Deangelo Brothers, Inc.  
Pestmaster Services, Inc.  
Piped Piper Pest Control  
Sheldon's Pest Management Services, Inc.

Upon recommendation of Charlene Collins, Buyer, through John Balentine, Purchasing and Contracts Administrator, and Karen Mullen, Regional Parks and Open Space Director, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, Chairman Weber ordered that Bid No. 2475-05 for Weed Abatement Services for the Regional Parks and Open Space be awarded to the overall low bidder, Pestmaster Services Inc., on a requirements basis in the approximate annual amount of \$40,000. It was further ordered that the Purchasing and Contracts Administrator be authorized to execute a one-year agreement with up to two, one-year renewal options, at the discretion of the County, with any request for rate increases for renewals subject to negotiation and approval by the County.

**05-328            CONTRACT – XEROX WORKCENTRE PRO C3545 – PROPOSAL NO. 6935 – PURCHASING**

Upon recommendation of Charlene Collins, Buyer, through John Balentine, Purchasing and Contracts Administrator, and Katy Singlaub, County Manager, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, Chairman Weber ordered that the contract concerning a Xerox WorkCentre Pro C3545 for the Manager's Office, for a four year period, with Xerox

Corporation, in the approximate net amount of \$42,972, utilizing the State of Nevada's RFP No. 6935 for copiers, be approved.

**05-329            PURCHASE – GPS BASE STATION SOFTWARE – PUBLIC WORKS**

Upon recommendation of David Price, County Engineer, through Tom Gadd, Public Works Director, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, Chairman Weber ordered that the purchase of a new GPS base station software in the amount of \$70,000 be approved.

**05-330            STREET NAME CHANGE – KALAHARI COURT TO APPLE BLOSSOM COURT**

Upon recommendation of the Regional Street Naming Committee, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, Chairman Weber ordered that the request to change the name of Kalahari Court to Apple Blossom Court be approved effective October 12, 2005. It was noted the street was located north of Apple Blossom Drive and east of Highland Ranch Parkway.

**05-331            AGREEMENT – GERLACH GENERAL IMPROVEMENT DISTRICT – QUITCLAIM DEED – PUBLIC WORKS**

Upon recommendation of Mike Turner, Facilities Management Division Director, through Tom Gadd, Public Works Director, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that an agreement between Washoe County and the Gerlach General Improvement District, concerning a 10 year Land Lease Agreement for the Gerlach Senior Center, in the amount of \$1.00 per year, be approved and Chairman Weber be authorized to execute the Quitclaim Deed.

**05-332            RESOLUTION - SURPLUS SALE – 1994 ¾ TON GMC FLATBED TRUCK – PUBLIC WORKS**

Upon recommendation of Jean Ely, General Services Division Director, through Tom Gadd, Public Works Director, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Weber be authorized to execute the same:

**RESOLUTION**

**A RESOLUTION TO DISPOSE OF ASSETS BY SALE TO MASON VALLEY MOSQUITO ABATEMENT DISTRICT FROM THE WASHOE COUNTY EQUIPMENT SERVICES FUND**

**WHEREAS**, Equipment Services was established to provide fleet services including acquisition, maintenance and disposal of fleet vehicles and equipment and to provide management and administration of related fleet services for Washoe County; and

**WHEREAS**, Equipment Services is disposing of certain used equipment, which is surplus to its needs, including one (1) used 1994 ¾ ton GMC four wheel drive light duty flatbed truck; vehicle identification number 1GTFK24K3RZ547543; and

**WHEREAS**, the Mason Valley Mosquito Abatement District in Yerington, Nevada, is in need of another vehicle to use in their mosquito abatement efforts and has expressed an interest in purchasing this vehicle from Washoe County for Three Thousand One Hundred Dollars (\$3,100) which is considered the fair market salvage value for this vehicle;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE IN THE STATE OF NEVADA**, that we support the needs of the Mason Valley Mosquito Abatement District and declares:

Section 1. NRS 332.185, Section 1., empowers the Board of County Commissioners to dispose of personal property of the County provided it is determined that the property is no longer required for public use and is determined to have reached the end of its useful life.

Section 2. The above mentioned surplus used Washoe County asset will be sold in “as is” condition to the Mason Valley Mosquito Abatement District for Three Thousand One Hundred Dollars, \$3,100, and the funds, upon receipt from this sale, will be deposited into the Equipment Services Fund, account 690100-509001.

Section 3. This Resolution shall be effective upon passage and approval by the Board of County Commissioners.

Section 4. The County Clerk is hereby directed to distribute copies of this Resolution to the Comptroller’s Office, Finance, Purchasing and Equipment Services.

**05-333            AWARD OF BID – PYRAMID RANCH OFFSITE SEWER - WATER RESOURCES**

This was the time to consider award of the bid for construction of the Pyramid Ranch Offsite Sewer for the Water Resources Department. The Notice to Bidders for receipt of sealed bids was published in the *Reno Gazette-Journal* on March 9,10,16,17, 23, and 24 2005. Proof was made that due and legal Notice had been given.

Bids were received from the following vendors:

John Longo Construction, Inc  
Mike's Trenching, Inc.  
Suter Construction  
Aspen Developers Corp.  
A&K Earthmovers, Inc.  
Hard Line Excavating, Inc.

Upon recommendation of Joe Stowell, Licensed Engineer, and Paul Orphan, Engineering Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, Chairman Weber ordered that the bid for construction of the Pyramid Ranch Offsite Sewer for the Water Resources Department be awarded to the lowest responsive bidder, John Longo Construction, Inc, in the amount of \$55,470. It was further ordered that Chairman Weber be authorized to execute the contract documents upon receipt, and that the Engineering Manager be authorized to issue Notice to Proceed.

**05-334            DEED – STEAMBOAT WASTEWATER PUMP STATION SITE –  
APN 160-640-24 – WATER RESOURCES**

Upon recommendation of Thomas Kelly, Senior Engineer, and Paul Orphan, Engineering Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that APN 160-640-24, the Steamboat Wastewater Pump Station Site, to be used for a public purpose as dedicated to Washoe County, be accepted. It was further ordered that Chairman Weber be authorized to sign the acceptance of the deed, and that the Engineering Manager be directed to record the accepted deed.

**05-335            DEED – DAMONTE RANCH BOOSTER PUMP SITE – LENNAR  
DEVELOPMENT – WATER RESOURCES**

Upon recommendation of Thomas Kelly, Senior Engineer, and Paul Orphan, Engineering Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that the Damonte Ranch Booster Pump Site be accepted and the Chairman be authorized to sign the deed from Lennar Development.

**05-336            CANCELLATION AGREEMENTS – WATER RIGHTS DEEDS –  
TRUCKEE MEADOWS WATER AUTHORITY – WATER  
RESOURCES**

Upon recommendation of Vahid Behmaram, Water Rights Manager, and Paul Orphan, Engineering Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, Chairman Weber ordered that two Cancellation Agreements and two

Water Rights Deeds between Washoe County and Truckee Meadows Water Authority be approved and executed.

**05-337            AGREEMENT - PUBLIC RESOURCE ASSOCIATES –  
COMMUNICATION SERVICES FOR THE TRUCKEE RIVER  
FLOOD MANAGEMENT PROJECT – WATER RESOURCES**

Upon recommendation of Jeanne Ruefer, Water Resources Planning Division Manager, through Steve Bradhurst, Water Resources Manager, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that an agreement between Washoe County and Public Resource Associates, concerning communication services for the Truckee River Flood Management Project, in the amount not to exceed \$84,000 for a six-month period, be approved and Chairman Weber be authorized to execute the same.

**05-338            RESOLUTION - BOUNDARIES OF DISTRICT NO. 24 –  
GROUNDWATER REMEDIATION DISTRICT – WATER  
RESOURCES**

Upon recommendation of Chris Benedict, Remediation District Manager, and Jeanne Ruefer, Water Resources Planning Division Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Weber be authorized to execute the same:

**RESOLUTION NO. 05-338**

**A RESOLUTION CALLING A HEARING ON THE  
AMENDMENT OF THE BOUNDARIES OF  
DISTRICT NO. 24 (GROUNDWATER  
REMEDICATION) IN WASHOE COUNTY, NEVADA;  
PROVIDING FOR A NOTICE OF HEARING, AND  
PROVIDING OTHER MATTERS PROPERLY  
RELATED THERETO.**

1.        **WHEREAS**, the Board of County Commissioners (the “Board”) of the County of Washoe (the “County”) in the State of Nevada has created a district for the remediation of the quality of water (the “District” or “District No. 24”) pursuant to NRS 540A.250 through 540.285; and

2.        **WHEREAS**, subsection 3 of NRS 540A.250 provides that: “The District created pursuant to this section must include, without limitation:

        a.        the area where the condition which requires remediation is determined by the Board to be present, or for which remediation is determined by the

Board to be necessary, including any area to which the condition is expected to migrate unless remediation is carried out; and

b. if the Board determines that the condition which requires remediation affects the quantity or quality of drinking water within the region, the wholesale and retail service area of any provider of water that has used or uses for any portion of its supply wells located in the area describes in paragraph (a)”; and

3. **WHEREAS**, pursuant to NRS 540A.250 of the Board has had prepared for it a plan for remediation designated the “Central Truckee Meadows Remediation District Final Work Plan February 22, 1996” as updated by the “Central Truckee Meadows Remediation District Remediation Management Plan” dated October 28, 2002 (as updated, the “Plan for Remediation”); and

4. **WHEREAS**, the Plan for Remediation has been submitted to the Division of Environmental Protection of the State of Nevada (the “Division”) and approved by the Division pursuant to Subsection 1 of NRS 540A.260 as most recently evidenced by the letter attached as Exhibit “A”; and; which was placed on file with the Clerk

5. **WHEREAS**, the Plan for Remediation indicates that, and based upon such plan the Board has determined that, the condition which requires remediation affects the quality of drinking water within the region; and

6. **WHEREAS**, the boundaries of the District therefore are to include the wholesale and retail water service area of the Truckee Meadows Water Authority (“TMWA”), which is a provider of water service that has been used and uses for a portion of its water supply, wells located in the area in which the condition that requires remediation is present; and

7. **WHEREAS**, the boundaries of the District were originally filed in the office of the County Clerk on September 16, 1997, and as so filed, were made the boundaries of the District (the “Original Boundaries”) by Ordinance No. 1000, duly adopted by the Board on November 12, 1997; and

8. **WHEREAS**, the Original Boundaries have been amended; and

9. **WHEREAS**, the Board has determined and hereby determines to propose to further amend the boundaries of the District with respect to the fee collected in 2002 to exclude from the District certain properties, included in the Original Boundaries of the District as amended through July 1, 2004 (the “2004 Boundaries”), which properties did not receive water service area involving water provided on a wholesale or retail basis by TMWA during that year; and

10. **WHEREAS**, the Board has determined and hereby determines to propose to amend the Original Boundaries of the District with respect to the fee collected in 2005,

to add to and include such Original Boundaries new properties added to the wholesale and retail water service of TMWA since December 31, 1997; and

11. **WHEREAS**, the Board has determined and hereby determines to propose to amend the Original Boundaries of the District with respect to the fee collected in 2005 to exclude from the District certain properties, which properties did not receive water service involving water provided on a wholesale or retail basis by TMWA during calendar year 2004; and

12. **WHEREAS**, each of the following will be filed with the County Clerk (the "Clerk") prior to the publication of a notice of hearing as hereinafter described

(i) a list of the properties proposed to be excluded from the 2004 Boundaries with respect to the fees collected in 2004 as described in the 9<sup>th</sup> preamble hereto entitled "Second List of Properties to be excluded from 2004 Boundaries of District No. 24" (the "Second 2004 Exclusion List"),

(ii) a description of the areas proposed to be added to the District as described in the 10<sup>th</sup> preamble hereto, entitled "2005 Description of Areas to be Added to District No. 24" (the "2003 Addition List"), and

(iii) a list of the properties proposed to be excluded with respect to the fee imposed in 2005 as described in the 11<sup>th</sup> preamble hereto entitled, "First List of Properties to Be Excluded from the 2005 Boundaries of District No. 24" (the "First 2005 Exclusion List"); and

13. **WHEREAS**, pursuant to NRS 540A.262, the Board is required to hold a hearing before amending the boundaries of the District; and

14. **WHEREAS**, the Board desires to authorize publication of a notice of the hearing in accordance with NRS 540A.262.

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

Section 1. A hearing is hereby called on the proposed amendment to the boundaries of the District. The hearing shall be held not less than 15 days after the notice of hearing described herein is published. The Manager is authorized to schedule the hearing and request that the Clerk publish the Notice described below after materials described in preamble 11 (the "Amendment") are filed in the office of the Clerk.

Section 2. Upon receipt of request from the Manager as provided in Section 1, the Clerk is hereby authorized and directed to publish a notice of hearing not less than 15 days prior to the hearing in a display advertisement which is at least 3" x 5" in size in a newspaper of general circulation in the County. The notice shall state that the

description of the boundaries and the amendment to those boundaries is on file at the office of the Clerk for public examination.

Section 3. The Officers of the County are directed to effectuate the provisions of this resolution.

Section 4. All resolutions, or parts thereof, in conflict herewith are hereby repealed to the extent of such inconsistency.

Section 5. The invalidity of any provisions of this resolution shall not affect any remaining provisions hereof.

Section 6. This resolution may be amended in any manner, at any time by the Board. This resolution does not obligate the Board to proceed with the District or issue bonds.

Section 7. The Board has determined, and does hereby declare, that this resolution shall be in affect after its passage in accordance with law.

**05-339      RESOLUTION – INCIDENT COMMAND SYSTEM - NATIONAL INCIDENT MANAGEMENT SYSTEM - MANAGEMENT SERVICES**

Upon recommendation of Aaron Kenneston, Emergency Management Administrator, through John Slaughter, Management Services Director, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Weber be authorized to execute the same:

**RESOLUTION**

**WHEREAS,** Washoe County remains focused on providing comprehensive and integrated emergency management services; and

**WHEREAS,** Washoe County has a history of providing for public safety in an organized and efficient manner; and

**WHEREAS,** The Department of Homeland Security has published a new National Response Plan (NRP); and

**WHEREAS,** The NRP requires the use of a standardized National Incident Management System (NIMS); and

**WHEREAS,** The central component of NIMS is the Incident Command System (ICS); and

**WHEREAS**, The Department of Homeland Security requires that all jurisdictions institutionalize the use of the Incident Command System and National Incident Management System; now, therefore, be it

**RESOLVED**, That the Washoe County Board of Commissioners, on behalf of the residents of Washoe County, adopt the Incident Command System (ICS) and the National Incident Management System (NIMS) as Washoe County’s official incident response system, and direct that County incident managers and response organizations train, exercise, as well as use said system.

**05-340            RATIFICATION OF AMENDMENTS – COLLECTIVE BARGAINING AGREEMENT - NURSES’ ASSOCIATION - LABOR RELATIONS**

Upon recommendation of Steve Watson, Labor Relations Manager, through Katy Singlaub, County Manager, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that the agreement between Washoe County and the Nurses’ Associations, concerning ratifying the Non-Supervisory and Supervisory Collective Bargaining Agreements for July 1, 2004 through June 30, 2005, be approved and Chairman Weber be authorized to execute the same.

**05-341            CORRECTION OF FACTUAL ERRORS - ASSESSOR**

Upon recommendation of Tom Sokol, Personal Property Supervisor, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that the following Roll Change Requests correcting factual errors and the Order directing the Treasurer to correct the errors be approved and Chairman Weber be authorized to execute the same:

<b>Property Owners</b>	<b>ID No.</b>	<b>Amount</b>	<b>Roll</b>
R G B Digital Arts	2/103-789	-\$54.14	2004 Unsecured
K M K Paint & Body	2/107-290	-\$50.37	2004 Unsecured
Shelton Enterprises	2/107-919	-\$26.94	2004 Unsecured
Sierra West Publishing	2/108-954	-\$44.49	2004 Unsecured
Skin Care By Britt	2/111-291	-\$71.00	2004 Unsecured
Pameco Corp #538	2/114-246	-\$102.82	2004 Unsecured
Bubbleman	2/142-120	-\$122.78	2004 Unsecured
Reno Spine Center LLC	2/160-705	-\$909.95	2004 Unsecured
Elegant Moulding CO	2/201-018	-\$34.58	2004 Unsecured
Ace High Corporation	2/280-005	-\$86.03	2004 Unsecured
Ace High Corporation	2/280-006	-\$47.47	2004 Unsecured
Express Electric	2/460-596	-\$68.88	2004 Unsecured
Sundanzer	2/500-639	-\$103.21	2004 Unsecured
James Reed	51/00-477	-\$111.53	2004 Unsecured
David R. Volkmann	51/00-545	-\$281.74	2004 Unsecured

Jade A. Miller	53/00-026	-\$24.77	2004 Unsecured
Bruce R. Laxalt	53/00-035	-\$50.63	2004 Unsecured
Terry Duncan	53/00-066	-\$20.15	2004 Unsecured
Kimberly Ann Porter	53/00-076	-\$28.61	2004 Unsecured
James L. Hamilton III	53/00-101	-\$80.30	2004 Unsecured
Wiktor D. Kozlik	53/00-120	-\$31.64	2004 Unsecured
Douglas F. Kulick	53/00-097	\$28.40	2004 Unsecured
Jerry Mowbray	53/00-528	-\$20.02	2004 Unsecured
Birch Entriken	53/00-535	-\$33.47	2004 Unsecured
Ernest Clark	53/00-541	-\$49.79	2004 Unsecured
Ronald Sobczak	53/00-543	-\$85.63	2004 Unsecured
Terry Scott	53/00-549	-\$45.96	2004 Unsecured
Bill J. Deer	53/00-553	-\$24.80	2004 Unsecured
Scott Seher	53/00-554	-\$22.32	2004 Unsecured
Vincent J or Christine M. Casey	53/00-556	-\$24.04	2004 Unsecured
Cindy Lavan	53/00-557	-\$33.34	2004 Unsecured
Jerry Connors	53/00-559	-\$25.80	2004 Unsecured

**05-342            RESOLUTION – COMMUNITY SERVICES - BLOCK GRANT – COMMUNITY RELATIONS**

Upon recommendation of Kathy Carter, Community Relations Director, through Katy Singlaub, County Manager, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Weber be authorized to execute the same:

**RESOLUTION**

**WHEREAS**, the federal Community Services Block Grant (CSBG) funding is flexible funding provided through the U.S. Department of Health and Human Services, and

**WHEREAS**, The local Community Services Agency and Development Corporation (CSADC) uses this resource as core funding in order to apply for additional funding and financing to financial institutions and other federal resources, and

**WHEREAS**, The mission of the CSADC is to develop and provide products that establish and encourage affordable housing in our region, and

**WHEREAS**, CSBG core funding has allowed the CSADC to develop the necessary infrastructure to develop affordable housing projects throughout the State of Nevada. The CSADC has developed over 1,700 rental units in Reno, Sparks, Dayton, Fallon, Fernley, Henderson and Las Vegas, and

**WHEREAS**, The CSADC also operates a First-Time Homebuyers Program leveraging CSBG funds. These funds allow the agency to apply for President

Bush's American Dream Down payment Assistance funds to provide down payment and closing costs assistance to first-time homebuyers, and

**WHEREAS**, The CSADC also uses CSBG funding to apply for and provide funds to help senior citizens fix their existing homes. The agency is able to provide up to \$15,000 per home in health and safety rehabilitation work for seniors homeowners, and

**WHEREAS**, The proposed 2006 Federal Budget recommends the elimination of the Community Services Block Grant (CSBG), and

**WHEREAS**, The elimination of this federal funding source threatens the economic vitality of Northern Nevada because the funds awarded in the CSBG to the Community Services Agency and Development Corporation (CSADC) allow the agency to leverage federal funds to provide affordable housing products in the region, and

**WHEREAS**, The CSADC has calculated that for each \$1 provided by CSBG funding, over \$19 are leveraged with businesses in Northern Nevada, directly and indirectly, when payroll dollars are spent by employees, and when vendors are paid for performing services, and

**WHEREAS**, The Washoe County Board of Commissioners has adopted affordable housing as one of its goals for 2005; now, therefore be it

**PROCLAIMED**, That the Washoe County Board of Commissioners hereby supports the Community Services Agency and Development Corporation's efforts to restore Community Services Block Grant funding into the 2006 Federal Budget in order that the CSADC may continue its good work toward providing affordable housing in our region.

**05-343            SPONSORSHIP – NEVADA WOMEN'S FUND WOMEN OF ACHIEVEMENT EVENT – COMMUNITY RELATIONS**

Upon recommendation of Kathy Carter, Community Relations Director, through, Katy Singlaub, County Manager, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, Chairman Weber ordered that Washoe County's sponsorship of an awardee and one table at the annual Nevada Women's Fund, Women of Achievement event on May 10, 2005, in the amount of \$1,250, be approved.

**05-344            INCLINE COMMUNICATION SPECIALIST - ADDITIONAL POSITIONS/DISPATCH EQUIPMENT - SHERIFF**

Upon recommendation of James Lopey, Assistant Sheriff, through Dennis Balaam, Sheriff, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, Chairman Weber ordered that four additional Incline

Communication Specialist positions for the dispatching of Consolidated Animal Services, and the unbudgeted capital outlay of \$31,451.25 for the purchase of dispatch equipment and other expenses of \$17,378.82, be approved.

**05-345            PROFESSIONAL SERVICES CONTRACT – AMEC  
INFRASTRUCTURE, INC. – ENGINEERING SERVICES –  
WATER RESOURCES**

Upon recommendation of Rick Warner, Senior Licensed Engineer, and Paul Orphan, Engineering Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that the Professional Services Contract to AMEC Infrastructure, Inc. to provide engineering services for five drinking water pipelines in Spanish Springs Valley, in the amount of \$308,030 be approved. It was further ordered that Chairman Weber be authorized to execute the contract documents and the Engineering Manager be authorized to issue the Notice to Proceed.

**05-346            CONTRACT – INTERA – CENTRAL TRUCKEE MEADOWS  
REMEDIAION DISTRICT PROGRAM – WATER RESOURCES**

Upon recommendation of Chris Benedict, Remediation Program Manager, and Jeanne Ruefer, Water Resources Planning Division Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that the contract with INTERA, concerning services in support of the Central Truckee Meadows Remediation District Program, in the amount of \$340,000 be approved and Chairman Weber be authorized to execute the same.

**05-347            PURCHASE – WATER TENDER FIRE APPARATUS – GERLACH  
VOLUNTEER FIRE DEPARTMENT**

Upon recommendation of Roy Slate, Division Chief, through Katy Singlaub, County Manager, and Marty Scheuerman, Interim Fire Chief, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, Chairman Weber ordered that the purchase of a Water Tender Fire Apparatus for the Gerlach Volunteer Fire Department, in the amount of \$192,300, be approved. It was further ordered that \$9,700 be expended in remaining grant project funds for appurtenant equipment for the water tender.

**05-348            EASEMENT AGREEMENT – LONGLEY LANE TREATMENT  
FACILITY – PUBLIC WORKS**

Upon recommendation of Mike Turner, Facility Management Division Director, through Tom Gadd, Public Works Director, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that an Easement Agreement between Washoe County and the Department of Water

Resources, concerning the Longley Lane Water Treatment Facility, in the amount of \$523,716 be approved and Chairman Weber be authorized to execute the same. It was further ordered that the Public Works Director be authorized to execute and deliver any and all instruments and funds as may be necessary or appropriate to accomplish the acquisition in the name and on behalf of Washoe County. It was noted the subject easement contains 146,376 ± square feet of property located on the rear portion of APN 021-456-18. It was also noted sufficient funding in the amount of \$523,716 was available in the Water Resources Fund [C668000-781080]. Proceeds from the sale would be deposited into the General Fund [161100-485191].

**05-349            AGREEMENT - NEVADA HOUSING DIVISION - LOW INCOME HOUSING TRUST FUNDS - MANAGEMENT SERVICES**

Upon recommendation of Gabrielle Enfield, Grants Administrator, through John Slaughter, Management Services Director, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that the Low Income Housing Trust Funds Welfare Set Aside from the Housing Division, in the amount of \$195,000 be accepted. It was further ordered that an agreement between Washoe County and Nevada Housing Division, concerning 2005/06 Low Income Housing Trust Funds, be approved and Chairman Weber be authorized to execute the same.

**05-350            COMMUNITY EVENT SPONSORSHIP GUIDELINES – MANAGEMENT SERVICES**

County Manager Katy Singlaub advised the total amount spent by Washoe County on Community Event Sponsorship annually had peaked at \$26,000 in the past. She noted approximately \$40,000 was proposed in this year's budget for Community Support. She advised that staff desired to continue the item until the May 10, 2005 meeting to enable the Board to make budget decisions before the budget was finalized and to give staff direction on guidelines.

Gabrielle Enfield, Grants Administrator, reviewed the agenda memorandum dated March 23, 2005 concerning Community Event Sponsorship. She noted the suggested guidelines could be used when making funding decisions; however, due to the multiple issues involved, she requested a continuance to allow time to meet with the Commissioners individually to gain their input on the subject.

Commissioner Sferrazza inquired about the suggested amounts in the staff report, and Ms. Enfield clarified she recommended the amounts to offer the Board a starting point. Commissioner Sferrazza said Community Event and Community Support should be presented together, and the same rules should apply to both groups. He stated he previously had requested there be a mechanism to determine what agencies would receive financial support, a method for agencies to apply for support, and to have that information presented at one time to the Board in order for all the grants to be viewed and for determinations to be made.

Ms. Singlaub clarified the Board did adopt guidelines for every component of this system except for the Community Event Sponsorship. She said staff was presenting that section to the Board in order for all the pieces to be brought together in the budget.

Commissioner Galloway desired to see the whole picture and have the summary of policies for different agencies presented to the Board.

Kathy Carter, Community Relations Director, pointed out the following errors and corrections in the staff report: Page 2, Item 7. "Community Support budgets for specific community events" should read "Community Relations budgets for specific community events;" Page 5, Community Relations table "Directions 2004 event" should read "Directions 2005 event;" Page 5, "funding will be provided for 2005" should read "funding will be provided for 2006;" Page 5, "Sponsorship of events that do not meet the above criteria" should read "Sponsorship of events that meet the above criteria."

Lonnie Feemster, NAACP representative, presented a "Back to School Stay in School Proposal," which was placed on file with the Clerk. He pointed out the need for sponsorship to send a number of youth to a leadership convention.

Shirl Moore-Byas, NAACP "Back to School Stay in School" supporter, acknowledged she was a strong advocate of programs that helped youth. She urged the Commission to support the NAACP request.

Commissioner Sferrazza said before the County solicits proposals, guidelines should be adopted to assist agencies with the application process.

Ms. Singlaub confirmed it was the intent of staff to have guidelines developed for Community Event Sponsorship. She recommended staff return to the Board with guidelines at the May 10, 2005 meeting. She said the Board could adopt a tentative budget in total without adopting a specific amount for those agencies that would receive funding from that money. She suggested the Board adopt the guidelines at that time, adopt a line-item amount of money, and issue a new request for proposals.

Chairman Weber asked for confirmation that the Board approves or disapproves the budget. Ms. Singlaub explained the Board adopts the budget, and a resolution must be approved to issue money to a non-profit organization.

Chairman Weber commented she had been approached by community members to request County support for a Little League team. Ms. Singlaub explained the District Attorney's Office had provided the boundaries for the appropriateness of those types of disbursements from the County, and those could only be done pursuant to State statute. She said all disbursements must be for the general public good.

Commissioner Galloway requested clear guidelines for all areas, including Commissioner District funds. He said he had a problem with government funding of organizations that take the public money and use it to lobby government.

In response to Commissioner Larkin's questions, Commissioner Sferrazza clarified he was asking for a line item budget to come before the Board, and the Board would go through each item and vote individually on funding for outside organizations.

Ms. Singlaub stated Commissioner Sferrazza had asked that the Board go through and make line item decisions about Community Support and Community Event Sponsorship. She noted there had not been a budget year since he made the request, and this would be the first year the Board would follow his request. Ms. Singlaub confirmed staff had provided the Board the detail of all the approvals that the Commission had made, and every request had been brought to the Board. Ms. Singlaub added the Board had asked to look at these one time a year during the budget process. In response to that direction, staff sent out notices to every non-profit agency informing them of the deadline to request funding from the County for Community Event Sponsorship. Ms. Singlaub proposed that staff return to the Board with a set of possible guidelines; the Board would review those guidelines; the Board would adopt an amount for the budget; and staff would come back to the Board once the request for proposals were released again. Based on the budgeted amount, the Board could decide line by line which agencies would receive Community Event Sponsorship.

Ms. Singlaub clarified for Commissioner Larkin that the guidelines in the staff report were there as a baseline to begin discussion on the item.

Commissioner Sferrazza stated the Board should adopt the guidelines to be developed, adopt a lump-sum funding amount, and later in the year approve the grants for various groups. He said the information should be congregated together because the County had multiple sums of funding that were allocated to private groups.

On motion by Commissioner Sferrazza, seconded by Commissioner Larkin, which motion duly carried, Chairman Weber ordered that the recommendations from the County Manager be implemented. It was further ordered that staff present to the Board the funding sources that were being devoted to private groups in the community and guidelines for other sums of money in order for the Board to consider and give input. It was also ordered that the item be continued to the May 10, 2005 meeting. It was noted that non-profit groups were encouraged to contact their Commissioners with comments.

**05-351            APPEARANCE – JASON DREW – NEVADA TAHOE  
CONSERVATION DISTRICT**

Jason Drew, District Manager of the Nevada Tahoe Conservation District (NTCD), updated the Board on the accomplishments of the NTCD for the past year. He acknowledged Commissioner Galloway's service to the NTCD. Mr. Drew said the NTCD was able to obtain \$400,000 of federal money to put together a project assessment

in Washoe County for the Environmental Improvement Program (EIP). He explained the project would provide guidance for the Public Works Department for the next five to seven years for the Lake portion of the County. Mr. Drew stated the NTCDC was also able to obtain \$50,000 from the State of Nevada for an EIP project inventory. He noted together those two projects would save the County over \$1-million in the next seven to nine years. Mr. Drew confirmed that for every \$1.00 the NTCDC received from local funders within the last two to three years, they brought in \$36 in federal or State dollars; and the County should be proud of their investment.

Commissioner Galloway thanked Mr. Drew for his work, and he noted the NTCDC was presently in good financial status.

Mr. Drew explained the role of the NTCDC in helping State Lands to determine what projects should receive State funding.

**05-352            BILL NO. 1444 - AMENDING WCC CHAPTER 50 – GRAFFITI MATERIALS**

Commissioner Galloway remarked at the Caucus meeting on April 11, 2005 there were objections to the segment pertaining to persons under the age of 18. He said there were circumstances that were not considered, such as: a person under 18 who might have the materials in the course of employment or under auspices of school property.

Chairman Weber asked if the language was comparable to ordinances from the Cities of Reno and Sparks.

James Lopey, Assistant Sheriff, confirmed the proposed ordinance was similar to ordinances of the Cities of Reno and Sparks and in several other jurisdictions across the United States. He pointed out provisions in the ordinance for teachers, legal guardians, and parents.

Commissioner Sferrazza asked if it would be legal under the ordinance to have a public area for murals that was provided by the County. He pointed out the ordinance did not address persons over the age of 18 that were defacing public buildings.

Mr. Lopey referenced Section 2. of the ordinance that stated it would be unlawful for any person to possess any graffiti materials with the intent to place graffiti on any public property while in or upon any public facility.

Chairman Weber indicated a Town Hall meeting would take place in June of 2005. She said there would be discussion on the issue of graffiti under the Neighborhood Watch Program.

Mr. Lopey added the National Council to Prevent Delinquency had endorsed the ordinance.

Commissioner Galloway requested that the word "public" be added to Section 2.1. to read, "upon private property without the prior written consent of the owner or occupant of such private or public property."

Melanie Foster, Legal Counsel, explained the ordinance would make it unlawful for a juvenile to be in possession of graffiti materials on private, public, or school district property. She stated, in order to prosecute an adult, it would have to be proven that the adult was present on the property without authority; and they were present with the intent to place graffiti on the public property. She offered to have the District Attorney's Office return to the Board before the second reading with new wording in the ordinance to make it clear that juveniles in schools who were doing school business, or juveniles on public property who were doing an allowable business, could be in possession of those materials.

Gary Schmidt, Washoe County resident, said he was not supportive of the District Attorney's Office or the Sheriff's Department making determinations on intent.

Dan Langshaw, area resident, pointed out the need to allow time for businesses to comply with the changes in the ordinance and suggested it be approved December 1, 2005. He stressed the importance of education and community involvement concerning graffiti.

Bill No. 1444, entitled, "**AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY MAKING THE POSSESSION OF GRAFFITI MATERIALS UNLAWFUL UNDER CERTAIN CIRCUMSTANCES, REGULATING THE DISPLAY OF GRAFFITI MATERIALS, AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO,**" was introduced, as amended, by Chairman Weber, the title read to the Board and legal notice for final action of adoption directed.

**05-353            RESOLUTION - COOPERATIVE AGREEMENT – TRUCKEE RIVER FLOOD MANAGEMENT PROJECT – WATER RESOURCES**

County Manager Katy Singlaub explained the resolution and cooperative agreement were pursuant to the Board's action at the joint meeting on March 25, 2005 to recommend approval of the agreement. She added the agreement could only be executed by virtue of a resolution.

Commissioner Galloway stated he would oppose the resolution and agreement for the same reasons he opposed the agreement at the joint meeting.

Upon recommendation of Paul Urban, Flood Control Manager, and Jeanne Ruefer, Water Resources Planning Division Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Larkin, seconded by Commissioner Sferrazza, which motion duly carried with Commissioner Galloway voting "no," it was

ordered that an agreement between Washoe County, the Cities of Reno and Sparks, and the University of Nevada, Reno, concerning the Truckee River Flood Management Project, be approved and the following resolution be adopted and Chairman Weber be authorized to execute the same:

## **RESOLUTION**

### **A RESOLUTION APPROVING THE TRUCKEE RIVER FLOOD MANAGEMENT PROJECT COOPERATIVE AGREEMENT**

**WHEREAS**, Washoe County, the Cities of Reno and Sparks, and the University of Nevada, Reno, (the "Parties") share a common interest in assuring expeditious and timely implementation of a Truckee River Flood Management Project, (the "Project"), to protect the Reno-Sparks Metropolitan area from flooding; and

**WHEREAS**, agreement between the County and Cities, as local sponsors, is of critical necessity for all local decisions related to the Project; and

**WHEREAS**, the Parties own certain real property of significance to the Project, which property may, by various means, be made available to further the goals of the Project; and

**WHEREAS**, the Parties are authorized to enter into cooperative agreements for the performance of any governmental function pursuant to the provisions of NRS 277.045; and

**WHEREAS**, County is empowered by Chapter 377B, Nevada Revised Statutes, to spend the County imposed 1/8 cent sales tax receipts on public safety and flood control public works; and

**WHEREAS**, the construction of a flood management project on the Truckee River will provide needed protection of life and property to residents of the County and Cities; and

**WHEREAS**, the County and Cities have been cooperatively planning in partnership for the proposed flood management project on the Truckee River since 1998; and

**WHEREAS**, the U.S. Army Corps of Engineers, hereinafter referred to as the "Corps", requires a local sponsor for a water resource project to be a legally constituted public body with full authority and capability to perform the terms of its agreements with the Corps and to pay damages, if necessary, in the event of failure to perform; and

**WHEREAS**, County is the public body with the fiscal authority and capability to perform the terms of an agreement with the Corps; and

**WHEREAS**, the Parties will continue to receive recommendations from the "Community Coalition" and "Working Group" for the Project; and

**WHEREAS**, The Parties desire to enter into an Agreement for the cooperative planning, design, construction and overall implementation of the Project.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY**, that the Truckee River Flood Management Project Cooperative Agreement is hereby approved, and placed on file with the Clerk.

**05-354            RESOLUTION – PROJECT ELEMENTS – TRUCKEE RIVER FLOOD MANAGEMENT PROJECT – WATER RESOURCES**

County Manager Katy Singlaub commented that the resolution included the recommendations of the working group members who attended the joint meeting on March 25, 2005. She said the purpose of the resolution was to specify to the U.S. Army Corps of Engineers specific direction about the principles and elements the entities desired to have in the project.

In response to Commissioner Larkin, Ms. Singlaub explained the item was on the agenda at the joint meeting, and there was testimony from the public requesting the entities include additional elements in the resolution. Paul Urban, Flood Control Manager, pointed out the items that were added to the resolution.

Commissioner Galloway asked if the committee could overrule this. Ms. Singlaub stated the committee had not been appointed at the present time. Commissioner Galloway inquired if changes would have to come through as amendments, and Ms. Singlaub concurred.

Commissioner Sferrazza inquired if the requests from the Cities were included in the resolution. Mr. Urban confirmed the resolution was a cooperative venture completed by the Steering Committee, which had representatives from Washoe County, the Cities of Reno and Sparks, and the University of Nevada, Reno.

Upon recommendation of Mr. Urban, and Jeanne Ruefer, Water Resources Planning Division Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Weber be authorized to execute the same:

## **RESOLUTION**

**FOR THE SELECTION OF THE PROJECT ELEMENTS DEVELOPED BY THE COMMUNITY COALITION IN COLLABORATION WITH THE U.S. ARMY CORPS OF ENGINEERS TO BE INCLUDED BY THE CORPS IN ITS REMAINING ENVIRONMENTAL, FEASIBILITY STUDIES AND THE NEPA PROCESS TOWARD A CHIEF'S REPORT FOR THE TRUCKEE RIVER FLOOD MANAGEMENT PROJECT**

**WHEREAS**, The Truckee River has historically experienced major flooding approximately once every ten years from the time of the earliest records in the late 1800's; and

**WHEREAS**, The economic and physical damages resulting from these floods significantly effect not only the properties flooded but the general economy of the entire region; and

**WHEREAS**, The 1997 flood resulted in damages to property and economic activity amounting to about \$680,000,000 (1997 dollars) and a decrease in economic activity in the areas along the river lasting for a number of years after the flood; and

**WHEREAS**, Washoe County and the Cities of Reno and Sparks developed and approved an action plan in October 1999 that included setting up a community coalition with the US Army Corps of Engineers (Corps), project stakeholders, governing entities, regulatory agencies, and the general public to develop an acceptable flood project alternative;

**WHEREAS**, The Corps agreed to participate in the Community Coalition process in August 1999 and was an active participant in the process;

**WHEREAS**, The Community Coalition with active participation by the Corps volunteered thousands of hours to develop a flood project alternative acceptable to the community that has been evaluated by the Corps and includes project elements that are critical to the local acceptance and support of the project and the ability of the local sponsor to cost share and work to implement a successful flood project; and

**WHEREAS**, The Corps is in the process of developing a General Reevaluation Report (GRR) for the Truckee River Flood Management Project; and

**WHEREAS**, In the near future, the Corps will select features that will be included in the alternatives that will be subject to environmental impact studies, the NEPA process, and the remainder of the GRR process; now, therefore be it

**RESOLVED**, That Washoe County, the City of Reno and the City of Sparks request that the Corps include project elements developed by the Community Coalition with active participation by the Corps in its remaining environmental impact studies, feasibility studies, the NEPA process, and the remainder of the GRR process leading up to a NED plan for its Chief's Report; and that these project elements include, but are not limited to:

A. **Downtown Features to include** – Washoe County, the City of Reno and the City of Sparks strongly encourage the Corps to include these features in the Corps' recommended plan for full federal participation:

1. Levee or floodwalls along the north bank of the Truckee River from upstream of Booth Street to Arlington Street, as space permits;
2. Replacement of the old and inadequate floodwalls from Arlington Street to Lake Street;
3. Replacement of the old bridges at Sierra Street, Virginia Street, and Lake Street, that constrict flow and increase flood water elevations, with new bridges that are hydraulically efficient in passing the 100-yr. flood, preferably with no or limited structural elements in the flood flow area of the channel; or, alternatively,
4. Rehabilitation of the existing Virginia Street bridge to replace its structural integrity, preserve its historic components, add additional flow capacity to increase its hydraulic efficiency to pass a 100-year flood, in addition to the replacement of the bridges at Sierra and Lake Streets to achieve flood levels equivalent to replacing all three bridges;
5. Construction of "on-bank" floodwalls set back from the channel banks to fit existing conditions and features to contain flood flows in areas where replacing the existing floodwall is not feasible;
6. Closure structures at bridges to prevent floodwater from leaving the river channel and flowing down the streets;
7. Levees and floodwalls, as needed, to contain flood flows from Lake Street to highway 395;
8. The design for Items 1 through 7 above shall maintain and enhance the Truckee River as an aesthetic attribute to downtown Reno and the community. The design shall maintain public access to the river.

**B. Meadows Reach Features to include** – Washoe County, the City of Reno and the City of Sparks strongly encourage the Corps to maintain these features, which are included in its Alternative 3, in the final project document for full federal participation:

9. Replacement and/or enhancement of the levees along the north side of the Truckee River from Highway 395 to Vista in such a manner that the levees blend into the park areas along the river, the evaluation of areas that do not have enough room for levees as to whether it is better to construct a floodwall or purchase more rights of way to allow the levee to fit, and floodwalls of minimum height and combined with levees or berms wherever possible to reduce the height of the wall and the footprint of the levee and/or hide the view of the floodwall as much as possible from the riverside;
10. Construction of a levee about 30 to 50 feet from the top of the bank along the south side of the river from Highway 395 to Glendale Avenue;
11. Construction of a short floodwall along the Reno Hilton property line from Glendale Avenue to Greg Street, and if the wall is higher than 4 feet then consideration shall be given to providing containment in this section by raising the Hilton's internal parking lot road, and the parking areas between this road and the river would be allowed to flood but they would not have to be lowered;
12. Construction of set back levees on the south side of the river starting from the abutment of the Greg Street Bridge, roughly following the alignment of the existing Pioneer irrigation ditch to the north side of Mill Street near the intersection with Rock Boulevard, in such a manner so that the levee ties into the Rock Boulevard embankment where the top elevation of the levee matches the road shoulder;
13. Construction of set back levees from the tie into Rock Boulevard, following the north side of Mill Street until near Edison Way, at Edison Way the levee would circumvent the Excel building so as to stay as close to the building as possible, then return to the North side of Mill street on the west side of the Cooperative Extension Building and tie into the McCarran Boulevard embankment where the elevation of the top of the levee matches the road shoulder;

14. Construction of a levee around the Nevada Agricultural Experiment Station Main Farm's buildings near the intersection of Cleanwater Way and McCarran Boulevard;
15. Raising the buildings in the East Subdivision to above the floodwater;
16. Construction of a levee or floodwall along the East bank of Steamboat Creek from Pembroke Lane North until it ties into natural ground so as to protect the low houses in the "Pebble Beach" area;
17. Improvements as may be needed to where Dry Creek and Boynton Slough cross South McCarran, Peckham lane, Longley Lane and McCarran Boulevard;
18. Widening of the Rock Boulevard Bridge to reduce the increase in flood levels caused by the existing bridge;
19. Widening of the McCarran Boulevard Bridge to reduce the increase in flood levels caused by the existing bridge;
20. Construction of terraces along the south side of the channel from Greg Street to the Confluence with Steamboat Creek, said terraces vary in width to provide additional flow conveyance and ecosystem restoration and have two levels, so that the lower level shall be at the elevation of a normal years high flow and the higher bench shall be about four feet higher;
21. Construction of terraces in the channel from the Confluence with Steamboat Creek to the first railroad bridge east of Sparks to control flows leaving the Truckee Meadows and achieving the required flood elevations in the Truckee Meadows;
22. Excavation of the "point" on the north side of the river across from the Excel building to provide additional flow capacity to compensate for the reduced flow area as a result of the levee around the Excel building;
23. Relocation of the North Truckee Drain to a point near where the river is adjacent to the railroad tracks and enters the East Truckee Canyon on the east side of the East Sparks Industrial Park, consisting mostly of an underground box culvert;
24. Levees and floodwall to extend up the tributaries to the Truckee River far enough so flooding from Truckee River backwater does

not occur behind them; furthermore, these levees shall extend further upstream if the presence of these new levees causes the 100-year flood event from the individual tributary to occur behind the levee or floodwall;

25. Restoration of the Truckee River downstream of Vista in all places where restoration is feasible to increase sinuosity, connect the river to the floodplain and correct the damage done to the river from previous channelization projects.
26. Maximize detention at Huffaker Narrows, incorporating the function of the detention basin for Double Diamond into the final design.

C. **Overall Project objectives to include** – Washoe County, the City of Reno and the City of Sparks strongly encourage the Corps to maintain these features, which are included in its Alternative 3, in the final project document for full federal participation:

9. Work with the University of Nevada, Reno to ensure that the maximum amount of land can be used to further the university's mission
10. Evaluate redesign of all irrigation ditch intakes and diversion structures to reduce floodwall heights and minimize localized flooding
11. Minimize floodwalls and levees where possible. Set floodwalls and levees back from the river to protect access and visibility.
12. To the extent possible, the final design should enhance and work with the river's dynamic natural functions as reflected in the "living river" approach developed by the Community Coalition.
13. Develop a flood protection management plan to ensure that the flood project is not rendered obsolete in the future.

**05-355      JOINT FLOOD PROJECT COORDINATING COMMITTEE**

County Manager Katy Singlaub stated Commissioners Sferrazza and Larkin had been appointed to the Joint Flood Project Coordinating Committee with Commissioner Humke as First Alternate. Chairman Weber asked if the remaining Commissioners were considered as alternates to the Committee. Ms. Singlaub said that would need to be confirmed by the Board.

Commissioner Larkin made a motion to suspend the Rules and Procedures for the Washoe County Board of Commissioners. Commissioner Humke seconded the motion.

Commissioner Sferrazza stated he was not in support of this action, as the motion was to remove him from the Committee and replace him. He referenced a telephone call from Chairman Weber where she informed him she had the votes to remove him. He said Chairman Weber informed him Commissioner Larkin wanted to remain on the Committee, and she planned to keep him. Commissioner Sferrazza explained he had advised the Chairman that her polling of the Commissioners violated the Open Meeting Law. He confirmed, if Chairman Weber replaced him with Commissioner Larkin, he could be forced to file an Open Meeting Law complaint with the Attorney General's Office. He acknowledged that in over 20 years in office he had never filed an Open Meeting Law complaint, but believed this was a violation.

Chairman Weber clarified when she spoke to Commissioner Sferrazza she did not advise him, but she suggested she would have enough votes to suspend the Rules and Procedures for discussion. Commissioner Sferrazza did not agree with Chairman Weber's comments.

Chairman Weber inquired if the Board could suspend the rules to reconsider. Melanie Foster, Legal Counsel, explained the process on the agenda was the process the Board needed to follow by law and by the Board's rules if the Commission desired to go forward with the item. She said she could not offer an opinion on the discussion concerning the telephone call. She verified that polling members was not allowed under the Open Meeting Law.

Commissioner Galloway said he had no discussions on the item with anyone, and he voiced his opposition to the motion to suspend the rules. He explained the Board had a rule for reconsideration, and the time had past to incorporate it. He stated it was a bad precedent to reconsider beyond the time for reconsideration.

Ms. Singlaub confirmed that the Chairman asked for the item in a timely manner.

Commissioner Sferrazza inquired of the process to remove someone from a board once they had been appointed.

Ms. Foster explained there were statutory standards that must be met for removal from certain boards and commissions. She clarified that, in terms of the Commission's internal appointments, there were no specific standards set for re-appointing, changing appointments, or removals from boards or commissions. She said it was not an issue the Commission had dealt with in their internal rules, and there was no clear process to follow.

Commissioner Sferrazza inquired if the Commission could remove anyone from any board without hearing or cause simply by moving to suspend the rules.

Commissioner Galloway pointed out previous Legal Counsel to the Board repeatedly directed that, in regard to other boards and commissions the Board appoints, the designees could only be removed for misconduct.

Ms. Foster emphasized this was an internal decision for the Board to make and that was what the Board was doing by deciding whether or not the Commission desired to remove one of the appointees presently selected to the Joint Flood Project Coordinating Committee and replace them with another Board member.

Chairman Weber explained the motion on the table to suspend the Rules and Procedures to move to a motion to reconsider was intended to open up discussions concerning the appointments to the Joint Flood Project Coordinating Committee.

Gary Schmidt, Washoe County resident, told the Chairman she needed to get a copy of the Open Meeting Law and read it. He requested all public records from Commissioners Humke, Larkin, and Weber, including any e-mails or faxes, in relation to any conversation regarding consideration of the motion to reconsider or the subject matter to be discussed if the motion to reconsider were to pass. He said he wanted these ready in the morning of April 13, 2005.

On call for the question, the motion passed with Commissioners Humke, Larkin, and Weber voting "yes," and Commissioners Galloway and Sferrazza voting "no."

Commissioner Galloway said he could not support a motion to reconsider the appointments to the Joint Flood Project Coordinating Committee because it would set a poor precedent and thorough discussion had previously occurred.

Commissioner Sferrazza commented this would be the first time in his years in public office that anyone had been removed from a board or commission without cause, and he could not support the motion.

On motion by Commissioner Larkin, seconded by Chairman Weber, which motion duly carried with Commissioners Galloway and Sferrazza voting "no," it was ordered that reconsideration of the Board of County Commissioners' appointments to the Joint Flood Project Coordinating Committee be approved.

Chairman Weber noted this item was not intended to remove a Board member from the Committee, and she reviewed the discussion on the appointments that occurred at a previous meeting. She explained the reason she asked for reconsideration was to request that the Chairman serve on the Committee. Chairman Weber stated, if the Mayors of the Cities of Reno and Sparks were serving on the Committee, it would bring

credibility to the process to have the Chairman of the Commission also serve. She added that all members would serve as alternates.

Commissioner Humke explained he voted for the reconsideration on the basis of changed circumstances. He acknowledged that politics do have a part in this case, as Senators John Ensign and Harry Reid were key to approaching the Corps of Engineers concerning the timeliness of the flood project. He said the Senators had certain wishes about how the Coordinating Committee would operate, and one of the keys was to have the Chairman on the Committee. He acknowledged he did not speak to Senator Reid, and he felt this was the way to go politically.

Commissioner Sferrazza said, in light of Commissioner Humke's comments, he was willing to resign if that was Senator Reid's position; and he requested the record directly from Senator Reid's office. He believed Senator Reid supported his position as an appointee on the Joint Flood Project Coordinating Committee.

Commissioner Larkin stated he supported the reconsideration because he felt the item was initially rushed through, and he suggested continuing the item to allow for further discussion. He said he would support the Chairman's appointment to the Committee along with the Mayors of Reno and Sparks.

Ms. Singlaub confirmed it was not crucial for the appointments to be made today, but the appointments needed to be made soon in order for the Committee to begin meeting. She said the appointments were not critical in terms of the interlocal agreement.

Commissioner Galloway inquired why the members were only speaking about Commissioner Sferrazza resigning when Commissioner Larkin resigning was an option also.

Chairman Weber said she had been approached by members of the community concerning the Mayors and the Chairmanship serving on the Committee. Chairman Weber asked if the Board could continue the item.

Ms. Foster stated, in terms of a continuance, the Board would be considering the actual reconsideration of the appointments themselves. It would be a continuation of that portion of the agenda item.

Commissioner Galloway suggested staff should be directed to communicate with the offices of Senators Ensign and Reid, and Congressman Jim Gibbons to discover their opinions on the matter and bring that information back to the Board if the item was continued. He noted that Mayors do not rotate, as the Chairman of the County Commission does, and he speculated if that information had been considered.

Commissioner Humke commented the federal representatives desired that all four entities would work together on the project, and they wanted people on the Committee that could bring their respective bodies together in agreement. He said the Chairman of the County Commission should be on the Committee on a recurrent basis.

Commissioner Humke inquired about the length of time for the appointments. Ms. Singlaub said it was not specified. Commissioner Galloway offered terms could be placed on the appointments when the item returned to the Board.

Commissioner Humke suggested one-year limits for whoever was appointed to the committee. Ms. Foster said terms were not specified; therefore, the decision would fall to the Board.

Commissioner Sferrazza stated that unless "cannot be removed without cause" was added term limits would be meaningless.

Ms. Singlaub encouraged the members to consider a term longer than one year to promote the strength of the project and the strength of the County's influence on the project.

Commissioner Galloway pointed out the argument of continuity was why he supported the appointees and not the Chair because the Chair rotates. He said if the Senators and Congressman have no preference concerning the appointments, he would argue to keep them the same in the interest of continuity.

On motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Weber ordered that the reconsideration of the Board of County Commissioners' appointments to the Joint Flood Coordinating Committee be continued to the April 26, 2005 meeting. It was further ordered that staff be directed to communicate with the offices of Senators Ensign and Reid, and Congressman Gibbons, and the District Attorney's Office be directed to review whether or not there was any requirements to remove a member from a board or commission. It was noted that no change in the appointees had occurred.

**05-356            TRANSFER OF FUNDS – MAY FUND – BUDGET**

County Manager Katy Singlaub explained children were not attending the exhibits offered through the May Museum, and the shortfall in the budget was due to the drop off of attendance.

Karen Mullen, Regional Parks and Open Space Director, reviewed the agenda memorandum dated April 12, 2005 detailing the need for the transfer of funds. She commented on the increase of personnel costs and noted the programs offered were not economically positioned to generate the kind of revenue increases required to keep pace with the expenditure increases.

In response to Commissioner Galloway, Ms. Mullen clarified the May Foundation fund originated as an Enterprise fund because the Foundation felt it could operate on the revenue from the museum and the Great Basin Adventure. She said the needed revenues were not generated when things shifted from an amusement ride philosophy to a passive park area. In 1991, the May Fund was shifted to a revenue fund,

and it was verified there was no legal problem to supplement a revenue fund. She added staff would be discussing the exhibits with the Foundation, and staff was working with finance to look at the total structure of the revenue fund. Ms. Mullen confirmed staff could present three recommended options to the Board if requested.

Upon recommendation of Ron Steele, Fiscal Analyst II, through Lisa Gianoli, Budget Manager, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Weber ordered that a transfer of up to \$160,000 from the Washoe County Contingency account to the May Fund to cover an anticipated operating shortfall be approved. It was further ordered that staff evaluate the exhibits, and the following account adjustment be approved:

<b>Decrease</b>	<b>Increase</b>
Contingency (18900-820000) \$160,000	May Fund (640100-710100) \$160,000

**05-357            MAINTENANCE OF WHITES CREEK PARK – PARKS**

Karen Mullen, Regional Parks and Open Space Director, described the options staff had composed concerning Whites Creek Park, which were outlined in the agenda memorandum dated January 18, 2005.

Commissioner Humke made a motion that a resolution be drafted to void the County's agreement with the Homeowners Association (HOA) as to park maintenance; that the County provide approximately \$9,200 per year for County maintenance of the park with roughly \$4,500 for labor, \$500 for supplies, and \$4,200 for utilities; and that the motion would not set a precedent for any County or City park with similar agreements. Commissioner Sferrazza seconded the motion.

Commissioner Humke added the motion was based on the relatively small number of units in the Whites Creek Park HOA. He noted that was why it was unique and why it should not set a precedent. Commissioner Sferrazza said it was contrary to what was done in the past, but it was a relatively small amount of money and it would not set a precedent.

In response to Commissioner Larkin, Ms. Mullen confirmed Whites Creek Trail system passed through the northern boundary of the park; and it was a point of access for a regional trail system. She noted discussions had occurred with the homeowners concerning the impact of the County taking over the park.

Commissioner Larkin inquired if there would be a problem in the future if the County decided to build a larger trailhead in the area. Ms. Mullen answered those decisions would be brought before the Board. Commissioner Larkin asked if there were other private parks that were contiguous to other trail systems that could come forward in the future. Ms. Mullen responded there were other parks maintained by HOA's along trail corridors, and she could not guarantee they would not come forward and make a

similar argument. She stressed the reason staff looked at this situation differently was because of the number of units in the HOA.

Commissioner Galloway inquired about the monthly fees for each resident, and how many total units were involved. Ms. Mullen confirmed they were paying \$9.00 per month per resident, and a total of 325 units would come on line.

Chairman Weber said she could not support the motion because it would set a precedent, and she asked for clarification concerning the HOA's ability to increase their dues. Ms. Mullen confirmed the District Attorney's Office did find that the HOA could increase their fees.

In response to Commissioner Sferrazza's questions, Commissioner Humke commented the HOA members could accept a blended funding approach. He pointed out the park was used as a regional soccer practice area, and that was outside the confines of either the existing sub-division or the new sub-division that was coming on line. The regional soccer practice area had contributed to the higher costs of landscaping, watering, and maintenance. Commissioner Humke noted in 2000 this Commission approved this agreement on a 3-2 vote. He believed that vote was an indication that this was too large of a responsibility spread over too few households. He acknowledged the homeowners had to live with a bad agreement made by the developer.

Commissioner Galloway remarked it was not a full size regional facility, and the people who would use the field would be those who lived nearby. He noted the people signed the agreement with the County knowing they would be pay \$9.00 a month and other people would come along to pay also. He added it was a benefit to live near a park, and the Board should look at a blended approach. Commissioner Galloway suggested holding the HOA to the commitment to pay what the agreement stated and have the County take up the maintenance of the park.

Ms. Mullen informed the Board the \$9.00 fee for the HOA members covered the landscaping and other items. She explained staff would need to return with a resolution to void the agreement. Commissioner Galloway requested the agreement be replaced with a fixed amount to be paid by both the present members of the HOA and the people who would come on board at a later date. Ms. Mullen confirmed staff could do that if the Board directed.

Commissioner Humke agreed to continue the item and to alter the motion to allow staff to return with a draft resolution comprised of a blended solution. Commissioner Sferrazza supported the alteration to the motion.

Chairman Weber stated she could support the motion with added language that would show accountability and responsibility on behalf of the HOA.

On call for the question, the motion passed on a 5-0 vote.

**ABATEMENT PROCEEDINGS – WASHOE HILL BILLBOARD –  
DISTRICT ATTORNEY**

County Manager Katy Singlaub explained the item concerned discussion of a possible stay of the abatement proceedings, and she confirmed the case was in litigation.

Commissioner Sferrazza made a motion to stay the abatement proceedings until the Supreme Court decision on the case. Commissioner Galloway seconded the motion.

In response to Chairman Weber's request, Melanie Foster, Legal Counsel, explained a motion to stay the abatement proceedings would mean the County would not make an effort to have the nonconforming billboard removed until the Supreme Court action was resolved. She asked that the motion be clear that the Board was expecting the client would leave the billboard at the status quo.

Ken McKenna, attorney representative for the Yarboroughs, explained this item did not need to be resolved in court; and no matter what the Supreme Court did, there would be additional litigation because it was an inverse condemnation issue as to this property. He requested the Board rule in favor of the motion, and he asked that a Commissioner place an item on the May agenda for a suspension of the rules and a motion of reconsideration. He stated, if that was granted and the item was given an opportunity to be reconsidered by the Board, he was authorized to dismiss the litigation.

Ms. Foster commented, if the Commission wanted to consider Mr. McKenna's request, she would ask the Board to request that Mr. McKenna provide the new evidence he was basing his request upon in order to make that decision. Ms. Foster added that, in District Court, if someone wanted a decision reversed based on new evidence, that evidence would need to be presented at the time of the request.

Commissioner Humke acknowledged he may vote for the motion to stay the abatement, but he would not commit to anything else requested by Mr. McKenna absent a personnel session with Legal Counsel to gain information as to the underlining Nevada Supreme Court action.

Commissioner Sferrazza commented, if Mr. McKenna followed through on what Legal Counsel requested in the matter, he would be willing to do as Commissioner Humke suggested. He acknowledged Mr. McKenna would need to present materials to convince the Board to reconsider in light of his argument about inverse condemnation. He stated he was willing to go forward with the motion with the addition that, in the interval, the sign would not be altered; and it would be preserved at the status quo. He said Mr. McKenna could submit additional information on the changed circumstances to Legal Counsel, and the Board would review the materials with Legal Counsel.

Mr. McKenna said he would present a written position statement in early May and, based on the Board's review and discussion, he could be advised if the Board would consider the reconsideration.

Commissioner Galloway commented there would have to be something compelling presented by Mr. McKenna for him to agree to a reconsideration, but he would be willing to look at the information. He stated he agreed with Commissioner Humke's comments; his support of the motion would be a vote to stay the abatement; and he was relying on an amendment to the motion to say that no new advertising or alterations to the sign would be added. Commissioner Sferrazza confirmed part of the motion was that there would be no structural change to the billboard. Commissioner Galloway was agreeable to that.

Commissioner Humke said he believed changing the advertising on the billboard was not the issue. He stated the issue was whether or not the owners upgraded the structural integrity of the billboard. Commissioner Humke and Ms. Singlaub confirmed there was currently advertising on the billboard.

Ms. Singlaub clarified the County would be agreeing to not tear down the sign until the Supreme Court action was resolved. She said the understanding was there would be no enhancements to the sign, and it would be maintained in the present state of repair.

On call for the question, the motion passed on a 5-0 vote.

**05-359      ENFORCEMENT BOARD – HEARING OFFICER – NUISANCES  
AND LAND USE CODES – DISTRICT ATTORNEY**

Commissioner Humke made a motion to continue the item.

Chris Haywood, Reno resident, read his statement concerning code enforcement, which was placed on file with the Clerk.

Gary Schmidt, Washoe County resident, supported the idea of an enforcement board and not the hiring of a hearing officer. He commented on a citation he had received and the inconsistent enforcement of the County Code.

Commissioner Larkin read an e-mail from Cathy Glatthar, Palomino Valley resident, regarding Washoe County's flawed code enforcement system, which was placed on file with the Clerk.

Chairman Weber stated the item needed to be brought back to hear community input on the issue. Commissioner Galloway suggested the item be continued to the last meeting in May and set for a 5:30 p.m. timeframe.

Commissioner Humke withdrew the original motion.

On motion by Commissioner Sferrazza, seconded by Commissioner Humke, which motion duly carried, Chairman Weber ordered that the item concerning an enforcement board or a hearing officer form of administrative review of staff actions to abate nuisances and enforce land use codes be continued to the May 24, 2005 meeting with a 5:30 p.m. timeframe.

**05-360            PUBLIC AUCTION - SURPLUS PROPERTY – APN 020-321-34 – WATER RESOURCES**

**5:30 p.m.**        This was the time set in Public Auction Notices published in the *Reno Gazette-Journal* on March 17, 24, and 31, 2005 to receive sealed bids and hear oral bids with regard to APN 020-321-34 and possible award of the same. Proof was made that due and legal Notice had been given.

Tom Gadd, Public Works Director, explained the bidding process, which was outlined in the agenda memorandum dated March 21, 2005.

Chairman Weber opened the public hearing by calling on anyone wishing to speak. There being no response, the hearing was closed.

Mr. Gadd announced there was a written bid from Sierra Bouquet VII, LLC, in the amount of \$100, which was the appraised value of the property.

On motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried, Chairman Weber ordered that the bid from Sierra Bouquet VII, LLC, in the amount of \$100 be accepted.

Mr. Gadd called for oral bids. There were no oral bids.

In response to Commissioner Sferrazza, Mr. Gadd clarified the property was a ditch located off Neil Road. Mr. Gadd confirmed it was to the benefit of the County to sell the property, and the people planned to culvert the ditch.

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, Chairman Weber ordered that the sale of APN 020-321-34 be awarded to Sierra Bouquet VII, LLC based on the one bid received. It was further ordered that the Chairman be authorized to execute the Purchase and Sale Agreement and Quitclaim Deed upon presentation.

**05-361            POLICIES FOR PUBLIC COMMENT – COMMISSION MEETING PROCEDURES**

Commissioner Galloway suggested changing the public comment period on the general meeting agenda to allow the public to speak about anything on or off the agenda, and to reduce the time to one minute on the public comment time for the ancillary boards (referring to Truckee Meadows Fire Protection District, South Truckee

Meadows General Improvement District, and Sierra Forest Fire Protection District). He commented he did not favor having Caucus meetings in the Chambers. Commissioner Larkin voiced his support for having one public comment period at the beginning of the regular meeting.

Melanie Foster, Legal Counsel, verified it was required by law that a public comment period be on each of the agendas. She pointed out, if the Board moved forward with the suggestions, the public would be allowed to speak on every item on the agenda during public comment; and the public could speak about that item again when it came up on the agenda. She added the Board had the option of allowing people to speak on any item on the agenda during the public comment period if they were unable to stay for their item.

Commissioner Sferrazza agreed with Commissioner Galloway's recommendations. He said a person might speak twice on the same agenda item, but it would guarantee that no one would be denied the opportunity to speak because they could not stay until the Board reached their item on the agenda.

County Manager Katy Singlaub suggested the Board consider the changes on a pilot basis for a defined period of time. She commented in the past the Board had success in asking the public to speak on something new when making additional comments on an item.

Gary Schmidt, Washoe County resident, said he agreed with Commissioner Galloway's remarks. He stated public comment must be allowed on individual items at the Caucus meetings.

On motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried, Chairman Weber ordered that the public comment period at the beginning of the Board of County Commission meetings be limited to three minutes per person for items on or off any agenda for that meeting day, and the public comment period be one minute per person for the ancillary boards. It was further ordered that the changes be for a 90-day trial period and be reviewed after 90 days.

Following discussion, Commissioner Galloway confirmed his intent was to change the rules for the generalized public comment and not to change anything else at this time.

Commissioner Sferrazza explained at the Caucus meetings the public comment period should remain at the beginning; the public should be allowed to speak on items on or off the agenda; and a separate public comment period should be allowed on action items. Commissioner Sferrazza said the only action items at the Caucus meetings concerned legislative items.

Ms. Singlaub noted the Board takes positions during the Legislative Update and that would be the purpose for taking public comment.

On motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Weber ordered that the public comment period for Caucus meetings be held at the beginning of the meeting; be limited to three minutes per person for items on or off the agenda; and an additional one minute public comment be allowed under the action item of the Legislative Update.

Commissioner Sferrazza requested a discussion on the location of Caucus meetings be placed on the first available agenda. He asked for discussion on whether or not the Caucus meetings should be moved to the Commission Chambers and/or be televised. Ms. Singlaub confirmed the item would be placed on the April 26, 2005 meeting agenda.

**05-362            REPORTS/UPDATES FROM COUNTY COMMISSION MEMBERS**

Chairman Weber announced she and Commissioner Sferrazza attended the North Valleys dedication of the "Guardians of Freedom Memorial Plaque" at the North Valleys United States Post Office on April 11, 2005. She submitted a drawing of the plaque, which was placed on file with the Clerk.

**05-363            2002 REGIONAL PLAN SETTLEMENT UPDATE**

Melanie Foster, Legal Counsel, explained the revised terms of the agreement reached by Washoe County and the Truckee Meadows Water Authority (TMWA), which was placed on file with the Clerk. She said the terms were reached after the status conference with Judge James Hardesty.

In response to Commissioner Sferrazza, Ms. Foster offered that language could be added to Item 16 to read, "and was expected to be resolved by the Court prior to the ratification of the interlocal agreement." Commissioner Sferrazza was agreeable to the additional language.

Chairman Weber inquired about approving the agreement except for Item 16. Ms. Foster clarified Judge Hardesty made it clear that the disposition on the request for the contribution from the developers, and costs and fees, were not to be part of the interlocal agreement, as he would be making those rulings. She said Judge Hardesty directed the parties to settle the issues.

Ms. Foster requested the Board ratify the basic terms of the interlocal agreement and authorize her to negotiate concerning the request for financial contribution from the developer, and the costs and fees issues, on behalf of the Board.

Commissioner Sferrazza voiced his concern with approving the agreement and getting hit with attorneys' fees at a later date.

Ms. Foster stated the attorneys' fees would not be referenced in the interlocal agreement; it was anticipated the interlocal agreement would be to the Board the last meeting in May; and the financial issues in the case would be resolved by that time.

In response to County Manager Katy Singlaub, Ms. Foster confirmed Judge Hardesty asked that the basic terms of the interlocal agreement be ratified by the Board at this meeting. She stated Judge Hardesty looked for the Board's approval of the terms of the agreement in concept.

Following further discussion, on motion by Commissioner Sferrazza, seconded by Commissioner Humke, which motion duly carried, Chairman Weber ordered that the terms of the agreement be ratified in concept until the Board received the final written agreement that was to be presented to Judge Hardesty.

On motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Weber ordered that Ms. Foster be authorized to negotiate on behalf of the Board concerning the issues remaining on Item 16. It was further ordered that the Commissioners be contacted before any negotiations were taken regarding dollar amounts.

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There being no further business to come before the Board, the meeting adjourned at 10:30 p.m.

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**BONNIE WEBER**, Chairman  
Washoe County Commission

**ATTEST:**

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

*Minutes Prepared by:  
Stacy Gonzales and Lori Rowe  
Deputy County Clerks*