

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

TUESDAY

2:00 P.M.

MARCH 27, 2007

PRESENT:

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

**Amy Harvey, County Clerk**  
**Katy Singlaub, County Manager**  
**Peter Simeoni, Legal Counsel**  
**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:

**AGENDA**

In response to the call for public comment, Guy Felton spoke on the agenda being flawed, and how he felt it was a threat against sovereignty. Patricia Axelrod stated she was opposed to sole-source purchases. Sam Dehne said he was opposed to the two-minute time limit allowed for public speakers.

Katy Singlaub, County Manager, noted a correction for Item 10D concerning a donation. She said the name listed for the donor, Nevada Securities Bank, was incorrect and the correct name should be Nevada Security Bank.

In accordance with the Open Meeting Law, on motion by Commissioner Weber, seconded by Commissioner Humke, which motion duly carried with Commissioner Galloway absent, Chairman Larkin ordered that the agenda for the March 27, 2007 meeting be approved.

**07-350      RESOLUTION OF ACCOMPLISHMENT - GALENA HIGH SCHOOL VARSITY BOYS' BASKETBALL TEAM**

\* **2:21 p.m.**      Commissioner Galloway arrived.

Commissioner Humke read and presented the proclamation to the Galena High School Boys' Varsity Basketball Team. Team members in attendance were: Brice Crook, Gabe Legabruru, Scott Bristol, John Metzger, Oscar Nunaz, Brad Bosse, and

Victor Walker. Tom Maurer, Varsity Team Head Coach, thanked the Board for this honor and commended the players, the High School administration, and the parents for their commitment and support.

Commissioner Humke commented that Senior Luke Babbitt was named 4A Player of the Year, and Coach Maurer was named 4A Coach of the Year.

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

### **RESOLUTION OF ACCOMPLISHMENT**

**WHEREAS**, Galena High School's Varsity Boys' Basketball Team was named the 4A Nevada State Champions for 2007; and

**WHEREAS**, The senior boys, JD Peters, Tristan Hill, Eric Maupin, Gabe Legabruru, Mikey Bordigioni, and Brice Crook helped lead the team to the title; and

**WHEREAS**, The rest of the Varsity team: Markis Robinson, Bradley Bosse, John Metzger, Oscar Nunaz, Scott Bristol, Luke Babbitt, Jacob Mansfield, and Victor Walker helped bring Galena High School the title of 4A Nevada State Champions for the first time in over ten years; and

**WHEREAS**, Head Coach Tom Maurer and Assistant Coaches Adrian Buoncristiani, Matt Kromberg, and Jeff Keyes have made a valuable commitment to serve the community through dedication to boys' basketball and Galena High School; now, therefore, be it

**RESOLVED**, That Washoe County recognizes the hard work and dedication of the Galena High School Varsity Boys' Basketball Team, their coaches, the Galena Cheerleaders, staff, parents, and everyone else who contributed to their success and wishes them success in their future ventures.

### **07-351      PROCLAMATION - TUNE IN TO KIDS DAY - APRIL 14, 2007**

Commissioner Galloway read and presented the proclamation to Debbie Wiltgen, Project Assistant. Ms. Wiltgen thanked the Board for the proclamation and for their continued support of the Project.

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

## **PROCLAMATION**

**WHEREAS**, The average American child spends more than 44 hours per week using screen media; and

**WHEREAS**, Research continues to mount about the effects of screen media on literacy, family life, health, community involvement and antisocial behaviors such as aggression and substance abuse; and

**WHEREAS**, The Tune In To Kids Fair celebrates life and learning beyond the screen; and

**WHEREAS**, The Tune In To Kids Fair at Idlewild Park on April 14th will feature activities and entertainment for kids and families in the area of reading, science and math, arts and culture, health and fitness, hobbies and recreation and positive use of media to encourage Reno residents to live a real life not a virtual life; and

**WHEREAS**, Tune In To Kids has partnered with the Washoe County School District, the City of Reno Parks, Recreation and Community Services, Washoe County Regional Parks and Open Space and over 40 other businesses, private sponsors and community organizations to promote positive family involvement and the use of media in positive, fun and interactive ways; and

**PROCLAIMED**, By the Washoe County Board of Commissioners that April 14, 2007 is designated as Tune In To Kids Day.

### **07-352      PROCLAMATION - FAIR HOUSING MONTH - APRIL 2007**

Commissioner Sferrazza read and presented the proclamation to Kate Knister, Silver State Fair Housing Council Executive Director. Ms. Knister thanked the Board for their continued support.

In response to the call for public comment, Patricia Axelrod commended Ms. Knister for her good work; however, requested the Commissioners investigate the practice of racial profiling she felt was ongoing within the community.

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

## **PROCLAMATION**

**WHEREAS**, April 2007 marks the 39th 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 2007 as Fair Housing Month and recognize the Silver State Fair Housing Council for their good work in pursuing fair housing in our community.

**07-353            CERTIFICATES OF APPRECIATION - SOUTH TRUCKEE**  
**MEADOWS GENERAL IMPROVEMENT DISTRICT**

Katy Singlaub, County Manager, commented the recipients, Lisa Cady and Birnie McGavin, were unable to attend; however, staff wanted to acknowledge and recognize their service on the South Truckee Meadows General Improvement District (STMGID).

Commissioner Humke read the Certificate of Appreciation awarded to Lisa Cady and thanked her for her service and commitment to STMGID.

Commissioner Galloway read the Certificate of Appreciation awarded to Birnie McGavin and said he was a valued member of STMGID.

On motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, Chairman Larkin ordered that the Certificates of Appreciation to Lisa Cady and Birnie McGavin for their work on STMGID be awarded.

## **PUBLIC COMMENTS**

Katy Singlaub, County Manager, stated, the Chairman and Board of County Commissioners intend that their proceedings should demonstrate the highest levels of decorum, civic responsibility, efficiency and mutual respect between citizens and their government. The Board respects the right of citizens to present differing opinions and views, even criticism, but our democracy cannot function effectively in an environment of personal attacks, slander, threats of violence, and willful disruption. To that end, the Nevada Open Meeting Law provides the authority for the Chair of a public body to maintain the decorum and to declare a recess if needed to remove any person who is disrupting the meeting, and notice is hereby provided of the intent of this body to preserve the decorum and remove anyone who disrupts the proceedings.

Guy Felton listed several questions he would like answered by the Board, concerning voting machines, the election process, and selling political influence.

Patricia Axelrod spoke on election practices in the County. She stated she had filed a report with the Sheriff's Office against Dan Burk, Registrar of Voters, over an alleged threat. She felt he had made a threat against her during a meeting attended by Mr. Burk, Commissioner Sferrazza and herself.

Sam Dehne commented on the controversies concerning the Governor's Office.

Joe Harrelson said he had been terrorized by Washoe County administration involving problems he experienced with his neighbors.

Gary Schmidt spoke on the proposed Sun Valley Water Tank and the appeal he filed and was denied concerning the view shed. He commented on the number of times he had filed suit against the County and the outcome of those suits.

\* **2:55 p.m.** Melanie Foster, Legal Counsel, arrived.

Chairman Larkin asked Mr. Felton to refrain from speaking from the audience. Following two verbal warnings given to Mr. Felton, Chairman Larkin recessed to have Mr. Felton escorted from the meeting.

**2:56 p.m.** The Board recessed to have Mr. Felton escorted from the meeting.

**3:00 p.m.** The Board reconvened.

## **COMMISSIONERS'/MANAGER'S ANNOUNCEMENTS**

Commissioner Humke introduced Dr. George Furman, District Health Board of Trustees Chair. Dr. Furman commented the Board of Health was responsible for all public health matters in the District.

Commissioner Humke said a meeting was held recently at the Pleasant Valley School devoted to safety on Highway 395 in Washoe Valley. He commented a citizen, Ginger Pierce, had suggested orange flags be attached to speed limit signs to bring the posted speed limit to the attention of motorists. Commissioner Humke announced the Nevada Department of Transportation (NDOT) had taken the suggestion and was in the process of installing those flags on the signs.

Commissioner Weber said she attended the Nevada Association of Counties (NACO) meeting, which was held monthly during the Legislative session.

Chairman Larkin announced Sparks resident Lindsay Marie Panko had received the Girl Scouts Gold Award, which was the highest award a Girl Scout age 14-18 could earn. He remarked this award had only been presented to 5,500 girls nation wide. Chairman Larkin said he attended the Sparks City Council special meeting that dealt with the Pyramid Highway Corridor. He said there was a request from the City of Sparks to establish a working group for Pyramid Highway, and he volunteered the County as part of that working group.

Commissioner Galloway invited the public to attend a series of lectures about good community planning during the month of April and held at the downtown Library. He said he spoke with Ross Miller, Secretary of State, concerning SB 79, and Mr. Miller remarked he would look into the possibility of using the paper trail in an official manner for a recount.

In response to issues raised by Patricia Axelrod, Commissioner Sferrazza commented he did not support racial profiling under any circumstance. He said he was present for the meeting with Dan Burk, Registrar of Voters, along with Ms. Axelrod to discuss voting procedures in Washoe County and was present when she arrived. He explained she was late and when she entered the room was out of breath. Mr. Burk indicated if she kept pushing herself she would end up in the hospital. Commissioner Sferrazza perceived this as a concern about her health not as a threat against her. He indicated he gave his statement to the Sheriff's Department.

#### **DISCUSSION ON CONSENT AGENDA**

In response to the call for public comment, Sam Dehne commented on several items in the consent agenda.

#### **07-354      EXPENDITURE/RESOLUTION - SHILOH LEADERSHIP AND DEVELOPMENT SERVICES - COMMISSION DISTRICT 4**

Upon recommendation of Rita Lencioni, Assistant to the County Manager, on motion by Commissioner Weber, seconded by Commissioner Sferrazza, which motion duly carried, it was ordered that an expenditure from County Commission District 4 Special Funding Account to Shiloh Leadership and Development Services to provide

assistance with administrative costs for the organization, in the amount of \$2,500, be approved. It was further ordered that the following resolution be adopted and the Chairman be authorized to execute the same:

**RESOLUTION**

Authorizing the Grant of Public Money to Shiloh Leadership  
and Development Services

**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 2006/07, to make a grant of money to Shiloh Leadership and Development Services to provide assistance with administrative costs for the organization 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 Shiloh Leadership and Development Services, a grant for fiscal year 2006/07 in the amount of \$2,500.

**07-355      EXPENDITURE/RESOLUTION - SHILOH LEADERSHIP AND  
DEVELOPMENT SERVICES - COMMISSION DISTRICT 5**

Upon recommendation of Rita Lencioni, Assistant to the County Manager, on motion by Commissioner Weber, seconded by Commissioner Sferrazza, which motion duly carried, it was ordered that an expenditure from County Commission District 5 Special Funding Account to Shiloh Leadership and Development Services to provide assistance with administrative costs for the organization, in the amount of \$2,500, be approved. It was further ordered that the following resolution be adopted and the Chairman be authorized to execute the same:

**RESOLUTION**

Authorizing the Grant of Public Money to Shiloh Leadership  
and Development Services

**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 2006/07, to make a grant of money to Shiloh Leadership and Development Services to provide assistance with administrative costs for the organization 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 Shiloh Leadership and Development Services, a grant for fiscal year 2006/07 in the amount of \$2,500.

**07-356            EXPENDITURE/RESOLUTION - YMCA OF THE SIERRA - TUNE IN TO KIDS FAIR - COMMISSION DISTRICT 1**

Upon recommendation of Rita Lencioni, Assistant to the County Manager, on motion by Commissioner Weber, seconded by Commissioner Sferrazza, which motion duly carried, it was ordered that an expenditure from County Commission District 1 Special Funding Account to YMCA of the Sierra (fiscal agent for Tune In To Kids) to be used for costs associated with the Tune In To Kids' Fair event to be held April 14, 2007 at Idlewild Park, in the amount of \$2,280, be approved. It was further ordered that the following resolution be adopted and the Chairman be authorized to execute the same:

**RESOLUTION**

Authorizing the Grant of Public Money to YMCA of the Sierra, fiscal agent for the Tune In To Kids Program

**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 2006/07, to make a grant of money to YMCA of the Sierra for the Tune In To Kids Program to provide assistance with costs associated with the Tune In To Kids' Fair event to be held April 14, 2007 at Idlewild Park 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 YMCA of the Sierra for the Tune In To Kids Program to provide assistance with costs associated with the Tune In To Kids' Fair event to be held April 14, 2007 at Idlewild Park, a grant for fiscal year 2006/07 in the amount of \$2,280.

**07-357            EXPENDITURE - 2007 TRUCKEE MEADOWS CLEAN-UP DAY -  
COMMISSION DISTRICTS 2, 3, 4, AND 5**

Upon recommendation of Julie Skow, Administrative Assistant II, on motion by Commissioner Weber, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Larkin ordered that expenditures from County Commission Districts Special Fund Accounts for the promotion and implementation of the 2007 Truckee Meadows Clean-up Day on May 12, 2007 in the following amounts be approved:

County Commission District 2	\$1,000
County Commission District 3	500
County Commission District 4	1,000
County Commission District 5	1,000

**07-358            SEXUAL ASSAULT MEDICAL CARE PAYMENT - DISTRICT  
ATTORNEY**

Pursuant to NRS 217.300, on motion by Commissioner Weber, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Larkin ordered that payments with funds from the District Attorney's account designated Sexual Assault Victims Expenses be authorized for initial emergency medical care for 45 sexual assault victims in an amount totaling \$6,698.90 and for follow-up treatment (up to \$1,000) for victims, victim's spouses and other eligible persons as set forth in a memorandum from Kim Schweickert, Program Assistant, District Attorney's Office, dated March 5, 2007.

**07-359            RESIGNATION/APPOINTMENT/REAPPOINTMENT - LAW  
LIBRARY BOARD OF TRUSTEES - LAW LIBRARY**

On motion by Commissioner Weber, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Larkin ordered that the resignation of non-attorney Board Member Patricia Cooper-Smith from the Law Library Board of Trustees be accepted, Pamela Gullihur be appointed to fill the vacancy for the non-attorney position for a two-year term ending December 31, 2008, and Bruce Beesley be reappointed to fill an attorney position for a two-year term ending December 31, 2008.

**07-360            DONATION - NEVADA SECURITY BANK - LIBRARY**

Commissioner Galloway acknowledged the donation and thanked the donor on behalf of the Board.

Upon recommendation of Arnie Maurins, Associate Library Director, on motion by Commissioner Weber, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Larkin ordered that the donation of a 1995 Ford E350 (Model 35C) Van from Nevada Security Bank to the Washoe County Library System be accepted.

**07-361**            **APPOINTMENT - BOARD OF ADJUSTMENT - COMMUNITY DEVELOPMENT**

On motion by Commissioner Weber, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Larkin ordered that Eric Scheetz be appointed to the Washoe County Board of Adjustment for the remainder of Sharon Stanley's term ending June 30, 2007.

**07-362**            **AWARD OF BID - PRINTING, PRODUCTION AND POSTING OF TAX BILLS - BID NO. 2584-07 - TREASURER**

This was the time to consider award of the bid for Printing, Production, and Posting of Washoe County Property Tax Bills.

Bids were received from the following vendors:

Print Solutions, Inc.  
DivDat  
Automated Computer Methods, Inc.  
Data Prose, Inc.  
Intraform, Inc.

Upon recommendation of Michael Sullens, Senior Buyer, on motion by Commissioner Weber, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Larkin ordered that Bid No. 2584-07 for Printing, Production, and Posting of Washoe County Property Tax Bills for the Treasurer's Department be awarded to the lowest responsive, responsible bidder, Print Solutions, Inc., in the amount of \$30,297.60. It was further ordered that the Purchasing and Contracts Administrator be authorized to execute a one year agreement with Print Solutions, Inc., upon successful completion of a 1 percent sampling of tax bills, with the County retaining two, one year renewal options.

**07-363**            **CONVEYANCE OF WATER RIGHTS - SUN MESA, PHASE 2 SUBDIVISION - WATER RESOURCES**

Katy Singlaub, County Manager, explained Article 422 required that water be dedicated to Washoe County in order to provide service. She said this conveyance was in Sun Valley; the water was being conveyed to Washoe County, then leased back to Sun Valley so the Sun Valley General Improvement District (SVGID) could provide the actual water service to the development.

Upon recommendation of Vahid Behmaram, Water Rights Manager, and Paul Orphan, Engineering Manager, on motion by Commissioner Weber, seconded by Commissioner Sferrazza, which motion duly carried, it was ordered that the conveyance of 26.5 acre-feet of water rights from SVGID to Washoe County in support of the Sun Mesa, Phase 2 subdivision be approved. It was further ordered that the associated Water

Sale Agreement leasing said water back to SVGID be approved, and the Chairman be authorized to execute the Water Rights Deed, and the Water Rights Manager be directed to record both documents.

**07-364**            **WATER SERVICE CONTRIBUTION AGREEMENT -  
MCCAFFERY FINE HOMES, LTD. PALISADES LAND  
INVESTORS, LLC PALISADES LAND INVESTORS PHASE I,  
LLC - WATER RESOURCES**

Upon recommendation of Paul Orphan, Engineering Manager, on motion by Commissioner Weber, seconded by Commissioner Sferrazza, which motion duly carried, it was ordered that a Water Service Contribution Agreement between Washoe County and McCaffery Fine Homes, Ltd., Palisades Land Investors, LLC, and Palisades Land Investors Phase I, LLC be approved and the Chairman be authorized to execute the same.

**07-365**            **AWARD OF BID - REHABILITATION OF MOUNT ROSE  
WATER STORAGE TANK NO. 1 - WATER RESOURCES**

This was the time to consider the award of bid for the Rehabilitation of Mount Rose Water Storage Tank No. 1.

Bids were received from the following vendors:

Building Solutions, LLC  
Olympus & Associates Inc.  
RPI Coating, Inc.

Upon recommendation of Alan Reich, Licensed Engineer, on motion by Commissioner Weber, seconded by Commissioner Sferrazza, which motion duly carried, it was ordered that the bid for the Rehabilitation of Mount Rose Water Storage Tank No. 1 for the Water Resources Department be awarded to the lowest responsive, responsible bidder, Building Solutions, LLC, in the amount of \$91,652. It was further ordered that the Chairman be authorized to execute the contract documents upon receipt, and the Engineering Manager be authorized to issue the Notice to Proceed.

**07-366**            **ROLL CHANGE REQUESTS - ERRORS IN 2004/05, 2005/06, AND  
2006/07 SECURED TAX ROLL - ASSESSOR**

In response to Chairman Larkin, Van Yates, Appraiser III, explained the large variances concerning Inter-Tel Incorporated and Nevada Tri-Partners.

Upon recommendation of Ivy Diezel, Systems Support Analyst, on motion by Commissioner Weber, seconded by Commissioner Sferrazza, which motion duly carried Chairman Larkin ordered that the roll change requests for errors discovered for the 2004/05, 2005/06, and 2006/07 secured tax roll as outlined in Exhibits A, B, and C,

which were placed on file with the Clerk, supported by additional information found in the individual roll change request forms (on file in the County Manager's Office), in the cumulative amount of reduction of \$320,656.58 be approved.

**07-367            PURCHASE - COMMUNICATIONS SERVICES DIRECTOR DELL SERVER - TELECOMMUNICATIONS**

Commissioner Sferrazza stated he would not support the motion due to the sole-source dedication.

Katy Singlaub, County Manager, explained the sole-source dedication went back to the original acquisition. She noted it was equipment that would be compatible to the system.

Upon recommendation of Mike Sullens, Senior Buyer, on motion by Commissioner Weber, seconded by Commissioner Galloway, which motion duly carried with Commissioner Sferrazza voting "no," Chairman Larkin ordered that the purchase of a Communications Services Director (CSD) Dell server upgrade for the Enhanced Digital Access Communications System (EDACS) 800 MHz radio system from M/A Com, Inc., to be installed at the 800 MHz Network Operations Center on Spectrum Boulevard in support of the Washoe County Regional Communications System in the amount of \$50,917, be approved.

**07-368            DISCUSSION - DOWNTOWN COURTS COMPLEX MASTER PLAN UPDATE - PUBLIC WORKS**

Dan St. John, Public Works Director, indicated the contract amount transfer from the Contingency Fund had decreased from \$388,900 to \$320,000. He said the Scope of Services covered the necessary services for the update of the Courts Master Plan and included the Court Utilization Study.

Commissioner Sferrazza noted a master plan was completed in 1999 and asked why another plan had to be completed. Mr. St. John replied many of the conditions had changed since 1999. He said a Bond initiative to accomplish the goals of that master plan had failed. Mr. St. John said an area of change was based on Homeland Security provisions that had increased. He emphasized this was an update of the master plan with the intent to utilize the 1999 document. He said the update would validate projected numbers in 1999 against those achieved in the court operations. Mr. St. John said the value of the 1999 master plan was the basis of the Commission's vote to purchase the Pioneer site; however, the change in conditions made it necessary to review the plan.

Commissioner Sferrazza asked if any Homeland Security monies were available and why was the County attempting this absent a source of funding. Katy Singlaub, County Manager, replied a ballot question initiative was not pending, but the information was useful to provide answers to the Board and the Legislature for fiscal impacts of various proposals. She said the information was required to move forward

with the Pioneer Site since requirements needed to be known before the County could proceed. She said the proposed plan would have phasing to be completed over a five-year period. Ms. Singlaub explained there was a Homeland Security allocation from Senator Harry Reid to complete various courthouse security work.

Commissioner Galloway stated this study in the absence of funding was questionable. Mr. St. John explained the Scope of the update was an extensive amount of work. He said staff spent long hours reviewing the proposal, and as a result of that analysis, reduced the amount. Commissioner Galloway asked if the results of the recommendations in the study would involve projects not associated with the Pioneer Site, but in the existing court buildings. Mr. St. John replied the study would evaluate incremental needs every five years, and staff anticipated the initial phases would be within the existing structures. Commissioner Galloway stated the proposed variance with the City of Reno for parking was a key component, but without that variance the County may have to build the parking structure whether there was commercial or not. Mr. St. John said if the mixed-use commercial project or a single use parking structure was completed a decision still had to be made to the effective property line. He said that information was not known now, but through the analysis of what the court needed, that should give the Board a precise line. He said if the parking structure were built today an assumption would be made on how much of the northern part of that parcel would be reserved for future expansion.

Amy Harvey, County Clerk, commented she had been working with Public Works and was involved with the Courts Master Plan since 1999. She said she was assured by Public Works that they would work with the Clerk's Office since they were one of the users of the downtown courthouse. Ms. Harvey said the original study had useful information and was a good starting point, but things had changed in the last seven years. She explained the Clerk's Office had concerns over the use of space since there was space in the Courthouse being used for storage. She had five employees located in a different building because there was no room at the Courthouse the current location.

Judge Patrick Flanagan, Second Judicial Court Department 7, said the Judges of the District Court supported the recommendation and asked the Board to consider the future.

Commissioner Galloway commented part of the space utilization depended on the operations and procedures of the court. He said a possibility of evening family court and video arraignment for prisoners should be considered. He stated he would not like to complete a master plan based on a utilization study that did not reflect possible improvements and efficiencies in court operations. Judge Flanagan agreed, and stated he had spoken to Sheriff Mike Haley regarding video arraignments with respect to his Department. He noted he would discuss those options with the other judges.

Commissioner Sferrazza supported better utilization of the existing courtrooms through scheduling. He suggested to include in a motion that better utilization of the existing courtrooms and video arraignments be explored.

Mr. St. John replied part of the Scope of Services included the court planner and architects evaluating the described options. He said through that process the options could be evaluated and the impact on the infrastructure by changing some of the policies the Board suggested. He said courtroom utilization and verification of the downtown parking needs was also part of the Scope of Services.

Commissioner Humke asked if the contract could remain open. Mr. St. John replied the schedule for the project anticipated the input needed to be at the appropriate time of the process.

Chairman Larkin requested an explanation of the nexus this study had with the \$15,000,000 the County had earmarked for the construction of a parking garage. Mr. St. John explained these were related but separate issues. He said the Court Master Plan primarily focused on the needs of the Courts, the Clerk's Office, and Family Court. He said the Court Master Plan would define the north/south boundary and the validation of parking needs. He said the proposed study was essential for staff to draw that line on the Pioneer Parcel to determine if any development would occur south of that line.

In response to Chairman Larkin, David Solaro, Capitol Projects Division Director, replied the project would take approximately six to eight months. Chairman Larkin said his concern with moving forward was that there was not a clear understanding of the Board's expectations to the consultant.

Ms. Singlaub commented staff was attempting to be responsive to the many developers who needed to know the requirements of the County and what the County needed built. She said this study would help staff formulate those needs. Ms. Singlaub indicated the City of Reno and other downtown partners would be actively involved in the process.

Commissioner Sferrazza requested reviewing the Scope of Service before he could vote to see what was involved. He envisioned using the public/private proposals to help fund the cost of the public improvements.

Roger Van Alyne, Public Works Deputy Director, explained the standards of separation between the private and commercial development and the courtroom environment. He said some standards were incompatible uses given certain security issues, which was what staff asked the consultants to research. Mr. Van Alyne encouraged the Board to keep focused on this request for the Courthouse Master Plan update which would indicate to staff what could be accomplished within the courthouse and decisions specifically regarding a mixed-use development on the Pioneer site.

Ms. Singlaub said staff was supportive of opportunities for a public/private partnership facility on that property. She said staff was attempting to define the needs of the courthouse, and the Court's occupants, then staff would use that to find complimentary development proposals to maximize revenue to support the property.

She said until the bonds were paid off the property could not be used for more than 10 percent for profit interest.

Commissioner Weber did not think this was the right time to consider this proposal. She remarked the main priority should be temporary parking.

Ms. Singlaub suggested the proposers conduct a presentation for the Board on the update and the planning process. She said staff would like to move on this because decisions needed to be made; however, staff wanted the Board to have all of the information needed.

In response to the call for public comment, Sam Dehne said the study should have been completed sooner. Gary Schmidt stated he was opposed to the expenditure of the money and supported revisiting this item in a workshop format. He said Courthouses did not work downtown and should be located in a different area.

Commissioner Galloway recommended not going ahead with the contract until the Board reviewed the Scope of Service, and he suggested a longer preparatory in-house process. Commissioner Weber remarked a workshop with the Judges and the City of Reno to gather more information would be beneficial.

Ms. Singlaub stated staff would do what the Board requested. She said it was clear more information was needed and additional input from the Board on some critical features of the plan.

In response to Ms. Singlaub, Ms. Harvey replied in 1999 the consultant returned with the square footage per employee.

Ms. Singlaub clarified there was no other courtroom utilization or courtroom usage study being conducted. She indicated it would be done with the proposed study.

Commissioner Galloway commented, at the present time, no recording of the courtroom usage was being completed, and he requested that data before going forward. Ms. Singlaub explained part of the Scope of Service was to gather, examine and analyze that data. Commissioner Galloway suggested that data be compiled before a contract was issued.

No action was taken on this item.

**07-369      PURCHASE - MICROWAVE COMMUNICATIONS LINKS - FOX MOUNTAIN - TELECOMMUNICATIONS**

Commissioner Sferrazza stated he would not support the motion due to the sole-source dedication.

Upon recommendation of Mike Sullens, Senior Buyer, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Commissioner Sferrazza voting "no," Chairman Larkin ordered that the purchase of the MDR-8000 Microwave Communications radio equipment from Alcatel USA Marketing, Inc., to be installed on Fox Mountain and to upgrade the existing Washoe County Regional Communications System (WCRCS) Microwave Communications backbone in support of the WCRCS Fox Mountain Project, in the amount of \$411,176, be approved. It was noted that funding for this project was provided through the WCRCS Fund (RC210204).

**07-370            PURCHASE - RADIO EQUIPMENT - DAILEY-WELLS  
COMMUNICATIONS - TELECOMMUNICATIONS**

Commissioner Sferrazza stated he would not support the motion due to the sole-source dedication.

Upon recommendation of Mike Sullens, Senior Buyer, on motion by Commissioner Weber, seconded by Commissioner Galloway, which motion duly carried with Commissioner Sferrazza voting "no," Chairman Larkin ordered that the purchase of the five-channel Enhanced Digital Access Communications System (EDACS) 800 MHz radio equipment from Dailey-Wells Communications, Inc., to be installed on Fox Mountain in support of the Washoe County Regional Communications System (WCRCS), in the amount of \$325,000, be approved. It was noted that funding for this project was provided through the WCRCS Fund (RC210204).

**07-371            PURCHASE - WELL CAPACITY - CALLAMONT WELLS -  
WATER RESOURCES**

In response to Commissioner Galloway, Paul Orphan, Engineering Manager, explained well capacity was measured by gallons per minute (GPM), which was the standard. He said someone else built the well, and the capacity they needed for their development was built and dedicated to Washoe County; however, it was over-sized, so the County would purchase the excess capacity and own and maintain the well.

Upon recommendation of Mr. Orphan, on motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that the purchase of four hundred fifty-five gallons per minute (455.0 gpm) of well capacity in the Callamont Wells from Pavich & Associates, Inc., in the amount of \$2,523,430, be approved. It was further ordered that the Water Resources Director be authorized to issue the purchase order to Pavich & Associates.

**07-372            RESOLUTION - SETTING A PUBLIC HEARING - REVENUE  
BONDS FOR SIERRA PACIFIC POWER COMPANY**

Katy Singlaub, County Manager, said this was needed for Sierra Pacific Power Company to issue bonds. She explained they would pay using Economic

Development Revenue Bonds that the County could authorize at a savings to Sierra Pacific and their customers. Ms. Singlaub said this was not an obligation or a dedication of funds from Washoe County. She stated Sierra Pacific would retain the debt on the water facilities that transferred to the Truckee Meadows Water Authority (TMWA).

In response to Commissioner Sferrazza, John Sherman, Finance Director, replied this resolution was to set the public hearing; then the Board could discuss an approval resolution to authorize the bonds.

John Brown, Sierra Pacific Power Company Controller, said the interest savings for Sierra Pacific were aligned with the ratepayers. He said this would lower the future rates and be brought forward in the next rate proceeding scheduled for later in 2007.

Commissioner Sferrazza requested that information before the public hearing.

Upon recommendation of Mr. Sherman, on motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried, it was ordered that the following resolution be adopted and the Chairman be authorized to execute the same:

#### **NOTICE OF RESOLUTION**

A notice of resolution setting a public hearing for April 10, 2007 indicating the intent of Washoe County to issue \$80,000,000 of Water Facilities Refunding Revenue Bonds for Sierra Pacific Power Company.

**WHEREAS**, Washoe County, Nevada (the "County") is a political subdivision of the State of Nevada authorized and empowered by the County Economic Development Revenue Bond Law, Sections 244A.669 to 244A.763 of the Nevada Revised Statutes, as amended (the "Act"), to issue revenue bonds to finance one or more projects, including any land, building, structure, facility, system, fixture, improvement, appurtenance, machinery, equipment, or any combination thereof or any interest therein, used by any corporation (including a public utility) in connection with the furnishing of water available on reasonable demand to members of the general public; and

**WHEREAS**, the Act provides that such revenue bonds shall be payable solely and only from the revenues derived from a project, including payments under a lease, agreement of sale or financing agreement or under notes, debentures, bonds and other secured or unsecured debt obligations executed and delivered by the obligor pursuant to such lease, agreement of sale or financing agreement; and

**WHEREAS**, the Act provides that such revenue bonds of the County shall be secured by a pledge of the revenues out of which such bonds shall be payable, and if title to or in such project remains in obligor, such bonds shall also be secured by a pledge

of one or more notes, debentures, bonds or other secured or unsecured debt obligations of the obligor; and

**WHEREAS**, the County has heretofore issued its \$80,000,000 aggregate principal amount Water Facilities Refunding Revenue Bonds (Sierra Pacific Power Company Project) Series 2001 (the "Prior Bonds"), which are currently outstanding, for the purpose of refunding its Water Facilities Revenue Bonds (Sierra Pacific Power Company Project) Series 1990 which were issued for the purpose of financing costs to the Company in connection with the furnishing of water available on reasonable demand to members of the general public within the County; and

**WHEREAS**, the Company has requested the County to issue its refunding revenue bonds (the "Bonds"), in one or more series in the aggregate principal amount of not to exceed \$80,000,000 in order to refund all or part of the Prior Bonds; and

**WHEREAS**, before the County shall undertake to issue any of the Bonds for such purpose, it is deemed necessary and advisable to conduct a public hearing pursuant to Section 244A. 707 of the Act

**NOW, THEREFORE**, Be It Resolved by the Board of County Commissioners of Washoe County, Nevada, as follows

**Section 1.** That this Board of County Commissioners meet at the Washoe County Commission Chambers, 1001 East Ninth Street, Building A, Reno, Nevada, on April 10, 2007, at 5:30 p.m., at which time and place a public hearing shall be held on the proposal to issue the Bonds in the aggregate principal amount of not to exceed \$80,000,000 to refund all or part of the Prior Bonds, as referred to in the preamble hereof, at which hearing all who appear shall be given an opportunity to express their views for or against the proposal to issue the Bonds for such purpose.

**Section 2.** That the County Clerk is hereby directed to give notice of intention to issue the Bonds, setting forth the amount and purpose thereof and the time when and place where said hearing will be held, by publication at least once in the "Reno Gazette Journal," a newspaper published and having a circulation within the County, the date of the hearing to be not less than ten (10) nor more than twenty (20) days after the date of publication of the notice. Said notice shall be substantially as in the following form which was placed on file with the Clerk.

**Section 3.** That this resolution shall be effective forthwith upon its passage and approval.

**4:53 p.m.** The Board reconvened with Chairman Larkin temporarily absent and Vice Chair Weber assuming the gavel.

**RESOLUTION – DEPARTMENT OF TRANSPORTATION’S US  
395, WEST US 50, SR 28, SR 207, AND SR 431 LANDSCAPE AND  
AESTHETICS CORRIDOR PLAN – PARKS**

Katy Singlaub, County Manager, said staff had presented for review the Nevada Department of Transportation’s (NDOT) US 395, West US 50, SR 28, SR 207, and SR 431 Landscape and Aesthetics Corridor Plan at some Citizen Advisory Board (CAB) meetings. She emphasized this was not a County plan.

Roger Van Alyne, Deputy Public Works Director, said the State policy considered landscape and aesthetics in conjunction with other design factors in all transportation projects. He stated this was one of three plans that had been authored to address Nevada’s western highways. He explained this plan described the vision, not the promise, for highway landscape and aesthetic treatments in northern Nevada. He stated the plan was a design management tool that set a context, provided design themes, levels of treatment, and planning level cost goals. Most importantly, he said local government agencies were involved in its development. He indicated the areas the County was most concerned about were US 395, SR 431, and SR 28.

Mr. Van Alyne conducted a PowerPoint presentation on NDOT’s plan, which was placed on file with the Clerk. He emphasized that each of the four landscape design segments were treated differently because they required a unique set of landscape aesthetics. He said the list of priorities was flexible in that the County could chose to make a lower priority project a higher one. He explained the downside to the County changing priorities was the County would have to fund the project being moved forward. He discussed the funding and that the City of Reno would like some changes to interchanges going into the Reno area.

Mr. Van Alyne indicated he was asking for the Board’s endorsement of the plan through passage of the resolution. If the resolution was approved, he would present the resolution to the Statewide Transportation Technical Advisory Committee on Monday, April 2nd, on behalf of the Board.

Commissioner Galloway felt high sound walls were not a good idea because they made it look like people were traveling in a tunnel. He asked if he would be endorsing high sound walls in any location if he approved the guidelines. Mr. Van Alyne replied the Board would be endorsing the aesthetic treatment put on any sound wall that was constructed on an NDOT project, not a specific location.

Commissioner Galloway asked if there was any limitation on the maximum height of sound walls under these guidelines. Mr. Van Alyne replied not to his knowledge. Commissioner Galloway stated he was hesitant to endorse the plan. Mr. Van Alyne said he could understand the Commissioner’s concern, but sound wall design had very specific criteria that were set forth by the Federal Highway Administration. He indicated within the context of each individual project, there would be an opportunity to review those plans and make comments regarding specific heights.

Commissioner Galloway said he would support a motion that indicated the Board wanted all sound walls to be as low as possible with the only exceptions being where it was mandated otherwise by the federal government.

**5:01 p.m.** Chairman Larkin returned to the meeting.

On motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, it was ordered that the following resolution be amended to indicate the County Commission wanted all sound walls to be as low as possible with the only exceptions being where higher sound walls were mandated by the federal government and Chairman Larkin be authorized to execute the same:

### **RESOLUTION**

**WHEREAS,** The State of Nevada Department of Transportation convened a Technical Review Committee, consisting of representatives from numerous entities, governmental agencies, and private organizations, for the US 395, West US 50, SR 28, SR 207, and SR 431 Landscape and Aesthetic Corridor Plan; and

**WHEREAS,** The State of Nevada Department of Transportation is now working to obtain endorsement from the Statewide Transportation Technical Advisory Committee and to adopt the plans as part of their renewed commitment to improving the aesthetic quality of Nevada's highways; and

**WHEREAS,** Washoe County, through its Public Works and Regional Parks and Open Space Departments, participated in the development of the Landscape and Aesthetics Corridor Plan prepared by the Nevada Department of Transportation for the US 395, West US 50, SR 28, SR 207, and SR 431 corridors; and

**WHEREAS,** The Washoe County Board of Commissioners finds that quality of life for the citizens of Washoe County will benefit from preservation and improvement of aesthetic quality along these corridors, including but not limited to the preservation of daylight and motorist views over sound walls; now, therefore, be it

**RESOLVED,** That the Washoe County Board of Commissioners does hereby endorse and recommend adoption of the Corridor Plan by the Nevada Department of Transportation as a policy guide to future highway projects throughout the corridors; agree in principle with the landscape and aesthetic opportunities identified within Washoe County; agree in principle to work in partnership with the Nevada Department of Transportation to develop a highway system that reflects the land and people of Nevada; urge the Nevada Department of Transportation to limit the height of sound walls except where certain heights are required by Federal standards; endorse this plan as a management tool for integrating landscape and aesthetics into all aspects of the planning, design, construction, operations and maintenance of State-managed highways in Nevada;

and, support the vision expressed in the Landscape and Aesthetics Master Plan of creating highways that are aesthetically pleasing, as well as safe and cost effective.

**5:02 p.m.** Chairman Larkin assumed the gavel.

Mr. Van Alyne indicated the resolution had not been approved as written, which meant it would have to be rewritten to include the amendment and brought back. Commissioner Galloway felt it would be acceptable if the maker and the seconder of the motion reviewed it and agreed that was what the Board wanted. Katy Singlaub, County Manager, suggested Commissioner Galloway's content could be included in a cover letter to the resolution. Commissioner Galloway indicated he was worried the resolution would be shown to people without the cover letter.

Melanie Foster, Legal Counsel, said the exact language would be obtained from the motion, the resolution would be comported with the motion, and given to the Board for review before giving it to the Chair for signature.

**5:04 p.m.** The Board recessed as the Board of County Commissioners and convened as the Board of Trustees for the South Truckee Meadows General Improvement District.

**5:09 p.m.** The Board recessed.

**5:55 p.m.** The Board reconvened as the Board of County Commissioners with all members present.

**07-374**      **ORDINANCE NO. 1326 – BILL NO. 1504 – AMENDING WASHOE COUNTY CODE – CHANGING DIVISION OF EMERGENCY MANAGEMENT TO THE DIVISION OF EMERGENCY MANAGEMENT AND HOMELAND SECURITY**

**5:30 p.m.** This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on March 16, 2007 to consider second reading and adoption of Bill No. 1504. Proof was made that due and legal Notice had been given.

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

On motion by Commissioner Sferrazza, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that Ordinance No. 1326, Bill No 1504, entitled, "**AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY CHANGING THE DIVISION OF EMERGENCY MANAGEMENT TO THE DIVISION OF EMERGENCY MANAGEMENT AND HOMELAND SECURITY, AND OTHER MATTERS PROPERLY RELATED THERETO,**" be approved, adopted and published in accordance with NRS 244.100.

**APPEAL CASE NO. AX07-005 – PARCEL MAP REVIEW –**  
**PARCEL MAP CASE NO. PM06-055 – BECKER GENERAL**  
**CONTRACTORS INC. – COMMUNITY DEVELOPMENT**

**5:30 p.m.** This was the time set in a Notice of Public Hearing mailed to affected property owners on March 2, 2007 to affirm the Washoe County Parcel Map Review Committee's condition of approval requiring the appellant, Becker General Contractors Inc., to pave King Lane, or to concur with the appellant that the requirement to pave King Lane is not proportional to the impact of the number of lots created by the parcel map. PM06-055 is the second of two parcel maps that created six lots ranging in size from 0.53 acres to 0.61 acres that are located at the western end of King Lane in the Southeast Truckee Meadows Area Plan (APN: 017-052-01). Condition 5.g of the approval of PM06-055 requires street improvements as a condition of the map, which includes the paving of King Lane as determined by the County Engineer.

Chairman Larkin opened the public hearing.

Angela Fuss, CFA, Inc. Senior Planner, representative for the applicant, said the applicant was requesting a continuance to a time uncertain. She explained the applicant proposed subdividing the 3.7-acre subject parcel into six lots as outlined in red on the map contained in the staff report, and the condition required paving King Lane up to the applicant's site. She stated five homes used King Lane for access along with some of the General Commercial parcels. She stated two fairly new commercial projects were not required to make any changes to King Lane. She said because the applicant did two parcel maps, the applicant was required to pave King Lane as a condition of approval. She said there were a handful of other property owners that used King Lane who would be impacted by this and it was not equal proportionally.

Ms. Fuss said there had been discussions with a few of the other property owners about doing a Special Assessment District (SAD). She stated the challenge with a SAD was 51 percent of the property owners had to vote in favor of it, and there did not appear to be enough votes to enter into a SAD. She explained the parcel was zoned MDS, which allowed 12,000 square foot parcels; but there were some modifiers to the Southeast Area Plan that restricted development. She said the biggest modifier was there could not be more than two units per acre, which would allow a maximum of seven lots. She indicated there were discussions with staff to see if there was any way around the density-modifier requirements.

After discussion about Commissioner Galloway's concerns regarding Ms. Fuss's explanation of why the applicant was asking for a continuance, Chairman Larkin indicated Mike Harper, Planning Manager, should provide the explanation of why staff recommended the continuance.

Mr. Harper explained it would be very expensive for the applicant to fund the amount of development necessary to pave King Lane given the amount of development potential available for the property. He said the County and the applicant

had explored the possibility of a SAD, but realized that would be fairly costly to most of the property owners. He explained staff supported an indefinite continuance because the property directly to the left of the subject property was a subdivision that could provide the subject property with alternate access. Mr. Harper said the applicant would need the opportunity to meet with the developer of that subdivision to see about getting access. He stated staff was initially reluctant to support the continuance, but they now realized that the possible access to the property through an entirely different location seemed to leave an opportunity to take care of the problem without the necessity of this appeal. He said because of approval of the recent master plan update, staff indicated to the applicant that they would prefer looking for alternate access before amending the density modifier.

Mr. Harper agreed there was a major issue with proportionality, but State Law and County Code required subdivision improvements be placed on any second parcel map.

In response to Commissioner Galloway, Mr. Harper replied there was a real possibility a reasonable solution could be found if this appeal was continued.

Commissioner Humke felt any citizens present should be allowed to speak.

In response to Commissioner Humke, Mr. Harper reiterated there would be no requirement for improving King Lane if alternate access were obtained. He said there would still be the ability to create a SAD to improve King Lane, and the appellant could join in on the SAD.

Commissioner Humke asked if King Lane was private and would it be dedicated to the County after it was improved. Mr. Harper replied that assumption was correct. He added it would also be built to County standards. He said the applicant indicated there was a relatively small cost difference between improving King Lane to private versus County standards. He said there would still be the question of who maintained King Lane if it remained a private road. He explained the advantages of it being a County road was improved drainage, a thicker asphalt base, and the County would provide maintenance and snow plowing.

In response to the call for public comment, Bruce Bacon said he did not object to the continuation, but he requested notice by mail if the appeal was rescheduled.

Debbie Larson commented on which properties were used as commercial properties. She indicated she would like to see the road improved. She had no problem with the Board granting a continuance, but she would like notice when it was placed on the agenda so either she or her husband could attend.

Jim Byers stated he used Geiger Grade to access his automotive repair shop. He discussed the other commercial properties access and a similar situation off Toll Road where the developer was required to pave the access road. He questioned the

difference between that situation and this one. He said he was okay with granting the continuance but would like to be notified prior to it coming back so he could be better prepared with his comments. He submitted a clipping from the Northern Nevada Business Weekly about Becker General Contractors Inc., which was placed on file with the Clerk.

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

Mr. Harper committed to provide notice to all property owners by mail should this appeal return to the Board; and, if it did not return, they would be notified of its ultimate resolution.

In response to Commissioner Humke, Mr. Harper said typically property owners within a 500-foot radius were noticed. He indicated he would commit to noticing property owners beyond 500 feet on Kivett Lane and would add 30 property owners, which was their other typical practice.

In response to Commissioner Galloway, Mr. Harper said the original notice for this hearing was the same as that given for a subdivision application. Commissioner Galloway commented anyone who signed in today should also be noticed.

In response to Commissioner Sferrazza, Mr. Harper replied the appeal would not come back to the Board if the appellant dropped it. Commissioner Sferrazza said he did not understand how the applicant could build without paving King Lane because it was a condition of the parcel map. Mr. Harper stated the applicant would ask the Parcel Map Review Committee to remove that condition assuming there was an approved alternate.

Commissioner Weber reiterated the request was for a time uncertain continuance, and she requested updates. Chairman Larkin suggested reviewing the appeal in six months. Mr. Harper agreed.

Commissioner Humke asked for clarification on how often people would be required to come back for this item. Commissioner Galloway explained that once in the next six months would be the most someone would have to attend a meeting.

In response to Chairman Larkin, Mr. Harper replied County Code required that notice be provided for a hearing before the Parcel Map Review Committee.

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that the appeal of the Washoe County Parcel Map Review Committee's condition of approval requiring the appellant, Becker General Contractors Inc., to pave King Lane be continued indefinitely while not exceeding six months and that all proposed noticing conditions be included.

**CONTINUED FROM MARCH 13, 2007 – COMPREHENSIVE  
PLAN AMENDMENT CASE NUMBER CP07-019 – HILLSIDE  
HOLDINGS – COMMUNITY DEVELOPMENT**

**5:30 p.m.** This was the time set for the continuation of the Public Hearing to consider the Washoe County Planning Commission's action of February 6, 2007 to approve a modification of the applicant's request to amend the Southeast Truckee Meadows Area Plan, being a part of the Washoe County Comprehensive Plan. The amendment request would change the land use designation on eight parcels and result in land use designations of approximately 70.86 acres of Medium Density Suburban (MDS), 48.91 acres of Medium Density Rural (MDR), 288.31 acres of Open Space (OS) and 1.32 acres of Public and Semi-Public Facilities. The request would result in the ability to construct up to 151 dwellings, the current land use designation allows 9. The County Commissioners may consider other appropriate land use designations such as Low Density Suburban (LDS), and may reduce the acreage of certain land use designations to reduce the amount of dwellings approved, if appropriate. All eight of the subject parcels are currently designated General Rural (GR). The properties are located approximately 2 miles east of the intersection of McCarran Boulevard and Pembroke Drive and approximately 1/4 mile north of the intersection of Pembroke Drive and Man Of War Drive. Clean Water Way borders the northwestern corner of the project. Portions of the parcels are within the Truckee Meadows Service Area, and within the area of interest of the City of Sparks, as identified by the 2002 Truckee Meadows Regional Plan. The parcels are located within Sections 23 and 14, T19N, R20E, MDM, Washoe County, Nevada. The property is within Washoe County Commission District No. 2 and within the Southeast Truckee Meadows Citizen Advisory Board boundary. (APN's: 021-030-07 and 051-010-04, 05, 06, 07, 09, 10, and 11).

Roger Pelham, Planner, located the subject parcels and identified the current land use designations as General Rural, which allowed one dwelling per 40 acres. He discussed the proposed densities and open space as shown on Proposed Land Use Map contained in the staff report dated February 21, 2007. He said the proposed land use designations were based upon a slope analysis. He noted the Citizen Advisory Board (CAB) had recommended approval subject to a cap of 165 dwelling units, which was based on the number of units in the traffic study. He recommended approval of the Comprehensive Plan Amendment request as approved by the Planning Commission that would allow a total of 151 dwellings on the subject parcels. He conducted a virtual tour that highlighted the proposed land use designations in relation to the surrounding area.

In response to Commissioner Galloway, Mr. Pelham said the land use designation being placed on the open space would allow no density. He stated a condition of approval would be placed on all common open space that would require it to be dedicated in perpetuity for the purpose of open space only during the tentative map step of the process. He confirmed the open space would be deed restricted and the beneficiary would be Washoe County.

Commissioner Galloway commented that during the subdivision application process, everything that was open space within the application would be deed restricted. Mr. Pelham stated if some of the open space was not within the application, the County would rely on the zoning as it existed and whatever development came in would have the same condition applied. Commissioner Galloway was concerned about a subsequent application to change the designation from open space. Mr. Pelham replied the open space areas had slopes above 30 percent and under the Regional Plan those areas had no density. Commissioner Galloway felt there was too much open space for it all to be over 30 percent. Mr. Pelham pointed out virtually all of the open space designations were 30 percent and above based on the topographic map.

In response to Chairman Larkin, Mr. Pelham said the two long fingers in Truckee Meadows Service Area (TMSA) projects covered only the flat areas and did not cover the whole area. Chairman Larkin commented only areas included in the TMSA could be intensified. He stated any changes to the TMSA lines would have to come before this body and the Regional Planning Governing Board.

Chairman Larkin asked if he could get an explanation on how this fit into the annexation settlement agreement in terms of intensification. Adrian Freund, Community Development Director, said there was no direct relationship except this area was placed into the County's TMSA as part of the Regional Planning Governing Board's action last July to amend the Regional Plan. Chairman Larkin asked if this complied with the settlement agreement. Mr. Freund replied it complied in every respect.

Chairman Larkin asked if any thought had been given to the facilities plan. Mr. Freund said the plan had not been done because the concurrency rules had not yet been created under the upcoming concurrency requirements. He understood the project was now concurring with requirements that would be placed in the future. He stated the tentative map for the project would probably come in post-concurrency requirements and would be required to comply. He indicated the applicant was aware of that compliance requirement.

In response to Chairman Larkin, Mr. Pelham replied he had not discussed the impact of this project on flood control with the Truckee River Flood Management Project Director. He said the portion of the area adjacent to Steamboat Creek was open space.

The Chairman opened the public hearing by calling on anyone wishing to speak for or against Comprehensive Plan Amendment Case No. CP07-019.

Ken Krater, applicant, indicated he was present to answer any questions.

Melissa Lindell, Wood Rogers, Inc., applicant representative, said over 70 percent of the 400 acres making up the project would remain open space. She explained there was a County water tank that would serve the project and sewer was available off of Man Of War Drive. She explained the applicant had worked with the residents to reduce

the density and the impacts to the ridge. She stated the applicant would be coming back with a tentative map and was fully committed to leaving the open space as open space.

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

Commissioner Galloway asked if the blue oval depicted on the Hidden Hills Staff Proposal Alternative Two map was deleted because it would have exceeded the cap. Ms. Lindell replied that area did not exceed the cap, but it was on the ridgeline. She said the Planning Commission asked it be dropped, and the applicant agreed for visual reasons. Commissioner Galloway stated the entire area would be included in the subdivision map and the ridgeline would have to be dedicated as open space. Ms. Lindell agreed that was correct and the subdivision map would be coming back in the next two to three months.

In response to Chairman Larkin, Ms. Lindell said primary access would be Pembroke Drive to Man Of War Drive. She stated Clean Water Way would add the secondary access, which would hopefully be connected to the Southeast Connector. She stated future residents would be informed about the road running through the area. She said the applicant was fully aware of the flood control project and the proposed project had no impact on it. Chairman Larkin clarified any structure that contributed to loss of infiltration would impact the flood project. Ms. Lindell replied the applicant was fully aware of that impact, and she reiterated 70 percent of the 400 acres would remain open space.

Commissioner Humke said he had seen a thorough account of this project at the Southeast Truckee Meadows CAB where questions were thoroughly answered. He said the appropriate persons from the public who had great knowledge of planning and development were present and appeared to be satisfied, which he felt was borne out by their lack of attendance tonight.

Based on the following findings made in accordance with Washoe County Development Code Section 110.810.30, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that Comprehensive Plan Amendment Case No. CP06-019 for Hillside Holdings, LLC, APN's 021-030-07 and 051-010-04, 05, 06, 07, 09, 10, and 11, be approved:

**FINDINGS:**

1. The proposed amendments to the Southeast Truckee Meadows Area Plan are in substantial compliance with the policies and action programs of the Washoe County Comprehensive Plan.
2. The proposed amendments to the Southeast Truckee Meadows Area Plan will provide for land uses compatible with existing and planned adjacent land uses and will not adversely impact the public health, safety or welfare.

3. The proposed amendments to the Southeast Truckee Meadows Area Plan will not adversely affect the implementation of the policies and action programs of the Conservation Element, the Population Element and/or Housing Element of the Washoe County Comprehensive Plan.
4. The proposed amendments to the Southeast Truckee Meadows Area Plan will promote the desired pattern for the physical growth of the County and guides development of the County based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services.
5. The proposed amendment to the Southeast Truckee Meadows Area Plan is the second amendment to the Southeast Truckee Meadows Area Plan in 2007, and therefore does not exceed the four permitted amendments as specified in Section 110.820.05 of the Washoe County Development Code.
6. The Washoe County Planning Commission gave reasoned consideration to information contained within the staff report and information received during the public hearing.
7. The Washoe County Commission gave reasoned consideration to information contained within the reports transmitted to the County Commission from the Washoe County Planning Commission, and the information received during the Washoe County Commission public hearing.

It was further ordered that Chairman Larkin be authorized to sign the resolution for the updated area plan after a determination of conformance with the Regional Plan by the Truckee Meadows Regional Planning Commission.

**07-377                    SUSPENSION/REVOCAION/CONDITIONING OF BUSINESS  
LICENSE – PATRICK T. MYLAN, DBA SAGE TRAILER PARK –  
COMMUNITY DEVELOPMENT**

**5:30 p.m.**        This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on March 16, 2007 to discuss and consider action to suspend, revoke, or condition the business license issued to Patrick T. Mylan, dba Sage Trailer Park, located at 11950 Interstate 80 East Route 1 (Mustang Exit), Sparks, Nevada. If the Commission decides to revoke the business license, then there should be further consideration and direction to partially refund the 2007 Annual Business License Renewal Fee for Patrick T. Mylan.

Chairman Larkin opened the public hearing.

Bob Webb, Planning Manager, stated this action concerning the business license of Mr. Mylan, dba Sage Trailer Park, was requested by the District Health

Department (DHD) based on concerns about the trailer park's quality of water from its public water system. He discussed the issues and sequence of events as outlined in the staff report dated March 6, 2007. He said Washoe County Code, Chapter 25, provided the Board with three options: The Board could suspend the license, which meant the park could not operate during the suspension period; it could revoke the license, which would give the tenants of the trailer park 180 days after the revocation date to move their manufactured homes from the park; and it could condition the license. A failure to meet the conditions would mean an immediate suspension of the license and a subsequent public hearing before this Commission to consider further action against Mr. Mylan.

Mr. Webb said staff preferred giving Mr. Mylan the opportunity to bring the trailer park's public water system into full compliance with all standards and regulations; therefore, staff recommended the Commission condition Mr. Mylan's license as an interim step before considering any suspension or revocation actions. He stated conditions should satisfy the DHD and should allow Mr. Mylan time to complete them.

Bob Sack, Environmental Health Services (EHS) Division Director, discussed the history of compliance issues with the Sage Trailer Park public water system as detailed in the handout placed on file with the Clerk. Mr. Sack said staff understood the ramifications of closing the trailer park, but felt they had run out of options that could be taken to get Mr. Mylan to bring the water system up to code. He said staff would support any action taken by the Board that would achieve that end.

In response to Commissioner Humke, Mr. Sack stated the trailer park currently had a certified operator that was serving free of charge. Commissioner Humke asked if anyone had an idea how much it would cost to bring the water system into compliance. Rick Reighley, Licensed Engineer with the DHS's Safe Drinking Water Program, said it would cost roughly \$140,000 to provide a point-of-entry system.

Commissioner Humke asked if there was a nearby municipal water source. Mr. Reighley said the nearby Truckee Canyon Public Water System owned by the Washoe County Department of Water Resources did not have the required pressure to provide the trailer park with fire flows. He said the trailer park would have to put in a storage tank, which would be pretty expensive because the water availability was located on the other side of the freeway. He said there would be a number of upgrades required for the County to provide water to the trailer park because the system was not designed to handle flow on that side of the freeway. Mr. Reighley indicated those costs would be over \$300,000 with the addition of the storage tank and the installation of a water main. He explained there were no other similarly situated water customers that could avail themselves of this source if the system were put in.

Commissioner Galloway commented there was no current system in place that provided firefighting flows for the trailer park. Mr. Reighley confirmed the trailer park had two wells and a treatment facility that only supplied drinking water. Commissioner Galloway felt if the park put in a tank that was insufficient to aid fire flows, the park would be no worse off. Mr. Reighley agreed. Mr. Sack said Department

of Water Resources staff indicated the tank would have to meet fire flow requirements for the water system. Commissioner Galloway asked if that could be changed, because it would not worsen the situation even though it would not improve it as much as the County would like.

David Childs, Assistant County Manager, said he did not have the exact cost of punching under the freeway, bringing water over, and providing additional pressure; but he felt it would be more than the \$140,000 it would take to put in a treatment system to bring the trailer park's water system into compliance. He said an at-the-tap system, which would cost \$38,000, was being looked at.

Commissioner Galloway asked if Mr. Childs felt the best deal was the at-the-tap system, which could be financed by a zero percent interest loan. Mr. Child agreed the dollars were much more reasonable, but indicated there was a downside because each of the at-the-tap systems would have to be monitored.

In response to Commissioner Humke, Mr. Sack said staff had no idea when the Environmental Protection Agency (EPA) might change the standards again. He expected when they did the standards would be tightened.

Mr. Mylan stated he had owned the Sage Trailer Park property since 1955, and he put in the mobile home spaces in 1963. He said he had been in compliance with water regulations until 2006 when the EPA changed the arsenic contaminant level standard. He was told by the State he could purchase in-unit reverse osmosis purification units to put in each one of the mobile homes. He stated he was trying to get the money together to get the systems installed. He asked the Board to continue the possible revocation of his license so he could get the units installed.

Commissioner Galloway asked if reverse osmosis was the same as the at-the-tap system that would cost approximately \$38,000. Mr. Mylan replied the system Mr. Childs mentioned was placed at the delivery point, and the system where units would be placed in each mobile home would be less costly. Commissioner Galloway asked if they would have to be monitored. Mr. Mylan explained the units came with lights that indicated when the filters were not performing correctly so they could be changed.

Commissioner Humke asked if there was enough water volume and pressure to adequately fight a fire until the fire department could arrive at the scene. Mr. Mylan replied there was not enough pressure to fight a fire, but Reno Drain Oil Service next door had four big tanks up on the hill and there was a fire hydrant within 400 feet of his property. Commissioner Humke asked if Mr. Mylan had permission to use their hydrants. Mr. Mylan replied he did. Chairman Larkin asked if Mr. Mylan could provide written permission to Water Resources. Mr. Mylan felt the owner of Reno Drain Oil Service would give him a letter for that.

In response to the call for public comment, Harold Cummings stated how much he and his family loved living in the park. He said he would be happy to help Mr. Mylan in any way he could to get the purification system in place.

Josh Franklin stated he would hate to see his grandfather lose the only home he had.

Tami Fengel stated she did not want her home taken away because of something so inane. She said the tenants did not have an issue with the water because they used bottled water for cooking and drinking. She stated she would like to see the Commission work with Mr. Mylan.

Marlene Duff stated the park's tenants supplied their own drinking water. She said if anyone would have an issue with the water, she would because of her health issues. She felt the tenants would help Mr. Mylan if they could so they could keep their homes.

Amy Harvey, County Clerk, said seven people signed up who did not wish to speak that were against the action to revoke.

Mary Thomason said she had been a resident of the Sage Trailer Park for over 15 years and the water was not an issue because the tenants all drank bottled water. She said they did not want to lose their homes over this. She stated they would be willing to sign a waiver or help Mr. Mylan in any way they could.

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

In response to Commissioner Humke, Mr. Mylan said he wanted to operate the facility as a mobile home park, and the tenants owned their coaches. Mr. Mylan explained he also had 14 recreational vehicle (RV) spaces, which did not need to have units installed to filter the water. He stated he could not operate the park to rent the RV spaces if the Board took away his business license. He had given the tenants written notice regarding the water quality several times when required to do so by the DHD.

In response to Commissioner Galloway, Mr. Mylan said he would need a maximum of 30 days to borrow the money and install the units.

In response to Commissioner Galloway, Mr. Sack said the proposed units were acceptable to the Health Department. Mr. Sack stated the arsenic standard only applied to a residential setting, and the units were not required if no one lived in the RV spaces.

In response to Commissioner Galloway, Mr. Sack said having coliform in a sample was a violation. He indicated none of the coliform violations were recent. He felt the Board did not need to condition monitoring of the at-tap system as long as the

park had a certified water operator. He said the operator was responsible for ensuring compliance of the system, and the EHS would also perform periodic compliance checks.

In response to Chairman Larkin, Mr. Reighley replied the State's revolving loan fund was set up to bring systems into compliance with the Safe Drinking Water Act and most filtration units were acceptable. Mr. Sack advised accessing the funds would take longer than 30 days.

Chairman Larkin emphasized he hoped any motion would be predicated on conditioning rather than revocation or suspension, and the Board would expect Mr. Mylan to pursue all avenues to secure funding if the Board granted the continuance.

In response to Commissioner Galloway, Mr. Sack replied Mr. Mylan's health permit would be reinstated if he complied with the conditions that would bring the water system into compliance.

Commissioner Humke requested any motion include written reports be provided to the Commission.

Commissioner Galloway said he was not sure the loan fund could be relied upon. Chairman Larkin said he just wanted Mr. Mylan to be aware that resource was available. Commissioner Galloway suggested giving Mr. Mylan no more than 60 days.

In response to Commissioner Humke, Mr. Sack replied he was satisfied with the notice Mr. Mylan had provided to the tenants of the Sage Trailer Park.

In response to Commissioner Humke, Mr. Reighley said Nevada Administrative Code (NAC) required Mr. Mylan to provide a CCR every year, which was enforced by the Nevada State Bureau of Safe Drinking Water. He explained the CCR was a document that notified people using the water what was in it. Commissioner Galloway suggested Mr. Mylan do another CCR once the filters were installed.

Commissioner Humke felt the firefighting issue had been disposed of satisfactorily because of Mr. Mylan's response. He said the main issue was a change by the EPA, and he believed this condition offered a good solution.

In response to Chairman Larkin, Mr. Mylan said he understood what was being required.

On motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Larkin ordered that the business license issued to Patrick T. Mylan, dba Sage Trailer Park, be conditioned such that acceptable filtration devices must be installed within 60 days from today, March 27, 2007. It was further ordered that the Health Department conduct an inspection when called for by Mr. Mylan or no later than 60 days from today; and, after the inspection, would report back to the Board at the next available County Commission meeting after that date whether or not

Mr. Mylan had complied with the condition. It was also ordered the County Commission would resume consideration of suspension of Mr. Mylan's business license if he failed to comply with the condition.

**07-378            AGREEMENTS – CITY OF SPARKS – USE OF WC-1 BOND FUNDS – GOLDEN EAGLE REGIONAL PARK – MACTEC ENGINEERING AND CONSULTING, INC. PAH PAH TRAILHEAD AND INTERPRETIVE FACILITY – PARKS**

In response to Commissioner Galloway, Carolyn Poissant, Park Planner, explained staff waited to put this item together because it involved a cooperative agreement with the City of Sparks that laid out the responsibilities of both parties and how the bond funding would be shared that had been allocated for the Pah Rah Trailhead and Interpretive Facility in Golden Eagle Regional Park. She said there was also a process where there were negotiations with MAGTEC Engineering and Consulting, Inc. to define their scope of services for the design of the project. She said the Land and Water Conservation Grant Funds were previously awarded, but the agreement had not been brought to the Board because of a needed adjustment to the scope of work, which had to go back to the State Question 1 folks and the National Park Service. She said the project was originally identified as a 2,400 square foot interpretive center building, which was changed to be an outdoor classroom with a restroom, trailhead, and parking. She said it would tie into and coordinate with the utilities and the road construction the City of Sparks was undertaking as part of their development of the sports complex.

Commissioner Galloway asked if it took State Question 1 Funds in addition to Washoe County Question 1 Funds (WC-1) to do this. Ms. Poissant replied it took two different grants. Commissioner Galloway noted the County provided \$500,000, and he asked for clarification on where the remaining money came from. Ms. Poissant said the total project budget was \$810,000 with \$500,000 coming from WC-1 Funds, \$150,000 from Land and Water Conservation Grant Funds, and \$160,000 from State Question 1 Funds for the trail grant construction. Commissioner Galloway commented the \$1.3 million was much more than that. Ms. Poissant explained the \$1.3 million was going to the City of Sparks for construction of the sports complex.

Chairman Larkin stated it had taken the City of Sparks awhile to figure out exactly what they wanted to do out there, which had evolved into this project. Ms. Poissant said another step was the Bureau of Land Management lease also had to be amended to comply with National Park Service requirements for a lease for the trailhead, which was completed last year.

There was no response to the call for public comment.

Upon recommendation of Carolyn Poissant, Park Planner, on motion by Commissioner Sferrazza, seconded by Chairman Larkin, which motion duly carried, it was ordered that the agreement between Washoe County and the City of Sparks, concerning use of \$1,330,850 WC-1 Bond Funds for Golden Eagle Regional Park, be

approved and the Professional Services Contract in the amount of \$97,120 between Washoe County and MACTEC Engineering and Consulting, Inc., concerning design and engineering of the Pah Rah Trailhead and Interpretive Facility in Golden Eagle Regional Park, be approved and the Chairman be authorized to execute the aforementioned Agreement with the City of Sparks upon presentation and the Professional Services Contract with MACTEC Engineering and Consulting, Inc. It was further ordered that the grant in the amount of \$150,000 from the Land and Water Conservation Fund program, administered by the Nevada Division of State Parks, for the Pah Rah Trailhead and Interpretive Facility be accepted. It was noted there was a required match of \$405,000 derived from construction costs funded through the WC-1 bond. It was also ordered that the Regional Parks and Open Space Director be authorized to execute all necessary documents associated with the Land and Water Conservation grant and the Finance Department be authorized to make the appropriate budget adjustments.

### **07-379            LEGISLATIVE ISSUES**

John Slaughter, Management Services Director, distributed a packet on the bills of interest dated March 27, 2007, which was placed on file with the Clerk. He said the County was tracking 500 of 1,240 legislative measures being considered.

Mr. Slaughter discussed SCR 10, which was a resolution that would direct an interim study that would look at the duties of local governments. He felt the Board might want to consider taking a position on the resolution. Commissioner Galloway asked if Mr. Slaughter saw that resolution resulting in a bill draft for the following legislative session. Mr. Slaughter replied typically an interim study committee was provided with a number of recommendations for bill drafts so there might be legislation that followed. Commissioner Galloway asked if anything might emerge that would be unfavorable to Washoe County. Mr. Slaughter replied this was what counties in Nevada had been asking for. Commissioner Weber said NACO had discussed SCR 10, and she thought it was a positive step.

Mr. Slaughter stated SB 405 was not the water bill discussed by the Board over the last several months. He said staff was waiting to see what tomorrow's extensive amendments were. He indicated staff was concerned with the way the bill was currently written because it would prohibit local governments from making land use decisions based upon resource limitations if those decisions were not consistent with the State Engineer. He stated it would also prohibit all agencies, except the State Engineer, from analyzing and managing water resources on a basin-wide basis. Additionally, he said it would prohibit agencies and political subdivisions of the State from making any diminishment of a water right granted to a utility by the State Engineer and would prohibit local governments from participating in a protest appearing before the State Engineer unless they owned a water right that might be impaired. He stated staff would attend the hearings and express their concerns, but some of the amendments to the bill might eliminate some of staff's issues.

Commissioner Galloway felt it might be important to say something tomorrow and suggested staff be given guidance that the Board opposed the bill as written as of March 27, 2007. As written, he indicated it would prohibit even the regional water study that was done a couple of years ago. Mr. Slaughter felt it was a very troubling bill as written. Chairman Larkin commented the bill was being amended tomorrow. Commissioner Galloway explained if the amendments did not substantially change the bill, he would rather give direction to oppose it as written as of this date so Mr. Slaughter could use that information.

Commissioner Galloway said the whole bill was troubling, because it would even prohibit Regional Planning from implementing resource constraints that were part of concurrency. Secondly, he was concerned resource constraints could not even be studied for a development's effect on them. He said the water plan showed how much water could be obtained and how much development it could support, and what Mr. Slaughter just described would not allow the County to do that.

Commissioner Humke commented on the possibility of an amendment to the bill that would serve to repeal Regional Planning for Washoe County and maybe that would be a good use for the bill. Commissioner Galloway felt Regional Planning could not be repealed without putting something in its place without creating a problem.

Commissioner Galloway reiterated SB 405 was troubling and two specific items were named. He asked if the Commissioners had any objection to going on record regarding the concerns with those items. No objections were stated.

Mr. Slaughter said the bill resulting from the SCR 26 Committee was SB 487, which was posted on the County's web site. He stated Water Resource staff was reviewing the bill in light of the letter provided to Senator Mark Amodei based on the Board's most recent discussions. He did not believe the bill would have a hearing next week, which would give staff the time to analyze it. He said he did not find items that the County had asked for after doing a quick review. Chairman Larkin and Commissioner Galloway asked for a point-by-point bullet summary on what the Board asked for versus what was in the bill. Mr. Slaughter replied staff would provide a side-by-side comparison, but it would take some time to do it. He said the process changed now that the bill had a number. He explained it was now a fully public process with any number of people, boards, and commissions commenting on the bill.

**07-380            NUISANCE ORDINANCE COMMITTEE**

Bob Webb, Planning Manager, placed a Nuisance Ordinance Committee meetings attendance chart and a printout of the Committee's web site on file with the Clerk.

Mr. Webb said the committee would meet during April and May in a larger room at the Western Heritage Interpretive Center at Bartley Ranch Regional Park. After May, he stated the committee would meet at the Regional Animal Control Facility.

He said the role of alternates was explained at the Town Hall meeting and at the first two meetings. He said an alternate was appointed for any member who was not present at a meeting. He stated alternates were encouraged to participate in discussions or group work but could not vote, and the facilitator anticipated any formal votes would be infrequent. He indicated arrangements would be made to seat the alternates at the table with the committee members once at the larger meeting facility. He explained committee members who were not appointed would be asked to push themselves back from the table during a formal vote so everyone would be clear who was voting.

Commissioner Weber appreciated that staff found larger locations, but expressed concern that they were further away from District 5 residents. She stated alternates she talked to indicated they were never encouraged to participate and were told they could not speak out nor be recognized at the last meeting. She appreciated that the role of the alternates had been cleared up. She indicated comments from some appointees indicated the meetings were very structured and some of them did not feel their recommendations were being considered. Mr. Webb clarified the only thing he did was call roll, certify the agenda was posted, and make sure the agenda and minutes were approved. After that, he turned the meeting over to the facilitator who conducted the majority of the meeting including any discussions and breaking into small groups. He said he only stepped back in when it was time to adjourn. He said staff was there to provide immediate answers to questions so the committee members could continue with their work.

Commissioner Weber asked if Mr. Webb felt the facilitator was squelching the member's ideas, suggestions, and concerns or was just keeping the meetings on track. Mr. Webb replied his personal perception was the facilitator had a tough challenge with 36 different agendas in the room. He felt the facilitator was doing her best to balance keeping everyone on track with everyone getting to speak.

Commissioner Weber asked how the other Commissioners felt about videotaping the meeting and putting at least portions of it on the web site. Commissioner Galloway said he favored videotaping one meeting now and putting excerpts on the web site. He stated some of the discussion on the actual nuisance ordinance could be videotaped after those discussions had jelled a little. He would appreciate the rules regarding alternates be reviewed prior to the start of the next meeting.

Commissioner Galloway felt the larger locations were as good as any, because he had people coming down from Lake Tahoe. Chairman Larkin said he had not received any complaints and the committee members were being good sports about the locations.

In response to Commissioner Humke, Mr. Webb replied 10 to 15 members of the public had attended the meetings and they had been mostly the same people at each meeting.

Mr. Webb indicated he was not sure how much of the meeting could be put on the web site if it were videotaped. He requested the latitude to work with Community Relations to make that information available to the public. Commissioner Weber commented it did not have to be available on the web site but could be shown sporadically on Sierra Nevada Community Access Television (SNCAT).

In response to Commissioner Weber, Mr. Webb said he anticipated the meetings would last into early or middle summer.

Commissioner Sferrazza noted one of his appointees had resigned. Mr. Webb replied that committee member had resigned because of the meeting space and that member was e-mailed that a larger meeting space had been located. Commissioner Sferrazza said he had no problem if that member asked to be reappointed, but he had someone else available to serve if he did not.

### **REPORTS/UPDATES COUNTY COMMISSION MEMBERS**

Commissioner Humke said the Reno-Sparks Convention and Visitors Authority (RSCVA) was trying to improve their approach to Capital Improvement Projects pursuant to their strategic planning effort. He said the RSCVA Board was trying to manage its golf courses, which were the most problematic element of the RSCVA's Capital Assets. He said one of the ideas going back and forth was to let one entity operate all of the golf courses. He guessed there was a vote taken by RSCVA, on a long-term basis, to dispose of the two courses it owned or at least the Northgate course.

Commissioner Weber thanked the Commissioners for voting to approve additional funds for the Keep Truckee Meadows Beautiful and the Great Truckee Meadows Community Cleanup scheduled for May 12th. She said people should go to the County website or to KTMB.org for more information. She indicated she had a V & T Railway reconstruction meeting on Monday and had asked them to make a brief presentation to the Board at the April 17, 2007 meeting.

Commissioner Galloway said the Regional Planning Agency was meeting tomorrow for reconsideration of the Heavenly Valley vote. He stated the key new issue was the Villas at Harborside, which was a development near the Homewood Ski area. He said the Regional Planning Governing Board would be reviewing the proposed concurrency requirement in the new regional plan on Thursday. He stated he was concerned about that issue, and he suggested anyone interested in meaningful concurrency might want to show up for the meeting.

Commissioner Sferrazza explained the disposal rights of the RSCVA was limited to non-golf course assets, but through an affirmative vote that he and Commissioner Humke voted against, the majority of the RSCVA voted to instruct their lobbyist to amend the law so the RSCVA could dispose of all their property without the necessity of going through the County Commission. He felt the Commission needed to

take a position to oppose that happening at the next meeting. Katy Singlaub, County Manager, reminded the Commissioners the next meeting was April 10th.

On motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, it was ordered that Legislative Issues, Item 18, be reopened.

Commissioner Humke felt there should be an agenda item to deal with extracting the County from any agreements with the RSCVA as to the County's credit in certain bonding agreements affecting the RSCVA's real estate. He said he was not calling on the Board to do that at this point, but he wanted to see the legal path for the Board to extricate itself from those agreements. He also wanted to know how the Board could give notice to the RSCVA to go get some new agreements for bonding.

Commissioner Galloway felt if the Commission had no control over what the RSCVA did, what was the County doing backing bonds that were used to buy facilities that the County no longer had any say over. He stated that was not right and options should be explored.

Commissioner Sferrazza made a motion that the Board oppose any legislation by the RSCVA to take away Washoe County's approval of the RSCVA's disposal of the golf course properties. He said he would go that far because that was the Board's previous position. Commissioner Galloway seconded the motion.

Commissioner Humke said each of the golf courses owned by the RSCVA had a constituency of citizens who came to urge the RSCVA not to dispose of the courses or at least to not change the land use from that of a golf course. He said most people envisioned that eventually the change would be to residential housing, which was what most people were concerned about as were many of the Commissioners. He said that concern was especially true with the Northgate course because of the deed's reversionary clause.

If the Board retained its authority, Commissioner Galloway felt it might be able to ensure that the RSCVA would work to come up with an agreement prior to disposing of the golf course so that some level of open space might be retained. He said doing that prior to disposal of the land would be the only leverage available because once it was disposed of there would be no leverage. He said he heard citizens' concerns that once housing was allowed, even if some reasonable amount of open space was assured, they would feel they had gone from night to day.

Chairman Larkin asked Commissioner Sferrazza if his motion dealt only with the golf courses and no other RSCVA property. He said last time all of the RSCVA's properties were included and this time Commissioner Sferrazza restricted it to golf courses. Commissioner Sferrazza replied the last time it was amended to take the golf courses out, which the Board did not oppose. He stated he did not have a problem if

the Board wanted to go beyond only the golf courses. Chairman Larkin indicated he just wanted to clarify the motion.

Commissioner Weber said she supported the motion, but felt it might need to be brought back as an agenda item so the public could participate in the discussion.

Chairman Larkin felt this motion was consistent with the Board's previous action and was confined strictly to the golf courses. He supported the motion because commitments were made long ago to people surrounding the golf courses.

Ms. Singlaub said a review of the entire golf course issue was scheduled for April 24th. She stated that when this issue came up at the Legislature the last time, members of the County's Assembly delegation included a provision on behalf of Washoe County enabling the County to retain some direction over the golf courses. She said that legislation ultimately was not passed.

Commissioner Galloway said the Northgate situation was rather unique. He stated it was not an outright sale that would dispose of the golf course but simply ceasing its operation would throw it temporarily to the County. He stated the course would revert unless the County took over its operation and that was something the County could not afford to do. He felt there should be assurances from the Legislature that there would be no disposition or actions that were equivalent to disposing of the property without Commission involvement

Commissioner Galloway asked the motion be broadened to say that the Board's approval to dispose meant the Board's approval to do anything that was equivalent to disposing.

Chairman Larkin said he was not prepared to support a disposition motion. He said the discussion was about the Board not getting left out of the loop if the RSCVA decided to go forward with legislation, which he fully supported.

Ms. Singlaub clarified the agreement with regard to the dedication to Northgate specifically required Washoe County involvement in that decision. If RSCVA chose to get out of the business, it would revert to Washoe County to decide what the County wanted to do with the course. She said the RSCVA planned to take six months to review how they could make the courses profitable.

Commissioner Galloway said he would not press for any change in the motion based on that clarification and on Chairman Larkin's concerns.

Commissioner Sferrazza felt he and Commissioner Humke would fight to keep the golf courses in operation to the extent they could.

On a call for the vote, the motion passed unanimously.

Chairman Larkin asked this information be conveyed to John Slaughter.

Commissioner Galloway asked if there was any objection to direction for properties over which the Board had no say that the Board wanted to be extricated from any financial responsibility. Chairman Larkin said if it could be legislated away, sure.

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**8:18 p.m.** There being no further business to come before the Board, the meeting adjourned.

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**ROBERT M. LARKIN**, 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 Jan Frazzetta, Deputy County Clerks*