

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY 9:00 A.M. DECEMBER 23, 1997

PRESENT:

Joanne Bond, Chairman
Mike Mouliot, Vice Chairman
Sue Camp, Commissioner
Jim Galloway, Commissioner
Jim Shaw, Commissioner

Judi Bailey, County Clerk
John MacIntyre, County Manager
Madelyn Shipman, Legal Counsel

The Board met in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 E. 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:

97-1265A GAMING WORK CARD PERMIT APPEAL - JASON W. TRONCALE

This appeal was considered on Monday, December 22, 1997, prior to the caucus meeting, the Board having convened with Chairman Bond presiding, to consider the appeal of JASON W. TRONCALE, of the Sheriff's denial of his work permit as a gaming employee.

On motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, the Board convened in closed personnel session to hear testimony as to why the work card should or should not be granted. The appellant was present to offer testimony during the closed personnel session as was Lurena Horning, Records Section of the Sheriff's office. The appellant's stepfather was also present to offer testimony.

On motion by Commissioner Camp, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bond ordered that the Sheriff's denial be overturned and the appeal of JASON W. TRONCALE be upheld, and the work card for his employment as a gaming employee with the Hyatt Regency Lake Tahoe be granted subject to the following: (1) receipt of a new hire slip from the prospective employer, and (2) receipt of a letter from the prospective employer acknowledging matters concerning Mr. Troncale's background. It was further ordered that this issue be presented to the Board within six months for review.

97-1265B AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Shaw, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that the agenda for the December 23, 1997 meeting be approved.

PUBLIC COMMENTS

There was no response to the call for public comments.

97-1266 ACCEPTANCE OF LOCAL LAW ENFORCEMENT BLOCK GRANT - U.S. BUREAU OF JUSTICE ASSISTANCE - SHERIFF

9:30 a.m. This was the time set in a Notice of Public Hearing, published in the Reno Gazette-Journal on December 12, 1997 regarding the proposed use(s) of the Local Law Enforcement Block Grants awarded to Washoe County Sheriff's Office by the Bureau of Justice Assistance in the amount of \$63,879 to be used for the purchase of equipment and for technology. Proof was made that due and legal notice had been given.

Captain Franklin Barnes, Sheriff's Office, reviewed background information regarding this item.

Chairman Bond opened the public hearing and called on those wishing to speak. There being no response the public hearing was closed.

Upon recommendation of Richard Kirkland, Sheriff, on motion by Commissioner Mouliot, seconded by Commissioner Camp, which motion duly carried, it was ordered that the Bureau of Justice Assistance, Local Law Enforcement Block Grant in the amount of \$63,879 be accepted and Chairman Bond, the County Manager, and the Sheriff be authorized to execute all grant agreements and documents relating to the grant; and that the following increases and transfer of funds be authorized:

Increase revenue in account 15240G - Federal Contributions \$63,879

Transfer funds from 15141D Federal Forfeiture to 15240G as the County's cash match for this grant \$ 7,098

Increase expenditures in account 15240G-7849 \$70,977

It was further ordered that the Sheriff's Office be authorized to purchase the following capital outlay items: (1) seventeen computers to be used by deputy sheriffs and detectives to prepare reports, run a problem oriented policing computer software program, and run a gang database software program; (2) four mobile RF modems to install four more mobile computer terminals (MCT) into the patrol cars; (3) POP Track software; (4) two in car video camera systems; and (5) one or two voluntary speed compliance systems.

97-1267 PRESENTATION - FISCAL YEAR 1996/97 ANNUAL AUDIT REPORT - KAFOURY, ARMSTRONG & CO.

Dave Ebner, Kafoury, Armstrong & Co., introduced Todd Ferguson, Colleen Schar, and Felicia O'Carroll. He then conducted a viewfoil presentation, assisted by Ms. Schar, of the Fiscal Year 1996/97 Annual Audit Report, and responded to questions of the Board. Kathy Garcia, Washoe County Comptroller, also responded to questions of the Board.

Ms. O'Carroll referred to the Compliance Section of the audit report and discussed issues relative to the Single Audit Act passed by Congress in 1984 advising that the first major revision to that Act was in June, 1997 which was made retroactive to July 1, 1996; and that the amendment tremendously increased the responsibility of the auditor which will result in audit fees most likely being increased.

On motion by Commissioner Shaw, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that the Fiscal Year 1996/97 Annual Audit Report and Management Letter ending June 30, 1997 be accepted. It was further ordered that staff be directed to move forward with the implementation of the recommendations presented in the Management Letter.

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Commissioner Shaw left the meeting.

97-1268 ACCEPTANCE OF DONATIONS - KIDS Kottage's

Upon recommendation of May Shelton, Director, Department of Social Services, on motion by Commissioner Camp, seconded by Commissioner Galloway, which motion duly carried, Chairman Bond ordered that acceptance of the following cash donations in the amount of \$5,862.50 for children in emergency shelter care, be accepted with gratitude:

- \$ 40.00 from Larry "Chico" Dreff
- \$ 100.00 donated anonymously
- \$ 100.00 from Social Services' staff in memory of Vernon C. Meyer
- \$ 300.00 from St. Paul's United Methodist Church

\$ 350.00 from Classic Chevys of Reno
\$ 472.50 from A & H Insurance, Inc.
\$ 500.00 from McDonald Carano Wilson McCune Bergin Frankovich & Hicks LLP
\$4,000.00 from Carl M. Hebert

97-1269 SEXUAL ASSAULT VICTIMS - MEDICAL CARE - PAYMENT

Pursuant to NRS 217.280 to 217.350, on motion by Commissioner Camp, seconded by Commissioner Galloway, which motion duly carried, Chairman Bond ordered that payments with funds from the District Attorney's account designated Sexual Assault Victims Expenses be authorized for initial emergency medical care or follow-up treatment for 9 victims of sexual assault in an amount totaling \$5,244.35 as set forth in a memorandum placed on file with the Clerk from Vickie Wedow, Administrative Assistant, District Attorney's Office, dated December 5, 1997.

97-1270 RESOLUTION - INCREASE IN CHANGE FUND - SPARKS JUSTICE COURT

Upon recommendation of Bill Berrum, Treasurer, on motion by Commissioner Camp, seconded by Commissioner Galloway, which motion duly carried, Chairman Bond ordered that the increase in the Change Fund from \$250 to \$550 for Sparks Justice Court be approved and the following Resolution be adopted:

RESOLUTION-Increase Change Fund from \$250 to \$550 for Sparks Justice Court

WHEREAS, the Board of County Commissioners of Washoe County, pursuant to NRS 354.609, has the authority to create and fund change fund accounts; and

WHEREAS, Sparks Justice Court has requested an increase in their change fund from \$250.00 to \$550.00 to assist in the administration of that office;

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

1. That, pursuant to the provisions of NRS 354.609, the County Treasurer and the County Comptroller are hereby authorized and directed to take all necessary steps to establish and account for a \$300.00 increase in the change fund (for a total of \$550) for Sparks Justice Court.
2. That the above additional \$300.00 will be transferred from the Washoe County Treasurer's Commercial Bank Account.
3. That said change fund be used exclusively for transactions related to Sparks Justice Court.
4. That the Court Administrator shall henceforth be held accountable for the change fund authorized by this resolution.
5. That the County Clerk is directed to distribute copies of this resolution to the Washoe County Treasurer, Comptroller, Sparks Justice Court Administrator and the Nevada Department of Taxation.

97-1271 APPROVAL OF EXPENDITURE - REPAIR OF FUEL TANK FACILITIES - INCLINE VILLAGE MAINTENANCE YARD - PUBLIC WORKS

Upon recommendation of David Roundtree, Public Works Director, on motion by Commissioner Camp, seconded by Commissioner Galloway, which motion duly carried, Chairman Bond ordered that the expenditures for repair of fuel tank facilities at the Incline Village Maintenance Yard be authorized.

It was noted that the lowest proposal for the anticipated work was \$23,947 received from Bramco Construction; that, as provided under State Statutes, Public Works was authorized to accept the offer without the bid process because the amount was less than \$25,000, and Bramco was directed to proceed with the work in accordance with the plans and specifications provided by the Public Works Department; that considerable unexpected damage to the tank facilities and contamination of the backfill was encountered and the cost of the additional work which included removal and replacement of contaminated fill material and the removal and replacement of damaged tank fill and fuel tank monitoring devices was \$25,338.24; and that funds for these expenditures are available and will be paid from account No. 16044-7880.

97-1272 WATER RIGHTS QUITCLAIM DEED - NEVADA DIVISION OF WATER RESOURCES - NEVADA DIVISION OF STATE LANDS - PARKS

Upon recommendation of Karen Mullen, Director, Department of Parks and Recreation, on motion by Commissioner Camp, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the Water Rights Quitclaim Deed whereby Washoe County quitclaims to the Nevada Division of State Lands for and on behalf of the Nevada Division of State Parks all water rights appropriated under Permit 49336 consisting of 0.11 cfs, 0.635 MGA, as issued by the Nevada Division of Water Resources, be approved and Chairman Bond be authorized to execute.

97-1273 BUDGET AMENDMENT - FY 97/98 AIDS PROGRAM - HEALTH

Upon recommendation of James Begbie, Acting District Health Officer, on motion by Commissioner Camp, seconded by Commissioner Galloway, which motion duly carried, Chairman Bond ordered that the amendment to the AIDS Program budget for the purchase of a personal computer and accessories with federal funds from vacancy savings be approved and the following account transactions be authorized:

Account Number	Description	Amount of Increase/Decrease
002-1700-1712G2-7001	Salaries	\$(4,000.00)
-7829	PC Hardware	\$ 4,000.00
	Total Expenditures	\$ - 0 -

97-1274 BUDGET AMENDMENT - FY 97/98 AIR QUALITY MANAGEMENT PROGRAM - HEALTH

Upon recommendation of James Begbie, Acting District Health Officer, on motion by Commissioner Camp, seconded by Commissioner Galloway, which motion duly carried, Chairman Bond ordered that the amendment to the Air Quality Management Program budget reflecting actual expenditures approved in the Notice of Grant Award for the period ending September 30, 1997 be approved and the following account transactions be authorized:

Account Number	Description	Amount of Increase
002-1700-1723G10-4301	Federal Contributions	\$81,300.00
-7001	Base Salaries	6,472.00
-7003	Overtime	8.00
-7042	Group Insurance	277.00
-7043	Dependent Insurance	195.00
-7048	Retirement	1,214.00
-7050	Medicare	91.00
-7140	Other Professional Services	57,600.00
-7160	R & M General	308.00
-7181	Service Contracts	600.00
-7205	Office Supplies	429.00
-72051	Personal Computers	4,559.00
-72052	Printers	1,855.00
-72053	Data Processing Equipment	1,054.00
-7237	Computer Software	2,530.00
-7825	Misc. Special Equipment	4,107.00
	Total - EPA Carryover	\$81,300.00

97-1275 BUDGET AMENDMENT - FY 97/98 AIR QUALITY MANAGEMENT PROGRAM - DMV SMOKING VEHICLE PROJECT - HEALTH

Upon recommendation of James Begbie, Acting District Health Officer, on motion by Commissioner Camp, seconded by Commissioner Galloway, which motion duly carried, Chairman Bond ordered that the amendment to the Air Quality Management Program DMV Smoking Vehicle Project to support a Public Service Intern for 15 hours per week for 28 weeks be approved and the following account transactions be authorized:

Account Number	Description	Amount of Increase/Decrease
002-1700-1723G12-7140	Other Professional Services	\$(7,732.00)
-70021	Pooled Positions	\$ 7,182.00
-7049	Social Security	446.00
-7050	Medicare	104.00

Total

\$ 7,732.00

97-1276 BUDGET AMENDMENT - FY 97/98 EARLY INTERVENTION CLINIC PROGRAM - HEALTH

Upon recommendation of James Begbie, Acting District Health Officer, on motion by Commissioner Camp, seconded by Commissioner Galloway, which motion duly carried, Chairman Bond ordered that the amendment to the Early Intervention Clinic Program budget reflecting supplemental Federal funding received for ongoing administrative increases as outlined in the agenda memorandum be approved and the following account transactions be authorized:

Account Number	Description	Amount of Increase
002-1700-1715G1-4301	Federal Contributions	\$98,420.00
-7001	Base Salaries	\$51,652.00
-7042	Group Insurance	995.00
-7043	Group Health Ins. Dependents	877.00
-7046	Workman's Comp	368.00
-7047	Unemployment Comp	51.00
-7048	Retirement	5,624.00
-7050	Medicare	512.00
-7140	Other Professional Services	38,341.00
	TOTAL	\$98,420.00
002-1700-1715G4-4301	Federal Contributions	\$49,197.00
-7036	Contractual Wages	\$34,164.00
-70251	Personal Computers	3,000.00
-70252	Printers	1,000.00
-70253	Data Processing Hardware	2,500.00
-7247	Medical Supplies	3,000.00
-7250	Office Supplies	3,000.00
-7620	Travel	500.00
-7398	Misc. Expenses (Indirect Cost)	2,033.00
	TOTAL	\$49,197.00
002-1700-1715G5-4301	Federal Contributions	\$87,306.00

-7403	Biologicals	\$68,640.00
-7418	Lab Outpatient	9,750.00
-72051	Personal Computers	8,316.00
-72052	Printers	600.00
	TOTAL	\$87,306.00

19-1277 RETRO PAY FOR RECLASSIFIED POSITIONS - JUVENILE SERVICES

Madelyn Shipman, Legal Counsel, advised that, pursuant to questions that came forth at yesterday's caucus, the Board can only deal with issues relative to when the classifications and associated pay increases take place and cannot discuss issues relative to the classifications themselves which have already been approved by the Board; and that other matters related to this issue that the Board may wish to address would need to be placed on a future agenda.

Commissioner Mouliot commented that the classifications represent new positions and the County does not make it a practice to grant retroactive pay to new jobs.

Beverly Cole, Juvenile Services, advised that the employees have been performing the duties of the reclassified positions since July 1st and it was the intent at the October 21, 1997 meeting when the Board approved the reclassifications that they be retroactive to July 1, 1997, but this was inadvertently left off the agenda item.

Commissioner Galloway commented that if the rate that was set at the time the new classifications were established was based on past rates, it may be appropriate to make an adjustment, but if the rate was at the current pay scale when the new salary was approved, there would be no reason to make the pay retroactive. Ms. Cole responded that the Competency Development Coordinator and the Fiscal Compliance Officer positions were previously established but received additional duties and responsibilities which was the reason for the reclassification request.

Further discussion commenced and Commissioner Mouliot stated that he would like to have more information on the Competency Development Coordinator and the Victim Services Coordinator positions, noting that he does not have a problem with retroactive pay on the Fiscal Compliance Officer position because it is in line with comparable positions in the County; and that he would like to know what the County's policy is relative to retroactive pay on reclassified positions. He further stated that he has a problem with automatically granting retroactive pay and thinks it is a bad policy to get into and one which does not occur in the private sector. Chairman Bond commented that the policy with regard to this issue may need to be reviewed by the Board in a future workshop or agenda item.

Jerry McKnight, Budget Coordinator, advised that Finance requested that the original item be slowed down somewhat to provide the opportunity for Finance and Personnel to look at the positions; and that Rob Calderone, Director, Juvenile Services, was very concerned from the beginning of the process that the pay be retroactive because he had already assigned those duties even prior to July 1 and the individuals were functioning in those capacities.

On motion by Commissioner Camp, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bond ordered that this item be continued to the January 13, 1998 Board meeting in order to obtain clarification of the County's policy relative to retroactive pay.

97-1278 SECOND RENEWAL OF AGREEMENT - WATER RIGHTS LEASE - UNIVERSITY AND COMMUNITY COLLEGE SYSTEM OF NEVADA, RENO - GOLDEN AND EAST LEMMON VALLEYS ARTIFICIAL RECHARGE PROJECT

Upon recommendation of John Collins, Manager, Utility Services Division, on motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, it was ordered that the second renewal of an agreement for the water rights lease between Washoe County and the University and Community College System of Nevada, Reno (UCCSN) for the use of certain water rights for artificial recharge in Golden and East Lemmon Valleys be approved and Chairman Bond be authorized to execute on behalf of Washoe County.

97-1279 PUBLIC HIGHWAY AGREEMENT - QUITCLAIM DEED - STATE OF NEVADA - US-395/NORTH MCCARRAN BOULEVARD INTERCHANGE - CLEAR ACRE LANE - PUBLIC WORKS

Upon recommendation of James Gale, Department of Public Works, on motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, it was ordered that the Agreement with the State of Nevada Department of Transportation and the Quitclaim Deed to the State of Nevada concerning modification of the existing US-395/North McCarran Boulevard Interchange and widening a segment of Clear Acre Lane be approved and Chairman Bond be authorized to execute on behalf of Washoe County.

97-1280 AGREEMENT - FLEET MANAGEMENT SOFTWARE PROGRAM - EQUIPMENT SERVICES

Upon recommendation of Bud Fujii, Director, General Services Department, on motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, it was ordered that the Software License Agreement between Washoe County and Control Software, Inc. to update the Equipment Services Division's fleet management software program in the amount of \$64,620 to be paid over 3 years with 0% interest, be approved, and the Purchasing and Contract Administrator be authorized to execute the Agreement on behalf of Washoe County.

97-1281 AGREEMENT - MAY FOUNDATION BUILDING FUND - HONEY'S GARDEN SHADE SHELTER - WILBUR D. MAY ARBORETUM - RANCHO SAN RAFAEL PARK

Upon recommendation of Karen Mullen, Director, Department of Parks and Recreation, on motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, it was ordered that the Agreement between Washoe County, as disbursing agent of the May Foundation Building Fund, and Dennis Banks Construction Company in the amount of \$13,590.00 concerning construction of shade shelter in Honey's Garden, Wilbur D. May Arboretum, Rancho San Rafael Park, be approved and Chairman Bond be authorized to execute on behalf of Washoe County.

97-1282 GRANT OF EASEMENTS - SIERRA PACIFIC POWER CO./TCI CABLEVISION, AND NEVADA BELL - INSTALLATION OF UNDER GROUND UTILITIES - CALLAHAN PARK

Upon recommendation of Karen Mullen, Director, Department of Parks and Recreation, on motion by Commissioner Galloway, seconded by

Commissioner Camp, which motion duly carried, Chairman Bond ordered that the Grant of Easements between Washoe County, Grantor, and Nevada Bell, Grantee, and between Washoe County, Grantor, and Sierra Pacific Power Company and TCI Cablevision of Nevada, Grantees, to grant a 15-foot utility easement and associated equipment pad for installation of underground utilities through Callahan Park, be approved and Chairman Bond be authorized to execute on behalf of Washoe County.

97-1283 REQUEST FOR REFUND OF TAXES - FY 1996-1997 - EMPIRE EQUIPMENT CO. - I.D. #2/265-004

County Manager John MacIntyre noted that Commissioner Shaw had left the meeting and NRS 354.240 requires a unanimous vote to grant a refund. He questioned whether this statute requires a unanimous vote of those present or of all board members.

Legal Counsel Shipman stated that there is a split of opinion within the District Attorney's Office with regard to this issue, but the general consensus is that a unanimous vote of the full board that is present at the time is required; but that Washoe County has always followed the procedure of a full board vote for any refund, and to be consistent her recommendation would be to continue this item to the next meeting.

On motion by Commissioner Camp, seconded by Commissioner Mouliot, which motion duly carried, this item was continued to January 13, 1998.

97-1284 REQUEST FOR REFUND OF TAXES - FY 1994-1995/1995-1996/1996-1997 - GREGORY C. NEUWEILER - APN 022-020-01

Pursuant to discussion as noted on the previous item, on motion by Commissioner Camp, seconded by Commissioner Mouliot, which motion duly carried, this item was continued to January 13, 1998.

97-1285 BILL NO. 1181 - AMENDING WCC CHAPTER 110 (DEVELOPMENT CODE) - ARTICLE 222 "TRUCKEE CANYON AREA"

Bill No. 1181 entitled, "AN ORDINANCE AMENDING CHAPTER 110 OF THE WASHOE COUNTY CODE (DEVELOPMENT CODE) BY AMENDING ARTICLE 222, TRUCKEE CANYON AREA, THEREOF," was introduced by Commissioner Camp, the title read to the Board, and legal notice for final action of adoption directed.

97-1286 AUTHORIZATION TO INTERVENE - SIERRA PACIFIC POWER COMPANY'S RATE FILING BEFORE THE PUBLIC UTILITY COMMISSION OF NEVADA

Upon recommendation of John Collins, Manager, Utility Services Division, on motion by Commissioner Galloway, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bond ordered that County staff be directed to intervene in Sierra Pacific Power Company's rate filing before the Public Utility Commission of Nevada (Docket No. 97-9020).

It was noted that Sierra Pacific Power Co. filed a proposed \$15,244,000 rate increase to its general rates for residential, commercial, industrial and all other classes of water service within their service territory; that it is appropriate for Washoe County to intervene and be represented in the subject rate filing for the following reasons: (1) as a wholesale purchaser of water from Sierra Pacific, and (2) as the agency responsible for the Regional Water Plan; that the proposed rate increase to the County as a wholesale customer is approximately 40%; and that the funds to support this intervention which are anticipated to be \$40,000 to \$50,000 will be provided by Water Resources Fund 65.

97-1287 PAYMENTS FOR TESTING SERVICES - CONSTRUCTION OF LEMMON VALLEY WATER AND SEWER SYSTEM IMPROVEMENT PROJECTS - VALLEY

VILLAGE AREA

Upon recommendation of John Collins, Manager, Utility Services Division, on motion by Commissioner Mouliot, seconded by Commissioner Galloway, which motion duly carried, Chairman Bond ordered that payments totaling \$40,977.25 to Earth Science Consultants Associated for materials and soils testing services for Lemmon Valley water and sewer system improvement projects in the Valley Village Area be approved.

97-1288 ESTABLISH EXPIRATION DATE - PRE-1996 GOLF TICKETS - PARKS

Upon recommendation of Karen Mullen, Director, Department of Parks and Recreation, on motion by Commissioner Camp, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bond ordered that all golf tickets purchased without an expiration date be extended one year to December 31, 1998 to allow the utilization of plays left on tickets. It was further ordered that any unused plays left on December 31, 1998 will be refunded at the 1998 50-play ticket rate, and any plays lost on June 30, 1997 will be reinstated and treated as outlined above.

97-1289 TRANSFER FROM CONTINGENCY - DETECTIVE STANDBY PAY - SHERIFF/FINANCE

Upon recommendation of Gary Goelitz, Senior Administrative Analyst, on motion by Commissioner Mouliot, seconded by Commissioner Galloway, which motion duly carried, Chairman Bond ordered that the transfer of \$41,000 from the contingency fund to the standby account within the Detectives Division of the Sheriff's Office be approved and the following account transfers be authorized:

TRANSFER FROM:

Account	Description	Amount
001-1890-7328	Contingency	\$41,000.00

TRANSFER TO:

Account	Description	Amount
15061-7012	Standby Pay	\$41,000.00

97-1290 JAIL OVERPOPULATION CRISIS - FINANCE

Gary Goelitz, Senior Administrative Analyst, reviewed issues relative to this item and advised that the report being presented is the result of a request on the part of the Board relative to concerns expressed by the Sheriff regarding the crisis he perceived was occurring with jail overpopulation. He noted that Judge Breen expressed some concerns at yesterday's caucus meeting as to whether the report was trying to single out the District Court as a problem area, and clarified that he does not view the District Court as a problem area, but, rather, views the District Court and the judiciary system as a critical part of the County's team to address the problems within the jail, and their participation is critical to successful efforts to relieve and address jail population. He reviewed staff recommendations regarding the jail overpopulation crisis as outlined in the agenda memorandum dated December 15, 1997, noting that their intent is to continue to work with all members of the criminal justice system to initiate or expand the opportunities for improvement, and to bring back for the Board's consideration during the 1998/99

budget process funding proposals that would enable initiation or expansion of the programs. Mr. Goelitz then responded to questions of the Board.

Commissioner Galloway referred to discussion at yesterday's caucus during which Sheriff Kirkland expressed concern about the wording in the recommendation regarding the Morrill Building. A discussion ensued relative to this issue and Chairman Bond suggested that any reference to the Sheriff could be removed from that recommendation. Legal Counsel Shipman also recommended language changes stating that an "appropriate agreement with affected parties" be made to assure that all appropriate parties are included.

On motion by Commissioner Mouliot, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that the following actions be taken regarding the jail overpopulation crisis:

1. Risk Management and the District Attorney's Office develop for consideration of the Board an appropriate agreement with the affected parties regarding the Morrill Building, and County staff not be moved into the Morrill Building until such agreement is adopted by the Board and the City Council of the City of Reno.
2. The Finance Division return to the Board of County Commissioners with a contingency transfer for overtime for the Sheriff's Office for expenditures related to an operational plan for the Morrill Building to be approved by the Board.
3. The Finance Division continue to work with the Sheriff's Office and other criminal justice agencies in the development and the expansion of alternatives to incarceration and develop proposals for consideration of the Board during 1998-99 budget deliberations.
4. The Finance Division continue to work with the District Attorney's Office, Public Defender's Office, the Justice Courts, and the District Court in the development and implementation of alternatives to streamline the criminal justice process.
5. The Governmental Affairs Director, the Sheriff, the District Attorney's Office, and the Finance Division develop alternatives for the funding of the operation of the County's jail for the 1999 State Legislative Agenda.
6. The Deputy County Manager work with the City of Reno in establishing a fourth municipal court or such other steps necessary to streamline the Reno municipal court criminal justice process.

97-1291 APPEAL TO BASE ALLOCATION UNDER SB254 FORMULA - INTERVENTION IN APPEALS FILED ON BASE ALLOCATIONS

John MacIntyre, County Manager, noted that discussion was held on this item at yesterday's caucus meeting.

Commissioner Camp stated that she would support the filing of an appeal to the base allocation under SB254, but opposes intervening with any appeal that the City of Reno would file because, in her opinion, destroying the bridge building that's now under way between the various entities will have a much greater negative impact on the citizens of Washoe County, and working together provides a better chance of reaping cost savings in the long run.

Commissioner Galloway commented that his understanding is that this would not be an appeal of Reno's appeal, but, rather, that they raised an

argument and Washoe County should claim the same argument because, if it is found to be valid and we do not appeal, the County would lose the ability to reap the benefits.

Jerry McKnight, Budget Coordinator, explained that the entire process revolves around the establishment of the base and the appeal that the City of Reno has presented would have a negative impact on Washoe County of approximately \$1.5 million in the first year.

Katy Simon, Deputy County Manager, provided additional information and stated that the intent in intervening in Reno's appeal is to urge the Department of Taxation not to apply a base adjustment inconsistently because of the huge impact on the County's budget; that it is not their intent to destroy regional cooperation, but rather, to exercise the appeal mechanism provided for by the legislature, which mechanism the City of Reno is also exercising; and that intervention does not mean opposition, but is a request that any base adjustment be applied consistently.

Chairman Bond commented that everyone is in the same boat and any reference to Reno is possibly because they were the first ones to appeal, and the County now finds itself in a position to respond or be left in an unfavorable position.

Commissioner Galloway commented that what will be remembered is what was done and not the wording of a particular paper, and if the wording unfortunately ruffled any feathers unnecessarily he feels the intent has now been clarified and he would support the intervention of any appeals because he believes the Board owes it to the citizens of Washoe County to do so.

Commissioner Camp then moved to approve the first recommendation only which is to direct staff to file an appeal to the base allocation as determined under the SB254 formula. The motion died for lack of a second.

On motion by Commissioner Galloway, seconded by Commissioner Mouliot, which motion duly carried with Commissioner Camp voting "no," Chairman Bond ordered that staff be directed to file an appeal to the base allocation as determined under the SB254 formula. It was further ordered that staff be directed to intervene in any appeals filed on base allocations that may have negative impacts for the citizens of Washoe County.

COMMISSIONERS'/MANAGER'S COMMENTS

Commissioner Mouliot provided additional comments relative to the retroactive pay issue previously discussed today and requested that Personnel and Finance staff look at what the County has done in the past on this issue and provide this information to the Board.

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There being no further business to come before the Board, the meeting adjourned at 12:20 p.m.

JOANNE BOND, Chairman
Washoe County Commission

ATTEST: JUDI BAILEY, County Clerk