

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

1:30 P.M.

APRIL 11, 2000

PRESENT:

Ted F. Short, Chairman  
Jim Shaw, Vice Chairman  
Joanne Bond, Commissioner  
Jim Galloway, Commissioner  
Pete Sferrazza, Commissioner (arr. At 1:45 p.m.)

Amy Harvey, County Clerk  
Katy Singlaub, 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:

**00-259 AGENDA**

In accordance with the Open Meeting Law, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Short ordered that the agenda for the April 11, 2000 meeting be approved with the following amendments: Delete: Item 5H, concerning Change Order No. 2 for the District Attorney VWAC remodel; Item 9 concerning discussion of Washoe County Peer Group for labor market comparisons; and Item 15, possible closed session for discussion of negotiations with employee organizations.

**PUBLIC COMMENTS**

Sam Dehne, Reno citizen, discussed City of Reno regulations he contends Jeff Griffin is in violation of and makes him ineligible to serve as Mayor.

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Chairman Short welcomed government students from Galena High School who were present at today's meeting.

**00-260 PROCLAMATION - CRIME VICTIMS' RIGHTS WEEK - APRIL 9 - 15, 2000**

Richard Gammick, District Attorney, and Lidia Osmetti, Director, Victim Witness Assistance Center, were present. Mr. Gammick reviewed the

activities scheduled for Crime Victim's Rights Week and Chairman Short read the Proclamation.

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

**PROCLAMATION**

WHEREAS, One violent crime is committed in America every 21 seconds; and

WHEREAS, 31 million Americans are victims of crime each year; and

WHEREAS, Crime victims play an indispensable role in bringing offenders to justice; and

WHEREAS, As we carry crime victims' rights into 2000 and beyond, we must Dare to Dream of a society that acknowledges and respects the victims of crime; and

WHEREAS, Despite significant progress in providing rights and services to crime victims over the past two decades, large segments of our population, including crime victims who are elderly, disabled, or living in rural areas, are still underserved; and

WHEREAS, As a nation devoted to liberty and justice for all, America must increase its efforts to protect, restore, and expand crime victims' rights and services; and

WHEREAS, Washoe County District Attorney, Victim-Witness Assistance Center is joining forces with victim service programs, criminal justice officials, and concerned citizens throughout Washoe County and America to observe National Crime Victims' Rights Week; now, therefore, be it

PROCLAIMED, That April 9-15, 2000 is hereby designated as Crime Victims' Rights Week; and be it further

PROCLAIMED, That the Washoe County Commission reaffirms a commitment to respect and enforce victims' rights and address their needs during 2000 Washoe County Crime Victims' Rights Week and throughout the year; and be it further

PROCLAIMED, That this official Proclamation be presented to the Washoe County District Attorney's Victim-Witness Assistance Center.

\* \* \* \* \*

Commissioner Sferrazza arrived at the meeting.

**00-261 PROCLAMATION – NATIONAL COUNTY GOVERNMENT WEEK – APRIL 9 – 15, 2000**

Following the reading of the Proclamation by Chairman Short, on motion by Commissioner Bond, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the following Proclamation be adopted and Chairman Short be authorized to execute:

WHEREAS, County governments began as a response to the needs of the early settlers of our country, tracing their roots to the English shire of a thousand years ago. Counties first appeared in colonial America, making them older than the Republic itself; and

WHEREAS, As our country grew westward, so, too did the number of counties. The primary functions of county government during the 1800s and early 1900s involved judicial, road, law enforcement and other responsibilities in which the county acted mainly as an arm of the state; and

WHEREAS, Over the last century, the responsibilities of county governments have grown enormously. Nationwide, county governments employ more than two million people and spend billions of dollars providing services to the people of the United States; and

WHEREAS, Today counties are an important link within the nation's governmental structure, with duties ranging from public safety to preserving the environment. Counties provide senior citizen services, library services, community development programs, criminal justice services and emergency management services. They build and maintain parks, trails and roads. They work to solve regional issues such as domestic violence, water resource management and juvenile crime. When children, the aged, the sick, or the indigent have nowhere else to turn, it is the county that cares for them; and

WHEREAS, Volunteers play a vital role in providing many of these services to citizens, and Washoe County appreciates the work volunteers do; and

WHEREAS, Counties are providing solutions to meet many of the most challenging needs and ensure a high quality of life for all; now, therefore, be it

PROCLAIMED, By the Washoe County Board of County Commissioners, that April 9 - 15, 2000 is National County Government Week.

## **MINUTES**

Commissioner Sferrazza requested that a typographical error be corrected on the minutes of the regular meeting of March 21, 2000. On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Short ordered that the minutes of the special meeting and the regular meeting of March 21, 2000 be approved.

### **00-262 SEXUAL ASSAULT VICTIMS - MEDICAL CARE - PAYMENT**

Pursuant to NRS 217.280 to 217.350, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Short 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 38 victims of sexual assault in an amount totaling \$17,698.46 as set forth in a memorandum placed on file with the Clerk from Vickie Wedow, Administrative Assistant, District Attorney's Office, dated March 23, 2000.

### **00-263 LIQUOR WHOLESALE DISTRIBUTION AND IMPORT LICENSE - SIERRA WINE & SPIRITS - COMMUNITY DEVELOPMENT**

Upon recommendation of the Business License Division, Department of Community Development, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Short

ordered that a wholesale wine, beer and liquor license and an importer's wine, beer and liquor license for Jared T. Sorensen, dba Sierra Wine & Spirits, be approved.

**00-264 GENERAL FUND APPROPRIATION TRANSFER - REGISTRAR OF VOTERS - BUDGET DIVISION**

Upon recommendation of John Brumley, Budget Division, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Short ordered that the General Fund appropriation transfer of \$1,600 for travel in the Registrar of Voters budget be approved and the following transactions be authorized:

<b><u>Decrease Account</u></b>	<b><u>Description</u></b>	<b><u>Amount</u></b>
001-1121-7383	ROV-Training	\$1,600.00
<b><u>Increase Account</u></b>	<b><u>Description</u></b>	<b><u>Amount</u></b>
001-1121-7620	ROV-Travel	\$1,600.00

It was noted that the funding will be used for travel for Registrar of Voters' staff to attend the Data Information Management System (DIMS) conference in Welchs, Oregon, and the Nevada Association of County Election Officials (NACEO) conference with travel to the ballot printer's production site.

**00-265 TRAVEL AUTHORIZATION - E-911 ADVISORY COMMITTEE MEMBERS - NATIONAL EMERGENCY NUMBER ASSOCIATION'S WIRELESS 9-1-1 CONFERENCE**

Upon recommendation of Press Clewe, Chairman, E-911 Advisory Committee, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Short ordered that two E-911 Advisory Committee members be authorized to attend the National Emergency Number Association's Wireless 9-1-1 Phase I to Phase II Conference in Atlanta, Georgia, on April 26, 2000.

**00-266 APPLICATIONS TO NEVADA DIVISION OF ENVIRONMENTAL PROTECTION - LOAN PRIORITY LIST - VARIOUS WATER TREATMENT PROJECTS - WATER RESOURCES**

Upon recommendation of John Collins, Manager, Utility Services Division, Department of Water Resources, through Ed Schmidt, Director, Department of Water Resources, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Short ordered that submittal of applications to the Nevada Division of Environmental Protection to place Washoe County on the Loan Priority List for the Pleasant Valley Interceptor (previously known as the Steam-boat Interceptor), Lawton/Verdi Interceptor, South Truckee Meadows Wastewater Reclamation Facility Solids Processing Improvements, Horizon Hills Sewer Repair and Replacement, Cold Springs Collection System, Spanish Springs Interceptor (new project), Spanish Springs Septic to Sewer Conversion and Expansion of South Truckee Meadows Wastewater Treatment Facility be acknowledged and approved retroactively.

**00-267 REVISED POLICY - BUYING RECYCLED, RE-USING, WASTE STREAM REDUCTION AND POLLUTION PREVENTION - PURCHASING/HEALTH**

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, and John Fuller, Health Department, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Short ordered that the Revised "Buy Recycled; Re-Using and Waste Stream Reduction and Pollution Prevention Policy", as outlined in the agenda material dated March 27, 2000 and placed on file with the Clerk, be adopted.

**00-268 FY 1999/2000 BUDGET AMENDMENTS - AIDS PROGRAM - HEALTH**

Upon recommendation of Greg Carmichael, District Health Department, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Short ordered that an amendment to the FY 1999/2000 AIDS Program budget be approved and the following account transactions be authorized:

<u>Account Number</u>	<u>Description</u>	<u>Amount of Increase</u>
002-1700-1712G1-4301	Federal Funds	\$1,716.00
002-1700-1712G1-7001	Salaries	\$1,716.00

**00-269 FY 1999/2000 BUDGET AMENDMENTS - FAMILY PLANNING PROGRAM - HEALTH**

Upon recommendation of Greg Carmichael, District Health Department, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Short ordered that an amendment to the FY1999/2000 Family Planning Program budget be approved and the following account transactions be authorized:

<u>Account Number</u>	<u>Description</u>	<u>Amount of Increase</u>
002-1700-1730G2-4301	Federal Funds	\$5,000.00
002-1700-1730G2-7418	Outpatient Laboratory	\$5,000.00

**00-270 FY 1999/2000 BUDGET AMENDMENTS - TUBERCULOSIS PROGRAM - HEALTH**

Katy Singlaub, County Manager, provided information in response to questions raised at yesterday's caucus meeting regarding this item.

Upon recommendation of James Begbie, District Health Department, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Short ordered that an amendment to the FY 1999/20000 Tuberculosis Immigrant Program budget be approved and the following account transactions be authorized:

<u>Account Number</u>	<u>Description</u>	<u>Amount of Increase</u>
002-1700-1714G4-4302	State Contributions	\$38,010.00
002-1700-1714G4-7403	Biologicals	\$19,081.00
-7418	Outpatient Services	\$18,929.00
	Total	\$38,010.00

**00-271 ACCEPTANCE OF DONATION - TWENTIETH CENTURY CLUB - DAYBREAK DEPARTMENT - SENIOR SERVICES**

Upon recommendation of Karen Mabry, Director, Senior Services, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Short ordered that the cash donation of \$500 from the Twentieth Century Club to the Daybreak Department be accepted with gratitude and the Comptroller be directed to make the following account changes:

<u>Revenue</u>	<u>Amount</u>	<u>Expenditure</u>
253000G - 5802	\$500.00	253000G-7398

**00-272 ACCEPTANCE OF DONATION - SIERRA PACIFIC RESOURCES - D.A.R.E. PROGRAM - SHERIFF**

Upon recommendation of Richard Kirkland, Sheriff, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Short ordered that the donation of \$1,000 from Sierra Pacific Resources to be used for the Drug Abuse Resistance Education (D.A.R.E.) Program be accepted with gratitude.

**00-273 ACCEPTANCE OF GRANT - AIR QUALITY SAMPLER SYSTEM EQUIPMENT FROM UNITED STATES ENVIRONMENTAL PROTECTION AGENCY - HEALTH**

Katy Singlaub, County Manager, provided information in response to questions raised at yesterday's caucus meeting regarding this item.

Upon recommendation of James Begbie, District Health Department, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Short ordered that the "In-Kind" grant award from the United States Environmental Protection Agency of PM 2.5 Sequential FRM Air Quality Sampler System equipment awarded to the Air Quality Division of the Health Department be accepted. It was noted that the value of this award is \$10,161 and no matching funds are required.

**00-274 ACCEPTANCE OF GRANT - CLOROX COMPANY FOUNDATION - NORTH VALLEY SPORTS COMPLEX - PARKS**

Upon recommendation of Doug Mullens, Parks and Recreation, through Karen Mullen, Director, Department of Parks and Recreation, on motion by

Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Short ordered that a grant in the amount of \$10,000 from the Clorox Company Foundation for the purchase of recreational equipment and site amenities for the North Valley Sports Complex be accepted and the following account transactions be authorized:

<u>Increase Account</u>	<u>Description</u>	<u>Amount</u>
14231-5802	Donations	\$10,000.00
14231-7825	Capital Misc. Equipment	\$10,000.00

**00-275 ACCEPTANCE OF GRANT - NEVADA STATE HEALTH DIVISION - SEXUAL ASSAULT RESPONSE TEAM PROGRAM - DISTRICT ATTORNEY**

Upon recommendation of Richard Gammick, District Attorney, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Short ordered that the District Attorney's Office be authorized to accept a grant in the amount of \$2,866 from the Nevada Department of Human Resources, Bureau of Community Health Services, Nevada State Health Division to purchase forensic medical examination equipment for the District Attorney's Sexual Assault Response Team Program. It was further ordered that the following account transactions be authorized:

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
Revenue:		
10665G-4301	Federal Contribution	\$2,866.00
Expenditures:		
10665G-7815	Medical Equipment	\$2,866.00

It was noted that these funds are provided in conjunction with the requirements of the Rape Prevention component of Preventive Health and Health Services Block Grant (Federal program); and that the term of the grant award is January 1, 2000 through June 30, 2000.

**00-276 AWARD OF INJOINER BID - RE-BID OF HIGHWAY SIGNS AND MATERIALS - BID NO. 2220-2000 - ROADS DIVISION**

This was the time to consider award of bid, Notice to Bidders for receipt of sealed bids having been published in the Reno Gazette-Journal on March 1, 2000, for the Re-Bid of Highway Signs and Materials for the Roads Division of the Public Works Department injoiner with the City of Reno. Proof was made that due and legal Notice had been given.

Bids, copies of which were placed on file with the Clerk, were received from the following vendors:

3M Company	American Traffic Safety
Maneri Sign Co., Inc.	Roder Safety Equipment
Safeway Sign Co.	Universal Die Cut Corp.
Vulcan Signs	Zumar Industries, Inc.

Traffic Control Services was disqualified because they did not return the entire bid document and Unistrut Northern California was disqualified because the bid document was not signed. Carsonite International, Discount Directional, McCain Traffic Supply, Newman Signs, Inc., Nippon Carbide Industries, and Traffic Parts, Inc. submitted "No-Bid" responses and 20 bidders failed to respond to the invitation to bid.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Short ordered that Bid No. 2220-2000 for Highway Signs and Materials for the Roads Division of the Public Works Department injoinder with the City of Reno be awarded to the lowest, responsive and responsible bidders meeting specifications, as follows:

<u>COMPANY</u>	<u>CATEGORIES</u>
3M Company	8, City of Reno 8B, 9, 11
	Bid Items: 137, 139
Roder Safety Equipment Company	15, 16
	Bid Items: 135, 140, 142
Safeway Sign Co.	1
Vulcan Signs	2, 3
Zumar Industries, Inc.	City of Reno 2B, 4, 5, 6, 7, 10, 12, 13, 14
	Bid Items: 129-134, 136, 138, 141

It was further ordered that Category 17 (Miscellaneous) be rejected as no bids were received for this category.

It was noted that the effective period of this award shall be for 18 months from the date of bid award and shall be for an indeterminate amount as exact future requirements for these items are not known at this time; that the estimated value of this award for Washoe County is in excess

of \$48,700.00; that thus far in fiscal year 99/2000 Washoe County has spent \$68,382.08; that in previous fiscal years Washoe County spent: 98/99 - \$99,075.00 and 97/98 - \$60,055.61; and that the categories listed on the expenditure account include other items not included in this bid solicitation.

**00-277 AWARD OF BID - GALVANIZED, CORRUGATED METAL (CULVERT) PIPE AND BANDS - BID NO. 2223-2000 - ROADS DIVISION**

This was the time to consider award of bid, Notice to Bidders for receipt of sealed bids having been published in the Reno Gazette-Journal on March 8, 2000, for Galvanized Corrugated Metal (Culvert) Pipe and Bands for the Roads Division of the Public Works Department. Proof was made that due and legal Notice had been given.

Bids, copies of which were placed on file with the Clerk, were received from the following vendors:

Record Supply Company dba R Supply  
Western Nevada Supply Company

PDM Steel (Culvert Division) submitted a "No-Bid" response and Artistic Fence Company failed to respond to the invitation to bid.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Short ordered that Bid No. 2223-2000 for Galvanized Corrugated Metal (Culvert) Pipe and Bands for the Roads Division of the Public Works Department be awarded to R Supply Company, Inc., the low bidder meeting specifications, terms and conditions of the Invitation to Bid.

It was noted that this award shall be for approximately 24 months from this date to March 1, 2002 with Washoe County retaining an option for a one-year extension provided prices do not increase and service is satisfactory; that the estimated annual value of this award for Washoe County is approximately \$38,000.00; that in previous fiscal years Washoe County spent: \*96/97 - \$45,890.15, \*97/98 - \$48,639.97, 98/99 - \$57,511.07; that Washoe County has spent thus far for fiscal year 1999/2000 - \$70,350.36; that, since these items are used in new construction, renovation and maintenance of roads throughout Washoe County, exact requirements are unknown; and that the categories listed on the expenditure account include other items not included in this bid solicitation. \*The fiscal years of 96/97 and 97/98 represent totals that include emergency material procured because of the 1997 January flood.

**00-278 AWARD OF BID - WEED ABATEMENT SERVICES - BID NO. 2225-2000 - PARKS AND RECREATION**

This was the time to consider award of bid, Notice to Bidders for receipt of sealed bids having been published in the Reno Gazette-Journal on March 8, 2000, for Weed Abatement Services for the Parks and Recreation Department. Proof was made that due and legal Notice had been given.

Bids, copies of which were placed on file with the Clerk, were received from the following vendors:

Chem-Spray LLC  
Pied Piper Pest Control

Lesco, Inc. submitted a "No-Bid" response and the bid of Pestmaster Services, Inc. was disqualified because their bid was not submitted with the required bid surety. Basin Tree Service & Pest and Van Waters & Rogers, Inc. failed to respond to the invitation to bid.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Short ordered that Bid No. 2225-2000 for Weed Abatement Services for the Parks and Recreation Department be awarded to the lowest responsive, responsible bidder, Pied Piper Pest Control, in the estimated amount of \$50,000 for a two-year period. It was further ordered that the Purchasing and Contracts Administrator be authorized to enter into a two-year Agreement with Pied Piper Pest Control for Weed Abatement Services commencing April 15, 2000 through April 14, 2002; and that prices shall not increase for the duration of the resultant Agreement.

It was noted that upon mutual agreement, this Agreement may be renewed for two additional one-year extensions; that any request for rate increases for extensions would be subject to negotiation and approval by Washoe County; that bid items contained in this Invitation to Bid will be requested on an as-needed basis; and that the requirements are estimated and a fixed total amount cannot be determined, but based on estimated requirements for the next two years, the potential value of the award on behalf of the Parks and Recreation Department would be \$50,000.

**00-279 AWARD OF CONSTRUCTION BID - CRYSTAL PEAK PARK SEPTIC SYSTEM - PUBLIC WORKS**

Katy Singlaub, County Manager, provided information in response to questions raised at yesterday's caucus regarding this item.

This was the time to consider award of construction bid, Notice to Contractors for receipt of sealed proposals having been published in the Reno Gazette-Journal on March 15, 17, and 22, 2000 for construction of the Crystal Peak Park Septic System for the Utility Services Division of the Department of Water Resources. Proof was made that due and legal Notice had been given.

The following bids were received:

<u>Contractor</u>	<u>Bid</u>
Gradex Construction	\$48,355.00
Highfield Construction	\$51,557.00
Contri Construction Co.	\$65,190.00
Canyon Creek Construction	\$71,890.00

Upon recommendation of Anthony McMillen, Department of Public Works, through Rodney Savini, Capital Projects Manager, Department of Public Works, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the bid for construction of the Crystal Peak Park Septic System be awarded to the lowest responsible, responsive bidder, Gradex Construction, in the

amount of \$48,355, and Chairman Short be authorized to execute the contract documents upon presentation.

**00-280 AWARD OF CONSTRUCTION BID - INCLINE VILLAGE COMMERCIAL AND LOWER WOOD CREEK WATER QUALITY IMPROVEMENT PROJECT - PWP-WA-2000-285 - ACCEPTANCE OF DRAINAGE EASEMENT - PUBLIC WORKS**

This was the time to consider award of construction bid, Notice to Contractors for receipt of sealed proposals having been published in the Reno Gazette-Journal on March 9, 16, and 23, 2000 for construction of the Incline Village Commercial and Lower Wood Creek Water Quality Improvement Project for the Public Works Department. Proof was made that due and legal Notice had been given.

The following bids were received:

<u>Contractor</u>	<u>Bid</u>	<u>Optional Bid Item A</u>	<u>Optional Bid Item B</u>
Joe Suter Construction	\$1,069,680.00	\$62,000.00	\$11,000.00
Interstate Utility Contractors	\$1,259,727.00		\$ 6,966.00
White Rock Construction	\$1,324,237.50	\$42,500.00	\$12,000.00
A & K Earth Movers	\$1,370,531.50	\$49,069.00	\$ 6,805.50
V & C Construction	\$1,399,670.00	\$55,000.00	\$29,000.00
Burdick Excavating	\$1,599,955.00	\$35,000.00	\$15,000.00
Highfield Construction	\$1,708,690.00	\$30,000.00	\$ 8,000.00

Upon recommendation of Kimble Corbridge, Engineering Division, through David Roundtree, Public Works Director, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the bid for construction of the Incline Village Commercial and Lower Wood Creek Water Quality Improvement Project for the Public Works Department be awarded to the lowest responsible, responsive bidder, Joe Suter Construction, Inc. in the amount of \$1,080,680.00, for the Base Bid, the Lowest Alternate Bid Items and Optional Bid Item B, and Chairman Short be authorized to execute the contract documents upon presentation.

It was further ordered that the Easement for storm drainage from the Incline Village General Improvement District be accepted.

**00-281 AWARD OF CONSTRUCTION BID - PEMBROKE DRIVE WATERLINE REPLACEMENT - UTILITY SERVICES**

This was the time to consider award of construction bid, Notice to Contractors for receipt of sealed proposals having been published in the Reno Gazette-Journal for construction of Pembroke Drive Waterline Replacement for the Utility Services Division of the Department of Water

Resources.

The following bids were received:

<u>Contractor</u>	<u>Bid</u>
Gerhardt & Berry Construction, Inc.	\$318,954.00
Interstate Utility Constructors	\$333,332.00
Mike's Trenching, Inc.	\$334,680.00
A&K Earth Movers	\$347,272.00
Marv McQueary Excavating, Inc.	\$362,680.00

Upon recommendation of John Collins, Manager, Utility Services Division, through Ed Schmidt, Director, Department of Water Resources, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the bid for construction of Pembroke Drive Waterline Replacement be awarded to the lowest responsible, responsive bidder, Gerhardt & Berry Construction, Inc. in the amount of \$318,954, and Chairman Short be authorized to execute the contract documents upon presentation. It was further ordered that the Utility Services Manager be authorized to issue the Notice to Proceed.

**00-282 PURCHASE AGREEMENT AND DEED - AIRPORT AUTHORITY - ACQUISITION OF DRAINAGE PARCEL - PUBLIC WORKS**

Upon recommendation of James Gale, Senior Property Agent, Department of Public Works, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the agreement between Washoe County and the Airport Authority and the Deed from Washoe County to the Airport Authority concerning the Airport's acquisition of a portion of a drainage parcel within Part 150 noise compatibility area, east of proposed Moana Lane extension, be approved and Chairman Short be authorized to execute.

It was noted that the Airport Authority offered Washoe County \$4,000.00 for the purchase of this property per an appraisal by Stephan R. Johnson, MAI.

**00-283 INTERLOCAL AGREEMENT - CITY OF RENO ELECTIONS - REGISTRAR OF VOTERS**

Upon recommendation of Dan Burk, Registrar of Voters, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the Interlocal Agreement between Washoe County and the City of Reno concerning conducting elections for the City of Reno be approved and Chairman Short be authorized to execute.

It was noted that this agreement formalizes the long-standing relationship between the City of Reno and Washoe County with respect to

conducting the elections for the City; and that the approximate reimbursement received by the County during the contract period will be \$38,500.

**00-284 INTERLOCAL CONTRACT - McGEE CENTER - STATE OF NEVADA DIVISION OF CHILD AND FAMILY SERVICES - SHELTER AND RESPITE CARE - JUVENILES SERVICES**

Upon recommendation of Leonard Pugh, Director, Department of Juvenile Services, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the Interlocal Contract between Washoe County (McGee Center) and State of Nevada, Department of Human Resources, concerning establishing the cost of \$50 per day per child for shelter care (approximately \$25,000 annually) and \$10 per day per child for respite care (approximately \$400 annually), be approved retroactively to July 1, 1999 and Chairman Short be authorized to execute.

**00-285 DEED AND IRREVOCABLE OFFER OF DEDICATION - STREET DEDICATION EASEMENTS - SANITARY SEWER EASEMENT - WATER LINE EASEMENTS - WEDGE PARKWAY AREA**

Upon recommendation of Janelle Thomas, Engineering Division, through David Roundtree, Public Works Director, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the "Deed" and "Irrevocable Offer of Dedication" also known as Street Dedication Easements from the University of Nevada and Washoe County School District, Sanitary Sewer Easement from MacKay Drilling, and Waterline Easement from the Washoe County School District concerning the Wedge Parkway area be approved and Chairman Short be authorized to execute.

**00-286 AUTHORIZATION FOR NON-COUNTY PERSONNEL TO DRIVE COUNTY VEHICLE - TRUCKEE MEADOWS WATER RECLAMATION FACILITY - WATER RESOURCES**

Pursuant to questions raised at yesterday's caucus meeting, Ed Schmidt, Director, Department of Water Resources, and Leonard Crowe, Water Resources Planning Manager, provided additional documentation and discussed issues concerning the agreement between Carollo Engineers and Washoe County, the request by the County for Carollo to hire two temporary employees to work with County staff on water quality studies, and the Interlocal Agreement between Washoe County and the Cities of Reno and Sparks relative to the Truckee Meadows Water Reclamation Facility.

Commissioner Sferrazza asked why Carollo would not be providing the vehicle if the County is paying them to provide this service. Mr. Crowe reviewed issues concerning the agreement with Carollo and advised that the contract puts the County as the lead agency on the coordinated monitoring program; and that two GEOTEMP temporary employees would be working side by side with two staff members of the County to obtain and prepare water samples for laboratory analysis; and that the vehicles are operated 24 hours a day and the driving duties need to be shared. Mr. Crowe then responded to further questions of the Board.

Commissioner Sferrazza noted that, normally, when someone contracts to provide a service, they provide everything necessary including the vehicle. County Manager Singlaub commented that the agreement is between several parties. Commissioner Sferrazza stated that either Carollo contracted to provide this service or they did not, and if they contracted to provide it they should be paying the County for use of the vehicle;

and that he has requested a copy of the contract but has not yet received the document. Ms. Singlaub stated that Mr. Crowe has indicated that was not part of the contract, but a copy of the contract will be provided in order to verify this matter. Mr. Schmidt commented that staff failed to consider transportation when the arrangement with Carollo was discussed concerning the provision of two personnel to work with County employees.

Legal Counsel Shipman advised that the issue before the Board is not the question of contract language which is to work along side County employees; that the Code says the Board has to approve any person who is not an employee of the County that needs to drive a County car, which is for insurance purposes; and that the only reason this item is before the Board is that, in working alongside a County employee, staff is asking for permission for these non-employees of the County to share in the driving duties.

Following further discussion, upon recommendation of Ed Schmidt, Director, Department of Water Resources, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioner Sferrazza voting "no," Chairman Short ordered that employees of GEOTEMPS be authorized to drive a County vehicle while working with County staff on water quality studies associated with Carollo Engineers Consulting Contract for the expansion of the Truckee Meadows Water Reclamation Facility, subject to the condition that the contract with Carollo Engineers does not require that they absorb the cost of providing transportation without additional charges to the County.

Commissioner Sferrazza stated that he voted against the motion because, in his opinion, if Carollo was required to monitor, they are required to absorb the expense; and that he has not seen the contract to verify this issue.

**00-287 AWARD OF BID - ASBESTOS ABATEMENT AND DEMOLITION FOR SHERIFF'S LOCKER ROOM & PRISONER HOLDING CELL REMODEL AT 75 COURT STREET - ENGINEERING**

This was the time to consider award of construction bid, Notice to Contractors for receipt of sealed proposals having been published in the Reno Gazette-Journal for the Asbestos Abatement and Demolition for Sheriff's Locker Room & Prisoner Holding Cell Remodel at 75 Court Street for the Engineering Division of the Public Works Department.

The following bids were received:

<u>Contractor</u>	<u>Add Alt. #1</u>	<u>Total Base Bid</u>
Advance Installations	\$7,200.40	\$13,106.70
SAA Environmental	\$6,200.00	\$21,137.00
APC Contractors	\$5,330.00	\$42,100.00

Pursuant to issues raised at yesterday's caucus meeting, David Roundtree, Public Works Director, was present to provide information and respond to questions of the Board. Upon inquiry of Chairman Short, Mr. Roundtree advised that this project addresses asbestos abatement in the noted areas only and would not take care of all the asbestos in the prisoner portion of the old jail; and that as individual projects are

done, the County will be faced with the abatement requirement. Upon inquiry of Commissioner Galloway, Mr. Roundtree advised that it might be more cost effective to do the entire building, but it would be impractical because essentially the entire building would have to be vacated, and the premium would probably not be significant; and that the bid they received on this project was very favorable.

Upon recommendation of John Gutch, Engineering Division, through David Roundtree, Public Works Director, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the base bid plus Add. Alternate No. 1 for Asbestos Abatement and Demolition for the Sheriff's Locker Room & Prisoner Holding Cell Remodel at 75 Court Street for the Engineering Division of the Public Works Department be awarded to the lowest responsible, responsive bidder, Advance Installations, Inc. in the amount of \$20,307.10, and the Agreement concerning same be approved and Chairman Short be authorized to execute documents upon receipt.

Commissioner Galloway stated that he supported the motion because the favorable bid more than makes up for any economy of scale that might be obtained by doing the entire building.

### **00-288 APPEARANCE - BUREAU OF LAND MANAGEMENT - PROPOSED LAND EXCHANGE - SURPRISE RESOURCE AREA**

Bill Whitney, Department of Community Development, advised that the exchange proposal is generally referred to as "The Duck Lake Land Exchange Proposal" and is not a part of or connected to the Black Rock Desert/High Rock Canyon National Conservation Area proposals; that the proposal would transfer approximately 29,000 acres of private land in the northern part of the County to the BLM in exchange for public land in southern Nevada that would be transferred to private ownership; that the land to be acquired by the BLM is former existing cattle operations in the general area between Gerlach and Cedarville; and that the main incentive behind the land exchange would be to enable the BLM, in conjunction with local ranchers, to establish a "grass bank" operation for the ranching industry in the Surprise Resource Area.

Susan Stokke, Manager for the Surprise Resource Area, advised that the parcels being discussed today were offered by Todd Jaksick who is interested in acquiring lands around Jean and Prim in southern Nevada; and that the parcels proposed to be acquired by the BLM include lands known as the Duck Lake Ranch (9600 acres), the Home Camp Ranch (17,500 acres) and Fly Geysers (1000 acres). She discussed issues relative to the BLM's proposal, advising that the offered private lands contain valuable recreation opportunities, wildlife and fish habitat, riparian/wetland habitat, etc.; and that they propose using the Duck Lake Ranch as a "grass bank" to try to help sustain local ranching by providing a place where cattle can graze under a properly managed system, while the BLM undertakes intensive range improvement projects; and that the exchange is very tentative at this time and depends solely on how the Las Vegas Field Office wants to approach the proposal, noting that there is a lot of competition for the land around Jean and Prim. A display map was presented depicting the subject areas and Ms. Stokke responded to questions of the Board.

Commissioner Galloway requested information concerning Payment in Lieu of Taxes (PILT), which is the way the Federal Government acquires land; that his understanding is that the maximum a PILT payment can be is the tax the owner would otherwise have paid if the land had been in private hands; and that the government historically has never paid that full percentage. Joe McFarlan, Realty Specialist, BLM Surprise Field Office, advised that he and Commissioner Bond looked into this issue about three years ago and came up with no clear answers; that he spoke with people in the Nevada State BLM Office this morning and the matter is as unclear as ever, but documents are now available which provide information that is more helpful than what was previously available; and that he will provide a copy of this information to the Commissioners.

Further discussion was held concerning "grass bank" operations, the BLM making a presentation to the Citizen Advisory Board in the Gerlach area, etc. Commissioner Galloway commented that he is concerned about exchanging 29,000 acres of private land for 1600 acres of public land because Nevada is already 87% owned by the Federal Government; and that, not only would that result in a net reduction to the State, but almost any gains in these programs go to the southern part of the state. Ms. Stokke advised that their goal is to maintain open space and they are also concerned about these issues and look very hard at areas they feel have potential for disposal.

Chairman Short thanked Ms. Stokke and Mr. McFarlan for their report and commented that the ranchers he has spoken with have been very complimentary to the Cedarville and Winnemucca BLM offices for being "good shepherds" of the land.

**00-289 MOVE POSITION OF FACILITIES SUPERINTENDENT TO CONFIDENTIAL GROUP - HUMAN RESOURCES**

Katy Singlaub, County Manager, advised that Joanne Ray, Director of Human Resources, provided a memorandum to the Board outlining a response to questions raised at yesterday's caucus. Ms. Ray reviewed the request to move a position from the WCEA bargaining unit into the confidential group, and advised that the employee and the WCEA are in agreement with the recommendation. She then responded to questions of the Board, advising that the placement of this position to the confidential group is consistent with the placement of positions at the level of division director within the County; that negotiated agreements with the non-supervisory unit and supervisory/administrative units of the WCEA in 1990 and 1994 respectively, included 50% dependent health care coverage with the Association members taking a .92% reduction in pay through a reduced COLA for that benefit; that no employee in the confidential group receives the dependent health care coverage and, therefore, their pay is .92% higher; that placing this position similar to other confidential positions will treat this employee exactly the same as other confidential employees; and that she does not view the recommendation as giving special treatment because the position belongs in the confidential group with similarly situated positions. She further advised that the Hay Group study is looking at this issue in terms of how the County is going to treat all individuals with respect to dependent health coverage.

County Manager Singlaub commented that the request represents a correction in a position of an employee who is a supervisor with a considerable amount of authority and budget responsibility and is incorrectly placed in the class that participates in collective bargaining; that anyone in a similar situation would be addressed, but staff is not aware of anyone else that has been placed in the incorrect employee class; and that this change could wait until the Hay Study is complete and staff brings back suggestions to equalize the dependent coverage benefit.

Commissioner Sferrazza stated that he considers this a salary increase if the employee is not currently receiving dependent coverage, but this cannot be verified because that information is confidential; and that the employees who are not receiving dependent coverage and had their salary decreased by .92% are suffering. County Manager Singlaub commented that the recommendation has to do with supervisory responsibility and is not about compensation.

Commissioner Bond stated that this is a unique situation and she does not think approving this request represents any difference in the treatment of this employee.

Upon inquiry of Commissioner Galloway, Howard Reynolds, Assistant County Manager, provided additional information concerning the negotiated agreement relative to the dependent coverage, advising that in 1994 the supervisory bargaining unit of WCEA had the option of ratifying either a 3% cost of living increase and no County contribution to the County dependent health insurance, or a 2.08% increase and a 50% pickup of the

dependent health insurance; that they ratified the dependent coverage and whether or not an employee in the bargaining unit had dependent health insurance the benefit was spread across the entire bargaining unit; that if they had voted for the 3% COLA, the salary ranges would have been exactly the same; and that Salary Grades Y310 and C275 for this position are exactly the same. Upon inquiry of Commissioner Shaw, Mr. Reynolds advised that the confidential group did not vote on this issue, but were polled as to their preference.

Upon recommendation of Joanne Ray, Director of Human Resources, on motion by Commissioner Bond, seconded by Commissioner Galloway, which motion duly carried, with Commissioners Shaw and Sferrazza voting "no," Chairman Short ordered that the removal of the Facilities Superintendent, Class Code 8135, Salary Grade Y310 (\$49,940.80 - \$66,560.00) from the WCEA bargaining unit and addition of the Facilities Superintendent classification, Class Code 8135, Salary Grade C275 (\$50,440.00 - \$67,121.60) to the Confidential Salary Schedule be approved.

Commissioner Galloway stated that he supported the motion because the salary grades are the same, and he does not think this action opens an unlimited loophole because an employee would have to prove that their position was incorrectly classified in the bargaining unit before any change could be made.

**00-290 GRIFFITH CANYON/BONEYARD FLAT FLOOD CONTROL PROJECT - WATER RESOURCES**

Ed Schmidt, Director, Department of Water Resources, advised that, pursuant to directions given to staff at the March 28, 2000 County Commission meeting, a meeting including representatives from the Kennedy/Jenks Engineering firms, developers, the City of Sparks, and Washoe County staff was held to discuss possible alternatives; that a list of nine alternatives was sent to the Regional Water Planning Commission (RWPC); and that the RWPC is willing to take on the task of evaluating the alternatives, but has expressed concern about the 60-day time limit, noting that this will raise concerns with the City of Sparks who has requested that that timeframe be maintained. Mr. Schmidt then responded to questions of the Board.

Commissioner Bond commented that good faith is being shown in trying to come up with some alternative solutions and possibly the City of Sparks would be willing to extend the timeframe.

Commissioner Galloway advised that some people have stated opposition to any project, and some took the position that there should be a project but felt that development should pay for it because property owners were not told there would be an impact fee before they built; that there would be more runoff as a result of an additional home being built, but that is also true for a home that is built on a previously approved lot; and that he feels that some people do not realize that any house that is built will have an impact on runoff. He asked if the Board could even consider an assessment method that charges developers for unbuilt houses but does not charge the unbuilt houses on individual parcels.

Legal Counsel Shipman advised that there are several options, such as the developer agreeing to absorb the entire cost, or, because a property owner or developer cannot be over assessed, the governmental entity could pick up the difference out of the General Fund; that relative to the imposition of cost, proportionality and benefit would be considered; and that the same general test would normally be considered which would be to charge all users the same fee or have a rational basis for differentiating between one user or another. Commissioner Galloway noted that his concern would be that taking the difference out of the General Fund would tax people in the fringe areas; that maybe a better project could be developed and some of those objections will cease; but that the County will have to confront the equity problem. Mr. Schmidt advised that impact versus benefit will be considered as each alternative is evaluated; and that a draft-financing plan will need to be developed for

whichever project or projects are recommended for consideration.

Mike Bushelman, Regional Water Planning Commission, advised that they appreciate the opportunity to look at the options and have made a strong commitment to form a committee that can meet on an as-needed basis and respond as fast as possible; that Kennedy/Jenks has indicated that they could determine which options have real detriment, and it is possible that a short list of options felt to be viable can be developed within the 60-day timeframe; but they do not believe the total job could be done within 60 days.

Commissioner Sferrazza stated that he believes the primary beneficiaries of the project would be anyone that can build in existing flood plains which includes downstream as well as upstream users. He asked that the Planning Commission also look into the possibility of allocating part of the sales tax money that has been set aside for the Truckee River improvements to offset the cost of this project, since water going into the Truckee River will be eliminated below where most of the improvements would be made, which will increase the capacity of the Truckee River to dispose of some of the upstream flood waters.

Upon recommendation of Ed Schmidt, Director, Department of Water Resources, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Short ordered that the following actions be taken:

1. That staff be directed to halt the current work that Kennedy/Jenks Engineers is performing for the Preliminary Engineering and Design of the Griffith Canyon/Boneyard Flat Flood Control Project.
2. That staff and Kennedy/Jenks Engineers be directed to proceed to develop, in coordination with the Regional Water Planning Commission, an analysis of alternatives including supporting environmental screening and hydrologic analyses for the Griffith Canyon/Boneyard Flat Flood Control Project at a consultant cost not to exceed \$100,000 (out of the \$130,000 remaining in the current contract) and report back to the Board in 60 days, which analysis will assist the Water Resources Department in answering questions raised during the March 28, 2000 public hearing.

Chairman Short noted that Scott Donovan, area resident, has requested to speak on this item. Mr. Donovan advised that he was speaking in support of this item and emphasized that this process needs to be done in a public forum. He suggested criteria for evaluating the alternatives, including the protection of surface and groundwater supplies, minimizing open channels for reasons of public safety, avoiding structures that are subject to catastrophic failure if there is a larger than 100-year event, and minimize the cost and visual impacts. He then stated that if a reasonable cost-effective solution can be developed, he believes the residents would be prepared to participate financially in the project.

#### **00-291 REPORT - RETRAC ENVIRONMENTAL IMPACT STATEMENT**

Commissioner Galloway commented that the County, as a cooperating agency in the ReTRAC EIS process, has been notified that the Draft EIS does not need to address the issue of water infiltration into the trench because, by definition, it is a sealed trench. He requested that David Roundtree, Public Works Director, address this issue. Mr. Roundtree explained his understanding of how the trench would be constructed and advised that it is anticipated that it will be watertight. Commissioner Galloway asked if the Board could direct staff to request that the Draft EIS contain enough information whereby a qualified expert(s) would offer a professional opinion that it is viable to make the assumption that a sealed trench can be constructed that will have no significant amount of leakage. He noted that a watertight trench is not being proposed and there is some anticipation that some seepage will occur, but it would not be significant. Mr. Roundtree commented that the Board could give

that direction.

Mike Bushelman, Regional Water Planning Commission (RWPC) and Chairman of the Agenda Committee, advised that the Committee decided that it would be best to wait until the Draft EIS is completed, which is scheduled to be May 15<sup>th</sup>; and that they would then meet with representatives of the group that prepared the EIS, including Economist Gary Horton, who has been sending information on the project, as well as representatives of other groups, such as from the groundwater remediation project, in order to hear everyone's thoughts on the ReTRAC project and to address all the issues at one time.

Commissioner Galloway commented that he feels it is appropriate to request that the Draft EIS address the issue of the sealed trench and contain professional opinions of experts concerning each construction alternative; and that if the County does not ask for something for the RWPC to study there will just be that much more delay, noting that there is a statutory limit on how much time is available to review a draft EIS. Upon inquiry of Commissioner Galloway, Mr. Bushelman advised that the RWPC has discussed the issue of the trench being below the water table. Commissioner Galloway commented that most dams have the affect of raising water levels and it is his understanding that the Grand Ballroom of the Silver Legacy is about two feet above the water table now. He asked if the ballroom is likely to be flooded, should that be part of the cost of the project. Mr. Bushelman stated that he will take those issues to the RWPC, and added that, in order to expedite this matter, it is anticipated they will be doing some research on their own in order to get answers to some of those issues.

Commissioner Galloway then asked whether the construction alternative report would be part of the Draft EIS. In response, Chris Spandau, Kleinfelder, Inc. advised that a number of technical memorandums will be issued simultaneous with the Draft EIS. Commissioner Galloway then asked if it would be possible for Kleinfelder to give their professional opinion as to whether or not proposed construction methods can result in a sealed trench. Mr. Spandau responded that that is a controversial issue and one that is key to the success of the project; and that they have developed a Technical Review Committee to conduct a peer review of all the processes being looked at in order to build the trench so that it is a sealed unit. Commissioner Galloway then stated that it seems reasonable to request that for each of the construction alternatives, a professional opinion from the peer group is offered so that the RWPC can review it.

Commissioner Galloway further stated that the Board made three requests about items to be included in the EIS and they were all turned down, one request being the inclusion of the overpass and underpass alternatives for four crossings; and that, basically, the answer was that they thought the County did not understand that the criteria had ruled those out. He clarified that the request was that, even though the criteria ruled those out, the County needs this information as a baseline of comparison. He then stated that it was also disappointing that NDOT completely disclaims that the EIS will include comprehensive cost estimates. Mr. Spandau advised that it is important to understand that two things are going on under the contract with The Nolte Team, being (1) the development of the EIS and (2) the preliminary engineering effort that supports the development of the EIS; and that comprehensive cost estimates are not in the EIS because they are being developed in the preliminary engineering effort that is parallel to the EIS.

Jerry Hall, The Nolte Team, Reno Railroad Corridor Project, advised that it is common practice for the detailed cost estimates to be included in the preliminary engineering effort, which runs parallel with the development of the EIS document. He then advised that the City of Reno is not a part of the contracting agency that is dealing with The Nolte Team; and that the preliminary engineering effort and the EIS are part of a single contract with NDOT. Commissioner Galloway then stated that the County was turned down in its request to have a cost estimate that addresses

all of the missing line items and costs alleged by economist Gary Horton, and asked if the Nolte Group would be addressing each of those. Mr. Hall advised that at the point the comprehensive cost estimates are completed, there will be a detailed line item estimate of cost based on the development of the engineering information that will occur sometime subsequent to the completion of the Draft EIS; and that he would expect that the points raised by Mr. Horton would be addressed; and that they have to respond to all issues raised by the Commissioners and others in the community once the Draft EIS is issued. Commissioner Galloway referred to NDOT's statement that they will not honor the County's request to have those issues addressed, and Mr. Hall advised that his understanding is that the County requested that be included in the EIS, and the response from NDOT was that it simply is not part of the EIS, and will be done as part of the preliminary engineering effort. Commissioner Galloway stated that the reason he would like those issues in the EIS is because the Federal Government is a partner in that effort and it gives credibility and an assurance against bias that is not available any other way; and that he does not see why it could not have been included. Mr. Hall that all of the key members of The Nolte Team are licensed in the State of Nevada and have a professional responsibility to carry out the work they are charged with in an unbiased manner. Commissioner Galloway stated that he hopes to see a report from The Nolte Team that responds to Mr. Horton's points, indicates the cost of each item, and whether or not the cost is within budget.

Commissioner Short expressed concern regarding costs and whether the budget will cover the project. Mr. Spandau stated that it is important to have a detailed estimate and this can only be done once the design is complete. Upon inquiry of Chairman Short, Mr. Hall advised that they have been charged with having a final EIS by November, 2000, and a Record of Decision has been requested about that same time; and that in October-November of this year he would expect that the cost estimate on the preferred alternative will be available. He noted that, if the cost estimate is significantly higher than what the City would want, he would expect there would be ample opportunity for people to discuss whether or not the project should move forward.

Commissioner Galloway stated that he believes very comprehensive answers have been given to these questions. He requested that staff ask that for each construction alternative there be a professional opinion and a peer group review about whether or not such alternative will result in a sealed trench; and that this be included in the Draft EIS upon its presentation to the RWPC as a basis for review and analysis.

**00-292 BALL FIELD RESERVATION POLICY - PARKS**

Commissioner Sferrazza stated that he was told that litigation was not going to be filed against the County concerning this matter and his request that it be placed on today's agenda was based on that understanding; that apparently litigation has commenced, however, and he feels this item should be tabled until the litigation is resolved. He further stated that, following discussion with Karen Mullen, Director, Department of Parks and Recreation, he believes the guidelines for assignment of fields need to be reviewed.

Legal Counsel Shipman advised that since the Judge has requested that a preliminary injunction hearing be scheduled and litigation is pending, it is the recommendation of the District Attorney's office that no discussion be held on this issue outside the format of the litigation.

Treva Hearne, Attorney with Zeh, Spoo, Quade, and Hearne, stated that, in trying to settle this matter, she has spoken with staff from the Parks Department and the District Attorney's office, but their hands are tied. She advised that they would prefer to settle this matter and requested that someone in authority direct Legal Counsel and the Parks Department to sit down and settle this issue.

On motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, Chairman Short ordered that this

matter be referred to the District Attorney's office.

Commissioner Galloway stated that it his understanding that Legal Counsel has a standing direction to resolve any dispute in any reasonable manner, and that is what they will do in this case.

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**4:55 p.m.** Having completed the 1:30 portion of the agenda, the Board took a brief recess. Commissioner Sferrazza advised that he needed to leave, but would like to participate in the remainder of the meeting by telephone.

**5:10 p.m.** The Board reconvened with all members present except Commissioner Sferrazza, who later rejoined the meeting via telephone conference call.

**00-293 ORDINANCE NO. 1091, BILL NO. 1267 - AMENDING WCC CHAPTER 110 (DEVELOPMENT CODE) - FLOOD ELEVATIONS - FEMA**

**5:00 p.m.** This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on March 31, 2000, to consider second reading and adoption of Bill No. 1267. Proof was made that due and legal Notice had been given.

Mike Harper, Planning Manager, provided background information and responded to questions from Board members. He further advised that, as directed at the introduction of this ordinance, staff did re-notice all CAB members; that, to date, there has only been one inquiry; and that the Engineering Division will be setting up a series of meetings with the CAB's over the next 2 to 3 months to review the FEMA maps and to get citizen input on them.

Kimble Corbridge, Engineering, distributed correspondence from the Federal Emergency Management Agency (FEMA), discussed floodplains versus floodways, and explained the changes in the zones. He also advised that the only new final FEMA map staff has received is for the Mogul area and that the other new maps are still "preliminary."

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 Bond, seconded by Commissioner Shaw, which motion duly carried with Commissioner Sferrazza absent, Chairman Short ordered that Ordinance No. 1091, Bill No. 1267, entitled, "**An Ordinance amending the Washoe County Code by amending provisions relating to Washoe County Code Chapter 110, Article 416, Flood Hazards, by adding a severability clause; adding provisions recognizing the lowest adjacent grade (LAG) in the appeals process and Letter of Map Amendment; changing references to Zones AE and AH and deleting references to Shaded X Zone B and A1-A30; enumerating the requirement for permits from applicable State and Federal agencies; defining that an "Elevation Certificate" form is a Federal Emergency Management Agency form; amending the notification requirements to delete the Nevada Division of Emergency Management and add the Nevada Division of Water Planning; adding a requirement that all subdivisions of greater than 50 lots or 5 acres shall provide base flood elevation data as part of the application**

submittal; deleting the reference to limited flooding areas in construction standards; requiring a securely anchored permanent foundation in flood zones for fabricated housing; eliminating manufactured home parks and subdivisions and dwellings in existing subdivisions as exceptions to prohibited uses and structures within floodways; enumerating the requirement to have flood insurance when a variance is granted; and to amend Article 902, Definitions, by amending the definition of the 100 year flood, and other matters properly relating thereto" be approved, adopted and published in accordance with NRS 244.100.

On proper motion, the public hearing was reopened so that Ms. Kathleen Burns could express her concerns regarding the impact this ordinance would have on senior citizens. Madelyn Shipman, Assistant District Attorney, explained to her that the ordinance is prospective only.

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Commissioner Sferrazza participated in the remainder of the meeting via telephone and stated that he could see the presentations on the television.

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**00-294 COMPREHENSIVE PLAN AMENDMENT CASE NUMBER CPA99-SV-6 - STEVE AND TERRI COLTHORP - COMMUNITY DEVELOPMENT**

**5:00 p.m.** This was the time set in a Notice of Public Hearing, published in the Reno Gazette-Journal on March 31, 2000, to consider the recommendation of the Washoe County Planning Commission to approve a request to amend the South Valleys Area Plan, being a part of the Washoe County Comprehensive Plan, by re-designating Assessor's Parcel Number 50-431-05 from Public /Semi-Public Facility (PSP) to approximately 1.92 acres of Low Density Suburban (LDS: max 1 dwelling per acre). The amendment request would recognize the previous conversion of the property from a church/civic use to a single-family residential use in the East Washoe Valley Area. The parcel is located on the southeast corner of Pintail Way and Eastlake Boulevard, approximately one (1) mile north of Washoe Lake State Park, is within the Washoe Lake hydrographic basin, in the NE/4, Section 5, T17N, R20E, MDB&M, is designated as "Suburban" on the Truckee Meadows Regional Plan land use diagram, and is within the designated New Washoe City Suburban Community, so a Regional Plan amendment should not be required. Further, it was noted that if the Board approves this request, Administrative changes to the area plan will be necessary to reflect the changes requested within this application, including a revised Public Services and Facilities Map, and a revised table of land use acreage. Proof was made that due and legal Notice had been given.

Dean Diederich, Planning Manager, provided background information, displayed maps and photographs on the overhead screen, and stated that no adverse comments were received from any of the reviewing agencies concerning this comprehensive plan amendment.

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

On motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that Comprehensive Plan Amendment Case No. CPA99-SV-6 be approved based on the following findings:

1. The proposed amendments to the South Valleys Area Plan are in substantial compliance with the policies and action programs of the Washoe County Comprehensive Plan.
2. The proposed amendments to the South Valleys Area Plan will provide for land uses compatible with existing and planned adjacent land uses and will not adversely impact the public health, safety or welfare.
3. Public testimony provided during the hearing before the Washoe County Planning Commission has demonstrated that the proposed amendments to the South Valleys Area Plan respond to significantly changed conditions or result in a more desirable use of land.
4. The proposed amendments to the South Valleys Area Plan will not adversely affect the implementation of the policies and action programs of the Population Element, Conservation Element, and/or the Housing Element of the Washoe County Comprehensive Plan.
5. The proposed amendment to the South Valleys Area Plan will promote the desired pattern for the orderly physical growth of the County or adequately guide 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.
6. The proposed amendment to the South Valleys Area Plan is the second amendment to the Plan in 2000, and therefore does not exceed the three permitted amendments as specified in Section 110.820.05 of the Washoe County Development Code.
7. The Washoe County Planning Commission public hearing, prior to action on the proposed amendment to the South Valleys Area Plan, and the related changes to the text and maps of the plan, has been properly noticed in a newspaper of general circulation in the County as prescribed under NRS 278.210(1).
8. The Washoe County Planning Commission gave reasoned consideration to information contained within the staff report and information received during the public hearing.
9. The Washoe County Commission gave reasoned consideration to information contained within the reports transmitted to the Washoe County Planning Commission and the Washoe County Commission, and information received during the Washoe County Commission public hearing.

**00-295 COMPREHENSIVE PLAN AMENDMENT CASE NUMBER CPA99-SETM-1 - WASHOE COUNTY SCHOOL DISTRICT & NEVADA TRI-PARTNERS - DAMONTE RANCH HIGH SCHOOL - COMMUNITY DEVELOPMENT**

**5:00 p.m.** This was the time set in a Notice of Public Hearing, published in the Reno Gazette-Journal on March 31, 2000, to consider the recommendation of the Washoe County Planning Commission to approve a request to amend the Southeast Truckee Meadows Specific Plan (SETM SP), and the Southeast Truckee Meadows Area Plan (SETM AP), being a part of the Washoe County Comprehensive Plan. The amendment request would re-designate a portion of Assessor's Parcel Numbers 16-360-77, 16-350-45, and 16-360-48 from the land use categories of Medium Density Suburban (MDS/2.5) and High Density Suburban (HDS/5) to Public and Semi-Public Facilities (P/SP) to accommodate the Washoe County School District's re-location of the Damonte Ranch High School and Elementary School. The amendment would also result in the re-designation

of the currently identified school sites to MDS/3 and HDS/6 with no net increase in residential development potential. The land use changes would total 130 +/- acres. The parcels under consideration are located less than 1.7 +/- miles east of U.S. 395/I-580 and approximately 1.2 +/- miles north of the intersection of South Virginia and SR 431. The parcels are located within the Truckee Meadows Hydrographic Basin, in the South 1/2 of Sections 10, and 14, and portions of both the North and South of Section 15, T18N, R20E, MDB&M. The parcels are designated as "Suburban" on the Truckee Meadows Regional Plan land use diagram. The alignment of Steamboat Parkway North, formally know as Damonte Parkway North, is proposed to be modified resulting in minor changes to the shape and distribution of some of the HDS residential areas. No net change in development potential should occur as a result of this new roadway alignment. Proof was made that due and legal Notice had been given.

In addition to the applicants requested amendments, Washoe County staff is proposing a number of modifications to the SETM Specific Plan and the SETM Area Plan to bring the development standards into conformance with the Washoe County Development Code. These changes will impact sections of the Specific Plan related to parking, landscaping, design standards, and possible changes to the processing of certain applications. The Planning Commission specifically rejected the elimination of a special use permit requirement as part of the development process to construct the proposed high school at the requested new location.

Cheryl Ryan, Planner, Department of Community Development, provided background information outlining the applicants' request to change existing sites for the high school and an elementary school, locating the sites on a large map displayed on the overhead, noting that the new high school site would be at the extreme eastern edge of the plan area rather than in the center of the development, and stated that there would be no net change in the total number of residential units. She further explained that if the plan amendment is approved, the school district would be required to obtain a special use permit; that conditions would be placed on that special use permit to mitigate the impacts; and that one of the conditions would be that the school district would have to pave Mira Loma Road to county standards, regarding which staff has given the school district notice. Ms. Ryan also advised that the Citizen Advisory Board (CAB) recommended denial of the request.

Ms. Ryan also explained the proposed administrative changes to the SETM Specific Plan and the SETM Area Plan staff is requesting. She advised that these are necessary to bring the development standards into conformance with the Washoe County Development Code or delete items that are redundant. She then answered questions of Board members stating that there are 18 homes directly adjacent to the new high school site.

Dave Price, Engineering Division, responded to questions concerning Mira Loma Road and projected traffic counts.

Steve Williams, School Planner and Government Affairs Representative for the Washoe County School District, stated that this is the third high school from the 1998 bond series; that their promise to the voters was that this high school would open in 2002; and that to accomplish that, they need to start construction by the fall of this year. He explained that the specific plan included a high school site; that they began discussing that with the Tri-Partners in 1997; that they determined that the original site was not the best site for the high school and agreed to pursue another site; that the site he is talking about tonight is the same site they have always talked about with the public; that they have never had any deals with the Damonte Ranch for any other site; and that the School Board accepted the offer of this property at a publicly noticed meeting on November 23, 1999. He further stated that the public was shown this site again in January at a School Board meeting and at a meeting regarding rezoning of the high schools; and that there has been significant public notice that this is where they intended to build the high school. Mr. Williams stated that they are trying to look as far into the future as possible; that the ultimate development of the specific plan

area will involve over 8200 homes; that there are currently 12 residences within 1,000 feet of the site and another 6 homes out another 1,000 feet; and that, while those 18 residences have legitimate concerns, this site impacts relatively few individuals in the context of the overall plan. He stated that the School District wants to be good neighbors, and they are willing to do anything within reason to minimize the impacts and make the site compatible with its neighbors. Mr. Williams stated that many issues have been raised and he believes the School District will be able to address them; that they think this is a good site for the long-term future of the community; and that the original site in the approved specific plan was not the result of any planning effort and analysis.

Mr. Williams then responded to Board members' questions stating that besides being larger, the proposed site is more rectangular in shape which will be much better; and that from a traffic viewpoint, it is much more desirable to have a high school at the edge of the development, rather than in the middle of it.

Chairman Short suggested that perhaps there should be a meeting(s) with the School District, the developers, the citizens and planning staff to try to work out some of the problems. Ms. Ryan advised that a *charette* is planned so that the citizens and the applicants will have the opportunity to work out proper mitigation measures to address the impacts. Mr. Williams stated that the School District would welcome an opportunity to meet with the neighbors.

Paul Curtis, Vice President of Steamboat Creek Development, stated that when the School District approached them about relocating the high school, they looked at the plans, and they agreed that the new site was a better location. He added that the Regional Transportation Commission (RTC), Washoe County staff, and the Washoe County Planning Commission also agree that this is a better location for a high school for all of the reasons previously stated. Mr. Curtis stated that they are very sensitive and empathetic to the concerns of nearby residents; that they suggested that the school be subject to a special use permit, which the School District has agreed to; and that the issues and concerns will be addressed through that special use permit process. He pointed out that this is an opportunity to plan properly from a long-term perspective; and that there will be benefits to the neighbors, such as having a better road and having municipal water and sewer close by. He then answered questions of Board members concerning Mira Loma Road and stated that everyone will still have access to their homes.

In response to Commissioner Sferrazza, Mr. Williams stated that the School Board voted to accept this site in November, 1999; that it is the only site the School Board ever considered; and that they never adopted the original site proposed in the specific plan. He said that individual notifications of the School Board meetings were not sent out.

Chairman Short acknowledged the correspondence that has been received from the Mira Loma Homeowners signed by 22 residents, from Towner Hawkins and Bob Weigl, Mira Loma Road residents expressing opposition, and from individuals who were present and had written their comments on the request to speak forms. He stated that he also had a few phone calls from people who are against the high school site, all of which were placed on file with the Clerk and made a part of the record. He then opened the public hearing by calling on anyone wishing to speak concerning this matter.

Brad Stanley, 13295 Mira Loma Road, stated that this high school would be right on top of his driveway and he was not even notified. He then reviewed highlights of the Mira Loma Homeowners letter stating that one of their main concerns is the fast-tracking of this; that not only 20 families will be impacted as there are another 300-400 families on Brown Road that will also be impacted; and that the CAB voted against this

proposal. Mr. Stanley stated that their main request is that everyone take the time necessary to really study this and do it right; that there has not been adequate time for review by all agencies; that after 8 years, the project has suddenly been put on a fast track; that there are 60 proposed changes to the plan, 44 of which reduce the number of planning requirements; and that he does not view that many changes as "minor" amendments. Mr. Stanley further stated that the information sent out when the bond was voted on showed the high school in the original location.

The following additional Mira Loma Road area residents opposed the proposed location:

Sharon Stanley stated her opposition to the new site and the dangers at Mira Loma Road. Phyllis Miller opposed the location of the school being so close to her home and the disturbance it will cause to the rural flavor of the area. Russ Miller requested that this plan not be rushed through. Kim and Brent Swearingen explained the research they did in buying their property and the trust they had placed in the Master Plan. Mr. Swearingen submitted a petition signed by 55 people opposed to the relocation of the high school asking that the specific plan not be changed.

Bob Weigl read into the record a letter from the Homeowners Association and expressed his displeasure with this entire process and his concern that the approval of this will allow commercial development. Robert Dickerson advised that he does not believe the Planning Commission gave enough value to testimony they had presented. He also discussed the cost of busing the students an additional distance, annexations by Reno, police and fire services, etc. Larry Small, owner of a commercial kennel, expressed his concern that the activities that will take place at the high school will cause his dogs to bark and he may lose his livelihood if that happens. Peter Kaiser discussed problems of noise, lighting, traffic, etc., associated with a high school.

Dan Ariaz, Golden Valley resident and retiree from the District Health Department, expressed concerns with the Vector Control Program because of all the growth and wetlands attracting mosquitoes and the possibility that, due to lack of funds, they will not be controlled and will be a menace to the high school students. Craig Wessner, Southeast Truckee Meadows CAB member, addressed the heavy usage of Mira Loma Road and the traffic concerns. Bruno Benna, owner of Rilite Aggregate Company, gave a history of his part in building and maintaining Mira Loma Road for dust control purposes. He noted that it was never meant to be used as heavily as it is now and usage will increase if the High School is built in the proposed location.

It was noted that comments cards expressing opposition were received from J. Marie Bye, 11570 Mira Loma Road, Maxine Gillogly, 11560 Mira Loma Road, Melissa Small, Quiet Hills Kennel, Michael Houghton, 1055 Joy Lake Road, Jennifer Evans, 147 Kingswood Ct., and Philip McCauley, 3330 Guyton Drive.

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

Ms. Ryan responded to questions of Chairman Short concerning land use designations and what might possibly be built to the east of the high school site stating that it is High Density Rural; that HDR would not allow any commercial development; and that there are no services currently planned for that area. Chairman Short further stated that he has a lot of concerns about Mira Loma Road. Ms. Ryan stated that staff is also concerned and that is why they have already made it clear to the School District that they will have to bring it up to standard, which would be addressed through the special use permit process.

Commissioner Shaw referred to the school bond map and inquired whether the people were told where the school would be. Mr. Williams stated that they did not identify a specific site, but rather indicated that there would be a high school in the Damonte Ranch area to serve the southeast.

Commissioner Bond asked if there was anything wrong with the original site, besides being smaller. Mr. Williams stated that it is a viable site, but the new site is more desirable because of size, shape, traffic and because it will impact fewer people. He further stated that they had planned to use the same design on all three new high schools to save funds and that, on this smaller lot, they will have to do some reconfigurations.

In response to Commissioner Sferrazza, Mr. Williams explained that in the 1998 bond issue, specific property was identified for both the Spanish Springs and the Golden Valley high school sites because the School District had acquired the land. He added that they did not have land in the southeast at that time and had indicated for the purpose of the bond issue only that it would be in the Damonte Ranch. Commissioner Sferrazza commented that it seems to him that the School District is straying from what they said at the hearings on the Golden Valley high school.

Commissioner Galloway stated that in this area only, the School District seems to have a choice of properties. He and Mr. Williams also discussed the road.

Commissioner Shaw noted that on the original plan there is a 19-acre sports complex adjacent to the high school site, and on the changed plan, the sports complex is 27 acres and suggested that having the high school and the sports complex together so that both facilities could be used conjunctively might be better. Mr. Williams stated that in considering this, it was determined that the opportunities for joint use of the high school facilities would not be there.

Commissioner Bond pointed out that people have a hard time understanding that plans change. She further stated that roads are always an issue; that it is a serious issue because it is about safety and quality of life; and that she has major concerns regarding this.

Commissioner Galloway stated that if the specific plan is changed and the high school site relocated, there should be a special use permit with some tough conditions placed on it. He stated that he agrees with the Planning Commission.

Commissioner Shaw stated that a lot of time and effort goes into preparing these plans; that he is also concerned about fast-tracking this school; and that he does not agree with the Planning Commission recommendation.

Commissioner Sferrazza stated that he agrees with Commissioner Shaw and that he has heard no compelling or convincing reason that the site should be changed.

Chairman Short stated that the special use permit is not under consideration tonight; that it is important to look at the long range planning; that looking into the future, this might be a better location for the school; and that upgrading Mira Loma Road would benefit everyone.

Following further discussion, Dean Diederich, Planning Manager, stated that conditions cannot be imposed on the land use change. He then reviewed the two amendments requested, summarized the options available to the Board and requested that the Board act on the land use

changes and the administrative changes with two separate motions. He stated that most of what he has heard tonight concerning relocating the high school site could be addressed in the special use permit process.

Commissioner Galloway stated that he believes the real geographic boundary of subject area is the steep slopes to the east, which would mean that this new site would be more central, and that he could make the findings necessary to approve the request to relocate the high school. Mr. Galloway then moved to uphold the Washoe County Planning Commission recommendation to approve Comprehensive Plan Amendment Case Number CPA99-SETM-1 for the Washoe County School District to amend the Specific Plan by relocating the site for the high school and the elementary school and associated land use redesignation with the requirement that the School District obtain a special use permit for construction of the high school. Chairman Short seconded the motion stating that he believes the impacts of the high school can be mitigated through the special use permit.

Commissioners Shaw, Bond and Sferrazza stated that they have serious concerns regarding this and they have not been convinced that relocating the high school is necessary.

Chairman Short called for the vote and the motion failed on a 2 to 3 vote with Commissioners Galloway and Short voting "yes" and Commissioners Shaw, Bond and Sferrazza voting "no," and the approval recommendation of the Comprehensive Plan Amendment by the Planning Commission was overturned.

On motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that the recommendation of the Washoe County Planning Commission to approve the administrative changes to the Southeast Truckee Meadows Specific Plan requested by staff be upheld.

### **COMMISSIONERS'/MANAGER'S COMMENTS**

Katy Singlaub, County Manager, requested that if one of the Board members would like to serve on the Facilities Master Plan Steering Committee, that they please let her know.

Commissioner Bond stated that she would like to know if an assessment district for road paving can be for only 10 years and whether or not vacant property would be assessed lower.

Commissioner Sferrazza urged the members of the Regional Governing Board to support the Golden Valley rural designation at their meeting on Thursday.

Commissioner Shaw reported that at the Northern Nevada Literacy Council's fund-raising spelling bee and spaghetti dinner, Washoe County's team of himself, Commissioner Bond, and Sheila Leslie did not come in first, but neither did they come in last and the food was very good.

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There being no further business to come before the Board, the meeting adjourned at 8:20 p.m.

TED F. SHORT, Chairman  
Washoe County Commission

ATTEST: AMY HARVEY, County Clerk