

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

9:00 A.M.

DECEMBER 19, 2000

PRESENT:

Ted Short, Chairman
Jim Shaw, Vice Chairman
Joanne Bond, Commissioner
Jim Galloway, Commissioner
Pete Sferrazza, Commissioner

Katy Singlaub, County Manager
Madelyn Shipman, Assistant District Attorney
Amy Harvey, County Clerk

The Board met in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. Following the Pledge of Allegiance to the flag of our Country, the Clerk called the roll and the Board conducted the following business:

00-1197 AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Bond, seconded by Commissioner Galloway, which motion duly carried, Chairman Short ordered that the agenda for the December 19, 2000 meeting be approved with the following amendments: **Correct** Item 7C, appointment to the Nevada Tahoe Conservation District, to a two-year term instead of a four-year term. **Delete** Item 10, separate agenda for the South Truckee Meadows General Improvement District. It was also noted that Item 24, a resolution requesting the Airport Authority of Washoe County to conduct an Environmental Impact Study on the proposed cargo facility, was added to the agenda as a properly noticed Addendum.

PUBLIC COMMENTS

Sam Dehne, local resident, expressed appreciation to Commissioner Sferrazza for having Item 24 included on today's agenda, and stated his opposition to the proposed postal hub and cargo operation, as well as the Airport Authority in general.

Al Hesson, local resident, responded to statements in a newspaper article concerning the previous week's Board meeting.

00-1198 **GLENN DUNCAN ELEMENTARY SCHOOL – “READ FOR SUCCESS” VOLUNTEERS – CHILDREN’S CHOIR**

Kathy Carter, Community Relations Director, introduced several Washoe County employees and an employee’s spouse who volunteer their time to participate in the Glenn Duncan Elementary School’s “Read For Success” program by helping first and second graders with their reading. Chairman Short presented Certificates of Appreciation to each of the volunteers.

Ms. Carter then introduced Glenn Duncan Principal Frank Garrity who introduced the Glenn Duncan Children’s Choir, who performed several Christmas Carols under the direction of Mr. Dan Robbins, Glenn Duncan’s Music Director.

MINUTES

On motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that the minutes of the regular meeting of November 28, 2000, be approved.

00-1199 **SETTLEMENT AUTHORIZATION – SCHREIER V. WASHOE COUNTY – RISK MANAGEMENT**

Upon recommendation of Ray Sibley, Risk Manager, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that the Risk Manager be authorized to settle the matter of Schreier v. Washoe County.

00-1200 **APPOINTMENT – NEVADA TAHOE CONSERVATION DISTRICT BOARD**

On motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that Commissioner Galloway be appointed as Washoe County's representative to the Nevada Tahoe Conservation District Board of Supervisors for a two-year term beginning January, 2001.

00-1201 **NORTHERN NEVADA BLACK CULTURAL AWARENESS SOCIETY – ANNUAL DR. MARTIN LUTHER KING, JR., BIRTHDAY CELEBRATION DINNER – DISTRICT ATTORNEY**

Upon recommendation of Richard Gammick, District Attorney, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that the purchase of one table at \$1,000, which includes seating for ten people and a half-page public service advertisement, for the 13th Annual Dr. Martin Luther King, Jr., Birthday Celebration Dinner by the Northern Nevada Black Cultural Awareness Society to be held January 15, 2001, be approved.

00-1202 BUDGET TRANSFERS – DISTRICT COURT

Upon recommendation of Anna Heenan, Senior Administrative Analyst, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that the following transfer of appropriations from the District Court Pre-Trial Screening budget to the District Court Information Services budget be approved and the Comptroller be directed to make the necessary adjustments:

	DECREASE		INCREASE	
	PRE-TRIAL SCREENING		D.C. INFORMATION SERVICES	
Base Salaries	12121-7001	\$ 78,791	12104-7001	\$ 78,791
Health Insurance	12121-7042	6,240	12104-7042	6,240
Medicare	12121-7050	1,144	12104-7050	1,144
Retirement	12121-7048	14,774	12104-7048	14,774
TOTAL		\$100,949		\$100,949

00-1203 BUDGET TRANSFERS – DISTRICT COURT

Upon recommendation of Anna Heenan, Senior Administrative Analyst, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that the following appropriation transfers within the District Court Intermittent Hourly Positions budget be approved and the Comptroller be directed to make the necessary adjustments:

		DECREASE	INCREASE
District Court	1210 -70021		\$ 6,304
Filing Office	12101 -70021	\$10,628	
Information Services	12104 -70021	29,033	
Family Court	1212 -70021	9,643	
Masters	121201-70021		10,000
Pre-Trial Screening	12121 -70021		33,000
TOTAL		\$49,304	\$49,304

00-1204 EXTENSION OF DONATION – 1996 CAMARO – D.A.R.E. – SHERIFF

Upon recommendation of Dennis Balaam, Sheriff, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that the two-year extension of the donation of one 1996 Chevrolet Camaro, VIN #2G1FP22P1T2165790, for the specific use of the Washoe County Sheriff’s Office Drug Abuse Resistance Education (D.A.R.E.) Program be accepted with the Board’s gratitude. It was noted that Lee Brothers Leasing initially donated the vehicle on September 8, 1998, and this extension would end in September 2002.

00-1205 ACCEPTANCE OF DONATIONS – RICHARD HILL, ESQ. – ANIMAL CONTROL

On motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that the donation from Richard Hill, Esq., in the amount of \$84.16 to be used for the Animal Control Center, be accepted with the Board's gratitude. It was noted that Mr. Hill had requested his Arbitrator fee be donated.

00-1206 ACCEPTANCE OF DONATIONS – SHERIFF'S COMMUNITY PICNIC – INCLINE VILLAGE

Upon recommendation of Dennis Balaam, Sheriff, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that numerous donations in the amount of \$5,440.00 in cash, food, and raffle items from various local businesses, used for the Sheriff's Community Picnic 2000 held September 23, 2000, at the Village Green and Aspen Grove in Incline Village, be accepted with the Board's gratitude. Commissioner Galloway noted how this event demonstrates the community spirit in Incline Village for the Sheriff's Office. He further stated there are too many contributors to name them all, but he did want to express a special thank you to the Lion's Club for their contributions towards the picnic.

00-1207 CHANGE ORDER #1 – HUMBOLDT DRILLING – SPRING CREEK WELL #5 – WATER RESOURCES

Upon recommendation of John Collins, Manager, Utility Services Division, through Ed Schmidt, Director, Department of Water Resources, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that Change Order #1 be approved and final payment of \$48,241.00 be authorized to Humboldt Drilling for work associated with the construction of Spring Creek Well #5. It was noted that the work was completed on November 6, 2000, and this change order results from additional work requested by the County, changed site conditions and final quantity adjustments.

00-1208 EXECUTE LETTER – STATE BUDGET DIRECTOR – TRUCKEE RIVER OPERATING AGREEMENT – WATER RESOURCES

Upon recommendation of the Regional Water Planning Commission, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, it was ordered that a letter to the State Budget Director requesting that the State budget include funding in the amount of \$40,000 annually for continuation of the Truckee River Operating Agreement Implementation Program be approved and Chairman Short be authorized to execute.

00-1209 AGREEMENT – CINCINNATI MUSEUM CENTER – “IN THE DARK” – PARKS

Upon recommendation of Kristy Lide, Parks Department, through Karen Mullen, Parks and Recreation Director, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, it was ordered that the Traveling Exhibition Agreement between the County of Washoe and the Cincinnati Museum Center, concerning the Spring 2001 exhibit entitled "In the Dark" at the Wilbur D. May Museum, be approved and Chairman Short be authorized to execute. It was noted that the amount for the exhibit and shipping is \$66,000 to be expensed to the May Museum account 6402-7321.

00-1210 AGREEMENT – SIERRA PACIFIC POWER COMPANY – EMERGENCY WATER SUPPLY – WATER RESOURCES

Upon recommendation of John Collins, Manager, Utility Services Division, through Ed Schmidt, Director, Department of Water Resources, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, it was ordered that the Emergency Water Supply Agreement between the County of Washoe and Sierra Pacific Power Company, concerning each party having the ability to replace any water provided to that party during any given calendar year, be approved and Chairman Short be authorized to execute.

00-1211 CONSENT TO ASSIGNMENT OF LEASE – NEW DAWN CORPORATION TO MT. ROSE DEVELOPMENT COMPANY

Commissioner Sferrazza stated there have been previous attempts by others to obtain the County-owned property at Slide Mountain and transfer it into private ownership and asked if this is the same property. Rosemarie Entsminger, Parks Department, stated it is. The County leases the property for the purpose of operating a ski resort and the request before the Board is to transfer the lease to a new operator. Commissioner Sferrazza stated the agenda memorandum does not provide any information about the lease terms, the amount of the lease, the County's rights and authorities, etc.

Ms. Entsminger stated the revenue to the County in the last four years has been \$3,800 to \$4,000 per year and it is based on a complicated Forest Service pro-rated formula. Commissioner Sferrazza stated this 120 acres is key to using Slide Mountain as a ski resort. The public still has to pay to ski at a County-owned facility, and the County is getting "peanuts" for the land.

Chairman Short provided background information on the ski resort and noted the importance of promoting the area as a skiing destination.

Madelyn Shipman, Assistant District Attorney, advised the actual lease is not what is before the Board, but rather the assignment of an existing lease to a party pre-

viously approved by the Commission as a sub-lessee. The lease is for the sole purpose of providing skiing and recreation facilities on the 120 acres.

Commissioner Sferrazza pointed out the staff report states that Mt. Rose Development “will negotiate in good faith to resolve staff concerns relating to the amount of rental payments to be made and the condition of the improvements on the property.” He stated he would like to know what the concerns and problems are.

Steve Mollath, Counsel for Mt. Rose Development Corporation, stated the lease only covers the area where the parking lot is located and the existing old lodge building. The ski lift, the runs, the trails, and everything above the parking lot is leased from the U.S. Forest Service. He further stated the Forest Service has approached them about consolidating the permits for the entire Mt. Rose ski area. The Mt. Rose ski area owns their land in fee and leases a small portion up at the top from the Forest Service. Over the last 5 years, the Forest Service has been asking them to also take over the leases for the Slide Mountain area because they do not want fragmented leases. The Forest Service is concerned because New Dawn Corporation is a shell company and they have been negotiating with New Dawn to take over this lease. Mr. Mollath further stated the only problem he is aware of is the County does not feel it is getting enough revenue, and he has told staff they are willing to discuss this matter. He said they have been trying to build some new facilities and the problem they encountered was the County did not want them to take down the old lodge. He said the purpose of this request is to consolidate the Forest Service leases under one operator. He pledged to work with County staff to make sure the County is receiving the proper rental payment and to make sure they get a new lodge on the Slide Mountain side.

In response to Commissioner Galloway, Mr. Mollath stated they have had meetings with the Parks Department to resolve the problems, which they feel were productive. Mr. Mollath further assured everyone that they have no intention of building condominiums on the site.

Mr. Mollath stated it is not true that the County owns the ski slopes. Ms. Entsminger confirmed that this lease is strictly for the base of the mountain and that Mt. Rose Development did meet with Karen Mullen, Parks and Recreation Director, who believes the problems can be resolved. Ms. Entsminger emphasized the only development the County would permit would be to enhance recreational opportunities.

Robert Cameron, Washoe County citizen and skier since the 1950’s, urged the Commission to sell this property to the Mt. Rose Development Company and let them do what is necessary to have a good ski resort facility. He said the bickering has to stop and the local governments need to get their act together as far as tourism is concerned to deal with the impact the California Indian gaming is going to have on the area economy.

Upon recommendation of John Rhodes, Deputy District Attorney, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried with Commissioner Sferrazza voting “no,” it was ordered that the Consent to As-

signment of Lease by New Dawn Corporation to Mt. Rose Development Company of all of its rights under a Lease Agreement dated July 20, 1973, affecting real property owned by Washoe County at Slide Mountain be approved and Chairman Short be authorized to execute. It was further ordered that a Memorandum of Lease Agreement between the County of Washoe and Mt. Rose Development Company be approved and Chairman Short be authorized to execute.

Commissioner Sferrazza explained his opposition is because the return on the value of subject property is so small that it is ridiculous.

**00-1212 AGREEMENT – AMERICAN TOWER CORPORATION – RED
PEAK TOWER SPACE – GENERAL SERVICES**

Pursuant to discussion at Caucus, Katy Singlaub, County Manager, reported staff did check with bond counsel and learned the expense of leasing tower space for the 800 MHz radio system could only be funded from the bond if the 10-year lease was prepaid. An annual payment of an operating lease does not constitute bond eligible funding.

Commissioner Galloway suggested that any motion to approve include direction to staff to determine what is financially optimal. Tom Gadd, General Services Director, stated the agreement would need to be changed if the Board wanted to prepay the lease, and their intent was to distribute the operation and maintenance costs to the participants of the 800 MHz system on an annual basis. Commissioner Galloway asked if the amount of the lease is \$10,000 or \$12,000 per year. Mr. Gadd responded it is actually \$1,500 per month or \$18,000 per year, which is a comparable rate for such leases.

Commissioner Sferrazza noted the property is owned by the federal government and is the same property the County could have obtained in a land exchange. He asked if this amount is indicative of the other rents on this hill and whether that is the kind of rental income the County would have received had it taken this property. Ms. Singlaub stated staff would have to check into that and report back to the Board.

Commissioner Sferrazza also asked why staff is dealing with American Tower rather than the federal government. Mr. Gadd explained that American Tower Corporation (ATC) owns the tower and leases the site from the federal government. Commissioner Sferrazza asked how much it would cost to build a tower. Mr. Gadd stated he would have to get that information. Ms. Singlaub suggested the item be postponed until later in the meeting when staff could return with the answers to the Board's questions.

Chairman Short noted this particular site is a vital link for the 800 MHz radio system.

Commissioner Galloway agreed the Board needed more information since this is \$18,000 per year for 10 years and stated he understands the County has been of-

ferred all the adjacent land for free. He asked if any of the adjacent land could be used to construct a tower.

In response to Commissioner Shaw, Mr. Gadd stated staff has been in negotiations with ATC for some time trying to reach an agreement, and ATC has said if the County does not execute this agreement by December 20th, the deal is off.

Later in the meeting, Mr. Gadd reported he spoke to both the Bureau of Land Management and the American Land Conservancy and was advised the top of Red Peak is divided into two parcels and those two parcels are going to be sold to buy additional property somewhere else as part of a land exchange deal, which is basically in the 11th hour of negotiations. He further stated that whether there is additional space for the County to build another tower and what that cost would be is not known at this time, but his ballpark figure would be around \$200,000. Mr. Gadd stressed that approval of this lease would lock in the fact that the County has a place on the tower.

Upon recommendation of Tom Gadd, General Services Director, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, it was ordered that a License Agreement between the County of Washoe and ATC Operating Inc. (American Tower Corporation), concerning lease of tower space and adjacent land on Red Peak to construct a communications shelter for the County's 800 MHz Regional Radio System, be approved and Chairman Short be authorized to execute.

00-1213 INTRODUCTION OF NEW WASHOE COUNTY EMPLOYEES

Approximately 20 new Washoe County employees introduced themselves to the Board. Chairman Short welcomed them to Washoe County.

00-1214 EXOTIC ANIMAL PERMIT--NANCY LEE

Upon recommendation of the Washoe County Exotic Animal Advisory Board, on motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that an exotic animal permit for Nancy Lee to keep one Canadian Lynx at 11015 Birch Street, Lemmon Valley, be approved subject to the following conditions:

1. Secure the bottom of the enclosure with field fencing.
2. No unsupervised tethering of the lynx in the front yard.
3. Security Screen the front and rear picture windows.
4. Submit a written disaster preparedness plan.

00-1215 OFFICIAL THANK YOU FOR PREVIOUS 4TH OF JULY CELEBRATIONS – PARKS

Rich Iori, Chair, Reno/Sparks/Washoe County Skyfire, Inc., read a letter into the record, which was also placed on file with the Clerk, thanking Washoe County

for its support of the Skyfire 4th of July community celebrations. Mr. Iori also advised they will not be able to continue producing this program.

Upon recommendation of Gregg Finkler, Parks Operations Superintendent, through Karen Mullen, Parks and Recreation Director, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Short formally extended the Board's appreciation to the Reno/Sparks/Washoe County Skyfire, Inc., Board, Crowd Pleasers, and Mr. Iori for their efforts in producing a 4th of July celebration in the Truckee Meadows for the past six years.

The Board also accepted the status report included with the agenda memorandum on producing a 4th of July event in 2001.

00-1216 RESOLUTION - INTERFUND LOAN - FISCAL YEAR 2000/2001
GENERAL FUND (001) TO TOXICOLOGY FUND (063)

Upon recommendation of Anna Heenan, Senior Administrative Analyst, on motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Short be authorized to execute:

RESOLUTION
AUTHORIZING INTERFUND LOAN
GENERAL FUND (001) TO TOXICOLOGY FUND (063)

WHEREAS, the General Fund of the County (Fund 001) has sufficient cash resources to finance a short-term interfund loan in an amount not to exceed \$300,000 without adversely affecting its cash need; and

WHEREAS, the Toxicology (Fund 063) is in need of a short-term cash loan to cover a temporary cash flow problem due to a payment needed in December 2000 arriving in January 2001 from Federal Contributions; and

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

Section 1. The County Comptroller is hereby directed to transfer an amount not to exceed \$300,000 as needed from the General Fund (001) to the Toxicology Fund (063) to cover a temporary cash flow problem.

Section 2. The cash interfund transaction for this loan is as follows:

		<u>Amount</u>	
		<u>Debit</u>	<u>Credit</u>
General Fund			
Due from Toxicology	(Acct. 001-0000-1363)	\$300,000	
Cash	(Acct. 001-0000-1001)		\$300,000
Toxicology Fund			
Cash	(Acct. 063-0000-1001)	\$300,000	
Due to General Fund	(Acct. 063-0000-2601)		\$300,000

Section 3. The term of this interfund loan shall be six months, commencing on the day of the first transfer, to be repaid on or before six calendar months.

Section 4. There shall be no interest on this interfund loan.

Section 5. This resolution shall be effective on passage and approval.

Section 6. The County Clerk is hereby directed to distribute copies of the Resolution to the Department of Taxation, Comptroller, Toxicology, Sheriff and the Budget division.

00-1217 AWARD OF CONTRACT – ARCHITECTURAL CONSULTING SERVICES – INCLINE LIBRARY PROJECT – PUBLIC WORKS

Dave Roundtree, Public Works Director, stated standard procedures were used in selecting the firm to provide architectural consulting services for the Incline Village Library project. He stated an RFP (Request for Proposal) was issued to the architectural community, and five responses were received. The selection committee, comprised of staff from Public Works, the Washoe County Library, and one Library Board member, reviewed, scored and ranked the proposals. The top three firms were then invited to be interviewed by the selection committee. Based on those interviews, the selection committee chose the Smith Design Group. Reference checks were done and positive responses were received. Mr. Roundtree further stated that following the completion of the process, it was suggested to the County that the Smith Design Group had problems meeting schedules and providing deliverables in a timely manner. Staff followed up with more reference checks and eight Smith clients indicated they received excellent service from the Smith Design Group.

Commissioner Shaw asked if the recommended award has been protested. Mr. Roundtree stated no protests have been filed.

Commissioner Galloway stated he was the person who received the negative information and passed it on to staff. He explained that he got involved in looking at the actual proposals and rankings and learned the top two firms were only 3 percent apart, but Smith does not have as much experience with libraries as Barada-Fuetsch. Commissioner Galloway stated a decision this close should be made by the Board.

Dale Smith, Smith Design Group, provided background information about himself and his partner and stated, of the three firms interviewed, they have the most experience with specific library projects and the most experience with TRPA. He further stated, as a resident of Incline Village for over 22 years, he has extensive experience in snow building design.

Katy Singlaub, County Manager, reported Mr. Smith has also agreed to discuss penalties if schedules are not met, which was confirmed by Mr. Smith.

Commissioner Shaw moved to approve the recommendation of the selection committee and award the contract for architectural consulting services for the Incline Village Library project to the Smith Design Group. Commissioner Bond seconded the motion.

Commissioner Sferrazza stated he agrees with Commissioner Galloway and will support his position on this matter. He further asked that, in the future, the Commissioner in whose district a project is located be allowed to participate in the selection process.

Commissioner Galloway said his is not an easy position, but from his review of the proposals and experience, he believes it should go the other way; and, further, that the system is not set up right when there are people thinking they have a project before it even comes to the County Commission.

Commissioner Shaw stated the process is fair and equitable and was consistent with other projects; the other bidders are not present saying something is wrong; and he trusts staff has done their job.

Chairman Short called for the question. The motion carried on a 3 to 2 vote with Commissioners Galloway and Sferrazza voting "no," and it was ordered that the contract for architectural consulting services for the Incline Village Library project be awarded to the Smith Design Group and that Chairman Short be authorized to execute the contract documents when presented.

00-1218 **BILL NO. 1287 – AMENDING WCC CHAPTER 25 – REVISING PROVISIONS PERTAINING TO EXEMPTION FROM COLLECTING ROOM TAXES**

Madelyn Shipman, Assistant District Attorney, advised the proposed ordinance was brought forward in an attempt to facilitate a resolution to an issue concerning the collection of room taxes, but it does not appear there is agreement between the parties involved. The parties are the RSCVA (Reno-Sparks Convention and Visitor's Authority), the taxpayers represented by Attorney John Rogers, and the RSCVA bond counsel, who is concerned about possible impairment of bonds. She stated the ordinance before the Board provides for a 6-month long-term lease as an indicator of the exemption, which is a further exemption from the existing room tax. At the Caucus meeting, there was dis-

cussion about a proposal made by Mr. Rogers concerning the 28-day provision, and a 60-day proposal by the RSCVA. She further stated she has been told the RSCVA would be willing to go to 90 days. Ms. Shipman advised that, without at least some general agreement among the parties and considering the position of the RSCVA bond counsel, John Swendseid, it would be her recommendation that this item be continued.

Commissioner Sferrazza stated this has not been discussed by the RSCVA Board members. It was only discussed by the Finance Committee who did recognize that there were problems because there is no clear definition of transient lodging in the Code. He also stated one of the RSCVA members, Gary Bullis, expressed opposition to the proposed language because he believes it would create the possibility of fraud with motel owners entering into leases. Commissioner Sferrazza stated whatever is done to the ordinance, there has to be a provision for actual proof that someone did pay for a full 28 days. He also said he does not believe it is necessary to change the ordinance and the people who paid the \$7,000 should be given an opportunity to obtain a refund upon proof that they actually collected over 28 days rent, which he believes they can do.

Commissioner Shaw stated he also thought this was going to be discussed further at the RSCVA before it came to the County Commissioners.

Michael Pagni, RSCVA legal counsel, stated the RSCVA had a hearing in November with two taxpayers, and the issue was whether or not the first month's pro-rated rent on long-term leases, in this case leases of 12 months or more, was subject to room tax. The current County ordinance requires that all transient rentals are subject to tax unless you prepay for a period of 28 days in advance. A pro-rated period of less than 28 days is subject to tax pursuant to very clear language in the County Code. Mr. Pagni stated the Finance Committee heard the issue on appeal and recognized the equity of the situation, but they felt their hands were tied by the ordinance and denied the appeal. He further explained they met with the taxpayers after the hearing to see if they could come up with some type of resolution, and what they are proposing is an amendment to the current ordinance specific to these taxpayers to create an exemption for pro-rated first month's rents on legitimate long-term residential rentals. The language is very narrow in scope and purpose and that was their intent in order to address the issue of legitimate long-term residential rentals. The proposal exempts only the pro-rated portion of the first month's rent if the taxpayer provides evidence of a written lease agreement, which agreement is not terminated within 6 months.

Mr. Pagni also advised there are at least two or three other ways taxpayers in the same circumstances as these taxpayers can qualify for an exemption under the current ordinance. They can pro-rate the second month's rent; they can pro-rate the last month; they can collect more than 28 days up front; and there are several steps they can take under the current ordinance to avoid the tax. This proposal merely creates one more way to claim exemption and that is why they purposely made it so narrow in scope. Mr. Pagni stated there are concerns about fraud because they have had instances where bogus leases are entered into and then terminated early in order to avoid room tax.

Commissioner Galloway stated landlords usually collect at least one month's rent and sizable security/damage deposits; and asked why that could not be considered as paying more than 28 days rent. Mr. Pagni stated, under Nevada law, security deposits are held in trust by landlords and do not become the property of the landlord until there is a default, so deposits cannot be considered as prepayment of rent.

Commissioner Sferrazza stated the proposed language does not require actual proof of payment, which he feels is necessary to cut down on the incidents of fraud. He also discussed the weekly rentals and stated when those people have paid more than 28 days, they should also get rebates.

Royal Kuckhoff, General Manager, Brat Resort Properties, stated he has been doing vacation rentals and long-term rentals at Incline Village for 23 years, and he does not believe the intent of long term rentals has anything to do with transient occupancy. He further stated he does not believe the RSCVA has any jurisdiction over long-term rentals.

Judy Cook, President of the Northern Nevada Chapter of the National Association of Residential Property Managers, stated many, if not most, of the property managers in this area pro-rate the first month's rent and collect a security deposit equal to one month's rent in order to make it affordable for people to get into the rental units. She pointed out this is not an exceptionally affordable community when it comes to housing. She said she would be very concerned about this ordinance if it were not for the security deposit and that fact, plus the intent of the actual written agreement, needs to be given the most weight in this situation.

Commissioner Galloway asked Ms. Cook if security deposits were considered only for the purpose of room tax exemption and those were shown in the books as being collected, would that eliminate or reduce the potential for fraud. Ms. Cook stated she believed it would and pointed out that the State Real Estate Division loves to audit their trust accounts.

Commissioner Sferrazza stated there would be no problem if landlords would pro-rate the deposit or the second month's rent rather than the first month. Ms. Cook responded the main problem with that idea is the property management software they all use does not allow pro-rating the second month, and deposits are really broader than just security as they can be used to cover rent, utilities, damages, etc.

In response to Commissioner Galloway, Sue Murray of Incline at Tahoe Realty stated there is only one company at Incline Village that she knows of that does not pro-rate the first month's rent. Commissioner Galloway noted there are probably many rental agencies in the Truckee Meadows doing the same thing and they would also be subject to audit and tax under this ordinance.

John Rogers, attorney representing the taxpayers, stated the bigger issue is the adoption of a standard definition of transient lodging, which the County has not yet

done, and, if it had, these other issues probably would have been addressed at that time. Commissioner Sferrazza stated that is what he wanted, but it does not seem to be a part of this. Mr. Rogers stated in this instance, there was a need for speed and they did not think they could address that issue quite this quickly.

Ms. Shipman reported the Legislative 253 Committee is actually going through the process right now of defining transient housing for purposes of room tax collection.

Chairman Short stated the immediate problem is properties are being audited, going back prior years, and there was a demand by the RSCVA that room taxes be paid. Mr. Rogers stated the amount between his two clients is approximately \$12,500. It was originally around \$35,000 and it has been worked down over time. He stated with the recent RSCVA ruling, they either need to get them to reconsider, which would seem to require some action by the County Commissioners to clarify the intent of what the room tax was to cover, or file a court action seeking prohibition of the tax.

Commissioner Sferrazza stated he would like to move this forward and asked Mr. Rogers if he would accept the 90-day rental agreement offered by the RSCVA. Mr. Rogers stated he would still request that other monies paid be recognized to show good faith that this is a long-term rental.

Mr. Pagni stated there are broader issues concerning room tax and they have been working on a bill draft request for the 2001 Legislature which will solve many of these problems, but it will also leave some issues up to the local governing bodies. He anticipates working with the local entities and the taxpayers after the legislature to address remaining issues.

Commissioner Galloway stated it was wrong for the RSCVA to audit these businesses and charge taxes and penalties on a technicality and to do so retroactively. If the RSCVA was really interested in doing the right thing, they would have warned these taxpayers and told them what would happen in the future.

Mr. Pagni stated the RSCVA will not audit any non-licensees until the legislation pending before the State is resolved. He further stated all the RSCVA did was enforce the County ordinance. Out of 15 properties audited, these two taxpayers were the only ones with problems; they appealed; and the RSCVA does not have authority to change the ordinance. They are proposing this amendment to the ordinance to resolve a very difficult issue, which, if adopted, would enable these two taxpayers to go back to the RSCVA on a motion for reconsideration based on the County clarifying the ordinance.

Commissioner Bond asked Mr. Pagni if the proposed language will be sufficient for this particular purpose and still protect the people that need to be protected. Mr. Pagni stated it will. Everybody is subject to these taxes and what this does is create an exemption which will give the Finance Committee a vehicle for reconsidering these

two taxpayers' situation. Mr. Pagni further stated this is a temporary solution pending new legislation in the 2001 session.

Commissioner Shaw stated both he and Commissioner Sferrazza sit on the Finance Committee and he believes this appeal would be reconsidered once the language is worked out and then the situation could be resolved amicably for all parties.

Sam Dehne, local resident, expressed his distrust of the RSCVA and stated he is not even sure what is happening, but whatever the RSCVA is asking for, the County Commission should throw it out.

Commissioner Galloway moved that the ordinance be amended by using the language proposed by Mr. Rogers. The motion died for lack of a second.

Commissioner Galloway then moved that Mr. Pagni's proposed ordinance language be amended to change six months to 90 days. Commissioner Shaw seconded the motion. Commissioner Sferrazza requested language concerning proof that the rent was actually paid be added. Commissioner Galloway accepted that amendment and noted this action is a clarification of intent and not an attempt to expand the tax base. Commissioner Shaw seconded the amendment and asked Mr. Pagni if that was acceptable to the RSCVA. Mr. Pagni stated it was. Chairman Short called for the vote and the motion carried unanimously.

Bill No. 1287, entitled, "AN ORDINANCE AMENDING WASHOE COUNTY CODE BY REVISING THE PROVISIONS PERTAINING TO THE EXEMPTIONS; EXEMPTING FROM COLLECTION ROOM TAX ON PRORATED RENTS FOR THE FIRST MONTH OF A LONG-TERM RESIDENTIAL RENTAL," was introduced by Commissioner Galloway as amended, the title read to the Board and legal notice for final action of adoption directed.

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the Business Impact Statement for Bill No. 1287 be approved.

**00-1219 BILL NO. 1288, ORDINANCE NO. 1110 – ISSUANCE OF
GENERAL OBLIGATION SEWER BONDS (STMWRF)**

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that Bill No. 1288, Ordinance No. 1110, entitled, "AN ORDINANCE AUTHORIZING THE ISSUANCE BY WASHOE COUNTY, NEVADA OF ITS REGISTERED, NEGOTIABLE, GENERAL OBLIGATION (LIMITED TAX) SEWER BOND (STMWRF) (ADDITIONALLY SECURED BY PLEDGED REVENUES) SERIES 2001 IN THE MAXIMUM PRINCIPAL AMOUNT OF \$21,000,000 FOR THE PURPOSE OF FINANCING SEWER PROJECTS FOR THE COUNTY; PROVIDING THE FORM, TERMS AND CONDITIONS THEREOF AND COVENANTS RELATING TO THE PAYMENT OF SAID BOND; AND PROVIDING FOR ITS ADOPTION AS IF AN EMERGENCY EXISTS; AND PROVIDING OTHER MATTERS RELATING

THERETO," be approved, adopted as if an emergency exists, and published in accordance with NRS 244.100.

**00-1220 ESTABLISH NEW POSITION/CLASSIFICATION – LAW OFFICE
MANAGER – DISTRICT ATTORNEY**

District Attorney Richard Gammick reported that his Administrative Assistant, Vickie Wedow, will be retiring in the near future after 37 years in the office; and, as a result, they started looking at this position and determined that Ms. Wedow deserves special commendation for being woefully underpaid and under recognized for years because of the job responsibilities and what they have grown to. His staff, Human Resources, Finance Division and the Washoe County Employees Association have had meetings and believe this is the time to better structure the upper echelon of the District Attorney's office and replace Ms. Wedow with two people, one of which would be a finance person to handle budgets, payroll, all the bank accounts for the many different funds, payment of bills, etc.

The other position he is proposing is a Law Office Manager, who would be responsible for the supervision and direction of all support staff, and he presented an analogy stating this position would be equal to a First Sergeant in the military. Mr. Gammick stated a job description was prepared for this proposed new classification with assistance from Finance and Human Resources and they determined the duties and responsibilities were closest to that of the Administrative Health Services Officer, which is recommended to be a pay grade "T." The job description was then taken to the job evaluation committee to be classified under the HayGroup method, and the committee recommended the position be at pay grade "Q." The District Attorney stated everyone is in agreement that the new position is needed and the only outstanding issue is the pay range. He presented comparisons of the duties and responsibilities in these different ranges substantiating his contention that the position should be an "S" and pointed out the individual in charge of the Family Support Division, who is not an attorney, is recommended to be in the "R" range.

Mr. Gammick requested the Board approve the new Law Office Manager position at the "S" pay range to enable him to begin recruitment of the caliber of individual he will need.

Chairman Short and Mr. Gammick also discussed the issue of the Board setting salaries outside of the Hay Study. Chairman Short suggested Mr. Gammick note in the job recruitment advertisement that the pay range is being studied and is subject to change and, further, that consideration be given to starting someone at the top of the range. The District Attorney then responded to Board members' questions and presented other arguments in support of his request. He also expressed frustration in not being able to deal directly with the job evaluation committee stating all of this information has been presented to the committee.

Assistant County Manager Mark Gregersen discussed the importance of following the established process for the HayGroup job evaluation and classification study. He further stated it would be possible to have the job evaluation committee look at this position again and if they determined it should be upgraded, Human Resources could authorize the District Attorney to advertise at the new salary range if the Board were willing to delegate such authority to Human Resources.

Katy Singlaub, County Manager, explained the job evaluation process is not being done in a manner that allows department heads, supervisors or employees to personally appeal to the committee, and the reason for that is to keep the process very objective and to keep the personal aspect out of the process. Chairman Short suggested perhaps, in this instance, Mr. Gammick could speak directly to the committee. Commissioner Sferrazza objected stating if one is allowed to go directly to the committee, then everyone should be allowed to do the same.

Commissioner Galloway stated staff is advocating that the Hay process not be abandoned, but the information presented to the Board today should also be presented to the committee for them to re-evaluate. If they still do not upgrade the position, Mr. Gammick will have to recruit at that salary level. The incumbent has indicated a willingness to stay through February. Commissioner Galloway asked if the District Attorney has not been successful in recruiting someone by the end of January at that pay range, whether that fact would be new information for the committee to consider. Mr. Gregersen stated the ability to recruit qualified employees is definitely something that should be considered.

Commissioner Bond suggested authorizing Mr. Gammick to recruit at the top of the "Q" range so he would have a dollar amount to advertise and then set the top at the completion of the process. Ms. Singlaub further suggested a time limit on completing the Hay process for this position.

Commissioner Sferrazza stated when the District Court Judges appeared last week on their employee classifications and pay ranges, the Board was told the Hay study would not be completed until May and asked why this one position should be treated differently than everyone else. He said this person does not even exist yet and is getting better treatment than existing employees who have been waiting months and months for this study to be done.

Joanne Ray, Human Resources Director, explained this is exactly why they agreed not to bring any new positions to the Board until completion of the study, but at that time they envisioned having completed results in November. She also stated they have stepped up the process and added more dates for the job evaluation committee to meet and now hope to bring the results of the Hay study to the Board in February. Ms. Ray further said they also agreed the study would not impede County business and she feels this situation is a little different because it is critical that the District Attorney fill this position.

Commissioner Sferrazza again expressed his opposition to a position getting preferential treatment and stressed the importance of everyone being treated equally. Commissioner Shaw brought up the issue of employee moral.

Mr. Gammick stated department heads were never asked for input or to participate in the Hay study and departmental structure does have an impact on that process. He stated this position is absolutely critical to his operation. The expedited manner of classifying the position is for him and for the office, not for an individual because he does not even know who the person might be.

Commissioner Sferrazza stated as he understands the point-factor system, by creating this new position with an extra level of supervision, there will be employees in the District Attorney's office who will lose some of their points and will have to be rated downward. When the supervisor duties move to this new position, points will have to be subtracted from the position that was given credit for that supervision. Creating such new positions affects everyone else in the County.

Mr. Gammick stated that is exactly what is wrong with this paperwork kind of study and not being able to explain how the office operates or answer questions for the people ranking the positions.

A discussion ensued regarding the request for review process. Ms. Ray stated positions are being evaluated department-by-department in terms of how they impact the overall department.

Chairman Short asked if Ms. Ray had any objection to Mr. Gammick appearing before the committee. Ms. Ray stated they have not allowed that but would in this case because this is a new position and Mr. Gammick has an urgent need. Commissioner Sferrazza stated if that is going to be allowed, he is requesting that at least one person in each class that has been appealed be allowed to appear before the committee. He stated his dissatisfaction with the Hay process is that the committee members do not really know and understand what these other people are doing and reiterated that this position is getting preferential treatment while existing employees are being denied the opportunity to explain their position to the committee.

Commissioner Bond agreed that if one person appears before the committee, everyone should be allowed to. She suggested the Board not allow Mr. Gammick to appear personally, but rather that he submit all of this information to the committee and let the process go forward.

Mr. Gammick pointed out the position will be a confidential one and he will be surrendering the next Legal Secretary I position that comes open for financial purposes.

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Short ordered that the new position of Law Office

Manager for the District Attorney's office be approved at the "Q" salary range; that the District Attorney not appear in person before the job evaluation committee, but all the information be submitted to the committee for their review; and that the District Attorney be authorized to recruit anywhere within the "Q" range for the starting salary.

**00-1221 RESOLUTION AUTHORIZING GRANT OF FUNDS – NEVADA
DEPARTMENT OF AGRICULTURE – ESTRAY PROGRAM**

Upon recommendation of Karen Wallace, Administrative Analyst, on motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Short be authorized to execute:

RESOLUTION – Authorizing Grant of Funds to Nevada State Department of Agriculture for Estray Horse Program

WHEREAS, The Nevada State Department of Agriculture has developed an Estray Horse Program whereby it captures and adopts out estray horses; and

WHEREAS, Washoe County has urged the State of Nevada to pursue the Estray Horse Program in the Virginia Range; and

WHEREAS, More than 200 estray horses from the Virginia Range have been captured and successfully adopted out over the past several years; and

WHEREAS, The Estray Horse Program has need for Washoe County's continued support, now, therefore, be it

RESOLVED, That the County grant \$15,000 to the State of Nevada, Department of Agriculture, for its Estray Horse Program; and be it further

RESOLVED, That the County Clerk transmit a copy of this Resolution to the State of Nevada, Department of Agriculture.

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It was noted that \$5,000 will come from the Commissioner's budget (1001-729152, District 2 Constituents) and \$10,000 from the County Manager's Administration budget (1011-7105, Consulting Services).

12:55 p.m. On motion by Commissioner Bond, seconded by Chairman Short, which motion carried with Commissioner Sferrazza voting "no," the Board went into a closed personnel session for the purpose of discussing negotiations with Employee Organizations.

1:05 p.m. The Board reconvened in open session with Vice Chairman Shaw presiding until Chairman Short returned at 1:14 p.m. All other members were present.

00-1222 **DISCUSSION/DIRECTION – AMENDMENTS TO ADULT CHARACTERIZED BUSINESS LICENSE ORDINANCE**

Commissioner Galloway stated he requested further discussion and possible action on amending the adult characterized business license ordinance because at previous meetings a number of options were outlined. Some of those had to do with setbacks and distancing rules. The issues of arterials and display rules brought up by Commissioner Sferrazza had also been continued. Commissioner Galloway further stated he has now learned there might be more possible sites available than first thought which would mean the Board may be able to impose longer distancing requirements.

Peg O'Malley, South Hills resident, stated this is a County ordinance yet all the sites being considered are peripheral to the City of Reno. There is plenty of available area in Washoe County for these businesses.

Vice Chairman Shaw read written comments from Ms. O'Malley and from Barbara Eichbaum, who had left the meeting. There was a request to speak card from Patricia Puchert, but she had also left the meeting.

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Chairman Short resumed the gavel.
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Commissioner Galloway stated when the Board originally approved lower distancing requirements, it was because they were told there would be site availability problems with longer distances. He further stated he has new data which indicates that if these businesses were restricted to industrial areas with a 1,000-foot distance requirement from residential property, there would be 18 locations available in the unincorporated area. He asked if that number would be in the acceptable range.

Madelyn Shipman, Assistant District Attorney, advised there never was a change in the distance. The 500 feet has been in the ordinance since the very first adult business ordinance.

Mike Harper, Planning Manager, stated these 17 or 18 sites are clustered and developing one would eliminate many of the others.

Ms. Shipman discussed case law and what has been determined by the courts in this area.

Bob Webb, Planning Manager, displayed a map showing 18 potential locations for adult characterized businesses in industrial-zoned areas. Mr. Webb stated there are no residentially zoned parcels within 1,000 feet of these locations, but as in any case, site inspections would be necessary to determine if any of the other disqualifying public uses, such as schools, churches, etc., are nearby.

Another map was displayed showing 40 potential locations in commercial/industrial with the 1,000-foot distance requirement. Mr. Webb then showed 66 locations if the distance was reduced to 750 feet and which of those would be eliminated if they were only permitted in industrial zoning.

Commissioner Sferrazza asked to see the locations with a 2,000-foot distancing requirement in industrial zoning. Mr. Webb showed there would be 8 potential sites.

In response to Commissioner Galloway's question concerning locating adult businesses way out of town, Ms. Shipman stated the courts have said these businesses must be looked at the same as any retail business that has to compete in the marketplace.

Chairman Short asked if "residentially zoned" could be changed to "residentially used." Mr. Webb stated they would need a very clear and precise definition of "residence" for enforcement purposes. Commissioner Shaw expressed his concern that motels be included in the definition of residential.

Commissioner Galloway stated he was focusing on industrially zoned property with the 1,000-foot distancing requirement. He asked if the Board could also impose the restriction that an adult business located on an arterial have no outside display. Ms. Shipman said she believed that could be done because a well-traveled arterial would have school buses on it. A discussion ensued concerning visibility of display signs, types of signs, etc. Mr. Webb suggested perhaps the focus should be on the type of display. Mr. Harper stated the potential for an ordinance surviving a legal challenge is higher if more specific language is used, rather than being in the position of having to make judgment calls. Commissioner Sferrazza suggested language that display windows not face public streets or arterials, but be oriented towards the business parking lot.

Commissioner Sferrazza moved that staff be directed to amend the existing ordinance to restrict the location of adult characterized businesses to industrially zoned areas and that they not be located within 1,000 feet of residentially zoned property. The purpose of this action is to remove or eliminate the secondary affects of adult businesses, such as potential criminal activity, solicitation/prostitution, drug trafficking, etc., from areas regularly traveled by children, young people, school buses, etc. He further directed that staff propose language concerning display windows not facing arterials or public streets, and any other proposed amendments staff feels are necessary. Commissioner Sferrazza stated these amendments will make the County regulations consistent with the City of Reno's ordinance. Commissioner Galloway seconded the motion.

Chairman Short requested staff try to develop a way to include “inhabited residences” rather than “residentially zoned property.”

Chairman Short called for a vote on the motion and it carried unanimously.

00-1223 RESOLUTION – REQUESTING AN ENVIRONMENTAL IMPACT STUDY ON PROPOSED AIR CARGO FACILITY AT AIRPORT

Katy Singlaub, County Manager, advised that several people have requested to speak on this item. Chairman Short then called on those wishing to speak.

The following people spoke in support of adoption of the resolution requesting the Airport Authority to conduct an Environmental Impact Study (EIS) on the proposed air cargo facility: Ike Eichbaum, South Hills resident; Judith Snell, Donner Springs resident; Sam Dehne, area resident; Jo Deen Howe, area resident; Jackie Decker, Rewana Farms representative; Craig Paulson, area resident; Robert Cameron, area resident; Tom Flynn, President, Citizens For Airport Accountability (CFAA); Jack Clark, Ph.D., area resident; Gary Schmidt, area resident; and Gilbert Weikel, Rewana Farms resident. Several people presented written statements in support of conducting a full EIS, which were placed on file with the Clerk. Issues presented included concerns relative to nighttime noise; sleep deprivation; health problems; air pollution; inaccurate and incomplete information in the Environmental Assessment (EA); some noise monitors used for data collection were non-functional; the need to consider the proposed air cargo facility with the USPS hub analysis to be in compliance with requirements of the National Environmental Policy Act (NEPA); this highly controversial proposal requires an EIS; and an increase of north bound air traffic.

The following people spoke in opposition to requiring an EIS at this time: Betty Morris, County resident; Chuck Alvey, EDAWN; and Greg Ferraro, Nevada Resort Association. Issues discussed included the need to follow the established Federal process and first complete the EA and then determine whether an EIS is needed; presupposition of the outcome of the EA and imposing a full EIS prematurely would have disastrous implications; and the need for economic diversity at the airport.

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During the public comment period, Commissioner Bond left the meeting.

Krys Bart, Executive Director, Airport Authority, advised that the EA is not complete and to date \$1.25-million has been spent for the analysis. She advised an EIS would cost another \$1-million and would take two to three years to complete. Ms. Bart said they are following NEPA procedures, and the USPS prepared their own document. The air cargo facility EA process is in the public comment period which has been extended from the required two weeks to six weeks and ends December 22. Those public comments will be thoroughly evaluated and reviewed, and it is anticipated additional

analysis will be conducted based on some of those comments. The process established by Federal law must be allowed to go forward, and after the EA process is finished, they would be happy to provide a complete presentation and respond to any Board concerns or questions. Ms. Bart responded to questions of the Board.

Commissioner Sferrazza stated the EA did not adequately address the noise issue, and it is appropriate to request an EIS because the issue is highly controversial. Commissioner Galloway commented it appears the issues are too broad and have not been properly and fully addressed by the EA.

Ms. Bart said the appropriate time to request an EIS would be after the EA is completed. The purpose of the draft EA is to find out where the public thinks weak points exist, and those points would be evaluated further in the EA analysis. Commissioner Galloway commented the proponents of the EIS are saying the criteria were improperly applied in the first place and the issue should have gone directly to an EIS. Commissioner Shaw stated he is concerned that, if the process is stopped at the EA, the community would lose control over getting their concerns addressed. Ms. Bart commented that many of the public's concerns cannot be addressed by the Airport because of Federal regulations. Commissioner Sferrazza said the Airport has legal control over decisions such as moving the cargo facility, etc.

Chairman Short stated this proposal represents a major impact to the community, and many of the noise issues were not adequately addressed in the EA. Commissioner Galloway said questionable omissions in noise data, such as sensors pointed the wrong direction, dead sensors, etc., have to be addressed. He said he believes an EIS process can be conducted in less than 2-3 years, noting a lot of work for the EIS has already been done.

On motion by Commissioner Shaw, seconded by Commissioner Sferrazza, which motion duly carried, it was ordered that the following Resolution be adopted and Chairman Short be authorized to execute; and that the Resolution be presented to Landrum and Brown, Consultants, to become part of the public comment of the EA Study.

RESOLUTION

WHEREAS, The Reno-Tahoe International Airport is considering moving its air cargo facilities to the southwest quadrant of the airport property; and

WHEREAS, The Airport Authority of Washoe County estimates that this move will allow the air cargo facilities to expand to an ultimate 110 acres over 20 years; and

WHEREAS, A November 29, 2000 memo from Airport Authority Executive Director Krys Bart to the Authority's Board of Trustees states that:

- Year-to-date air cargo is up 4.4% so far this year, and
- Integrated cargo carriers UPS, FedEx, and Airborne Express continue to report double digit gains for October 2000 and year-to-date, and

WHEREAS, The Reno-Tahoe International Airport has experienced continuous air cargo growth in the past several years; and

WHEREAS, The move of air cargo facilities to the southwest quadrant of the Airport property will result in noise impact upon the residential properties located nearby; now, therefore, be it

RESOLVED, That the Washoe County Board of County Commissioners hereby requests that the Airport Authority of Washoe County conduct an Environmental Impact Study on the proposed air cargo facility.

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Commissioner Galloway advised that, prior to leaving the meeting, Commissioner Bond asked that he provide her comments regarding this item. She indicated the postal hub and air cargo issues are related and need to be considered together. If the EIS had been started for the postal service, it could have been integrated into this analysis and the process might be much further along. She is not against an EIS but does not believe the Airport Authority has had enough time to comment on the draft EA.

00-1224 PERFORMANCE AUDIT REPORT AND RECOMMENDATIONS – EQUIPMENT SERVICES DIVISION – GENERAL SERVICES

Gary Goelitz, Senior Internal Auditor, responded to questions of the Board concerning this item. Katy Singlaub, County Manager, advised that the Equipment Services Division employees have been fully involved in the audit study.

Upon recommendation of Mr. Goelitz, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Short ordered that the following actions be taken:

1. The report regarding the performance audit of the Equipment Services Division be accepted.
2. The elimination of the vacant Equipment Services Superintendent position be authorized.
3. The establishment of a position within the General Services Department to establish a property management program be authorized.

4. Fleet reduction be established as a high priority and the General Services Department be directed to initiate a program to eliminate underutilized vehicles within the County's fleet.

00-1225 AMENDED SPHERE OF INFLUENCE PROPOSAL – WEST TRUCKEE MEADOWS – COMMUNITY DEVELOPMENT

Mike Harper, Planning Manager, Department of Community Development, advised that in August the Board directed staff to submit a request to the Truckee Meadows Regional Planning Agency (RPA) for consideration by the Regional Planning Commission (RPC) and the Regional Planning Governing Board (RPGGB). The request was for an amendment proposal to conform the sphere of influence boundary in Commissioner Galloway's District to the current City of Reno municipal boundaries south of the I-80 freeway to be included in the Regional Plan update. He reviewed specific concerns expressed by the Reno City Council about the proposed amendment. Based on Reno's concerns, Mr. Harper presented an amended proposal and provided a map depicting revised sphere boundaries. He noted a small portion of the amended boundary goes into Chairman Short's District. Mr. Harper advised staff will again meet with the CAB's and NAB's and send out new notices to all property owners affected by the proposed change. The revised proposal is scheduled to be heard by the RPC on January 24, 2001 and the RPGGB on February 8, 2001. Mr. Harper then responded to questions of the Board and advised this amended boundary proposal eliminates the need for the Board to take action on staff's recommendation in the staff report concerning a future land use designation amendment.

On motion by Commissioner Galloway, seconded by Chairman Short, which motion duly carried, it was ordered that the following actions be taken:

1. Staff be directed to submit an amended sphere of influence proposal, based on the revised map presented today, for the West Truckee Meadows to the Truckee Meadows Regional Planning Agency for scheduling before the Regional Planning Commission and Regional Planning Governing Board.
2. Staff be directed to prepare the appropriate analysis for submittal to the Truckee Meadows Regional Planning Agency. It was noted that the County's position is that there is no fiscal impact compared to the way revenues are now.

00-1126 FISCAL EQUITY ISSUES

Commissioner Galloway said because of the length of today's meeting and the importance of the fiscal equity issue, the Board may wish to continue this item.

Following discussion, on motion by Commissioner Sferrazza, seconded by Commissioner Shaw, which motion duly carried, Chairman Short ordered that this item be continued.

COMMUNICATIONS AND REPORTS

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

00-1227 Communications

Agreement between Washoe County and Reno-Sparks Convention and Visitors Authority regarding General Obligation Backing of Bonds (see Minute Item 99-1183).

00-1228 Reports – Monthly (October 2000)

- A. Animal Control
- B. County Clerk
- C. Court Clerk
- D. Treasurer

00-1229 Reports – Quarterly 2000

- A. Truckee Meadows Fire Protection District
4th Quarter, Apr-May-Jun, 2000
- B. Verdi Television District, 1st Quarter, Jul-Aug-Sep, 2000
- C. Washoe County School District, 1st Quarter, Jul-Aug-Sep, 2000

Financial Reports

00-1230 Washoe County School District, June 30, 2000

00-1231 Washoe Health System, June 30, 2000

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3:50 p.m. The Board adjourned to a closed session.

TED SHORT, Chairman
Washoe County Commission

ATTEST: AMY HARVEY, County Clerk
