

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

2:00 P.M.

FEBRUARY 12, 2002

PRESENT:

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

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 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:

02-102 AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Short, seconded by Commissioner Bond, which motion duly carried, Chairman Sferrazza ordered that the agenda for the February 12, 2002, meeting be approved by removing the following items from the Consent Agenda: **Item 7I(2)** Unbudgeted Capital Outlay of State Forfeiture Funding and Sole Sourcing for the Purchase of Surveillance Equipment intended for Criminal and Anti-terrorist Investigations; **7(3)** Sole Source Purchase of Programming Changes to Tiburon Computer Assisted Dispatch Application; and **7P(2)** Rename Lighting "W" Ranch Road to Thunder Canyon Road; East Lighting "W" Ranch Road to East Thunder Canyon Road; and West Lighting "W" Ranch Road to West Thunder Canyon Road.

PUBLIC COMMENTS

Sam Dehne, area resident, expressed concern about Reno annexing property and then just forgetting the people included with that annexation.

COMMISSIONERS' AND MANAGER'S COMMENTS

Commissioner Bond requested that staff review the possibility of including a nuisance ordinance within the Washoe County Code.

Commissioner Galloway advised that on Friday, February 15, 2002, there would be a viewing at the NDOT offices regarding the pedestrian actuated crossing light that will be installed on State Route 28 in Incline Village.

Chairman Sferrazza requested that staff conduct a workshop or place an item on the agenda concerning public records information release and the cost for copies of public records.

**02-103 RESOLUTION – HONORING THE LIFE OF ROLLAN DOYLE
MELTON**

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

RESOLUTION

WHEREAS, The citizens of Washoe County recently lost a true friend with the passing of Rollan Doyle Melton; and

WHEREAS, Rising from a newspaper delivery boy to a journalist of national renown, Rollan used his success as an opportunity to help future journalists and to serve as a champion for his profession as well as his community as a whole; and

WHEREAS, Rollan's contributions and accomplishments on behalf of education are many. He contributed to numerous educational institutions, including the UNR School of Journalism. The Melton Family created a perpetual scholarship for students from Rollan's alma mater, Churchill County High School in Fallon. He served on the Board for the UNR School of Journalism, the College of Arts and Sciences, and the Sigma Delta Chi Journalism Society. He is a former Marshal of the University of Nevada, Reno, served on the UNR Board of Regents and as a Trustee of the National Judicial College; and

WHEREAS, Rollan and his family contributed time and aid to organizations ranging from libraries, museums and theater groups to support groups for at-risk youth and unwed mothers. The United Way, Harrah's Automobile Museum, Northern Nevada Cancer Society, Salvation Army, Washoe County Library Association, Washoe At-Risk Task Force and the Executive Committee of the Reno-Tahoe Olympic Group are just a few examples representing the wide spectrum of Rollan's involvement. In 1986 he was recognized by the Greater Reno-Sparks Chamber of Commerce as Civic Leader of the Year; and

WHEREAS, A distinguished writer, Rollan joins Mark Twain as the only two columnists from Nevada to receive the University of Nevada's Silver Medal Award for Distinguished Writing. Rollan was inducted into the Nevada State Press Association

Hall of Fame in 1998, he authored three books and thousands looked forward to Rollan's newspaper column; a record of our region and its people since 1978; and

WHEREAS, Rollan will be remembered for who he was as much as for what he did. A man known for his great goodness, he was praised for leaving us with a "legacy of kindness." Rollan gladly extended a helping hand and his friendship to all whom he met and justly earned praise as the "the Father of All Reno"; now, therefore, be it

RESOLVED, By the Washoe County Board of Commissioners, on behalf of all citizens of Washoe County, to pay our respects and express our gratitude for the life of Rollan Doyle Melton, offer our condolences to his family and numerous friends, and ask that each of us, in their own way, endeavor to fulfill the family's request to honor Rollie's spirit through poetry and song, or by teaching a child, volunteering, or planting a seed in his memory.

Family members of Rollan Melton were present to accept the Resolution. Marilyn Melton thanked everyone for their support and expressed appreciation for the resolution.

MINUTES

On motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, Chairman Sferrazza ordered that the minutes of the regular meeting of January 8, 2002 and the joint meeting of January 15, 2002, be approved.

02-104 SEXUAL ASSAULT – MEDICAL CARE - PAYMENT

Pursuant to NRS 217.280 to 217.350, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, Chairman Sferrazza ordered that payments with funds from the District Attorney's account designated Sexual Assault Victims Expenses be authorized for initial emergency medical care and follow-up medical or psychological treatment for 89 sexual assault victims in an amount totaling \$11,576.60 as set forth in a memorandum from Lidia Osmetti, Office Manager, District Attorney's Office, dated January 28, 2002, and placed on file with the Clerk.

02-105 35TH ANNUAL RECOGNITION LUNCHEON – SIX FOSTER GRANDPARENTS – COMMUNITY RELATIONS

Upon recommendation of Kathy Carter, Director, Community Relations, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, Chairman Sferrazza ordered that the request to fund six foster grandparents to attend the 35th Annual Recognition Luncheon in the amount of \$150.00 be approved.

02-106

**DONATION – RENO RODEO FOUNDATION – MCGEE CENTER
AND COMMUNITY OUTREACH – JUVENILE SERVICES**

Upon recommendation of Michael J. Pomi, Division Director, Juvenile Services, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, Chairman Sferrazza ordered that the donation of \$6,500 to the McGee Center and Community Outreach from the Reno Rodeo Foundation be accepted with gratitude. It was further ordered that the following account changes be authorized:

Increase	Revenue	Account	Amount
12931D	5802	Donation	\$3,250.00
	Expenditure		
12931D	7266	Recreation	\$3,250.00
Increase	Revenue	Account	Amount
12952D	5802	Donation	\$3,250.00
	Expenditure		
12952D	7266	Recreation	\$3,250.00

02-107

**ACCOUNT ADJUSTMENTS – FY 2001/2002 FIRST AND SECOND
QUARTERLY SALARY SWEEPS – BUDGET DEPARTMENT**

Upon recommendation of Lisa Gianoli, Budget Manager, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, Chairman Sferrazza ordered that the following account adjustments for the fiscal year 2001/2002 first and second quarter salary savings allocation be approved and the Comptroller be directed to:

- * Reduce the General Fund salary and benefit accounts as specified in the amount of \$157,387.
- * Reduce the Health Fund salary and benefit accounts as specified in the amount of \$138,970.
- * Transfer \$296,357 in cash and appropriation authority to the Accrued Benefits Fund.

02-108

**RENEW POLICY OF EXCESS LIABILITY INSURANCE –
SECURITY NATIONAL INSURANCE COMPANY – RISK
MANAGEMENT**

Upon recommendation of Jim Jeppson, Risk Management Division, through John Sherman, Finance Director, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, Chairman Sferrazza ordered that the County Risk Manager be authorized to renew the policy of excess liability insurance from Security National Insurance Company (a member of the Kemper Group) for the period of February 1, 2002 – February 1, 2003.

RESOLUTION – AMENDED FOREST AREA PLAN (CP00FO-002A) – COMMUNITY DEVELOPMENT

Based on the finding of conformance with the Truckee Meadows Regional Plan, upon recommendation of Paul Kelly, Planner, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, it was ordered that the resolution adopting the amendments to the Forest Area Plan be approved and Chairman Sferrazza be authorized to execute:

**RESOLUTION
ADOPTING THE AMENDED FOREST AREA PLAN (CP00FO-002A),
A PART OF THE WASHOE COUNTY COMPREHENSIVE PLAN**

WHEREAS, Section 278.150 and 278.210, Nevada Revised Statutes, specifies that the Washoe County Planning Commission may prepare, adopt and amend a master (comprehensive) plan for all or any part of the County, subject to County Commission approval;

WHEREAS, The Washoe County Planning Commission has found that the FOREST AREA PLAN, a part of the Washoe County Comprehensive Plan, provides a long-term general plan for the development of the County including the subject matter currently deemed appropriate for inclusion in the Comprehensive Plan;

WHEREAS, Section 278.220, Nevada Revised Statutes, specifies that the Board of County Commissioners of Washoe County, Nevada, may adopt and endorse plans for Washoe County as reported by the Planning Commission, in order to conserve and promote the public health, safety and general welfare;

WHEREAS, A public hearing on the adoption of the Washoe County Comprehensive Plan, including the FOREST AREA PLAN, was first held on May 21, 1991, with the most recent amendment to the FOREST AREA PLAN being held on September 25, 2001, by the Board of County Commissioners of Washoe County, Nevada;

WHEREAS, At the conclusion of the public hearing, the Board of County Commissioners endorsed the amendment to the FOREST AREA PLAN, a part of the Washoe County Comprehensive Plan, pursuant to Section 278.0282, Nevada Revised Statutes, for conformance review with the Truckee Meadows Regional Plan;

WHEREAS, A public hearing for the review of conformance of the Washoe County Comprehensive Plan, including the FOREST AREA PLAN, was first held on October 23, 1991, with the most recent amendment to the FOREST AREA PLAN being held on January 23, 2002, by the Truckee Meadows Regional Planning Commission, at which time the plan was deemed in conformance with the Truckee Meadows Regional Plan; and

WHEREAS, The amendment to the FOREST AREA PLAN, a part of the Washoe County Comprehensive Plan, which is in conformance with the Truckee Meadows Regional Plan, has completed all the necessary requirements for adoption as specified in the Nevada Revised Statutes and Article 820, Amendment of Comprehensive Plan, of the Washoe County Development Code; now, therefore, it is hereby

RESOLVED, BY THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY, NEVADA, That the Board does hereby adopt and endorse the amended FOREST AREA PLAN, a part of the Washoe County Comprehensive Plan, to serve as a guide for the orderly growth and development of Washoe County, Nevada.

02-110 RESOLUTION – AMENDED NORTH VALLEYS AREA PLAN
(CP01-005) – COMMUNITY DEVELOPMENT

Based on the finding of conformance with the Truckee Meadows Regional Plan, upon recommendation of Sandra Dutton, Planner, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, it was ordered that the resolution adopting the amendments to the North Valleys Area Plan be approved and Chairman Sferrazza be authorized to execute:

RESOLUTION
ADOPTING THE AMENDED NORTH VALLEYS AREA PLAN (CP01-005),
A PART OF THE WASHOE COUNTY COMPREHENSIVE PLAN

WHEREAS, Section 278.150 and 278.210, Nevada Revised Statutes, specifies that the Washoe County Planning Commission may prepare, adopt and amend a master (comprehensive) plan for all or any part of the County, subject to County Commission approval;

WHEREAS, The Washoe County Planning Commission has found that the NORTH VALLEYS AREA PLAN, a part of the Washoe County Comprehensive Plan, provides a long-term general plan for the development of the County including the subject matter currently deemed appropriate for inclusion in the Comprehensive Plan;

WHEREAS, Section 278.220, Nevada Revised Statutes, specifies that the Board of County Commissioners of Washoe County, Nevada, may adopt and endorse plans for Washoe County as reported by the Planning Commission, in order to conserve and promote the public health, safety and general welfare;

WHEREAS, A public hearing on the adoption of the Washoe County Comprehensive Plan, including the NORTH VALLEYS AREA PLAN, was first held on May 21, 1991, with the most recent amendment to the NORTH VALLEYS AREA PLAN being held on September 25, 2001, by the Board of County Commissioners of Washoe County, Nevada;

WHEREAS, At the conclusion of the public hearing, the Board of County Commissioners endorsed the amendment to the NORTH VALLEYS AREA PLAN, a part of the Washoe County Comprehensive Plan, pursuant to Section 278.0282, Nevada Revised Statutes, for conformance review with the Truckee Meadows Regional Plan;

WHEREAS, A public hearing for the review of conformance of the Washoe County Comprehensive Plan, including the NORTH VALLEYS AREA PLAN, was first held on October 23, 1991, with the most recent amendment to the NORTH VALLEYS AREA PLAN being held on January 9, 2002, by the Truckee Meadows Regional Planning Commission, at which time the plan was deemed in conformance with the Truckee Meadows Regional Plan; and

WHEREAS, The amendment to the NORTH VALLEYS AREA PLAN, a part of the Washoe County Comprehensive Plan, which is in conformance with the Truckee Meadows Regional Plan, has completed all the necessary requirements for adoption as specified in the Nevada Revised Statutes and Article 820, Amendment of Comprehensive Plan, of the Washoe County Development Code; now, therefore, it is hereby

RESOLVED, BY THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY, NEVADA, That the Board does hereby adopt and endorse the amended NORTH VALLEYS AREA PLAN, a part of the Washoe County Comprehensive Plan, to serve as a guide for the orderly growth and development of Washoe County, Nevada.

**02-111 RESOLUTION TO INITIATE AN AMENDMENT TO THE WCC –
SCREENING REQUIREMENTS FOR SWIMMING POOLS**

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

RESOLUTION

**INITIATING AN AMENDMENT TO THE WASHOE COUNTY
DEVELOPMENT CODE RELATING TO SCREENING REQUIREMENTS
FOR SWIMMING POOLS**

WHEREAS, The standards set forth for fencing and screening of swimming pools in the Washoe County Development Code are not consistent with Nevada Revised Statutes; and

WHEREAS, The Washoe County Development Code requires five (5) foot tall screening of swimming pools, but the Uniform Building Code (UBC) only requires 41/2 tall fencing; and

WHEREAS, Screening around a swimming pool may obstruct the view of parents and/or caretakers of minor children, which may limit their ability to respond in emergency situations; and

WHEREAS, A screened area may create an attractive nuisance to minor children as much as a swimming pool; and

WHEREAS, Most swimming pools are located in the rear of residential lots and thus are generally screening from offsite view; and

WHEREAS, The screening requirement results in additional unnecessary expense to the property owner; and

WHEREAS, The screening requirement creates the need for additional water to be utilized in irrigation of plant materials used for screening; now, therefore, be it

RESOLVED That the Washoe County Board of Commissioners does hereby initiate an amendment to Article 412, Landscaping Requirements, Section 110.412.55(e) Swimming Pools of the Washoe County Development Code without prejudice to the final dispensation of the proposed amendment.

**02-112 AMENDMENT TO THE FY 2001/2002 AIR QUALITY
MANAGEMENT’S ENVIRONMENTAL PROTECTION AGENCY
BASE PROGRAM BUDGET – DISTRICT HEALTH**

Upon recommendation of Barbara Hunt, District Health Officer, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, Chairman Sferrazza ordered that the account amendments to the Air Quality Management’s Environmental Protection Agency Base Program Budget be approved as follows:

<i>Account Number</i>	<i>Description</i>	<i>Amount of Increase</i>
002-1700-1723G1-4301	Revenue	\$76,020.00
002-1700-1723G1-7140	Other Professional Services	\$26,370.00
-7205	Minor Furniture & Equipment	\$4,000.00
-7272	Special Clothing	\$4,000.00
-7825	Misc. Special Equipment	\$41,650.00
TOTAL EXPENSES		\$76,020.00

**02-113 AMENDMENT TO THE FY 2001/2002 HIV SURVEILLANCE
PROGRAM BUDGET – DISTRICT HEALTH**

Upon recommendation of Barbara Hunt, District Health Officer, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried,

ried, Chairman Sferrazza ordered that the account amendments to the HIV Surveillance Program Budget be approved as follows:

<i>Account Number</i>	<i>Description</i>	<i>Amount of Increase (Decrease)</i>
002-1700-1712G1-4301	Federal Funds	\$898.50
002-1700-1712G1-7001	Salaries	\$880.00
-7048	Retirement	\$165.00
-7050	Medicare	\$11.00
-7205	Minor Furniture	(\$157.50)
-7250	Office Supplies	(\$500.00)
-7307	Auto Expense	(\$200.00)
-7382	Telephone	(\$300.00)
-7418	Outpatient Services	\$1,000.00
TOTAL EXPENDITURES		\$898.50

**02-114 AMENDMENT TO THE FY 2001/2002 TUBERCULOSIS
SUPPLEMENTAL PROGRAM BUDGET – DISTRICT HEALTH**

Upon recommendation of Barbara Hunt, District Health Officer, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, Chairman Sferrazza ordered that the proposed FY 2001/2002 amendments to the Tuberculosis Supplemental Program Budget be approved with the following account amendments:

<i>Account Number</i>	<i>Description</i>	<i>Amount of (Decrease)</i>
002-1700-1714G4-4301	Revenue	(\$8,900.00)
002-1700-1714G4-7403	Biologicals	(\$4,000.00)
-7418	Lab Outpatient	(\$4,900.00)
TOTAL		(\$8,900.00)

**02-115 ACCEPTANCE OF GRANT FROM THE STATE OF NEVADA,
DIVISION OF EMERGENCY MANAGEMENT – SET-UP AND
OPERATIONAL COSTS – WESTERN STATES SEARCH AND
RESCUE CONFERENCE - SHERIFF**

Upon recommendation of Dennis Balaam, Sheriff, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, Chairman Sferrazza ordered that the grant from Nevada State Division of Emergency Management in the amount of \$5,000 to be used for the set-up and operation of this year's Western States Search and Rescue Conference be accepted and the following budget adjustments be approved:

ACCOUNT	AMOUNT
Increase Revenue	
15266G02-4301	\$5,000.00

Increase Expenditures	
15266G02-7221	\$500.00
15266G02-7245	\$2,700.00
15266G02-7250	\$500.00
15266G02-7261	\$500.00
15266G02-7357	\$800.00

02-116 REJECT BIDS – BLACK SPRINGS COMMUNITY CENTER
(PWP-WA-2002-50) – PUBLIC WORKS

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 October 26, and November 2 & 9, 2001, for construction of the Black Springs Community Center Addition and Renovation, on behalf of the Public Works Department. Proof was made that due and legal Notice had been given.

Bids were received from the following:

BIDDER	AMOUNT
Reno Construction	\$510,323.00
Advanced Installations	\$554,560.00
Frank Evans Construction	\$538,500.00
Bison Construction	\$495,000.00
Northern Sierra Construction	\$513,163.00
Sierra Builders	\$511,586.00
Frank Lepori Construction	\$543,626.00
Engineers Estimate	\$355,000.00

It was noted that the low bid from Bison Construction was approximately 15 percent over the Engineers estimate; and that high bids received for the project can be attributed to timing of the bid and the scope of work to complete the project. After working with the Architect and low bidder on the project it has been determined that the scope of the project cannot be sufficiently reduced to fit the County budget without severely affecting the facility functionality. The Parks and Recreation Department has applied for a grant to make up the shortfall on this project, and the results of the grant application process should be received by June of 2002, at which time the scope would be reviewed and the project re-bid.

Upon recommendation of Anthony McMillen, Licensed Engineer, through Rodney Savini, P.E., Capital Projects Division Manager, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, Chairman Sferrazza ordered that all bids for the Black Springs Community Center (PWP-WA-2002-50) be rejected.

**02-117 ACCEPTANCE OF WATER RIGHTS DEED – REYNOLDS
CONSTRUCTION COMPANY – WATER RESOURCES**

Upon recommendation of John Collins, Manager, Utility Services Division, through Steve Bradhurst, Director, Water Resources Department, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, it was ordered that the following action be taken:

1. The Water Rights Deed for 6.17 acre-feet of groundwater rights from Permits 53354, 53355, 53356, and 53357 between Reynolds Construction Company, as Grantor, and Washoe County, as Grantee be approved and Chairman Sferrazza be authorized to execute the Water Rights Deed.

2. The Utility Services Division Manager be directed to record the Water Rights Deed with the Washoe County Recorder.

**02-118 ACCEPTANCE OF DEVELOPER BUILT WATER, SEWER AND
RECLAIMED FACILITIES DEDICATED TO WASHOE COUNTY
WATER RESOURCES**

Upon recommendation of Jerry McKnight, Finance and Operations Manager, through Steve Bradhurst, Director, Water Resources Department, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, Chairman Sferrazza ordered that the following developer built water, sewer, and reclaimed facilities that have been dedicated to Washoe County be accepted:

<i>WATER FACILITIES</i>	<i>DWR No.</i>	<i>VALUE</i>
Arrowcreek Phase 2 Unit 11 (52 lots)	66673037	\$304,420.00
Highland Ranch Parkway	66673023	\$24,839.00
Leviton – Spanish Springs Business Center	66673119	\$874.00
Magnolia South Meadows 2 – 575 Double Eagle	66673097	\$2,750.00
Park Center East – Shell Only	66673155	\$12,586.00
Sierra Vista Unit 3 (20 lots)	66673158	\$32,350.00
Spectrae Novae Phase 2	66673081	\$1,748.00
USA – Altmann Business Park	66673169	\$874.00
Washoe Valley Storage	66673201	\$37,002.00
WATER TOTAL		\$417,443.00
<i>SEWER FACILITIES</i>	<i>DWR No.</i>	<i>VALUE</i>
Arrowcreek Phase 2 Unit 11 (52 lots)	66673037	\$266,000.00
Fieldcreek Ranch Subdivision Unit 12A (29 lots)	66673129	\$162,978.00
Highland Ranch Parkway	66673023	\$15,982.00
Lakeside Ranch Estates (15 lots)	66673117	\$118,684.00
Lancer Estates Unit 9 & 10	66673009	\$36,061.00
Leviton-Spanish Springs Business Center	66673119	\$1,757.00
Park Center East – Shell only	66673155	\$1,859.00
Saddlehorn South – Phase 6	66673208	\$29,575.00

Saddlehorn South Phase 5 (19 lots)	66673151	\$26,200.00
Sierra Vista Unit 3 (20 lots)	66673158	\$22,760.00
Spanish Springs Business Park Sewer Extension	66673219	\$53,884.00
Wedge Meadows Unit 2 (15 lots)	66673062	\$17,663.00
SEWER TOTAL		\$753,403.00
<i>RECLAIMED WATER FACILITIES</i>	<i>DWR No.</i>	<i>VALUE</i>
Park Center East – Shell only	66673155	\$4,818.00
Spectrae Novae Phase 2	66673081	\$874.00
USA – Altmann Business Park	66673169	\$874.00
RECLAIMED TOTAL		\$6,566.00
TOTAL VALUE		\$1,177,412.00

02-119 ACCEPT WATER DONATION AGREEMENT – SOUTH MEADOWS PROPERTIES LIMITED PARTNERSHIP – WATER RESOURCES

Upon recommendation of John Collins, Manager, Utility Services Division, through Steve Bradhurst, Director, Water Resources Department, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, Chairman Sferrazza ordered that the following action be taken:

1. The Water Donation Agreement between South Meadows Properties Limited Partnership as Donor, and Washoe County as Donee, for Thomas Creek surface water rights from a portion of Claims 719 and 720, as changed by Temporary Water Rights Permits 68009T and 68010T be approved. The amounts donated are 699.25 acre-feet for use from January 1 through December 31, 2001, and 499.25 acre-feet for use from January 1 through December 31, 2002; and
2. Chairman Sferrazza be authorized to execute the Water Donation Agreement.
3. The Director of the Department of Water Resources be authorized to execute any necessary forms or documents in order to effectuate the renewal of this annual donation.

02-120 AMENDMENTS TO THE REGIONAL PUBLIC SAFETY TRAINING CENTER INTERLOCAL AGREEMENT – PUBLIC WORKS

Upon recommendation of Rodney Savini, P.E., Capital Projects Division Manager, through Dave Roundtree, Public Works Director, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, it was ordered that the amendments, a copy of which was placed on file with the Clerk, to the Regional Public Safety Training Center Interlocal Agreement be approved and Chairman Sferrazza be authorized to execute.

**02-121 CAPITAL CONTRIBUTION FRONT ENDING AGREEMENT –
PYRAMID HIGHWAY – REGIONAL TRANSPORTATION
COMMISSION – HAMILTON HOMES – PUBLIC WORKS**

Upon recommendation of Clara Lawson, Engineering Division, through Dave Roundtree, Public Works Director, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, it was ordered that the Capital Contribution Front Ending Agreement (CCFEA) between Washoe County, Hamilton Homes (developer of record) and the Regional Transportation Commission (RTC) for design and construction of the widening of State Route 445 (Pyramid Highway) as part of the Pebble Creek Subdivision be approved and Chairman Sferrazza be authorized to execute.

**02-122 CAPITAL CONTRIBUTION FRONT ENDING AGREEMENT –
PYRAMID HIGHWAY – REGIONAL TRANSPORTATION
COMMISSION – HAWCO INVESTMENT AND DEVELOPMENT
COMPANY – PUBLIC WORKS**

Upon recommendation of Clara Lawson, Engineering Division, through Dave Roundtree, Public Works Director, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, it was ordered that the Capital Contribution Front Ending Agreement (CCFEA) between Washoe County, HAWCO Investment and Development Company (developer of record) and the Regional Transportation Commission (RTC) for design and construction of the widening of State Route 445 (Pyramid Highway) as part of the Spanish Springs Specific Plan be approved and Chairman Sferrazza be authorized to execute.

**02-123 INTERLOCAL AGREEMENT – PYRAMID LAKE PAIUTE TRIBE
– WADSWORTH JUSTICE COURT – DISTRICT ATTORNEY**

Upon recommendation of Madelyn Shipman, Legal Counsel, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, it was ordered that the interlocal agreement between Washoe County and the Pyramid Lake Paiute Tribe providing for the payment of certain fines out of Wadsworth Justice Court be approved and Chairman Sferrazza be authorized to execute.

It was noted that the proposed agreement provides for a 50 percent return of fines and forfeitures received by the Wadsworth Justice Court to the Pyramid Lake Paiute Tribe for traffic citations issued to non-tribal members within reservation boundaries. Approval of the agreement will create new revenue for both the Tribe and County; in addition, it would promote accountability for the person cited in that the points associated with the particular citation will be registered with the State Department of Motor Vehicles.

02-124

CORRECTION OF FACTUAL AND CLERICAL ERRORS ON TAX ROLLS – ASSESSOR

Upon recommendation of Jean Tacchino, Assistant Chief Deputy Assessor, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, it was ordered that the following Roll Change Requests correcting factual errors on tax bills already mailed, be approved for the reasons indicated thereon and mailed to the property owners, a copy of which is placed on file with the Clerk. It was further ordered that the Orders directing the Treasurer to correct the errors be approved and Chairman Sferrazza be authorized to execute on behalf of the Commission.

Jean L. Meneley--Parcel #008-181-06 [-\$195.76] (2001 Secured Roll)
John C. & Allie F. Gormley Tr--Parcel #010-536-36 [-\$21.13] (2001 Secured Roll)
John & Sonnia Iliescu, Jr. --Parcel #011-112-12 [-\$1,122.84] (2001 Secured Roll)
Christopher & Constance M. McMullen--Parcel #019-153-29 [-\$81.84] 2001 Supplemental Roll (Improvements Only)
John A. & Margaret M. Sayles--Parcel # 027-183-03 [-\$32.48] 2001 Secured Roll
Gayle Holderer--Parcel #131-012-22 [-\$244.42] 2001 Supplemental Roll (Improvements Only)
DP Operating Partnership LP--Parcel #034-163-17 [-\$2,240.97] 2001 Supplemental Roll (Improvements Only)
Lake Geneva Partners LLC--Parcel #148-061-22 [-\$4,850.67] 2001 Supplemental Roll (Improvements Only)
Janet L. Pahl & Warren C. Kocmond, et.al. --Parcel #130-201-06 [-\$6,142.98] 2001 Supplemental Roll (Improvements Only)
Tom Gonzales--Parcel #130-312-18 [-\$3,162.37] 2001 Secured Roll
Kenneth E. & Chae N. Cazier--Parcel #530-031-10 [-\$4.08] 2001 Supplemental Roll (Improvements Only)

02-125

RESOLUTION – REFUND OF TAXES - BOULDER CREEK APARTMENTS LTD (APN 026-021-51)

Upon recommendation of Ann Wilkinson, Deputy District Attorney, as stated in D.A. Opinion No. 6392, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, it was ordered that the following Resolution be adopted and Chairman Sferrazza be authorized to execute on behalf of Washoe County:

RESOLUTION-Directing the County Treasurer to Refund Taxes

WHEREAS, the Board of Commissioners of Washoe County, pursuant to NRS 354.220 – 354.240, has the authority to direct the County Treasurer to refund to an applicant the amount of money paid into the County Treasury; and

WHEREAS, Boulder Creek Apartments LTD Partnership (“Taxpayer”) made application for a partial refund of real property taxes for the 1999-2000 tax year on APN 026-021-51; and

WHEREAS, Boulder Creek Apartments LTD Partnership, has overpaid taxes for 1999-2000 fiscal year in the amount of \$20,745.59; and

WHEREAS, it is the opinion of the Board of Commissioners of Washoe County that the Taxpayer has just cause for making such application and that the granting of the partial refund would be equitable.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF WASHOE COUNTY AS FOLLOWS:

1. That the Treasurer of Washoe County is authorized and directed to refund to Boulder Creek Apartments LTD Partnership, a total of \$20,745.59, that amount being the prorated taxes overpaid for the 1999-2000 tax year on APN 026-021-51.

2. The Treasurer of Washoe County is further directed to debit the account of each governmental entity that has shared in the excess of the taxes collected in error for its pro rata share of the refund.

02-126 RESOLUTION – REFUND OF TAXES - DIAMOND CREEK APARTMENTS LTD (APNS 160-220-25 AND 160-220-26)

Upon recommendation of Ann Wilkinson, Deputy District Attorney, as stated in D.A. Opinion No. 6393, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, it was ordered that the following Resolution be adopted and Chairman Sferrazza be authorized to execute on behalf of Washoe County:

RESOLUTION-Directing the County Treasurer to Refund Taxes

WHEREAS, the Board of Commissioners of Washoe County, pursuant to NRS 354.220 – 354.240, has the authority to direct the County Treasurer to refund to an applicant the amount of money paid into the County Treasury; and

WHEREAS, Diamond Creek Apartments LTD Partnership (“Taxpayer”) made application for a partial refund of real property taxes for the 2000-2001 tax year on APN 160-220-25 and APN 160-220-26; and

WHEREAS, Diamond Creek Apartments LTD Partnership, has overpaid taxes for 2000-2001 fiscal year in the amount of \$36,928.21 for APN 160-220-25 and in the amount of \$11,281.74 for APN 160-220-26; and

WHEREAS, it is the opinion of the Board of Commissioners of Washoe County that the Taxpayer has just cause for making such application and that the granting of the partial refund would be equitable.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF WASHOE COUNTY AS FOLLOWS:

1. That the Treasurer of Washoe County is authorized and directed to refund to Diamond Creek Apartments LTD Partnership, a total of \$48,209.95, that amount being the prorated taxes overpaid for the 2000-2001 tax year on APN 160-220-25 is \$36,928.21 and APN 160-220-26 is \$11,281.74.

2. The Treasurer of Washoe County is further directed to debit the account of each governmental entity that has shared in the excess of the taxes collected in error for its pro rata share of the refund.

02-127 RESOLUTION – REFUND OF TAXES - RIVERSIDE ARTISTS LOFTS LTD (APN 011-116-04)

Upon recommendation of Ann Wilkinson, Deputy District Attorney, as stated in D.A. Opinion No. 6395, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, it was ordered that the following Resolution be adopted and Chairman Sferrazza be authorized to execute on behalf of Washoe County:

RESOLUTION-Directing the County Treasurer to Refund Taxes

WHEREAS, the Board of Commissioners of Washoe County, pursuant to NRS 354.220 – 354.240, has the authority to direct the County Treasurer to refund to an applicant the amount of money paid into the County Treasury; and

WHEREAS, Riverside Artists Lofts LTD Partnership (“Taxpayer”) made application for a partial refund of real property taxes for the 2000-2001 tax year on APN 011-116-04; and

WHEREAS, Riverside Artists Lofts LTD Partnership, has overpaid taxes for 2000-2001 fiscal year in the amount of \$5,017.85; and

WHEREAS, it is the opinion of the Board of Commissioners of Washoe County that the Taxpayer has just cause for making such application and that the granting of the partial refund would be equitable.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF WASHOE COUNTY AS FOLLOWS:

1. That the Treasurer of Washoe County is authorized and directed to refund to Riverside Artists Lofts LTD Partnership, a total of \$5,017.85, that amount being the prorated taxes overpaid for the 2000-2001 tax year on APN 011-116-04.

2. The Treasurer of Washoe County is further directed to debit the account of each governmental entity that has shared in the excess of the taxes collected in error for its pro rata share of the refund.

02-128 RESOLUTION – REFUND OF TAXES - SPANISH HILLS APARTMENTS LTD (APN 510-042-02)

Upon recommendation of Ann Wilkinson, Deputy District Attorney, as stated in D.A. Opinion No. 6394, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, it was ordered that the following Resolution be adopted and Chairman Sferrazza be authorized to execute on behalf of Washoe County:

RESOLUTION-Directing the County Treasurer to Refund Taxes

WHEREAS, the Board of Commissioners of Washoe County, pursuant to NRS 354.220 – 354.240, has the authority to direct the County Treasurer to refund to an applicant the amount of money paid into the County Treasury; and

WHEREAS, Spanish Hills Apartments LTD Partnership (“Taxpayer”) made application for a partial refund of real property taxes for the 2000-2001 tax year on APN 510-042-02; and

WHEREAS, Spanish Hills Apartments LTD Partnership, has overpaid taxes for 2000-2001 fiscal year in the amount of \$19,572.90; and

WHEREAS, it is the opinion of the Board of Commissioners of Washoe County that the Taxpayer has just cause for making such application and that the granting of the partial refund would be equitable.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF WASHOE COUNTY AS FOLLOWS:

1. That the Treasurer of Washoe County is authorized and directed to refund to Spanish Hills Apartments LTD Partnership, a total of \$19,572.90, that amount being the prorated taxes overpaid for the 2000-2001 tax year on APN 510-042-02.

2. The Treasurer of Washoe County is further directed to debit the account of each governmental entity that has shared in the excess of the taxes collected in error for its pro rata share of the refund.

02-129 NAMING OF UNNAMED EASEMENT TO REMUDA LANE

Upon recommendation of the Regional Street Naming Committee, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, Chairman Sferrazza ordered that the request to name an UNNAMED EASEMENT

TO REMUDA LANE, located east off of Red Rock Road and one street south of Appaloosa Circle, be approved, effective immediately, and the property owners and appropriate agencies be notified by the Clerk.

02-130 STREET NAME CHANGE – WOODS PARK DRIVE TO ST. JAMES PARKWAY

Upon recommendation of the Regional Street Naming Committee, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, Chairman Sferrazza ordered that the request to change the name of WOODS PARK DRIVE, located in the N½ Section 14, T.17N.,R.19E., east off Joy Lake Road and south of Mt. Rose Highway, TO ST. JAMES PARKWAY, be approved, effective immediately, and the property owners and appropriate agencies be notified by the Clerk.

02-131 UNBUDGETED CAPITAL OUTLAY – STATE FORFEITURE FUNDING AND SOLE-SOURCING OF SURVEILLANCE EQUIPMENT – SHERIFF

Upon recommendation of Dennis Balaam, Sheriff, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried with Chairman Sferrazza voting “no,” it was ordered that the unbudgeted capital outlay of State Forfeiture funding and sole-sourcing for the purchase of surveillance equipment intended for criminal and anti-terrorist investigations in the amount of \$64,605 be approved.

The Sheriff’s Office Intelligence unit is in need of updated software, surveillance equipment for the van, portable AC/DC video surveillance for indoor/outdoor use, and video de-multiplexing equipment. The majority of the equipment is unique and requires installation by the specialized companies noted. The equipment needed is as follows:

1. Access Monitor and File Media intelligence database software and support with training from Isomedia Corporation, Redmond, WA (\$17,000.00).
2. Surveillance platform equipment and installation by Ross Associates, Upland, California, which includes boosted battery power, wet ice cooling system, insulation, video surveillance periscope, monitor, four small color cameras with multiplexer and monitor, curtains, and 12 volt space heater (\$17,340.00).
3. Portable AC/DC Video surveillance kit with added microwave audio/video transmitter from Ross Associates (\$8,265.00).
4. Video de-multiplexing, and video/audio enhancement program, including workstation and all software, including training from Cognitech, Inc., Pasadena, CA (\$22,000.00).

It was noted due to the unique nature of the equipment and installation requirements, items 1 through 4 are sole-sourced. Isomedia is the only vendor that has this type of software. File Media is being used all over the northwest in law enforcement intelligence units. All previous surveillance equipment for the surveillance van has been purchased through Ross and Associates. Cognitech, Inc., is the only vendor that has this software program, which de-multiplexes by computer.

**02-132 AUTHORIZE SOLE-SOURCE PURCHASE FOR
PROGRAMMING MODIFICATIONS TO THE TIBURON CAD
SERVER – RF DATA TO NDOT M/A-COM RADIO SYSTEM –
SHERIFF**

Upon recommendation of Dennis Balaam, Sheriff, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried with Chairman Sferrazza voting “no,” it was ordered that the sole-source purchase of programming changes to Tiburon Computer Assisted Dispatch Application in the amount of \$30,000 be authorized.

It was noted that changes are necessary to allow the Computer Assisted Dispatcher server to communicate to the Nevada Department of Transportation M/A-COM radio system. This will allow the Sheriff’s Office the ability to move their radio frequency, (RF) data system to the NDOT system.

**02-133 STREET NAME CHANGE – RENAME LIGHTING “W” RANCH
ROAD TO THUNDER CANYON ROAD**

Steve Weber, Engineering Division, advised that out of 51 homes only 17 are occupied or pending occupation. Votes concerning the street name change that was returned, were 11 for the name change, 4 against, and 2 no responses.

On motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Sferrazza ordered that the request to change the name of LIGHTING “W” RANCH ROAD TO THUNDER CANYON ROAD, AND EAST LIGHTING “W” RANCH ROAD TO EAST THUNDER CANYON ROAD, AND WEST LIGHTING “W” RANCH ROAD TO WEST THUNDER CANYON ROAD, be denied.

**02-134 2001 LEGISLATIVE ACTION - PREPARE ORDINANCE
CONCERNING THE INCREASE OF SPECIFIC FILING FEES –
WASHOE LEGAL SERVICES**

Charles McGee, Judge, Second Judicial District Court, stated that one of the things their court does not do is provide counsel for children. All of the other model courts have counsel for children who appear in the system.

Frances Doherty, Family Court Juvenile Master, said she just resigned from the Board of Washoe Legal Services, and had worked on the representation for children for a number of years. Washoe Legal Services, as part of its comprehensive efforts to serve individuals, has always and will continue to ensure that unmet or unidentified legal issues are not ignored but addressed, either within the program or placing them with a private attorney or a Board of pro bono attorneys set up to address a specific area. She explained other legal issues that could arise where private attorneys would be appointed on behalf of the children. Ms. Doherty said it is not the intent of this request to create a higher burden to individuals who access the courts than currently exists.

Chairman Sferrazza requested a sign be posted in the Justice Court and District Court buildings, that provides the guidelines for fee waivers for filing court documents. Judge McGee said the District Court uses a financial statement for waiving fees, and if the language can be worked out for that form, they have no problem posting a sign for the public.

Allison Colvin, Executive Director, Washoe Legal Services, said they view the implementation of the filing fee initiative as an opportunity to immediately address the needs of the abused and neglected children of Washoe County, as well as broaden their service to victims of domestic violence. They currently have a direct legal services program with an attorney, paralegal and office assistant on staff that addresses the victims of domestic violence in the area. They would like to broaden their mission to include abused and neglected children. One of the questions raised at yesterday's Caucus was the approximate value of pro bono services in a given year. She averaged a 3-year period at a conservative \$125 per hour and came up with a number of \$155,000 in any given year, which she believes is a low estimate. Ms. Colvin said not all attorneys inform them of their pro bono work, and attorneys need to be accessed and informed that it is important that their voice and work be heard. This increase request is supported by the Attorney General's office, Washoe County Bar Association, Judges in the Justice Department, Nevada Network against Domestic Violence, Safe Embrace, Tahoe Women's Services, CAAW, CASA, Step Two, District Court and Nevada Legal Services.

Commissioner Galloway said he will not support the request, not because of the cause, but because the way this bill went through the legislature. He said the legislature dedicated a tax that is paid by people who have nothing to do with causing the problem. He asked if the Nevada Taxpayers Association supported this bill. Ms. Colvin said she did not know if they did or not.

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried with Commissioner Galloway voting "no," Chairman Sferrazza ordered that staff be directed to prepare an ordinance that would allow an imposition of specific filing fees as defined in Nevada Revised Statutes brought about by 2001 Legislative Action, and that a section be included in the ordinance requiring a sign be posted in the Justice, Family and District Courts regarding fee waiver information.

**REMODEL FAMILY COURT – ONE SOUTH SIERRA STREET –
AGREEMENT – ARCHITECTS + LLC – PUBLIC WORKS**

Charles McGee, Judge, Second Judicial District Court, said the staff supported plan is the least expensive and it allows the changes to occur quicker than the alternative of expanding the 3rd floor. He stated the judges believe the remodel supports the public better as it consolidates two major volume functions on the first floor, the Family Court Facilitator and the staff serving the domestic violence area. Judge McGee said they would prefer to have the administrative tasks on the first floor where the public only has to go to one area, and not go from building to building.

Commissioner Short said with the growth of the Family Court, they would eventually need to expand the 3rd floor with another courtroom or other services.

Ian MacFarlane, AIA, ArcForm Group, said he has spent over 6 years in master planning and understands the function of the courts. The difference in his plan for expanding the 3rd floor at One South Sierra Street and staff's recommendation is the ability of the County to accept the idea that adding space is more beneficial than altering existing space and disrupting staff and departments. He reviewed his plan for expanding space and said it would make the courts more effective and functional and is more consistent with the master plan. He said tearing down space that has only been occupied for 5 years is very wasteful. The whole first floor is very functional and was originally designed and could possibly still be used for the District Court Clerk, which is why the master plan needs to be reviewed and considered.

Commissioner Galloway expressed his concerns about the proposed expansion versus the remodel. He said Dave Roundtree, Public Works Director, has assured him there will be no empty office space with the remodel.

Commissioner Shaw said Judge McGee indicated the Judges were supporting staff's recommendation because of the timing issue and that the remodel could be completed quicker than the expansion proposed by Mr. MacFarlane. Mr. MacFarlane said Clark & Sullivan made a condition of their cost estimate that the addition would be completed in 5 months for better efficiency.

Chairman Sferrazza asked how much square feet would be required for the Family Court files. Mr. MacFarlane said staff's recommendation shows approximately 1000 feet of file space next to the prisoner elevator on the first floor. He said the 3rd floor could handle the weight of the files.

Michael Specchio, Public Defender, advised that the Public Defender's office would be in ruin if the office were separated. Their offices are currently separated now by 35 feet, with some deputies located in the 195 South Sierra Street building and some in One South Sierra. His departments all work in conjunction with each other and separation would not be effective or efficient. The deputies are able to cover cases for

each other, and they average over 100 appearances a day in court. He said if this makes sense to the County, then it makes sense for the taxpayer, because he puts them first.

Chairman Sferrazza asked if it made more sense to the taxpayer, if perfectly good offices are gutted and built somewhere else at taxpayer expense. Mr. Specchio said his preference is to move into a County owned building close to the courts, but that option currently does not exist.

Chairman Sferrazza said he does not support the recommendation because there will be a new courtroom and office space built at the new Jan Evans Juvenile Justice Facility for juvenile court.

On motion by Commissioner Short, seconded by Commissioner Galloway, which motion duly carried with Chairman Sferrazza voting “no,” it was ordered that staff move forward with the remodeling of existing space in One South Sierra. It was further ordered that the Agreement with Architects + LLC, for the initial design services necessary to provide for the Family Court Set and associated relocations and remodeling be approved and Chairman Sferrazza be authorized to execute.

02-136 AWARD OF BID – BARTLEY RANCH PARK PICNIC PAVILIONS (PWP-WA-2002-84) – PUBLIC WORKS

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 December 26, 2001 and January 2, 2002, for Bartley Ranch Park Picnic Pavilions, on behalf of the Public Works Department. Proof was made that due and legal Notice had been given.

Bids were received from the following:

CONTRACTOR	TOTAL BID
Gradex Construction	\$206,255.00
Horizon Construction	\$235,380.02
Reno Construction	\$219,467.00
Interstate Utilities	\$331,980.00
Building Solutions	\$210,000.00
Perata Excavation Co. Inc.	\$202,536.00
A&K Earthmovers	\$267,762.00
Advance Installation	\$343,490.00
K7 Construction	\$306,010.00
Anchor Concrete	\$236,000.00

Upon recommendation of Anthony McMillen, Licensed Engineer, through Rodney Savini, P.E., Capital Projects Division Manager, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that Bid No. PWP-WA-2002-84 for Bartley Ranch Park Picnic Pavilions, on behalf of the Public Works Department, be awarded to the low responsive, responsible bidder, Perata

Excavation Co. Inc., in the amount of \$202,536.00. It was further ordered that Chairman Sferrazza be authorized to execute the contract documents upon presentation.

02-137 APPEARANCE – BOB FIRTH, CHAIRMAN, REGIONAL WATER PLANNING COMMISSION

Bob Firth, Chairman, Regional Water Planning Commission, reviewed a power point presentation with the Board that outlined the Organization, Committees, Planning, Issues, Funding, Projects, and Successes. He said the Regional Water Planning Commission is a recommending body to the Board of County Commissioners, and commented that it was a good move by the legislature to give the Pyramid Lake Paiute Tribe voting rights, as they have been an asset to work with.

Mr. Firth expressed appreciation to all past and present members who have served on the Regional Water Planning Commission. He thanked Washoe County Water Resource staff for all of their help and the Board for all of their work and continued support on water issues.

02-138 APPOINTMENT – STEVE BRADHURST – JOINT COORDINATING COMMITTEE FOR TRUCKEE MEADOWS WATER RECLAMATION FACILITY

Upon recommendation of Rita Lencioni, through Katy Singlaub, County Manager, on motion by Commissioner Bond, seconded by Commissioner Galloway, which motion duly carried, Chairman Sferrazza ordered that Stephen Bradhurst, Director, Department of Water Resources, be appointed to the Joint Coordinating Committee for the Truckee Meadows Water Reclamation Facility. It was further ordered that Commissioner Short be appointed as alternate.

02-139 BUDGET AUTHORITY – CREATE NEW POSITION - FAMILY SUPPORT DIVISION – DISTRICT ATTORNEY

Upon recommendation of Richard Gammick, District Attorney, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that the budget authorization to create a new position for the Family Support Division to be evaluated for appropriate classification by the Job Evaluation Committee be approved. It was noted that the position will be 2/3 reimbursed by the federal government and 1/3 through federal incentive money, and the estimated salary range (L pay scale) is \$40,705.60 to \$52,915.20.

02-140 POSITION CHANGE - FAMILY SUPPORT SPECIALIST – DISTRICT ATTORNEY

Upon recommendation of Richard Gammick, District Attorney, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that conversion of the next Family Support Specialist posi-

tion opening from one full-time Family Support Specialist position with benefits into two half-time Family Support Specialist positions with benefits be approved. It was noted that the positions would be 2/3 reimbursed by Federal Government and the estimated cost impact is as follows:

Full-time Family Support Specialist position:	\$44,078
2 Half-time Family Support Specialist positions:	<u>\$47,679</u>
Total cost increase:	\$ 3,601
After 2/3 reimbursement, increased cost:	\$ 1,200

**02-141 REVISION - WASHOE COUNTY EMERGENCY OPERATION
CENTER GUIDEBOOK OF PROCEDURES AND CHECKLISTS –
EMERGENCY MANAGEMENT**

Upon recommendation of Press Clewe, Emergency Management Program Manager, on motion by Commissioner Bond, seconded by Commissioner Galloway, which motion duly carried, Chairman Sferrazza ordered that the revision of the Washoe County Emergency Operation Center (EOC) Guidebook of Procedures and Checklists that is part of the Master Washoe County Comprehensive Emergency Management Plan be acknowledged and accepted.

It was noted that the revised EOC Guidebook is a specific tactical user guide to the management and coordination systems the County will use in its response to emergencies and disasters; and describes how the County will support the response of the two cities, special districts, airport, School District and University in their response to crisis events.

02-142 POSITION CHANGES – HEALTH DEPARTMENT

Upon recommendation of Barbara Hunt, District Health Officer, on motion by Commissioner Shaw, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that the following changes in the Community and Clinical Health Services (CCHS) Division of the District Health Department be approved and the Department of Human Resources be directed to make the following changes:

1. Position Control #65: decrease a full time Advanced Practitioner of Nursing position to permanent part time, 32 hour/week position with benefits
2. Position Control #100: decrease full time Advanced Practitioner of Nursing position to permanent part time, 32 hour/week position with benefits
3. Position Control #10 - increase and change permanent part time, 21 hour/week Health Educator II position to full time 40 hour Health Educator I position

02-143

POSITION CHANGES – NEW POSITIONS – FY 2001/2002
BUDGET AMENDMENTS TO IMMUNIZATION, OPERATIONS
AND VACCINES – HEALTH

Upon recommendation of Barbara Hunt, District Health Officer, on motion by Commissioner Shaw, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that the following position changes and creation of new positions within the Community & Clinical Health Services Division (CCHS) in the District Health Department be approved and the Department of Human Resources be directed to make the following changes:

1. Position Control #7: increase permanent part time, 30 hour/week Public Health Nurse II position to permanent part time, 36 hour/week position with benefits
2. Position Control #To Be Announced: create a full-time Public Health Nurse II position
3. Position Control #To Be Announced: create a full-time Office Assistant II (Bilingual) position

It was further ordered that the amendments to the Immunization, Operations and Vaccines for Children Programs Fiscal Year 2001/02 budget be approved and the following account changes be authorized:

<i>Account Number</i>	<i>Description</i>	<i>Amount of Increase/(Decrease)</i>
002-1700-1735G1-4301	<i>Federal Funds</i>	\$13,421
- 7001	Salaries	\$78,536
- 7003	Overtime	(\$ 3,000)
- 7036	Contractual Wages	(\$25,200)
- 7042	Group Insurance	\$ 6,482
- 7043	Dependent Insurance	\$ 5,616
- 7048	Retirement	\$14,873
- 7050	Medicare	\$ 1,151
- 7108	MD Consultants	\$ 1,569
- 7140	Other Professional Svcs	(\$27,640)
- 7205	Minor Furniture/Equip	(\$ 2,000)
- 72051	Personal Computers	(\$ 5,000)
- 7237	Computer Software	(\$ 3,000)
- 7245	High Risk Supplies	\$ 400
- 7247	Medical Supplies	\$ 500
- 7304	Advertising	(\$ 9,500)
- 7322	Copy Machine	\$ 1,000
- 7357	Printing	\$ 700

- 7375	Special Awards	(\$ 3,000)
- 7382	Telephone	\$ 640
- 7403	Biologicals	(\$ 2,000)
- 7620	Travel	(\$ 906)
- 7849	Capital Outlay	(\$16,800)
	Total Expenditures	\$13,421
002-1700-1735G3-4301	Federal Funds	\$13,931
- 7001	Salaries	\$17,111
- 7048	Retirement	\$ 3,047
- 7050	Medicare	\$ 235
- 7108	MD Consultants	\$ 100
- 7250	Office Supplies	(\$ 500)
- 7261	Postage	(\$ 1,000)
- 7307	Auto Mileage	(\$ 500)
- 7357	Printing	(\$ 2,612)
- 7364	Registration	(\$ 500)
- 7382	Telephone	\$ 50
- 7620	Travel	(\$ 1,500)
	Total Expenditures	\$13,931

**02-144 INTERLOCAL AGREEMENT – FUND CHILD ABUSE AND
NEGLECT PREVENTION PUBLIC AWARENESS CAMPAIGN –
ABOLISH POSITION – AMEND FY 2001/2002 CHILD ABUSE
AND NEGLECT PREVENTION PROGRAM BUDGET – HEALTH**

Upon recommendation of Barbara Hunt, District Health Officer, on motion by Commissioner Shaw, seconded by Commissioner Short, which motion duly carried, it was ordered that the Interlocal Agreement between the Washoe County and the Washoe County Health District concerning funding the child abuse and neglect prevention public awareness campaign for the period July 1, 2001 - June 30, 2002 be ratified and Chairman Sferrazza be authorized to execute. It was further ordered that Position Control #38 be abolished and the following account changes to the Fiscal Year 2001/2002 Child Abuse and Neglect Prevention Program budget be authorized:

<i>Account Number</i>	<i>Description</i>	<i>Amount of (Decrease)</i>
002-1700-170505- 5608	Revenue	(\$50,500)
- 7002	Part Time Salaries	(\$19,541)
- 7004	Incentive	(\$ 2,250)
- 7042	Insurance	(\$ 2,216)
- 7043	Dependent Insurance	(\$ 1,970)
- 7048	Retirement	(\$ 4,093)
- 7140	Other Professional Services	(\$ 7,500)
- 7213	Books/Subscriptions	(\$ 500)

- 7230	Education Materials	(\$ 6,021)
- 7237	Software	(\$ 500)
- 7250	Office Supplies	(\$ 500)
- 7261	Postage	(\$ 300)
- 7304	Advertising	(\$ 3,309)
- 7307	Mileage	(\$ 200)
- 7358	License & Permits	(\$ 100)
- 7364	Registrations	(\$ 500)
- 7620	Travel	(\$ 1,000)
	<i>Total</i>	(\$50,500)

02-145 WATER UTILITY SERVICE – JAN EVANS JUVENILE JUSTICE FACILITY – TRUCKEE MEADOWS WATER AUTHORITY (TMWA) – PUBLIC WORKS

Commissioner Sferrazza asked that he be authorized to request a waiver of the water rights from TMWA to help offset the property tax that would be lost. He noted that TMWA waived the cost for fire hydrants for the City of Reno and Sparks.

Upon recommendation of David Solaro, Architect, through Rodney Savini, Capital Projects Manager, Public Works Department, on motion by Commissioner Bond, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the payment to Truckee Meadows Water Authority for water utility service for the Jan Evans Juvenile Justice Facility in the amount of \$119,870 be approved. It was further ordered that Chairman Sferrazza be authorized to request TMWA to waive the water rights. It was noted that this amount includes water rights acquisition, meter fund contribution to the Truckee Meadows Water Authority and payment to the Carson Water Subconservancy District.

02-146 ASSISTANCE AND MAINTENANCE OF PORTION OF OSAGE ROAD - RESOLUTION – USE OF COUNTY EQUIPMENT – PUBLIC WORKS

Commissioner Galloway said approval of this resolution would be based on medical issues and would not apply to every road repair request. Commissioner Bond requested that staff be directed to put together specific guidelines for the Board's consideration regarding when the County Commission would consider an emergency use of County equipment. Commissioner Short noted that buses cannot drive on this portion of Osage Road and approval of this item would be based on special needs of children in the area and not on any County policy.

Based on the finding that the resolution authorizing assistance and maintenance of a portion of Osage Road and use of County equipment concerning same is based on medical issues and would not apply to every request for road repair, upon recommendation of David Roundtree, Public Works Director, on motion by Commissioner Gallo-

way, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Sferrazza be authorized to execute:

RESOLUTION

Resolution of the Washoe County Board of Commissioners authorizing use of Washoe County equipment on Osage Road east of Red Rock Road (a private road) due to an emergency situation.

WHEREAS, NRS 244.273 provides that the County Commission may authorize the use of County equipment on private roads if the Board declares an emergency; and

WHEREAS, recent weather conditions have resulted in slippery, muddy conditions on Osage Road; and

WHEREAS, the Washoe County School District has notified the Washoe County Public Works Director that they (the School District) will not dispatch buses to Osage Road and Wagon Ho Road until the road conditions are improved; and

WHEREAS, the slippery, muddy road conditions may also affect the response of emergency vehicles to the Osage Road residents.

NOW, THEREFORE BE IT RESOLVED that the Board of County Commissioners of Washoe County hereby authorizes and ratifies the use of County equipment on Osage Road to the extent necessary to improve it to a safe condition.

* * * * *

It was further ordered that staff be directed to develop specific guidelines regarding the Board's consideration of assistance and maintenance and use of County equipment for emergency road repair, and bring that information back to the Board for consideration.

02-147 LEASE AGREEMENT – LYNN C. FRITZ DBA FRITZ-LIBERTY CENTER – OFFICE SPACE FOR PUBLIC DEFENDER – GENERAL SERVICES

Upon recommendation of Tom Gadd, Director, General Services Department, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that the Lease Agreement between Washoe County, Lessee, and Lynn C. Fritz dba Fritz-Liberty Center, Lessor, concerning leasing office space for the Public Defender for a 60-month term commencing April 1, 2002, and for such other terms and conditions as stated therein, be approved and Chairman Sferrazza be authorized to execute. It was further ordered that a budget transfer in the amount of \$147,000 from Public Works to General Services to cover telecommunication/internet

equipment and relocation and lease costs for the remainder of Fiscal Year 2001/02 be approved and the following account changes be authorized:

Account Number	Description	Increase Amount	Decrease Amount
920331	Public Works		\$147,000
1611-7340	General Services/Lease	\$75,242	
1611-7828	General Services/Comm.	\$71,758	

02-148 TERMINATE AGREEMENT – FERGUSON GROUP – TRUCKEE RIVER FLOOD MANAGEMENT PROJECT – PROFESSIONAL CONSULTING SERVICES AGREEMENT - MARCUS G. FAUST – WATER RESOURCES

Upon recommendation of Stephen Bradhurst, Director, Department of Water Resources, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, it was ordered that the agreement with The Ferguson Group for congressional and federal agency lobbying services associated with the Truckee River Flood Management Project be terminated.

It was further ordered that an Agreement for Professional Consulting Services between Washoe County and Marcus G. Faust, P.C., concerning congressional and federal agency lobbying services to address regional water and natural resources projects and issues, including the Truckee River Flood Management Project, the Spanish Springs Valley Nitrate Occurrence Project, and Lawton-Verdi Wastewater Project and public land transfers be approved and Chairman Sferrazza be authorized to execute. It was noted that the agreement is for \$90,000 over a 12-month period plus travel expenses.

02-149 BILL NO. 1325 – AMENDING WCC CHAPTER 20 – RESIDENTIAL CONSTRUCTION TAX ON MOBILE HOMES – DISTRICT ATTORNEY

Bill No. 1325 entitled, “AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY REVISING PROVISIONS RELATING TO THE COLLECTION OF RESIDENTIAL CONSTRUCTION TAX ON MOBILE HOMES,” was introduced by Commissioner Bond, the title read to the Board, and legal notice for final action of adoption directed.

02-150 BILL NO. 1326 – AMENDING WCC CHAPTER 20 – STATUTORY CHANGES IN ADMINISTRATION AND COLLECTION OF MOTOR VEHICLE FUEL TAXES - FINANCE DEPARTMENT

Bill No. 1326 entitled, “AN ORDINANCE AMENDING CHAPTER 20 (REVENUE AND TAXATION) OF THE WASHOE COUNTY CODE BY REPEALING THE DEFINITION OF DEALER; ADDING THE DEFINITIONS OF RACK, TERMINAL AND SUPPLIER; CHANGING THE DEFINITION OF RETAILER; PROVIDING THAT FOR THE PURPOSES OF THE FUEL TAX

MOTOR VEHICLE FUEL IS SOLD WHERE IT IS DISTRIBUTED FROM A TERMINAL; CHANGING MULTIPLE REFERENCES FROM DEALER TO SUPPLIER; CHANGING THE REFERENCE FROM DEPARTMENT OF TAXATION TO DEPARTMENT OF MOTOR VEHICLES TO CONFORM THE COUNTY MOTOR VEHICLE FUEL TAX ORDINANCE TO CHANGES IN THE STATE LAW; REPEALING THE SUPPLEMENTAL MOTOR VEHICLE FUEL TAX ORDINANCE; AND MAKING ALL SUCH CHANGES RETROACTIVE TO JANUARY 1, 2002 AND OTHER MATTERS PROPERLY RELATING THERETO,” was introduced by Commissioner Shaw, the title read to the Board, and legal notice for final action of adoption directed.

**02-151 BILL NO. 1327 – DEVELOPMENT CODE AMENDMENT -
DC01-001 – AMENDING WCC CHAPTER 110, ARTICLE 212 –
SOUTHEAST TRUCKEE MEADOWS AREA PLAN – HIDDEN
VALLEY MODIFIERS - COMMUNITY DEVELOPMENT**

Bill No. 1327 entitled, “AN ORDINANCE AMENDING PROVISIONS RELATING TO WASHOE COUNTY CODE CHAPTER 110, ARTICLE 212 – SOUTHEAST TRUCKEE MEADOWS AREA PLAN REGULATIONS INCORPORATING THE HIDDEN VALLEY MODIFIERS, (A MAP IS INCORPORATED INTO THE MODIFIERS) RESTRICTING COMMERCIAL AND INDUSTRIAL USES, ADDING DEVELOPMENT STANDARDS REGARDING GRADING, CUT SLOPE STABILIZATION AND REVEGETATION, BUFFERS, SIDEWALKS, STREET LIGHTING, BUILDING HEIGHT, SETBACKS AND REFLECTIVE BUILDING MATERIALS WITHIN THE AREA DEFINED AS HIDDEN VALLEY, EXEMPTING GENERAL RURAL (GR) LAND USE DESIGNATED PARCELS FROM THE DEVELOPMENT STANDARDS OF THE MODIFIERS, AND OTHER MATTERS PROPERLY RELATING THERETO,” was introduced by Commissioner Short, the title read to the Board, and legal notice for final action of adoption directed.

**02-152 REGIONAL OPEN SPACE PLAN UPDATE – COMMUNITY
DEVELOPMENT**

Commissioner Sferrazza said he wanted this agenda item to provide for discussion and possible action regarding sending a letter to the City of Sparks indicating the County's support for the preservation of the Copper Canyon open space. Legal Counsel Shipman advised this item was not agendized to discuss a specific project.

Richard Hobbs, County resident, reviewed his letter dated February 8, 2002 regarding the Regional Open Space Plan. He advised that NRS states the County may have an open space plan, but if it has one, the County must provide for the development use of open space for 20 years and for financing the acquisition of open space land.

He said Copper Canyon has been identified as potential open space by the three jurisdictions. Mr. Hobbs suggested that all pieces of land designated as open space should be put on a priority list for acquisition and placed in the development and constraints area in the Regional Plan and not be developed unless legally removed.

Upon inquiry of Commissioner Galloway, Bill Whitney, Community Development, advised the Regional Open Space Plan map shows potential or desired open space and is a visual guide to areas of significant natural resources that could become part of a regional open space system. He said the designation of open space opportunities on the map do not affect land use or development potential. Commissioner Galloway commented that the ability to draw inferences that everything in the open space map should automatically go into an acquisition or development constraint program would be another process. Mr. Whitney reviewed the methods by which the acquisition of open space could be accomplished.

Katy Singlaub, County Manager, commented that the 1995 Southern Nevada Public Lands Management Act provided an excellent prioritization process in the Regional Open Space Plan to acquire lands at no cost to local taxpayers; and that, since 1995, the County has been able to acquire approximately 29,725 acres without using tax resources.

Commissioner Sferrazza requested staff provide a report at a future meeting regarding options relative to Copper Canyon; and a future agenda item provide for Board discussion concerning moving forward relative to prioritization and possible bond issues.

02-153 ALLOCATE FISCAL YEAR 2002 HOME FUNDS - HORIZON HILLS HOMEOWNERSHIP PROJECT

Upon recommendation of Eric Young, Community Development Planner, on motion by Commissioner Bond, seconded by Commissioner Galloway, which motion duly carried, Chairman Sferrazza ordered that Washoe County's share of Fiscal Year 2002 HOME Funds in the amount of \$225,000 be allocated or "self-directed" to the Horizon Hills Homeownership Project (applicant: Reno Housing Authority). It was noted that the Horizon Hills Homeownership Project meets Washoe County's affordable housing priorities for receipt of self-directed HOME funds.

02-154 BILL NO. 1328 – DEVELOPMENT CODE AMENDMENT - DC01-008 – AMENDING WCC CHAPTER 110, ARTICLE 502 – OFF-PREMISE SIGNS – COMMUNITY DEVELOPMENT

Commissioner Galloway advised his questions regarding this ordinance have been addressed to his satisfaction.

Doug Smith, Chairman of Citizens for a Scenic Northern Nevada, spoke in support of the ordinance. He suggested that, in the future, issues should be addressed on

a regional basis concerning telecommunication towers, on-premise signs, and off-premise signs.

Chairman Sferrazza read a statement presented by Robin Reeve, Clear Channel Outdoor, expressing opposition to the ordinance.

Bill No. 1328 entitled, "AN ORDINANCE AMENDING PROVISIONS RELATING TO WASHOE COUNTY CODE CHAPTER 110, ARTICLE 502, OFF PREMISE SIGNS, BY AMENDING THE DEFINITIONS SECTION TO CONFORM TO CHANGES ENACTED BY THE 2001 NEVADA STATE LEGISLATURE, TO ELIMINATE DISCREPANCIES BETWEEN DEFINITIONS OCCURRING IN THE ON-PREMISE SIGN REGULATIONS AND THIS ARTICLE AND TO ADD A DEFINITION OF COMMUNITY DEVELOPMENT DIRECTOR; TO ELIMINATE REFERENCES TO SPECIFIC TYPES OF SIGNS FOR REPAIR AND MAINTENANCE; TO ADD REFERENCES TO THE DEPARTMENT OF BUILDING AND SAFETY; TO ELIMINATE THE REQUIREMENT FOR A SPECIAL USE PERMIT FOR AN OFF-PREMISE SIGN; TO ADD ADDITIONAL AESTHETIC REQUIREMENTS; TO ADD A PROHIBITION OF NEW SIGNS UNTIL ALL NONCONFORMING SIGNS HAVE BEEN REMOVED; TO ELIMINATE SPECIFIED EXEMPT SIGNS; POSSIBLE REMOVAL OF A SIGN BECAUSE OF DEVELOPMENT; TO ELIMINATE THE APPEALS PROCEDURE; TO ADD SPECIFIC TIME PERIODS FOR THE ISSUANCE OF A BUILDING PERMIT OPINION OF THE PERMITTING AUTHORITY CAN BE REQUIRED; TO ELIMINATE PROVISIONS REGARDING LIMITATION ON SIGNS AND FEE REQUIREMENTS; TO ADD A PROVISION PERMITTING THE SUBSTITUTION OF NONCOMMERCIAL MESSAGES FOR COMMERCIAL MESSAGES, AND OTHER MATTERS PROPERLY RELATING THERETO" was introduced by Commissioner Galloway, the title read to the Board, and legal notice for final action of adoption directed.

02-155 COUNTY POSITIONS WITH RESPECT TO THE REGIONAL PLAN UPDATE

Eric Young, Advanced Planning Program, Community Development, advised that a joint meeting of the Regional Planning Commission and the Regional Planning Governing Board was held on February 8, 2002, at which time the results of the public feedback survey and the Attorney General's review of the draft plan were discussed. He stated the County's issues have not changed, and public feedback clearly favored the County's options in the plan. He noted this is because the County's positions were developed through an intensive public input process. Mr. Young said the results of the February 8 meeting were disappointing and a number of issues were not addressed. He reviewed the updated matrix depicting the County's positions, described the Regional Plan Update process adopted at the February 8 meeting, and discussed staff's concerns about that process. He stated the County's options remain the same and are outlined in

the staff report, and staff will be able to provide alternatives for the Board's consideration at next week's meeting. Mr. Young then reviewed some of the potential opportunities for discussion with local entities such as interlocal agreements, Regional Plan language, legislation, etc.

Chairman Sferrazza advised that John Hester, City of Reno, and Pierre Hascheff, Reno City Councilman, suggested an alternative, which included there would be no sphere, the County would have complete control over planning land use within the unincorporated County, once development occurred the property would automatically be annexed into the City, and service would be provided by the entity best able to do so. He said he thought this was a reasonable suggestion and the alternative would eliminate the fiscal equity issue. Mr. Young advised that was an original proposal by the City of Reno. Commissioner Galloway discussed concerns relative to the proposal, advising he thought it was previously looked at and dismissed. Katy Singlaub, County Manager, advised that staff could do an analysis regarding the impacts of the ideas discussed.

Commissioner Galloway noted some great potential breakthroughs have recently occurred. He said a few things may be getting in the County's way and suggested there is no point in standing ground so firmly as to risk losing everything. He stated that, although it may still be the County's preferred position to have no sphere expansions until such time as the entire land use inventory, etc. is completed, staff might be authorized to negotiate with the other entities to seek a possible compromise that could bring the update to closure in a way all parties could accept. He said this could include alternate options, alternate voting structure, joint approval areas, Chairman Sferrazza's suggested alternative, etc.

Richard Hobbs, County resident, suggested that: (1) the Open Space Plan be attached to and become part of the Regional Plan, (2) the County be given 5 years or at least to December 31, 2004 or, preferably, set its own time schedule to fund and implement acquisition of open space identified in the Open Space Plan, (3) all property shown as open space in the Open Space Plan be placed in the development constraints area until acquired or legally removed, and (4) the Commissioners should lobby their City Council counterparts to prevent the update from being rammed through.

Mike Lynch, Builder's Association of Northern Nevada, stated the industry had high hopes for Deputy Attorney General Norm Azevedo's review to basically eliminate the policies in the Draft Plan that could clearly be legally challenged or are unenforceable. He said Mr. Azevedo mentioned at the February 8 meeting there would be a joint meeting with him and the legal staffs from the three entities. He stated eliminating the unenforceable and nonconforming elements of the plan early on would reap dividends when the plan is finally completed.

On motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Sferrazza ordered that the following actions be taken relative to the County's positions with respect to the Regional Plan Update:

1. Goals and policies identified as unacceptable should be removed from the plan.
2. Washoe County options should be adopted, or a new voting structure in the Regional Planning Governing Board (RPGGB) should be developed that would open up more favorable options.
3. If the recommended policy deletions and recommended options are not favored by the RPGGB, the County endorses the re-adoption of the existing Regional Plan.
4. Staff be directed to negotiate with the other entities to seek possible compromise that could bring the update to closure in a way all parties could accept, to include, but not be limited to, the options discussed today.

02-156 POLICY - WAIVER OF DEVELOPMENT APPLICATION FILING FEES – COMMUNITY DEVELOPMENT

Commissioner Galloway suggested that staff might draft a policy to address fee waiver requests, which would be brought back to the Board for consideration.

Robert Sellman, Director, Community Development, advised that staff has no legal authority to waive fees and the County ordinance has no provision for waivers, except for other governmental entities so taxpayer monies are not taken from public agencies. He said the Board sets fees and staff has to collect those fees for each application. He stated the Board would need to make the policy decision, which would best be backed by an ordinance, that would codify when and under what circumstances a fee waiver would be acceptable. Mr. Sellman commented that fee waivers are extremely prejudicial and are usually established statutorily so as not to be subject to discretion.

Commissioner Galloway noted the Board's Rules and Procedures provide that any Commissioner can put an item on the agenda. He asked if the Board members would be willing to make an exception that, in the case of a fee waiver, two Commissioner signatures would be required to put the item on the agenda. Commissioner Sferazza said he would also like to discuss an option that, instead of a waiver, fees might be paid from Commissioner District Funds or some other source.

02-157 REQUEST TO WAIVE ADMINISTRATIVE PERMIT APPLICATION FEES – JAMES PETCH ON BEHALF OF ANNABELLE PETCH – COMMUNITY DEVELOPMENT

Commissioner Bond advised that this fee waiver request is time sensitive, as the parties are living in a recreational vehicle and have 30 days to resolve the citation they were served by the County. She stated Mr. Petch is trying to make application for a review procedure, which has an associated \$800+ fee; and Mr. and Mrs. Petch are living

in the RV because of financial hardship and to help care for his mother who has a serious medical condition.

Katy Singlaub, County Manager, advised that emergency funding might be available through Social Services and, if the Board approves this waiver, she would request it be contingent upon staff determining whether community welfare monies are available to pay the fee. Commissioner Galloway suggested the Board could waive the fee on this permit if staff determines no other resources are available.

James Petch, County resident, discussed the problems and medical conditions creating the financial hardship that forced him and his wife to live in a RV on his parents property. He said they are fighting to survive and not be homeless and are trying to keep the family together. He noted these types of hardship situations are becoming more evident in society and suggested these issues be considered on a case-by-case basis. Mr. Petch noted the Sun Valley GID will be implementing excessive water and sewer fees and thinks the County should consider this in their decision.

Chairman Sferrazza inquired how the County came up with an \$844.00 fee for this type of permit, which would only be necessary when someone is in need. Robert Sellman, Director, Community Development, advised there are a number of uses under Administrative Permit application fees. County Manager Singlaub said the fee could be reviewed, noting it is based on the amount of time staff has to expend to investigate and evaluate the application.

On motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that staff accept the Administrative Permit Application of James Petch, on behalf of Annabelle Petch, for the purpose of applying for a permit for the temporary occupancy of a recreational vehicle for the care of the infirm; and that the \$844.00 fee be deferred. It was further ordered that a determination of how the fee would be paid would be made after staff ascertains whether community or other resources are available to cover the cost.

Mr. Sellman noted the Board has no direct authority to deal with GID fees. Mr. Petch said he wanted to bring to the Board's attention that he thought those fees were excessive.

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Chairman Sferrazza temporarily left the meeting.

02-158 CONSIDERATION - INITIATION OF COMPREHENSIVE PLAN AMENDMENT – SUN VALLEY AREA PLAN – JAMES ROSS TRUST – COMMUNITY DEVELOPMENT

Commissioner Bond advised that a commercial operation of some type has been operating on this property since 1935. She said the property would continue to operate as a nonconforming use as long as the operation is ongoing, but it is designated

High Density Suburban in the Sun Valley Area Plan. Commissioner Bond stated the owners had personal problems and never followed through on the opportunity to correct the zoning designation; and are now interested in getting the commercial designation back because they would like to sell the property someday.

Robert Sellman, Director, Community Development, advised that the property owners had the opportunity to address the matter in the early 90's when the property was rezoned and were noticed five years in a row during the transition process. He said documentation is available showing that meetings were held with the owners about their legal options under the transition policy. Commissioner Bond commented that, for whatever reason, people occasionally escaped the process. She noted, however, she was not aware the owners met with staff regarding the designation change.

Commissioner Galloway referred to the map contained in the agenda material and said he did not see a lack of order to the property designations in the area of the subject. He noted the staff report indicates the CAB clearly does not support a commercial designation for the property.

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Chairman Sferrazza returned to the meeting.

County Manager Singlaub asked if anyone was present on behalf of the James Ross Trust, and there was no response. She suggested the Board might want to continue this item in order to obtain additional information and have a representative of the James Ross Trust explain why it would be in the County's interest to sponsor the Comprehensive Plan Amendment.

Following further discussion, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that the request of the James Ross Trust for the County Commission to initiate an amendment to the Comprehensive Plan for the South East Truckee Meadows Area Plan regarding APN 085-155-18, (5350 Sun Valley Blvd.) to change high density suburban to general commercial be continued.

02-159 CONSIDERATION - INITIATION OF COMPREHENSIVE PLAN AMENDMENT – SOUTHEAST TRUCKEE MEADOWS AREA PLAN – DAILY DOZEN CORPORATION – COMMUNITY DEVELOPMENT

Sharon Kvas, Community Development, responded to questions of the board concerning this item. She advised the subject was a post office for approximately 30 years, which relocated to the Manogue Center when it opened last year; and when the post office moved the owner realized the significance of the changed zoning designation. She said the property owners were noticed five years in a row, which notices requested

they schedule an appointment with County staff to discuss what the zoning change would mean to their property.

There was no one present representing the property owner.

On motion by Commissioner Short, seconded by Commissioner Bond, which motion duly carried, Chairman Sferrazza ordered that the request of Daily Dozen Corporation that the County Commission initiate an amendment to the Comprehensive Plan for the South East Truckee Meadows Area Plan regarding APN 017-020-11, (20 Towne Drive) to change the property from a public and semi-public facilities designation to general commercial be continued in order to obtain additional information.

**02-160 ORDINANCE NO. 1148 - BILL NO. 1324 - AMENDING WCC
CHAPTER 110 (DEVELOPMENT CODE) – ADDING TECHNICAL
REVISION PROCESS**

5:30 p.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on February 1, 2002, to consider second reading and adoption of Bill No. 1324. Proof was made that due and legal Notice had been given.

Mike Harper, Planning Manager, Department of Community Development, provided information concerning this item. He requested the effective date of the ordinance be February 26, 2002.

Chairman Sferrazza 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 Shaw, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that Ordinance No. 1148, Bill No. 1324, entitled, "AN ORDINANCE AMENDING PROVISIONS RELATING TO WASHOE COUNTY CODE, CHAPTER 110, DEVELOPMENT CODE, ARTICLE 818, AMENDMENT OF DEVELOPMENT CODE, BY ADDING A PROVISION FOR TECHNICAL REVISIONS OF THE CODE, AND OTHER MATTERS PROPERLY RELATING THERETO," be approved, adopted and published in accordance with NRS 244.100.

**02-161 MODIFICATION OF THE HOME-BASED BUSINESS
DEVELOPMENT STANDARDS – PEGGY WILLIAMS –
COMMUNITY DEVELOPMENT**

5:30 p.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on February 1, 2002, to consider a request by Peggy A. Williams to modify the home-based business development standards (Washoe County Code §25.25.4425[4]) to permit up to three truck deliveries/pick-ups per day by federal or private mail and express package delivery service during business hours (8:00 a.m. to 5:00

p.m.), not to exceed a total eight deliveries/pick-ups per work week (Monday through Friday), to her licensed home-based business at 382 Paramount Court in Lemmon Valley, Reno.

Catherine McCarthy, Senior Planner, Department of Community Development, reviewed background information concerning this item. She advised that a letter was received from Roberta Lacy, neighbor, expressing opposition to modifying the number of truck deliveries, and a letter and several signatures Ms. Williams collected from neighbors that support her request are included with the agenda material. Ms. McCarthy stated the County Code allows such uses for home businesses as long as they clearly do not alter the character or appearance of a residential environment. She said staff agrees that three deliveries in a single day and not more than eight deliveries Monday through Friday establishes a reasonable limit to the amount of traffic generated.

Peggy Williams, County resident, advised that the company she ships for switched to Fed-Ex, and she could receive one Fed-Ex Express, one Fed-Ex Ground, and one UPS delivery per day. She said a permit is needed for three deliveries per day, which would be 15 per week, in order to keep her business open. Chairman Sferrazza noted that Ms. Williams letter dated January 22, 2002 indicated there would only be an increase of 1 to 3 deliveries per workweek. Ms. Williams explained that some things changed relative to delivery/pick-up carriers since that letter was written and clarified her request would be for 3 deliveries per day, up to 15 per week. Commissioner Galloway said he could support the request because the amendment is moderate. He suggested the language "not to exceed 8 deliveries/pick-ups per work week" be deleted from the request.

Following discussion, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that the request by Peggy A. Williams to modify the home-based business development standards in the Washoe County Code to permit up to three truck deliveries/pick-ups per day by federal or private mail and express package delivery service during business hours, 8:00 a.m. to 5:00 p.m. per work week, Monday through Friday, be approved.

Chairman Sferrazza noted that Emery Williams, James Morris, and Loretta Kress submitted Request to Speak cards in support of Ms. Williams' request.

**02-162 APPEAL – PARCEL MAP REVIEW COMMITTEE DENIAL –
PM01-024 – SPECIALTY ENTERPRISES – COMMUNITY
DEVELOPMENT**

5:30 p.m. This was the time set to consider an appeal to reverse the Washoe County Parcel Map Review Committee's action to partially approve a parcel map initiated by the applicant, Specialty Enterprises. The applicant applied to partition a ±12.42-acre parcel into four parcels with acreages of approximately 1.55 acres, 1.46 acres, and 1.06 acres that are designated as Low Density Suburban (LDS), with the remaining 8.35-acre parcel

that is designated General Rural (GR). The property is located on the west side of Timberline Drive approximately one mile north of the intersection of Timberline Drive and Mt. Rose Highway. The parcel is situated in Section 34, T18N, R19E, MDM, Washoe County, Nevada, and is within the boundaries of the Galena/Steamboat Citizens Advisory Board and Washoe County Commissioner District No. 2 (APN: 49-070-45).

The Board addressed this item earlier in the meeting. It was noted that at yesterday's caucus meeting, Sharon Kvas, Community Development, advised the applicant, Special Enterprises, requested this matter be continued. She also noted that, pursuant to statute, the first tentative parcel map for a piece of property does not require a notice of public hearing.

Chairman Sferrazza opened the public hearing and called on anyone wishing to speak. There was no response.

On motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that the public hearing concerning the Appeal of the Parcel Map Review Committee denial of PM01-024 (Specialty Enterprises) be continued.

02-163 COUNTY PARTICIPATION IN FORMATION AND STUDY OF PROPOSALS FOR CONSOLIDATION OF GOVERNMENTS – SUBCOMMITTEE APPOINTMENTS

The Board discussed what subcommittees they would like to serve on and whether to form a citizens committee.

On motion by Commissioner Galloway, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that a citizen's committee to study consolidation be formed; and that at the Joint Meeting between Reno, Sparks, and Washoe County, it be requested that recognition be given to General Improvement Districts, which would include the Incline Village General Improvement District, if they decide to appoint delegates to the citizen's committee.

On motion by Commissioner Galloway, seconded by Chairman Sferrazza, which motion duly carried, it was ordered that the following subcommittee appointments be made:

COMMITTEE	APPOINTEES
Governance, Labor and Legislation	Commissioners Sferrazza, Bond, and Shaw
Finance and Taxation	Commissioners Galloway and Sferrazza
Land Use	Commissioners Short and Galloway

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There being no further business to come before the Board, the meeting adjourned at 7:45 p.m.

PETER J. SFERRAZZA, Chairman
Washoe County Commission

ATTEST: **AMY HARVEY**, County Clerk

*Minutes Prepared by
Jeraldine Magee and Barbara Trow
Deputy County Clerk*