

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

2:00 P.M.

MARCH 8, 2005

PRESENT:

Bonnie Weber, Chairman
Bob Larkin, Vice Chairman
Jim Galloway, Commissioner
David Humke, Commissioner

Amy Harvey, County Clerk
Nancy Parent, Chief Deputy Clerk
Katy Singlaub, County Manager
Melanie Foster, Legal Counsel

ABSENT:

Pete Sferrazza, Commissioner

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:

05-197 AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Humke, seconded by Commissioner Larkin, which motion duly carried with Commissioner Sferrazza absent, Chairman Weber ordered that the agenda for the March 8, 2005 meeting be approved with the following change: **Delete** Item 7A, accept cash donations and gift certificates for the second quarter of Fiscal Year 2004/05.

PUBLIC COMMENTS

Max Bartmess, Airport Manager, Spanish Springs Airport, spoke on developers who planned to construct homes near the end of Runway 16. He said this was a public safety issue and requested the Board explore possible alternative actions.

Les Barta, Incline Village resident, believed taking action against a citizen Board member was beneath the dignity of the Commission and would be setting an undesirable precedent.

Al Hesson, Reno resident, stated the County and the Cities of Reno and Sparks needed to contribute to the homeless shelter. He also spoke on his dissatisfaction towards the Board for action being taken against a citizen.

Sam Dehne, local resident, spoke on the “Grass Roots” uprising against Congressman Jim Gibbons.

COMMISSIONERS’/MANAGER’S ANNOUNCEMENTS

Commissioner Larkin requested the chronology in regard to the Spanish Springs Airport as to who was consulted and how it progressed. He also requested a future agenda item to discuss the findings. Katy Singlaub, County Manager, replied staff was compiling the chronology and the decision process that took place and would report back to the Board.

Chairman Weber reminded the public of a Cold Springs Annexation meeting to be held on March 9, 2005.

Ms. Singlaub shared that for the past ten years Washoe County had provided virtually 100 percent of the operating funds for homeless services and continued to do so. Chairman Weber requested a future agenda item to inform the public on the County’s contributions.

05-198 ACCEPTANCE OF GRANT – RENO JUSTICE COURT

Upon recommendation of Harold Albright, Justice of the Peace, through Fidel Salcedo, Administrative Judge, on motion by Commissioner Humke, seconded by Commissioner Larkin, which motion duly carried with Commissioner Sferrazza absent, Chairman Weber ordered that the Specialty Court Funding Grant from AB29 for semi-annual funding in the amount of \$12,500 with no County match, be accepted.

**05-199 RESOLUTION– MULTI-HAZARD MITIGATION PLAN –
MANAGEMENT SERVICES**

Upon recommendation of Aaron Kenneston, Emergency Manager, through John Slaughter, Management Services Director, on motion by Commissioner Humke, seconded by Commissioner Larkin, which motion duly carried with Commissioner Sferrazza absent, it was ordered that the Multi-Hazard Mitigation Plan be adopted and the County Emergency Manager be authorized to update the plan as necessary. It was further ordered that the following resolution be adopted and Chairman Weber be authorized to execute the same:

RESOLUTION

WHEREAS, Washoe County formed a Hazard Mitigation Steering Committee in February 2003 and the efforts of this committee have resulted in the County’s first Multi-Hazard Mitigation plan; and

WHEREAS, Washoe County conducted a Hazard Vulnerability Analysis (HVA) and integrated public input as part of this process, to consider the natural, technological, and human caused risks to which the County is vulnerable; and

WHEREAS, Recent events have shown that the County must remain ever vigilant to eliminate or reduce the risk to human life, property and the environment posed by hazards; and

WHEREAS, The Multi-Hazard Mitigation Plan's purpose is to integrate hazard mitigation strategies into the activities and programs of the County; and

WHEREAS, The Multi-Hazard Mitigation Plan is a living document; now, therefore be it

RESOLVED, That the Washoe County Board of Commissioners, on behalf of the residents of Washoe County, adopt the Washoe County Multi-Hazard Mitigation Plan, and further direct that the County Emergency Manager assist in informing the public and community of the hazard mitigation strategies recommended by the plan, as well as periodically updating the plan to ensure that it remains timely and relevant.

05-200 AGREEMENT – SOCIAL ENTREPRENEURS, INC. – HUMAN SERVICES STRATEGIC PLAN – MANAGEMENT SERVICES

Upon recommendation of Gabrielle Enfield, Grants Administrator, through John Slaughter, Management Services Director, on motion by Commissioner Humke, seconded by Commissioner Larkin, which motion duly carried with Commissioner Sferrazza absent, it was ordered that an agreement between Washoe County, the City of Reno, the City of Sparks, and Social Entrepreneurs, Inc., concerning consulting services for the development of the Human Services Strategic Plan 2005, be approved and Chairman Weber be authorized to execute the same. It was noted that Washoe County, the City of Reno, and the City of Sparks jointly funded the agreement in the following amounts: Washoe County \$10,000, City of Reno \$25,000, and City of Sparks \$10,000.

05-201 CORRECTION OF CLERICAL AND FACTUAL ERRORS – ASSESSOR

Upon recommendation of Susan Goodlet, Principal Account Clerk, on motion by Commissioner Humke, seconded by Commissioner Larkin, which motion duly carried with Commissioner Sferrazza absent, it was ordered that the following Roll Change Requests, correcting clerical and factual errors on tax bills, and the Order directing the County Treasurer to correct the errors be approved and Chairman Weber be authorized to execute the same:

PROPERTY OWNER	PARCEL #	AMOUNT	ROLL
Michael D. & Alyce A. Branigan	002-351-14	[-\$216.31]	2002 Secured
Michael D. & Alyce A. Branigan	002-351-14	[-\$214.24]	2003 Secured
Michael D. & Alyce A. Branigan	002-351-14	[-\$216.88]	2004 Secured
The Hilltop Church	004-393-49	[-\$396.49]	2001 Secured
The Hilltop Church	004-393-49	[-\$396.49]	2001 Secured
The Hilltop Church	004-393-49	[-\$407.64]	2002 Secured
The Hilltop Church.	004-393-49	[-\$403.81]	2003 Secured
The Hilltop Church	004-393-49	[-\$408.79]	2004 Secured
Ryan L. Garaventa	009-551-06	[-\$13.71]	2004 Secured
Harold D. & Lennie B. Bogh, TR	009-581-13	[-\$133.63]	2004 Secured
Roslyn M. Zimmerman, TR	011-201-32	[-\$33.06]	2001 Secured
Roslyn M. Zimmerman, TR	011-201-32	[-\$33.57]	2002 Secured
Roslyn M. Zimmerman, TR	011-201-32	[-\$33.23]	2003 Secured
Roslyn M. Zimmerman, TR	011-201-32	[-\$33.65]	2004 Secured
Dan & Carolin Asikainen	014-142-08	[-\$68.17]	2001 Secured
Dan & Carolin Asikainen	014-142-08	[-\$65.28]	2002 Secured
Dan & Carolin Asikainen	014-142-08	[-\$64.72]	2003 Secured
Dan & Carolin Asikainen	014-142-08	[-\$65.51]	2004 Secured
Bobby L. & Sandra P. Peroddy	026-671-06	[-\$430.14]	2003 Secured
Bobby L. & Sandra P. Peroddy	026-671-06	[-\$453.27]	2004 Secured
Michael O. & Judith A. Zmak.	028-382-20	[-\$194.67]	2001 Secured
Michael O. & Judith A. Zmak	028-382-20	[-\$204.74]	2002 Secured
Michael O. & Judith A. Zmak	028-382-20	[-\$201.72]	2003 Secured
Michael O. & Judith A. Zmak	028-382-20	[-\$204.26]	2004 Secured
Frederick E. Olsen	030-145-08	[-\$553.56]	2004 Supp Impr Only
Jimmy L. & Cassandra Dowdell	036-195-08	[-\$420.58]	2002 Secured
Jimmy L. & Cassandra Dowdell	036-195-08	[-\$414.38]	2003 Secured
Jimmy L. & Cassandra Dowdell	036-195-08	[-\$419.51]	2004 Secured
Robert & Ruth A. Elwing	036-353-20	[-\$37.47]	2001 Secured
Robert & Ruth A. Elwing	036-353-20	[-\$39.03]	2002 Secured
Robert & Ruth A. Elwing	036-353-20	[-\$38.46]	2003 Secured
Robert & Ruth A. Elwing	036-353-20	[-\$38.95]	2004 Secured
Wild Island Inc.	037-276-01	[-\$4,383.94]	2004 Supp Impr Only
Jeffrey & Cheryl Jameson	038-444-05	[-\$429.15]	2004 Secured
Enrique M. & Olga Curincita	039-345-03	[-\$67.55]	2002 Secured
Enrique M. & Olga Curincita	039-345-03	[-\$66.96]	2003 Secured
Enrique M. & Olga Curincita	039-345-03	[-\$76.59]	2004 Secured
Trent A. Averett	041-312-11	[-\$8,128.93]	2004 Secured
City of Reno	043-252-04	[-\$0]	2004 Secured
American Towers Inc.	050-351-19	[-\$0]	2004 Secured
Samuel A. Godinez	082-452-11	[-\$257.84]	2002 Secured

Samuel A. Godinez	082-452-11	[-\$255.41]	2003 Secured
Samuel A. Godinez	082-452-11	[-\$258.54]	2004 Secured
Pfizer Inc.	160-630-25	[11,343.00]	2004 Secured
Margaret J. Romero	514-512-01	[-\$392.19]	2003 Secured
Margaret J. Romero	514-512-01	[-\$397.11]	2004 Secured
Michael J. Freitas, et al	514-512-02	[-\$391.81]	2003 Secured
Michael J. Freitas, et al	514-512-02	[-\$396.73]	2004 Secured

05-202 RESOLUTION – SURPLUS PROPERTY – PUBLIC WORKS

Upon recommendation of Mike Turner, Facility Management Division Director, through Tom Gadd, Public Works Director, on motion by Commissioner Humke, seconded by Commissioner Larkin, which motion duly carried with Commissioner Sferrazza absent, it was ordered that the following resolution be adopted and Chairman Weber be authorized to execute the same:

RESOLUTION

DECLARATION OF SURPLUS REAL PROPERTY AND INTENT TO SELL AT AUCTION

WHEREAS, Washoe County is the owner of one (1) parcel of unimproved real property situate in the County of Washoe, namely Assessor's Parcel Number 020-321-34, consisting of approximately 2.09 (+-) acres of land; and more particularly described in Exhibit "A" attached hereto,

WHEREAS, Washoe County acquired this parcel in 1925 as part of a drain and ditch site, which was used for the Nevada Fish and Game Commission for its fish rearing pond until abandoned in 1990, and

WHEREAS, the Washoe County Commissioners approved transfer of the majority of the original parcel to the City of Reno for use as the Miguel Ribera Family Community Center and Park site, and a portion of the site was subsequently granted to the Airport Authority for its use; and

WHEREAS, an offer to acquire the remaining portion of the property was submitted by Sierra Bouquet VII, LLC, an adjoining property owner, for the purpose of extending an adjacent property occupied by a bilingual charter school; and

WHEREAS, the remaining portion is not needed by the County and it is in the best interests of the County that this parcel (APN 020-321-34) is declared surplus to Washoe County's needs and sold at public auction, at a board meeting to be held on April 12, 2005 at 5:30 p.m. pursuant to NRS 244.282, and under the terms and conditions listed below;

NOW THEREFORE, be it resolved that the Board of Washoe County Commissioners hereby declares the above referenced parcel as surplus to the County's needs; that this parcel be sold at public auction, that the sale of this parcel is for a purpose other than to realign, change, vacate or otherwise adjust a street, alley, avenue or other thoroughfare, or portion thereof, and that it is in the best interests of the County and the public that this parcel be sold.

BE IT FURTHER RESOLVED that the referenced parcel, APN 020-321-34, as described in Exhibit A hereto, shall be auctioned and sold "AS IS, WHERE IS" to the highest bidder in accordance with Nevada Revised Statutes 244.282, at a public meeting of the Board of County Commissioners on April 12, 2005, at 5:30 PM, following satisfaction of the terms set forth below, the Chairman shall be authorized to execute a Purchase and Sale Agreement and Quit Claim Deed, and that the minimum selling price shall be \$100.00.

PROCESS: Board approval of the offer presented, notice of the sale and request for additional sealed written bids to be advertised at a minimum of three weeks as required by NRS 244.282. Bids are to be accepted at the Washoe County Public Works Department, 1001 E. Ninth Street, Building A, Reno, NV 89512, until 5:00 PM on Friday, April 8, 2005. All sealed bids shall be opened, examined and declared at the Board of Commissioners meeting on April 12, 2005 at 5:30 PM, at the Washoe County Administration Complex, 1001 E. Ninth Street, Building A, and of the written bids submitted that conform to all terms and conditions specified herein, and which are made by responsible bidders, the bid that is the highest shall be accepted by the Board. However, the Board will, before accepting a written bid, call for oral bids, and if a higher oral bid is made by a responsible person during the meeting, in conformance with all terms and conditions specified herein, for a price exceeding by at least five percent (5%) the highest qualified written bid, the Board will accept the highest qualified oral bid. The Board reserves the right to reject any and all bids and withdraw the property from sale and/or adjourn the meeting and sale to a date and time within the 10 days next following, to be announced at the meeting.

TERMS: Upon award of the highest qualified bid, the successful bidder must immediately submit a non-refundable deposit equal to twenty percent (20%) of the minimum selling price listed above, by certified treasury, bank or cashier's check, and also execute a Purchase and Sale Agreement. The remaining balance is due and payable to Washoe County, c/o Public Works Department, 1001 E. Ninth Street, Building A, Reno NV 89512, within 30 calendar days of the date on which the successful bidder is announced. In the event the successful bidder fails to tender either payment or execute a Purchase and Sale Agreement, the County may elect to offer the property to the next highest, qualified bidder as the Board may determine, or the Board may elect to start over with a new public auction for the property in question, or the Board may withdraw the property in question. Washoe County will accept and pay a broker/realtor commission not to exceed two percent (2%) of the minimum-selling price listed above. Said commission, if any, must be disclosed at the time of submitting a bid and will reduce the net amount of the bid offered.

DISCLOSURE: The property to be sold hereby is sold "AS IS, WHERE IS" and potential bidders are urged to perform due diligence prior to submitting a bid. Any and all maintenance obligations related to the use of the subject property shall transfer to the successful bidder. No warranties of any kind whatsoever, either express or implied, are made by Washoe County concerning the property in question, its condition, its value, any rights or obligations connected with the property, or the state of title to this property. The successful bidder will take title from Washoe County subject to any and all easements, liabilities and encumbrances, including taxes of record. Any water rights appurtenant to or connected with this property shall not be included in the sale and are hereby reserved by the County.

This Resolution shall be effective on passage and approval.

The County Clerk is hereby directed to distribute copies of the Resolution to the Comptroller, Finance, Purchasing, Assessor, Treasurer and Public Works.

EXHIBIT A
LEGAL DESCRIPTION APN 020-321-34

The following describes a parcel of land situate within the NE1/4 of Section 30, T19N, R20E, MDM, City of Reno, County of Washoe, State of Nevada, more particularly described as follows:

Commencing at the intersection of the North line of said Section 30 with the Northerly line of Lot 77 as shown on that Plat of "Rewana Subdivision No.3", recorded on August 9, 1961, as Subdivision Tract Map 726, File No. 341918, Records of Washoe County, thence along the following FIVE (5) courses;

Thence South 55°49'12" West, 389.67 feet along the Northerly boundary of said subdivision and the northerly boundary as shown on that plat of "Rewana Subdivision No. 2", recorded on June 26, 1958, as Subdivision Tract Map 595, File No. 289029, Official Records of Washoe County to the Point of Beginning;

Thence departing said boundary, along the arc of a non-tangent curve to the left, from a tangent which bears North 32°44'29" West, having a radius of 722.00 feet, through a central angle of 05°21'40" and an arc length of 67.56 feet, to the southerly boundary as shown on that plat of " Sun Acres Tract No. 2", recorded on February 9, 1948, as subdivision tract map 420, File No. 160412, official records of Washoe County;

Thence South 55°49'12" West 1325.02 feet along said Southerly Boundary to the Easterly Right-of-Way of Neil (Hill) Road as shown on said plat of "Sun Acres Tract No. 2";

Thence South 00°50'48" East, 80.81 feet along said Right-of-Way to the Northerly line of Lot 19 as shown on that Plat of "Sun Acres No. 1", recorded February 18, 1947 as Subdivision Tract Map 327, File No. 149781, official records of Washoe County;

Thence North 55°49'12" East, 1370.89 feet along the Northerly Boundary of said subdivision and the northerly boundary of said plat of "Rewana Subdivision No. 2", to the point of beginning.

Said Parcel containing an area of 2.09 acres of land more or less.

Basis of Bearings: NAD 83/94 State Plane Coordinates, Nevada West Zone.

05-203 LEASE AGREEMENT – ECOL PARTNERSHIP – FAMILY VISITATION CENTER – PUBLIC WORKS

Upon recommendation of Mike Turner, Facility Management Division Director, through Tom Gadd, Public Works Director, on motion by Commissioner Humke, seconded by Commissioner Larkin, which motion duly carried with Commissioner Sferrazza absent, it was ordered that a 60 month lease agreement between Washoe County and ECOL Partnership for the Second Judicial District Court, Family Visitation Center, to be located at 250 S. Rock Blvd., #116, Reno, Nevada from April 1, 2005 through March 31, 2010, be approved and Chairman Weber be authorized to execute the same. It was noted that sufficient funding was available in District Court Internal Order [10177] to cover lease, remodel and utility expenses for the remainder of the fiscal year.

05-204 AWARD OF BID – MEMBRANE FILTRATION SYSTEM - LONGLEY LANE WATER TREATMENT FACILITY – WATER RESOURCES

This was the time to consider the award of bid for the filtration equipment for the Longley Lane Water Treatment Facility Project for the Water Resources Department. The Notice to Bidders for receipt of sealed bids was published in the *Reno Gazette-Journal* on December 2-4, 2004 and December 7-9, 2004. Proof was made that due and legal Notice had been given.

Bids were received from the following vendors:

Pall Corporation
US Filter/Memcor
Zenon Corporation

Upon recommendation of Rick Warner, Senior Licensed Engineer, and Paul Orphan, Engineering Manager, through Steve Bradhurst, Water Resources Director,

on motion by Commission Humke, seconded by Commissioner Larkin, which motion duly carried with Commissioner Sferrazza absent, it was ordered that the filtration equipment for the Longley Lane Water Treatment Facility Project for the Water Resources Department be awarded to Pall Corporation in the amount of \$1,077,862, and Chairman Weber be authorized to execute the same. It was further ordered that the Engineering Manager issue the Notice to Proceed.

05-205 AWARD OF BID – LEMMON VALLEY WATER SYSTEM IMPROVEMENTS – WATER RESOURCES

This was the time to consider the award of bid for Lemmon Valley Water System Improvements, Heppner Waterline Extensions, Phase 2 for the Water Resources Department. The Notice to Bidders for receipt of sealed bids was published in the *Reno Gazette-Journal* on February 2-5, 2005, February 7-12, 2005 and February 14-16, 2005. Proof was made that due and legal Notice had been given.

Bids were received from the following vendors:

Hard Line Excavating, Inc.
John Longo Construction Company, Inc.
Mike's Trenching
Rapid Construction, Inc.
Z7 Development
A & K Earthmovers, Inc.
Aspen Developers Corp.
Petersen Construction

Upon recommendation of Joe Stowell, Licensed Engineer, and Paul Orphan, Engineering Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Humke, seconded by Commissioner Larkin, which motion duly carried with Commissioner Sferrazza absent, it was ordered that the Lemmon Valley Water System Improvements, Heppner Waterline Extensions, Phase 2, for the Water Resources Department be awarded to Hard Line Excavating, Inc. in the amount of \$130,551, and Chairman Weber be authorized to execute the same upon receipt. It was further ordered that the Engineering Manager issue the Notice to Proceed.

05-206 AGREEMENT – CITY OF SPARKS – RECLAIMED WATER – PARKS

Upon recommendation of Karen Mullen, Regional Parks and Open Space Director, through Michelle Poché, Assistant County Manager, on motion by Commissioner Humke, seconded by Commissioner Larkin, which motion duly carried with Commissioner Sferrazza absent, it was ordered that an agreement between Washoe County and the City of Sparks concerning the sale of treated effluent and user held effluent discharge permit regarding supply of reclaimed water at Sky Ranch Park, Eagle Canyon Park, Gator Swamp Park, and Desert Winds Park be approved. It was further

ordered that the payment of the associated Infrastructure Connection Fee to the City of Sparks, in the amount of \$246,177.00 be approved and Chairman Weber be authorized to execute the same.

05-207 PROCLAMATION – SUPPLY MANAGEMENT MONTH –
MARCH 2005

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

PROCLAMATION

WHEREAS, The purchasing and supply management profession has a strategic role in the quality, efficiency, and profitability of business and government throughout the United States of America and around the world; and

WHEREAS, The purchasing and supply management profession works for a private and public, profit and nonprofit organizations; and

WHEREAS, In addition to the purchasing of goods and services, the purchasing and supply management profession engages in, or has direct responsibility for executing, implementing and administering contracts; developing projections and forecasts; developing and implementing procurement strategies; supervising and/or monitoring the flow, storage, staging and use of materials; and

WHEREAS, The purchasing and supply management operation must develop and maintain good working relationships with outside suppliers and with other departments and divisions within the organization; and

WHEREAS, The purchasing and supply management profession has tremendous influence on the economic conditions in the United States of America, with an accumulative purchasing power running into the billions of dollars; and

WHEREAS, The Purchasing Department of Washoe County has consistently guarded the public trust, engendered confidence in the supplier community, been nationally recognized for “Achievement of Excellence in Procurement” as well as “Environmentally Friendly Purchasing” by the U.S.E.P.A. Waste Wise Program and saved the citizens of Washoe County millions of dollars over the years; and

WHEREAS, The Nevada Association of Purchasing and Supply Management, the Northern Nevada Consortium for Cooperative Purchasing, the National Purchasing Institute, the National Institute for Government Purchasing, the Institute for Supply Management and other purchasing associations in the United States and around the world are holding activities and special events to promote the awareness of the

general public on the vital role of purchasing and supply management within business, industry and the government; now, therefore, be it

PROCLAIMED BY THE BOARD OF COMMISSIONERS OF WASHOE COUNTY, NEVADA that March 2005 is designated as “Supply Management Month”. The Board of Commissioners encourages all citizens of Washoe County to join with them in commemorating this observance.

05-208 PROCLAMATION – GIRL SCOUT WEEK – MARCH 6-12, 2005

On motion by Chairman Weber, seconded by Commissioner Larkin, which motion duly carried with Commissioner Sferrazza absent, it was ordered that the following Proclamation be adopted and the Chairman be authorized to execute the same:

PROCLAMATION

WHEREAS, Saturday, March 12, 2005 marks the 93rd anniversary of Girl Scouts of the USA, founded by Juliette Gordon Low in 1912 in Savannah, Georgia; and,

WHEREAS, Throughout its long and distinguished history, Girl Scouting has inspired millions of girls and women with the highest ideals of character, conduct, and patriotism; and,

WHEREAS, Through Girl Scouting girls grow strong, gain self-confidence and leadership skills, and learn the lifelong lesson of contributing to their communities; and,

WHEREAS, Girl Scouting takes an active role in increasing girls’ awareness of the opportunities available to them today in math, science, sports, technology and other fields that can expand their horizons; and,

WHEREAS, More than 3.8 million current Girl Scout members nationwide will be celebrating 93 years of this American tradition, with nearly 50 million women who are former Girl Scouts and living proof of the impact of this amazing movement; now, therefore, be it

PROCLAIMED by the Washoe County Board of Commissioners that the week of March 6-12, 2005 is designated as Girl Scout week.

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Commissioner Sferrazza participated in the following items via telephone.

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**RESOLUTION – CITY OF SPARKS CENTENNIAL
CELEBRATION – MANAGER**

Commissioner Larkin introduced Mayor Geno Martini and Councilman Ron Schmitt of Sparks along with Don Johnston, Chairman of the Centennial Celebration.

Mayor Martini thanked the Board for their support. He stated the City was looking forward to the Centennial Celebration and invited the public to enjoy the scheduled events to be held throughout the year.

Upon recommendation of Kathy Carter, Community Relations Director, through Katy Singlaub, County Manager, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Weber be authorized to execute the same:

RESOLUTION

WHEREAS, the City of Sparks began as a railroad community established by the Southern Pacific Railway Company when the area consisted of only swampland and a few ranches; and

WHEREAS, in an effort to establish a town to support it's operations, the railroad offered to move every employee from Wadsworth to its new location by paying for all their moving expenses plus raffling off 50 ft. by 140 ft. parcels of land for \$1 a piece; and

WHEREAS, the City of Sparks has since grown to a thriving community of 78,500 residents widely-known for its special events, growing commercial districts, and friendly neighborhoods; and

WHEREAS, the City of Sparks will be celebrating its 100th birthday on March 15, 2005; and

WHEREAS, a year-long celebration, known as the Sparks Centennial Celebration, has been planned featuring many exciting events; and

WHEREAS, the Washoe County Commission has provided financial support at the Gold-plus level Sponsorship to the Sparks Centennial Commission to support these celebration events; now, therefore be it

RESOLVED, that the Washoe County Board of Commissioners congratulates the City of Sparks on their centennial birthday and offers all Sparks residents best wishes for a successful and memorable celebration throughout the year.

05-210

**RESOLUTION – COMMISSIONER SPECIAL DISTRICT FUNDS –
SPARKS CENTENNIAL CELEBRATION**

Upon recommendation of Kathy Carter, Community Relations Director, through Katy Singlaub, County Manager, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Weber be authorized to execute the same:

RESOLUTION

AUTHORIZING THE GRANT OF PUBLIC MONEY TO THE SPARKS CENTENNIAL COMMISSION

WHEREAS, NRS 244.1505 provides that a Board of County Commissioners may expend money for any purpose which will provide a substantial benefit to the inhabitants of the County and that a Board may make a grant of money to a private organization, not for profit, or to a governmental entity, to be expended for a selected purpose; and

WHEREAS, The Board of County Commissioners of Washoe County has determined that a certain amount of money is available in Fiscal Year 2004/2005, to make a grant of money to the Sparks' Centennial Commission for support of the City of Sparks' year-long Centennial Celebration, in particular the icon to be erected at the Sparks' Marina and that by providing this grant of money a substantial benefit will be provided to the inhabitants of Washoe County; now, therefore, be it

RESOLVED, By the Board of Commissioners of Washoe County that the Board hereby grants to the Sparks' Centennial Celebration, a grant for fiscal year 2004/2005 in the amount of \$19,000.

[Business Impact Note: The Board of County Commissioners hereby finds that this Resolution does not impose a direct and significant economic burden upon a business, nor does it directly restrict the formation, operation or expansion of a business.]

The following amounts were contributed from the Commissioner Funds:

\$10,000 from Commissioner Larkin
\$ 5,000 from Commissioner Weber
\$ 2,000 from Commissioner Humke
\$ 1,000 from Commissioner Sferrazza
\$ 1,000 from Commissioner Galloway

**DISCUSSION – PROPOSED WASHOE/LYON COUNTY
BOUNDARY CHANGE – MANAGER**

Michelle Poché, Assistant County Manager, reviewed the chronological order of the request by Lyon County to change the County boundary line between Washoe and Lyon Counties in the area north of the City of Fernley and east of the Pyramid Lake Indian Reservation as outlined in the agenda memorandum dated February 18, 2005. She said the developers who owned a portion of the land in question completed plans for the property as outlined on a map, which was placed on file with the Clerk. Ms. Poché stated once the plans were completed, staff commissioned a fiscal analysis of the cost and benefits the development represented to Washoe County, which was completed by Meridian Business Advisors and placed on file with the Clerk. She said Assemblyman Grady was considering introducing Legislation to move the boundary line; however, he would only do so if Washoe County was in support of the change. Ms. Poché said in an effort to reach out to the affected community, staff convened a special meeting with the East Truckee Canyon Citizen Advisory Board (CAB). She commented residents of Wadsworth expressed concern over the level of service currently received from Washoe County and had questioned if the service level would improve if the residential development remained in Washoe County. Ms. Poché felt those concerns needed to be addressed, and staff would concentrate on their service level concerns.

In response to questions received at Caucus, Ms. Poché said she spoke with representatives from Lyon County; and it was determined the majority of the three tiered section was undevelopable because of topography. Washoe County and Lyon County staffs agreed moving the line down two tiers would address concerns the Commission expressed a year ago of three tiers being too much property to consider. She said the maps included in the Board's packets showed the revised line.

Edward Johanson, President of Lakemont Homes, together with Wade Development, proposed the Sonterra Residential Master Plan as highlighted on map No. 2 and outlined in a letter dated March 7, 2005, which was presented to the Board and placed on file with the Clerk. He said approximately 75 percent of the workforce in the Nevada Industrial Park, located in Fernley, commuted to the Reno-Sparks Truckee Meadows area for housing. Mr. Johanson stated the proposed development would provide rental units, courtyard facilities, and family housing with interconnecting neighborhoods, parks, and services. He said a master plan residential development would be necessary for a long-term successful development of the Industrial Park to provide a housing-job balance within the region. Mr. Johanson relayed concerns received from East County residents of the service provided for the rural areas. He said the development would bring parks, medical services, expanded police and fire services, and provide equipment for Interlocal Agency support services, along with increased retail and recreational services. Mr. Johanson concluded this would generate strong support for the City of Fernley and allow the City to plan adjoining lands and future capabilities.

Lyon County Commissioner Goodman reviewed the history of the boundary line in question and requested the Board's positive consideration in regard to this adjustment.

Bambi Van Dyke, East Truckee Canyon CAB, stated residents in the East Canyon area had concerns with the lack of services provided in the area. She said an important aspect to the citizens would be better services as a result of the boundary line adjustment.

Sam Dehne, Reno resident, was in favor of the project; however, he was concerned traffic could become a problem.

Rick DeMar, Washoe County resident, encouraged the Board to endorse the State Legislation to move the County line in recognition of Regional Development.

Gary Schmidt, Washoe County resident, supported the County line adjustment and the movement of all parts north into a rural Nevada County.

Steve Ceresola, Ceresola Brothers, owner of a section of the property in question, stated he was in favor of the proposal to move the boundary line into Lyon County.

Commissioner Sferrazza questioned if Washoe County could condition the boundary line change on Lyon County providing services to Washoe County residents who continued to reside in the County. Mr. Johanson stated the facilities were intended to be public and the services would be available to residents of eastern Washoe County and Fernley.

Commissioner Galloway asked Mr. Johanson if the water for the proposed development would be provided through the City of Fernley's water system. Mr. Johanson replied his staff would be working with the City of Fernley through their services for all utilities and also developing their own water as the project moved forward. Commissioner Galloway inquired if any ground water pumping would be done that would impact residents of Wadsworth. Mr. Johanson responded it would not since the development was on a separate water basin. Commissioner Galloway asked if neighborhood commercial services would be provided for the local community, and Commissioner Goodman concurred. Commissioner Goodman explained this development would be primarily residential and no plans for a major department store, power center or resort casinos, would be placed on the land transferred from Washoe County.

Commissioner Humke said he did not want to replicate the problems caused by growth, which did not take into consideration the need for additional transportation services. Ms. Poché responded staff was unable to compile the statistical and demographical data; however, with approximately 3,800 estimated employees, staff was concerned the project would exacerbate job-housing balance without the residential

component. Commissioner Humke asked Commissioner Goodman Lyon County, through Assemblyman Grady's legislation, stipulate and avail itself with the Washoe County Regional Planning legislation on a voluntary basis. Commissioner Goodman was unclear if that could be put into legislation for a boundary line adjustment: however, he assured the Board he would help Washoe County and Storey County, in any way to precipitate the Regional Transportation Commission's desire for a bypass around the east side of the Cities of Reno and Sparks. He concluded regionalism was the way to go.

Commissioner Larkin questioned if the Bureau of Land Management (BLM) land was marked for disposal or retention. Commissioner Goodman responded that land was marked for retention to remain public open land. Commissioner Larkin asked if Lyon County had a planning team in place and would they be open to a member of the East Truckee Canyon CAB being on that team. Commissioner Goodman agreed. In response to Commissioner Larkin, Mr. Johanson said 90 percent of the 1,429 acres in the proposal was scheduled for family development and the remaining 10 percent commercial. He said the proposal would remain as planned.

Commissioner Sferrazza disclosed he had met with Commissioner Goodman, Wade Development, and Ed Johanson previously. He also stated he supported the boundary line adjustment.

Commissioners Galloway, Humke, Larkin and Weber disclosed they had previously met with representatives from Wade Development and Commissioner Goodman.

Upon recommendation of Ms. Poché, through Katy Singlaub, County Manager, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, Chairman Weber ordered that Washoe County join Lyon County and the City of Fernley in support of State Legislation concerning the proposed change to the Washoe County boundary line. It was further ordered that the City of Fernley participate in the Regional Planning Governing Board and the Regional Planning Commission to provide the appropriate restrictions on land use and staff be directed to prepare a Memorandum of Understanding (MOU) where all new community facilities from the expansion be open to residents of Wadsworth and the CAB participation.

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Commissioner Sferrazza did not participate in the remainder of the meeting.

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COMMENTS BEFORE CLOSED SESSION

Melanie Foster, Legal Counsel, stated as a matter of procedure, Gary Schmidt orally requested a continuance of this item.

Chairman Weber opened public comment for this item.

Sam Dehne, Reno resident, stated he was against a closed session against an appointed citizen.

Chairman Weber read into the record a public comment by Wayne Fischer, Incline Village resident, which stated he was in support of Gary Schmidt remaining on the Board of Equalization.

Gary Schmidt, Washoe County resident, reiterated his request for a continuance of the closed session due to his counsel not being available and requested the videotapes for the past three years of the Board of Equalization. He presented a "waiver of confidentiality" to the Board at Caucus on March 7, 2005 and requested all hearings for this matter be held in a public forum.

Ms. Foster said the Open Meeting Law did not address whether a public body was required to open a closed personnel session upon the request of an individual; however, the case law stated the purpose behind these sessions was to encourage frank and open discussion for the benefit of both parties. She said the District Attorney's Office would encourage the Board to continue with the closed session to preserve the propriety of the proceedings.

Commissioner Galloway said he would be open to a continuance after hearing the facts presented during a closed session. He felt it would be beneficial for both parties to continue with the closed session.

On motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried with Commissioner Sferrazza absent, Chairman Weber ordered that the Board move to the closed session.

4:15 p.m. The Board recessed to a closed session for the purpose of discussing Board of Equalization member Gary Schmidt.

5:27 p.m. The Board reconvened in open session with Commissioner Sferrazza absent.

MAINTENANCE OF WHITES CREEK PARK – PARKS

On motion by Commissioner Humke, seconded by Commissioner Larkin, which motion duly carried with Commissioner Sferrazza absent, Chairman Weber

ordered that the item concerning options to accept County maintenance of Whites Creek Park be continued to a date not specified.

05-212 BOARD OF EQUALIZATION MEMBER – GARY SCHMIDT

Commissioner Larkin made a motion to continue the item concerning censure, removal or no action on Board of Equalization member Gary Schmidt to the March 22, 2005 meeting. Chairman Weber seconded the motion.

Commissioner Galloway stated he had reviewed the complaints that were registered, the concerns that were at issue in the closed session, and he did not see anything that would rise to the level of requiring either removal from a board or a formal reprimand. He said he was opposed to the motion.

Chairman Weber confirmed she did support the motion because it would be appropriate for Commissioner Sferrazza to be in attendance to hear the matter.

Commissioner Humke noted Mr. Schmidt requested a continuance and Commissioner Sferrazza was not present; therefore, he was in favor of the motion.

Commissioner Galloway acknowledged if the Board voted "no" because the Board did not think there was any reason for further action, it would dispose of the matter and that would not be detrimental to anyone.

On call for the question, the motion passed with Commissioners Humke, Larkin, and Weber voting "yes," and Commissioner Galloway voting "no," with Commissioner Sferrazza absent.

05-213 PURCHASE REQUISITION - FY 2004/05 – SAFETY COUNTS PROGRAM - HEALTH

County Manager Katy Singlaub explained the item involved grants and programming to support AIDS education in Washoe County by the District Health Department, and she summarized the background on the item as outlined in the agenda memorandum dated February 7, 2005. She acknowledged the District Health Department initiated requests for proposals to carry out AIDS prevention education, and this proposal was found to comply with national standards from the Centers for Disease Control for model programs. She noted there was a rigorous analysis for compliance with those model standards.

Upon recommendation of Patsy Buxton, Health Analyst, through Eileen Coulombe, Administrative Health Officer, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried with Commissioner Sferrazza absent, and Chairman Weber voting "no," it was ordered that the fiscal year 2004/05 purchase requisition #3000002563 issued to Nevada AIDS Foundation, Inc.,

concerning the Safety Counts Program in the total amount of \$98,570 on behalf of the Community and Clinical Health Services Division, be approved.

05-214 PURCHASE REQUISITION - FY 2004/05 – VOCES PROGRAM - HEALTH

County Manager Katy Singlaub explained the item involved grants and programming to support AIDS education in Washoe County by the District Health Department, and she summarized the background on the item as outlined in the agenda memorandum dated February 7, 2005. She acknowledged the District Health Department initiated requests for proposals to carry out AIDS prevention education, and this proposal was found to comply with national standards from the Centers for Disease Control for model programs. She noted there was a rigorous analysis for compliance with those model standards.

Upon recommendation of Patsy Buxton, Health Analyst, through Eileen Coulombe, Administrative Health Officer, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried with Commissioner Sferrazza absent, and Chairman Weber voting "no," it was ordered that the fiscal year 2004/05 purchase requisition #3000002562 issued to Nevada Hispanic Services, concerning the VOCES Program in the total amount of \$128,641 on behalf of the Community and Clinical Health Services Division, be approved.

05-215 LEGISLATIVE BRIEFING

Joan Lambert, Lobbyist, explained Senator Townsend introduced Senate Bill No. 52 (SB 52), and the City of Reno supported the bill. She gave background on SB 52 that was outlined in the Legislative Briefing dated March 8, 2005, which was placed on file with the Clerk. Ms. Lambert stated the bill allowed local governments more control over their own code enforcement. She noted the Building, Community Development, District Health, and Water Resources Departments of the County were in support of the bill with the proposed amendment to define garbage. She added staff recommended the Board take a position in support of SB 52.

Commissioner Galloway inquired if the County could use this bill as an opportunity to raise awareness that there should be different levels of what triggers a citation. Commissioner Galloway asked if this bill could change the State law and allow the County to have different ordinance levels for nuisances in different places if that were added to the bill.

Melanie Foster, Legal Counsel, stated it was possible for the County to adopt different standards for different areas under the current State law. She explained SB 52 would allow for cross-enforcement on codes. She noted the bill did not address how those codes were specifically adopted or the tailoring of certain codes to certain areas.

Commissioner Galloway asked if provisions could be built into the bill that would provide flexibility from area to area.

Michelle Poché, Assistant County Manager, said staff was working with the District Attorney's Office to address that issue. She was confident, based on the preliminary research, that staff could return to the Board with adequate opportunities to make changes to County ordinances without pursuing a State Legislative change.

Commissioner Humke made a motion that the Board would not oppose the staff recommendation. Commissioner Humke withdrew the motion.

On motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried with Commissioner Sferrazza absent, it was ordered that the Board support SB 52 as recommended by staff.

6:03 p.m. The Board recessed.

6:28 p.m. The Board reconvened with Commissioner Sferrazza absent.

05-216 **PROCEEDS FROM SALE OF SIERRA SAGE GROUND WATER RIGHTS - SIERRA SAGE GOLF COURSE – NORTH VALLEY'S REGIONAL SPORTS COMPLEX – PARKS**

Karen Mullen, Regional Parks and Open Space Director, informed the Board that a decision concerning the water rights did not have to occur at the March 8, 2005 meeting. She said the item could be continued, and staff was willing to meet with the Reno City Council to discuss the history and the future proceeds from the water rights sale. Ms. Mullen summarized the agenda memorandum dated March 8, 2005, concerning the Sports Complex and Golf Course Effluent Reuse Agreement and the letter from Dwight Dortch, City of Reno Councilmember, which was placed on file with the Clerk. She noted the North Valley's Sports Complex and Sierra Sage Golf Course were currently using the entire water right allocation for the treated water system. She added specific figures were available upon request.

Rebecca Holt, North Valley's Regional Sports Complex Friends Committee, stated net proceeds from the water rights sale should go to the development and completion of the Sports Complex. She said it was necessary for the park to be completed.

Jim Lockwood, Washoe County Golf Council, acknowledged \$250,000 was required for the golf course reserve fund to be where it should be. He said the bond that was used to install the effluent line needed to be paid off and additional monies could be used to improve the golf courses. He added golf courses were an integral part of the North Valleys.

Virginia Thompson, representative of the Golf Council for Sierra Sage Women's Golf Club, requested another meeting be held of the Golf Council, Regional Parks and Open Space, and the County Commission prior to any decision-making on how the money would be distributed if the proceeds of the sale of the Sierra Sage water rights were over the expected \$15,000 per acre foot. She recommended at least \$250,000 of any additional sale money be set aside for the Golf Course Enterprise Fund to help pay off the bond.

Jean Maxwell, Sierra Sage Golf Course member, submitted written comments encouraging the Board to split the money between the Golf Course Enterprise Fund and the North Valleys.

Gene McClelland, Washoe County Golf Council Chairman, asked that the decision on the water rights be deferred to a later time. He explained he would like another meeting with the North Valley's citizen group and the Golf Council. He recommended the debt of \$1.4-million be paid off and noted that would save the County in interest and cut the operating costs for the Golf Course and Sports Complex by a substantial amount.

Chairman Weber asked if \$750,000 was required to complete Phase II. Ms. Mullen agreed. Chairman Weber inquired how that would carry over into the Master Plan and future plans for the park. Ms. Mullen explained there were a number of facilities that had not been completed and would have to be done with additional bond funds or other revenue sources. She identified two adult softball field areas, a recreation center, a tennis area, and a small neighborhood park that needed to be completed.

Chairman Weber noted people had been meeting for the past year in hopes of working on a Regional Community Center at the park site. She said the group was looking for ways to fund the Center. Ms. Mullen confirmed the Center was in the Master Plan.

In response to Commissioner Galloway, Ms. Mullen confirmed staff desired to see the debt service for the treated water line paid off. She said staff had to devise a plan to get the facilities going, and treated water had to be converted to accomplish that. The original agreement, referenced in Councilmember Dortch's letter, did not spell that out. Ms. Mullen acknowledged staff did not believe there would be additional funding available because the cost of the water rights was approximately \$6,000 per acre-foot at that time. Commissioner Galloway asked if the requirements in the agreement would be met if Phase II was completed. Ms. Mullen concurred, and she added the Department was looking at getting the ball fields online and that would meet the requirements of the agreement.

Chairman Weber and Ms. Mullen commented on the substantial savings the Golf Course fund and the County's General fund would realize if the debt was paid off. Ms. Mullen noted the interest savings alone would be \$848,078 for both funds.

Commissioner Larkin made a motion to continue the item until after the sale of water rights and for the item to be heard at the April 26, 2005 meeting. Commissioner Humke seconded the motion.

Following further discussion, on call for the question, the motion passed, on a 4-0 vote, with Commissioner Sferrazza absent.

05-217 ORAL BIDS – SALE OF WATER RIGHTS – SIERRA SAGE GOLF COURSE – PARKS

5:30 p.m. This was the time set in Public Auction Notices published in the *Reno Gazette-Journal* on February 18, 21, and 25, 2005 and March 2 and 4, 2005 to receive sealed bids and hear oral bids with regard to the sale of 174.03 acre-feet of water rights being a portion of Permit No. 66958 and 66959 as changed by application 71194 and 71195 respectively, at Sierra Sage Golf Course. Proof was made that due and legal Notice had been given.

Karen Mullen, Regional Parks and Open Space Director, gave an overview of the process regarding the sale of 174.03 acre-feet of water rights from Sierra Sage Golf Course. Ms. Mullen reviewed the handout entitled, "Instructions to Bidders," which was placed on file with the Clerk. She stated it was important for all bidders to note that the ground water rights were sold without any representation or warranties from the County, and potential bidders were urged throughout the process to perform their due diligence prior to submitting a bid.

Chairman Weber opened the sealed bids.

7:20 p.m. The Board recessed.

7:35 p.m. The Board reconvened with Commissioner Sferrazza absent.

The following were the successful Bidders as a result of the bidding:

BIDDER'S NAME	BID PRICE PER ACRE-FOOT	NUMBER OF ACRE-FEET	TOTAL PRICE
John Roven	\$38,300.00	2.50	\$ 95,750.00
Chris Harris	\$31,550.00	4.04	\$ 127,462.00
Centex Homes	\$40,000.00	7.00	\$ 280,000.00
Craftsman Homes	\$37,027.10	5.25	\$ 194,392.28
John Johnson	\$35,527.10	2.02	\$ 71,764.74
Luke Fitzgerald	\$34,027.10	1.00	\$ 34,027.10
Reynen & Bardis	\$39,027.10	3.85	\$ 150,254.34
Centex Homes	\$41,005.00	10.00	\$ 410,050.00
Centex Homes	\$40,965.00	22.00	\$ 901,230.00
Centex Homes	\$40,450.00	12.00	\$ 485,400.00
Ronald M. Losk	\$41,478.55	4.04	\$ 167,573.34

Mike Parise/P&G Investments	\$38,500.00	1.30	\$ 50,050.00
Ronald M. Losk	\$40,000.00	2.74	\$ 109,600.00
Larry Welch	\$42,000.00	2.02	\$ 84,840.00
Yomba Dev Co.	\$42,000.00	12.12	\$ 509,040.00
Ronald M. Losk	\$42,500.00	2.50	\$ 106,250.00
Gary Sherrow/Vanguard	\$43,000.00	15.00	\$ 645,000.00
Centex Homes	\$42,637.50	24.00	\$1,023,300.00
Evertt Flagg/Ray Peters	\$43,000.00	2.02	\$ 86,860.00
Larry Welch	\$41,000.00	4.04	\$ 165,640.00
Centex Homes	\$39,600.00	2.50	\$ 99,000.00
Reynen & Bardis/ Barker Coleman	\$39,000.00	32.09	\$1,251,510.00
TOTAL SALES			\$7,048,993.80

Ms. Mullen instructed the successful Bidders to contact Vahid Behmaram, Water Rights Supervisor, with any questions, to fill out purchase agreements, and to provide a cashier's check to the County by March 10, 2005 at 9:00 p.m.

On motion by Commissioner Larkin, seconded by Commissioner Humke, which motion duly carried with Commissioner Sferrazza absent, Chairman Weber ordered that the auction be continued until the next Board meeting on March 15, 2005. It was noted that if any Bidder failed to meet the conditions of the purchase agreement, the water rights could be sold at the March 15, 2005 meeting.

9:15 p.m. The Board recessed.

9:25 p.m. The Board reconvened with Commissioner Sferrazza absent.

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried with Commissioner Sferrazza absent, it was ordered that the bids be accepted, and Chairman Weber be authorized to execute the documents of sale if the terms of the sale were attained.

05-218 AGREEMENT – CARMEN GROUP – FEDERAL LOBBYING SERVICES – WATER RESOURCES

County Manager Katy Singlaub explained the agreement was specific to lobbying for and with the U.S. Army Corps of Engineers concerning the Truckee River Flood Management Project. She noted the County had the endorsement of the Truckee River Flood Management Project partners to move forward on this item.

Chairman Weber read comments in support of the contract with the Carmen Group from Elisa Maser, representative from the Business, Residential, and Environment Partnership for the Flood Project, who had left the meeting.

Upon recommendation of Jeanne Ruefer, Water Resources Planning Division Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Commissioner Sferrazza absent, it was ordered that an agreement between Washoe County and the Carmen Group, concerning Federal lobbying services in the not to exceed amount of \$120,000 for a 12-month period plus related travel expenses, be approved and Chairman Weber be authorized to execute the same.

05-219 **COLLECTIVE BARGAINING AGREEMENTS – WASHOE COUNTY EMPLOYEES' ASSOCIATION – NON-SUPERVISORY AND SUPERVISORY BARGAINING UNITS**

Chairman Weber noted the support of the agreements by Robert Burdick, Washoe County Employees' Association (WCEA), who had left the meeting.

Upon recommendation of Steve Watson, Labor Relations Manager, through Katy Singlaub, County Manager, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Commissioner Sferrazza absent, it was ordered that the Collective Bargaining Agreements with the WCEA for the Non-Supervisory and Supervisory bargaining units for the period of July 1, 2004 through June 30, 2005 be ratified, and Chairman Weber to authorized to execute the same.

05-220 **SALARY RECOMMENDATIONS FOR NON-REPRESENTED EMPLOYEES – HUMAN RESOURCES**

County Manager Katy Singlaub noted the past practice of the Board was that the non-represented employees would receive the same general wage adjustment as the Washoe County Employees' Association (WCEA) employees. She said, in acting on the WCEA contract, the protocol would be to approve the salary recommendations for the non-represented employees.

Upon recommendation of Joanne Ray, Human Resources Director, through John Berkich, Assistant County Manager, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried with Commissioner Sferrazza absent, Chairman Weber ordered that the salary recommendations as specified in the agenda memorandum dated February 16, 2005, which was placed on file with the Clerk, for non-represented employees including confidential employees, Unclassified Management, Juvenile Services, Law Library, District Court and Justice Court employees for the period of July 1, 2004 through June 30, 2005 be approved.

Commissioner Humke commented he seconded the motion because the process was a product of binding arbitration.

05-221

**ORDINANCE NO. 1263 - BILL NO. 1443 - AMENDING CHAPTER
100 – UNIFORM BUILDING CODES**

5:30 p.m. This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on February 25, 2005 to consider second reading and adoption of Bill No. 1443. Proof was made that due and legal Notice had been given.

The Chairman opened the public hearing by calling on anyone wishing to speak for or against adoption of said Ordinance.

Chairman Weber noted support of the Ordinance from Bob Lopes, Plumbers and Pipefitters, who had left the meeting. Chairman Weber read the comments of support from Mark Sullivan, Associated General Contractors, who had left the meeting.

Dwight Perkins, representative from the International Association of Plumbing and Mechanical Officials, spoke in support of the Ordinance and complimented Jess Traver, Building and Safety Director, and the Building and Safety staff for their hard work and effort on the codes.

Mike Dillon, Builders Association of Northern Nevada, said his Association appreciated the job Mr. Traver had completed on the project. He noted Mr. Traver received and acted on the input from the members, and he brought the entities together in the project. He stated major savings would be seen in areas such as energy on new homes through some of the code adoptions.

The Chairman closed the public hearing.

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried with Commissioner Sferrazza absent, Chairman Weber ordered that Ordinance No. 1263, Bill No. 1443, entitled, "**AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY REPEALING PROVISIONS RELATING TO BUILDINGS AND CONSTRUCTION AND ADDING UNIFORM CODES WITH CERTAIN CHANGES, ADDITIONS AND DELETIONS, RELATING TO BUILDINGS AND CONSTRUCTION,**" be approved, adopted and published in accordance with NRS 244.100.

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried with Commissioner Sferrazza absent, Chairman Weber ordered that the business impact statement be adopted.

05-222 NATURAL RESOURCE MANAGER POSITION – PARKS

County Manager Katy Singlaub clarified that the position being vacated was a Maintenance Supervisor position. She explained there were responsibilities that staff was unable to fulfill, and some of the requirements were statutory. She said staff concluded this could be a low cost way to fund the Natural Resource Manager position.

Chairman Weber commented she had received the information she needed to support the position through discussion with Karen Mullen, Regional Parks and Open Space Director, after the Caucus meeting on March 7, 2005.

Upon recommendation of Ms. Mullen, through Michelle Poché, Assistant County Manager, on motion by Commissioner Larkin, seconded by Commissioner Humke, which motion duly carried with Commissioner Sferrazza absent, Chairman Weber ordered that the Regional Parks and Open Space Department be authorized to establish a Natural Resource Manager position, as evaluated by the Job Evaluation Committee and effective May 1, 2005, with the intent to abolish a position that would be vacated due to retirement in August 2005 and to fund this early hiring through sufficient savings within the Department.

05-223 RIGHT OF ENTRY AGREEMENT – RENO RETAIL COMPANY, LLC – RECLAIM WATER FACILITIES – PARKS

County Manager Katy Singlaub remarked that John Frankovich, representative for the developers of the project, had to leave the meeting. She noted he was in support of the donation and asked for the Board's support.

Upon recommendation of Karen Mullen, Regional Parks and Open Space Director, through Michelle Poché, Assistant County Manager, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Commissioner Sferrazza absent, it was ordered that a Right of Entry agreement between Washoe County and Reno Retail Company, LLC, to construct reclaim water facilities and to pipe irrigation water through the South Valley Sports Complex, be approved. It was further ordered that \$39,924.80 be accepted in exchange for the right of entry, to be deposited in the South Valley Sports Complex Donations Fund 404-404-13-IN20035-484000, and Chairman Weber be authorized to execute the same.

05-224 SIERRA ROCK PARK DESIGN AND CONSTRUCTION AGREEMENT – WOODLAND VILLAGE PHASE 12, LLC — PARKS

Chairman Weber inquired about the maintenance of the area. Karen Mullen, Regional Parks and Open Space Director, explained the maintenance costs had been placed in the budget for 2005/06 to begin in July of 2005. She said the total amount was \$15,100, which included the water bills, utilities, and the maintenance costs.

Upon recommendation of Ms. Mullen, through Michelle Poché, Assistant County Manager, on motion by Commissioner Galloway, seconded by Chairman Weber, which motion duly carried with Commissioner Sferrazza absent, it was ordered that the Sierra Rock Park design and construction agreement between Washoe County and Woodland Village Phase 12, LLC, in the not to exceed amount of \$313,843, be approved and Chairman Weber be authorized to execute the same.

05-225 2002 REGIONAL PLAN SETTLEMENTS AND ASSOCIATED ISSUES

Michelle Poché, Assistant County Manager, outlined the agenda memorandum dated March 7, 2005 concerning the self-directed mediation efforts surrounding the litigation over the City of Reno's Program of Annexation.

Commissioner Galloway commented one concern of the City of Reno attorneys was that the law did not allow them to delegate anything to the Regional Plan on 670 voluntary contiguous annexations, and Justice Hardesty did say there could be a Legislative solution to that concern.

Commissioner Galloway stated one problem with the agreement was that a proposal had been drafted that would assign certain acreages to certain entities per year. He said the problem was predicated on the current boundaries of the City of Reno; and, if a vast acreage in Cold Springs were annexed, that formula would have to be changed. He added that had been on record in the discussions.

Commissioner Galloway stated he and Chairman Weber had gone on record to say if the City of Reno decided they did not want to proceed with the Cold Springs annexation as proposed, but were interested in annexing only a commercial/industrial area, the Board would be supportive of a Legislative solution to allow that to happen. Commissioner Galloway noted that could happen with the agreement of the City of Reno and the County provided that land uses could not be changed back to residential or some other incompatible use at a later date. He acknowledged he had written to the Reno City Council on that point.

In response to Commissioner Larkin's comments, Commissioner Galloway explained the proposal would say that the Board was willing to cooperate with the City of Reno in such a Legislative solution. He said the objective would be to have an annexation that did not create a large amount of additional residences, but would create economic growth by having a commercial/industrial area that could be annexed by agreement between the County and the City, and it would not be contiguous to the City of Reno.

Commissioner Larkin inquired if there was a desire for a Legislative solution by the representative from the City of Reno. Commissioner Galloway acknowledged the item was mentioned at a Joint Meeting; the City Council had a decision to make concerning the annexation at the March 9, 2005 meeting; and, if the

Reno City Council knew the County would cooperate with that alternative, they would have an option to consider. Commissioner Larkin stated he could support the concept if it would facilitate a resolution.

Commissioner Humke said he agreed with Commissioner Larkin, and he would support the concept as it was offered in the spirit of cooperation. Chairman Weber commented the proposal would be an offer to the City of Reno.

Commissioner Galloway remarked his memo to the Reno City Council stated that was the position of the two negotiators from the County; and he could report it was also the position of the Board.

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried with Commissioner Sferrazza absent, Chairman Weber ordered that the Reno City Council be informed that the Board of County Commissioners would support Legislation that would allow the annexation of just the ranch area that was proposed for a commercial/industrial development park or whenever the City of Reno and the County agreed that such a commercial/industrial area could be annexed without being contiguous.

**05-226 STUDY OF SOUTHEAST CONNECTOR – RECOMMENDATION
TO THE REGIONAL TRANSPORTATION COMMISSION**

Commissioner Humke explained on November 18, 2004 the Regional Transportation Commission (RTC) made a motion regarding the Southeast Connector that directed the RTC staff to go to Washoe County and the Cities of Reno and Sparks Public Works Departments to design a framework for a solution. Commissioner Humke introduced Bruce Arkell, consultant to the Hidden Valley Homeowners Association, who desired to make his services available to Washoe County in a coordinating role regarding how the study of the Southeast Connector could be accomplished.

Mr. Arkell, representative of the Established Community Coalition, explained the history of the Southeast Connector project and said the project would have to receive Federal approval. He added all parties involved desired to solve the issue, and the simplest solution would be to begin with the Environmental Process under the National Environmental Policy Act (NEPA). This involved obtaining a Federal agency to become a lead agency, and there were several that could fulfill that function. He said that solution would place the process in a non-adversarial position.

Mr. Arkell explained the Southeast Connector Organization Chart, which was placed on file with the Clerk. The purpose of this plan was to put the local governments and the RTC in charge of the process. He noted the committee structure would approve all the consultants, and it would be a consultant driven project. He stated there were many issues to consider, such as: environmental/natural resources, land acquisitions, and traffic. The proposal would structure a process that would lead to all the entities signing off and approving the conclusion of the Environmental Process. He

added all of that work would occur prior to the time it was submitted to the Federal government for approval. Mr. Arkell stated one concern was if routes were selected prior to going through all of the steps, it would all be lost when it goes through the Federal process. The structure allowed the process to move forward on a technical basis and would give everyone an opportunity to look at all the information in a transparent way, which had not been the case with the project since the beginning.

Commissioner Humke called attention to citizens Laura Carmen, Marge Frandsen, and Neil Upchurch who were in the audience; and he noted their support of the efforts of Mr. Arkell, himself, and Commissioner Larkin concerning the Southeast Connector.

Commissioner Galloway remarked he was in support of completing an environmental process; however, in order for the environmental document to be valid, it had to encompass all alternatives; and any alternative had to be within the scope of that document. He said the way to assure Storey County that they were not going to get a highway through their territory was to not include that route in the environmental document. Commissioner Galloway disclosed he had conversed with Derek Morse, Deputy Executive Director of the RTC, and Mr. Morse informed him the RTC was not in support of that route.

Mr. Arkell recognized the first step in the Environmental Process was to define the purpose and need, and identifying the alternatives followed that step. He stressed the importance of including all alternatives in the study. He suggested a meeting should take place with the Commissioners and the RTC.

Commissioner Larkin commented the Board should direct staff to meet with the RTC to develop a suitable structure. He agreed NEPA was the appropriate umbrella to pursue the Southeast Connector. He noted there were many issues to deal with because of the changes over the years. He emphasized that Lyon and Storey Counties must be involved in the process. Commissioner Larkin said the course of the study should be directed, and it should follow NEPA versus other types of processes. He stated he could accept the report, but he was not necessarily endorsing the organization chart.

On motion by Commissioner Humke, seconded by Chairman Weber, which motion duly carried with Commissioner Sferrazza absent, it was ordered that the report be accepted; staff be directed to work with Mr. Arkell on the issue; and Mr. Arkell be directed to explore what was achievable with Public Works and other County staff and return to the Board with a proposal.

**REPORTS/UPDATES FROM COUNTY COMMISSION
MEMBERS**

Commissioner Humke reported on the Washoe County School District Oversight Panel, in which he and Chairman Weber work with the School Board as they plan their spending for capital construction.

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There being no further business to come before the Board, the meeting adjourned at 10:12 p.m.

BONNIE WEBER, Chairman
Washoe County Commission

ATTEST:

AMY HARVEY, County Clerk
and Clerk of the Board of
County Commissioners

*Minutes Prepared by
Stacy Gonzales, Deputy County Clerk
Lori Rowe, Deputy County Clerk*