

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

9:00 A.M.

SEPTEMBER 19, 2000

PRESENT:

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

00-897 AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Short ordered that the agenda for the September 19, 2000, meeting be approved with the following change: **Delete Item 12C** Ratification of Agreements for Washoe County Nurses Association Supervisory and Non-Supervisory Bargaining Units.

PUBLIC COMMENTS

Patricia Puchert and Ike Eichbaum, area residents, expressed their concern about adult entertainment businesses and questioned the County's policy of permitting temporary business licenses when these businesses are located in residential areas, and stated that they feel a public hearing should be held prior to authorization of these types of businesses.

Robert Bennett, area resident, expressed his concern about gangs in Reno, Washoe County Detention Facility and the appropriateness of plea bargains in the judicial system.

Sam Dehne, Reno citizen, stated that he was arrested at the Airport Authority's meeting last week and expressed his concern about the entire Airport Authority Board.

**00-898 GENERAL, HEALTH & PUBLIC WORKS CONSTRUCTION
FUNDS – FINANCIAL REPORTS – COMPTROLLER**

Upon recommendation of Kathy Garcia, Comptroller, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that the General, Health & Public Works Construction Funds Financial Reports (unaudited) for Washoe County for the month ended July 31, 2000, be accepted.

**00-899 ACCEPTANCE OF DONATION – COUNTY SCHOLARSHIP
FUND – KATY SINGLAUB**

On motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that the donation from Katy Singlaub, in the amount of \$3,000 for the County Scholarship Fund be accepted with gratitude. It was noted that a draft of the guidelines to administer the Scholarship Fund was placed on file with the Clerk's Office.

**00-900 AUTHORIZATION – STUDENT INTERNS TO DRIVE COUNTY
VEHICLES – SENIOR SERVICES**

Upon recommendation of Karen Mabry, Senior Services Director, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that University of Nevada social work student interns be authorized to drive County vehicles while performing work related duties.

**00-901 AWARD OF BID – PROGRESSING SKID MOUNTED CAVITY
PUMPS – BID NO. 2254-2000 – WATER RESOURCES**

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 July 14, 2000, for Progressing Skid Mounted Cavity Pumps, on behalf of the Water Resources Department. Proof was made that due and legal Notice had been given.

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

Moyno Inc.
Seepex Inc.

John Balentine, Purchasing and Contracts Administrator, advised that although the County received a lower bid from Moyno Inc., Moyno elected to deviate from bid specifications by taking exception to the requirement for providing the pumps with non-reversing ratchet mechanisms, and as this was a bid requirement of Water Resources to ensure the safety of the pumps, and Moyno, Inc., could have provided this feature but

chose not to, recommendation was made for the lowest, responsive responsible bidder meeting bid specifications.

Dennis Osterdock, Moyno, Inc., stated that Moyno had included in their bid, a motor brake as an alternative to the non-reversing ratchet requirement. Mr. Osterdock reviewed the handout submitted to the Board on behalf of Moyno Inc., and answered questions from the Board regarding the non-reversing ratchet, motor brake and bid specification requirements. He advised that he did not have any documentation with him today that would support his statement that the motor brake works equally to the non-reversing ratchet mechanism.

Bruce Stark, Seepex, Inc., submitted a document titled "Reliance Electric" concerning modification relating to the non-reversing ratchet and its use and advised that the non-reversing ratchet is a safety issue for the pump; that the pump could explode if it stops working and the motor brake starts to run backwards; and that if Seepex did not have to include the non-reversing ratchet in their bid they could have submitted a lower bid.

Juan Esparza, P.E., Water Resources Department, stated that they required the non-reversing ratchet in the bid specification, because the pumps they are being used on are for pumping sludge and if they stopped working, the non-reversing ratchet would stop the motor from turning backwards; and that his opinion is the non-reversing ratchet is a superior device compared to the motor brake.

Following further discussion, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that Bid No. 2254-2000 for two Progressing Skid Mounted Cavity Pumps, on behalf of the Water Resources Department, be awarded to the lowest responsive, responsible bidder, Seepex Inc., in the amount of \$96,000. It was further ordered that the Purchasing and Contracts Administrator be authorized to execute the agreement with Seepex Inc., to provide the pumps.

**00-902 COUNTYWIDE PURCHASE – SYSTEMS FURNITURE –
HAWORTH INC.**

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that the purchase of systems furniture on an as-needed basis from Haworth, Inc., be approved. It was further ordered that Haworth, Inc., be recognized as a sole source provider through their authorized dealer: Reno Business Interiors.

It was noted that it is in the best interest of the County to continue the purchase of this furniture for the following reasons:

- System components can be interchanged between departments
- Haworth has increased their discount levels over the original contract (From 59.5% to 64% off list)
- Longer life furniture will minimize the surplus/disposal of unusable items
- A lifetime warranty is provided on all Haworth products
- Haworth has an obsolescence policy (Products of equal or similar appearance will be available for ten years from date of purchase)

It was further noted that Haworth systems furniture was selected as the County's standard through a bid process, which was awarded by the Board in September of 1995; that the previous agreement was for a five-year period and is about to expire; and that in accordance with NRS 332.115(1)(d), the competitive bidding process is now not recommended due to compatibility requirements with the existing furniture.

**00-903 MUTUAL AID AGREEMENT – SHERIFF'S DEPARTMENT –
PYRAMID LAKE PAIUTE TRIBE**

Upon recommendation of Dennis Balaam, Sheriff, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried with Commissioner Sferrazza abstaining, it was ordered that the Mutual Aid Agreement between the Pyramid Lake Paiute Tribe and the Washoe County Sheriff's Office be approved and Chairman Short be authorized to execute.

It was noted that the purpose of the mutual aid is to furnish law enforcement personnel, resources, and facilities to each other as may be necessary for the good of the citizens of Washoe County and the Pyramid Lake Paiute Tribe, or, in the event of such magnitude that is, or is likely to be, beyond the control of a single party and requires the combined effort of both parties.

**00-904 CIVIL PROTECTIVE CUSTODY EXPANSION – TESTING
SERVICES – WASHOE COUNTY JAIL**

Upon recommendation of Don Jeppson, Assistant Architect, through Rodney Savini, P.E., Capital Projects Division Manager, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, it was ordered that an agreement with Kleinfelder, Inc., to provide material testing and special inspection services for the Civil Protective Custody Expansion, in the amount of \$30,505.00, be approved and Chairman Short be authorized to execute.

00-905 **AMENDMENT NO. 2 – COOPERATIVE AGREEMENT FOR IV-D SERVICES – CHILD SUPPORT COLLECTION – STATE OF NEVADA DEPARTMENT OF HUMAN RESOURCES WELFARE DIVISION**

Upon recommendation of Madelyn Shipman, Legal Counsel, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, it was ordered that Amendment No. 2 to the Cooperative Agreement for IV-D Services, concerning extension of time through March 31, 2001, receipt and deposit of child support collections in accordance with procedures provided by the state, and the revised schedule of incentive payments be approved and Chairman Short be authorized to execute.

00-906 **SPB UTILITY SERVICES, INC – POLLUTION INSURANCE PAYMENT – WATER RESOURCES**

Upon recommendation of John Collins, Manager, Utility Services Division, through Ed Schmidt, Director of Water Resources Department, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that payment to SPB Utility Services, Inc., in the amount of \$9,254.00 to cover the annual cost of pollution insurance be approved.

00-907 **WOLF RUN GOLF COURSE (GOLF VISION) – MONTHLY STATUS REPORT – WATER RESOURCES**

Upon recommendation of John Collins, Manager, Utility Services Division, through Ed Schmidt, Director of Water Resources Department, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that receipt of the monthly status report regarding Wolf Run Golf Course (Golf Vision) reclaimed water service payment and usage be acknowledged.

00-908 **AFFIDAVIT OF WAIVER AND CONSENT APPORTIONMENT REPORT – SAD 9 (SOUTHWEST TRUCKEE MEADOWS/GALENA INTERCEPTOR) – WATER RESOURCES**

Upon recommendation of John Collins, Manager, Utility Services Division, through Ed Schmidt, Director of Water Resources Department, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that the Affidavit of Waiver and Consent and Apportionment Report to redistribute the SAD 9 assessments, be accepted and the Manager of the Utility Services Division be directed to record the Affidavit with the County Recorder.

00-909

**EASEMENT – ALBERTSON’S INC. – SPANISH SPRINGS –
MADISON LIMITED PARTNERSHIP – WATER RESOURCES**

Upon recommendation of John Collins, Manager, Utility Services Division, through Ed Schmidt, Director of Water Resources Department, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered the following:

1. The Grant of Easement between Albertson’s, Inc., a Delaware Corporation, Spanish Springs – Madison Limited Partnership, and Triangle Properties, Inc., collectively as Grantor, and Washoe County, as Grantee, for the operation and maintenance of sanitary sewer facilities and appurtenances located in easements as described on Exhibit “A,” attached thereto, and depicted on Exhibit “B” be accepted; and
2. The Director of the Department of Water Resources be directed to record the Grant of Easement with the County Recorder’s Office.

00-910

**EASEMENT – ALBERTSON’S INC. – SPANISH SPRINGS –
MADISON LIMITED PARTNERSHIP – DAVID ZARANSKY –
WATER RESOURCES**

Upon recommendation of John Collins, Manager, Utility Services Division, through Ed Schmidt, Director of Water Resources Department, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered the following:

1. The Grant of Easement between Albertson’s, Inc., a Delaware Corporation, Spanish Springs – Madison Limited Partnership, Triangle Properties, Inc., and David A. Zaransky, collectively as Grantor, and Washoe County, as Grantee, for the operation and maintenance of domestic water facilities and appurtenances located in easements as described on Exhibit “A,” attached thereto, and depicted on Exhibit “B” be accepted; and
2. The Director of the Department of Water Resources be directed to record the Grant of Easement with the County Recorder’s Office.

00-911

EASEMENT – DERMODY PROPERTIES – WATER RESOURCES

Upon recommendation of John Collins, Manager, Utility Services Division, through Ed Schmidt, Director of Water Resources Department, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered the following:

1. The two Grants of Easement between Dermody Properties as Grantor and Washoe County as Grantee for the operation and maintenance of sanitary sewer and water facilities and appurtenances be accepted; and
2. The Director of the Department of Water Resources be directed to record the Grant of Easement with the County Recorder's Office.

00-912 EASEMENT – ESTATE HOMES, LLC – WATER RESOURCES

Upon recommendation of John Collins, Manager, Utility Services Division, through Ed Schmidt, Director of Water Resources Department, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered the following:

1. The Grant of Easement between Estate Homes, LLC as Grantor and Washoe County as Grantee for the operation and maintenance of water facilities and appurtenances located in easement as described on Exhibit "A," attached thereto, and shown on Exhibit "B" be accepted; and
2. The Director of the Department of Water Resources be directed to record the same with the County Recorder's Office.

00-913 EASEMENT – MARK LIEBSCH – WATER RESOURCES

Upon recommendation of John Collins, Manager, Utility Services Division, through Ed Schmidt, Director of Water Resources Department, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered the following:

1. The Grant of Easement between Mark Liebsch as Grantor and Washoe County as Grantee for the operation and maintenance of water facilities and appurtenances located in easement as shown on Exhibit "A," attached thereto, and described in Exhibit "B" be accepted; and
2. The Director of the Department of Water Resources be directed to record the same with the County Recorder's Office.

00-914 EASEMENT – LARRY AND JERRIETTA NIXON – FRANCINE STANCILL – LEON AND JENNIE FREEDMAN – NORTHERN RESERVE COMPANY – WATER RESOURCES

Upon recommendation of John Collins, Manager, Utility Services Division, through Ed Schmidt, Director of Water Resources Department, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered the following:

1. The Grant of Easement between Larry and Jerrietta Nixon, Francine R. Stancill, Leon P. and Jennie Freedman, and Northern Reserve Company as Grantors and Washoe County as Grantee for the operation and maintenance of water facilities and appurtenances located in easement as shown on Exhibit "A," attached thereto, and described on Exhibit "B" be accepted; and
2. The Director of the Department of Water Resources be directed to record the same with the County Recorder's Office.

00-915 EASEMENT – LINDA AND JOSEPH REICHLIN, JR – WATER RESOURCES

Upon recommendation of John Collins, Manager, Utility Services Division, through Ed Schmidt, Director of Water Resources Department, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered the following:

1. The two Grants of Easement between Linda and Joseph A. Reichlin, Jr. as Grantor and Washoe County as Grantee for the operation and maintenance of sewer facilities and appurtenances be accepted; and
2. The Director of the Department of Water Resources be directed to record the same with the County Recorder's Office.

00-916 EASEMENT – SOUTH TRUCKEE MEADOWS OFFICE INVESTORS, LLC – WATER RESOURCES

Upon recommendation of John Collins, Manager, Utility Services Division, through Ed Schmidt, Director of Water Resources Department, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered the following:

1. The Grant of Easement between South Truckee Meadows Office Investors, LLC as Grantor and Washoe County as Grantee for the operation and maintenance of water facilities and appurtenances located in easement as described and shown in Exhibit "A," attached thereto, be accepted; and
2. The Director of the Department of Water Resources be directed to record the same with the County Recorder's Office.

00-917 EASEMENT – STEPHANIE STROMQUIST – WATER RESOURCES

Upon recommendation of John Collins, Manager, Utility Services Division, through Ed Schmidt, Director of Water Resources Department, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered the following:

1. The Grant of Easement between Stephanie Stromquist as Grantor and Washoe County as Grantee for the operation and maintenance of sewer and domestic water facilities and appurtenances located in easement as shown and described in Exhibit “A,” attached thereto, be accepted; and
2. The Director of the Department of Water Resources be directed to record the same with the County Recorder’s Office.

00-918 EASEMENT – TRIAD PLASTIC TECHNOLOGIES – WATER RESOURCES

Upon recommendation of John Collins, Manager, Utility Services Division, through Ed Schmidt, Director of Water Resources Department, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered the following:

1. The Grant of Easement between Triad Plastic Technologies as Grantor and Washoe County as Grantee for the operation and maintenance of sanitary sewer and water facilities and appurtenances located in easements as described in Exhibit “A,” attached thereto, and depicted in Exhibit “B” be accepted; and
2. The Director of the Department of Water Resources be directed to record the Grant of Easement with the County Recorder’s Office.

00-919 EASEMENT – WASHOE HEALTH SYSTEMS INC. – WATER RESOURCES

Upon recommendation of John Collins, Manager, Utility Services Division, through Ed Schmidt, Director of Water Resources Department, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered the following:

1. The Grant of Easement between Washoe Health Systems, Inc., as Grantor and Washoe County as Grantee for the operation and maintenance of water facilities and appurtenances located in easement as described in the Exhibit, attached thereto, be accepted; and

2. The Director of the Department of Water Resources be directed to record the same with the County Recorder's Office.

INTRODUCTION OF NEW COUNTY EMPLOYEES

Katy Singlaub, County Manager, invited approximately 26 new Washoe County employees to come forward and introduce themselves to the Board. Chairman Short welcomed the new employees on behalf of the Board.

APPEARANCE – ROBERT HADFIELD – NEVADA ASSOCIATION OF COUNTIES (NACO)

Robert Hadfield, Executive Director, NACO, stated that he represents the Counties on the Local Government Advisory Committee; that he met last week with the Environmental Protection Agency (EPA); that they spent quite some time discussing the arsenic standards; and that there was a presentation by the EPA about health impact studies, which was conducted in Taiwan, Argentina and Chili. He further stated that they questioned the appropriateness to automatically conclude a health hazard in a region of the world that is not anywhere near the United States, particularly the western part of the United States; and that they did say they conducted a small study in Utah, but acknowledged that that study did not come up with the same results from the studies conducted in Taiwan, Argentina and Chili. He advised that the opposition to reducing the arsenic levels is not solely cost driven; that cost is a regional issue that they are taking up with the EPA; that the west will be overwhelmingly impacted on this issue, depending on the standard; and that the key argument made at the meeting was that the data simply is not there to support the conclusion that there is one particular level better than another particular level. He further advised that he suggested the EPA conduct a study on a community in this state; that the standard should be no lower than .20; and that in fact there is not enough evidence and scientific data to draw a conclusion in the United States as to what is an appropriate level.

Commissioner Bond asked what they planned to do with the results of the studies from Taiwan, Argentina and Chili, to which Mr. Hadfield responded that he did not know. He stated that they are concerned about costs and one of the issues they brought up was, that in the west they have a lot of individual wells and suggested they need regional standards not nationwide standards, which reflects more accurately the differences in the United States.

Mr. Hadfield advised that later today he will meet with the Governor concerning long-term care; that there will be a significant fiscal impact to County governments on the decision to increase payment to nursing care facilities; and, although they are not debating that decision, they do have several counties that were unable to make payment last year and this payment increase is retroactive to July 1999. He then introduced Tracy Duarte a new employee to NACO.

Chairman Short commented that the proposed arsenic rule could absolutely devastate this state and many of the counties if they go with the 5 ppb; and that they need to urge the EPA to consider a study for the western United States.

Tracy Duarte, NACO, invited the Commissioners to their annual conference being held in Churchill County this year and stated that they will tour the Fallon Air Base while they are there. She advised that she currently administers the Indigent Health Care Fund, the Supplemental Fund, and the Fund for the Institutional Care of the Medically Indigent (Long-term Care Fund). She further stated that she is involved with the National Purchasing Program; that she has met with the Financial Services Center in Washington, D.C., concerning the purchases of office supplies, computers and furniture for county governments and is mostly working with the rural counties; and that she has met with Office Depot, who was awarded the bid, to come up with a marketing plan for these purchases.

Sam Dehne, Reno citizen, stated that he would like to know when and where NACO holds their meetings.

**00-920 EAST WASHOE VALLEY CITIZEN ADVISORY BOARD –
CREATE AT LARGE POSITION**

Upon recommendation of Leslie Roylance, Program Coordinator, Community Development, on motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, it was ordered that the creation of an at-large alternate position for the East Washoe Valley Citizen Advisory Board be approved and Chairman Short be authorized to execute the resolution reflecting the change of membership. It was further ordered that Sylvia Bryan be appointed to fill the at-large alternate position with a term to expire June 30, 2002.

RESOLUTION

WHEREAS, it was requested that the Board of Commissioners of Washoe County add an at-large alternate position to the membership of the East Washoe Valley Citizen Advisory Board; and

WHEREAS, the citizens of the East Washoe Valley believe they can be more effectively represented and informed of decisions and actions of the Board of County Commissioners by adding an at-large alternate position to the East Washoe Valley Citizen Advisory Board; now, therefore, be it

RESOLVED, BY THE BOARD OF COMMISSIONERS OF WASHOE COUNTY, NEVADA, that the East Washoe Valley Citizen Advisory Board be restructured, as amended in the following paragraph, as set forth under Sections 5.425 to 5.435, inclusive, of the Washoe County Code; and be it further

RESOLVED, that East Washoe Valley Citizen Advisory Board shall henceforth consist of five at-large members and one at-large alternate appointed by the Board of County Commissioners.

**00-921 SUBMIT COMMENTS ON ARSENIC RULES – REGIONAL
WATER PLANNING COMMISSION – ENVIRONMENTAL
PROTECTION AGENCY**

Terri Svetich, Registered Engineer, Water Resources, reviewed the chart she submitted to the Board concerning estimated total annual costs per household and anticipated bladder cancer rates avoided each year. She advised that there are 56 community water supplies in Washoe County and that approximately half of these water systems will be impacted if the arsenic standard is reduced to 5 parts per billion (ppb).

Commissioner Sferrazza clarified that the chart in Ms. Svetich's letter, dated September 8, 2000, should say "Washoe County Estimated Monthly Rate Increases Costs per Household."

Commissioner Bond commented that in that same letter she would like to see the sentence "Based upon our understanding, there is a demonstrated health benefit to the lowering of the arsenic maximum contaminant level," deleted, because there has been no appropriate study done by the EPA regarding the issue of arsenic levels, and she is not willing to make the assumption that what they are indicating as a health benefit, truly is a health benefit.

Ms. Svetich stated that some of the independent studies that have been conducted show that 50 ppb is not considered adequate and should be lowered; that the real concern is something as low 5 ppb may not be justified. She further stated that reviewing the risk assessments the EPA established a policy to stay within a range of a cancer risk of 1 in 10,000 to 1 in 1,000,000; that their position is 20 ppb is outside of that policy and they are looking for comments from the communities as to what is an acceptable level; and that it is up to the communities to step up and say what they are willing to pay for and the acceptable cancer risks. Commissioner Bond stated that EPA has not conducted an appropriate study to show there is a strong benefit to justify the level at 5 ppb.

Commissioner Galloway stated that he agrees with Commissioner Bond; that EPA does not show a great deal of difference between the costs necessary to obtain 20 ppb and the costs necessary to obtain 5 ppb; and that Ms. Svetich showed in her letter the cost to Washoe County for obtaining 5 ppb is much greater than what the EPA estimated nationally. He asked that if Washoe County followed the same pattern would the cost for obtaining 20 ppb be comparable to obtaining 5 ppb, because if it is, he does not believe it is worth supporting any reduction. Ms. Svetich stated that they have 40 wells in unincorporated Washoe County and there would be approximately 3 wells affected if the maximum contaminant level (MCL) is established at 20 ppb, but there would be 20 wells affected at 5 ppb.

Chairman Short stated that the cost per month, which Ms. Svetich mentions in her chart is not very accurate, because small water systems could not afford to become compliant without putting in new lines and obtaining water rights and could possibly end up out of business. Ms. Svetich stated that they would probably have to connect to Sierra Pacific or Washoe County as an alternative or some type of consolidation; that there are state revolving fund loans that can be obtained for this type of project; that there are other possibilities for assistance in obtaining compliance; and that there are a lot of issues raised when looking at treatment as costly as arsenic treatment.

Commissioner Bond stated that in the event they are forced to reduce arsenic levels, she would like to see the EPA conduct a study on arsenic levels in drinking water and the results of the use of sulfuric acid, ferric chloride and other caustic sodas on health benefits.

Commissioner Shaw stated that in light of the discussion today, he requests a review of regional regulations included in the County's letter sent to the EPA, as it affects different areas and every area is different. He further stated that in this area Fallon has a very unique situation; that blanket rules and regulations that would address everyone the same may not solve everyone's problem; and that they request regulations for the western region or state by state region and that issue needs to be stressed.

Commissioner Sferrazza stated that he understands the Utah study did not support reducing any ppb. Ms. Svetich stated that they threw that study out, because the population was very unique to Utah, in that there were fewer smokers and fewer drinkers than throughout the rest of the United States. Commissioner Sferrazza commented that it would have been the best study to determine cancer caused by arsenic, because it would have eliminated all other causes of cancer. He would like Washoe County to take the position that they do not support any reduction until they have a study in the United States which supports what level, if any, would be beneficial for the health of the population.

Commissioner Galloway stated that he would like to see the point made that the expense of obtaining 5 or even 20 ppb could have more detriment to the well-being and health of the citizens than the benefits; and that the required \$25 per month to obtain a lower ppb could be used to buy food, medicine and other necessities for the family.

Following further discussion, the Board directed Ms. Svetich to make the recommended changes to the letter and Chairman Short be authorized to execute on behalf of the Board.

00-922 COMMUNITY AND CLINICAL HEALTH SERVICES DIVISION –
COMMUNITY HEALTH NURSE II

Upon recommendation of Barbara Hunt, District Health Officer, on motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that three authorized positions in the Community and

Clinical Health Services Division be approved and the Human Resources Department be directed to make the following changes:

1. **PC#43: decrease** a part time Community Health Nurse II (CHN II) position from 29 hours/week to a 23 hours/week position;
2. **PC#125: decrease** a full time CHN II position from 40 hours/week to a part time 36 hours/week position; and
3. **PC#35: increase** a part time CHN II position from 14 hours/week to a part time 21 hours/week position.

**00-923 RATIFICATION – WASHOE COUNTY DISTRICT ATTORNEY
INVESTIGATOR’S ASSOCIATION BARGAINING UNIT**

Upon recommendation of Steve Watson, Labor Relations Manager, on motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that the amendments to the Collective Bargaining Agreement with the Washoe County District Attorney Investigator’s Association bargaining unit be ratified.

It was noted that the amendments include the term of the agreement is for one year, July 1, 2000 through June 30, 2001; that a 2% general salary increase be effective July 1, 2000, and a 2% general salary increase effective January 1, 2001; that overtime provisions are now identical to what was recently negotiated with WCEA; that the parking allowance has increased to \$30 per month; and other amendments.

**00-924 RATIFICATION – WASHOE COUNTY EMPLOYEES
ASSOCIATION SUPERVISORY – NON SUPERVISORY
BARGAINING UNITS**

Upon recommendation of Steve Watson, Labor Relations Manager, on motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that the amendments to the Collective Bargaining Agreement with the Washoe County Employees Association Supervisory and Non-Supervisory Bargaining Units be ratified.

It was noted that the amendments include the term of agreement is for one year, July 1, 2000 through June 30, 2001; that a 3.5% general salary increase be effective on July 3, 2000; and other amendments.

**00-925 RATIFICATION – WASHOE COUNTY SHERIFF’S DEPUTIES
ASSOCIATION BARGAINING UNIT**

Upon recommendation of Steve Watson, Labor Relations Manager, on motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, it was ordered that the Board of County Commissioners ratify the amendment, placed on file with the Clerk’s Office, to the existing labor agreement of the

Washoe County Sheriff's Supervisory Deputies Association Bargaining Unit by making the Physical Maintenance Program voluntary, reducing the payment level and adopting a Physical Activity Program, effective September 25, 2000, with an estimated annual savings of \$41,600.

00-926 CHIEF INVESTIGATOR SALARY AND BENEFITS – LABOR RELATIONS MANAGER

Upon recommendation of Joanne Ray, Human Resources Director, on motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that the following adjustments be approved:

1. A 2% cost of living adjustment effective July 1, 2000.
2. A 2% cost of living adjustment effective January 1, 2001.
3. Parking allowance increase from \$15 per month to \$15 per pay period consistent with the increased amount for the District Attorney Investigators.

00-927 CONFIDENTIAL – UNCLASSIFIED MANAGEMENT – JUVENILE SERVICES – LAW LIBRARY EMPLOYEES – SALARY AND BENEFITS – JULY 1, 2000 THROUGH JUNE 30, 2001

Commissioner Shaw stated that he would like to reiterate what Commissioner Sferrazza said at yesterday's caucus, that the non-represented employees will receive the same benefits as the represented employees, once the Hay Study is complete.

Upon recommendation of Joanne Ray, Human Resources Director, on motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that the following salary and benefit changes for the Confidential Employees, Unclassified Management, Juvenile Services Employees, and Law Library Employees (excluding District Court and Justice Court Employees) be approved:

A 3.5% salary increase effective July 3, 2000, with the exception of the following groups of employees: Confidential Attorneys, the Chief Investigator – District Attorney's Office, and Chief Deputy Sheriff's, which will be excluded at this time pending the results of the WERCCS Project (Hay Study).

**DISCUSSION – FEASIBILITY AND POSSIBLE PREPARATION
OF A PROPOSAL FOR ACQUISITION OF SIERRA PACIFIC
RESOURCES WATER BUSINESS – MANAGER’S OFFICE**

Ed Schmidt, Director of Water Resources Department, stated that this is a once-in-a lifetime opportunity to purchase a very valuable resource; that Sierra Pacific Resources (SPR) is selling their water business to concentrate on their gas and electric business; and that this purchase would control approximately 160,000 acre-feet of surface water and some ground water rights. He summarized a few reasons why the County would want to purchase the SPR Water Business.

Based upon Mr. Schmidt’s comments, Commissioner Galloway asked if the request was that, they bring in specialized technical advisors who can help the County prepare documents for submittal of their non-binding indicative bid, because of the short-term time frame. Mr. Schmidt stated that is correct, as they only have until October 7, 2000, to submit their bid and they would like to retain someone who is familiar with these types of acquisitions and mergers.

Commissioner Shaw asked if the \$200,000 being requested by staff is the total package for this process or is this just for the initial stage to submit the bid by October 7th. Mr. Schmidt indicated that the entire \$200,000 would not be spent on the first phase; and that any money left over would be used for preparing the bid for the second phase, if they were successful in the first phase.

Commissioner Sferrazza asked why they needed to spend so much money for a non-binding bid and whether the County would be bound by their bid. He inquired why staff could not obtain the information needed for submitting the first bid and then, if they were to make it to the second phase, they could hire a local firm to help them. Mr. Schmidt responded that Lehman Brothers, who was retained by SPR to facilitate the sale, is in the process of sending the County a list of 10 items indicating the terms of the non-binding indicative bid.

Katy Singlaub, County Manager, advised that the County always wants to support their local experts, but because of the short time frame in which they need to submit their bid they need to hire the most qualified and experienced firm to work on this project. She further stated that the County is very concerned that the region’s best interest be preserved and protected in the first round of prospective bidding, as it should be at every juncture in this process, and noted that County staff does not have the required expertise for this type of project at this time.

Commissioner Sferrazza stated that he would like to see copies of the proposals, because he does not like to see staff hire someone where the Board does not get to see the alternates and discuss them. Mrs. Singlaub stated that she is requesting the Board authorize staff to enter into a professional agreement with a firm and they will come back next week with that information for the Commissioners, but that staff needs to get working on this today.

Mr. Schmidt verbally provided to the Board a list of companies that staff may contact regarding this agreement and requested that they be authorized to start acting on this today and come back next week with information for the Board. Commissioner Sferrazza stated that he has a concern about U.S. Filter and wants staff to know that up front. Mrs. Singlaub stated that they will review the list of potential consultants and the criteria they will be looking for i.e., experience of acquisitions of this magnitude, the company's timeframe and availability and advised that staff will start gathering the paperwork required and then come back to the Board with their recommendation next week.

In response to Commissioner Sferrazza's inquiry, Mrs. Singlaub advised that they will need to show a financing plan, a revenue stream and what rate structure would support such a high bid, as required by the non-binding indicative bid process.

Donna Kristaponis, City of Reno, Assistant City Manager, stated that the Cities of Reno and Sparks have met and discussed the possible purchase of SPR's water business; that they are interested in entering, jointly with Washoe County, into the purchase, operation and governance of a water utility business; that staff will be presenting their ideas to Reno City Council next Tuesday; and that they have discussed a governance that represents the actual ratepayers. Ms. Kristaponis stated that this is truly an opportunity of staggering proportions; and that this is important to the ratepayers, to grab this opportunity and move forward with all deliberate speed to try and make the second phase for final bids.

William Isaeff, Special Assistant to Sparks City Manager, stated that staff intends to make their recommendation to Sparks City Council next Monday; that any bid for the water company should involve all three entities and be in the name of all three entities working together; and that if they are successful the future operation and governance of such an entity should be representative of all three entities, based perhaps on customer allocation or some similar type of basis. He further stated that if the County is interested in going forward alone; that staff would recommend to Sparks City Council that they join with the City of Reno to introduce a bid, but would prefer to do this as a three way deal. He advised that 95% of the customers, of the current SPR, are citizens who live in Reno and Sparks; that they do manage their own streets where the water lines are located and are not too far from the Cities sewer lines; and that there is potential for cost savings from a water/sewer combination if the government is able to make this particular purchase. He commented that although the County Commissioners are designated the Regional Water Management Agency, that does not necessarily mean they should be the only water purveyor in the community, and stated that he believes that all of the citizens of Washoe County would be better served if all three entities cooperated in making this acquisition together.

Commissioner Sferrazza stated that it would be absurd to submit competing bids and would support going forward with some type of joint bid. He asked Mr. Isaeff, if Washoe County hired a consultant, would Sparks be willing to go along with that consultant or would they be fighting over consultants as well. Mr. Isaeff stated that Sparks is already looking at consultants, should they pursue their own bid, but they would

be ready to step in and assist the County in the financing of that obligation were they to jointly pursue the acquisition.

Mrs. Singlaub stated that last Friday she contacted both Reno and Sparks City Manager Office's, as well as speaking with Mr. Isaeff, but this is the first time that she has heard that Reno and Sparks were jointly working together to submit a bid. She further stated that staff would support a cooperative effort, but Washoe County needs to investigate this acquisition further before making a final decision.

Madelyn Shipman, Legal Counsel, advised that any motion made by the Board should be broad enough to include staff's ability to do things; that one of the concerns about confidentiality could be avoided by the entities having an interlocal agreement, which could say for purposes of the bid this a joint bid, if that were the direction of the Board. She further stated that if a joint bid decision is too premature at this point and time, that staff needs direction to at least be able to talk with Sparks and Reno staff, to determine what would be necessary as a legal document to meet the requirements under the confidentiality agreement.

Commissioner Sferrazza asked that any motion include that this bid would not result in an increase to the existing ratepayers. Mrs. Singlaub responded that she is not prepared to guarantee that without seeing the financial analysis first. Commissioner Sferrazza stated that their bid should not cost any more than revenues, less operating expenses, than the bonds necessary to buy it.

Diana Langs, Sun Valley General Improvement District (SVGID), stated that someone local needs to run the water division; that currently within Washoe County there is mutual respect, coordination/cooperation, cost benefits, and a great deal of knowledge; and that if someone from outside buys SPR, they will not have the history with Truckee River Operating Agreement (TROA), the Pyramid Lake Paiute Tribe, Water Rights, and PUC Regulations that someone local might. She further stated that the SVGID is interested in participating in any type of water purveyor board that may be set up and advised that they were the first fully automated system in Washoe County and would bring with them expertise and would help in any way they can.

Commissioner Galloway moved to authorize staff to initiate work and not exceed \$100,000; that they come back to the Board for final approval to continue retention of whatever individuals they recommend and give alternatives, if there are any; that they try to structure the purchase offer in such a way that the citizens of Washoe County are not impacted more than they would be otherwise, otherwise meaning other events that could occur; and that if the deal looks bad when they get there they can always decline to bid. Seconded by Commissioner Shaw.

Commissioner Sferrazza requested that they include in the motion that staff try and work with the Cities of Reno and Sparks and come back to the Board with a joint proposal; that it would be counterproductive for Washoe County to be bidding against Reno and Sparks; that if that were the case he would rather defer to them since

they have 95% of the system; and that he would like them included in the process to try and reach a proposal. Mrs. Singlaub stated that staff would like to investigate an array of options for management, ownership and for governance and requested that the Board defer direction to staff to join with Reno and Sparks at this point, because right now the County Commissioners are the Regional Water Authority and she does not want the deal contingent upon the Commissioners giving up their authority and ultimate governance.

Chairman Short stated that there is a real time element and if the Board has to meet in joint meetings with Reno and Sparks to approve everything, it will never happen. He further stated that this is a very complicated issue; that he does not want to impact the taxpayers; and that the County needs to make every effort to keep the water business in local hands.

On call for the question, which motion duly carried, Chairman Short ordered that staff be directed to select a consultant, initiate work, not to exceed \$100,000 for the first bid; that they come back to the Board for final approval to continue retention of the consultant; and that they try to structure the purchase offer in such a way that the citizens of Washoe County are not impacted more than they would be otherwise.

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Commissioners' Sferrazza and Galloway left the meeting at 12:00 p.m.
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00-929 UPDATE ON REGIONAL PROJECTS

Public Safety Training Center/EOC

Dave Roundtree, Public Works Director, stated that they are completing their design development of the Public Safety Training Center (PSTC); that there has been a tremendous amount of effort put in by the design builder group and the Steering Committee (comprised of public safety and public works staff from the three entities); and that the number of meetings, effort and review to get where they are today has been tremendous and is a credit to the commitment from each entity. He further stated that one of the things they are struggling with at this point and one that was anticipated throughout this process is that there are a number of elements of this training facility that they would very much like to have but presently do not fit within the budget; that decisions need to be made determining which elements will be included and which ones will not at this time; and that if the Steering Committee cannot make those decisions on their own this may necessitate going to the Executive Committee and then to the elected officials to get concurrence on the final set of elements to be constructed in that facility.

Commissioner Bond asked if these were issues that would degrade the ability of this center and what it was proposed to do. Mr. Roundtree stated that once all elements were submitted for the center the cost estimate exceeded the budget; that one thought would be to put all the training props and field types of activities in place, which would diminish the number of classrooms spaces in the administration building; that an-

other thought would be to eliminate some types of field prop elements and construct the classrooms that have been considered necessary; and that there is a meeting scheduled tomorrow with the Steering Committee in which they hope to reach consensus concerning the facility. He advised of filing applications for the grading permit, dust control and operational permits through the District Health Department and explained their decision to obtain water from the Panther Valley Water Company.

Mr. Roundtree advised of the relocation of the Regional Dispatch Training Center/EOC from Truckee Meadows Community College Campus to the Public Safety Training Center site; that they considered the impact that relocation would have on the special use permit for PSTC; that there was considerable public interest into the process of the special use permit being issued; that the conditions of approval mitigated the majority of the concerns that the citizens expressed; and that they were concerned about reopening the special use permit. He further advised that he spoke with the Reno staff about the necessity of reopening the special use permit and was informed that it was not necessary to reopen the permit and could be handled administratively; that the only thing added was the tower that will be part of the dispatch center microwave 800 MHz system; that the tower fits in with the set back requirements that the City Code requires; and that the review of those elements will be processed through the standard building permit process.

Jan Evans Juvenile Justice Center

Mr. Roundtree advised that the Board approved the selection of the site for the Jan Evans Juvenile Justice Center last week and are currently in the process of acquiring an appraisal for that property and negotiating a purchase agreement with the property owner; that they will be working with the current property owner to potentially modify some of the proposed site development; and that it may not be necessary to acquire all of the property that was proposed and therefore costs could be reduced for the purchase price. He further advised that they will be working with the consultants to look at how they might best use the property and the intent is to develop the site so that it meets the current needs and provides for future development. He stated that this project will probably take 10 to 12 months for design completion before reaching the bidding process.

Flood Control Project

Paul Urban, Flood Control Manager, advised that they started the Flood Control Project process in April where issues were identified and the Truckee River Flood Management Community Coalition was established; that they developed several workgroups and committees; that they went through scores of meetings involving the entire coalition, committees and workgroups; and that they have held meetings to receive input and come up with ideas and solutions for flooding. He stated that the neighborhoods of Hidden Valley, Rosewood Lakes and areas along Steamboat Creek, have become very active in trying to find a way to solve this flooding problem in a way that is acceptable to them. He further advised that they are trying to find ways to solve prob-

lems like the physical, biological and chemical characteristics of the river, because there are two endangered and threatened fish species down stream; that they have reviewed the hydrological model because there were some problems on how the model was matching with the 1997 event; that they have gone to quite an extensive process to make modifications to the input data to the model to make sure that that match happens; and that there are issues of how high the dikes can be in back yards and what effects, if any, there will be down stream. He reviewed cost estimates, project finances and submitted the proposed 110 plan elements. He advised that they had cause to review the 100 year flood levels designated by the Federal Emergency Management Agency (FEMA), previously, due to the 1986 and 1997 floods which changed the flood levels; and that people are now finding out that they are not protected as well as they thought they were. He stated that they anticipate a draft EIS somewhere in the time frame of April 2001 with a final due out in November 2001 and then the project will go to the Corps of Engineers District and Headquarter levels in Washington, D.C., for approval.

800 MHz Regional Radio System

Jim Lencioni, Telecommunications Superintendent, advised of the progress on the 800 MHz Regional Radio System; that they are moving through the red tape to get the system operational; that they have submitted the application for frequencies to the FCC and are waiting response; and that they have obtained special use permits for the metro core sites, which are Slide Mountain, Peavine and Red Peak. He stated that they have obtained the special use permit for the Sheriff's Office in Incline, but have not received any approvals yet from the TRPA. He further stated they will need an interlocal agreement between Incline Village General Improvement District (IVGID) and Washoe County to utilize various facilities in the Incline area. He further advised that they have received the building permits for Slide Mountain, Peavine and Red Peak and they have been delivered to the subcontractor who will be working on those sites; and that the Virginia Peak site is over 90% complete and they hope to have that completed by September 25th. He commented that they are continually moving forward on this project and will report back to the Board with further updates.

DISCUSSION AND POSSIBLE DIRECTION OF THE ROLE AND PURPOSE OF CAUCUS

Madelyn Shipman, Legal Counsel, requested that this item be continued to a later meeting date, when all of the Commissioners can be present, as it concerns all of the Commissioners.

COMMISSIONERS' AND MANAGER'S COMMENTS

Katy Singlaub, County Manager, stated that they have begun to tentatively schedule a reception for Washoe County delegation members for December 12th or 13th; and that would include Reno, Sparks, Washoe County School District, etc.

Commissioner Shaw requested a resolution honoring Miguel Sepulveda be brought forward at a future meeting.

COMMUNICATIONS AND REPORTS

September 18, 2000

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

00-930 Communications:

A. Withdrawal of Application for Waiver of WCC 25.053115) by Rodney E. Sumpter, Attorney for Janra Enterprises, Inc., (Suzie's, an adult bookstore, retail store, and video arcade), 9200 South Virginia Street, Reno, Washoe County, Nevada.

B. From the Nevada Department of Transportation, one original copy of the document containing the special provisions, proposal, and bond for Contract No. 3036, Project No. PLH-0005 (13) on SR 28, and U.S. 50, involving Douglas, Carson City and Washoe Counties, Q & D Construction, Inc., Contractor.

00-931 Reports - Monthly (March 1999)

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

00-932 Reports - Quarterly – (2000-2001)

- A.** Sheriff – Jan-Feb-Mar 2000 (corrected)
- B.** Sheriff – Apr-May-Jun 2000

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There being no further business to come before the Board, the meeting adjourned at 12:52 p.m.

TED SHORT, Chairman
Washoe County Commission

ATTEST: AMY HARVEY, County Clerk
