

**WASHOE COUNTY COMMISSION
RENO CITY COUNCIL
SPARKS CITY COUNCIL**

TUESDAY

8:30 A.M.

AUGUST 21, 2001

JOINT MEETING

Present:

Jim Shaw, Washoe County Commission, Chairman
Pete Sferrazza, Washoe County Commission, Vice Chairman
Joanne Bond, Washoe County Commission
Jim Galloway, Washoe County Commission
Ted Short, Washoe County Commission

Jeff Griffin, City of Reno, Mayor
Dave Aiazzi, Reno City Councilmember
Sherrie Doyle, Reno City Councilmember
Toni Harsh, Reno City Councilmember
Pierre Hascheff, Reno City Councilmember
Dave Rigdon, Reno City Councilmember
Jessica Sferrazza-Hogan, Reno City Councilmember

Tony Armstrong, City of Sparks, Mayor
Mike Carrigan, Sparks City Councilmember
Geno Martini, Sparks City Councilmember
John Mayer, Sparks City Councilmember
Phillip Salerno, Sparks City Councilmember
Ron Schmitt, Sparks City Councilmember

The Board and Councils met in joint session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. Also present were Washoe County Manager Katy Singlaub, Assistant District Attorney Madelyn Shipman, County Clerk Amy Harvey, Reno City Attorney Patricia Lynch, Reno City Clerk Don Cook, Sparks City Manager Shaun Carey, Sparks City Attorney Chester Adams, and Sparks Deputy City Clerk Lenda Azcarate. Following the Pledge of Allegiance to the flag of our Country, the Clerks called the rolls for their respective entities, and the Board and Councils conducted the following business:

01-879 AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Bond, seconded by Councilmember Aiazzi, which motion duly carried, it was ordered that the agenda for the August 21, 2001, special joint meeting be approved.

Commissioner Sferrazza noted that the County Commission had requested an item concerning redevelopment be on the agenda and agreed to remove it based on the understanding that the City of Reno would not act on any expansion of the redevelopment boundaries or change it in any other way until it could be discussed in a joint meeting.

PUBLIC COMMENTS

Sam Dehne, local resident, expressed his views concerning gridlock, Reno's plans to build a baseball stadium, EDawn, and Reno Mayor Griffin, and noted an article concerning himself in the "Reno News and Review".

Shirley Allen, local resident, stated she has disagreements with all three entities because her rights have been violated, and when she complained, no one listened to her and nothing was done.

01-880 REDISTRICTING – COUNTY COMMISSION DISTRICTS AND CITY COUNCIL WARDS

John Slaughter, Project Manager for Washoe County's 2001 Redistricting Project, provided an overview of the project, guidelines, and timelines via information and maps/charts projected on the overhead. He reviewed the current districts' population statistics and distributions by entity and stated that one of the goals is to divide the population equally between the five districts, using the current boundaries as a benchmark and taking into account communities of common interest and geographic and natural boundaries. Mr. Slaughter reviewed the guidelines established by the Commission, which staff is using to redraw the boundaries; and he stated staff is currently reviewing proposed maps with the Board twice a week. He stated the deadline of September 11 was established based on getting the information to the Registrar of Voters for the precinct mapping that Department will have to complete by January. Mr. Slaughter advised that a display has been set up in the lobby showing five alternative maps for review and citizens can also see the project and proposals on the County website and provide feedback.

Chairman Shaw stated staff is also presenting this information to the Citizen Advisory Boards and input from the public is being solicited in various ways.

Commissioner Galloway asked if the precinct mapping part of the project applies to all entities. Mr. Slaughter responded that the precinct mapping applies to all voting districts, such as Senate, Assembly, School District, County Commission, City Wards, etc. Commissioner Galloway asked if that meant the Cities would also need to meet the September 11 deadline if they are planning to redraw any ward boundaries.

Dan Burk, Registrar of Voters, stated there are 416 precincts in Washoe County; redistricting will change many of them; and staff's proposed timeline is very tight. He explained that when the data is changed, his staff will have to go into every single registered voter record and change the data so people are voting in the correct races for their address. He stated this will be a very daunting project and they will soon

be requesting approval to hire additional temporary help to complete it. Mr. Burk said they must have the precinct maps done by January because State law requires them to identify, for the two major political parties, lists of all their voters for their State Caucuses, which will occur next year.

Councilmember Doyle asked who determined that redistricting should be done by population rather than voter registration. Mr. Slaughter stated that, for the County, State law clearly states that Commission districts must be as equal in population as practical. He further stated that, for the City (of Reno), it is his understanding that is part of the City Charter. Commissioner Sferrazza advised that the United States Supreme Court made that ruling.

Councilmember Doyle stated her ward has a very high population base, but she also has the lowest voter numbers; and that Councilmember Sferrazza-Hogan is in the same situation. She asked how they could find parity in this.

Reno City Attorney Patricia Lynch reported that two legislative sessions ago, the City of Reno requested its Charter be changed from registered voter basis to population basis. Councilmember Doyle suggested the Registrar of Voters conduct an aggressive campaign to get people to register and vote in the wards with low voter numbers.

Mayor Armstrong stated the wards in the City of Sparks are by registered voters instead of population and asked Mr. Burk which is better. Mr. Burk stated the Sparks City Charter says the Registrar of Voters shall determine boundaries and suggested Sparks might consider changing its Charter so they would have more involvement and would be the ones making the decisions. He stated that a huge advantage for Reno since they changed their Charter is that they can now change their boundaries anytime they believe there is a discrepancy greater than five percent between wards, unlike the County, who can only change their district boundaries every ten years. Mr. Burk offered his full support and assistance in working with the City of Sparks whatever they decide.

Mayor Griffin asked for an explanation of “communities of interest” and asked if the County is trying to maintain the current ratio of unincorporated versus incorporated residents in each district. Mr. Slaughter stated staff has presented the Commissioners five proposed alternatives as their best attempt to redraw district boundaries following the guidelines established by the Commissioners. He further stated “communities of interest” would be areas that people would consider to be like communities.

Councilmember Aiazzi asked why the Commissioners are not looking at having at least two Commission districts wholly encompassed within the City of Reno. Commissioner Sferrazza stated he offered to do that, but one of the problems with that is Reno’s annexation policy.

Councilmember Aiazzi asked why County staff is only taking this information to, and soliciting input from, the Citizen Advisory Boards in the unincorporated

areas. He asked why input is not being requested from City residents. He stated too many walls are being put up and he does not understand why 73 percent of the citizens who live in Washoe County are being left out of these County processes. Chairman Shaw stated the Board did direct staff to also take this information to the NAB's in Reno. Mr. Slaughter stated that direction was given at the last meeting and he has made a request of Reno staff to get this issue on the NAB agendas.

Councilmember Rigdon asked if the City has looked at creating ward boundary lines that conform better to the State and County district lines. City Clerk Don Cook advised this will be the first time they have adjusted the boundary lines according to population.

Mayor Griffin noted the recent Sphere of Influence rollback in west Reno due to the desire of the residents not to be subject to future annexation and representation by people for whom they did not get to vote. He stated that he pointed out to them there are four other people on the Board of County Commissioners that they also did not get to vote for and asked if there was any interest on the Commission for the Board members to run County-wide in the General election rather than just in their respective districts, as the Council members do.

Commissioner Galloway stated that would not be an option immediately available to the Commissioners because of State law; and, further, that he believes the system of district representation actually serves the grass roots public far better. He also stated when running for election City-wide or County-wide, money and influence come into play because advertising is a big key to such a large campaign.

Commissioner Bond stated if the entities were willing to be more cooperative with one another, this whole issue would "go away." She stated the key is a willingness to work together regionally.

Chairman Shaw asked Mr. Slaughter if there would be enough time to work through these issues by September 11 or 24, 2001. Mr. Slaughter stated the timeline is based on getting the information to the Registrar of Voters by the first of October.

Councilmember Rigdon asked if there was any interest in having the three staffs work together on the idea of drawing the boundaries to match those of the other political entities to the extent possible. Mr. Slaughter stated there should be time to work on that. Councilmember Doyle stated it sounds like a great idea, but because of geographic limitations and the size of the area to be covered, she does not think it would be possible in this short timeframe. She stated perhaps that could be done the next time around and she would rather see at least one Commissioner totally in the City of Reno. She also said she has heard that people think they need two Commissioners to represent the City of Reno, but she thought that was the Council's job; and if that is what people want, they should push for a regional government. Councilmember Rigdon stated what he meant was, when there is a need for multiple entities to work together on an individ-

ual's problem, it would be nice to know which Commissioner, Assemblyman, or State Senator represents the individual rather than having to look at maps to try to figure it out.

Councilmember Harsh stated some of the areas are fairly close to that idea.

Councilmember Aiazzi suggested the entities stop dancing around regionalization and form a committee to begin seriously looking at combining the governments, including Sparks if they are interested. Commissioners Short, Galloway, and Sferrazza agreed that would be a good idea.

Mayor Griffin reiterated his concern regarding the County maintaining current population ratios between incorporated and unincorporated residents in the redistricting, especially since this redistricting is a once in a decade opportunity. Commissioner Galloway stated his belief that that was not a firm guideline and the Board does have flexibility. Commissioner Sferrazza asked whether the Mayor thinks the ratios should be maintained or does he want it changed somehow. The Mayor stated he objects to the City residents not being represented exclusively by at least two and perhaps three Commission districts. He further stated these guidelines do not allow for that. Katy Singlaub, County Manager, stated the guidelines are goals for the Board, which staff is trying to balance against each other in their effort to provide alternative maps. Mayor Griffin asked if there was any willingness on the Board of County Commissioners to move away from this goal. Commissioner Sferrazza stated he would be willing to have his district entirely within the City of Reno and suggested it could be made up of Reno Wards 3 and 4. Chairman Shaw advised there has been a suggestion that this discussion be continued to the next meeting.

Councilmember Schmitt pointed out that, with the proposed timetable, it does not appear there will be another opportunity for everyone to discuss this in a joint session. Commissioner Galloway noted that adoption of the redistricting ordinance is not scheduled until September 25th.

Commissioner Sferrazza stated there has been mention of further consolidations between the City of Reno and Washoe County and asked if the City of Sparks has any interest in participating. Madelyn Shipman, Assistant District Attorney, advised that subject is not a part of this agenda item. Chairman Shaw stated perhaps it could be discussed under Item 8, priorities for future joint meetings.

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10:00 a.m. The City of Sparks delegation left the meeting, except for Councilmember Ron Schmitt and Sparks City Manager Shaun Carey.

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**INTERLOCAL AGREEMENT – COUNTY OF WASHOE & CITY
OF RENO – JOINT USE AND DEVELOPMENT OF PIONEER INN
SITE AND 195 SOUTH SIERRA PROPERTY**

Steve Varela, City of Reno Public Works Director, reported the two staffs have met twice since the July joint meeting between the Board and Council having detailed discussions on drafting an agreement per direction given at that time concerning joint development/use of the property at 195 South Sierra Street and the Pioneer Inn site. He stated they used an agreement that was put together by Clark County and the City of Las Vegas for their court facilities as a guide, and they are seeking Board and Council direction for finalizing the agreement. Mr. Varela further advised that the City of Reno needs to devise a financial plan for funding of approximately \$30-million for Reno's share of this project.

Dave Roundtree, Washoe County Public Works Director, added that he thinks it is important to start the master planning effort for the Pioneer Inn site as soon as possible. He noted that it was previously agreed that the site would be split in thirds, with Reno developing one-third for their civic center, the County developing one-third for future justice facilities, and one-third being developed into a parking structure equally by both entities; and the sooner that master plan can be accomplished, the sooner this interlocal agreement can be finalized.

Mayor Griffin asked if it really makes sense to split the design and construction as proposed. Mr. Roundtree stated the best scenario would be for one entity to do it all, but the way it is proposed, there is a very clean break and he believes joint development can work just as well. Mr. Varela added there is a consistency factor, which is that there will be one architect, who will be responsible for both design and construction of the entire facility; and there will be a steering committee to assist with decisions on common areas. Mayor Griffin stated any possible points of disagreement have to be eliminated.

Councilmember Sferrazza-Hogan expressed concern regarding the steering committee and stated she disagrees with the proposal in section 3.1, which states the members shall be appointed by the City Manager and the County Manager, as she believes they should be appointed by the Council and Commission. She also asked for more information concerning the function of the steering committee and whether they will have final approval.

Mr. Roundtree responded that staff's concern is the steering committee needs to be able to be very responsive and able to convene on short notice; and that if the steering committee is appointed by an elected body, it would then become subject to the Open Meeting Law. Staff's vision of the purpose of the steering committee is to provide input and recommendations to the designers and Public Works' staffs. Councilmember Sferrazza-Hogan stated she has an issue with that idea. Mr. Roundtree further stated final approval of the design, which would come to the Board and Council through staff, will be

made by the Board and the Council; and construction will not be put out to bid until both entities have endorsed the final design.

Commissioner Short asked questions concerning progress to date. Mr. Roundtree stated the contractor is within days of completing the asbestos abatement on the Pioneer Inn; the request for proposals for demolition should be issued later this week; the County employees located in the 195 South Sierra building need to be relocated, and they are looking at a time period of sometime next Spring for that to occur; and they would then be looking at abatement, demolition and clearing of the 195 South Sierra site so construction of the Reno Municipal Court could begin early 2003.

Commissioner Galloway stated it may go a little slower if the steering committee is a public committee, but there has to be public input at various points along the way. He said one of his problems with the proposed agreement is the County vacating 195 South Sierra and yet there is still an ability to terminate the contract before the new building is built and something needs to be worked out in that regard, such as the County not vacating until there is an agreement. Commissioner Galloway also expressed his desire that the steering committee not be an independent body that can make changes which drive the price up after the contract is let and can only make recommendations for changes within the allowances of the contract.

Commissioner Galloway said the purpose of doing this was to get the benefits and efficiencies of having the Municipal Court located next to the Justice Court; and some goals should be stated, one of which should be that the design must be such to promote operating efficiencies from functionally combined operations and that the building would be suitable in the event the courts were merged at some future date.

Commissioner Bond asked how long it will take to do the master plan for the Pioneer site. Mr. Roundtree responded they only need to look at identifying the shape and configuration at this point, not intricate details; and that could be done in about four weeks.

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10:20 a.m. Commissioner Galloway left the meeting.

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Councilmember Aiazzi asked when the Reno Municipal Court would be completed under this plan. Mr. Varela responded it would be mid-2004. Councilmember Aiazzi noted their original timeframe for completion of a new Municipal Court facility was by the end of 2002 and now it will be 18 months later. He also asked several questions concerning square footage of both sites and about the City's costs and expenses for the Municipal Court. Councilmember Aiazzi noted that it appears something still needs to be worked out on the secure parking spaces; and stated he does not see any provision in the proposed agreement concerning the City sharing in the savings that will accrue to the County under this collocation.

Councilmember Doyle asked if there would be any way to expedite the timeline for completion of the Reno Municipal Court. Mr. Roundtree stated design will take 12 months. Councilmember Doyle expressed her agreement that the steering committee should be appointed by the Board and Council and asked the purpose of the committee. Mr. Varela stated the steering committee would be made up of the users of the facility, such as the judges and District Attorney, who would have input into the design, and he would work with them to be sure the project stays within budget. Chairman Shaw asked if any of the members would be former members of the Justice Facilities Working Committee. Mr. Varela stated staff was thinking of involving the users more.

Commissioner Sferrazza stated the taxpayers are also users and agreed that this committee should be appointed by the Board and Council and should be subject to the Open Meeting Law. He stated his other concern is with Article 7, regarding design, and he would like the Commission to have final approval of the design costs for the County portion and the design budget adopted prior to selecting the design professional.

Mr. Roundtree advised that having the steering committee subject to the Open Meeting Law will make the process much more cumbersome and will extend the design phase by two or three months due to the scheduling and agenda posting requirements. In response to Commissioner Sferrazza, Deputy District Attorney Paul Lipparelli explained the Open Meeting Law and stated staff's theory was that the committee would make recommendations to the design professionals and the Public Works staffs.

Chuck Weller, Justice Facilities Working Committee, expressed the importance of public participation in the process. He further stated the Justice Court and the Municipal Court need to be merged and a timeline for completing that merger should be established and included in the interlocal agreement, and the entities should be working toward an integrated single building for an integrated single court.

Ron Longtin, Court Administrator, Second Judicial District Court, reported that the judges do want to participate in the design process.

Sam Dehne, Reno citizen, stated this is a perfect example of why citizens do not vote. This project was turned down by the voters, but the local governments are going ahead anyway circumventing the wishes of the citizens.

District Attorney Richard Gammick commended the Council and Board for the air of cooperation between them on this project. He stressed the importance of the users of the facilities being involved and being able to talk to the planners and design professionals about their needs to be sure that the end result is efficient. Councilmember Rigdon asked Mr. Gammick if he would object to having a committee made up of a combination of users and citizens. Mr. Gammick responded that he would not object as long as it does not slow the process down and as long as they do not get sidetracked and bogged down by minutia. He stated that he plans to tell the professionals what his space needs are and then let them decide what goes where.

Councilmember Hascheff expressed agreement that the steering committee should be subject to the Open Meeting Law and stated that the users of the facilities, along with the architect, should be the ones driving the design, and noted the Council and Commission still have final approval of the design. He then expressed the following concerns with the agreement: In Section 7.8, an estimate of \$2.5 million was included for tenant relocation of 195 South Sierra, and if that can be reduced, Reno's payment should be reduced accordingly, which is not reflected in the agreement and should be. The amount the County will pay for the lease was left blank and he believes some conclusion should be made concerning that based on fair market value; and he suggested instead of the County paying the lease over a long period of time, the amount should be credited to the City on a "present value" basis. The secured parking spaces need to be worked out. He expressed his understanding that the construction schedule of December, 2002, would not be deviated from by any great extent, and stated staff should do whatever they can to get back to that timeframe. Councilmember Hascheff expressed agreement that Municipal Court and Justice Court should be combined and a deadline for that should be included. He asked why the City would transfer the whole \$7.8-million up front, noting that in most real estate transactions, money does not change hands until title is transferred. Mr. Roundtree stated the title will be transferred in a short period of time. The indemnification clauses were discussed. Councilmember Hascheff also asked questions concerning Section 9.3, Condominium and Joint Ownership, and Section 10.2, proportionate share of utility expenses.

Councilmember Doyle requested a complete project timeline be provided at the next joint meeting from steering committee appointments and committee meetings all the way up to moving into the facilities, as well as a cost breakdown including who pays for what. She noted Section 10.8 of the agreement has each party maintaining their own fire and casualty insurance and asked if it would be better for one entity to maintain the insurance and prorate the costs to the other entity. She also stated she would prefer to have the Pioneer Inn site as a separate agreement. Mr. Roundtree stated the Pioneer Inn site is integral to the 195 South Sierra site because of the parking.

Mayor Griffin asked about the percentage of ownership under the condominium proposal. Mr. Roundtree stated it will be based on the space specific to the entities' functions and the common areas would be split. The City space will be about 46,000 square feet and the County area is approximately 95,000 square feet.

Mayor Griffin further stated he does not believe the committee should be appointed by the elected bodies, because its purpose is to help staff; and if good, clear guidance and direction is given, staff and the committee will do an outstanding job. He stated Reno has sacrificed the reality of having a new Municipal Court opened a few months ago to delaying it until 2004; and to include another step in the process, that he does not feel would be meaningful to the outcome, will only delay it more.

Councilmember Aiazzi stated the parking structure has to be in an area near the river where it can and will be used all of the time.

Commissioner Sferrazza stated he wanted the ground floor to have at least 10 percent commercial space so the entities can make money. He further stated the issue of whether the steering committee should be subject to the open meeting law should be resolved today, as well as who is going to appoint the committee members. He stated he did not think staff should make those decisions.

Councilmember Harsh agreed the public and attorneys will use the building just as much as the employees.

Councilmember Sferrazza-Hogan moved, on behalf of the City of Reno, that the language under Section 3.1 of the interlocal agreement be changed to "...The members shall be appointed by the **City Council and County Commission and the meetings shall be subject to the Open Meeting Law.**" Councilmember Doyle seconded the motion. Councilmember Hascheff advised that the committee agendas can be posted in advance and this should not delay the process. Mayor Griffin stated he could not support the motion as he feels having the Council appoint members of a working committee is micromanaging. He then called for the vote and the motion carried 6 to 1, with Mayor Griffin voting "no."

Commissioner Bond moved, on behalf of the County of Washoe, that the language under Section 3.1 of the interlocal agreement be changed to "...The members shall be appointed by the **City Council and County Commission and the meetings shall be subject to the Open Meeting Law.**" Commissioner Sferrazza seconded the motion. Chairman Shaw stated he could not support the motion for the same reasons as Mayor Griffin. He then called for the vote and the motion carried 3 to 1 with Chairman Shaw voting "no" and Commissioner Galloway being absent.

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11:20 a.m. Due to lack of time and a desire to include the City of Sparks on Item 8, agenda Items 7 and 8, were continued and the meeting adjourned.

JAMES M. SHAW, Chairman
Washoe County Commission

ATTEST: **AMY HARVEY**, County Clerk

*Minutes Prepared by
Sharon Gotchy, Deputy County Clerk*