

**BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA**

TUESDAY

2:00 P.M.

OCTOBER 23, 2001

PRESENT:

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

**Amy Harvey, County Clerk**  
**Katy Singlaub, County Manager**  
**Paul Lipparelli, Deputy District Attorney**  
**Madelyn Shipman, Assistant District Attorney**

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:

**01-1109      AGENDA**

In accordance with the Open Meeting Law, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Shaw ordered that the agenda for the October 23, 2001, meeting be approved with the following amendment: **Delete Item 6G(3) Non-exclusive Fill Slope Easement Agreement between Washoe County (on behalf of the Reno-Sparks Convention and Visitor's Authority) and Somerset Development Company Ltd.**

**PUBLIC COMMENTS**

Robert Cameron, area resident, expressed his concern about certain tentative subdivision maps on file with the City of Reno.

Tom Noblett, area resident, submitted a letter dated October 22, 2001, in response to the letter from Tom Clemens, Washoe County Code Enforcement Officer, regarding the possible suspension of his home occupation business license. Katy Singlaub, County Manager, responded that staff will review the letter and respond to Mr. Clemens' concerns.

Ed Graham, area resident, said he was informed that comments were made at yesterday's Caucus meeting concerning the proposed Verdi annexation by the City of Reno. He was informed that someone on the Board made the comment that the Verdi

annexation had nothing to do with the denial from the Board of County Commissioners of the Quilici Ranch Development. Mr. Graham said if that statement was made, it is totally inaccurate. He placed on file with the Clerk a day-to-day synopsis of what has transpired over the last couple of years concerning the Quilici Ranch property. Commissioner Sferrazza said he only asked if Canyon Ranch Estates was involved with the Quilici Ranch property, and the response to him was that it was not and was further down the river.

### **COMMISSIONERS' AND MANAGER'S COMMENTS**

Katy Singlaub, County Manager, advised the Board that an Assistant County Manager has been hired, and will be coming on board in 2 to 3 months. She advised that Barbara Hunt, District Health Officer, is scheduled to testify before the United States Senate, Committee on Health and Human Services.

Commissioner Galloway said he requested an item be placed on the agenda concerning funding for a pedestrian crossing light on Highway 28 near the skate park in Lake Tahoe. He said NDOT conducted a feasibility study and is willing to cost share, and he would like to discuss a cost sharing financing plan.

Commissioner Bond expressed concern about tentative maps in the Warm Springs area, where one of the conditions of approval states that the Washoe County Utility Division is responsible for overseeing and monitoring denitrification systems that will be in place on some of these developments. The Utility Division does not want to be the monitoring authority for those developments and be responsible for keeping the denitrification systems operating. She would like clarification on the Utility Division's responsibility since the maps have already been approved. Commissioner Galloway requested a copy of whatever response is provided to Commissioner Bond.

Commissioner Bond said there was a tentative map in Warm Springs that resulted in several parcels being created within the specific plan area of Warm Springs that were never reviewed nor approved by the Health Department. Mrs. Singlaub said staff would research that and get back to her.

Commissioner Sferrazza said, in light of the appeal concerning the Verdi Meadows Utility Company and K & R Homes (Canyon Ranch Estates), he would like to discuss some way to condition future development within the County, and that developers pay some form of tax to Washoe County to provide for their services. Otherwise, personally, he does not understand how they can justify not annexing properties because the fiscal equity issue is exacerbated every time a new development or building is approved. He requested that a discussion be held to consider an alternative to address development that is occurring, until a vote of the people can be held on this issue.

## **MINUTES**

On motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Shaw ordered that the minutes of the joint meeting of September 27, 2001, be approved.

### **01-1110      ANNUAL GOVERNOR'S INDUSTRY APPRECIATION LUNCHEON – COMMUNITY RELATIONS**

Upon recommendation of Kathy Carter, Community Relations Director, through Katy Singlaub, County Manager, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Shaw ordered that the request to purchase one table at the annual Governor's Industry Appreciation Luncheon to be held on November 16, 2001, in the amount of \$400 be approved.

### **01-1111      DONATION – D.A.R.E. PROGRAM – SIERRA PACIFIC FOUNDATION - SHERIFF**

Upon recommendation of Dennis Balaam, Sheriff, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Shaw ordered that the donation of \$1,000.00 from the Sierra Pacific Foundation, to be used for the D.A.R.E. Program be accepted with the Board's gratitude.

### **01-1112      FEE WAIVER – SILVER STATE KENNELS – COMPREHENSIVE PLAN AMENDMENT – COMMUNITY DEVELOPMENT**

Sharon Kvas, Planning Manager, Community Development, said the applicant submitted a special use permit to intensify an existing kennel at 600 Lemmon Drive. Staff was unable to process the permit due to the fact that the kennel is not an allowed use in Medium Density Suburban (MDS). She located a letter dated December 3, 1998, from Don Young, Planner, Community Development, that stated the applicant would need to submit a request for a new special use permit, but there is nothing in the letter that says the applicant would need a comprehensive plan amendment. Ms. Kvas said she found that in 1993, the property went from A-1 to General Rural (GR), and GR allows a kennel. So, in 1998 the applicant was still able to keep their kennel and apply for a new special use permit. Ms. Kvas found that the zoning was changed in 1999 during the Reno-Stead Joint Corridor Plan, and the question arose whether the applicants were noticed of that change. She located Certified Mailing cards that were sent to property owners when the Joint Corridor Plan was being developed, and in April and December 1998, and January and May 1999, people were notified that hearings were going to be held. The City of Reno also noticed people that a meeting was going to be held between the Reno Planning Commission and Washoe County Planning Commission. She said she felt the property owner was properly noticed of the potential zoning change, but would have had to attend the meetings to know that the kennel had become legal but non-conforming and was not able to be expanded.

Commissioner Bond clarified the property owner was noticed four times that a joint planning effort was under way, but not necessarily that there was going to be a change in the designation of land use, which would affect the ability to expand the current kennel.

In response to Commissioner Galloway’s inquiry regarding a comprehensive plan amendment, Ms. Kvas said, if the Board decides to approve the applicant’s request, they would have to initiate a change to the joint plan, which would involve the City of Reno concurrently reviewing this request. She explained that the property is adjacent to Low Density Suburban (LDS) zoning, and they could down zone the applicant’s property, which would allow the kennel with a special use permit.

Ben Veach, Summit Engineering Corporation, representing Silver State Kennels, said the applicant just wants to continue and expand the current use. He advised that this all started because the applicant wanted to take the outdoor kennels and put them inside a building. He noted the Citizens Advisory Board for the area was very supportive of the applicant’s effort.

Commissioner Sferrazza asked how someone’s zoning could be changed without giving them proper notice. Paul Lipparelli, Deputy District Attorney, advised that the question is what rights the property owner is being deprived of by the action of the County. If the property owner is being granted more rights through an up zoning, the thought process is that notice is not required as a matter of due process. He said it is not appropriate to characterize a potential right to a use that may only be made through a special use permit as a guaranteed right.

On motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Shaw ordered that the County, with the consent of the property owner, initiate a joint plan amendment to change the property zoning to Low Density Suburban.

**01-1113      TRANSFER OF APPROPRIATION – TRAVEL AUTHORITY - ASSESSOR’S OFFICE**

Upon recommendation of Brian Mirch, Senior Administrative Analyst, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Shaw ordered that the following account adjustments in the Assessor’s office be approved:

<b>Decrease Account</b>	<b>Amount</b>	<b>Increase Account</b>	<b>Amount</b>
1022-7236 Computer Software	\$7,000.00	1021-7620 Travel	\$3,000.00
1022-7181 Service Contracts	\$3,000.00	1026-7620 Travel	\$7,000.00
<b>Total</b>	<b>\$10,000.00</b>	<b>Total</b>	<b>\$10,000.00</b>

**01-1114      WAIVER OF PROHIBITION – ALCOHOLIC BEVERAGES -  
SENIOR DANCE CLUB OF NEVADA – ANNUAL NEW YEAR’S  
EVE DINNER AND DANCE – SENIOR SERVICES**

Upon recommendation of Karen Mabry, Director, Washoe County Senior Services, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Shaw ordered that the prohibition of serving alcoholic beverages for the Senior Dance Club’s annual New Year’s Eve Dinner and Dance scheduled for Monday, December 31, 2001 from 5:00 p.m. to 12:30 a.m. (serving a champagne punch) be waived.

**01-1115      LEASE AGREEMENT – TRUCKEE MEADOWS TRAILS  
ASSOCIATION – BARTLEY RANCH REGIONAL PARK –  
RANCH HOUSE/GARAGE – GENERAL SERVICES**

In response to a question raised at yesterday’s Caucus, Katy Singlaub, County Manager, stated that last year’s utility costs for the Ranch house with two tenants was \$477 for electricity and \$1,500 for propane for 12 months. Commissioner Sferrazza said he wants to show the payments as a contribution.

Upon recommendation of Tom Gadd, Director, General Services, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, it was ordered that the lease between Washoe County (Lessor) and Truckee Meadows Trail Association, a Nevada nonprofit corporation (Lessee), for lease of space in the Ranch House/Garage at Bartley Ranch Regional Park for a twelve-month period, retroactive to August 1, 2001 and continuing through July 31, 2002, be approved and Chairman Shaw be authorized to execute.

**01-1116      FIRST AMENDMENT TO LEASE – SUN VALLEY  
LANDOWNERS ASSOCIATION INC. – SENIOR NUTRITION  
PROGRAM – GENERAL SERVICES**

Upon recommendation of Tom Gadd, Director, General Services, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, it was ordered that the first amendment to lease between Sun Valley Landowners Association, Inc. (Lessor) and Washoe County (Lessee) to extend the lease term from October 1, 2001 through September 30, 2003, for 2,016 square feet of the Association’s building to operate the Senior Nutrition Program administered by the Senior Services Department be approved and Chairman Shaw be authorized to execute.

**01-1117      FIRST AMENDMENT – GRANT OF EASEMENT AND  
MAINTENANCE AGREEMENT – JOSEPH BARRUS AND DEBRA  
BARRUS REVOCABLE TRUST – WATER RESOURCES**

Upon recommendation of John Collins, Manager, Utility Services Division, through Steve Bradhurst, Director, Water Resources Department, on motion by

Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Shaw ordered the following:

1. The First Amendment to a Grant of Easement and Maintenance Agreement from Joseph P. Barrus or Debra C. Barrus, Trustees, or successor Trustee(s) of the 1997 Joseph P. Barrus and Debra S. Barrus Revocable Trust, as Grantors, and Washoe County, as Grantee, for construction, maintenance, and repair of a water line and access road be accepted.
2. The Manager of the Utility Services Division be directed to record the same with the County Recorder's office.

**01-1118 INTERLOCAL COOPERATIVE AGREEMENT – 2003 STREET AND HIGHWAY PROGRAM OF PROJECTS (FUEL TAX) – REGIONAL TRANSPORTATION COMMISSION**

Upon recommendation of Robert Russell, Engineering Director, Regional Transportation Commission, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, it was ordered that the Interlocal Cooperative Agreement for design, construction engineering, or construction/right-of-way of specific projects contained in the Regional Transportation Commission's 2003 Street and Highway Program of Projects be approved and Chairman Shaw be authorized to execute.

**01-1119 ROLL CHANGE REQUESTS FOR FACTUAL AND CLERICAL ERRORS – ASSESSOR**

Karen Mullen, Parks & Recreation Director, answered questions regarding taxation on open space lands that are interior to a development. She said the parcel concerning ArrowCreek would be dedicated to Washoe County as a part of the Thomas Creek Trail System and Open Space System. The upper portion of the property is on the very western edge of the project and would also be dedicated. This area is the property between the homes and the National Forest Service lands.

Chris Mumm, Senior Appraiser, Assessor's office, said the reason there is a reduction in the value is because the Assessor's office did not know about the agreement with Washoe County when the property was valued. They went by the zoning and the amount of density that is allowed based on the zoning, and the Planning Department did not require the open space be zoned when they approved the development. There is no deed restriction, it is simply an agreement with the Planning Department, but in the future something could be put into the deed that restricts development.

In response to Commissioner Sferrazza's inquiry, Mr. Mumm said any common areas within a development has a token land value of \$500.

Commissioner Galloway said he would like to see in the future that the County receive the deed restriction up front, and not wait until afterwards.

Sharon Kvas, Planning Manager, Community Development, stated the development agreement between ArrowCreek and Washoe County, is a contractual agreement the Board has made. The developer could not change anything without coming back to the Board and changing the development agreement.

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

Sharon Schomberg--Parcel #004-391-35 [-\$73.59] (1999 Secured Roll)  
Susan S. Frisch, Tr.--Parcel #009-552-22 [-\$161.48] (1999 Secured Roll)  
William & Sally Doolittle--Parcel #082-613-03 [\$-280.44] (1999 Secured Roll)  
Sharon Schomberg--Parcel #004-391-35 [-\$73.59] (2000 Secured Roll)  
Susan S. Frisch, Tr.--Parcel #009-552-22 [-\$161.49] (2000 Secured Roll)  
Najma S. Narayan--Parcel #013-014-06 [-\$1,067.42] (2000 Secured Roll)  
Washoe County School District--Parcel #016-520-16 [-\$600.00] (2000 Secured Roll)  
William & Sally Doolittle--Parcel #082-613-03 [-\$302.87] (2000 Secured Roll)  
Edward Morris--Parcel #126-520-07 [-\$153.92] (2000 Suppl. Roll) (Improvements Only)  
Sharon Schomberg--Parcel #004-391-35 [-\$73.04] (2001 Secured Roll)  
Nancy J. Lawton--Parcel #005-092-11 [-\$35.14] (2001 Secured Roll)  
Teofilo & Virginia Romero--Parcel #008-044-16 [-\$102.28] (2001 Secured Roll)  
Susan S. Frisch Tr.--Parcel #009-552-22 [-\$164.73] (2001 Secured Roll)  
Najma S. Narayan--Parcel #013-014-06 [-\$1,088.80] (2001 Secured Roll)  
Washoe County School District--Parcel #016-520-16 [-\$8,492.97] (2001 Secured Roll)  
International Community of Christ--Parcel #024-062-07 [-\$1,375.86] (2001 Secured Roll)  
Bette J. Adams--Parcel #033-322-25 [-\$1,726.13] (2001 Secured Roll)  
Peter C. and Kimberly P. Jacobs--Parcel #038-045-21 [-\$464.35] (2001 Secured Roll)  
Grace Community Church--Parcel #039-190-22 [-\$8,048.53] (2001 Secured Roll)  
Sierra Pacific Power Company--Parcel #082-112-11 [-\$12,320.49] (2001 Secured Roll)  
Sierra Pacific Power Company--Parcel #055-270-09 [-\$585.29] (2001 Secured Roll)  
Kurt & Jana M. Neuffer--Parcel #076-190-21 [-\$99.07] (2001 Secured Roll)  
Frank B. & Dorothy Higgins--Parcel #082-263-51 [-\$54.81] (2001 Secured Roll)  
William & Sally Doolittle--Parcel #082-613-03 [-\$304.99] (2001 Secured Roll)  
William J. Morris, Jr., et al.--Parcel #125-421-06 [-\$388.76] (2001 Secured Roll)  
Edward Morris--Parcel #126-520-07 [-\$393.44] (2001 Secured Roll)  
Dorothy M. Duncan--Parcel #130-201-12 [-\$1,676.79] (2001 Secured Roll)  
Betty S. Jones, et al. Tr.--Parcel #152-430-03 [-\$53,247.90] (2001 Secured Roll)  
Tim J. & Jill Dyches--Parcel #220-221-06 [-\$4,433.53] (2001 Secured Roll)  
Douglas C. & Tamara A. Brunson--Parcel #220-221-07 [-\$4,433.56] (2001 Secured Roll)  
Ronald K. & Vickie L. Ashcroft--Parcel #502-111-01 [-\$150.46] (2001 Secured Roll)

## **01-1120      ANNUAL PINECONE BALL – COMMUNITY RELATIONS**

Upon recommendation of Kathy Carter, Community Relations Director, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion

duly carried, Chairman Shaw ordered that the request to purchase a table for the Annual Pinecone Ball to be held on October 24, 2001, in the amount of \$224.00 be approved.

**01-1121      PROCLAMATION – ACCENTUATE THE POSITIVE DAY –  
OCTOBER 25, 2001**

On motion by Commissioner Bond, seconded by Commissioner Sferrazza, which motion duly carried with Commissioners Short and Galloway temporarily absent, it was ordered that the following Proclamation be adopted and Chairman Shaw be authorized to execute:

**PROCLAMATION**

**WHEREAS**, Truckee Meadows Tomorrow is dedicated to defining, monitoring and championing the improvement of quality of life in the Truckee Meadows; and

**WHEREAS**, We are fortunate to live in a community of good citizens, caring organizations, dedicated governments and conscientious businesses; and

**WHEREAS**, It is important to recognize those individuals, groups and organizations who contribute to the well-being and improvement of our community; and

**WHEREAS**, Truckee Meadows Tomorrow's Accentuate the Positive is an opportunity to honor our area's Silver Stars and their dedication to programs and services that enhance the quality of life in northern Nevada, now, therefore, be it

**PROCLAIMED**, That the Washoe County Board of Commissioners does hereby designate October 25, 2001 as Accentuate the Positive Day and encourages all Washoe County citizens to celebrate the success of quality of life efforts in their area and challenges them to consider what they can do to make it even better.

**01-1122      WASHOE COUNTY EMERGENCY MANAGEMENT PLAN**

Press Clewe, Emergency Management Coordinator, reviewed the Nevada Revised Statute regarding enabling legislation for emergency management at the local government level, the Washoe County Code Chapter 65.300 (which specifies how the County will implement the enabling legislation), and emergency proclamations from the County's emergency operation center guidebook pertaining to local, state, federal and Presidential use. Mr. Clewe reviewed the Overall Management System and Structure for the County and State.

In response to Commissioner Sferrazza's inquiry, Katy Singlaub, County Manager, said the ordinance for emergency management planning can be amended with the possibility of modifying the Policy Group.

01-1123

**REAFFIRM BCC MINUTE ITEM 01-864 – GUIDELINES FOR  
PROPOSED TRANSPORTATION SYSTEMS WITHIN WASHOE  
COUNTY PARKS AND OPEN SPACE AREAS**

Commissioner Short stated that the proposed Tahoe-Pyramid Link was at one time going to run through the Rosewood Golf Course area. He thought this issue had gone away, but at the regional plan update it was suggested that this proposal be looked at again. He said he had requested that Paul Urban, Flood Control Manager, review the Rosewood Lake area and report back his findings. Commissioner Short reviewed Mr. Urban's response concerning Rosewood Lakes, and the damage it would cause by building a road through there.

Karen Mullen, Parks & Recreation Director, reviewed the guidelines for proposed transportation systems within the County's parks and open space areas. She noted a spelling error on page 1, paragraph 1, line 4 of the guidelines where the word "or" should be "on."

Commissioner Short said a bond issue was passed concerning parks and open space, and in that bond issue money is identified for acquiring certain lands, such as the Casey land and the Ballardini Ranch, and he is concerned because these properties are not yet regional parks, although they are proposed to be.

Chairman Shaw said the County Commissioners are not the only ones involved with property in Washoe County; that the City of Reno and the Regional Transportation Commission are also involved. He said he is in support of lands that the County has jurisdiction over, as well as the protection of parks and wetlands.

Commissioner Bond said she believes there is enough feasible and prudent alternative methods to address concerns about where roads will be built within the guidelines for proposed transportation systems.

Following further discussion, on motion by Commissioner Bond, seconded by Commissioner Galloway, which motion duly carried, Chairman Shaw ordered that the Board's approval of guidelines for proposed transportation corridors to also include floodways, floodplains, wetlands, and any proposed regional parks or open space be reaffirmed. It was further ordered that in the Guidelines on Page 1, paragraph 1, line 4, the word "or" be changed to "on," so the sentence reads..."sites, on lands held through deed."

01-1124

**APPEARANCE – TOM GADD, DIRECTOR – GENERAL  
SERVICES DEPARTMENT**

Tom Gadd, Director, General Services, reviewed the Organizational Chart for the General Services Department, and stated there are approximately 117 employees. Mr. Gadd reviewed the makeup, responsibility and statistics for each Division: Animal Control, Property and Fiscal Manager, Equipment Services Division, Imaging and Rec

ords, Telecommunications, Printing and Mail Services, and Facilities Management. Mr. Gadd advised, that when the County purchases new vehicles, with the exception of law enforcement vehicles, 9 out of 10 have to be alternative fuel vehicles. They are trying to reduce the size of the vehicle fleet for better efficiencies. Custodial staff is comprised of both County custodial staff as well as contractual custodial workers; and that the County has about 280 structures that General Services is responsible for, which amounts to about 2 million square feet of floor space and 2,821 pieces of equipment. General Services administers 61 service contracts that address the maintenance of elevators, fire alarms, carpets and window cleaning. They deal with 15 different utility companies, and the County's utility bill is estimated to be about \$4 million this year. He advised they have completed a \$1.8 million energy retrofit for the County Complex, the County Jail and the main Library.

Mr. Gadd advised that they recently hired a Property and Fiscal Manager to help take care of the 3 main budgets that General Services deals with; that its primary role is to negotiate and coordinate the 35 leases the County has; and that part of the duties is to develop a strategic plan for County owned property, and to research and make recommendations to implement or dispose of the property, as well as facilitate the sale of surplus property.

The Imaging and Records Management Division converts paper record to microfilm; and that microfilming is the only legal and cost-effective method of permanently capturing data. They also provide filming services for other agencies such as Washoe County School District, City of Sparks and the City of Reno. Mr. Gadd said they destroy approximately 4,500 cubic feet of records annually with high capacity shredders, and they hope to double the amount of paper being recycled by the County by removing paper clips and staples from documents and shredding them, which they have not previously been doing.

When the 800 MHz Regional Radio System is complete, the County will own approximately 28 percent of the radios associated with the system. Telecommunications staff will maintain those radios, and the Cities of Reno and Sparks have indicated an interest in the County maintaining their radios as well. The security and electronic support staff maintain all the electronic systems, as well as taking care of the video arraignment systems, the presentation equipment used in the chambers, radars used by the Sheriff's patrol systems, etc.

Mr. Gadd introduced several General Services employees who were present.

#### **01-1125      WASHOE COUNTY SUGGESTION PROGRAM**

Darin Conforti, Senior Administrative Analyst, acknowledged the employees being recognized for innovative suggestions that result in cost savings to the County. He reviewed the suggestions and monetary awards the Employee Recognition Committee approved for each suggestion submitted. On motion by Commissioner Bond,

seconded by Commissioner Short, which motion duly carried, Chairman Shaw recognized the suggestions and presented certificates of recognition to the following recipients:

John Fuller	Health Department
Terri Stewart	Community Development
Ken Schmitt	Roads Department
Gary Minto	Roads Department

**01-1126      APPROVE PURCHASE – (8) BMW POLICE MOTORCYCLES – SIERRA BMW MOTORCYCLE – SHERIFF**

In response to Commissioner Sferrazza’s inquiry, John Balentine, Purchasing and Contracts Administrator, advised that the State had only received two bids for police motorcycles, one from Sierra BMW Motorcycle and another that was disqualified for being incomplete. Commissioner Sferrazza said he objects to awarding a specific bid for one type of motorcycle, especially when it is a foreign manufactured motorcycle.

On motion by Commissioner Short, seconded by Commissioner Bond, which motion duly carried with Commissioner Sferrazza voting “no,” Chairman Shaw ordered that the purchase of eight new BMW police motorcycles from Sierra BMW Motorcycle in the amount of \$18,534.00 each for a total expenditure of \$148,344.00 on behalf of the Sheriff’s Department be approved.

It was noted that the State of Nevada has a contract in place for the purchase of BMW Police motorcycles with Sierra BMW Motorcycle. The contract will give the County the opportunity to purchase BMW Police motorcycles at the current price for 2001 through 2003 Model year.

**01-1127      ACCEPT PROPOSALS FOR GOLF PROFESSIONAL SERVICES – RFP-2300-01 – PARKS AND RECREATION DEPARTMENT**

This was the time to consider the Acceptance of Proposals, Request for Proposals #RFP-2300-01 having been duly published in the Reno-Gazette Journal for Golf Professional Services, on behalf of the Parks and Recreation Department.

Proposals were received from the following:

Barney Bell’s Golf Shop  
Evergreen Alliance Golf Limited, LP  
I.R.I. Golf Group, LLC  
Michael W. Jory  
Peavine Golf Associates

Toni Parenti & Associates submitted a “no response.”

Chairman Shaw called upon anyone wishing to speak on this matter.

John Balentine, Purchasing and Contracts Administrator, briefed the Board on the background process of the Request for Proposal for Golf Professional Services (RFP# 2300-01). He reviewed the recommendation to the Board dated October 12, 2001, and explained why the Evaluation Committee recommended Evergreen Alliance Golf Limited, L.P. Mr. Balentine noted that Mike Mitchell, General Manager of Peavine Golf Associates, owes Washoe County approximately \$27,800 due to the failure of Bogie Enterprises (in which he was a principal) that operated the food service, liquor and gaming concessions at the Sierra Sage Golf Course for 5 years. He advised that Bogie Enterprises also owes Sierra Pacific Power Company approximately \$3,000; that in January, 2000, Washoe County paid Sierra Pacific Power Company \$5,528.63 on behalf of Bogie Enterprises; and that the amount owed by Bogie Enterprises has been forwarded to the Washoe County District Attorney's office for action.

Commissioner Sferrazza asked why the County paid the electric bill for Bogie Enterprises. Karen Mullen, Parks & Recreation Director, advised that it was to keep the electricity from being turned off at the clubhouse. She said through discussions with the District Attorney's staff it was determined that, because the facility was handled by a portion of the pro services contract and a portion through the restaurant services contract (they are not separately metered), the bill should be paid.

Ms. Mullen submitted to Commissioner Sferrazza, at his request, all of the proposals submitted for Washoe Golf Course and Sierra Sage Golf Course. She said the Park Commission recommended that staff consider interviewing Mike Mitchell as part of the process. She explained the interview process and advised that financial backgrounds on the proposers were conducted. Evergreen Alliance's credit report was conducted by Dunn & Bradstreet, who reported they had a clean credit history. Peavine Golf Associates is a new firm, and their corporation was chartered 4 days prior so they had no history to run a credit report on. Ms. Mullen advised that the maintenance of the golf course is performed by the Washoe County Parks Department, and reviewed the history of the Washoe County Golf Course and Sierra Sage Golf Course. Ms. Mullen reminded the Board that they, not the contractor, set the fees for those golf courses.

Commissioner Galloway said one of the letters of opposition to Evergreen Alliance alleged that they have a history of raising fees and pressuring the golf course owner to turn the maintenance of the course over to them. He inquired if there was any way at all for the golf professionals to put pressure on the County by withholding services if fees are not raised. Ms. Mullen said she does not know of any way for anyone to do that, and had not found that to be true of Evergreen. She noted that she visited several of their courses personally and found no problems with them. Ms. Mullen said it was made clear to Evergreen that the County is not interested in contracting out the maintenance of their golf courses.

Chairman Shaw asked if there was a recommendation by the Parks Commission on this matter, as he would feel more comfortable hearing from them before making his decision. Ms. Mullen said they generally do that for policy type issues, but it is not routinely done for proposals.

Commissioner Sferrazza commented that Karen Mullen rated Peavine Golf Associates higher than Evergreen Alliance and asked what her reason was for doing so. Ms. Mullen stated that she had rated Peavine higher because they already had a person on the ground here, and Evergreen did not. She said the other members of the Committee felt comfortable without that information; and that many times companies will select the individual they want to move into that position at a later date and is usually a part of the interview and negotiation process.

Larry Corson, President and Chief Executive Officer, Evergreen Alliance Golf Limited, L.P., said Evergreen Alliance is based in Texas and they are currently owned by Westbrook Partners, which is a real estate investor that invests on behalf of private and pension funds. He gave a brief overview of Evergreen Alliance and identified where they manage and own courses throughout the country. He stated they also manage ArrowCreek Country Club in Reno. He reviewed some misconceptions about professional golf management companies, as well as the benefits. He stated that Evergreen absolutely views the County as the owner of the golf course; that Evergreen will act on the objectives the Board has decided is the most important to them; and that Evergreen has no plans to increase rates and are fully aware that the Board sets the rates for the course. He said the benefit the County will receive is the resources from Evergreen's experience and knowledge; that marketing is very important to the golf course and it should be marketed to the residents as well as the tourist trade; and that the national marketing element will allow Evergreen to increase the level of play at the same rates Sierra Sage is currently charging. Mr. Corson explained about Evergreen's current e-mail marketing plan for all of their golf courses, and advised that Evergreen has a partnership with Wilson, where they provide free junior sets to every one of the golf courses where clinics are run every year. They currently have a program in place where they offer a \$5 junior golf rate at every one of their golf courses through the summer.

Lee Harlow, Southern California Regional Manager, Evergreen Alliance Golf Limited, L.P., stated that his plan is to provide Sierra Sage with a minor face lift, and he has been authorized to spend some money to dress up the facility. The point of sale system will enable Evergreen to provide the Parks Director with any type of report needed in order to track the business on a daily basis. He said there will be a brand new fleet of golf carts with a full-time mechanic; that they bring senior golf cart rates to the facility; and that they have a good junior golf program under way at their Ventura County Golf Course, which they hope will work here.

Commissioner Sferrazza asked why Evergreen is interested in Sierra Sage Golf Course, as it is such a small-time golf course. Mr. Corson said the core of their business is operating municipal golf courses, which represents almost half of their business. He said most municipal golf courses they operate are at this price point (\$20 to \$40). With their presence at ArrowCreek, they have more efficiencies when they have multiple golf courses in an individual market by sharing marketing costs, people and resources. Mr. Harlow said, with the County's investment to the golf course irrigation system and Evergreen's experience in marketing and providing services to guests, they believe they can increase the rounds of golf at Sierra Sage.

In response to Chairman Shaw's inquiry regarding increasing the rounds of golf, Mr. Corson stated that they understand that people are upset and not happy with the change in management at this course. They have been involved in takeovers of management assignments on golf courses and have a very detailed process to make sure their administrative aspect is handled seamlessly. They would do an immediate reach-out to all of the constituents of the golf course and convince them they are not the big bad corporate machine. They would try to make them understand they just want to make this a terrific golf facility. There is always a risk that people will not accept change, but Evergreen will work hard to show the people that they can provide an equally good experience, if not better.

Commissioner Sferrazza said, since it appears most of the dispute is between Evergreen Alliance and Peavine Golf Associates at the Sierra Sage Golf Course, he would request that a motion be made for the Washoe Golf Course.

Chairman Shaw asked if there was anyone present wishing to speak on the Washoe Golf Course proposal.

Forest Lawson, Washoe County resident, spoke in support of Barney Bell for the provision of Golf Professional Services at the Washoe County Golf Course.

On motion by Commissioner Sferrazza, seconded by Commissioner Short, which motion duly carried, Chairman Shaw ordered that the proposal for Golf Professional Services at the Washoe County Golf Course submitted by Barney Bell's Golf Shop be accepted. It was further ordered that the Purchasing and Contracts Administrator be authorized to finalize terms and conditions and to execute five-year Agreements with Barney Bell's Golf Shop commencing on January 1, 2002 through December 31, 2006, with the County retaining an option to renew for an additional period of five years.

Chairman Shaw then called on anyone wishing to speak regarding the RFP for the provision of Golf Professional Services at the Sierra Sage Golf Course.

Mike Mitchell, Golf Professional at Sierra Sage Golf Course, said he has a great relationship with the Men's and Ladies Club at Sierra Sage, as well as the general public. He advised that in his 23 years as Golf Professional and Manager at Sierra Sage he has never missed a payment to Washoe County. He then discussed the business problems associated with Bogie Enterprises, which closed on January 31, 2000 leaving a debt of approximately \$80,000 with \$27,800 being owed to Washoe County. He said this debt seems to be a major blockade to his having a chance to retain his contract, and, although the two issues are not mixed, he does not blame the County for looking at the money that is due. He advised that he is reviewing several options in order to pay the money owed to the County by the end of the year. Mr. Mitchell then discussed the problems that occurred at Sierra Sage that caused the number of rounds to decline, which included the renovation of the golf course, several new competing golf courses in the area, and bad weather that extended the renovation process. He reviewed the programs

he implemented throughout his tenure at Sierra Sage and stated he believes he and his staff fit the needs of the golf course perfectly, and he would like to be retained as the Golf Professional.

\* \* \* \* \*

**5:40 p.m.** Madelyn Shipman, Assistant District Attorney, arrived at the meeting and Paul Lipparelli, Deputy District Attorney, left the meeting.

Upon inquiry of Commissioner Sferrazza, Mr. Mitchell advised that the rounds of golf decreased due to the renovation of the golf course, which left it in poor condition for some time, and the problems with the irrigation system and fungus. He said the golf course is now in good condition and he believes rounds of play will grow by 10 – 20% annually. He advised they are receiving many compliments on the golf course and are winning over new customers.

Upon inquiry of Commissioner Bond, Carol Mitchell, Director of Marketing, Peavine Golf Associates, advised they have proposed an advertising budget of \$2,000 the first year, and a minimum of \$2,000 in each subsequent year or 3% of the prior year's profit, whichever amount is larger. She stated this amount is in addition to the cost of the yellow page listing, which would make a minimum advertising budget of \$14,000 over the five-year contract.

Gene McLellan, President, Sierra Sage Men's Golf Club, said there is no need fiscally or otherwise to change the golf professional services at Sierra Sage, and they do not understand how the proposed change could better serve the public interest or financial considerations of Sierra Sage than what is being done now by Mr. Mitchell and his staff. They also do not understand the motivation to change the family and friendly environment established by Mr. Mitchell and his staff and are unanimously in favor of retaining him. Mr. McLellan stated that the problems with the golf course were not caused by neglect; and that they fear their team efforts to improve the course and the volunteer and family spirit they have now would not be encouraged by an outside management company.

Fred Elliot, Head Golf Professional, Wildcreek Golf Course, advised that, during busy times over the years, they have referred many golfers to the Washoe County golf courses because they know the customer will be treated in a professional and friendly manner; and that he has never received a complaint from local or tourist players they sent to County golf courses. He stated that the Sierra Nevada Chapter of the PGA does not understand this recommendation; and that 12 new facilities have come on line since 1997, which has caused a decrease in their rounds of golf as well as for many other established facilities. He noted that the PGA would like to have been involved in the RFP process.

Carol Mitchell stated that she disagrees with Mr. Balentine's suggestion that emotional issues must be separated from business practices. She said the issue is all about the golfers, whether it is referred to as an emotional issue or a business practice.

Virginia Thompson, Sierra Sage and Washoe Ladies Clubs, read a letter from Barbara Vucanovich, Member of Reno Women's Golf Club, Sierra Sage Women's Golf Club, and Hidden Valley Ladies Golf Club, in support of retaining Barney Bell and Mike Mitchell in their present capacity at the two golf courses. Ms. Thompson then stated that Mr. Mitchell and his staff have worked closely with the community and have sponsored many important programs; that Mr. Mitchell stayed in there during difficult times, and now that the course is finally showing a promise of what it can become, it is planned to let him go instead of giving him a chance to continue its rebirth. She advised that the Men's and Women's Club will not likely be there if Mr. Mitchell goes, which could result in the loss of many hundreds of rounds of play.

Approximately 25 people then spoke on behalf of retaining Mr. Mitchell and his staff, and many written statements were received in support of Mr. Mitchell.

Robert Cameron, Washoe County resident, asked if language was included in the contract with Evergreen that something will be done if they do not perform to expectations.

Mr. Balentine responded to questions of the Board and advised that Evergreen's advertising budget is \$20,000 annually; and that he did not understand that Peavine's budget did not include costs for the yellow pages advertising. He noted that almost every contract they write has a cancellation clause for non-performance, which is part of the negotiation process.

Commissioner Galloway stated that he would like to see a reasonable growth in revenue no matter who the proposal is awarded to and believes there should be an evaluation at the end of two years to see if rounds of golf have increased significantly. He said, if this growth does not occur, the County could call for another round of bid proposals.

Commissioner Sferrazza disclosed that he has known Carol Mitchell for about 20 years; and that he had a conversation with Mr. Mitchell last night where he expressed some concerns about his previous business. He said he is satisfied by Mr. Mitchell's indication today that he would repay the amount owed to the County by the end of the year and with his explanation that the decrease in rounds was caused by renovation and the expansion of numerous golf courses in the area. He said he would be prepared to give Mr. Mitchell another chance, with no aspersion to Evergreen, but would like to put performance standards into the contract and require more advertising dollars.

Ms. Mullen responded to additional questions of the Board and advised this is the first time she has heard there would be a payment back to the County of Mr. Mitchell's arrears.

Commissioner Bond said it seems that Mr. Mitchell should have the right to prove he can bring back the players and increase the rounds of golf. She commented that everyone present tonight has a responsibility to support the golf course and encourage more people to play there. She said she does not think enough money has been budgeted for advertisement purposes, there should be some kind of performance standard, and a contract should be negotiated between Peavine Associates and the County for a payment schedule to end Mr. Mitchell's debt to the County.

Commissioner Galloway stated there are apparently still some problems with sprinklers and the bathrooms at Sierra Sage, and Ms. Mullen advised that completion of those corrections is expected by December or January. Commissioner Galloway then stated he would be willing to give Mr. Mitchell a contract if he would accept a performance criteria of an average 10% increase annually to be reviewed after two years and agree to negotiate a better advertising effort.

Chairman Shaw asked if the representatives from Evergreen would like to provide further comment and they did not wish to do so. Commissioner Sferrazza thanked Evergreen and said they submitted an excellent proposal.

On motion by Commissioner Sferrazza, seconded by Commissioner Short, which motion duly carried, Chairman Shaw ordered that the proposal from Peavine Golf Associates (Mike Mitchell) be accepted for a two-year period, at which time the contract will be brought back to the Board for possible renewal based on a performance criteria averaging a 10% annual increase; and that additional funds be allocated for advertising, which amount is to be negotiated between Peavine Golf Associates and County staff.

It was noted that the Board's understanding is that Mr. Mitchell will make arrangements to repay his debt to the County by the end of this year; and that failure to meet the established contract criteria for Peavine Golf Associates would be a basis for non renewal.

**01-1128      BILL NO. 1311 – AMENDING WCC CHAPTER 110 –  
DEVELOPMENT APPLICATION FEES – COMMUNITY  
DEVELOPMENT**

Sharon Kvas, Planning Manager, Department of Community Development, advised that staff is making an alternative recommendation in response to questions asked at yesterday's caucus meeting regarding exemptions. She stated that the intent of the ordinance is to provide a refund of development application fees based on how much work is done on an application, and the exemption section was not the important part of the amendment. Upon inquiry of Commissioner Sferrazza, Legal Counsel Shipman advised there is no requirement in law to give any exemptions except for governmental entities. Commissioner Sferrazza stated that he does not support the exemptions. He noted that non-profits compete as for profits, and it is very ambiguous in some cases about how much of a non-profit an organization is. Ms. Kvas advised that the Building Department

and the Utility Division do not offer exemptions, and there is no clear County policy regarding this issue. She suggested removing the exemption section from the proposed amendment and scheduling a workshop to discuss the development of a policy that would be more comprehensive for all County departments.

Commissioner Galloway said he shares the concerns expressed by Commissioner Sferrazza relative to exemptions and would like to have a workshop on the subject.

Following further discussion, Bill No. 1311 entitled, "AN ORDINANCE AMENDING PROVISIONS RELATING TO WASHOE COUNTY CODE CHAPTER 110, ARTICLE 906, FEES, BY DELETING THE DEFINITION OF A CHARITABLE ORGANIZATION THAT IS EXEMPT FROM THE SUBMITTAL OF DEVELOPMENT APPLICATION FEES, DELETING THE PROVISION FOR REINITIATING A CODE AMENDMENT APPLICATION AND ADDING A NEW PROVISION ENUMERATING THE PROCESS FOR REFUNDING DEVELOPMENT APPLICATION FEES, AND OTHER MATTERS PROPERLY RELATING THERETO," was introduced by Commissioner Galloway, as amended, the title read to the Board, and legal notice for final action of adoption directed.

**01-1129      RECLASSIFICATIONS OF EXISTING POSITIONS – CREATION OF NEW CLASSES AND CLASS SERIES – HUMAN RESOURCES**

Commissioner Sferrazza advised that the information he requested has satisfied his questions concerning this item.

Upon recommendation of Joanne Ray, Human Resources Director, on motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, Chairman Shaw ordered that the following reclassifications of existing positions into existing classes and the creation of new classes and class series be approved:

<b>Reclassification of Existing Positions</b>				
<i>Department</i>	<i>Current Position</i>	<i>Pay Grade</i>	<i>Recommended Class</i>	<i>Pay Grade</i>
General Services	Equipment Mechanic I (3 positions)	I	Automotive Mechanic	J
General Services	Equip. Mechanic II	K	Gerlach/Vya Heavy Diesel Equip. Mechanic Supervisor	L
Community Dev.	Planner (3 positions)	N	Senior Planner	O
Public Administ.	Public Administrator Estate Investigator (3 positions)	I	Public Administrator Estate Investigator	K
Senior Services	Human Services Support Specialist II	H	Office Assistant II	E
Sheriff	Deputy Sheriff		Investigative Assistant	I
Sheriff	Deputy Sheriff		Administrative Asst. I	K
Sheriff	Deputy Sheriff		Office Support Specialist	H
Water Resources	Licensed Engineer	(Q)R	Senior Licensed Engineer	(R)S
Recorder	Deputy County Recorder	D	Deputy County Recorder I	G

	Aide (2 positions)			
<b>Creation of New Classes and Class Series</b>				
Recorder	New Position in FY 2001/2002 Budget		Chief Deputy Recorder	N
Public Defender	New Position in FY 2001/2002 Budget		Mitigation Specialist	L(M)
Sheriff			Criminalist Trainee	K
			Criminalist I	L
<b>Title Change of Existing Class</b>				
	Criminalist		Criminalist II (Title Change Only)	

**01-1130      BILL NO. 1312 – ORDINANCE NO. 1134 - MEDIUM TERM FINANCING - GENERAL OBLIGATION (LIMITED TAX) BUILDING BONDS - SERIES 2001A**

On motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, Chairman Shaw ordered that Bill No. 1312, Ordinance No. 1134, entitled “AN ORDINANCE AUTHORIZING THE ISSUANCE BY THE COUNTY OF ITS NEGOTIABLE “WASHOE COUNTY, NEVADA, GENERAL OBLIGATION (LIMITED TAX) BUILDING BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 2001A,” IN THE MAXIMUM PRINCIPAL AMOUNT OF \$16,815,000 FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, IMPROVING AND EQUIPPING BUILDING PROJECTS WITHIN THE COUNTY; PROVIDING THE FORM, TERMS AND CONDITIONS OF THE BONDS AND OTHER DETAILS IN CONNECTION THEREWITH; PROVIDING FOR THE LEVY AND COLLECTION OF ANNUAL GENERAL (AD VALOREM) TAXES FOR THE PAYMENT THEREOF; ADDITIONALLY SECURING THEIR PAYMENT BY A PLEDGE OF CERTAIN REVENUES; RATIFYING ACTION PREVIOUSLY TAKEN TOWARD ISSUING THE PROPOSED BONDS AND EFFECTING THE PURPOSE OF THEIR ISSUANCE; PROVIDING OTHER MATTERS RELATING THERETO; ADOPTING IT AS IF AN EMERGENCY NOW EXISTS; AND PROVIDING THE EFFECTIVE DATE HEREOF,” be approved, and adopted as if an emergency exists, and published in accordance with NRS 244.100.

**01-1131      MEDIUM TERM FINANCING - INTEGRATED FINANCIAL SYSTEM FOR SPECIAL ASSESSMENT 30 (ANTELOPE VALLEY ROAD) - VARIOUS WATER PROJECTS – FINANCE**

Katy Singlaub, County Manager, advised that discussion was held on this item at yesterday's caucus meeting.

Upon recommendation of John Sherman, Finance Director, on motion by Commissioner Bond, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Shaw ordered that the following letters from the Department of Taxation be recorded into the minutes:

- (a) A letter from the Department of Taxation dated September 11, 2001, approving the \$8.5 million in medium term financing; \$6.96 million for the Integrated Financial System and \$1.54 million for Special Assessment District No. 30 (Antelope Valley Road); and
- (b) A letter from the Department of Taxation dated October 8, 2001, approving the \$6.2 million in medium term financing for various water projects.

**01-1132      BILL NO. 1313 - ORDINANCE NO. 1135 - MEDIUM TERM FINANCING - GENERAL OBLIGATION (LIMITED TAX) BUILDING BONDS SERIES - 2001B**

On motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, Chairman Shaw ordered that Bill No. 1313, Ordinance No. 1135, entitled “AN ORDINANCE DESIGNATED BY THE SHORT TITLE “2001B MEDIUM TERM BOND ORDINANCE;” AUTHORIZING THE ISSUANCE OF AND SPECIFYING THE TERMS AND CONDITIONS OF THE REGISTERED, NEGOTIABLE, WASHOE COUNTY, NEVADA GENERAL OBLIGATION (LIMITED TAX) MEDIUM TERM BONDS, SERIES 2001B IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$7,910,000; SPECIFYING AND AUTHORIZING THE FINANCE DIRECTOR TO SPECIFY OTHER DETAILS CONCERNING THE BONDS; AND PROVIDING FOR ITS ADOPTION AS IF AN EMERGENCY EXISTS AND THE EFFECTIVE DATE HEREOF,” be approved, and adopted as if an emergency exists, and published in accordance with NRS 244.100.

**01-1133      INTERLOCAL AGREEMENT – WASHOE-STOREY CONSERVATION DISTRICT – WATERSHED PROTECTION PROGRAM – TRUCKEE RIVER TRIBUTARIES**

Upon recommendation of Jeanne Ruefer, Planning Manager, Water Resources, through Steve Bradhurst, Director, Water Resources, on motion by Commissioner Sferrazza, seconded by Commissioner Short, which motion duly carried, it was ordered that the following actions be taken:

- 1. Funding for the Watershed Protection Program for Truckee River Tributaries in the not-to-exceed amount of \$155,655.00 be approved; and
- 2. Chairman Shaw be authorized to execute an Interlocal Agreement between Washoe County and the Washoe-Storey Conservation District, in the not-to-exceed amount of \$68,000.

**01-1134      TRAILHEADS – WHITES CREEK CANYON AND THOMAS CREEK CANYON – PARKS DEPARTMENT**

Karen Mullen, Director, Department of Parks and Recreation, discussed Alternative B of the Environmental Assessment (EA), the Carson Ranger District's pre

ferred alternative for trailheads in Whites and Thomas Creek Canyons, and advised that the Parks Commission also recommended Alternative B. She reviewed comments outlined in the agenda material that were commonly heard throughout the EA process and stated that the U. S. Forest Service has requested that the Board provide comments as part of their environmental analysis. Ms. Mullen advised that the property owners have placed a gate on Thomas Creek Canyon Road to protect their area, and some discussion has been held over whether that is a public road. She noted that in March of 1999, the Board declared that that road would be considered a public road pursuant to State law. She then advised that Alternative B proposes that one trailhead be constructed at the mouth of Thomas Creek Canyon and another be constructed approximately 0.8 miles up Whites Creek Canyon; that Thomas Creek Road would remain open to motorized use, and Whites Creek Road would be gated at the trailhead; that this alternative would improve access for the entire public and provide a central parking area in Thomas Creek canyon; and that it would not eliminate consideration of a trailhead at the top of Thomas Creek Canyon in the future. Ms. Mullen stated that approximately seven miles of trail would be constructed to connect the existing trail system to the trailheads and link the two canyons.

Jack Holmes, Engineering Division, responded to questions of the Board and said Thomas Creek Road has clearly been established as a public access. Mr. Holmes and Ms. Mullen responded to further questions of the Board.

Commissioner Galloway stated he does not have a problem endorsing the proposed locations for parking and trailheads and would encourage signage relative to parking areas. He said he does not believe anyone has the right to close a public road and has a problem endorsing a closure that keeps people from driving on the roads. He stated it would be more appropriate for the Forest Service to consider building a fence to keep people on the roads.

Upon inquiry of Commissioner Short, Legal Counsel Shipman advised that the term "public access" utilized in a particular NRS chapter does not necessarily convey that a road is available for all vehicle types, but only conveys that a road is a passageway for the public. She further advised that the Board adopted the public roads map in 1999 as a presumption, pursuant to a process set forth in State law, and public road issues are subject to adjudication. She stated that the property owners have indicated they are not likely to give way relative to the gate they put up on Thomas Creek Road, and that matter may have to come back to the Board for authorization to seek a quiet title action to adjudicate the status of the road. Commissioner Galloway stated that, until the Court says that road can be closed, he would not endorse doing so.

Commissioner Sferrazza noted that a letter was received in support of Alternative D. Ms. Mullen advised that the costs to improve the upper trailhead proposed in Alternative D would not be feasible at this time; but that a blend of Alternatives B and D has been discussed.

Chairman Shaw called on anyone wishing to speak on this item.

Dr. John Snatic, Whites Creek Canyon resident, addressed issues of concern relative to fire safety, patrolling of the area, costs relating to having two trailheads, and that the Nevada Division of Forestry (NDF) and the Sheriff's Office have not been consulted on the EA. He requested that the Board table any action on the project until public comment has been received from NDF and the Washoe County Sheriff's Office. Dr. Snatic stated that Alternative C is the only plan that does not increase the risk of wild-fire and is also less costly. He said that money would be better spent on fuels reduction in both canyons and in the Mt. Rose Corridor. He then responded to questions of the Board and advised that the increase in fire danger would be due to the increased traffic in the area, which would result in an increase of teenage parties and illegal campfires. He stated that several residents are opposed to developing a trailhead in Whites Creek Canyon because it is very remote.

Dr. Mary Lahren, Whites Creek Canyon resident, conducted a PowerPoint presentation and reviewed fire hazard problems in the Whites Creek Canyon area. She stated that all of the alternatives except Alternative C increase the wildfire risk and place residents in danger of loss of life; that two trailheads one mile apart will impose a huge cost to the taxpayers; and that Alternative C will save over 40% in taxpayer dollars. She asked that the Board reconsider the information presented in the Forest Service EA.

Brian Lahren, Whites Creek Canyon resident, stated that a park is a good use for Whites Creek and is a great place for trailheads, but he does not think Alternative B is wise. He said that it is unreasonable to improve a road so that two-wheel drive vehicles can get into a parking lot placed in the middle of a dense and fragile forest area; and that this would increase teenage parties and drinking and illegal campfires. He believes that Alternative C is the best alternative and there should be a better public input process than what has occurred.

Ms. Mullen said that improvement to the road will provide a better access for emergency vehicles; that Alternative C does not provide a parking area and, as the area develops, they believe there will be complaints about people parking along the roadways; and that she believes two trailheads are needed. Commissioner Galloway commented that with the two proposed trailheads there would be four access points to the area for a population of 340,000. Ms. Mullen noted that the population projection for the next 15-20 years is 500,000.

Robert Cameron, Chair of the Southwest Truckee Meadows CAB, said enforcement is the main issue and, if nothing is going to be closed off, enforcement will be even more necessary. He advised that the property owners he has talked with have said they will fight hard to do away with the parking that occurs along Timberline Road; that he is annoyed that people are rolling boulders on the road to block access because

that stops the first strike force for fire fighting; and that he has never seen teenagers partying in Whites Creek because the road is too difficult to drive on, but a lot of partying is going on at Thomas Creek.

Dennis Ghiglieri, Toiyabe Chapter, Sierra Club, advised they fully support Alternative B. They also support leaving Thomas Creek Road open and believe another trailhead, however small, needs to be established at the end of the public road, as it would serve as a major access for people who want to hike in the wilderness. They support improving the road to the point where it can be driven by ordinary vehicles without necessarily making it two lanes, as that will provide better security for visitors because patrols will occur more often; that every effort should be made to end illegal campfires and anyone found building illegal fires should be fined; and that the trail linkages proposed in Alternative B would provide the best opportunity for people to enjoy the area.

Rose Strickland, County resident, urged support of Alternative B, but requested that a small trailhead be constructed at the top of Timberline Road to solve the problem of people who want to hike in the wilderness; that a trail be constructed all the way up Thomas Creek; that better enforcement is needed; and that the Forest Service be urged to do some fuels reduction.

Chairman Shaw read statements from Pierre Mousset-Jones, Friends of Mt. Rose, indicating his choice for Alternative B with some modifications and from Andrew Ramelli, Logan Meadows resident, expressing his concerns about who will maintain the road in the Logan Meadows area.

Commissioner Galloway noted that a petition containing approximately 480 signatures was submitted stating that the public roads should not be closed to vehicles. He then suggested that basic support be given to Alternative B, but without the road closures due to public interest in open roads and the legal issues; that fuel abatement be done for a reasonable distance from the road and trailhead in Whites Creek Canyon; and that the Forest Service consider the possibility of constructing an upper trailhead in Thomas Creek Canyon. He said he is relying on the fact that, although the road stays open, it gets very steep and it is hard for anyone without a four-wheel drive to go further up. Commissioner Sferrazza suggested that fuel reduction also be done for the homes in the area. Commissioner Galloway stated that additional patrol needs to be arranged in cooperation with the Washoe County Sheriff; and that he favors acquisition of inholdings or other arrangements to keep the roads open.

Commissioner Short said he would support Alternative B on Thomas Creek with the option of putting in another trailhead, but cannot support Alternative B on Whites Creek without seeing the area. He stated he would hope there is a way to make that area safer. Chairman Shaw commented that he believes conditions have addressed the safety issues.

Upon recommendation of Stephanie Morelan, Parks Project Coordinator, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, with Commissioner Short voting "no" on the Whites Creek proposal only, Chairman Shaw ordered that the Carson Ranger District's preferred alternative (Alternative B) as the best location for trailheads in Whites and Thomas Creek Canyons be supported, with the following comments:

1. There be no road closures due to public interest in open roads and the legal issues.
2. Fuel abatement be done for a reasonable distance from the road and trailhead in Whites Creek Canyon and along the border of the homes in the area.
3. The Forest Service consider the possibility of an upper trailhead in Thomas Creek Canyon that should be as far up the road as practical depending on their ability to resolve the issues with the private property owners at south meadows.
4. Additional patrol be arranged in cooperation with the Washoe County Sheriff.
5. Acquisition of inholdings in the south meadow and Logan meadows or other arrangements to keep the roads open is supported.

**01-1135**

**ORDINANCE NO. 1136 - BILL NO. 1310 – HARDSHIP  
DETERMINATION PROCEDURE FOR PROPERTY INCLUDED  
WITHIN BOUNDARIES OF AN IMPROVEMENT DISTRICT**

**5:30 p.m.** This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on October 12, 2001, to consider second reading and adoption of Bill No. 1310. Proof was made that due and legal Notice had been given.

Chairman Shaw opened the public hearing by calling on anyone wishing to speak for or against adoption of said Ordinance. There being no response, the hearing was closed.

On motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, Chairman Shaw ordered that Ordinance No. 1136, Bill No. 1310, entitled, "AN ORDINANCE ESTABLISHING A PROCEDURE TO ALLOW A PERSON WHOSE PROPERTY WILL BE INCLUDED WITHIN THE BOUNDARIES OF AN IMPROVEMENT DISTRICT TO APPLY FOR A HARDSHIP DETERMINATION; PROVIDING THE DETAILS OF SUCH PROCEDURE TO BE FOLLOWED; RATIFYING ACTION HERETOFORE TAKEN NOT INCONSISTENT HEREWITH; AND PROVIDING OTHER MATTERS PROPERLY RELATED THERETO," be approved, adopted and published in accordance with NRS 244.100.

01-1136

**APPEAL – TENTATIVE SUBDIVISION MAP CASE NO. TM01-005  
– VERDI MEADOWS UTILITY COMPANY, INC. – K & R HOMES  
(CANYON RANCH ESTATES) APNS 038-030-01 AND 038-111-02 –  
COMMUNITY DEVELOPMENT**

**5:30 p.m.** This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on October 12, 2001, to consider an appeal filed by Verdi Meadows Utility Company, Inc. to add a condition regarding water and sewer service providers to Tentative Subdivision Map Case No. TM01-005 (Canyon Ranch Estates) as approved by the Planning Commission. The original request is to develop a 159-lot single-family subdivision on two parcels, with common open space as authorized in Article 608, Tentative Subdivision Maps, and Article 408, Common Open Space Development, of the Washoe County Development Code. Lot sizes are proposed to range in size from 18,000 to 38,681 square feet. The project site is located off Old Highway 40, approximately .5 mile east of Bridge Street and north of the Truckee River. The two subject parcels, totaling ±208.30 acres, are designated Low Density Suburban (LDS), Medium Density Suburban (MDS), Parks & Recreation (PR), General Rural (GR), and Open Space (OS) in the Verdi Area Plan, and are situated in a portion of Sections 8 & 9, T19N, R18E, MDM, Washoe County, Nevada. The property is located in the Verdi Township Citizen Advisory Board boundary and Washoe County Commission District No. 5.

Chairman Shaw opened the public hearing.

Sandra Dutton, Planner, Department of Community Development, advised that the appeal filed by Verdi Meadows Utility Company (VMUC) is to add a condition that VMUC is proposed to be the water and sewer service provider for the Canyon Ranch Estates, which subdivision was approved by the Planning Commission on September 4, 2001. In response to questions asked at yesterday's caucus meeting, she presented a map on the overhead and reviewed issues concerning proposed City of Reno annexations in the Verdi area. Ms. Dutton then discussed issues relating to the appeal, advising that during the staff review, it became apparent there was a question as to who the service provider for the project would be. She stated that, after lengthy discussions with the District Attorney's Office, Utility Services Division, and Verdi Meadows Utility Company, conditions were drafted to address all water and sewer requirements for the subdivision. Some of the issues addressed at that time by the Utility Services Division concerned whether VMUC had the capability to achieve the increase in physical capacity for their sewer plant and could meet the Public Utility Commission's (PUC) approval to expand their service area, etc. The Utility Services Division also noted that the Canyon Ranch property is not within the existing water and sewer service area boundaries for VMUC. Ms. Dutton advised that it is standard practice for the Utility Services Division to state that, at the time of tentative map submittal, conditions would be attached requiring the construction and dedication of facilities needed to serve the project; and that this has been a consistent practice under the Development Code and County policies established in 1984. She advised that staff's recommendation is to uphold the Planning Commission's original conditions as approved and deny the appeal. She noted that the issue of who is to serve the proposed subdivision for water and sewer was discussed at great length during

the Planning Commission meeting and it was determined that the conditions listed were appropriate; and that, if the PUC allowed VMUC to be the service provider, they could submit an amendment to the conditions.

Paul Orphan, Utility Division, responded to questions of the Board and advised that VMUC has petitioned to annex the property. He stated that Washoe County will file for intervention and provide data to the PUC, which is standard practice.

Michael DeMartini, President, Meridian Co./American Environmental Resources, Inc. who operates Verdi Meadows Utility Company, advised that Reno Park Water Company service areas and other areas in the County have been expanded to provide private utility service through the Public Utilities Commission since the 1984 policies were established. He stated that VMUC has asked the PUC to expand their service territory to cover the properties adjacent to Verdi Meadows. He noted that Washoe County service territories are listed in County ordinances; and that they have not been able to find any evidence that the Utility Division has ever annexed anything in the Verdi area into their service territory. Mr. DeMartini said that VMUC has infrastructure going through the Canyon Ranch property and wells and sewer lines are located on the site; and that they have expanded the sewer plant and have made application to the Nevada Department of Environmental Protection to further expand the wastewater treatment plant with sufficient capacity to cover the entire subdivision property as well as additional properties in Verdi. He stated that, as they are listed to be the service provider by the applicant on the map and in the documents signed by the property owner, their request is for a condition noting that Verdi Meadows was proposed to be the water and sewer provider and would be allowed to provide service to the property if the PUC allows them to do so. He said they would then not need to come back to the County and amend any conditions. Upon inquiry, Mr. DeMartini advised that the PUC hearing on this matter is scheduled for December 13 and 14.

Tim Holt, Meridian Co./American Environmental Resources, provided additional information and stated that they believe the process with the PUC will be timely.

Steve Downing, Truckee, California resident, advised he is developing River Pines Subdivision, which is adjacent to Canyon Ranch Estates. He stated that his choices for water and sewer are either (1) the County's plan that requires them to build a sewer plant and water plant and give it to the County, which is too expensive, (1) the Verdi Meadows Utility Company, or (3) the City of Reno depending on what happens with annexation. He advised he has already been approved for septic tanks and that would be his only logical option if VMUC is shut out.

Bill Thomas, Summit Engineering Corporation, representing K & R Homes, said they are looking for the most efficient, cost effective, and expeditious source of sewer and water and asked for VMUC because their facilities cross the property and their sewer plant is adjacent to the property. He advised that they were comfortable that the service provider issue would be dealt with through the PUC; and that, although they

do not support the subdivision being delayed to get the issue clarified, they would prefer the VMUC be given the opportunity to provide the service.

Commissioner Galloway commented that the Code language talks about everything being dedicated to the County, but he questions whether it was intended to apply to areas where the County did not have service. He pointed out other language in the Code that seemed contradictory and may allow the Board to let this utility company provide the service. He commented that, under the existing policy, the developer would be required to build facilities and give them to Washoe County who would then lease them to a private utility, which does not seem very efficient.

Madelyn Shipman, Legal Counsel, stated that there may be some policies the Board would want to revisit, but explained that in the early 1980's the County made a decision, which is reflected throughout the comprehensive plan, to not allow the proliferation or expansion of small utility companies; and that the County would approach the PUC any time that is suggested. She said the County's purpose for the policy was to consolidate all of the water management and supply. She commented that staff understands there have been some exceptions such as with Reno Park Water Company in Cold Springs; and that the Code language allows for some interpretation, but she would urge that caution be exercised about switching a long-standing policy such as this without more study of the issues.

There being no one else wishing to speak, Chairman Shaw closed the public hearing.

Commissioner Short said he would not want to delay the developer's progress. Commissioner Sferrazza said the Board might consider upholding the appeal on condition the VMUC is approved by the PUC. Legal Counsel Shipman stated that VMUC does not currently have any authority to serve, and if the PUC approves them as the provider, the amendment process would be fairly simple. She expressed concern that, if the Board upholds the appeal, it would set a precedent for future development projects. Upon inquiry of Commissioner Bond, Ms. Dutton advised that the amendment process would take two to four weeks.

Following further discussion, on motion by Commissioner Sferrazza, seconded by Commissioner Short, which motion duly carried, Chairman Shaw ordered that the Planning Commission's approval of Tentative Subdivision Map Case No. TM01-005 (Canyon Ranch Estates) with the original conditions be upheld and the appeal be denied. It was further ordered that, if the Public Utility Commission approves the Verdi Meadows Utility Company as the water and sewer service provider for Canyon Ranch Estates, staff be directed to expedite the amendment process.

**2001 REGIONAL PLAN UPDATE**

Due to the lateness of the hour, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, Chairman Shaw ordered that this item be continued.

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There being no further business to come before the Board, the meeting adjourned at 10:45 p.m.

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**JAMES M. SHAW**, Chairman  
Washoe County Commission

**ATTEST:**    **AMY HARVEY**, County Clerk

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