

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

TUESDAY

2:00 P.M.

JUNE 11, 2002

PRESENT:

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

**Amy Harvey, County Clerk**  
**Nancy Parent, Chief Deputy Clerk**  
**Katy Singlaub, County Manager**  
**Madelyn Shipman, Legal Counsel**

The Board met in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. Following the Pledge of Allegiance to the flag of our Country, the Clerk called the roll and the Board conducted the following business. Vice Chairman Bond presided over the meeting until Chairman Sferrazza arrived.

**PUBLIC COMMENTS**

Roberta Monroe, Manager, Heart of Reno Wedding Chapel, expressed her appreciation for the County Clerk's Office allowing wedding chapels to display their brochures in the Courthouse, giving people a choice of places to get married.

**\*2:09 p.m. Commissioner Galloway arrived at the meeting.**

Dorothy Snelling, Owner, Heart of Reno Wedding Chapel, supported the local wedding chapel brochure display, which has been in the Courthouse for the past 20 years. Ms. Snelling noted that County employees are not allowed to make recommendations to marriage license applicants as to where they should get married and read NRS 122.215. She commended Amy Harvey, County Clerk, on selecting and training the County's personnel that issues marriage licenses and stated that the employee's are courteous to customers. She appreciates that Mrs. Harvey holds bi-annual meetings to which she invites the wedding chapels to participate. She feels Mrs. Harvey has made a positive influence on the wedding chapel industry and is fair and impartial.

Margaret Flint, Owner/Operator, Chapel of the Bells, considered Mr. Waugh's comments to the Board of County Commissioners on May 28 to be personally and professionally offensive, as well as slanderous. She feels the Commission was misinformed by Mr. Waugh's accusations. There are State statutes, as well as County

and City ordinances, governing and prohibiting solicitation by Deputy Marriage Clerks and commercial wedding chapels. She indicated that a meeting held last November by Mrs. Harvey addressed the issue of the wedding chapel brochure rack. Mr. Waugh and his mother were the only participants at that meeting to express displeasure with the brochure rack. The brochure rack provides choices for clients as well as protects the Clerks from being legally liable. Ms. Flint expressed that she is not guilty of bait and switch tactics. Her clients receive exactly what is offered and often times more at no additional cost. Nothing is preventing Mr. Waugh from adding his brochure to the display rack.

John Ketner, representing White Lace and Promises Wedding Chapel, spoke in agreement with the previous comments. He also indicated the brochure rack is an asset to the chapels, the Commissioner of Civil Marriages, and visitors to Reno, giving choices as to a couple's budget and marriage location. He supports the brochure rack and Amy Harvey's due diligence.

**\*2:18 p.m. Chairman Sferrazza arrived at the meeting and assumed the gavel.**

### **MANAGER'S/COMMISSIONERS' COMMENTS**

Commissioner Galloway requested a Countywide review of businesses displaying their materials in County buildings. He clarified that this request was not specifically related to the wedding chapel brochure rack. Katy Singlaub, Washoe County Manager, indicated the analysis of all the statutes and Washoe County Code has been drafted and the draft is in review.

Commissioner Bond advised that the Sun Valley Sertoma organization would like to hold a series of flea markets as fundraising events for services they provide to the citizens of Sun Valley. The County's new Code makes it very expensive to get a license, and the organization was told they would have to limit participation to 300 people even though the flea market was being held outside in a public parking lot in front of Scolari's, and there would be no way to control the attendance. Ms. Singlaub directed staff to look into the issue.

Commissioner Bond indicated there is a local business that took advantage of an 85-year-old man and the information has been forwarded to the District Attorney's office for follow-up.

### **PUBLIC COMMENTS**

Steven Walther, area resident, questioned whether the Southwest Truckee Meadows Area Plan would include a road system that the County has not adopted, even though the City may have done so. He also indicated he was not aware Ridgeview was ever formally proposed to be extended, although the map shows Ridgeview as a collector road to McCarran. Mr. Walther's request is that Ridgeview not be on the map, as it is not part of the County's Plan.

**02-564**      **AGENDA**

In accordance with the Open Meeting Law, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that the agenda for the June 11, 2002, meeting be approved with the following amendments: Delete – Item 6D concerning deducting \$32,474 from the contract with American General Development for the construction of the Civil Protective Custody Expansion Project at the County Jail. Delete – Item 6L(1) concerning execution of an Agreement between Washoe County and Reno/Sparks/Washoe County Skyfire, Inc. for the July 4, 2002 celebration to be held at Rancho San Rafael Regional Park.

**MINUTES**

On motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that the minutes of the Joint Meeting of April 16, 2002 and the regular Board of County Commissioners' meeting of April 16, 2002 be approved.

**02-565**      **TRANSFER OF APPROPRIATIONS – RENO JUSTICE COURT – FINANCE**

Upon recommendation of Ron Steele, Fiscal Analyst II, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that the following transfer of appropriations from the Finance Administration budget to the Reno Justice Court budget be approved, and the Comptroller be directed to make the following adjustments:

<b>Account</b>	<b>Description</b>	<b>Decrease</b>	<b>Increase</b>
1031—7105	Finance	\$3,000.00	
1253—7103	RJC Prof. Services		\$3,000.00

It was noted that the transfer of appropriations would allow for computer programming needs.

**02-566**      **REAPPOINTMENT – GERLACH-EMPIRE CITIZEN ADVISORY BOARD**

On motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that Faith Keller, Donald Lawson and Donna Potter, at-large representatives, and Michael Stewart, Area Business representative, be reappointed to the Gerlach-Empire Citizen Advisory Board with terms to expire June 30, 2004.

**02-567            REAPPOINTMENT—NORTH VALLEYS CITIZEN ADVISORY BOARD**

On motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that Sarah Chvilicek, June Feero, Jeannie Fow and Joann Holbrook, at-large representatives, be reappointed to the North Valleys Citizen Advisory Board with terms to expire June 30, 2004.

**02-568            REAPPOINTMENT—VERDI TOWNSHIP CITIZEN ADVISORY BOARD**

On motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that Lynne Burke and Rose “Tootsie” Meyers, at-large representatives, be reappointed to the Verdi Township Citizen Advisory Board with terms to expire June 30, 2004.

**02-569            ACCEPTANCE OF DONATION - NORTHERN NEVADA DUI TASK FORCE - SHERIFF**

Upon recommendation of Dennis Balaam, Sheriff, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that a donation of \$2,500 from the Northern Nevada DUI Task Force to pay for overtime incurred in saturation DUI enforcement be accepted with the Board’s gratitude.

It was further ordered that the following budget adjustments be authorized:

INCREASE REVENUES	
15236D-5802	\$2,500.00
INCREASE EXPENDITURES	
15236D-7003	\$2,500.00

**02-570            ACCEPTANCE OF DONATION - RICHARD G. HILL, ESQ. – ANIMAL CONTROL SERVICES**

Upon recommendation of Tom Gadd, Director, General Services Department, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that a donation of \$246.31 on behalf of Richard G. Hill, Esq., from the Law Offices of Skinner, Sutton, Watson & Rounds be accepted with the Board’s gratitude. This will result in a revenue increase of \$246.31 to Washoe County Animal Control (1561-5801).

**02-571**            **ACCEPTANCE OF GRANT – OFFICE OF TRAFFIC SAFETY – SHERIFF**

Upon recommendation of Dennis Balaam, Sheriff, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that an additional \$3,400 in grant monies from the Office of Traffic Safety (OTS) be accepted with gratitude and the following revenue and expenditure budget adjustments be authorized:

INCREASE REVENUES	
15274G/4301	\$3,400.00
INCREASE EXPENDITURES	
15274G/7236	\$3,400.00

It was noted that these funds will be utilized to cover the cost of an interface between Electronic Citation system that has been developed and the computer data files of the Sparks Justice Court. These funds are in addition to the original \$92,400 that was accepted by the Board on May 14, 2002, for the PDA (Personal Data Assistant) project. This interface will allow for the electronic transfer of citations issued from a PDA to be transmitted directly into the Sparks Justice Court’s electronic data files.

**02-572**            **ACCEPTANCE OF GRANT – OPENING DAY COLLECTION – SOUTH VALLEYS LIBRARY – STATE OF NEVADA**

Upon recommendation of Nancy Cummings, Director, Washoe County Library, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that a total of \$50,000 in grant monies from the State of Nevada, to be used to purchase library materials, be accepted with gratitude. This will increase revenue account 132181G-4301 and expenditure account 132181G-7214. The Library Services and Technology grant is money allocated by the Legislature to enhance Library collections in public libraries statewide. The Library will use these funds to purchase materials for the Opening Day Collection for the South Valleys branch.

**02-573**            **ACCEPTANCE OF GRANT – STATE OF NEVADA – MANAGING DIVERSITY IN LIBRARIES**

Upon recommendation of Nancy Cummings, Director, Washoe County Library, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that a total of \$2,700 in grant monies from the State of Nevada, to be used for Diversity Training for Library employees, be accepted with gratitude. This will increase revenue account 132180G-4301 and expenditure account 132180G-7383.

02-574

**ACCEPTANCE OF GRANTS – NEVADA LAW FOUNDATION,  
HUMAN SERVICES CONSORTIUM, AND REGIONAL  
TRANSPORTATION COMMISSION – SENIOR SERVICES**

Upon recommendation of Karen Mabry, Director, Senior Services, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that a total of \$53,213 in grant monies from the Nevada Law Foundation, the Human Services Consortium and the Regional Transportation Commission be accepted with gratitude. The Nevada Law Foundation \$20,000 grant (with no County match) for two years (\$10,000 per year with second year funding contingent upon first year performance) will be used to represent clients facing eviction and homebound clients whose incomes are below 125% poverty level. The Human Services Consortium \$25,213 grant (with no County match) will be applied to the Case Management, Legal and/or Adult Daycare Programs. The Regional Transportation Commission \$8,000 grant (with no County match) will be applied to the Gerlach Senior Transportation Program. It was further ordered establishment of the following revenue and expenditure accounts be authorized:

	REVENUES	
Nevada Law Foundation	\$10,000 (FY02)	25041D4-5802
	\$10,000 (FY03)	25041D4-5802
Human Services Consortium	\$25,213	2501G81-43016
Gerlach RTC	\$ 8,000	25051G02-434820
	EXPENDITURES	
Nevada Law Foundation	\$10,000 (FY02)	25041D4-7001
	\$10,000 (FY03)	25041D4-5802
Human Services Consortium	\$25,213	2501G81-7001
Gerlach RTC	\$ 8,000	25051G02-7394

02-575

**ACCEPTANCE OF GRANT – CENTERS FOR DISEASE  
CONTROL & PREVENTION (CDC) – HEALTH**

Upon recommendation of Barbara Hunt, District Health Officer, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that a total of \$52,145 (with no County match), to be used for cost recovery of anthrax expenses for Nevada’s Anthrax response, be accepted with gratitude. It was further ordered that the following amendments to the District Health Department FY 2001/2002 Budget be authorized:

Account Number		Description	Amount of Increase
002-1700-1748-1728-1728G4	4301	<b>Federal Funds</b>	<b>\$52,145</b>
002-1700-1748-1728-1728G4	7001	Base Salaries	\$49,757
	7140	Other Prof. Services	\$ 64
	7240	Laboratory	\$ 250
	7247	Medical Supplies	\$ 34
	7250	Office Supplies	\$ 18

	7271	Small Tools	\$ 108
	7272	Special Clothing	\$ 243
	7357	Printing	\$ 35
	7382	Telephone	\$ 18
	7620	Travel	\$ 1,618
		<b>Total Expenditures</b>	<b>\$52,145</b>

**02-576            PURCHASE ORDER – AGREEMENT – DISTRICT HEALTH DEPARTMENT – PLANNED PARENTHOOD MAR MONTE**

Upon recommendation of Barbara Hunt, District Health Officer, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that the Purchase Order (#TBA) for Planned Parenthood Mar Monte in an amount not to exceed \$30,000 be approved. This contract will provide for services to 120 eligible clients of the Temporary Assistance for Needy Families Program for expanding birth control services to qualified recipients. The contract period is from May 1, 2002 through June 30, 2003. It was noted the Washoe Board of County Commissioners must approve all purchase requisitions over \$25,000.

**02-577            AWARD OF INJOINDER BID – AUTOMOTIVE AND MOTORIZED EQUIPMENT FILTERS – BID NO. ITB-2333-02/RW – EQUIPMENT SERVICES**

This was the time to consider award of bid. The Notice to Bidders for receipt of sealed bids was published in the *Reno Gazette-Journal* on May 1, 2002, for Automotive and Motorized Equipment Filters for the Equipment Services Division of the General Services Department in joinder with the City of Reno. Proof was made that due and legal Notice had been given.

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

- |   |  |
|---|--|
| Auto Diesel Electric                    | Fleet Supply & Lubrication Equipment   |
| Cashman Equipment Co.                   | Intermountain Supply   |
| Napa Auto & Truck/<br>Finley Industries | Komatsu Equipment Co.<br>Truck Parts & Equipment Co.<br>Williams Detroit Diesel--Allison |

It was noted that the bid from Ferrous Supply was disqualified as it was not signed. Empire Equipment submitted a “No Bid” response.

Upon recommendation of John Balentine, Purchasing and Contract Administrator, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that Bid No. ITB-2333-02/RW for Automotive and Motorized Equipment Filters for the Equipment Services Division of

the General Services Department, in joinder with the City of Reno, be awarded to the lowest responsive bidders as follows:

<u>Primary Supplier:</u>	<u>Bid Item #</u>
Auto Diesel Electric/Plaza Auto Parts Payment terms: Net 30 days	All Items

This award shall be for Fram brand filters. Discounts for Washoe County in joinder with the City of Reno shall be applied at 49.04 percent off Jobber price list, using price sheets dated August 27, 2001, Price List # F1025B.

<u>Secondary Supplier:</u>	<u>Bid Item #</u>
Intermountain Supply Payment terms: 2%-30 days	All Items

This award shall be for Baldwin brand filters. Discounts for Washoe County in joinder with the City of Reno shall be applied at 48 percent off Distributor price sheet, using price sheets dated September 30, 2001, Price List # B100. The secondary supplier will only be utilized when the primary supplier is unable to deliver the filters when needed.

It was further ordered that discounts, prices and exceptions as stated in the Bid document shall be honored and adhered to until March 31, 2004, with a provision for two, one year extensions of any resultant agreement from the Invitation to Bid.

It was noted that the expenditures for automotive and motorized equipment filters is approximately \$25,000 per year for Washoe County; and that having a primary supplier and a secondary supplier provides the County with the flexibility to utilize a contracted second supplier when the primary supplier is out of stock, saves the County downtime, and insures a quality product to the County and participating joinder agencies at a guaranteed price.

**02-578      AWARD OF INJOINDER BID – CAN LINERS – BID NO. ITB-2335-02 – PURCHASING**

This was the time to consider an award of bid. The Notice to Bidders for receipt of sealed bids was published in the *Reno Gazette-Journal* on April 3, 2002, for Can Liners for Washoe County and participating joinder agencies. Joinder agencies include Douglas County School District, City of Reno, City of Sparks, Douglas County Purchasing, Washoe County School District, Reno Housing Authority, Churchill County School District and Reno Sparks Convention & Visitors Authority. Proof was made that due and legal Notice had been given.

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

All American Poly	UniPak Corp.
Central Poly Corp.	Wardley Industrial Inc.
Interboro Packaging Corp.	Xpedx

A-1 Chemical, W.W. Grainger and Wausau Tile Inc. submitted "No Bid" responses. Easterday Janitorial Supply submitted a late bid. Caltex Plastics was disqualified because they failed to submit samples with their bid.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that Bid No. ITB-2335-02 for Can Liners for Washoe County and other participating joinder agencies be awarded to the lowest, responsive and responsible bidders meeting specifications, terms and conditions, as follows:

BIDDER

BID ITEMS

All American Poly

**13A** High Density 15 gal. and **14A** High Density, 33 gal.

Central Poly Corp.

**1A, B & C** 7-10 gal.; **3A, B & C**, 32-40 gal., 1.8 mil. and **6B** 55 gal., 3.0 mil.

Interboro

**2B** 32-40 gal., 1.7 mil.; **4A & C**, 20 gal.; **7A & B** 55 gal., 1.7 mil.; **8B** 45 gal., 2.0 mil.; **10** 55 gal., 2.0 mil.; **11B** 45 gal., 1.7 mil.; **12A** 56 gal., and **15A** High Density 44 gal.

Unipak Corp.

**9A** 55 gal., 2.7 mil.

Wardley Industrial Inc.

**5A** 45 gal., 1.7 mil.

It was further ordered that the following bid items be rejected: **2A**, single shipment not required, and **4B, 6A & 8A**, virgin product is a higher cost than the recycled product, which has been approved and has a 10% to 50% recycled materials content. The Reno Sparks Convention & Visitor's Authority did not require bid item **11A** the virgin product as the recycled "B" item was acceptable. Bid items **13B, 14B and 15B**, the recycled liners, are not required as the "A" (virgin) items were chosen by the Reno Housing Authority.

It was noted this is a requirements contract with an estimated annual value of \$36,700. Prices as stated in Washoe County Bid No. 2335-02 for Can Liners shall be honored and adhered to until June 30, 2003, with the County retaining an option to renew

the award for one additional year through June 30, 2004, provided pricing does not increase beyond that allowed in the terms of the Bid.

**02-579            RANCHO SAN RAFAEL IMPLEMENTATION PLAN – PARKS**

Upon recommendation of Karen Mullen, Director, Department of Parks and Recreation, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that the Rancho San Rafael Implementation Plan, including the organization structure changes for the Rancho San Rafael Regional Park, be accepted. It was noted the Rancho San Rafael Advisory Board on May 8, 2002 and the Washoe County Parks Commission on May 15, 2002 unanimously recommended the Plan for approval.

**02-580            REMODEL PLAN – MAY MUSEUM GIFT SHOP AND ENTRY AREA – PARKS**

Upon recommendation of Karen Mullen, Director, Department of Parks and Recreation, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that the remodel plan for the May Museum Gift Shop and Entry area be approved. The project will be fully funded by the May Foundation. The following remodel will occur: enhancements to the lobby area, eliminate old original entry and counter areas and provide additional gallery space, move and increase the size of the gift shop, create a storage area, and eliminate wasted space.

**02-581            PROFESSIONAL SERVICES CONTRACTS – RECORDING SECRETARIAL SERVICES – CITIZEN ADVISORY BOARDS – COMMUNITY DEVELOPMENT**

Upon recommendation of Leslie Roylance, CAB Program Coordinator, Community Development, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, it was ordered that two contracts totaling \$59,040 for recording secretarial services for the Washoe County Citizen Advisory Boards (CAB) fiscal year 2002-03 be approved and Chairman Sferrazza be authorized to execute the Contracts.

**02-582            ARCHITECTURAL AGREEMENT – HMC ARCHITECTS – HIGH SECURITY HOUSING UNIT REMODEL – SHERIFF/PUBLIC WORKS**

Upon recommendation of Don Jeppson, Public Works Project Coordinator, through David Roundtree, Public Works Director, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the Architectural Agreement between Washoe County and HMC Architects for the Sheriff's Department High Security Housing Unit Remodel in the



on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, it was ordered that two Deeds for the ArrowCreek Booster Pump Number 1 Site from Southwest Pointe Associates and for the ArrowCreek Booster Pump Number 2 Site, Tank Number 2, and Well Number 3 Site from the Redfield Trust be accepted and Chairman Sferrazza be authorized to execute the Deeds.

**02-587            WATER RIGHTS DEED – WATER SALE AGREEMENT – TRUCKEE MEADOWS WATER AUTHORITY – WATER RESOURCES**

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

1.        The Water Rights Deed for 8.50 acre-feet of surface water rights from a portion of Claim 638, abrogated by Permit 53093, between the Truckee Meadows Water Authority and Washoe County be approved and Chairman Sferrazza be authorized to execute the Water Rights Deed.
  
2.        The Water Sale Agreement for 6.68 acre-feet of surface water rights between the Truckee Meadows Water Authority and Washoe County be approved and Chairman Sferrazza be authorized to execute the Water Sale Agreement.
  
3.        The Utility Services Division Manager be directed to record the Water Rights Deed and Water Sale Agreement with the Washoe County Recorder.

**02-588            CORRECTION OF FACTUAL/CLERICAL ERRORS ON TAX ROLLS – ASSESSOR**

Upon recommendation of Jean Tacchino, Assistant Chief Deputy Assessor, Real Property, on motion by Commissioner Galloway, seconded by Commissioner Shaw, 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 stated thereon and mailed to the affected property owners, a copy of which has been placed on file with the Clerk. It was further ordered that the Order on each roll change directing the Treasurer to correct the error be approved, and Chairman Sferrazza be authorized to execute the Order on behalf of the Commission.

<b>PROPERTY OWNER</b>	<b>ID/APN#</b>	<b>AMOUNT</b>	<b>ROLL</b>
Transitional Housing Corp.	004-151-34	Not available	2002/03 Secured
City of Reno Housing Authority	004-292-18	Not available	2002/03 Secured

Jeanine D. Barnes	019-092-19	[-\$ 89.96]	2001 Supplemental (improvements only)
William B. Povolny, et al.	042-330-12	[-\$ 459.17]	2001 Secured
Byron C. & Tina F. Slobe	050-417-08	Not available	2002 Secured
Leonard M. Lewis	085-640-23	[-\$ 88.45]	2001 Supplemental (improvements only)
William J. & Nicole M. Sweet	204-390-14	[-\$ 16.27]	2001 Secured
Nicholas C. & Marianne W. Anthony	204-390-27	[-\$ 15.12]	2001 Secured
Frank J. & Donna M. Kenedy, Tr.	214-211-02	[-\$ 157.21]	2000 Secured
Frank J. & Donna M. Kenedy, Tr.	214-211-02	[-\$ 160.34]	2001 Secured
Dennis B. O'Neil Sr., Tr.	216-040-12	[-\$ 168.85]	2000 Secured
Dennis B. O'Neil Sr., Tr.	216-040-12	[-\$ 172.24]	2001 Secured
Brian K. & Jennifer L. Farrow	516-121-01	Not available	2002 Secured
Richard & Ilene Maher	522-531-14	Not available	2002 Secured
Steven M. Althoff, et al.	522-531-15	Not available	2002 Secured
Brian & Dawn Nelson	522-531-16	Not available	2002 Secured
John & Betty De Rico	522-532-01	Not available	2002 Secured
John V. O'Mahoney, et al.	522-535-02	Not available	2002 Secured
Dennis S. McGiboney	522-532-04	Not available	2002 Secured
John & Doris Thacker	522-532-05	Not available	2002 Secured
Robert & Patricia Rayppy	522-532-06	Not available	2002 Secured
Kristina & Jesse Huggins	522-532-08	Not available	2002 Secured
Vincent & Jennifer Goetz	522-532-09	Not available	2002 Secured
James & Cherie Hand	522-532-10	Not available	2002 Secured
Ernest & Juanita Givani	522-532-16	Not available	2002 Secured
Richard & Karen Sinko	522-532-17	Not available	2002 Secured
Jack & Dorothy Peters	522-532-18	Not available	2002 Secured
Dean & Herlina Snider	522-532-20	Not available	2002 Secured
Robert & Julita Moyle	522-532-21	Not available	2002 Secured
Richard & Nanci Vietti	522-534-09	Not available	2002 Secured
Charles & Charlotte Wyatt	522-534-10	Not available	2002 Secured
William R. Stockwell, et al.	522-534-11	Not available	2002 Secured
Robert R. Derck	522-534-12	Not available	2002 Secured
Tommy & Vivian Maez	522-534-13	Not available	2002 Secured
Kevin Taggart, et al.	522-534-14	Not available	2002 Secured
Michael K. & Kimberly A. Miller	524-372-14	[-\$ 321.65]	2001 Supplemental (improvements only)

**02-589      EXPENDITURE – MEADOWOOD COURTYARD ROOM –  
SECOND JUDICIAL DISTRICT COURT**

Commissioner Shaw indicated he was not comfortable with the approval process for this expenditure, whereby the Court is requesting this be paid retroactively. Commissioner Galloway inquired as to whom would be responsible for payment of the

bill. Madelyn Shipman, Legal Counsel, advised that the County is responsible for the debt. John Sherman, Director of Finance, responded that it is up to the District Court as to whether or not the Court is willing to follow the County's purchasing rules. Commissioner Galloway noted that the Court has its own budget and this is a violation of past precedence.

Chairman Sferrazza indicated he feels this is a bad practice on the Court's part. Commissioner Galloway expressed his support of Commissioner Shaw and Chairman Sferrazza on the matter of principle. Commissioner Bond spoke of the dilemma concerning the innocent party that provided a facility without the knowledge they would get caught in a situation that would hold up payment. She recommended approving the payment, then considering an alternative re-payment method and clarifying with the Court the County's purchasing policy. In response to Commissioner Galloway, Mr. Sherman indicated he believes this expense is coming out of the District Court's services and supplies line item.

Upon recommendation of Ron Longtin, Court Administrator, Second Judicial District Court, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried with Chairman Sferrazza and Commissioner Shaw voting "no," it was ordered that the expenditure of funds in the estimated amount of \$1,614 retroactive to January 2002 for the purpose of renting meeting rooms to conduct training for staff of the Second Judicial District Court at the Meadowood Courtyard in Reno be approved. It was further ordered that staff be directed to solve this problem. Commissioner Short noted this is a bad situation, but the vendor should not suffer for this misunderstanding.

It was noted the estimated cost of the room is \$1,614 for up to eight days of training in January, February and March, and other training locations in the County were not available on specific dates of this training.

**02-590            RESOLUTION – AMENDED SOUTHWEST TRUCKEE  
MEADOWS AREA PLAN – COMPREHENSIVE PLAN  
AMENDMENT CASE NOS. CP01-004 AND CP02-001 –  
COMMUNITY DEVELOPMENT**

Catherine McCarthy, Senior Planner, Community Development, explained to the Board that the Street and Highway Map in this Resolution is essentially the map that currently exists in the Southwest Truckee Meadows Area Plan. The Land Use Map is the only map that changed in the Plan. In April 2002, the Board initiated an amendment to update all 12 area plan street and highway maps. The street and highway system maps are scheduled to be heard at a public hearing before the Planning Commission on June 18, 2002 and if approved, the maps will then come before the Board.

Ms. McCarthy explained there have been discussions with the Southwest Citizen Advisory Board (CAB) and the City of Reno staff concerning the proposed

Ridgeview extension. The proposed extension, which would connect at Manzanita Drive, is shown on adopted City Master Plans, and the area in question is within the City's planning jurisdiction.

Legal Counsel, Madelyn Shipman, emphasized that this item only changes the Land Use Plan for the Southwest area. The map attached to this Resolution does not update or change Ridgeview.

Katy Singlaub, County Manager, pointed out that Ridgeview does appear on the map in question and Ms. McCarthy advised this is the same map that has been in the plan for several years. The predicament staff is facing is that Ridgeview is an arterial, so it is beyond the County's jurisdiction, but it is in an adopted Master Plan within the existing sphere of influence of the City of Reno. The Board does have the authority to direct staff not to show Ridgeview on the County's map.

Ms. Shipman recommended removing the map from the Resolution so the street map would not be included in the Amended Southwest Truckee Meadows Area Plan. In response to Commissioner Galloway's question, she advised this could be accomplished without another public hearing because the Board would be approving less than what was requested, not more. Commissioner Galloway pointed out that removing the map from this Resolution does not permanently remove it, as it is included in a previous plan. Ms. Shipman advised that, by removing the map from this Resolution, the map currently on file is the approved map, and the current map on file cannot be removed on this agenda item.

Upon recommendation of Sharon Kvas, Planning Manager, on motion by Commissioner Short, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the following Resolution, removing the transportation plan map, be adopted, and Chairman Sferrazza be authorized to execute the same:

## **RESOLUTION**

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

**WHEREAS**, The Washoe County Planning Commission has found that the SOUTHWEST TRUCKEE MEADOWS AREA PLAN, a part of the Washoe County Comprehensive Plan, and the most recent amendment, provides a long-term general plan for the development of the County including the subject matter currently deemed appropriate for inclusion in the Comprehensive Plan;

**WHEREAS**, Section 278.220, Nevada Revised Statutes, specifies that the Board of County Commissioners of Washoe County, Nevada, may adopt and endorse

plans for Washoe County as reported by the Planning Commission, in order to conserve and promote the public health, safety and general welfare;

**WHEREAS**, A public hearing on the adoption of the Washoe County Comprehensive Plan, including the SOUTHWEST TRUCKEE MEADOWS AREA PLAN, was first held on May 21, 1991, with the most recent amendments to the SOUTHWEST TRUCKEE MEADOWS AREA PLAN being held on January 8, 2001 and March 12, 2002, by the Board of County Commissioners of Washoe County, Nevada;

**WHEREAS**, At the conclusion of the public hearings, the Board of County Commissioners endorsed the amendments (which included only the land use changes to the Land Use Plan map and Table 1, Planned Land Use) to the SOUTHWEST TRUCKEE MEADOWS AREA PLAN, a part of the Washoe County Comprehensive Plan, pursuant to Section 278.0282, Nevada Revised Statutes, for conformance review with the Truckee Meadows Regional Plan;

**WHEREAS**, A public hearing for the review of conformance of the Washoe County Comprehensive Plan, including the SOUTHWEST TRUCKEE MEADOWS AREA PLAN, was first held on October 23, 1991, with the most recent amendments to the SOUTHWEST TRUCKEE MEADOWS AREA PLAN being held for CP01-004 on February 27, 2002, by the Truckee Meadows Regional Planning Commission, and on March 14, 2002 and April 11, 2002, by the Truckee Meadows Regional Planning Governing Board; and for CP02-001 on May 8, 2002, by the Truckee Meadows Regional Planning Commission, at which times the plan was deemed in conformance with the Truckee Meadows Regional Plan; and

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

**RESOLVED**, By the Board of County Commissioners of Washoe County, Nevada, that the Board does hereby adopt and endorse the amended SOUTHWEST TRUCKEE MEADOWS AREA PLAN, a part of the Washoe County Comprehensive Plan, to serve as a guide for the orderly growth and development of Washoe County, Nevada.

\* \* \* \* \*

It was further ordered that staff be directed to present the option of deleting Ridgeview from County maps in future map updates.

Chairman Sferrazza questioned the relationship of the proposed Ridgeview extension to Ballardini Ranch. Ms. McCarthy indicated the proposed extension goes through a portion of Ballardini Ranch. Commissioner Galloway indicated that an issue of concern is the impact of increased traffic on S. McCarran Blvd. due to the proposed extension of Ridgeview.

Steven Walther, area resident, understood that, based on two maps he owns, the dotted line meant the Ridgeview extension was a discussion item that never materialized. He feels the County has never approved the road and that the issue is, as a matter of policy, whether the County map will show a road that has been approved by the City, but not approved by the County.

Sam Dehne, Reno citizen, said Ridgeview should not be “recreated in that area.”

Ms. Singlaub pointed out that no one on staff is recommending that anything be added, thus the County is not supporting development of the road.

**DISCUSSION – RESOLUTION OF CONDEMNATION –  
BALLARDINI RANCH**

Steven Walther, area resident, said there might be a time when this is appropriate and hopes the Board would entertain the idea if it came before them. He’s hopeful in the next few weeks there will be dialogue to help resolve some of the issues and supports postponing adoption of the Resolution.

On motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Sferrazza ordered this issue be tabled.

**\*4:10 p.m. Commissioner Galloway temporarily left the meeting.**

**02-591 PROPOSED ADVISORY QUESTION – TRANSPORTATION  
FUNDING – REGIONAL TRANSPORTATION COMMISSION**

Upon recommendation of Gregory Krause, Executive Director, Regional Transportation Commission, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, with Commissioner Galloway temporarily absent, it was ordered that the following Resolution to place the Transportation Funding Advisory Question on the November 5, 2002, general election ballot be adopted and Chairman Sferrazza be authorized to execute the Resolution on behalf of the Commission:

**RESOLUTION**

**WHEREAS**, the Regional Transportation Commission developed the 2030 Regional Transportation Plan with substantial public input and community

involvement, during which the public stressed the importance of a safe and efficient transportation system in maintaining the quality of life in Washoe County and the Cities of Reno and Sparks; and

**WHEREAS**, the Regional Transportation Commission adopted the 2030 Regional Transportation Plan on August 17, 2001; and

**WHEREAS**, the 2030 Regional Transportation Plan identified an \$817 million funding shortfall, including \$717 million in streets and highways and \$100 million in public transportation needs, that will not be met from existing revenues; and

**WHEREAS**, the 2030 Regional Transportation Plan identified an existing backlog of needed street and highway repairs totaling \$300 million, including \$240 million for streets maintained by Washoe County and the Cities of Reno and Sparks, and this backlog has more than doubled since 1993, when the backlog was \$109 million; and

**WHEREAS**, the fuel tax per gallon received by Washoe County and the Cities of Reno and Sparks has not increased in 14 years, and the fuel tax per gallon received by the Regional Transportation Commission has not increased for 8 years, and inflation has and will continue to erode the ability of fuel taxes to fund needed maintenance and repair of our streets; and

**WHEREAS**, the public transportation needs in our community, including both Citifare services and the CitiLift services for the disabled, have not kept pace with needs, and public transportation service cannot be funded with fuel tax or impact fees and will require sales tax revenues; and

**WHEREAS**, the Regional Transportation Commission created a Blue Ribbon Committee of community leaders to develop a recommended solution to the 2030 Regional Transportation Plan funding shortfall; and

**WHEREAS**, the Blue Ribbon Committee (BRC) adopted a mission statement which required the BRC to identify appropriate funding measures to equitably finance transportation needs identified in the 2030 Regional Transportation Plan; and

**WHEREAS**, the BRC adopted a package of funding measures included in the proposed Transportation Funding Advisory Question, which included indexing Regional Road Impact Fees and local/regional gas taxes as inflation increases, and increasing the sales tax by 1/8 of a penny per dollar; and

**WHEREAS**, the Regional Transportation Commission approved the BRC proposed Transportation Funding Advisory Question on May 16, 2002, and directed staff to request the Washoe County Board of Commissioners to approve placement of the Transportation Funding Advisory Question on the November 5, 2002, general election ballot; now, therefore, be it

**RESOLVED** that the Washoe County Board of Commissioners authorizes that the Transportation Funding Advisory Question be placed on the November 5, 2002, general election ballot. The question and explanation shall be as set forth in Attachment A to this Resolution (placed on file with the Clerk). The result of voting on the Transportation Funding Advisory Question does not place any legal requirement on the Washoe County Commissioners or any other agent of the County.

**\*4:20 p.m. Commissioner Galloway returned to the meeting.**

**02-592            PROPOSED ADVISORY QUESTION – CONSOLIDATION – CITY OF RENO**

Katy Singlaub, County Manager, advised that the City of Reno is looking for the Board’s comments, concerns, and direction for wording of the proposed ballot advisory question.

Chairman Sferrazza expressed his concern about having three alternatives because he feels there will not be a majority for any one. He suggested two alternatives only.

Ms. Singlaub indicated this question is being proposed within the City of Reno only, not Countywide, as directed by the Board. She suggested removing option 2 from the proposed ballot question as it gives the impression that if it received the majority vote the “committee” would direct the activities of the governing bodies.

Commissioner Galloway expressed his opposition to consolidation at this time and to the proposed ballot advisory question. Commissioner Bond said this is a valid question as it is strictly advisory and will provide the opinion of the voters.

On motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried with Commissioner Galloway voting “no,” Chairman Sferrazza ordered that staff give input to the City of Reno that the ballot to their voters read as follows:

“Select the option for consolidation that you favor by marking the appropriate space below. Choose one only:

- \_\_\_\_\_ Retain separate governments for Washoe County and the City of Reno.
- \_\_\_\_\_ Consolidate the separate governments of Reno and Washoe County provided consolidation saves money and/or provides better service.”

It was further ordered to suggest the City of Reno advise voters in the question explanation that the City of Sparks is not agreeable to consolidation.

Sam Dehne, Reno resident, spoke against putting an advisory question on the ballot, as he feels the typical citizen does not fully understand the ramifications of government consolidation.

John Hester, City of Reno Community Development, asked that, if the Board is not in favor of putting an advisory question on the ballot to City of Reno voters, the Board advise the City this is the direction they favor.

Commissioner Galloway moved that the Board of County Commissioners does not support putting the advisory question on the ballot to the City of Reno voters because of the City of Reno's huge amount of debt. He feels the City of Reno is relying on room tax revenues to pay its debt and that room rates are at an all time low. Chairman Sferrazza indicated it is his understanding existing debt of an entity would continue to be paid by the taxpayers of that entity. There was no second and the motion died.

**02-593            CERTIFICATION OF BUDGETS – GROUNDWATER BASINS –  
STATE OF NEVADA DEPARTMENT OF CONSERVATION AND  
NATURAL RESOURCES**

Upon recommendation of Lisa Gianoli, Budget Manager, on motion by Commissioner Short, seconded by Commissioner Bond, which motion duly carried, Chairman Sferrazza ordered that:

- 1) The following budgets, as requested by the State of Nevada Department of Conservation and Natural Resources, be approved:

Pleasant Valley Groundwater Basin	\$ 1,500.00
Cold Springs Valley Groundwater Basin	3,000.00
Truckee Meadows/Sun Valley Groundwater Basin	30,000.00
Lemmon Valley Groundwater Basin	12,000.00
Warm Springs Valley Groundwater Basin	5,004.28

- 2) That the County Clerk be directed to attest certificates and submit them to the State Engineer with copies to the Treasurer's Office, Assessor's Office and the Budget Division.
- 3) That the County Assessor be directed to enter the amount of the charge or charges on the assessment roll against the claimants and the property or acreage served.
- 4) That the Treasurer be directed to bill and collect the special tax rates and/or assessments requested by the State Engineer.
- 5) That the Comptroller be directed to pay approved amounts to the Department of Conservation and Natural Resources for Lemmon Valley from the Lemmon Valley U.W.B. Fund.

- 6) That the Comptroller be directed to pay the approved amounts to the Department of Conservation and Natural Resources for Pleasant Valley and Cold Springs from the Water Resources Fund Regional Water Planning account 66112-7181.

**02-594            JOINT FUNDING AGREEMENT – U. S. GEOLOGICAL SURVEY**  
**– GROUNDWATER RESOURCE EVALUATION – DRY VALLEY**  
**– WATER RESOURCES**

Upon recommendation of Jeanne Ruefer, Manager, Water Resources Planning Division, and Jim Smitherman, Water Management Planner Coordinator, through Steve Bradhurst, Director, Water Resources, on motion by Commissioner Shaw, seconded by Commissioner Short, which motion duly carried, it was ordered that funding from the Regional Water Management Fund, not to exceed the amount of \$274,050, for a Groundwater Resource Evaluation of Dry Valley, Washoe County, and West-Central Nevada, be approved and Chairman Sferrazza be authorized to execute the Joint Funding Agreement with the U. S. Geological Survey to perform the investigation.

**02-595            AWARD OF INJOINER BID – JANITORIAL PAPER**  
**PRODUCTS – BID NO. ITB-2336-02 – PURCHASING**  
**DEPARTMENT**

This was the time to consider award of the bid for janitorial paper products for Washoe County and participating joinder agencies, including Douglas County School District, City of Reno, City of Sparks, Douglas County Purchasing, Washoe County School District, Churchill County School District, Reno Housing Authority and the Reno Sparks Convention & Visitors Authority. The Notice to Bidders for receipt of sealed bids was published in the *Reno Gazette-Journal* on March 27, 2002. Proof was made that due and legal Notice had been given.

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

A-1 Chemical  
C & M Food Dist. Inc.  
ICS  
Xpedx

Interboro Packaging Co. and W.W. Grainger submitted “no-bid” responses. Easterday Janitorial Supply was disqualified, as they could not meet the delivery requirements. Unisource Corporation was disqualified for returning the bid document unsigned.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that Bid No. 2336-02 for janitorial paper products for Washoe County and participating joinder agencies, including

Douglas County School District, City of Reno, City of Sparks, Douglas County Purchasing, Washoe County School District, Churchill County School District, Reno Housing Authority, and the Reno Sparks Convention & Visitors Authority, be awarded to the following bidders:

<b>BIDDER</b>	<b>BID ITEMS</b>
C & M Food Distributing, Inc.	<b>1A</b> , Toilet seat cvrs; <b>2A</b> , *TP 2-ply (part**); <b>3A</b> , TP-single fold; <b>4A</b> , TP 1-ply; <b>5A</b> , Facial Tissue; <b>6A</b> , Paper towels multi-fold; <b>7A</b> , Paper towels, natural multi-fold, (part**); <b>8A</b> , Towel rolls (part**); <b>9B</b> , Towels single-fold; <b>10A</b> , Kitchen Towels, <b>11</b> , Kim towels (part**); <b>12</b> , Windshield Towels; <b>13</b> , Wypall Towels (part**); <b>14</b> , cups; <b>15</b> , Lids; <b>16</b> , Cups ¼ oz.; <b>17</b> , Cups Hot/Cold; <b>18</b> , Cups 6 oz.; <b>19</b> , Cups 8 oz.; & <b>20</b> , Cups 12 oz.
ICS	<b>21</b> , Maxi-Pads, & <b>22</b> , Tampons.
Xpedx	<b>2A</b> , *TP 2-Ply (part**); <b>7A</b> , Paper towels natural multi-fold (part**); <b>8A</b> , Towel, rolls (part**); <b>11</b> , Kim Towels (part**), and <b>13</b> , Wypall Towels (part**)

\*Toilet Paper

\*\*Will supply a portion of Bid Item

It was further ordered that bid item Nos. 1B, 2B, 3B, 4B, 5B, 6B, 7B, 8B, & 10B be rejected, as they are recycled products and were not satisfactory for use by Washoe County and Joinders; and bid item No. 9A be rejected since the recycled product is a better price, good quality and acceptable for use.

It was noted this is a requirements contract and prices as stated in Washoe County Bid #2336-02 for janitorial paper products shall be honored and adhered to until June 30, 2003, with the County retaining an option to renew for an additional one year period through June 30, 2004, providing pricing does not increase beyond that allowed in the Bid. It was further noted the estimated annual value for Washoe County is \$141,800.

**02-596      AWARD OF BID – LEMMON VALLEY WATER SYSTEM**  
**METER RETROFIT, PHASE II – PWP-WA-2002-175 – WATER**  
**RESOURCES**

This was the time to consider award of the bid for construction of the Lemmon Valley Water System Meter Retrofit, Phase II for the Water Resources Department. The Notice to Bidders for receipt of sealed bids was published in the *Reno Gazette-Journal* on May 1, 3, 8, 10, and 15, 2002. Proof was made that due and legal Notice had been given.

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

Interstate Utilities	\$137,259.00
Mike's Trenching	137,769.00
Horizon Construction, Inc.	142,929.20
Pacific Cable Construction	143,477.69
<b>Engineer's Estimate</b>	<b>142,925.00</b>

Upon recommendation of Paul Orphan, Engineering Manager, Water Resources, and John Collins, Manager, Utility Services Division, through Steve Bradhurst, Director, Department of Water Resources, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that:

1. Construction of the Lemmon Valley Water System Meter Retrofit, Phase II be awarded to the lowest, responsive, responsible bidder, Interstate Utilities, Inc., in the amount of \$137,259.00;
2. Chairman Sferrazza be authorized to execute the contract documents upon their receipt; and
3. The Utility Services Division Manager be authorized to issue the Notice to Proceed.

It was noted the Utility Services Division has had an on-going improvement program since 1988 to bring the water system up to Utility Services Division standards. The Meter Retrofit Phase II project is part of that program. Metering the services will also allow the County to better manage its water resources in Lemmon Valley. Upon completion of Phase II, every customer within the Lemmon Valley water system will have a water meter.

**02-597      AWARD OF BID – SOUTH VALLEY MAINTENANCE FACILITY**  
**– BID NO. PWP-WA-2002-34 – ENGINEERING**

This was the time to consider award of the bid for the South Valley Maintenance Facility for the Public Works Department. The Notice to Bidders for receipt of sealed bids was published in the *Reno Gazette-Journal* on April 3, April 10, and April 17, 2002. Proof was made that due and legal Notice had been given.

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

Contractors	Base Bid
Advance Installations	\$535,000.00
Americal General Dev.	\$418,000.00
Central Sierra Const.	\$503,000.00

K-7 Construction	\$458,584.00
KW Western	\$440,000.00
Northern Sierra Const.	\$466,641.00
Shaw Construction	\$418,000.00
Sierra Builders	\$469,850.00

Upon recommendation of Anthony McMillen, Licensed Engineer, through David Roundtree, Public Works Director, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that Bid No. PWP-WA-2002-34 for the South Valley Maintenance Facility for the Public Works Department be awarded to the lowest, responsive and responsible bidder, Shaw Construction Company, in the base bid amount of \$418,000.00. It was further ordered that Chairman Sferrazza be authorized to execute the contract documents upon presentation.

**02-598            RESOLUTION – SPECIAL ASSESSMENT DISTRICT NO. 32 – SPANISH SPRINGS VALLEY RANCHES ROAD IMPROVEMENTS – PROFESSIONAL ENGINEERING SERVICES AGREEMENT – PUBLIC WORKS**

Upon recommendation of David Roundtree, Director, Public Works, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the following Resolution be adopted and Chairman Sferrazza be authorized to execute the same:

**RESOLUTION**

**WHEREAS**, the Board of County Commissioners (the "Board") of the County of Washoe (the "County") in the State of Nevada (the "State") is of the opinion and has determined and does hereby declare that the interest of the County of Washoe requires the acquisition and improvement of a street project as defined in NRS §271.225 (the "Project"); and

**WHEREAS**, for the purpose of designation and identification it is desirable that the hereinafter described Project be known and identified as "Washoe County, Nevada, Special Assessment District No. 32 (Spanish Springs Valley Ranches Roads)" (the "Improvement District" or "District").

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE, IN THE STATE OF NEVADA:**

Section 1. The County Engineer (the "Engineer") is hereby directed to prepare, and file with the County Clerk preliminary plans showing a typical section of the contemplated improvements, the type or types of material, approximate thickness and wideness, and a preliminary estimate of the total cost (including all incidental cost), and a

preliminary estimate of the portion of the total cost to be assessed for the acquisition and improvement of the Project, which is more particularly described as follows:

- Alamosa Drive - from the intersection of Capistrano Drive northwesterly approximately 0.44 miles;
- Agua Fria Drive - from the intersection with Valle Verde Drive southerly approximately 0.50 miles to the intersection of El Molino Drive;
- Barranca Drive - from the intersection of Encanto Drive northwesterly approximately 1.21 miles;
- Capistrano Drive - from the intersection of Calle De La Plata and Encanto Drive southwesterly approximately 0.89 miles;
- Cielo Vista Drive - from the intersection of La Posada Drive northerly approximately 0.75 miles;
- El Molino Drive - from the intersection of Los Pinos Drive easterly approximately 0.50 miles;
- Encanto Court - from the intersection of Encanto Drive northeasterly approximately 0.04 miles;
- Encanto Drive - from the intersection of Capistrano Drive and Calle De La Plata northeasterly approximately 2.61 miles;
- La Mancha Drive - from the intersection of El Molino Drive southeasterly approximately 0.62 miles;
- La Posada Drive - from the intersection of Desert Vista Drive easterly approximately 0.13 miles;
- La Jolla Lane - from the intersection of La Mancha Drive southwesterly approximately 0.25 miles;
- Los Arboles Lane - from the intersection of Encanto Drive southerly approximately 0.53 miles;
- Los Pinos Drive - from the intersection of El Molino Drive south to the intersection of Valle De Sol Blvd. approximately 0.50 miles;

- Piedras Drive - from the intersection of La Posada Drive northerly approximately 0.46 miles;
- Quivera Lane - from the intersection of Encanto Drive southerly approximately 0.33 miles;
- Rio Seco Lane - from the intersection of Valle Verde Drive southeasterly approximately 0.28 miles;
- Valle Verde Drive - from the intersection of Calle De La Plata easterly approximately 1.98 miles.

Section 2. Except as shown on said preliminary plans for the District the character of such improvements shall be described more particularly as the grading and paving of the above streets, including incidental drainage facilities, signing and surveying. The pavement is to be 22 feet and 24 feet wide asphaltic concrete pavement with 2 foot wide (minimum) gravel shoulders on both sides; the pavement structural section is to be a minimum of 3 inches of asphalt over 6 inches of aggregate base (or equivalent section); the paving, drainage, signing and survey monumentation to be in accordance with the Standard Details and Specifications for Public Works Construction; and all grading, paving and incidental drainage, signing and surveying improvements to include all necessary excavations, filling, grading and appurtenances incidental thereto.

Section 3. Except as shown on the preliminary plans to be filed by the Engineer in the office of the County Clerk, the character and location of the Project shall be as described in Sections 1 and 2 hereof.

Section 4. The Engineer is hereby directed to estimate the cost of each type of construction in a lump sum or by unit prices, as to such Engineer may seem most desirable for the construction, acquisition, improvement and installation of the improvements designated above. Such preliminary estimate of costs shall also include, without limiting the generality of the foregoing, the advertising, appraising, engineering, legal, printing and such other expenses as in the judgment of such Engineer are necessary or essential to the completion of such work or improvement attributable to the costs in the improvement district and the payment of the cost thereof. The entire cost of the Project is of special benefit and shall be paid by special assessment against the tracts benefited.

Section 5. The Engineer is hereby directed to prepare and file with the County Clerk an assessment plat showing the area to be assessed, the market value and a description of each tract, the name and address of each owner, and the amount of estimated maximum benefits to be assessed against each tract as a unit lot or per lot basis, i.e., assessments are to be levied against each tract or parcel of land within the boundaries of the District on a unit lot or per lot basis. Such estimated benefits may be shown by an attached addendum to the plat which may be designated as the preliminary assessments roll or tabulation of parcels. An equitable adjustment will be made for assessments to be levied against wedge or V or other irregularly shaped lots or lands, if any, and for any

tract or parcel not specially benefited by the improvements so that assessments according to benefits are to be equal and uniform. In any event, the assessments shall be against all lots benefited by the Project proportionally to benefits received. Such basis of assessments is hereby designated by the Board.

Section 6. The boundaries of the District shall be the street to be improved as designated above and the parcels of land (identified by Assessment Parcel numbers) shown on attachment No. 1, (placed on file with the Clerk).

Section 7. In order to permit the County to reimburse itself for prior expenditures relating to the Project with the proceeds of bonds, the Board hereby determines and declares as follows:

1. The County reasonably expects to incur expenditures with respect to the Project prior to the issuance of bonds for financing the Project and to reimburse those expenditures from the issuance of bonds; and
2. The maximum principal amount of bonds expected to be used to reimburse such expenditures is \$4,800,000.

Section 8. The officers of the County are directed to effectuate the provisions of this resolution.

Section 9. All resolutions, or parts thereof, in conflict herewith are hereby repealed to the extent of such inconsistency.

Section 10. The invalidity of any provisions of its resolution shall not affect any remaining provisions hereof.

Section 11. The Board of County Commissioners has determined, and does hereby declare, that this resolution shall be in effect after its passage in accordance with law.

\* \* \* \* \*

It was further ordered that the Agreement for Professional Engineering Services between Washoe County and Poggemeyer Design Group, Inc. (PDG) be approved and Chairman Sferrazza be authorized to execute the same. The Agreement stipulates the Board will pay a preliminary engineering fee of \$125,000 to PDG upon creation of the District. The total contract amount of \$229,000 will be paid throughout the completion of the design.

**PAYMENT OF LEGAL FEES – COUNTY INTERVENTION IN APPLICATIONS BY VERDI MEADOWS UTILITY COMPANY, INC. – WATER RESOURCES/DISTRICT ATTORNEY**

Steve Bradhurst, Director, Department of Water Resources, explained that the County is involved in this legal matter due to applications filed by Verdi Meadows Utility Company, Inc. (VMUC) with the Public Utilities Commission (PUC); and that Washoe County's Development Code requires water and sewer facilities be dedicated to the County. The County's Comprehensive Plan, Section 1.7, prohibits the dedication of facilities and water rights to private water and sewer utilities.

Patrick Fagan, Attorney, advised that in October, 2001 he was retained to represent Washoe County before the PUC with respect to the VMUC applications to expand its water service territory. VMUC filed three applications: one application to expand its service area, and two Utility Environmental Protection Act (UEPA) applications. Mr. Fagan confirmed that the application to expand VMUC's service area conflicts with Washoe County's Development Code. The Washoe County Code states a new development outside a current service area must have water and sewer facilities dedicated to the County.

Mr. Fagan explained the process required for intervention. He also discussed the unanticipated difficulties that were encountered up front because the PUC was concerned about the County's intervention. The position was that the County supported all actions that were to be taken by VMUC to provide continued, adequate, reliable water service to rate payers within VMUC's service area, but that expanding beyond that presents a problem for the County. He advised that, after much detailed discovery, a full day of hearing, and briefs filed by all parties concerned, the PUC granted an order giving Washoe County the relief requested. The relief included that the area sought to be annexed was not annexed and the utility facilities sought to be built were not built, but only because VMUC did not provide a hydraulics study that supported the facilities they wanted to build. VMUC expects to file an application to construct facilities to build lines so people in VMUC's service area receive adequate service. The proceedings will be monitored to ensure the facilities are not sized to allow for construction outside VMUC's current service area because that action would violate County Code and the County's Comprehensive Plan.

Chairman Sferrazza pointed out that it appears the Board is not only opposing VMUC's annexation, but VMUC is also asking for a permit for a well that might be used for something other than VMUC's existing customers. Mr. Fagan explained that the two UEPA applications are for VMUC's well number two and well number three. The County withdrew its opposition to well number two, but a review of the application for well number three revealed VMUC clearly expected to build two ten inch transmission lines to connect the wells to storage facilities, and these lines would run through the heart of the Canyon Ranch Estate area. VMUC indicated in the hearings that they would use these two lines, if allowed to do so, to bill outside their service area. Chairman Sferrazza indicated if VMUC's annexation was defeated, they would still need

to reapply for annexation. Mr. Fagan agreed, but explained that having the facilities in place would be to VMUC's advantage when reapplying for annexation. Mr. Fagan stated it is felt that if VMUC is allowed to proceed with this project, it would impact future decisions concerning expansion of other small utilities in the County, and this would contradict current County Code.

In response to Commissioner Shaw's inquiry, Mr. Bradhurst indicated it is unknown how long Mr. Fagan's services will be required, but he feels the PUC is supportive of, and understands, the County's position concerning County Code and the Comprehensive Plan. Mr. Bradhurst reiterated that the County's involvement with the third well is to reinforce that the VMUC only serve their existing service area and not an expanded area.

Chairman Sferrazza stated he is adamantly against payment for these legal services coming from the County since the majority of County residents do not live within the County's water service. He feels Water Resources should be paying for these services. Legal Counsel Madelyn Shipman indicated this is an action to uphold the County's Comprehensive Plan and County Code as they relate to unincorporated areas; and it is not for the benefit of any specific current or future water users. Mr. Bradhurst noted that these actions are being required on behalf of the County to abide by the rules and regulations the County has in place.

Upon recommendation of Steve Bradhurst, Director, Water Resources, and John Rhodes, Deputy District Attorney, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried with Chairman Sferrazza voting "no," it was ordered that payment of legal fees to Allison, MacKenzie, Hartman, Soumbeniotis & Russell, Ltd. in the amount of \$32,593.45 be approved. It was further ordered that the law firm be retained with regard to VMUC's PUC applications which relate to County Ordinance requirements and policies; and that legal fees in excess of an additional \$30,000 be reviewed.

Chairman Sferrazza noted a comment card from Steve Downing opposing this item.

**02-600            AGREEMENT – LIONEL, SAWYER & COLLINS –**  
**LEGISLATIVE RELATED SERVICES – STRATEGIC PLANNING**

Upon recommendation of John Slaughter, Strategic Planning Manager, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the agreement between Washoe County and Lionel, Sawyer & Collins, concerning special legislative related services be approved and Chairman Sferrazza be authorized to execute the Agreement. The term of the contract is June 12, 2002 to June 30, 2003. The services include representation at the 2003 session of the Nevada Legislature, as well as certain pre-session and post-session activities and services. The total cost of the agreement for 12 months is \$120,000, plus pre-approved actual expenses.

**02-601**            **INTERLOCAL AGREEMENT – ANIMAL CONTROL SERVICES**  
**– GENERAL SERVICES**

Tom Gadd, Director, General Services, explained that the draft Interlocal Agreement was approved by the City of Sparks on June 10, 2002 with the understanding that Washoe County will clarify the language dealing with the repeal of the City's Ordinances to insure there would not be a lapse in the Ordinances between the time they are repealed and when the consolidated group of Ordinances are put together. He said, if there are substantive changes at the joint meeting on June 18 and there is no quorum, the City of Sparks would want to hear the item again. County staff has looked at the Ordinances and it does not appear there will be a problem with the consolidation unless the City of Sparks passes additional animal control ordinances, which could manipulate the County's operational costs. Mr. Gadd advised that the City of Reno recommends a distance buffer to accommodate the residences on the other side of Longley Lane. They also suggest not razing the 1990 building, as it has some potential as a storage facility for Animal Services. Mr. Gadd noted approval of an Interlocal Agreement will outline the intentions of the parties involved, and the bond issue would go to the Debt Management Commission (DMC). The issue would then go on the ballot, and if voted on affirmatively, the County would develop a comprehensive Interlocal Agreement between all three entities. The design of the new facility would begin in the 2003/2004 fiscal year, with construction of the facility in the 2004/2005 time frame. The County would assume all responsibilities once construction is complete and the preliminary items associated with assuming animal control, such as Ordinances, are in place.

Commissioner Galloway said he feels the tax should be imposed and then rebate the Cities of Reno and Sparks for operations. Ms. Singlaub indicated the County agrees. Staff will look at adding that language.

In response to Board concerns, Ms. Shipman advised that the County does have jurisdiction, unless otherwise limited. She also indicated that animal control is the exercise of a police function that may be authorized by an agreement. In this instance, the County is the only entity that has the ability to enforce a Countywide ordinance. A city could not enforce a city ordinance outside of that city's boundary. It may be more appropriate for the Cities to amend their Ordinances to incorporate the County's Ordinances as opposed to repealing them altogether.

Mr. Gadd indicated that the County does not want to assume responsibility of the existing shelter due to liability issues associated with it.

Commissioner Galloway moved to approve the basic structure of this Interlocal Agreement, directing staff to proceed filling in the gaps that have been identified, such as reimbursement to the Cities based on implementing the tax, satisfying jurisdictional issues, and clarification concerning other items on the property or lack thereof. Commissioner Shaw seconded the motion and the motion passed unanimously.

Chairman Sferrazza read Sam Dehne's comment card to the Board in support of improving the animal center.

**02-602            DISCUSSION/DIRECTION – ADOPTED 2002 REGIONAL PLAN – COMMUNITY DEVELOPMENT**

Eric Young, Planner, Community Development, reviewed the Adopted 2002 Regional Plan, displaying maps and charts on the overhead. He advised that items are being "moved" to the "consensus agenda" as agreed upon at the Regional Planning Governing Board (RPGGB) meeting on May 22, 2002 and staff meetings subsequent to May 22. He said staff is requesting direction on the "agree to disagree" items and the "Resolution through Implementation" items, in particular, amending the St. James Village area sphere of influence and language concerning the Mt. Rose Ski resort as a project of regional significance.

**\*5:35 p.m.    Chairman Sferrazza temporarily left the meeting, and Vice Chairman Bond assumed the gavel.**

Mr. Young further explained and responded to questions, stating that the County may rezone the St. James Village area to include any kind of commercial use that would not be a regional draw, which would support the immediate community and the St. James area as a service area. Currently, it allows for 100,000 square feet for one overall development, limiting retail to 60,000 square feet and office/commercial to 20,000 square feet. There is no height limitation for commercial office space. Hotel rooms would be interpreted as commercial retail and would be limited to 60,000 square feet as there is currently no specific allowance for hotel rooms. Mr. Young advised the Board that if they would like to see hotel rooms in the St. James Village area, they could direct staff to come up with a proposal specifically including "tourist accommodation units". Commissioner Galloway indicated he would like to know what the property developer wants there, but he definitely does not support unlimited gaming. Per Mr. Young, the developer feels he is in a "bad timing situation" because they are at the end of a study to determine their highest and best use of the property, and they have not proceeded. The developer is looking at alternatives that might include coming to the Board and requesting rezoning. Staff is requesting further discussion with the landowner as to what would be appropriate development of the land. Mr. Young indicated that plan amendments are constant. The Board could make an amendment of the area to almost exclusively residential with some neighborhood center for commercial. This is an alternative the owner is considering. That would meet the requirements of the current plan, and the sphere would be rolled back. Mr. Young explained there is no expiration date for the St. James development agreement and the Board is being asked to amend the agreement to include one.

On motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Vice Chairman Bond ordered that staff be directed to initiate a two phase process that may include two separate Regional Plan amendments as follows: **Phase 1** – Rollback the Truckee Meadows Service Area (TMSA) from Washoe

Valley and rollback the Reno Sphere of Influence (SOI) from the St. James residential area. **Phase 2** – For 12 months from adoption of the 2002 Regional Plan, Reno will not adopt a master plan in the SOI area south of the industrial property near the Mt. Rose Hwy. After 12 months, Reno will rollback the SOI in that area if Washoe County has set a two year expiration date on the St. James Resort approval and re-zones the property to comply with the unincorporated development standards set forward in Policies 1.3.2 and 1.3.3 (the exceptions allowed under 1.3.3(2)(b) may not be used in this area). If Washoe County does not meet these criteria, Reno will approve a master plan for the area and not rollback the SOI.

Mr. Young advised the Board that another issue staff requires direction on is the designation of Mt. Rose/Ski Tahoe as a destination resort. Staff is concerned that destination resorts are being designated as projects of regional significance (PRS) even when statutory thresholds outlined in Nevada Revised Statutes (NRS) have not been tripped. He further stated that staff is considering a new zoning district called “destination resort” or “rural resort”. Within that land use designation, there would be development review processes, and if certain criteria were met, a more extensive process would be required to approve the proposed use, which may include review by the other local Planning Commissions. This would allow the other Planning Commissions to give input, but not to say “yes” or “no” to the project.

**\*5:45 p.m. Chairman Sferrazza returned to the meeting and resumed the gavel.**

On motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Sferrazza ordered that staff be directed to initiate a Regional Plan amendment to provide for Regional Review of destination resorts and develop language to acknowledge the existence of the Mt. Rose/Ski Tahoe resort destination and deeming the use in conformance.

Mr. Young then addressed the issue of amending the Regional Plan to adjust the Sphere of Influence to the East of Mira Loma Road, East of Damonte Ranch, noting that a letter was received from the property owner, Bruno Benna, indicating he does not want to be a part of the City of Reno. It was the Board’s understanding the City of Reno had said they would not annex any property owner that did not wish to be annexed. The City of Reno indicated to staff that they polled the property owners as to whether or not they wanted to be in the City’s SOI.

On motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that staff be directed to initiate a Regional Plan amendment to adjust the SOI line East of Mira Loma Road (East of Damonte Ranch) to remove Bruno Benna’s property and the approximately 15 other existing residences on Mira Loma at Geiger Grade from the SOI.

Per Mr. Young, staff is recommending the County accept what Reno is offering concerning the “agree to disagree” items, but to look at each item and then advise the Board on which items the County needs to pursue amendments.

Commissioner Galloway indicated the County would like Reno's Land Use and Zoning to correspond to the County's Land Use and Zoning. The intent is not to take away anyone's existing use. Mr. Young further advised that Summit Engineering provided language concerning the "grandfathering" of existing land use that staff felt, along with the language of 1.2.18, settled that issue; Reno has offered to adopt the South Virginia Specific Plan as it is written, but they have the ability to change it; and Reno rejected a proposal to turn the South Virginia Specific Plan into a joint planning area.

On motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried, Chairman Sferrazza ordered that staff work on a proposal that would only address Consensus Item No. 32 concerning a language change in Policy 1.2.18 of the South Virginia Specific Plan, as requested by the Steiner Sisters, without affecting the rest of the area.

Chairman Sferrazza inquired on the Golden Valley item (13b). Eric Young commented that protecting the Golden Valley residents depends on how the Joint Plan is amended. This issue involves "upzoning" rather than "downzoning". A representative of the land owners has stated they are seeking to increase the value of their property and then sell it to a developer. Chairman Sferrazza recommended creating a buffer of one acre lots along the proposed area, including a County owned parcel in that area and creating a joint development deal, so the parcels could develop as a group, instead of as individuals. Staff agreed to submit this offer to the City of Reno.

Noting that the RPGB did agree to consider these contentious items, Commissioner Galloway moved that water and regional land use issues get higher priority. The motion was seconded by Commissioner Bond and upon call for the question, duly carried.

On motion by Chairman Sferrazza, seconded by Commissioner Galloway, which motion duly carried, it was ordered that Chairman Sferrazza be authorized to explore the possibility of a property exchange in the McMullen/Beckworth area for the purpose of creating a buffer adjacent to the Golden Valley Homeowner's Association area and present his findings to the Board for further action.

Eric Young advised that there was a meeting with the City of Sparks today to discuss "non-territorial jurisdiction/extra-territorial jurisdiction" from Sparks into their new SOI, to begin the process of cooperative planning concerning the Truckee River, and they agreed to establish a working group to determine development standards and create other criteria for development in the Truckee corridor. There will be a meeting with Reno on June 19 to discuss making the transition within their new SOI, mostly customer service issues. Commissioner Galloway clarified that the County would discourage the use of extra-territorial authority except where the Cities of Reno and Sparks would agree to a joint approval process. Mr. Young advised the Board that Sparks indicated they do not want to exercise that authority until they annex.

**RESOLUTION – INTERFUND LOAN – GENERAL FUND TO  
HEALTH FUND – FINANCE**

**5:30 p.m.** This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on May 31, 2002, to consider approval of the Resolution authorizing an interfund loan from the General Fund to the Health Fund. Proof was made that due and legal Notice had been given.

The Chairman opened the public hearing by calling on anyone wishing to speak for or against approval of the Resolution. There being no response, the hearing was closed.

Upon recommendation of Darin Conforti, Senior Fiscal Analyst, Finance Department, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that the Resolution authorizing an interfund loan in an amount not to exceed \$750,000, on an as needed basis for the fiscal year 2001-2002, which supersedes the resolution adopted May 28, 2002, be adopted and Chairman Sferrazza be authorized to execute the same:

**RESOLUTION**

**WHEREAS**, the General Fund of the County (Fund 001) has sufficient cash resources to finance a short-term interfund loan in an amount not to exceed \$750,000 without adversely affecting its cash needs; and

**WHEREAS**, the Health Fund (Fund 002) is in need of a short-term cash loan to cover a temporary cash flow problem due a delay in payments from State and Federal Contributions; and

**WHEREAS**, the Washoe County Board of Commissioners acted on this item on May 28, 2002 without formally declaring a public hearing; and

**WHEREAS**, the Board has convened a public hearing to consider this matter as required by NRS 354.6118 and this resolution therefore supersedes the May 28, 2002 adopted resolution;

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

Section 1. The County Comptroller is hereby directed to make transfers on an as needed not to exceed \$750,000 from the General Fund (001) to the Health Fund (002) to cover a temporary cash flow problem.

Section 2. The cash interfund transaction for this loan is as follows:

		<u>Amount</u>
		<u>Debit</u> <u>Credit</u>
<u>General Fund</u>		
Due from Health Fund	(Acct. 001-0000-1302)	\$750,000
Cash	(Acct. 001-0000-1001)	\$750,000
<u>Health Fund</u>		
Cash	(Acct. 002-0000-1001)	\$750,000
Due to General Fund	(Acct. 002-0000-2601)	\$750,000

Section 3. The term of this interfund loan shall be six months, commencing on the day of the first transfer, to be repaid on or before six calendar months.

Section 4. There shall be no interest on this interfund loan.

Section 5. This resolution shall be effective on passage and approval.

Section 6. The County Clerk is hereby directed to distribute copies of the Resolution to the Department of Taxation, the Comptroller, the Health Department and the Budget Division.

\*       \*       \*       \*       \*       \*       \*       \*       \*

It was noted the Health Fund is funded by various State and Federal grants and a \$6,923,266 transfer from the General Fund. The Health Fund is having a temporary cash flow problem due to State and Federal contributions that have not been received. The loan will be repaid as the reimbursements are received.

**02-604                      ORDINANCE NOS. 1164 & 1165– BILL NOS. 1340 & 1342 –**  
**GROUNDWATER REMEDIATION**

**5:30 p.m.** This was the time set in Notices of Public Hearing published in the *Reno Gazette-Journal* on May 31, 2002, to consider the second reading and adoption of Bill Nos. 1340 and 1342. Proof was made that due and legal Notice had been given.

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

Malyn Malquist, General Manager, Truckee Meadows Water Authority (TMWA), indicated they have received a number of phone calls from customers expressing confusion concerning water bills and water quality. The proposed Ordinances would not impact water bills as the remediation fee shows up on the property tax bill of the property owner. TMWA has adopted a budget for next year that has no rate changes. The water quality is some of the purest in the Country. Although five of TMWA’s wells do contain PCE above the levels allowed by the Federal government, TMWA provides

on-site treatment of the water from these wells removing PCE prior to putting the water into the distribution system. Based on the annual report, the water quality meets or exceeds all of the standards required by law. The remediation district paid for the cost of building the treatment facilities at the five wells.

Michael Pagni, Attorney, representing the Silver Legacy Resort Casino and Eldorado Hotel Casino spoke in opposition to the fee increases. He read a letter from Sylvia Harrison, Esq. into the record, which was provided to the County Clerk.

Commissioner Galloway explained that the results of the proposed fee structure of four to one most closely approximates a structure based on property value.

Legal Counsel Madelyn Shipman explained that State law requires the fee must be based on annual water bills and the Ordinance is structured to meet State law.

Shirley Canale, Belgrave Avenue homeowner, spoke against the proposed fee structure. She feels the fee is being forced on the less fortunate.

Chairman Sferrazza advised that the original proposal would have raised the fee in her area to \$60, the proposed fee is \$30, which is approximately \$10 more than her current fee. This legislation protects against property values declining as a result of the federal government considering the property contaminated.

Ms. Shipman explained the law is written to eliminate the need for designation of Superfunds where under federal law every person in chain of title is liable for the contamination. You have a liability exposure if the federal government, through the State, orders clean up of property for contamination, even if you had nothing to do with contaminating it. The purpose of this legislation is to avoid numerous lawsuits.

Steve Bradhurst, Director, Water Resources, explained there is a cap on the proposed fee to prevent substantial budget increases, but it is not known how long the remediation district and the fee will be in force. It is likely to be many years, as it is very difficult to extract PCE once it is in the groundwater.

Wayne Seidel, Public Works Director, City of Sparks, feels the fees should not be imposed until 2003 when a final remediation plan has been approved by the Nevada Division of Environmental Protection (NDEP). He said the boundary is "less than an educated guess at best" and the City of Sparks would recommend slight increases of 5 to 10 percent to the existing rate structure for the upcoming year.

Greg Dennis, Reno Sanitary Engineer, recommends keeping the existing rate structure and increase rates to contaminated areas rather than lowering the general amount and increasing the amount to commercial properties by four to one.

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

Jim Ford, Remediation District Program Manager, explained that if the current fee rate was kept in place for all water users and it were increased to implement the remediation district program, the cost would be approximately \$4 over last year, increasing from \$20 to \$24. The statute requires the fee be based on benefits. Efforts were focused on limitation of liability, cleaning up the aquifer, and eliminating the threat of decreased property value. The cost has already been paid to receive clean water, and the cleanup is to reduce contamination of properties. The hope is that the long term effect would be a decrease in wellhead treatments. In response to Commissioner Galloway's questions, Mr. Ford responded that some processes would include pump and treat, including water not used for consumptive purposes, containment by wells, and removing contaminated sources through back hoeing, trucking and treating of soils, wellhead treatment, and management of the plume. He stated that these active remediation processes have all been agreed to by NDEP. The agreement with NDEP is that a certain cost threshold will not be exceeded, about \$1 million for the contaminated area. The district was not created to pay for development activities.

Commissioner Shaw asked if the Cities of Reno and Sparks indicated their concern over the remediation district being too large when the entities first met to discuss the district boundaries. Mr. Ford indicated there were a number of technical meetings in which all entities were invited to participate. The County published documents on the data collection and interpretation, distributed them for comments, and never received comments. There was very little attendance at the meetings where technical components were discussed. He anticipates a presentation to the County Commissioners on June 18 or June 25, of the draft remediation plan document. They looked at groundwater quality, soil quality and land use in developing the boundaries of the contaminated area. The fee structure would be three-tiered, with the majority of the cost being paid by those property owners that benefit the most from the clean up. Group A encompasses all water users and they will benefit by continuing to receive PCE free drinking water. They currently pay \$19.87 annually and the proposed fee would be \$15.72 annually. Group B consists of 6,285 property owners that overlie the area that has been identified as impacted by PCE contaminated groundwater. They currently pay \$19.82 annually and this is proposed to increase to \$31.44 annually. Group C includes 4,207 non-residential parcels in the contaminated area. They currently pay \$78 annually and this fee would increase to \$230 annually.

Ms. Shipman advised that the law does not allow specific amounts or percentages to be used, and all numbers are based on average water rates or flat rates for residential users and the formula is derived based upon the amount needed for the budget. She emphasized that any discussion about numbers is representative and not specific to any parcel.

Mr. Ford indicated that a component of the plan involves public outreach to explain what problems have been solved and the progress made.

Chairman Sferrazza read into the record a letter he received from Doug Zimmerman, Chief of the Bureau of Directive Actions, in support of the remediation plan

as currently proposed. Chairman Sferrazza made a commitment to the Cities of Reno and Sparks and to the residents affected by the remediation district to meet with County staff and work together on cost allocations for subsequent years.

Commissioner Galloway pointed out that the law requires immediate action and he supports the Ordinances.

On motion by Commissioner Galloway, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that Ordinance No. 1164, Bill No. 1340, entitled “**AN ORDINANCE AMENDING ORDINANCE NO. 1000 CREATING THE WASHOE COUNTY, NEVADA DISTRICT NO. 24 (GROUNDWATER REMEDIATION) IN ORDER TO CHANGE THE BOUNDARIES OF THE DISTRICT; RATIFYING APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN DIRECTED THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF,**” and Ordinance No. 1165, Bill No. 1342, entitled “**AN ORDINANCE CONCERNING THE WASHOE COUNTY, NEVADA DISTRICT NO. 24 (GROUNDWATER REMEDIATION); PROVIDING FOR THE PAYMENT OF A PORTION OF THE COSTS OF DEVELOPING AND CARRYING OUT A PLAN FOR REMEDIATION; IMPOSING A FEE TO PAY SUCH COSTS ON THE PARCELS OF LAND IN SUCH DISTRICT NO. 24; DESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF THE FEE; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN DIRECTED TOWARD THOSE PURPOSES; AND PRESCRIBING OTHER MATTERS RELATING THERETO,**” be approved, adopted and published in accordance with NRS 244.100.

There being no further business to come before the Board, the meeting adjourned at 7:40 p.m.

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**PETER J. SFERRAZZA**, Chairman  
Washoe County Commission

**ATTEST:**

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

*Minutes Prepared By  
Melissa M. Ayrault, Deputy County Clerk*