

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

TUESDAY

1:00 P.M.

NOVEMBER 19, 2002

PRESENT:

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

Amy Harvey, County Clerk  
Katy Singlaub, County Manager  
Michelle Poché, Assistant County Manager  
Paul Lipparelli, Legal Counsel

ABSENT:

Joanne Bond, Vice Chairman

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:

**02-1146      WORK CARD PERMIT APPEAL – ROBERT G. REA**

The appeal by Robert G. Rea of the Sheriff's denial of his work card permit application was considered on Monday November 18, 2002, prior to the Caucus meeting. It was noted that Commissioners Bond and Shaw were absent.

On motion by Commissioner Galloway, seconded by Commissioner Short, which motion duly carried with Commissioners Bond and Shaw absent, the Board convened in closed session to hear testimony as to why the work card for Robert G. Rea should or should not be granted. The appellant was present to offer testimony during the closed session. Maureen Thomas, Chief Records Clerk, Administrative Division of the Sheriff's Department, read into the record her memo to the Board dated November 18, 2002. The Board then reconvened in open session, and the following action was taken.

On motion by Commissioner Galloway, seconded by Commissioner Short, which motion duly carried with Commissioners Bond and Shaw absent, Chairman Sferrazza ordered that this matter be continued for three weeks or until such time as Social Services is able to confirm that the substantiated complaint against Mr. Rea has been deleted from his file.

**02-1147      AGENDA**

In accordance with the Open Meeting Law, on motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried with

Commissioners Bond and Short absent, Chairman Sferrazza ordered that the agenda for the November 19, 2002 meeting be approved with the following amendments: Delete: Item 10 C(4) concerning resignation and appointment to fill unexpired term on the Senior Services Advisory Board. Delete: Item 12, appearance by Marily Mora, Deputy Executive Director, Airport Authority of Washoe County. Delete: Item 16 concerning Appeal of Condition #1 for the Record of Survey Boundary Line Adjustment River Pines Case No. BL02-005.

### **PUBLIC COMMENTS**

Charles Jarvi, Reno resident, thanked the Board for their efforts in getting the animal control bond on the November 2002 General Election ballot.

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

There was no response to the call for Commissioners' and Managers comments.

### **02-1148      RESOLUTION – RECOGNITION – REMSA AND CARE FLIGHT**

On motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried with Commissioners Bond and Short absent, it was ordered that the following Resolution be adopted and Chairman Sferrazza be authorized to execute the Resolution on behalf of Washoe County:

### **RESOLUTION**

**WHEREAS**, The citizens of and visitors to Washoe County benefit from the continuous services of the Regional Emergency Medical Services Authority (REMSA) and Care Flight, making available critical care and trauma treatment; and

**WHEREAS**, REMSA and Care Flight have formally received official certification from the International Commission on Accreditation of Medical Transport Systems (CAMTS) after undergoing 210 hours of evaluation by the CAMTS Accreditation Board and meeting 38 measurable Accreditation Standards that address issues of patient care and safety in fixed wing and rotorwing services, as well as interfacility services providing critical care transports; and

**WHEREAS**, REMSA and Care Flight is recognized as the first and only emergency medical services system in the nation to receive full accreditation for three separate services: air critical care transport, ground critical transport and ground advanced life support transport; and

**WHEREAS**, The professional staff of REMSA and Care Flight is made up of critical care flight nurses, critical care paramedics, pilots, certified mechanics and

ground crew, upon which critically ill and injured patients and health professionals can rely on in a time of dire need; and

**WHEREAS**, REMSA is a not-for-profit emergency medical services system serving Washoe County and Northern Nevada, providing quality patient care with no taxpayer support or subsidies; and

**WHEREAS**, REMSA/Care Flight's official CAMTS accreditation certification verifies their adherence to quality accreditation standards to their peers, medical professionals and to all the communities they serve in Washoe County and Northern Nevada;

**NOW THEREFORE, BE IT RESOLVED**, That the Washoe County Board of Commissioners recognizes the international honors REMSA and Care Flight have received; and be it further

**RESOLVED**, That the Washoe County Board of Commissioners expresses their appreciation to them on behalf of the citizens of Washoe County and asks the citizens to join in recognizing the important role provided by the entire professional staff and crew of REMSA and Care Flight.

**02-1149      APPEARANCE – JOHN BRETERNITZ, EXECUTIVE VICE PRESIDENT, Q & D CONSTRUCTION, INC. – PINNACLE AWARD – PUBLIC SAFETY TRAINING COMPLEX**

John Breternitz, Executive Vice President, Q & D Construction, Inc., explained that Q & D Construction received the Pinnacle Award for construction of the Regional Public Safety Training Complex. He said the Pinnacle Award is the highest award that the Associated General Contractors (AGC) presents for construction of buildings. He thanked the County for their vision and the purchase process that allowed the project to be completed within the budget and a year ahead of when it would have been completed if they had gone through the traditional public process. He stated there was at least \$500,000 in operational savings because of the early completion, and that savings benefits the community.

Jerry Morgan, Project Director for Q & D Construction, said the most important factors in receiving this award were the people and agencies involved in the project. He stated he hopes to see the same focus on future projects.

On behalf of the Washoe Board of County Commissioners, Chairman Sferrazza thanked the AGC, Mr. Breternitz, the staff of Q & D Construction, and the Washoe County staff instrumental in making this project happen. Commissioner Galloway echoed Chairman Sferrazza and said the Regional Public Safety Training Complex is a world-class facility that is ahead of the rest of the Nation and is, at minimum, one of the premier facilities in this Country.

**02-1150      ACKNOWLEDGE RECEIPT OF AWARD – UNITED STATES ENVIRONMENTAL PROTECTION AGENCY – WASTE WISE PROGRAM CHAMPION - PURCHASING**

Chairman Sferrazza stated that Washoe County was the only County in the Country to receive this award.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, through John Sherman, Finance Director, the Washoe Board of County Commissioners acknowledged the receipt of the prestigious award from the United States Environmental Protection Agency (EPA) naming Washoe County as a “Waste Wise Program Champion” for 2002.

Mr. Balentine noted that on the front cover of the EPA’s Waste Wise folder is a quote by John Fuller of the Washoe County Health Department. He stated this gives Washoe County nationwide and worldwide recognition.

**02-1151      ACKNOWLEDGE RECEIPT OF AWARD – NATIONAL PURCHASING INSTITUTE’S ACHIEVEMENT OF EXCELLENCE IN PROCUREMENT AWARD FOR 2002 – PURCHASING**

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, through John Sherman, Finance Director, the Washoe Board of County Commissioners acknowledged receipt by the Purchasing Department of the National Purchasing Institute’s (NPI) “Achievement of Excellence in Procurement” Award for 2002. It was noted this is the seventh such award in succession that the Purchasing Department has won.

Mr. Balentine thanked the Board and the citizens of Washoe County for allowing him and the Purchasing Department to serve Washoe County. He stated he has the privilege of serving as the First Vice President, which is also the President Elect, for the NPI.

**02-1152      INTRODUCTION OF NEW COUNTY EMPLOYEES**

Katy Singlaub, County Manager, invited approximately 11 new Washoe County employees to come forward and introduce themselves to the Board. Chairman Sferrazza welcomed the new employees on behalf of the Board.

**MINUTES**

On motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioners Bond and Short absent, Chairman Sferrazza ordered that the minutes of the regular meetings of August 27, September 10, and September 17, 2002 be approved.

**02-1153      SEXUAL ASSAULT – MEDICAL CARE – PAYMENT – DISTRICT ATTORNEY**

Pursuant to NRS 217.280 to 217.350, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioners Bond and Short absent, Chairman Sferrazza ordered that payments with funds from the District Attorney's account designated Sexual Assault Victims Expenses be authorized for initial emergency medical care and follow up medical or psychological treatment for 39 sexual assault victims in an amount totaling \$9,201.72, as set forth in a memorandum from Lidia Osmetti, Office Manager, District Attorney's Office, dated November 1, 2002 and placed on file with the Clerk.

**02-1154      RESIGNATION/APPOINTMENT – BOARD OF ADJUSTMENT**

On motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioners Bond and Short absent, Chairman Sferrazza ordered that Richard Tannehill's resignation from the Board of Adjustment be accepted effective immediately. It was further ordered that Carol Murphy be appointed to fill the balance of Mr. Tannehill's unexpired term until June 30, 2005.

**02-1155      EXTEND TERM – NEVADA TAHOE CONSERVATION DISTRICT BOARD OF SUPERVISORS**

On motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioners Bond and Short absent, Chairman Sferrazza ordered that Commissioner Galloway's term on the Nevada Tahoe Conservation District's Board of Supervisors be extended to January 31, 2003.

**02-1156      RETROACTIVE REAPPOINTMENT – REGIONAL PLANNING GOVERNING BOARD**

On motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioners Bond and Short absent, Chairman Sferrazza ordered that Commissioner Bond be retroactively reappointed to the Regional Planning Governing Board with a term expiring June 30, 2005.

**02-1157      RESIGNATION/APPOINTMENT – SOUTHWEST TRUCKEE MEADOWS CITIZEN ADVISORY BOARD**

On motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioners Bond and Short absent, Chairman Sferrazza ordered that the resignation of Anna Maria Holder as an at-large representative on the Southwest Truckee Meadows Citizen Advisory Board (CAB) be accepted and that Faith Fessenden be appointed to fill this vacancy with a term to begin the date of appointment to June 30, 2003.

It was further ordered that Mary Dugan be appointed as an at-large alternate for a term from the date of appointment to June 30, 2003.

It was also ordered that the area representation for the Lakeside/Holcomb area be changed to an at-large representative and Robbin Palmer be appointed to fill that position with a term from the date of appointment to June 30, 2004.

**02-1158      RESIGNATION/APPOINTMENT – SUN VALLEY CITIZEN  
ADVISORY BOARD**

On motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioners Bond and Short absent, Chairman Sferrazza ordered that the resignation of John Eaton as an at-large representative on the Sun Valley Citizen Advisory Board (CAB) be accepted. It was further ordered that Reba Burton be appointed to fill the vacancy with a term from the date of appointment to June 30, 2003.

**02-1159      APPOINTMENTS – WEST WASHOE VALLEY CITIZEN  
ADVISORY BOARD**

On motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioners Bond and Short absent, Chairman Sferrazza ordered that Shar Mason and Tracy Smith be appointed as at-large representatives to the West Washoe Valley Citizen Advisory Board (CAB) with terms from the date of appointment to June 30, 2004.

**02-1160      AWARD OF BID – FIRE EXTINGUISHER PARTS,  
MAINTENANCE AND SERVICES – BID NO. ITB-2349-03/RW –  
GENERAL SERVICES**

This was the time to consider award of the bid for Fire Extinguisher Parts, Maintenance and Services for the Facility Management Division of the Washoe County General Services Department in joinder with the City of Reno. The Notice to Bidders for receipt of sealed bids was published in the *Reno Gazette-Journal* on August 28, 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:

ABC Fire & Cylinder Service  
Carson Fire Equipment  
Leslee Scott  
Simplex/Grinnell

All Pro Fire Extinguisher Co.  
Fire Extinguisher Service Center  
Nathan Joyce (Apex Alliance Co.)

Two bids were disqualified: Simplex/Grinnell did not sign their bid and Nathan Joyce (Apex Alliance Co.) did not return the entire bid document. Leslee Scott submitted a "no bid" response.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioners Bond and Short absent, Chairman Sferrazza ordered that Bid No. ITB-2349-03/RW for Fire Extinguisher Parts, Maintenance and Services for the Facility Management Division of the Washoe County General Services Department in joinder with the City of Reno be awarded to the lowest responsive bidder, Fire Equipment Supply, D.B.A. Carson Fire Equipment, in the amount of \$8,275.00 for Washoe County and \$6,315.00 for the City of Reno. It was further ordered that the Purchasing and Contracts Administrator be authorized to enter into a two-year agreement, with two, one-year renewal options for Fire Extinguisher Parts, Maintenance and Services in accordance with all terms and conditions of the Invitation to Bid as awarded.

It was noted that a lower bid was received from All Pro Fire Extinguishers, but they do not currently maintain an office and shop or an in-house service technician as required in the bid. Therefore, staff has determined that they are not responsive to bid requirements.

**02-1161      AWARD OF BID – MAINTENANCE SERVICE OF EMERGENCY GENERATORS – BID NO. 2350-03 – GENERAL SERVICES**

This was the time to consider award of the bid for Maintenance Service of Emergency Generators for the Facility Management Division of the Washoe County General Services Department. The Notice to Bidders for receipt of sealed bids was published in the *Reno Gazette-Journal* on August 29 and September 18, 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:

- Nevada Energy Systems, Inc.
- Cashman Equipment Company, Inc.
- Nevada Generator Systems, Inc.
- Cummins Intermountain, Inc.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioners Bond and Short absent, Chairman Sferrazza ordered that Bid No. 2350-03 for Maintenance Service of Emergency Generators for the Facility Management Division of the Washoe County General Services Department be awarded to the lowest responsive, responsible bidder, Nevada Energy Systems, Inc., in the estimated annual amount of \$10,824.68. It was noted that a

total of twenty emergency back-up generators would be involved initially in this contract with several more anticipated to be put under contract in the next year or two. This number of generators and the resulting annual estimate would change as units are either added or deleted from the maintenance service agreement. It was further ordered that the Purchasing and Contracts Administrator be authorized to execute a one year maintenance servicing agreement with Nevada Energy Systems, Inc., with the County retaining the option to renew for a single, two-year period.

**02-1162      AWARD OF BID – TRUCK MOUNT HOOK LIFT SYSTEMS – BID NO. ITB-2353-03 – GENERAL SERVICES**

This was the time to consider award of the bid for Truck Mount Hook Lift Systems for the Equipment Services Division of the Washoe County General Services Department. The Notice to Bidders for receipt of sealed bids was published in the *Reno Gazette-Journal* on September 18, 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:

Pacific Utility Equipment Co.  
Sierra Truck Body & Equipment  
Choquettes & Son Truck Body

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioners Bond and Short absent, Chairman Sferrazza ordered that Bid No. 2353-03 for the Equipment Services Division of the Washoe County General Services Department be awarded to Pacific Utility Equipment Company in the amount of \$35,090.00. It was further ordered that the County's right to procure additional truck mount hook lift systems as identified in the bid from the successful bidder through December 31, 2003, provided there is no increase in bid pricing, and with the prior approval of the Finance Department, be acknowledged.

**02-1163      AWARD OF BID – NORTHWEST TANK ACCESS ROAD REPAIR – WATER RESOURCES**

This was the time to consider award of the bid for construction of the Northwest Tank Access Road Repair project for the Water Resources Department. The Notice to Bidders for receipt of sealed bids was published in the *Reno Gazette-Journal* on October 4, 9, 11, 17, 23 and 25, 2002. Proof was made that due and legal Notice had been given.

Following is a summary of the bid results:

|                           |                      |
|---------------------------|----------------------|
| JDC Excavating, Inc.      | \$ 99,995.90         |
| Granite Construction      | \$ 116,300.00        |
| RDK Construction          | \$ 122,266.94        |
| Construction Supply Inc.  | \$ 124,432.00        |
| Robert Burke Construction | \$ 135,000.00        |
| Mike's Trenching          | \$ 138,826.00        |
| Canyon Creek Construction | \$ 141,035.40        |
| Horizon Construction      | \$ 150,113.32        |
| F.W. Carson Co.           | \$ 151,201.32        |
| SNC                       | \$ 166,385.00        |
| A&K Earthmovers           | \$ 168,583.00        |
| Robert F. Enz             | \$ 185,983.00        |
| <b>Engineers Estimate</b> | <b>\$ 163,907.00</b> |

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

1. The bid for construction of the Northwest Tank Access Road Repair project be awarded to JDC Excavating Inc., the lowest responsible, responsive bidder in the amount of \$99,995.90;
2. Chairman Sferrazza be authorized to execute the contract documents upon their receipt; and
3. The Utility Services Manager be authorized to issue the Notice to Proceed.

**02-1164      PURCHASE AUTHORIZATION – HIGHWAY ROAD SALT – PUBLIC WORKS**

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioners Bond and Short absent, Chairman Sferrazza ordered that the Purchasing and Contracts Administrator be authorized to utilize the State of Nevada contract for highway road salt for the duration of the contract period, August 1, 2002 through August 31, 2004 on behalf of the Roads Division of the Washoe County Public Works Department.

It was further ordered that the Purchasing and Contracts Administrator be authorized to issue purchase orders for Highway Road Salt that may exceed \$25,000 per order. Highway road (de-icing) salt (Rock Salt – Sodium Chloride), minimum 95% Sodium Chloride (NaCl) will be utilized, as approved by the State of Nevada in their Invitation to Bid #6735.

It was noted that the supplier would be Huck Salt & Sons.

**02-1165      PURCHASE AUTHORIZATION – ROAD DE-ICING SAND  
(SPECIFICATION “D”) – ROADS DIVISION – PUBLIC WORKS**

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioners Bond and Short absent, Chairman Sferrazza ordered that the Purchasing and Contracts Administrator be authorized to utilize the State of Nevada contract for road de-icing sand for the duration of the contract period, April 30, 2002 through April 30, 2004 on behalf of the Roads Division of the Washoe County Public Works Department. It was further ordered that the Purchasing and Contracts Administrator be authorized to issue purchase orders for Road De-icing Sand that may exceed \$25,000.00 per order. De-icing sand for roadways, (specification “D”), will be utilized by the Roads Division, as approved by the State of Nevada in their Invitation to Bid #6690.

It was noted the two suppliers would be Martin Marietta Material and Paiute Aggregates Inc.

**02-1166      UNBUDGETED CAPITAL OUTLAY – 2002 DODGE DAKOTA 4X4  
– SENIOR SERVICES**

Upon recommendation of Karen Mabry, Director, Senior Services, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioners Bond and Short absent, Chairman Sferrazza ordered that the purchase of a 2002 Dodge Dakota 4x4 meal delivery vehicle at the approximate cost of \$14,200.00 be approved.

It was noted that the vehicle would be purchased with existing fiscal year 02/03 Independent Living Grant funds and existing private donations that have been approved pursuant to the fiscal year 2003 budget process.

**02-1167      ALCOHOL BEVERAGE WAIVER – SOCIETY FOR CREATIVE  
ANACHRONISM, INC. – SENIOR SERVICES CENTER**

Upon recommendation of Karen Mabry, Director, Senior Services, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioners Bond and Short absent, Chairman Sferrazza ordered that a waiver of prohibition of serving alcoholic beverages for the Society of Creative Anachronism, Inc. for its annual dinner on Saturday, December 7, 2002 to be held at the Sparks Senior Center be approved.

**02-1168      ELIMINATE VACANT POSITION – INCREASE HOURS –  
COUNTY CLERK – BUDGET**

Upon recommendation of Ron Steele, Finance Department, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioners Bond and Short absent, Chairman Sferrazza ordered that the following changes be approved in the County Clerk's Office:

1. Eliminate one vacant part-time Office Assistant II position with benefits (No. 28); and
2. Increase the hours of the existing part-time Office Assistant II position with benefits (No. 9) to a full-time position.

**02-1169      COMMUNITY SUPPORT RESOLUTION – INCLINE VILLAGE  
GENERAL IMPROVEMENT DISTRICT – SENIOR CITIZEN  
ACTIVITIES – GRANTS ADMINISTRATOR**

Upon recommendation of Gabrielle Enfield, Grants Administrator, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioners Bond and Short absent, it was ordered that the Grant Agreement, in the amount of \$22,176.00 between the County of Washoe and the Incline Village General Improvement District for fiscal year 2002-2003, for senior citizen activities retroactive to July 1, 2002 be approved. It was further ordered that the following Resolution Authorizing grant of funds to the Incline Village General Improvement District be adopted and Chairman Sferrazza be authorized to execute the Resolution:

**RESOLUTION:      Authorizing grant of funds to the Incline Village General Improvement District**

**WHEREAS**, pursuant to NRS 244.1505, Washoe County may expend money for any purpose which will provide a substantial benefit to the inhabitants of the county; and

**WHEREAS**, Incline Village General Improvement District owns and operates the Chateau a meeting and gathering place for Incline Village residents; and

**WHEREAS**, Washoe County desires to provide money to Incline Village General Improvement District to make available the Chateau to the Incliners, a senior citizens' group, for senior activities at Incline Village 24 times throughout the 2002-2003 fiscal year;

**WHEREAS**, the Washoe County finds that in making the Chateau available for seniors to use provides a substantial benefit to the inhabitants of the county;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY**, that the Board hereby enters into the Grant Agreement placed on file with the Clerk to provide funds to Incline General

Improvement District to make available the Chateau for the uses and purposes set forth in the Grant Agreement.

**02-1170      CONSENT AND WAIVER OF CONFLICT OF INTEREST –  
LIONEL SAWYER & COLLINS – DISTRICT ATTORNEY**

Upon recommendation of Madelyn Shipman, Assistant District Attorney, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioners Bond and Short absent, Chairman Sferrazza ordered that consent be given to Lionel Sawyer & Collins undertaking representation of clients doing business with the County on matters unrelated to any legal and lobbying services on legislative matters at the 2003 Nevada Legislature. It was further ordered that Chairman Sferrazza be authorized to execute the Consent and Waiver of Conflict of Interest.

**02-1171      WAIVER OF CONFLICT – ERNEST ADLER, ESQ. – DISTRICT  
ATTORNEY**

Upon recommendation of Madelyn Shipman, Assistant District Attorney, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioners Bond and Short absent, Chairman Sferrazza ordered that the County waive any conflict of interest regarding Mr. Ernest Adler's representation of a person who filed a claim against the County and Mr. Adler be authorized to represent the client.

**02-1172      RESOLUTION – AMEND OCTOBER 8, 2002 RESOLUTION –  
DISPOSAL OF 2002 TAX DELINQUENT LANDS –  
ENGINEERING**

Upon recommendation of Mimi Fujii-Strickler, Civil Engineer Assistant, through Dave Roundtree, Director, Public Works, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioners Bond and Short absent, it was ordered that the following Resolution be adopted and Chairman Sferrazza be authorized to execute the same:

**RESOLUTION**

**A RESOLUTION CORRECTING AN OCTOBER 8,  
2002 RESOLUTION OF THE BOARD OF COUNTY  
COMMISSIONERS DIRECTING THE COUNTY  
TREASURER TO TRANSFER TO OTHER  
GOVERNMENTS REAL PROPERTY HELD IN  
TRUST BECAUSE OF PROPERTY TAX  
DELINQUENCIES AND OTHER MATTERS  
PROPERLY RELATED THERETO.**

**WHEREAS**, on October 8, 2002 the Board of County Commissioners adopted a resolution ordering the Washoe County Treasurer to transfer the following certain parcels listed to Washoe County to serve public purposes:

023-302-18 Sliver Parcel  
034-362-10 Coney Island Drive  
036-480-01 Common Area  
036-480-02 Common Area  
039-490-41 Seventh Street  
039-490-42 Sierra Highland Drive/Villa Verde Drive  
082-611-10 Sliver Parcel  
089-460-25 Drainage  
208-252-09 Heatherwood Drive  
208-260-19 Emerald View Court/Heatherwood Drive  
208-272-08 Secondary Access Road  
208-272-09 Heatherwood Court  
522-181-11 Common Area

**WHEREAS**, the parcels listed above are held in trust by the County Treasurer due to nonpayment of taxes and should remain so instead of being transferred to the county until further order of the board;

**NOW THEREFORE BE IT HEREBY RESOLVED** by the Washoe County Board of County Commissioners that the parcels listed above are held in trust by the County Treasurer due to non-payment of taxes and should remain so instead of being transferred to the county until further order of the board.

**02-1173      AWARD OF PROPOSAL – ORTHO-PHOTOGRAPHY – TWO-FOOT CONTOUR MAPPING PRODUCTS – TRIALTHON LTD. – INFORMATION TECHNOLOGY – GIS**

Upon recommendation of Thomas Lo, GIS Manager, and Matt Beckstadt, Director, Information Technology, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioners Bond and Short absent, Chairman Sferrazza ordered that the proposal for updating the existing two-foot Contour Mapping Products on behalf of Washoe County and the joinder agencies, the Cities of Reno and Sparks and Sierra Pacific Power Company, be awarded to the single source/original bidder per NRS 332.115, Trialthon Ltd., in the amount of \$45,900.

**02-1174      GRANT OF EASEMENT – MONTREUX HOMEOWNERS ASSOCIATION – SEWER LINE – WATER RESOURCES**

Upon recommendation of Paul Orphan, Engineering Division Manager, and John Collins, Utility Services Division Manager, through Steve Bradhurst, Director, Water Resources, on motion by Commissioner Galloway, seconded by Commissioner

Shaw, which motion duly carried with Commissioners Bond and Short absent, it was ordered that:

1. Chairman Sferrazza be authorized to execute the Grant of Easement for a sewer line in the Montreux subdivision; and
2. The Manager of the Utility Services Division be directed to record the documents with the County Recorder.

**02-1175      ACCEPTANCE OF DONATIONS – 8<sup>TH</sup> ANNUAL SHERIFF’S  
COMMUNITY PICNIC 2002 – SHERIFF**

Commissioner Galloway stated he previously requested there be a place in the County Complex for posting identified donors for the month, so that people may see who is generously supporting our community. Chairman Sferrazza asked that a “thank you” letter also be sent to donors.

Upon recommendation of Dennis Balaam, Sheriff, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioners Bond and Short absent, Chairman Sferrazza ordered that donations, in the amount of \$4,039.62 in cash, food and raffle items from various local businesses, used for the 8<sup>th</sup> annual Sheriff’s Community Picnic 2002 held September 28, 2002 at the Village Green and Aspen Grove in Incline Village, be accepted with the Board’s gratitude.

**02-1176      ACCEPTANCE OF DONATION – REGIONAL FACILITY  
TRAINING RANGE, SPECIAL WEAPONS AND TACTICS TEAM  
(SWAT), AND DETENTION RESPONSE TEAM (DRT) – SHERIFF**

Upon recommendation of Dennis Balaam, Sheriff, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioners Bond and Short absent, Chairman Sferrazza ordered that the donation from Sears of six large mannequin torsos, valued at \$250 each, sixteen medium mannequin torsos, valued at \$150 each, and five small mannequin torsos, valued at \$100 each, for a total donation of \$4,400 be accepted with the Board's gratitude. It was noted that the mannequin torsos would be used by the Regional Training Facility Range, Washoe County Sheriff’s Office SWAT and DRT for training purposes.

**02-1177      ACCEPTANCE OF GRANT – NEVADA HOMELAND SECURITY  
COMMITTEE/WASHOE LOCAL EMERGENCY PLANNING –  
SHERIFF**

Upon recommendation of Dennis Balaam, Sheriff, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioners Bond and Short absent, Chairman Sferrazza ordered that a grant of the below listed equipment be accepted:

| <b>Equipment</b>                | <b>Quantity</b> | <b>Cost</b> | <b>Total Cost</b>   |
|---------------------------------|-----------------|-------------|---------------------|
| MSA Canisters NBC filter        | 175             | \$ 20.35    | \$ 3,561.25         |
| MSA Advantage 1000 mask large   | 131             | \$ 115.00   | \$ 15,065.00        |
| MSA Advantage 1000 mask med.    | 35              | \$ 115.00   | \$ 4,025.00         |
| MSA Advantage 1000 mask small   | 9               | \$ 115.00   | \$ 1,035.00         |
| Drager SCBA (Bomb Squad)        | 6               | \$3,015.96  | \$ 18,095.80        |
| Scott SCBA w/mask & carry case  | 18              | \$3,639.90  | \$ 65,518.20        |
| Yaesu dual band encrypted radio | 22              | \$1,752.28  | \$ 38,550.16        |
| Doff-It Kit                     | 170             | \$ 18.09    | \$ 3,075.30         |
| <b>TOTAL</b>                    |                 |             | <b>\$148,925.71</b> |

It was noted that this equipment grant is made possible through the Nevada Homeland Security Committee through the Washoe Local Emergency Planning Committee. It was further noted that any future repair or maintenance of this equipment would be covered by existing funds in the Sheriff's Office budget.

**02-1178      ACCEPTANCE OF DONATION – K-9 UNIT – SHERIFF**

Upon recommendation of Dennis Balaam, Sheriff, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioners Bond and Short absent, Chairman Sferrazza ordered that monetary donations totaling \$20,018.00 from private citizens for the Sheriff's Office K-9 unit be accepted with the Board's gratitude. It was further ordered that the following budget adjustments be authorized:

|                               |             |
|-------------------------------|-------------|
| <b>Increase Revenues:</b>     |             |
| 15226D-5802                   | \$20,018.00 |
| <b>Increase Expenditures:</b> |             |
| 15226D-7140                   | \$ 5,000.00 |
| 15226D-7208                   | \$ 5,018.00 |
| 15226D-7385                   | \$ 5,000.00 |
| 15226D-7620                   | \$ 5,000.00 |

**02-1179      AGREEMENT – STATE PURCHASING DIVISION – THE EMERGENCY FOOD ASSISTANCE PROGRAM/COMMODITY SUPPLEMENTAL FOOD PROGRAM/NUTRITION SERVICES INCENTIVE PROGRAM – SENIOR SERVICES**

Upon recommendation of Karen Mabry, Director, Senior Services, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioners Bond and Short absent, it was ordered that the Intrastate Interlocal Agreement between Washoe County and the State of Nevada, Department of Administration, Purchasing Division, concerning participating in The Emergency Food Assistance Program (\$10,000), the Commodity Supplemental Food Program (funding not known at this time) and the Nutrition Services Incentive Program (\$102,000) be approved and Chairman Sferrazza be authorized to execute the Contract.

**02-1180**      **LEASE AGREEMENT – HIGH SIERRA COMMUNICATIONS, INC. – 800 MHz REGIONAL RADIO SYSTEM – GENERAL SERVICES**

Upon recommendation of Tom Gadd, Director, General Services, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioners Bond and Short absent, it was ordered that the Lease Agreement between Washoe County and High Sierra Communications, Inc., concerning leasing a building, microwave connectivity and tower space on Poito Mountain for installation of communications equipment (\$23,441.16 for first year) in conjunction with operation of the 800 MHz Regional Radio System be approved and Chairman Sferrazza be authorized to execute the Lease Agreement.

**02-1181**      **LEASE AGREEMENT – DR. DENNIS ANASTASSATOS – DISTRICT HEALTH DEPARTMENT’S SUN VALLEY WOMEN, INFANTS AND CHILDREN CLINIC – SHERIFF’S SUB-STATION – GENERAL SERVICES**

Upon recommendation of Tom Gadd, Director, General Services, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioners Bond and Short absent, it was ordered that the Lease Agreement between Washoe County and Dr. Dennis Anastassatos, concerning extending the term for lease of office space to operate the District Health Department’s Sun Valley Women, Infants and Children Clinic and Sheriff’s sub-station for a 24-month term (retroactive to October 1, 2002 through September 30, 2004) and for such other terms and conditions as stated therein be approved and Chairman Sferrazza be authorized to execute the Lease Agreement.

**02-1182**      **AGREEMENT – DETERMINISTIC SYSTEMS, INC. – LOG FLUME RIDE – RANCHO SAN RAFAEL – PARKS**

Upon recommendation of Gregg Finkler, Parks Operations Superintendent, through Karen Mullen, Director, Parks Department, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioners Bond and Short absent, it was ordered that the upgrade to the ride control system for the Log Flume Ride at Great Basin Adventure in Rancho San Rafael Regional Park be approved and Chairman Sferrazza be authorized to execute the Agreement between Washoe County (on behalf of the May Foundation) and Deterministic Systems, Inc. concerning the same (in the amount of \$49,420 plus reimbursable expenses, which funding will be provided by the Wilbur May Foundation.)

**02-1183**      **AGREEMENT – SIERRA PACIFIC POWER COMPANY – WATER LINE EASEMENT – WATER RESOURCES**

Upon recommendation of John Collins, Manager, Utility Services Division, and Paul Orphan, Utility Division Engineering Manager, through Steve Bradhurst, Director, Water Resources, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioners Bond and Short absent, Chairman Sferrazza ordered that the Consent to Common Use Agreement between Washoe County (Department of Water Resources) and Sierra Pacific Power Company, concerning an easement enabling the construction of a water line and recharge well on property currently occupied by Sierra Pacific Power Company, be approved. It was further ordered that the Director of Water Resources be authorized to execute the Agreement.

**02-1184      AGREEMENT – ECO:LOGIC, LLC – CONSULTING SERVICES – REGIONAL WATER PLANNING COMMISSION**

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 Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioners Bond and Short absent, Chairman Sferrazza ordered that funding from the Regional Water Management Fund, in the not-to-exceed amount of \$100,000, for ECO:LOGIC, LLC to provide facilitation and technical assistance to the Regional Water Planning Commission to develop water related criteria policies as described in the October 17, 2002 Regional Plan Settlement Agreement, be approved. It was further ordered that Chairman Sferrazza be authorized to execute the Professional Services Agreement for completion of the work.

**02-1185      AGREEMENT – UNION PACIFIC RAILROAD COMPANY – RIGHT OF ENTRY – GERLACH – PUBLIC WORKS**

Upon recommendation of Don Jeppson, Public Works Project Coordinator, through Roger Van Alyne, Capital Projects Division Manager, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioners Bond and Short absent, it was ordered that the Renewal Rider Agreement between Washoe County (Department of Public Works) and Union Pacific Railroad Company, concerning environmental right of entry to the railroad's right-of-way for monitoring, sampling and testing of groundwater in the Gerlach area, be approved and Chairman Sferrazza be authorized to execute the Agreement.

**02-1186      PURCHASE AUTHORIZATION – REPLACEMENT VEHICLE – EQUIPMENT SERVICES DIVISION – GENERAL SERVICES**

Upon recommendation of Tom Gadd, Director, General Services, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioners Bond and Short absent, Chairman Sferrazza ordered that the purchase of one used (replacement) vehicle in the amount of \$29,875 for the Equipment Services Division be approved.

It was noted that no funding transfer is required, as funds are currently budgeted within Equipment Services Division (6901-7854).

It was further noted that the vehicle recommended for purchase is a 2002 model year vehicle with approximately 17,700 miles. This is a replacement unit for an existing vehicle that would be reassigned to another County program whereupon another vehicle would be removed from service.

**02-1187      RESTRICTIVE COVENANTS, GRANT, BARGAIN AND SALE DEEDS, & EASEMENT – SOUTHWEST POINTE ASSOCIATES, LLC, ARROWCREEK GOLF HOLDINGS LLC, ARROWCREEK HOMEOWNERS ASSN. & NELL J. REDFIELD TRUST – PARKS**

Upon recommendation of Mike Boster, Park Planner, through Karen Mullen, Director, Parks Department, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioners Bond and Short absent, it was ordered that the following five documents for the transfer of 267.28 acres of open space at the ArrowCreek development from Southwest Pointe Associates, LLC, ArrowCreek Golf Holdings LLC, ArrowCreek Homeowners Association, and the Nell J. Redfield Trust be accepted and Chairman Sferrazza be authorized to execute the two “Restrictive Covenants,” two “Grant, Bargain and Sale Deeds,” and one “Easement for Drainage and Utilities.”

**02-1188      RECLASSIFICATIONS AND ABOLISH EXISTING POSITION – HUMAN RESOURCES**

Upon recommendation of Joanne Ray, Director, Human Resources, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioners Bond and Short absent, Chairman Sferrazza ordered that the following reclassification of existing positions and abolishment of class be approved as follows:

| <b>Reclassification of existing positions</b> |                                    |                         |   |                  |
|---|------------------------------------|-------------------------|---|------------------|
| <b><u>Department</u></b>                      | <b>Current Position</b>            | <b><u>Pay Grade</u></b> | <b>Recommended Class</b>                | <b>Pay Grade</b> |
| Social Services                               | Clinic Social Services Coordinator | N                       | Social Worker III                       | N                |
| Social Services                               | Social Worker III                  | N                       | Eligibility Certification Specialist II | I                |

**Abolishment of Class**  
Clinic Social Services Coordinator

It was noted that the fiscal impact of these reclassifications for FY 02/03 is a savings of approximately \$18,401.

**02-1189      PURCHASE AUTHORIZATION – AUDIO VISUAL SYSTEM –  
FAMILY COURT REMODEL – PHASE 3 – PUBLIC WORKS**

Upon recommendation of Don Jeppson, Public Works Project Coordinator, through Roger Van Alyne, Capital Projects Division Manager, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioners Bond and Short absent, Chairman Sferrazza ordered that the purchase of an audio visual system in the amount of \$38,246 for the Family Court Remodel – Phase 3 be approved.

**02-1190      REQUEST FOR PROPOSAL – RFP NO. 2358-03/PW –  
ACTUARIAL SERVICES – SELF-FUNDED GROUP HEALTH  
BENEFIT PLAN – RISK MANAGEMENT**

This was the time to consider request for proposals, Notice to Proposers for receipt of sealed proposals having been published in the *Reno Gazette-Journal* on October 9, 2002 for RFP No. 2358-03/PW for Actuarial Services for the Self-Funded Group Health Benefit Plan Fiscal Year 2002-2003 on behalf of Risk Management. Proof was made that due and legal Notice had been given.

Request for Proposals were received from the following respondents:

Milliman USA  
Mercer Consulting  
Towers Perrin

Upon recommendation of James Jeppson, Risk Manager, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioners Bond and Short absent, Chairman Sferrazza ordered that RFP No. 2358-03/PW for actuarial services for the Self-funded Group Health Benefit Plan for Fiscal Year 2002/2003 on behalf of Risk Management be awarded to Milliman USA and that the Risk Manager be authorized to execute an agreement for a three-year period with the option to renew for two additional one-year periods.

**02-1191      RESOLUTION – SPECIAL ASSESSMENT DISTRICT NO. 32  
(SPANISH SPRINGS VALLEY RANCHES ROADS) – PUBLIC  
WORKS**

On motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioners Bond and Short absent, it was ordered that the following Resolution be adopted and Chairman Sferrazza be authorized to execute the Resolution on behalf of Washoe County:

**RESOLUTION NO. 02-1191**

**A RESOLUTION MAKING A PROVISIONAL ORDER FOR THE ACQUISITION AND IMPROVEMENT OF A STREET PROJECT PURSUANT TO THE CONSOLIDATED LOCAL IMPROVEMENTS LAW, AND ALL LAWS AMENDATORY THEREOF AND SUPPLEMENTAL THERETO, TO BE KNOWN AS WASHOE COUNTY, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 32 (SPANISH SPRINGS VALLEY RANCHES ROADS); SETTING A TIME AND PLACE FOR A PUBLIC HEARING ON THE PROJECT; PROVIDING THE MANNER, FORM AND CONTENTS OF THE NOTICE THEREOF; RATIFYING ACTION HERETOFORE TAKEN NOT INCONSISTENT HERewith; AND PROVIDING THE EFFECTIVE DATE HEREOF.**

**WHEREAS**, the Board of County Commissioners (herein "Board") of the County of Washoe in the State of Nevada, duly adopted and approved has directed the Director of the Department of Public Works (the "Engineer") to file with the County Clerk certain preliminary plans, assessment plat, typical section of the contemplated improvements, preliminary estimate of cost, and estimate of maximum benefits, all in connection with the acquisition, pursuant to Chapter 271, Nevada Revised Statutes, of a street project, as hereinafter more specifically described (the "Street Project" or "Project"); and

**WHEREAS**, pursuant to such direction and with such modification in the details of the Project as was deemed necessary and as is consistent with the provisions of this resolution, the Engineer on or before November 19, 2002, filed with the Clerk of the County, in connection with said improvements, and with the proposed Washoe County, Nevada, Special Assessment District No. 32 (Spanish Springs Valley Ranches Roads), the following:

(A) Preliminary plans and specifications, with construction drawings, showing a typical section of the contemplated improvements, the type or types of material, and the approximate thickness and wideness;

(B) A preliminary estimate of the total cost of the Project and of each type of construction, the estimate being made on a lump sum, including in the total estimate, without limiting the generality of the foregoing, the advertising, appraising, engineering, legal, printing, and such other expenses as in the judgment of the Engineer are necessary or essential to the completion of such work or improvement, and the payment of the cost thereof;

(C) An assessment plat or map, including an addendum thereto (designated as a "Tabulation of Parcels" or "Preliminary Assessment Roll") showing the

descriptions of the property to be assessed, showing the area to be assessed, the market values, the amounts of estimated preliminary assessments, the amount of maximum benefits estimated to be assessed against each tract or parcel of land in the District, the estimate being based on a per lot basis for the unit, as hereafter described and with an equitable adjustment having been made for any tract or parcel not specially benefited in direct proportion to the percentage applicable to that tract or parcel under the per lot method used so that assessments according to benefits will be equal and uniform; and

(D) The Engineer's Report to the Board of County Commissioners on Benefits as to the method of determining benefits and explaining the adjustments and the per lot method of assessment; and

**WHEREAS**, the Board has examined said plans, assessment plat, including the addendum thereto, a typical section of contemplated improvements, preliminary estimate of the cost, estimate of maximum benefits and Engineer's Report so filed with said Clerk and has found and does hereby declare the same to be satisfactory in all respects.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE, IN THE STATE OF NEVADA:** that the Board shall and hereby does accept the plans and specifications, assessment plat (including the addendum and exhibits thereto), typical section of the contemplated improvements, preliminary estimate of cost, the Engineer's Report on Benefits and the estimate of maximum benefits to be assessed against each tract or parcel of land in the assessment area.

**THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY DOES RESOLVE FURTHER AND SHALL, AND HEREBY DOES, PROVISIONALLY ORDER:**

Section 1. The improvement district shall be designated "Washoe County, Nevada, Special Assessment District No. 32 (Spanish Springs Valley Ranches Roads)" (the "District").

Section 2. The Project shall be acquired at an estimated preliminary total cost of \$5,600,000, including engineering, legal, and incidental expenses as more particularly hereinafter set forth and as described in the plans and specifications herein accepted, reference to which is hereby made and which are available for public inspection at the office of said County Clerk and at the office of the Engineer.

Section 3. The District shall constitute one assessment unit for purposes of remonstrance, construction and assessment. The boundaries of the District and such units shall be as designated in the form of notice set forth in Section 4 of this resolution. The amounts to be assessed shall be made upon all tracts benefited in proportion to the special benefits received, as more fully described in the form of notice set forth in Section 4 of this resolution.

Section 4. On December 10, 2002 at 5:30 p.m. at the Commissioners' Chambers, Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada (i.e., a time at least 20 days after the adoption of this resolution), the Board of County Commissioners will consider the ordering of the Project and will hear all complaints, protests and objections that may be made in writing and filed as hereafter provided, or made verbally at the hearing concerning the same by the owners of the property to be assessed or any person interested. The owners of the property to be assessed or any other persons interested therein may file a written protest or objection and may appear before the Board and be heard as to the propriety and advisability of making such improvements as to the estimated cost thereof, as to the manner of payment therefor, and as to the amount thereof to be assessed against the property to be improved. Twenty (20) days' notice in writing of such time and place shall be given to such property owners, postage prepaid, as first-class mail to each of such property owners at his last-known address, the names and addresses of such property owners to be obtained from the records of the County Assessor or from such other sources as the County Clerk or the Engineer deem reliable. Any such list of names and addresses may be revised from time to time but such list need not be revised more frequently than at twelve-month intervals. If a mobile home park is located on one or more of the tracts to be assessed, the notice must be given to the owner of the tract and each tenant of that mobile home park. Notice shall also be given by posting in three public places at or near the site of the Project at least twenty (20) days prior to said hearing. Proof of such mailing and posting shall be made by the affidavit of the County Clerk or of the Engineer, such proof to be filed with the County Clerk, provided that failure to mail such notice or notices shall not invalidate any assessment nor any other of the proceedings hereunder. Notice of the time and place of such hearing shall also be given by publication in the Reno Gazette-Journal, a daily newspaper published in Reno and of general circulation in Washoe County, Nevada, once each week for three (3) consecutive weekly publications, by three (3) weekly insertions, the first publication in such newspaper to be at least fifteen (15) days prior to the date of the protest hearing. Not less than fourteen (14) days shall intervene between the first publication and the last publication in such newspaper. Such service by publication shall be verified by the affidavit of the publishers and filed with the County Clerk. The proof of publication, the proof of mailing and the proof of posting shall be maintained in the records of the office of the County Clerk until all the assessments appertaining to the District shall have been paid in full as to principal, interest and any penalties or collection costs. The notice shall be in substantially the form placed on file with the Clerk.

Section 5. All action, proceedings, matters and things heretofore taken, had and done by the County and the officers thereof (not inconsistent with the provisions of this resolution) concerning the Washoe County, Nevada, Special Assessment District No. 32 (Spanish Springs Valley Ranches Roads) be, and the same hereby are, ratified, approved and confirmed.

Section 6. The officers of the County are directed to effectuate the provisions of this resolution.

Section 7. All resolutions, or parts thereof, in conflict herewith are hereby repealed to the extent of such inconsistency.

Section 8. The invalidity of any provision of this resolution shall not affect any remaining provisions hereof.

Section 9. 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.

**02-1192      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 with Commissioners Bond and Short absent, it was ordered that the following actions be taken in support of Ben Farahi's residence, APN 222-060-50, so that Truckee Meadows Water Authority may supply water to this project:

1. The Water Rights Deed and corresponding Water Sale Agreement for 0.88 acre-feet of surface water rights from a portion of Claim 242, between Truckee Meadows Water Authority and Washoe County be approved.
2. Chairman Sferrazza be authorized to execute the Water Rights Deed and 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.

**02-1193      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 with Commissioners Bond and Short absent, it was ordered that the following actions be taken in support of 39 residential units and irrigation for Southwest Vistas, Unit 7:

1. The Water Rights Deed for 38.47 acre-feet of surface water rights from a portion of Claim 576, abrogated by Permit 65244, between the Truckee Meadows Water Authority and Washoe County be approved.

2. The Water Sale Agreement for 25.80 acre-feet of surface water rights between the Truckee Meadows Water Authority and Washoe County be approved.
3. Chairman Sferrazza be authorized to execute the Water Rights Deed and Water Sale Agreement.
4. The Utility Services Division Manager be directed to record the Water Rights Deed and Water Sale Agreement with the Washoe County Recorder.

**02-1194      JOINT RESOLUTION – AMENDED RENO-STEAD CORRIDOR  
JOINT PLAN – COMMUNITY DEVELOPMENT**

Upon recommendation of Sharon Kvas, Planning Manager, Community Development, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioners Bond and Short absent, it was ordered that Chairman Sferrazza be authorized to execute the following final resolution to amend the Reno-Stead Corridor Joint Plan (Reno Master Plan Amendment Case No. LDC02-00211 and Washoe County Comprehensive Plan Amendment Case No. CP01-012) to complete the process under NRS 278.02786:

**JOINT RESOLUTION OF THE  
RENO CITY COUNCIL AND THE BOARD OF COUNTY COMMISSIONERS  
ADOPTING THE AMENDED RENO-STEAD CORRIDOR JOINT PLAN  
(RENO MASTER PLAN AMENDMENT CASE NO. LDC02-00211 AND  
WASHOE COUNTY COMPREHENSIVE PLAN AMENDMENT CASE NO. CP01-012)**

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

**WHEREAS**, The Truckee Meadows Regional Plan identifies the RENO-STEAD CORRIDOR JOINT PLAN as a part of the City of Reno Master Plan and the Washoe County Comprehensive Plan - North Valleys Area Plan and, further, NRS 278.02784 and 278.02786 specify the purpose and procedure for the adoption of a joint plan consistent with the Truckee Meadows Regional Plan;

**WHEREAS**, The City of Reno Planning Commission and the Washoe County Planning Commission have found that the RENO-STEAD CORRIDOR JOINT PLAN, a part of the Reno Master Plan and the amended Washoe County Comprehensive Plan - North Valleys Area Plan, and the most recent amendment, provides a long-term general plan for the development of the City of Reno and Washoe County including the subject matter currently deemed appropriate for inclusion in the City of Reno Master Plan and the Washoe County Comprehensive Plan - North Valleys Area Plan;

**WHEREAS**, NRS 278.02784 specifies that the RENO-STEAD CORRIDOR JOINT PLAN shall be submitted to the Regional Planning Commission for review of conformance with the Truckee Meadows Regional Plan pursuant to NRS 278.028; and, further, that a public hearing on review of conformance of the RENO-STEAD CORRIDOR JOINT PLAN, with the Truckee Meadows Regional Plan, was originally held on June 23, 1999, with the most recent amendment to the RENO-STEAD CORRIDOR JOINT PLAN being held on April 27, 2002, and the Regional Planning Commission found that the amended RENO-STEAD CORRIDOR JOINT PLAN, was in conformance with and promotes the goals and policies of the Truckee Meadows Regional Plan;

**WHEREAS**, The City of Reno Planning Commission, the Washoe County Planning Commission and the Regional Planning Commission have submitted the amended RENO-STEAD CORRIDOR JOINT PLAN, a part of the Reno Master Plan and the amended Washoe County Comprehensive Plan - North Valleys Area Plan, to the City Council of the City of Reno, Nevada, and the Board of County Commissioners of Washoe County, Nevada, for approval and adoption;

**WHEREAS**, Pursuant to NRS 278.02786(5), a joint public hearing on the adoption of the RENO-STEAD CORRIDOR JOINT PLAN, a part of the Reno Master Plan and the amended Washoe County Comprehensive Plan - North Valleys Area Plan, was originally held on July 8, 1999, by the City Council of the City of Reno, Nevada, and the Board of County Commissioners of Washoe County, Nevada, with the most recent amendment to the RENO-STEAD CORRIDOR JOINT PLAN being held on February 19, 2002;

**WHEREAS**, Under the provisions of NRS 278.220, the City Council of the City of Reno, Nevada and the Board of County Commissioners of Washoe County, Nevada find that the amended RENO-STEAD CORRIDOR JOINT PLAN, a part of the Reno Master Plan and the amended Washoe County Comprehensive Plan - North Valleys Area Plan, conserves and promotes the public health, safety and general welfare; and

**WHEREAS**, The amended RENO-STEAD CORRIDOR JOINT PLAN, an element of the Reno Master Plan and the amended Washoe County Comprehensive Plan - North Valleys Area Plan, is the desired pattern and guide for the orderly physical growth and development of the Reno-Stead Corridor based on the projected population growth, with the least amount of natural resource impairment, and the efficient expenditure of funds for public services;

**NOW, THEREFORE, IT IS HEREBY RESOLVED, BY THE CITY COUNCIL OF THE CITY OF RENO, NEVADA, AND THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY, NEVADA**, That the Council and Board do hereby adopt and endorse the amended RENO-STEAD CORRIDOR JOINT PLAN, a part of the Reno Master Plan and the amended Washoe County Comprehensive Plan - North Valleys Area Plan, to serve as a guide for the

orderly growth and development of the City of Reno, Nevada, and of Washoe County, Nevada;

**AND BE IT FURTHER RESOLVED**, That the City Council of the City of Reno, Nevada, and the Board of County Commissioners of Washoe County, Nevada, do hereby agree and direct that any amendments to the RENO-STEAD CORRIDOR JOINT PLAN, a part of the Reno Master Plan and the amended Washoe County Comprehensive Plan - North Valleys Area Plan, must be approved by both the City of Reno Planning Commission and the Washoe County Planning Commission before being forwarded for adoption to the Council and Board.

**02-1195      SETTLEMENT AGREEMENT – AT&T COMMUNICATIONS, INC. VS. STATE OF NEVADA DEPARTMENT OF TAXATION, COUNTY OF WASHOE, ET AL. – CASE NO. 98-00628A – DISTRICT ATTORNEY**

Upon recommendation of Blaine Cartlidge, Deputy District Attorney, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioners Bond and Short absent, Chairman Sferrazza ordered that the Settlement Agreement in AT&T Communications, Inc. v. State of Nevada Department of Taxation, County of Washoe, et al., in the First Judicial District Court, Case No. 98-00628A, be approved. It was further ordered that the District Attorney’s Office be directed to sign the Settlement Agreement and a stipulation to dismiss all litigation in the matter. It was also ordered that the Treasurer be authorized to refund to AT&T the amount of \$50,081.46.

**02-1196      CORRECTION OF FACTUAL AND CLERICAL ERRORS ON TAX ROLLS – ASSESSOR**

Upon recommendation of Jean Tacchino, Assistant Chief Deputy Assessor, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioners Bond and Short absent, it was ordered that the following Roll Change Requests, correcting factual errors on tax bills already mailed, be approved and mailed to the property owners, copies of which have 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>  |
|---------------------------------------|----------------|---------------|--------------|
| K & M Homes LLC et al                 | 051-432-01     | [-\$2,815.25] | 2002 Secured |
| Ted C. and Teresa L. Thurston         | 076-360-76     | [-\$38.49]    | 1999 Secured |
| Ted C. and Teresa L. Thurston         | 076-360-76     | [-\$37.98]    | 2000 Secured |
| Ted C. and Teresa L. Thurston         | 076-360-76     | [-\$38.37]    | 2001 Secured |
| Ted C. and Teresa L. Thurston         | 076-360-76     | [-\$44.91]    | 2002 Secured |
| Lynn L. & Melody A. Fetterly, Trustee | 122-112-13     | [-\$1,939.11] | 2002 Secured |
| Bella Luna Properties LLC             | 122-113-03     | [-\$2,397.37] | 2002 Secured |

|   |            |                |              |
|---|------------|----------------|--------------|
| Albert C. & Rita J. Ormiston            | 122-113-13 | [-\$898.09]    | 2002 Secured |
| Frederick A. & Suzanne M. Burkett       | 122-116-08 | [-\$2,434.10]  | 2002 Secured |
| William M. & Patricia A. Moore          | 122-116-10 | [-\$2,106.93]  | 2002 Secured |
| John W. Demorest et al, Trustees        | 123-154-04 | [-\$577.81]    | 2002 Secured |
| Curtis J. & Nancy E. McLachlan          | 130-201-03 | [-\$1,467.91]  | 2002 Secured |
| Tramway Road LLC                        | 130-204-07 | [-\$712.53]    | 2002 Secured |
| James M. & Elizabeth L. Warner, Trustee | 150-161-10 | [-\$291.88]    | 2001 Secured |
| James M. & Elizabeth L. Warner Trustee  | 150-161-10 | [-\$354.02]    | 2002 Secured |
| Barker Coleman Const LLC                | 402-283-13 | [-\$12,515.14] | 2002 Secured |
| Barker Coleman Const LLC                | 402-283-23 | [-\$12,515.14] | 2002 Secured |
| Barker Homes Inc                        | 514-010-53 | [-\$8,934.92]  | 2002 Secured |
| Barker Homes Inc                        | 514-260-03 | [-\$59.97]     | 2002 Secured |
| Barker Homes Inc                        | 514-340-15 | [-\$3,400.29]  | 2002 Secured |

**02-1197 GOLDEN VALLEY COMMUNITY ENTRY SIGN – PARKS**

Chairman Sferrazza asked that staff work with the Golden Valley homeowners to determine the amount of funds necessary for an entry sign into the Golden Valley community, and if funds are needed, County staff assist in identifying funding sources.

Chairman Sferrazza said the City of Reno has a sign, but it only references the Neighborhood Advisory Board (NAB) and not the Citizen Advisory Board (CAB). He also said the City of Reno was willing to put the Washoe County seal on their sign, but did not want to add the CAB. He then said the difference between a NAB and a CAB is that the City of Reno designates homeowner groups as NAB's and the County calls them CAB's. He stated the City of Reno and Washoe County come together in Golden Valley, so part of Golden Valley is in the City and is affiliated with a NAB, and part of Golden Valley is in the County and affiliated with a CAB. He further said they want to preserve their County identity.

Upon recommendation of Karen Mullen, Director, Parks Department, on motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried with Commissioners Bond and Short absent, Chairman Sferrazza ordered that staff be directed to provide assistance to the Golden Valley community in installing an entry sign. It was further ordered that staff be directed to help find funds, if necessary, for the purchase of the sign.

**02-1198 INTERVENTION IN SECOND JUDICIAL DISTRICT COURT CASE NO. CV02-05149 – WASHOE COUNTY EMPLOYEE'S ASSOCIATION VS. SECOND JUDICIAL DISTRICT COURT – DISTRICT ATTORNEY**

Paul Lipparelli, Deputy District Attorney, reviewed a staff report dated October 24, 2002 from Margaret Crowley, Deputy District Attorney, which staff report was placed on file with the Clerk. In answer to Commissioner Galloway, Mr. Lipparelli

said that in the past the County has taken the position that Court employees and other quasi-governmental employees did not have the right to the collective bargaining process.

Upon recommendation of Margaret Crowley, Deputy District Attorney, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioners Bond and Short absent, Chairman Sferrazza ordered that the District Attorney's Office intervene in the above-referenced case to protect Washoe County's interests. It was further ordered that the District Attorney's Office take the position that the employees involved in the Petition do not have the right to the collective bargaining process, but should the Court find otherwise, the District Attorney's Office be ordered to argue that the County would be the logical unit with which to bargain collectively.

**02-1199      ESTABLISH SECTION 125 FLEXIBLE FRINGE BENEFIT  
MEDICAL REIMBURSEMENT AND DEPENDENT CARE PLAN –  
AMERICAN FIDELITY ASSURANCE COMPANY – HUMAN  
RESOURCES**

Chairman Sferrazza asked if there would be an administrative charge to the employees of the County; and Joanne Ray, Human Resources Director, said American Fidelity is waiving the enrollment fee to employees enrolling in the disability insurance.

Upon recommendation of Ms. Ray, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioners Bond and Short absent, Chairman Sferrazza ordered that the Director of Human Resources be authorized to establish a Section 125 Flexible Fringe Benefit Medical Reimbursement and Dependent Care Plan which allows employees to defer income through payroll deductions, on a pre-tax basis, to provide for the reimbursement of qualified medical expenses and dependent care expenses. It was further ordered that the Human Resources Director be authorized to enter into a contract with American Fidelity Assurance Company to serve as the Section 125 Plan Service provider, at no cost to Washoe County, and to allow for the ability of American Fidelity Assurance Company to offer their voluntary products to Washoe County employees as part of the contract. It was noted the plan would be effective January 1, 2003.

**\*2:05 p.m.      Commissioner Short arrived at the meeting.**

**02-1200      PRESENTATION – COMPREHENSIVE ANNUAL FINANCIAL  
REPORT FOR WASHOE COUNTY – YEAR ENDED JUNE 30,  
2002 - COMPTROLLER**

Kathy Garcia, Comptroller, gave a power point presentation, which was placed on file with the Clerk. Ms. Garcia explained that the Comprehensive Annual Financial Report (CAFR) is subject to a financial audit; and the auditor issued an unqualified opinion, which means there were no conditions to record or material

weaknesses in the financial information presented. She said the report is also subject to a compliance audit of the Federal grant activity; and that, too, received an unqualified opinion, which helps to qualify the County as a low risk auditee, lowering audit fees.

Ms. Garcia said that as of the date of the report cash and investments were \$202,000,000 and current liabilities were \$68,000,000. As a measure of liquidity, the County had a coverage ratio of three to one, which was the same coverage ratio as the previous year. In answer to Commissioner Galloway, Ms. Garcia said the normal government coverage ratio is one. She stated this means the County has a strong ability to meet all of its current liabilities. She further said it does not mean there is \$202,000,000 sitting aside; any unused cash or cash that is not immediately needed is invested and the earnings on those investments are used to fund operations of the County. Ms. Garcia stated that \$62,000,000 has been designated to fund operations for the 2002/2003 fiscal year. She pointed out that the County's outstanding principal debt of \$189,000,000 is \$670,000,000 below the legal debt limitation. In answer to Commissioner Galloway, Ms. Garcia said the legal debt limit is equal to ten percent of the total assessed valuation of the County. She then said the County's total revenues increased countywide by 15 percent, and expenses increased by ten percent. Ms. Garcia also said operating revenues are adequate to fund operations of the County, which means that reserves and debt are not required to fund operations.

Felicia O'Carroll, Partner, Kafoury, Armstrong & Company, said she is in charge of the audit of the County. She stated that the unqualified opinion that the County received is the highest level of assurance that may be issued. She said that since the County has hired a grant accountant in the Comptroller's Office, the information presented to Kafoury, Armstrong & Company during the audit was in the best condition it has ever been. Ms. O'Carroll requested that County departments communicate with the grant accountant to insure she is kept informed of individual requirements of specific grants. She then reviewed the management letter dated June 30, 2002, which was placed on file with the Clerk. Ms. O'Carroll stated that the Certificate of Achievement Washoe County received was a monumental accomplishment because Washoe County chose to early implement the new GASB 34 for governmental accounting. She explained that only 200 governments across the U. S. agreed to early implement, and of the 200, only 12 were counties. She further said that the majority of the 200 were small governments with no infrastructure. Ms. O'Carroll stated that electing to early implement and receiving the Certificate of Achievement for the first year of implementation has put Nevada on the map for being a leader in governmental accounting. Ms. O'Carroll further stated she feels Washoe County has set a benchmark for governmental accounting and she is proud to be associated with the County as its external auditor.

Sam Dehne, Reno resident, said he feels the massive amount of cash on the CAFR report could cause carelessness in the minds of the Commissioners.

Ms. Garcia reiterated that \$202,000,000 was the cash balance on the day the CAFR was prepared. John Sherman, Finance Director, said any business needs working capital to insure the payment of bills when they come due, not necessarily when

revenues come in. He further said that last year the Commissioners decided to reduce expenditures to enable an additional ending fund balance to be carried forward into this year's beginning fund balance to help balance this year's budget. In response to Commissioner Galloway, Mr. Sherman said, if revenues continue to flatten, there needs to be a balance between decreasing capital projects as well as operations.

Upon recommendation of Ms. Garcia, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioner Bond absent, Chairman Sferrazza ordered that the Comprehensive Annual Financial Report for the Year Ended June 30, 2002 be accepted, with compliments to the staff involved.

**3:00 p.m. Commissioner Galloway temporarily left the meeting.**

**02-1201 AWARD OF BID – JAN EVANS JUVENILE JUSTICE FACILITY – PWP-WA-2002-219 – PUBLIC WORKS**

This was the time set to award the bid, Notice to Contractors having been published in the *Reno Gazette-Journal* on September 6, 11, 19, and 25, 2002 for the construction of the Jan Evans Juvenile Detention Center, Washoe County, Project No. PWP-WA-2002-219 on behalf of the Public Works Department. Proof was made that due and legal Notice had been given.

Following is a summary of the bid results:

|                  |                 |
|------------------|-----------------|
| Sletten Const.   | \$20,020,000.00 |
| Clark & Sullivan | \$18,975,000.00 |
| United Const.    | \$19,149,000.00 |
| Q & D Const.     | \$20,300,000.00 |

Roger Van Alyne, Capital Projects Manager, noted that a protest had been received from United Construction Company. Katy Singlaub, Washoe County Manager, stated the District Attorney's Office reviewed the bid documents and opined that the minor omission in the bid documents by Clark and Sullivan was not a material variance. She further stated the question is whether the list of major subcontractors that Clark and Sullivan provided meets the requirements of bid form 00410-2, which is the list of major subcontractors. Ms. Singlaub said Clark and Sullivan did reference their other list; they just did not write the information on both lists. Mr. Van Alyne stated that the County's bid documents are being reevaluated in order to avoid future problems.

Commissioner Short disclosed that he met with two gentlemen from United on November 18, 2002.

Paul Lipparelli, Deputy District Attorney, said the section entitled "List of Major Subcontractors" on bid form 00410-2 enumerates types of work: earthwork, structural steel, masonry, plumbing, fire sprinklers, HVAC, electrical, security, food

service, and detention equipment. He stated the cost of some of these subcontractors may be below five percent of the total cost of the bid and some may be below one percent. For example, he said food service might be considered a supplier rather than a subcontractor. He further stated the District Attorney's Office does not believe that Clark and Sullivan violated State law requirements for bidders' lists. Clark and Sullivan's five percent list of subcontractors was included with their bid, and their one percent list was timely submitted. Mr. Lipparelli said that the issue is whether Clark and Sullivan, by referencing its five percent list, obtained an advantage over the other bidders. If so, was that advantage significant and represent a material variance from the bid documents that it would be in the best interest of the public that Clark and Sullivan's bid not be used. In answer to Commissioner Shaw, Mr. Lipparelli stated staff's recommendation is to go forward with Clark and Sullivan in light of staff's understanding of United's position after conferring with legal counsel for the County and United. Commissioner Short stated that United did not use the County's form for their five percent list, but used their own form, and Mr. Lipparelli confirmed that.

Michael Springer, attorney for United Construction Company, argued that the low bidder, Clark and Sullivan, referred to its five percent list and its five percent list was incomplete. He said materiality is defined by Courts across the Country as that which may affect the outcome of the bid, and using a different form does not affect the outcome. He stated United was disadvantaged because they were deprived the opportunity to keep negotiating dollars with subcontractors.

In response to B. J. Sullivan, President, Clark & Sullivan Constructors Inc., Chairman Sferrazza said the Commissioners would be required to disclose if they had talked with anyone from United, and Chairman Sferrazza further said he had not.

Mr. Sullivan explained that in the County's bid documents, they had three forms, and previous bid documents did not. He said Clark & Sullivan followed the rules of Nevada Revised Statutes (NRS) and Clark & Sullivan does not take any bids after 2:00 p.m. In response to Commissioner Short, Mr. Sullivan said Clark & Sullivan submitted their five percent or greater list of subcontractors by 2:00 p.m. and two hours later submitted their one percent or greater list. He further said food service was less than one percent. Commissioner Short said he does not think Clark & Sullivan's reference on form 00410-2 to their five percent list is material; he said he feels it is procedural. In response to Chairman Sferrazza, Mr. Sullivan said their five percent list and their list of major subcontractors are identical.

Ms. Singlaub explained that the County used a different architect on this project, and the architect proposed a different set of bid specifications.

Mr. Springer said NRS 338.141, which is the statute requiring the five percent and one percent lists, does not define five percent or more as major. He further said the County's bid solicitation defined major when it specifically enumerated separate contractors.

Mr. Sullivan stated that on a previous bid, Clark & Sullivan gave a separate five percent listing because the County's list did not have every contractor over five percent and NRS requires a five percent list. He said NRS deems a bid non-responsive if a five percent or greater list is not provided.

Mr. Lipparelli said there are two inquiries: 1) has State law been met with regard to submitting subcontractor lists; and 2) does Clark & Sullivan's bid materially vary from the requirements of the bid documents. He further said in determining a material variance, consideration needs to be given as to whether there was a disadvantage to other bidders. Mr. Lipparelli stated that typically, if it does not disadvantage other bidders, it is not material.

In response to Chairman Sferrazza, Ms. Singlaub said the County contracts with architects to help prepare the bid documents. She stated staff is committed to reviewing the process to identify ways of improving and standardizing the process in the future. Ms. Singlaub said the issues before the Board are: 1) the best interest of the taxpayers, and 2) if a disadvantage exists.

Commissioner Short said he does not see any material advantage to Clark & Sullivan over any other bidder, Commissioner Shaw said he believes Clark & Sullivan operated in good faith, and Chairman Sferrazza said he feels Clark & Sullivan did everything required of them by the County and by the architect.

Upon recommendation of David Solaro, Architect, through Roger Van Alyne, Capital Projects Division Manager, on motion by Commissioner Shaw, seconded by Commissioner Short, which motion duly carried with Commissioners Bond and Galloway absent, Chairman Sferrazza ordered that the bid for the Jan Evans Juvenile Justice Facility, Washoe County, Nevada, Project No. PWP-WA-2002-219 be awarded to Clark and Sullivan Constructors Inc. for the base bid amount of \$18,975,000.00 with deductive alternate 11, (\$6,700.00), for a total contract of \$18,968,300.00. It was further ordered that Chairman Sferrazza be authorized to execute the construction contract when presented. It was also ordered that the Professional Testing and Inspection Agreement for the Jan Evans Juvenile Justice Facility with Black Eagle Consulting Inc. in the amount of \$139,900.00 be approved and Chairman Sferrazza be authorized to execute the agreement when presented.

**02-1202      CONSENT TO ENCUMBRANCE – SLIDE MOUNTAIN LEASE –  
MT. ROSE DEVELOPMENT COMPANY – WELLS FARGO BANK**

Karen Mullen, Director, Parks Department, reviewed her staff report dated November 5, 2002. Paul Lipparelli, Deputy District Attorney, said the Consent to Assignment contains some provisions that protect Wells Fargo Bank which may limit the County's ability to start with a new lease and new operator of the Slide Mountain ski area.

Commissioner Short said Mt. Rose Development Company has an ambitious program in place, which encompasses Slide Mountain, that would make Mt.

Rose equal to any ski resort in the Sierras, and bring more people to the community. He further said he does not feel the County would be jeopardized by this Consent.

Stephen Mollath, Attorney for Mt. Rose Development Company, said the United States Forest Service (USFS) has allowed their lease with Mt. Rose Development Company to be assigned to Wells Fargo Bank.

Gary Schmidt, Washoe County resident, specifically on Mt. Rose Highway, said Mt. Rose ski area is an extremely good neighbor and exemplary business citizen in the community. He also pointed out that they are a 90 percent financial supporter of the Special Assessment District for the sewer project. Mr. Schmidt stated he feels Mt. Rose ski area is the single most important economic and quality of life unit in the entire Truckee Meadows.

In answer to Chairman Sferrazza, Ms. Mullen said the County realizes between \$3,000 and \$6,000 in annual revenues from the lease with Mt. Rose Development Company. She further stated she had asked in June for some indication of how the loan would be used, and has not received a response. Ms. Mullen noted they have not seen improvements made to the Slide Mountain side of the mountain.

In response to Commissioner Short, Ms. Mullen said the County is not opposed to negotiating a new lease with Mt. Rose Development Company that runs concurrent with the USFS lease, which ends October 31, 2040. She also said the terms of the lease are old and would need to be renegotiated. Commissioner Short said he would encourage a new lease. Chairman Sferrazza said he feels there is a fiduciary responsibility to the taxpayers of the County to receive fair and reasonable value for the lease. Mr. Mollath said he has done a number of large financing transactions over 30 years and he stated it would be appropriate for Washoe County and Wells Fargo Bank to work together on the Consent to Assignment.

On motion by Commissioner Shaw, seconded by Commissioner Short, which motion duly carried with Commissioners Bond and Galloway absent, Chairman Sferrazza directed the District Attorney's Office to negotiate with the Wells Fargo Bank attorneys a mutually agreeable Consent to Assignment of the County's Slide Mountain lease with Mt. Rose Development Company.

**02-1203      FUNDING – YOUTH CITY COUNCIL – NATIONAL LEAGUE OF CITIES – CONGRESS OF CITIES CONVENTION**

**4:40 p.m.      Commissioner Galloway returned to the meeting during this item.**

Brennan Sullivan and Cody Zabala, Youth City Council members, said the League of Cities and Youth City Council are proposing to send the first ever youth delegation from the State of Nevada to the National League of Cities Convention in Salt Lake City in December. They said the Youth City Council is seeking monetary funding from Washoe County to help pay for airfare, hotel, and meals. Chairman Sferrazza asked

how many Youth Council members are going, and how it was determined who would go. Mark Sullivan said he works with the Youth City Council. He stated there are 23 Councilmembers; eight from unincorporated Washoe County, nine from Reno, and six from Sparks. He explained that the Councilmembers went to the Neighborhood Advisory Boards (NAB) and asked them to sponsor the trip. The NAB's sponsored \$14,000. Mr. Sullivan said the Reno City Council then chose not to take the \$14,000 from the NAB's, but from the City's contingency fund, and increased the amount to \$15,000. Mr. Sullivan also said the opportunity is available for every Councilmember to attend. The City Attorney's Office does require a certain number of chaperones, depending on the number of children going. Mr. Sullivan further said there are 15 Councilmembers and six chaperones, some parents and some City staff, planning to attend. The cost is \$1,000 per person. Chairman Sferrazza asked if the City of Sparks is a sponsor, and Mr. Sullivan stated they have not been approached for sponsorship. Katy Singlaub, Washoe County Manager, suggested the Board approve allocating up to \$6,000, subject to the City of Sparks contributing, which would reduce the Washoe County commitment.

On motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried with Commissioner Bond absent, Chairman Sferrazza ordered that a not-to-exceed amount of \$6,000 be approved, provided the Youth City Council requests the City of Sparks to sponsor them and any amount the City of Sparks might sponsor would reduce Washoe County's commitment.

Mr. Sullivan said he would contact Shaun Carey, Manager, City of Sparks, immediately and ask to have an agenda item on the matter.

The Board wished the Youth City Council good luck.

**4:45 p.m. Commissioner Short left the meeting.**

**02-1204 UPDATE – REGIONAL PLAN SETTLEMENT**

A document titled "Terms of Settlement Agreement" was placed on file with the Clerk. Commissioner Galloway said it was his understanding that updated copies of the Settlement Agreement, with correct figures and maps, would be forthcoming.

**02-1205 BILL NO. 1360 – AMENDING WCC CHAPTER 25 – MASSAGE BUSINESSES**

**Bill No. 1360 entitled "AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY ELIMINATING REFERENCES TO MASSAGE APPRENTICES AND RELATED MATTERS; ESTABLISHING THAT APPLICANTS FOR MASSAGE BUSINESS LICENSES SHALL BE AT LEAST EIGHTEEN YEARS OF AGE AT TIME OF APPLICATION; REQUIRING THAT EVERY LICENSEE SHALL MAINTAIN A REGISTER OF ALL PERSONS EMPLOYED FOR A PERIOD OF FIVE CONCURRENT YEARS TO**

**INCLUDE THE CURRENT YEAR OF LICENSURE; REQUIRING THAT THE APPLICATION FOR A MASSAGE THERAPIST'S PERMIT FOR AN APPLICANT SUBSTITUTING MASSAGE PRACTICE IN LIEU OF POST SECONDARY EDUCATION TRAINING INCLUDE WRITTEN PROOF OF BOTH THE ISSUED PERMIT AND VERIFICATION OF THE REQUIRED HOURS OF MASSAGE PRACTICE; ESTABLISHING ADDITIONAL PROVISIONS REGARDING EDUCATION REQUIREMENTS FOR MASSAGE THERAPISTS; AND PROVIDING OTHER MATTERS RELATING THERETO"** was introduced by Commissioner Shaw; the title was read to the Board; and direction was given to publish legal notice for final action of adoption.

On motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried with Commissioners Bond and Short absent, Chairman Sferrazza ordered that the Business Impact Statement be adopted.

**02-1206      BILL NO. 1361 – AMENDING WCC CHAPTER 85 – HIGHWAYS, ROADS AND SIDEWALKS**

Bill No. 1361 entitled, **“AN ORDINANCE AMENDING CHAPTER 85 OF THE WASHOE COUNTY CODE BY REVISING THE FEE SCHEDULE FOR STREET CUT PERMITS AND OTHER MATTERS PROPERLY RELATING THERETO”** was introduced by Commissioner Shaw; the title was read to the Board; and direction was given to publish legal notice for final action of adoption.

On motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried with Commissioners Bond and Short absent, the Board made the finding that this Ordinance does not impose a direct and significant economic burden upon a business, nor does it directly restrict the formation, operation or expansion of a business.

**02-1207      BILL NO. 1362 – AMENDING WCC CHAPTER 25 – DEFEASANCE OF COUNTY'S MULTI-PURPOSE BOWLING FACILITY BONDS**

Bill No. 1362 entitled **"AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY AMENDING PROVISIONS TO REFLECT THE DEFEASANCE OF THE COUNTY'S MULTI-PURPOSE BOWLING FACILITY BONDS, BY REMOVING REFERENCE IN SECTION 25.1522 TO AN EXEMPTION FROM THE TAX AS THE EXEMPTION IS PROVIDED FOR IN SECTION 25.155, AMENDING THE PROVISION RELATING TO THE NOTICE REQUIRED TO BE DISPLAYED BY LICENSEES TO REFLECT THE TOTAL AMOUNT OF THE ROOM TAX IMPOSED BY LAW, AMENDING PROVISIONS RELATING TO THE INTEREST RATE WHEN THE TAX IS NOT PAID WHEN DUE, AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO"** was introduced by Commissioner Galloway; the title was

read to the Board; and direction was given to publish legal notice for final action of adoption.

**02-1208**      **BILL NO. 1363 – AMENDING WCC – COMBINE DEPARTMENT OF GENERAL SERVICES AND DEPARTMENT OF PUBLIC WORKS**

Bill No. 1363 entitled "AN ORDINANCE AMENDING THE WASHOE COUNTY CODE TO COMBINE THE DEPARTMENT OF GENERAL SERVICES AND THE DEPARTMENT OF PUBLIC WORKS INTO A SINGLE DEPARTMENT TO BE KNOWN AS THE DEPARTMENT OF PUBLIC WORKS, REPEALING CERTAIN PROVISIONS RELATING TO PUBLIC WORKS AND GENERAL SERVICES, ESTABLISHING THE POSITION OF DEPUTY DIRECTOR OF PUBLIC WORKS, PROVIDING FOR THE ESTABLISHMENT OF DIVISIONS OF THE DEPARTMENT OF PUBLIC WORKS, SETTING FORTH THE RESPONSIBILITIES OF THE DEPARTMENT OF PUBLIC WORKS, UPDATING CERTAIN PROVISIONS RELATING TO FACILITY MANAGEMENT AND REPRODUCTION OF THE WASHOE COUNTY CODE BY THE DEPARTMENT OF PUBLIC WORKS AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO" was introduced by Commissioner Shaw; the title was read to the Board; and direction was given to publish legal notice for final action of adoption.

**02-1209**      **APPOINT TOM GADD DIRECTOR – PUBLIC WORKS DEPARTMENT**

Katy Singlaub, County Manager, thanked Tom Gadd, General Services Director, and the staffs of the Public Works and General Services Departments for rising to the challenge of consolidating the two operations. She said she believes this consolidation would be a benefit to the taxpayers. Mr. Gadd said that for the first time the County would have a department head that is responsible for both construction and maintenance of County buildings. He feels this will create staff efficiencies and greater accountability. Commissioner Shaw congratulated Mr. Gadd and Chairman Sferrazza said he was truly impressed with Mr. Gadd's resumé.

Upon recommendation of Ms. Singlaub, on motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried with Commissioners Bond and Short absent, Chairman Sferrazza ordered that:

1. Tom Gadd be appointed as Director of Public Works concurrent with the effective date of the Ordinance;
2. The Division of the Department of Public Works be established as set forth in the staff report dated November 7, 2002, which was placed on file with the Clerk, and concurrent with the effective date of the Ordinance;

3. The position and classification of Deputy Director of Public Works at a salary range as evaluated by the Job Evaluation Committee (JEC) be established; and
4. The position and classification of Assistant Manager of Road Operations at a salary range as evaluated by the JEC be established.

It was noted that combining these two departments into a single Department of Public Works and the reclassification of the Manager of Road Operations and Maintenance to Deputy Director of Public Works and the re-establishment of the Assistant Manager of Road Operations would result in the approximate cost savings of \$40,000 to \$50,000 annually.

### **COMMUNICATIONS AND REPORTS**

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

#### **COMMUNICATIONS:**

No communications were received at the time of preparing this document.

#### **02-1210      REPORTS – Annual**

- A. Sun Valley General Improvement District Financial Statements and Supplementary Information for Fiscal Years Ended June 30, 2002 and 2001
- B. Incline Village General Improvement District Comprehensive Annual Financial Report, Fiscal Year ended June 30, 2002

#### **02-1211      REPORTS – Quarterly (June 30, 2002)**

- A. Washoe County School District

#### **02-1212      REPORTS – Quarterly (September 30, 2002)**

- A. Justice Court – Incline Village-Crystal Bay Township
- B. Constable – Incline Village/Crystal Bay Township
- C. Washoe County Sheriff
- D. Court Clerk – corrected
- E. Justice Court – Sparks Township
- F. Grand View Terrace General Improvement District

#### **02-1213      REPORTS – Monthly Corrected**

- A. Court Clerk – July

- B. Court Clerk – August
- C. Court Clerk – September

**02-1214      REPORTS – Monthly**

- A. Court Clerk – October 2002
- B. County Clerk – October 2002
- C. Washoe County Treasurer – September 2002

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There being no further business to come before the Board, the meeting adjourned at 5:00 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*