

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

2:00 P.M.

JULY 22, 2003

PRESENT:

David Humke, Chairman
Jim Galloway, Commissioner
Pete Sferrazza, Commissioner*
Bonnie Weber, Commissioner

Amy Harvey, County Clerk
Katy Singlaub, County Manager
Madelyn Shipman, Legal Counsel

ABSENT:

Jim Shaw, 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:

03-830 AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried with Commissioner Shaw absent and Commissioner Sferrazza temporarily absent, Chairman Humke ordered that the agenda for the July 22, 2003 meeting be approved.

03-831 PUBLIC COMMENTS

Juanita Cox, County resident, delivered a written statement, which was placed on file with the Clerk, concerning falsehoods presented by County staff to the District Board of Health, the Board of County Commissioners, and the Washoe County Planning Commission. She said she has asked the District Attorney's Office to investigate this situation and is requesting that the Board of County Commissioners also investigate the matter. She then asked why the Planning Commission controlled meeting was called a workshop but did not have any similarity to a workshop where a free exchange of ideas is expressed.

Al Hesson, County resident, said Eddie Anderson is a racist and George Bush should be impeached. He read a letter to the editor printed in today's USA Today about the negative record of President Bush and said he must be defeated in 2004.

***2:25 p.m.** Commissioner Sferrazza arrived at the meeting.

Katherine Snedigar, County resident, asked for the resignation and termination of Bob Webb of Community Development for lying to the Planning Commission. She said he is trying to convert a right into a privilege about things such as private roads and the regulations required for the public to have horses, goats, pigs, chickens, and vegetable gardens and has lied to the public about these things in workshops when he is addressing the Board as staff. She said the proposed code changes cannot be determined reasonable since they require a citizen to waive their right to liberty. She stated the County does not have jurisdiction over the private roads in Warm Springs, and Mr. Webb lied to the Planning Commission when he told them the roads are public for public access. She said staff is advising that no heavy equipment be allowed on any of the roads in Washoe County, and several individuals have graders to take care of their own dirt roads. Mr. Webb's comment was it was necessary to go to the General Improvement District (GID) about the matter, but the GID does not have the funding, manpower or equipment to take care of the 188 miles of road in the Warm Springs area. She said these codes are turning a right into a crime and that is not appropriate.

Sam Dehne, Reno resident, discussed his disapproval of the kayaking course being built with taxpayer monies. He said the project is just another corporate welfare such as Artown.

Neal Cobb, Golden Valley resident, expressed his appreciation to the Board, County management and staff for their support and assistance to the Golden Valley residents for their recharge project, signage requests and other projects. He said he is a proud resident of Washoe County.

Lois Avery, County resident, discussed problems that occurred at the recent Planning Commission workshop. She stated there were 66 pages of code changes and people were only given three minutes to comment. She said this is not the way to solve these matters and discussion should have taken place issue by issue. She said she has worked with Bob Webb and he works very diligently, and she was surprised that he gave a false statement that the GID should be taking care of the roads in Palomino Valley. She stated there are roads the GID does take care of, but there are also roads that have to be privately maintained. Staff is trying to get rid of all commercial equipment where people have large parcels and, if this code change goes through, there would be no way for residents to maintain their roads. She said the proposed code changes should be dealt with in a proper fashion because these are important issues.

03-832 RESOLUTION – HOT AUGUST NIGHTS WEEK – COMMUNITY RELATIONS

Cheryl Moss, President, Hot August Nights (HAN), thanked the Board for this Resolution and the continued support the County gives to the organization. She discussed the projects conducted by the organization to demonstrate how involved they

are in the community throughout the year. She said there would be a very special announcement concerning the event on News Channel 8 in the morning.

Sam Dehne, Reno resident, said Hot August Nights get noisier and more dangerous every year. He stated he is not speaking for or against the event, but is against the noise. He said the Board has an obligation to enforce the laws in the community about noise, drag racing and drinking and driving.

Juanita Cox, County resident, said she thinks appreciation of old cars is great, and many people like the event. She stated it takes a number of months to restore some of these old vehicles, and in July 2001, she presented the Board with Nevada Revised Statutes on vehicles and the interpretation thereof by the Legislative Council Bureau. She said she has not seen the changes in zoning enforcement or code changes relative to that issue and would like it to be readdressed.

Commissioner Sferrazza stated the Hot August Nights event is probably the best event in the City of Reno, and he thinks the Board should continue to support it.

Chairman Humke went to podium and presented the Resolution supporting the HAN event to Ms. Moss.

Upon recommendation of Kathy Carter, Community Relations Director, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried with Commissioner Shaw absent, it was ordered that the following Resolution be adopted and Chairman Humke be authorized to execute the Resolution:

RESOLUTION

WHEREAS, Hot August Nights is one of the premier events in Washoe County, Nevada and the United States; and

WHEREAS, more than 250,000 people from throughout the United States and the world will come to this area to enjoy the nostalgia created by Hot August Nights; and

WHEREAS, car participants from 38 states and provinces in Canada will experience the era and the times of the 50's and the 60's; and

WHEREAS, Hot August Nights has registered 5,000 cars from throughout the Country that will be here for our local citizens to enjoy; and

WHEREAS, Hot August Nights will be featured on cable television's Speed Channel with a viewing audience of 65 million homes highlighting the event and bringing recognition to Washoe County; and

WHEREAS, Hot August Nights provides free headliner entertainment to Washoe County citizens and our visitors; and

WHEREAS, Hot August Nights has a regional economic impact of \$90 million; and

WHEREAS, Washoe County has been an official sponsor of Hot August Nights since 1999; therefore be it

RESOLVED, by the Washoe County Board of Commissioners, on behalf of all citizens of Washoe County, that August 3-10, 2003 be declared Hot August Nights Week in Washoe County, Nevada.

MANAGER'S/COMMISSIONERS' COMMENTS

Commissioner Galloway stated he would like to see the details of Juanita Cox's correspondence and the statements she said were false. He said an attempt is being made again to annex and develop the Ballardini Ranch, which is contrary to the express wishes by a majority of the public who voted to spend some of their own tax money to try to make that into a park. He requested that an item be placed on the next available agenda for discussion and possible direction to staff on that issue.

Commissioner Sferrazza advised he attended the National Association of Counties meeting, and there is an opportunity to participate in a national buying program. He requested this information be referred to John Balentine, Purchasing and Contracts Administrator. He then advised he received a letter from Mr. Blankenship about a bid and asked staff to respond to it. He advised he would not be present for the August 11 Caucus meeting.

Chairman Humke advised that Commissioner Shaw is attending a national conference in Maryland for transportation board members.

Commissioner Galloway stated the proposed code amendments represent a work in progress. Staff has volunteered to furnish that information to all of the Commissioners and he hopes other concerned parties would be given a copy of that information. He was disappointed that there was no contribution for the Whitewater Race Course from the downtown hotel gaming/retail group, as he thinks they will benefit the most from the project, but he voted for the project because he believes it will greatly benefit the public.

03-833 MINUTES

On motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried with Commissioner Shaw absent, Chairman Humke ordered that the minutes of the meetings of April 7 and 8, 2003 be approved.

7048	Retirement	(\$ 575)
7050	Medicare	(\$ 44)
7140	Other Professional Services	(\$ 2,612)
7849	Capital Outlay – Other	(\$10,000)
	Total Expenditures	(\$20,147)

**03-837 PAYMENT – TRUCKEE MEADOWS WATER AUTHORITY –
CAMPELLO METER/REGULATOR STATION – WATER
RESOURCES**

Upon recommendation of Jerry McKnight, Finance and Operations Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried with Commissioner Shaw absent, it was ordered that a payment to the Truckee Meadows Water Authority (TMWA) for approximately 33 percent of the costs for the design and construction of the intertie near the intersection of Campello Drive and Sansol Drive, identified as the Campello Meter/Regulator Station, be approved. It was noted the improvements have been constructed and paid for by TMWA at a cost of \$123,890.89 and Washoe County’s share to be paid to TMWA is \$40,883.99.

**03-838 INTERLOCAL AGREEMENT – UNIVERSITY AND
COMMUNITY COLLEGE SYSTEM OF NEVADA – WATER
QUALITY TESTING AND TREATMENT TECHNOLOGY
EVALUATIONS – WATER RESOURCES**

Upon recommendation of Paul Orphan, Engineering Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried with Commissioner Shaw absent, it was ordered that:

1. The Interlocal Agreement between the County of Washoe and the University and Community College System of Nevada, on behalf of the University of Nevada Civil Engineering Department in the amount of \$78,945 for water quality testing and drinking water treatment technology evaluations be approved and Chairman Humke be authorized to execute the same.

2. The grant from the University of Nevada, Reno Applied Research Initiative Program in the amount of \$25,000 and donated services from the Truckee Meadows Water Authority (TMWA) in the amount of \$47,088 be accepted.

**03-839 AMENDMENT TO CONTRACT– ECO:LOGIC, LLC – WATER
RESOURCES**

Upon recommendation of Jeanne Ruefer, Water Resources Planning Division Manager, and Jim Smitherman, Water Management Planner Coordinator, through Steve Bradhurst, Water Resources Director, on motion by Commissioner

Sferrazza, seconded by Commissioner Galloway, which motion duly carried with Commissioner Sferrazza voting “no” and Commissioner Shaw absent, it was ordered that the First Amendment to Agreement for Consulting Services between the County of Washoe and ECO:LOGIC, LLC, concerning the provision of additional services for the update of the Regional Water Management Plan, including the completion of updates for chapters on water quality and wastewater, population and demand projections, issues identification, evaluation of alternatives and recommendations for action, in the not-to-exceed amount of \$65,302, be approved and Chairman Humke be authorized to execute the same. It was noted that funding would be provided from the \$240,000 Water Management Fund “Plan Update” that was previously authorized by the Board.

03-840 INTERLOCAL AGREEMENT – CITIES OF RENO AND SPARKS
- ANDROS F6A MOBILE ROBOT - SHERIFF

Upon recommendation of Sheriff Dennis Balaam, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried with Commissioner Shaw absent, it was ordered that the Interlocal Agreement between the County of Washoe, on behalf of the Sheriff’s Office, and the Cities of Reno and Sparks, on behalf of their Police Departments, setting forth the conditions under which the Andros F6A Mobile Robot and Mobile Command Center would be summoned and utilized for mutual assistance, be approved and Chairman Humke be authorized to execute the same. It was noted that the Andros Robot and Command Center are intended to aid law enforcement during high-risk bomb and tactical incidents.

03-841 SECURITY SERVICES AGREEMENT – XTERRA TRIATHLON –
INCLINE VILLIAGE - SHERIFF

Upon recommendation of Sheriff Dennis Balaam, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried with Commissioner Shaw absent, it was ordered that the Security Services Agreement between Washoe County, the Washoe County Sheriff and Xterra, concerning the provision of security and law enforcement for the Xterra National Championship Triathlon scheduled in Incline Village on September 27-28, 2003 be approved and Chairman Humke be authorized to execute the same. It was noted that 7th Wave Production, a parent company of Xterra, would be paying for all costs for the patrol boat, vehicles, and overtime.

03-842 CORRECTION OF FACTUAL/CLERICAL ERRORS - TAX
ROLLS - ASSESSOR

Upon recommendation of Thomas Sokol, Personal Property Supervisor, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried with Commissioner Shaw absent, it was ordered that the following Roll Change Requests correcting factual errors on tax bills and the Order directing the Treasurer to correct the errors be approved and Chairman Humke be authorized to execute the same.

PROPERTY OWNER	PARCEL #	AMOUNT	ROLL
I R E EX-Intl R/E Exchange	2/108-296	[-\$39.31]	2001 Unsecured
Cherrone Chemical Company	2/300-236	[-\$2,365.04]	2001 Unsecured
The Winroc Corporation	2/305-043	[-\$1,943.14]	2001 Unsecured
I R E EX-Intl R/E Exchange	2/108-296	[-\$32.36]	2002 Unsecured
Alert Muffler & Brake	2/139-001	[-\$691.60]	2002 Unsecured
Terri Keyser Cooper	2/171-215	[-\$155.02]	2002 Unsecured
Danka Office Imaging Co.	2/194-074	[-\$711.24]	2002 Unsecured
Danka Office Imaging Co.	2/194-075	[-\$96.89]	2002 Unsecured
TBA Marketing and Design	2/200-846	[-\$1,156.77]	2002 Unsecured
Future Computer Technologies Inc.	2/201-750	[-\$270.96]	2002 Unsecured
The Jewelers Reno	2/290-079	[-\$140.37]	2002 Unsecured
Genova Products Inc.	2/300-416	[-\$357.04]	2002 Unsecured
The Winroc Corporation	2/305-043	[-\$6,672.51]	2002 Unsecured
Reno Machine	2/500-061	[-\$311.99]	2002 Unsecured

03-843 ADDENDUM TO EMPLOYMENT AGREEMENT – COUNTY MANAGER

Sam Dehne, Reno resident, pointed out that the County Commissioners accepted a fairly large raise given to them by the Legislature and have imposed hiring restrictions that have created a hardship on Washoe County workers. He said everyone seems to cry poor but there is always money for a new project that comes forth. He stated if the Executive Directors of the Reno-Sparks Convention and Visitors Authority, the Airport Authority and the two City Managers receive pay raises and bonuses, Ms. Singlaub also deserves one.

Chairman Humke read a statement submitted by Katherine Snedigar, County resident, stating that her property taxes are high enough, she does not have the income to support the County Manager’s lifestyle, and she resents that a closed meeting was held on this matter. He then read a statement submitted by Mary Kingland, County resident, stating she is against closed sessions concerning salary and bonuses for County employees.

Juanita Cox, County resident, said she believes the County Manager received a bonus and pay raise fairly recently and this is rather soon and not deserved. She stated that health, safety and welfare might be at risk in the County, which she will most likely address at the State level. She said the close association of the County Manager and the Bureau of Land Management (BLM) is very inappropriate and should be looked at by higher law enforcement.

Commissioner Galloway said closed sessions are for the purpose of constructive criticism and have nothing to do with salaries, and all things having to do with the public expense are held in open meetings. He stated the only adjustment in the County Manager’s salary last year was a cost of living increase, and, in spite of hard

times, employees are continuing to receive cost of living increases. He advised management was the only group that put the cost of living increase on hold, and the salary increase the County Commissioner's received is an eight-year cumulative cost of living increase. In his opinion, the Commissioner's salary increase buys nothing more than it bought in 1995, the last time it was changed. He stated that Ms. Singlaub has proposed to not take a salary increase other than the cost of living increase that might be granted to other employees in management.

Commissioner Sferrazza stated he would support the addendum to the employment agreement with one exception, which is he does not believe the cost of living should be automatic for anyone. He requested that the contract contain a provision that the County Manager's cost of living increase would be voted on just like for any other employee.

Commissioner Galloway stated the management group does not receive a cost of living increase without a vote of the Board, and he does not think it is appropriate to single out the County Manager from that group. Commissioner Sferrazza said the County Manager is the only employee that works directly for the Board, and he does not want to guarantee a cost of living increase to anyone. Commissioner Weber stated she believes the County Manager position is substantially different than other employees and does not have a problem with voting on her cost of living increases.

Commissioner Galloway stated the evaluation and some constructive criticism is what occurred during the closed session, and his impression was the Board members were very pleased with Ms. Singlaub's performance. He said Ms. Singlaub has provided a benefit to Washoe County by saying she is willing to fix her base salary for two years. He stated taking separate action to grant a cost of living increase to the County Manager is not a major issue, and he could along with that suggestion.

Katy Singlaub, County Manager, said it is a pleasure to serve the Washoe County citizens, the Board of County Commissioners, and the County employees. She commented she rejected a performance increase last year and has forgone any performance increase for the next two years. The County has had some very difficult budget years, which will continue, and she believes there should be some stability in County government. She said for the last two years she gave half of her performance bonus to the Employee Scholarship Fund. Last year, in lieu of a bonus, the Board granted a contribution to the Employee Scholarship Fund on her behalf and, if the Board desires to do so again, she would honor that action. She said she was pleased and humbled by the Board's praise for her during the closed session.

Commissioner Sferrazza stated the County Manager continues to do an excellent job, and his request to amend the agreement to require a Board vote on her cost of living increases is not a reflection on her job performance.

On motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried with Commissioner Shaw absent, it was ordered

that the Addendum to Employment Agreement with Katy Singlaub, County Manager, be approved, and Section 4B of the Employment Agreement be amended to reflect that the County Manager's cost of living increases would be voted on by the Board in open session.

Legal Counsel Shipman proposed that the agreement language in Section 4B be changed to read "The annual salary of Employee may be adjusted by a vote of the Board up to an amount provided to all unclassified management employees of the County to be effective the same date as the cost of living adjustment is effective for other unclassified management employees."

The Board members commended Ms. Singlaub on the excellent job she is doing as County Manager, and Ms. Singlaub thanked the Board for their support.

**03-844 RECOGNITION AND AWARD TO EMPLOYEES FOR
INNOVATIVE SUGGESTIONS - FINANCE**

Darin Conforti, Senior Fiscal Analyst, reviewed the employee suggestions made by Martin Rios and Lori Salmanowitz and the recommendations of the County Suggestion Program Committee outlined in the agenda memorandum dated July 11, 2003. Chairman Humke went to the podium and presented the Suggestion Program Certificate of Recognition award to Martin Rios. Lori Salmanowitz was not able to be present.

On motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried with Commissioner Shaw absent, Chairman Humke ordered that the awards to Lori Salmanowitz and Martin Rios, as recommended by the County Suggestion Program Committee, be approved.

**03-845 REAPPOINTMENT/APPOINTMENTS – GERLACH/EMPIRE
CITIZEN ADVISORY BOARD**

On motion by Commissioner Weber, seconded by Commissioner Sferrazza, which motion duly carried with Commissioner Shaw absent, Chairman Humke ordered that Patricia Hanneman be reappointed and Matthew Ebert and Vernon Ausbrooks be appointed to serve as at-large representatives to the Gerlach/Empire Citizen Advisory Board with terms to expire June 30, 2005.

03-846 APPOINTMENT – SUN VALLEY CITIZEN ADVISORY BOARD

Upon recommendation of Commissioner Weber, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried with Commissioner Shaw absent, Chairman Humke ordered that Jeffrey Miller be appointed to serve as an at-large representative on the Sun Valley Citizen Advisory Board with the term to expire June 30, 2005.

03-847

REAPPOINTMENT - BOARD OF ADJUSTMENT – COMMISSION DISTRICT 2

County Manager Singlaub said, pursuant to the Board's new Commission Rules and Procedures, Frank Peterson, the current incumbent could be reappointed to the Board of Adjustment, and he has consented to serve. Legal Counsel Shipman clarified that the change to the Board's rules only applied to the Citizen Advisory Boards (CAB's) and not to the Board of Adjustment. Chairman Humke said his recommendation would have been to reappoint Mr. Peterson under the belief that the Board had extended the three-term rule to the Board of Adjustment. A discussion commenced concerning whether the Board would want to put an item on a future agenda to suspend or revise the rules to include that boards other than CAB's could have three-term seats. Commissioner Galloway stated he could not support a motion to revise the Board's rules. He said an exception was made for the CAB's and he thinks that is far enough. Ms. Shipman then noted the staff report indicates that Mr. Peterson completed an unexpired term of just over two years and was reappointed in 1999. She said, under the Board's rules, she believes Mr. Peterson could be appointed for a second full term, but she would like to check the Board's rules relative to what constitutes a full term.

Later in the meeting, Madelyn Shipman, Assistant District Attorney, opined that Mr. Peterson would be eligible for reappointment because, having served less than three-quarters of a term, he would not be considered to have served a full term.

On motion by Chairman Humke, seconded by Commissioner Weber, which motion duly carried with Commissioner Shaw absent, it was ordered that Mr. Peterson be reappointed to the Washoe County Board of Adjustment with the term expiring June 30, 2007.

03-848

REAPPOINTMENT/APPOINTMENT – BOARD OF EQUALIZATION

Commissioner Galloway advised that time did not permit him to interview all the applicants, but he was very impressed with the qualifications of Steven Lee Sparks who has tremendous appraisal experience. Commissioner Sferrazza stated he has a problem with an appraiser being on the Board of Equalization unless he is retired.

Following discussion, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Commissioner Shaw absent, it was ordered that staff be directed to ascertain if Mr. Sparks would have any involvement in appraisal of Washoe County property.

On motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried with Commissioner Shaw absent, Chairman Humke ordered that Ron Fox be appointed to serve as the Chairman of the Board of Equalization.

03-849

**RESOLUTION – INTERFUND LOAN – PUBLIC WORKS
CONSTRUCTION FUND – FINANCE**

John Sherman, Finance Director, provided information regarding this item.

Upon recommendation of Kim Carlson, Senior Fiscal Analyst, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried with Commissioner Shaw absent, it was ordered that the following Resolution be approved and Chairman Humke be authorized to execute the Resolution:

RESOLUTION

**A RESOLUTION AUTHORIZING AN INTERFUND LOAN – PUBLIC WORKS
CONSTRUCTION FUND (092) TO THE SPECIAL ASSESSMENT DISTRICT 29
FUND (059920)**

WHEREAS, the Public Works Construction Fund of the County (Fund 092) has sufficient cash resources to finance a short-term interfund loan in an amount not to exceed \$1,300,000 without adversely affecting its cash needs; and

WHEREAS, the Special Assessment District 29 Fund (Fund 059920) is in need of a short-term loan to cover expenses until receipt of bond proceeds for the sewer improvements; and

WHEREAS, the short-term loan will not in any way have an adverse or deleterious effect upon the Public Works Construction Fund (092) or the Special Assessment District 29 Fund (059920);

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

Section 1. The County Comptroller is hereby directed to transfer in amounts as needed up to \$1,300,000, from the Public Works Construction Fund (092) to the Special Assessment District 29 Fund (059920) until bond proceeds are received, and make appropriate accounting entries.

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

<u>Public Works Construction Fund (092)</u>	Debit	Credit
Due from SAD 29 Fund	\$1,300,000	
Cash		\$1,300,000

Special Assessment District 29 Fund (059920)

Cash	\$1,300,000	
Due to Public Works Construction Fund 092		\$1,300,000

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

Section 4. Interest will be charged at the rate of 1.25% per year on the outstanding balance on the loan.

Section 5. The Resolution shall be effective upon passage and approval.

Section 6. The County Clerk is hereby directed to distribute copies of the Resolution to the Department of Taxation, the Comptroller, and the Budget Division and the Department of Water Resources within 30 days.

03-850 AWARD OF BID – DRUG TESTING SERVICES - BID NO. 2389-03
- SOCIAL SERVICES

This was the time to consider award of a bid for Drug Testing Services on behalf of the Social Services Department. A Notice to Bidders for receipt of sealed bids was published in the *Reno Gazette-Journal* on April 18, 2003. 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:

- Concentra Medical Centers
- First Lab
- Great Basin Counseling Services
- North State Alliance
- Quest Diagnostics Incorporated

Insurance Medical Examiners submitted an incomplete bid and was disqualified.

County Manager Singlaub advised that several providers were evaluated, and the low bidder was not open on weekends and only had two sites in Washoe County. She stated Social Services believes it is important to have access to multiple sites and on weekends, which is why staff has recommended that the bid be awarded to Quest Diagnostics Incorporated.

Mike Capello, Director, Social Services, and John Balentine, Purchasing and Contracts Administrator, provided additional information in response to questions asked by the Board. Mr. Capello advised that a very small percentage of families have

the ability to pay for the drug testing. Mr. Balentine stated the bid responses were weighted based on the previous year's testing information.

Commissioner Sferrazza said he could not support awarding a bid at a higher price unless the bid specifications stated the provider had to be open on specific days; otherwise, the award represents an after-the-fact evaluation. He then noted that Quest Diagnostics did not bid on Item No. 5 for Clinical Testing. Mr. Balentine advised the bid specifications stated that consideration would be given to how many sites a company had and what hours and days they were open. He said several bidders did not bid on Item No. 5, and Social Services determined they would not require that type of testing.

A discussion was held regarding the difference between a Request for Proposal (RFP) and an Invitation For Bid (IFB). Mr. Balentine stated that Purchasing can look at things other than price in a bid, and the two determining factors for this bid were the price and availability of the service.

Commissioner Galloway stated he believes the evaluation criteria for an IFB should be more specific, which is the process followed for Federal IFB's. County Manager Singlaub commented the bid indicated that greater access to care was an important consideration, which is a qualitative determination. It was specified that proposals would receive a greater weighting if they provided greater access.

Upon inquiry, Legal Counsel Shipman affirmed that a bid could be awarded to someone other than the low bidder based on qualitative data such as that indicated on the subject bid document.

Mr. Capello stated Social Services has clients across Washoe County, and many of them do not have transportation. He does not know how many sites would be absolutely required, but more available sites reduces the cost for taxi and bus vouchers or staff to get a client to the lab for their court ordered drug testing.

Following further discussion, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried with Commissioner Weber voting "no" and Commissioner Shaw absent, Chairman Humke ordered that Bid No. 2389-03 for Drug Testing Services on behalf of the Social Services Department be rejected, and the item be rebid with the specifications more clearly defined.

**03-851 AMENDMENT – LAZY 5 REGIONAL PARK MASTER PLAN –
MELIO GASPARI WATER PLAY PARK – PARKS**

Karen Mullen, Director, Parks and Recreation, provided background information and reviewed the proposed amendment to the Lazy 5 Regional Park Master Plan that refines the recreation center plans and the water play area to provide for the new library and the fire access road. She noted that Wild Waters has expressed concern about the possible impact of the water play feature on their operation. Ms. Mullen

advised the master plan does not provide any large slides or wave pools such as those provided at Wild Waters, and many local community municipal facilities provide some slide and spray features.

Chairman Humke said he does not believe the water play area would represent competition to commercial water play parks in the area. He stated the community is asking for these features, and the other features in the master plan can always be revised as funding becomes available.

County Manager Singlaub noted a significant donation was made by Mr. Gaspari to provide for the water play park, and his memory is honored.

Susan Severt, representing Valley Serteen, a teen group managed by the Sun Valley Sertoma, spoke in support of the water play feature at the Lazy 5 Park. She said she does not believe this amenity would distract from Wild Waters. Their group uses Wild Waters at least once a year, but these types of park amenities would provide lower costs for children that cannot afford Wild Waters.

John Bradbury, Spanish Springs Citizen Advisory Board, stated they unanimously support this type of feature. He said a business concerned about competition should see if their design needs improvement.

Lois Avery, Spanish Springs Citizen Advisory Board, said their only complaint was this has not happened sooner, as the donation was given sometime ago. She said a person goes to Wild Island to spend the day, and she does not see how having a play area would affect their overall business. They do not want government to be competing with private industry, but this is a play area, not the “thrills and chills” that Wild Island provides.

Gary Nelson, co-owner of Wild Island, said approximately 60 percent of Wild Island’s attendance comes from the City of Sparks. He stated that Wild Island is a very fragile business in terms of their ability to stay open, and they are expanding to try to address the dramatic impact on their attendance, which was primarily created by year-round schools. He said their only objection to this particular facility is its size, which is larger than their facility for this age group of customer. Their facility is about 3,000 square feet and the proposed water play facility is 3,500 square feet and contains about 26 elements. They understand this is a nice amenity for the area, and their only request is that the spray facility be no larger than other facilities constructed in the Reno/Sparks area. He stated the World Park Association has indicated a certain size of facility, such as the one being proposed, has impacted commercial water parks in other communities.

Don Speth, Boys and Girls Club of Truckee Meadows, stated they support the proposal. He advised they provide the opportunity for children to go to Wild Island about once a week in the summer, and it is a big-ticket item for most of the children. He said it would be nice to be able to also provide a cheaper option.

Ms. Mullen commented that the water park would be using recycled water and needs to be a size that is economical for that usage. The national park standard for pools is for every 25,000 people, and a population between 50,000 and 60,000 is projected in the Spanish Springs Area. The pool and recreation center is envisioned someday to meet the demands similar to the Alf Sorensen Pool in Sparks.

Commissioner Weber stated she believes the community would benefit by providing as many opportunities to children as possible. She does not think this would take away from private enterprise and adds another option for the community.

Commissioner Sferrazza stated he is opposed to government competing directly with private enterprise and has some question about the lazy river and the slides, but that is not what is being approved today. The other water features are more consistent with what is provided in other public parks.

Ms. Mullen advised that the normal process would be that, as future plans move forward on the recreation center, the actual design would come back to the Board for approval, but staff would make sure that is well noted on the master plan.

On motion by Commissioner Weber, seconded by Commissioner Galloway, which motion duly carried with Commissioner Shaw absent, Chairman Humke ordered that the amendment to the Lazy 5 Regional Park Master Plan that refines the recreation center and the water play area be approved; and that the water play area be named the Melio Gaspari Water Play Park. It was noted that as future plans move forward on the recreation center to include the lazy river and the large water slide, the design would come back to the Board for approval.

Commissioner Galloway said he does not think this creates a head to head impact with private enterprise; that much of the master plan depends on the population growth in the Spanish Springs area; and the Board will be looking at any future phases that come forth. Chairman Humke stated he understands the concern expressed by Wild Island that they believe this would impact market share, but he believes this feature is so limited that is not the case; and it is an appropriate function for the citizens of the community. Commissioner Sferrazza requested that Wild Island be notified when the next design phase is presented to the Board.

**03-852 FY 2003-2004 GRANT PROGRAM CONTRACT – RESOLUTION
– RENO-SPARKS GOSPEL MISSION – HOMELESS SHELTER
SERVICES – GRANTS ADMINISTRATOR**

Gabrielle Enfield, Grants Administrator, was present to provide information to the Board members regarding this item. Upon inquiry of Chairman Humke, County Manager Singlaub advised that several years ago an agreement was reached that Washoe County would pay the operating funds for the homeless shelter and the City of Reno would pay for the facility. The City has supplemented the operating costs with Community Development Block Grant (CDBG) funding and is now moving

forward to build the homeless shelter. She said it has been a good arrangement and helps the County manage the jail population. Upon inquiry of Chairman Humke, Ms. Enfield advised that the City of Sparks does not contribute to the shelter. Chairman Humke commented there are some fiscal equity problems that need to be discussed.

Commissioner Galloway said the provision of these social services to the incorporated areas by Washoe County is one of the reasons there is no net fiscal inequity problem. Chairman Humke noted that Washoe County is happy and proud to do these positive services.

Upon recommendation of Gabrielle Enfield, Grants Administrator, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried with Commissioner Shaw absent, it was ordered that the Grant Program Contract for Fiscal Year 2003-2004 between Washoe County and the Reno-Sparks Gospel Mission be approved and Chairman Humke be authorized to execute the same. It was further ordered that the following Resolution be adopted and Chairman Humke be authorized to execute the Resolution:

RESOLUTION - Authorizing the Grant of Public Money to a Nonprofit Organization Created for Religious, Charitable or Educational Purposes

WHEREAS, NRS 244.1505 provides that a Board of County Commissioners may expend money for any purpose which will provide a substantial benefit to the inhabitants of the County and that a board may make a grant of money to a nonprofit organization created for religious, charitable or educational purposes to be expended for a selected purpose; and

WHEREAS, the Board of Commissioners of Washoe County has determined that a certain amount of money is available for fiscal year 2003-2004 for community support grants, which grants will provide a substantial benefit to the inhabitants of Washoe County and which are made to private nonprofit organizations; now, therefore, be it

RESOLVED, by the Board of Commissioners of Washoe County that:

1. The Board hereby grants to the Reno-Sparks Gospel Mission, Inc., a private, non-profit organization, a grant for fiscal year 2003-2004 in the amount of \$107,135 (Community Support).
2. The purpose of the grant is to provide for homeless shelter services.
3. The maximum amount to be expended from the grant and the conditions and limitations upon the grant are as set forth in the Grant Program Contract, which Contract [placed on file with the Clerk] is incorporated herein by reference.

03-853

CONTRACT – CARSON CITY SHERIFF’S OFFICE - FORENSIC SERVICES – SHERIFF

Upon recommendation of Will McHardy, Captain, through Dennis Balaam, Sheriff, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried with Commissioner Shaw absent, it was ordered that the Sheriff’s Office Crime Laboratory be authorized to contract with the following 19 outside County and Municipal agencies within the State of Nevada for Fiscal Year 2003-2004 and Chairman Humke be authorized to execute the contracts:

Carson City Sheriff’s Office	\$ 11,929.00
Churchill County Sheriff’s Office	\$ 7,389.00
Douglas County Sheriff’s Office	\$ 17,824.00
Elko County Sheriff’s Office	\$ 9,599.00
Elko Police Department	\$ 13,532.00
Eureka County Sheriff’s Office	\$ 890.00
Fallon Police Department	\$ 8,608.00
Humboldt County Sheriff’s Office	\$ 6,855.00
Lander County Sheriff’s Office	\$ 4,942.00
Lovelock Police Department	\$ 1,157.00
Lyon County Sheriff’s Office	\$ 21,277.00
Mineral County Sheriff’s Office	\$ 623.00
Pershing County Sheriff’s Office	\$ 3,561.00
Sparks Police Department	\$ 70,000.00
Storey County Sheriff’s Office	\$ 5,164.00
West Wendover Police Department	\$ 6,109.00
White Pine County Sheriff’s Office	\$ 1,114.00
Winnemucca Police Department	\$ 7,300.00
Yerington Police Department	\$ 793.00
TOTAL	\$198,666.00

03-854

AGREEMENT - LINE EXTENSION REIMBURSEMENT – WEBB INVESTMENTS LTD. PARTNERSHIP – CONSTRUCTION AND EXTENSION OF WATER PIPELINE – WATER RESOURCES

Steve Bradhurst, Water Resources Director, provided information regarding this item. He advised the only way Webb Investments can get fire protection service to their property is from the nearby County tank.

Upon recommendation of John Collins, Manager, Utility Services Division, through Steve Bradhurst, Director, Water Resources, on motion by Commissioner Weber, seconded by Commissioner Galloway, which motion duly carried with Commissioner Shaw absent, it was ordered that the Line Extension Reimbursement Agreement between Washoe County and Webb Investments Ltd. Partnership for construction and extension of a water pipeline in an amount not to exceed \$175,770.50 be approved and Chairman Humke be authorized to execute the same.

It was noted that the agreement provides for the construction and extension of a twelve-inch water main from the Horizon Hills water system to the Webb Investments Ltd. Partnership recently constructed office warehouse facility. Reimbursement will occur in accordance with the County waterline extension policy when and if the new development obtains water service from the County within the policy time frame.

**03-855 ANNUAL REPORT AND RECOMMENDATIONS – INTERNAL
AUDIT DIVISION – FY 2002-30**

Bill Mikawa, Internal Audit Manager, reviewed the Annual Report of the Internal Audit Division, which is required by section 15.564 of the Washoe County Code. He advised that since January 2003, when he was appointed as the Internal Audit Manager, audits of cash management in District Court, County contracts and decentralized purchasing have been completed; and audits in progress include a review of equipment utilization and worker's compensation. Mr. Mikawa responded to questions of the Board and discussed the recommendations contained in the agenda material dated July 22, 2003. County Manager Singlaub commented that the goal of the Internal Audit Division is for Washoe County's financial accountability practices to be best in class, and Mr. Mikawa is working to identify those and bring forth recommendations to obtain that goal.

Following further discussion, upon recommendation of Bill Mikawa, Internal Audit Manager, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried with Commissioner Shaw absent, Chairman Humke ordered that the annual report for the Internal Audit Division be accepted and staff be directed to prepare implementation plans for the recommendations contained therein, which would be brought back to the Board for consideration.

**03-856 CONTRACTS EVALUATION REPORT – INTERNAL AUDIT
DIVISION**

Upon recommendation of Bill Mikawa, Internal Audit Manager, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried with Commissioner Shaw absent, Chairman Humke ordered that the contracts evaluation report from the Internal Audit Division be accepted. It was noted a proposed implementation plan would be brought forward for Board approval within 90 days.

**03-857 THREE-YEAR AUDIT SCHEDULE – INTERNAL AUDIT
DIVISION**

Upon recommendation of Bill Makawa, Internal Audit Manager, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried with Commissioner Shaw absent, Chairman Humke ordered that the

following three-year audit schedule submitted in accordance with Washoe County Code 15.560 be approved:

FY 03-04	FY 04-05	FY 05-06
Workers' Compensation	Collections Controls	Outsourced Services
SAP-Controls Review	Air Quality Program	SAP Procurement
Policies/Procedures Review	Animal Control Program	SAP HR/Payroll
Extended Working Hours	Infrastructure Preservation	Fleet Maintenance
Inter-local Agreements	IT Internal Controls	Records Retention
Software Support	Investment Controls	Emergency Planning
Cash Controls	Cash Controls	Cash Controls
E-Government	Construction Contracts	Park Const. Tax Fund
Staffing Levels	Printing	Long-term Debt
HIPAA*	Building/Grounds Maint.	Accts/Tax Receivable
Inventory Control	Health Benefit Costs	Budgeting Process
Golf Course Fund	Utility Billing Process	Revenue Controls
*HIPAA – Health Insurance Portability and Accountability Act		

03-858 CASH HANDLING AUDIT – SECOND JUDICIAL DISTRICT COURT FILING OFFICE – INTERNAL AUDIT DIVISION

Kristin Rosenqvist, Internal Auditor, reviewed matters relating to the Cash Handling Audit of the Second Judicial District Court Filing Office. She advised there is agreement for all the recommendations with the exception there is only partial agreement with District Court and the Clerk's Office concerning the recommendation that two people be required to access the safes. She advised the problems associated with this recommendation is the requirement to have two people available at the same time and the cost to purchase an extra safe with two locks. She understands the District Court cannot implement some of the recommendations unless they receive the funding to do so, but from an audit perspective she cannot make any other recommendations. She stated the departments have indicated that someone in the office would be present so that two people could open the safe, but she does not believe those mitigating controls are sufficient.

Ron Longtin, Court Administrator and Clerk of Court, Second Judicial District Court, expressed appreciation to Bill Makawa, Internal Audit Manager, and Ms. Rosenqvist for the intensive effort expended for the audit. He advised they have complied with a number of items already, and the remaining elements would be addressed in the near future.

Amy Harvey, County Clerk, stated that recommendation No. 3 to strictly control access to the private office space behind the counter through office redesign and physical barriers would impact her office. She advised her office is behind the District Court files and the public comes back to that area. Some people who come to her office are wheelchair bound and only have access through the wide corridor directly across

from the District Court files. She said, if this recommendation were to be implemented, it would limit access of the public to the County Clerk's functions.

County Manager Singlaub stated staff would work with Ms. Harvey to address that situation. Ms. Rosenqvist commented this is a difficult issue. She advised that staff has discussed the matter with the District Court and the County Clerk for over a year and has been unable to come up with an adequate solution. She said the long-term recommendation is to separate the two offices to resolve that problem.

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried with Commissioner Shaw absent, Chairman Humke ordered that the report regarding the Cash Handling Audit of the Second Judicial District Court Filing Office and the recommendations contained therein be accepted, with the exception that implementation of recommendation No. 3 to strictly control access to the private office space behind the counter should not occur to the extent it unduly limits access of the public to the Clerk's functions.

5:30 p.m. The Board recessed.

5:50 p.m. The Board reconvened with Commissioners Galloway, Humke and Weber present.

03-859 **ORDINANCE NO. 1210 - BILL NO. 1390 - REVISING SCHEDULE OF RATES AND CHARGES AND A PRETREATMENT PROGRAM FOR SANITARY SEWER SERVICE**

5:30 p.m. This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on June 26, July 2 and July 11, 2003 to consider second reading and adoption of Bill No. 1390. Proof was made that due and legal Notice had been given.

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

5:52 p.m. Commissioner Sferrazza returned to the meeting.

Commissioner Galloway noted most of the adjustments are modest. Jerry McKnight, Finance and Operations Manager, Department of Water Resources, stated that the residential rate is increasing from \$25.77 to \$32.02 per month, which is a fairly significant change; however, these rates have not been changed in nine years and the percentage of the increase is less than the CPI increase during the same time period. Mr. McKnight further advised that the new policy is that staff will propose new rates for the Board's approval every two years from now on, and the rates will be adjusted in accordance with the CPI in the off years.

On motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Commissioner Shaw absent, Chairman Humke ordered that Ordinance No. 1210, Bill No. 1390, entitled, "**AN ORDINANCE REVISING A SCHEDULE OF RATES AND CHARGES AND A PRETREATMENT PROGRAM FOR PROVISION OF SANITARY SEWER SERVICE BY WASHOE COUNTY WITHIN CERTAIN AREAS OF WASHOE COUNTY; REQUIRING THE DEPARTMENT OF WATER RESOURCES TO SUBMIT BILLINGS TO ALL SANITARY SEWER USERS WITHIN THE CERTAIN AREAS; REQUIRING PAYMENT THEREOF; AND PROVIDING PROCEDURES FOR ITS ENFORCEMENT. THIS ORDINANCE REPEALS ORDINANCE NOS. 802, 830, 901, 931, 954, 973, AND 1037,**" be approved, adopted and published in accordance with NRS 244.100.

03-860 BUSINESS IMPACT STATEMENT - ORDINANCE NO. 1210 - REVISED SEWER RATES

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried with Commissioner Shaw absent, Chairman Humke ordered that the business impact statement prepared pursuant to NRS 237.090 to address the possible impacts of the Sewer Rate Ordinance, Ordinance No. 1210, be approved. It was further ordered that the County Clerk be directed to make the analysis available upon request.

03-861 RESOLUTION - ADOPTING ORDINANCE REVISING THE SCHEDULE OF RATES AND CHARGES FOR SEWER SERVICE

On motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Commissioner Shaw absent, it was ordered that the following resolution be adopted and Chairman Humke be authorized to execute the same:

RESOLUTION

A RESOLUTION ADOPTING AN ORDINANCE REVISING THE SCHEDULE OF RATES AND CHARGES FOR PROVISION OF SANITARY SEWER SERVICE BY WASHOE COUNTY, AND REVISING A PRETREATMENT PROGRAM, WITHIN CERTAIN AREAS OF WASHOE COUNTY, PROVIDING PROCEDURES FOR ITS ENFORCEMENT, AND REPEALING ORDINANCES NO. 802, 830, 901, 931, 954, 973, AND 1037.

WHEREAS, the proposed Ordinance Revising the Schedule of Rates and Charges for Provision of Sanitary Sewer Service by Washoe County, and Revising a Pretreatment Program, Within Certain Areas of Washoe County, and Providing Procedures for its Enforcement has been previously discussed and considered at public meetings by the Board of County Commissioners of Washoe County; and

WHEREAS, the proposed Ordinance Revising the Schedule of Rates and Charges for Provision of Sanitary Sewer Service by Washoe County, and Revising a Pretreatment Program, Within Certain Areas of Washoe County, was recommended for approval by the Director of the Department of Water Resources; and

WHEREAS, the proposed Ordinance Revising the Schedule of Rates and Charges for Provision of Sanitary Sewer Service by Washoe County, and Revising a Pretreatment Program, Within Certain Areas of Washoe County, was presented to the Board of County Commissioners of Washoe County in a first reading on June 10, 2003; and

WHEREAS, pursuant to NRS 318.199 the Board of County Commissioners may take action after the public hearing and adopt a Resolution Revising the Schedule of Rates and Charges for Provision of Sanitary Sewer Service by Washoe County, and Revising a Pretreatment Program, Within Certain Areas of Washoe County, and Providing Procedures for its Enforcement.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of County Commissioners of Washoe County, as follows:

1. The Ordinance Revising the Schedule of Rates and Charges for provision of Sanitary Sewer Service by Washoe County, and Revising a Pretreatment Program, Within Certain Areas of Washoe County, Providing Procedures for its Enforcement, and Repealing Ordinances No. 802, 830, 901, 931, 954, 973, and 1037 is hereby approved and adopted, and;

2. The Board of County Commissioners finds 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.

03-862 ORDINANCE NO. 1211 - BILL NO. 1391 - CREATING SPECIAL ASSESSMENT DISTRICT NO. 29 - MT. ROSE SEWER PHASE I

5:30 p.m. This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on July 11, 2003 to consider second reading and adoption of Bill No. 1391. Proof was made that due and legal Notice had been given.

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

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried with Commissioner Shaw absent, Chairman Humke ordered that Ordinance No. 1211, Bill No. 1391, entitled, "**AN ORDINANCE CREATING WASHOE COUNTY, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 29 (MT. ROSE SEWER PHASE I); ORDERING A SANITARY**

SEWER PROJECT WITHIN WASHOE COUNTY, NEVADA; PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS THEREFOR; AND PRESCRIBING OTHER MATTERS RELATING THERETO," be approved, adopted and published in accordance with NRS 244.100.

* * * * *

There being no further business to come before the Board, the meeting adjourned at 6:02 p.m.

DAVID E. HUMKE, Chairman
Washoe County Commission

ATTEST:

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

*Minutes Prepared by
Barbara Trow and Sharon Gotchy
Deputy County Clerks*