

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

2:00 P.M.

MARCH 9, 2004

PRESENT:

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

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

ABSENT:

Jim Shaw, 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:

04-183 AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried with Chairman Shaw absent, it was ordered that the agenda for the March 9, 2004 meeting be approved, with the following amendment: **Delete** Item 14B, Recommendation to execute Agreement for Water Resources Project Development Professional Services between the County of Washoe and The Nevada Land Conservancy, concerning provision of professional services to acquire real properties for the Truckee River Flood Management Project.

PUBLIC COMMENTS

Garth Elliott, Sun Valley Citizen Advisory Board, stated implementation of their management plan has been held up by Community Development for almost a year now. He implored the Commissioners to do what they can to get this matter progressing. He also addressed small-business license issues.

Al Hesson, Reno resident, criticized President Bush and the policies of the Bush Administration.

Sam Dehne, Reno resident, advised he has spoken to the Reno-Sparks Convention and Visitors Authority about promoting boxing, but he has had no response to date. He said Reno should tout its strong boxing history.

**04-184 PROCLAMATION – PROFESSIONAL SOCIAL WORK MONTH –
MARCH 2004 – SOCIAL SERVICES**

Upon recommendation of Mike Capello, Social Services Director, on motion Commissioner Sferrazza, seconded by Commissioner Humke, which motion duly carried with Chairman Shaw absent, it was ordered that the following Proclamation, as read by Vice Chairman Weber, be adopted:

PROCLAMATION

National Professional Social Worker Month 2004

WHEREAS, social workers help millions of people address social and psychological problems to improve their lives;

WHEREAS, Washoe County employs over 100 licensed professional social workers;

WHEREAS, social workers bridge the gap between resources and services and the people who need them;

WHEREAS, social workers use their education, training, and commitment to strengthen individuals, families, and communities;

WHEREAS, social workers shape numerous programs and policies that improve community life;

WHEREAS, social workers provide services in many settings, including private practices, family counseling centers, courts, nursing homes, hospices, mental health clinics, child welfare agencies, hospitals, schools and universities, prisons, corporations, as well as public and private agencies;

BE IT RESOLVED that the Washoe County Board of Commissioners hereby recognizes professional social workers and their commitment and dedication to individuals and families in our community and joins the National Association of Social Workers in proclaiming March 2004 as Professional Social Work Month.

Jeanne Marsh, Social Services Department, thanked the Board for recognizing social workers with this honor, especially the more than 100 social workers employed by Washoe County, who work in difficult situations with difficult problems and make a difference in the lives of everyone in our community.

04-185

**RESOLUTION – CREATION OF BASEBALL STADIUM
CAPITAL PROJECTS FUND - FINANCE**

Upon recommendation of Kim Carlson, Finance Department, on motion by Commissioner Sferrazza, seconded by Commissioner Humke, which motion duly carried with Chairman Shaw absent, it was ordered that the following Resolution be adopted and Vice Chairman Weber be authorized to execute the same:

RESOLUTION

Resolution to create the Baseball Stadium Capital Projects Fund

WHEREAS, the resources and disbursement relative to the Baseball Stadium facility need to be separated from other County financial activity; and

WHEREAS, the County will annually budget resources and disbursements, including administrative overhead to fund the construction of the Baseball Stadium facility; and

WHEREAS, NRS 354 allows for the creation of a Capital Projects Fund;
and

WHEREAS, Capital Projects Funds are used to account for resources for the acquisition or construction of major capital facilities; and

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

Section 1. That the Baseball Stadium Fund is hereby created as a Capital Projects Fund subject to the Local Government Budget Act contained in NRS 354.

Section 2. That the County Comptroller is hereby directed to establish said fund on the official books and record of Washoe County for the purpose of accounting for the construction of the baseball stadium, interest earnings on the assets of the fund, and expenditures and disbursements from the fund including overhead.

Section 3. This Resolution shall be effective upon passage and approval.

IT IS FURTHER RESOLVED, That the County Clerk is hereby directed to distribute executed copies of the Resolution to the Department of Taxation, the Comptroller, Baseball Stadium, and the Budget Division within thirty days.

**RESOLUTION – SPECIAL ASSESSMENT DISTRICT NO. 36 -
EVERGREEN HILLS DRIVE**

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

RESOLUTION NO. 04-186

A RESOLUTION MAKING A PROVISIONAL ORDER FOR THE ACQUISITION AND IMPROVEMENT OF A STREET PROJECT AND A WATER 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. 36 (EVERGREEN HILLS DRIVE); 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 (the "Street Project") and a water project (the "Water Project" and together with the Street Project, the "Project"), as hereinafter more specifically described and as defined in NRS chapter 271; 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 March 9, 2004, filed with the Clerk of the County, in connection with said improvements, and with the proposed Washoe County, Nevada, Special Assessment District No. 36 (Evergreen Hills Drive), 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 modified zone/per parcel method, as hereafter described and with an equitable adjustment having been made for any tract or parcel not specially benefitted 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 as to benefits, as to the method of determining benefits and corresponding market value increases; 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; and

WHEREAS, the Board does hereby determine that the Street Project and the Water Project may be combined together in an efficient and economical improvement district; and

WHEREAS, the Board has also determined, and does hereby determine, that all of the assessable property in the County which is specially benefitted by the improvements to be acquired in the District and only the property which is so specially benefitted, is included in the District; and

WHEREAS, the District will consist of two separate assessment units for the purpose of remonstrance and assessment; and

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. 36 (Evergreen Hills Drive)" (the "District").

Section 2. The Project shall be acquired at an estimated preliminary total cost of \$294,000, 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 two assessment units for purposes of remonstrance, construction and assessment. The boundaries of the District and such units, within which is located the Project and the lots, tracts and parcels of land to be assessed, 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 benefitted 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 April 13, 2004 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 as 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. 36 (Evergreen Hills Drive) 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.

04-187 ACCEPTANCE OF GRANT – DIVISION FOR AGING SERVICES
– SENIOR SERVICES

Upon recommendation of Marietta Bobba, Senior Services Director, on motion by Commissioner Sferrazza, seconded by Commissioner Humke, which motion duly carried with Chairman Shaw absent, it was ordered that a grant from the Division of Aging Services for fiscal year 2004 in the amount of \$7,519 be accepted, and that the Budget Division be directed to make the appropriate account changes outlined as follows:

REVENUE			EXPENDITURES		
Grant Amount	Order No.	Account	Grant Amount	Order No.	Account
\$7,519.00	10265	431100	\$7,519.00	10265	710300

04-188 REQUEST FOR PROPOSAL (RFP) NO. 2412-04 – INSURANCE
BROKERAGE AND CONSULTING SERVICES – RISK
MANAGER

Upon recommendation of Jim Jeppson, Risk Manager, through John Sherman, Finance Department, on motion by Commissioner Sferrazza, seconded by Commissioner Humke, which motion duly carried with Chairman Shaw absent, it was ordered that the proposal for insurance brokerage and consulting services for the Self-funded Group Health Benefit Plan submitted by Marsh, Inc., of Reno, be accepted and 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.

04-189 INCREASE TO FISCAL YEAR 2003/04 WESTAFF PURCHASE
ORDER – COMMUNITY AND CLINICAL HEALTH SERVICES
DIVISION – DISTRICT HEALTH

Upon recommendation of Eileen Coulombe, Administrative Health Services Officer, on motion by Commissioner Sferrazza, seconded by Commissioner Humke, which motion duly carried with Chairman Shaw absent, it was ordered that an increase of \$26,000 to fiscal year 2003/04 Purchase Order No. 5500000872 issued to Westaff, bringing the total amount of the purchase order to \$44,316, on behalf of the Community and Clinical Health Services Division within the District Health Department be approved.

04-190 BUDGET ADJUSTMENT – ENVIRONMENTAL HEALTH
SERVICES FY 2003/04 BUDGET

Upon recommendation of Eileen Coulombe, Administrative Health Services Officer, on motion by Commissioner Sferrazza, seconded by Commissioner Humke, which motion duly carried with Chairman Shaw absent, it was ordered that the following amendments to the fiscal year 2003/04 Environmental Health Services budget be approved:

Account Number	Description	Amount of Increase/(Decrease)
2002-IO-TBA-432100	State Contributions	\$ 15,000.00
2002-IO-TAB-710100	Other Professional Svcs	\$ 15,000.00
	Total Expenditures	\$ 15,000.00

04-191 AGREEMENT – WC-COUNTRY TERRACE, L.L.C. – CONSTRUCTION AND EXTENSION OF A WATER PIPE – WATER RESOURCES

Upon recommendation of John Collins, Utility Services Division Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Sferrazza, seconded by Commissioner Humke, which motion duly carried with Chairman Shaw absent, it was ordered that a Line Extension Reimbursement Agreement between the County of Washoe and WC-Country Terrace L.L.C., for construction and extension of a water pipeline, in an amount not to exceed \$62,418.19, be approved and Vice Chairman Weber be authorized to execute the same.

04-192 FIRST AMENDMENT TO LEASE AGREEMENT – BIGGEST LITTLE INVESTMENTS, L.P. – PUBLIC WORKS

Upon recommendation of Jean Ely, General Services Division Director, through Tom Gadd, Public Works Director, on motion by Commissioner Sferrazza, seconded by Commissioner Humke, which motion duly carried with Chairman Shaw absent, it was ordered that the First Amendment to Lease Agreement between Biggest Little Investments, L.P. (formerly Resources Accrued Mortgage Investors 2, L.P.) (Lessor), through its general partner Maxum LLC, and Washoe County (Lessee) to acknowledge a partnership name change for the Lessor, be approved and Vice Chairman Weber be authorized to execute the same.

04-193 AGREEMENT – TRUCKEE MEADOWS REGIONAL PLANNING AGENCY – BUSHEY/BUSI PROPERTY –RENO-STEAD CORRIDOR JOINT PLANNING AREA – DISTRICT ATTORNEY

Upon recommendation by Madelyn Shipman, Assistant District Attorney, on motion by Commissioner Sferrazza, seconded by Commissioner Humke, which motion duly carried with Chairman Shaw absent, it was ordered that the Mediation Agreement between the County of Washoe, the Truckee Meadows Regional Planning Agency, the City of Reno, Edward W. Bushey and Lorraine Ann Bushey, Charles Ronald Busi and Janet Marie Busi, concerning removal of the Bushey/Busi property from the Reno-Stead Corridor Joint Planning Area, be approved and Vice Chairman Weber be authorized to execute the same.

**CORRECTION OF CLERICAL AND FACTUAL ERRORS -
ASSESSOR**

Upon recommendation of Jean Tacchino, Assistant Chief Deputy Assessor, on motion by Commissioner Sferrazza, seconded by Commissioner Humke, which motion duly carried with Chairman Shaw absent, it was ordered that the following Roll Change Requests correcting factual errors on tax bills and the Order directing the County Treasurer to correct the errors, be approved and Vice Chairman Weber be authorized to execute the same.

PROPERTY OWNER	PARCEL NO.	AMOUNT	ROLL
Grand Canyon Enterprises, Inc.	013-096-02	[-\$35.37]	2001 Secured
Grand Canyon Enterprises, Inc.	013-096-02	[-\$36.35]	2002 Secured
Grand Canyon Enterprises, Inc.	013-096-02	[-\$36.01]	2003 Secured
Village at Wildcreek Ltd Partnership	027-201-05	[-\$14,690.58]	2002 Secured
Village at Wildcreek Ltd Partnership	027-201-05	[-\$14,160.98]	2003 Secured
Village at Wildcreek Ltd Partnership	027-201-05	[-\$14,298.77] estimated	2004 Secured
Joan M. & David B. Sequeira	028-292-54	[-\$978.37]	2001 Secured
Joan M. & David B. Sequeira	028-292-54	[-\$1,026.10]	2002 Secured
Joan M. & David B. Sequeira	028-292-54	[-\$1,020.21]	2003 Secured
Constatine & Jeanie Christopoulous	033-305-37	[-\$262.76]	2003 Secured
Sierra Hills LLC	037-294-07	[-\$838.05]	2001 Supp (Imprv Only)
Sierra Hills LLC	037-294-07	[-\$5,421.27]	2002 Secured
Sierra Hills LLC	037-294-07	[-\$5,340.32]	2003 Secured
MTW Hotels LLC	040-162-68	[-\$1,827.47]	2001 Secured
MTW Hotels LLC	040-162-68	[-\$6,331.11]	2002 Secured
MTW Hotels LLC	040-162-68	[-\$6,270.89]	2003 Secured
Bart & Leight A. Scott	040-491-41	[-\$547.27]	2002 Secured
Bart & Leight A. Scott	040-491-41	[-\$755.42]	2003 Secured
Bryan Hoyos	055-320-53	[-\$736.52]	2003 Secured
Bryan Hoyos	055-320-53	[-\$736.52] estimated	2004 Secured
Gregory M. Voge	124-081-09	[-\$154.81]	2001 Secured
Gregory M. Voge	124-081-09	[-\$174.77]	2002 Secured
Gregory M. Voge	124-081-09	[-\$74.05]	2003 Secured
Michael Q. Mahone	126-294-38	[-\$816.84]	2003 Secured
Michael Q. Mahone	126-294-38	[-\$816.82]- estimated	2004 Secured
Anthony F. & Annette L. McMillen	218-071-05	[-\$163.25]	2001 Secured
Anthony F. & Annette L. McMillen	218-071-05	[-\$241.88]	2002 Secured
Anthony F. & Annette L. McMillen	218-071-05	[-\$239.64]	2003 Secured

04-195

REAPPOINTMENT – LAW LIBRARY BOARD OF TRUSTEES

County Manager Katy Singlaub announced that Sandy Marz, Law Library Director, and Bruce Beasley, Chair of the Board of Law Library Trustees, were in attendance, and Commissioner Weber thanked them for their presence.

Ms. Marz requested that both Russ Musselman and Brian Sandoval be reappointed to the Board and noted they have been active board members. In response to Commissioner Galloway's inquiry at Caucus about their attendance records, she replied that for the two years they have each missed one meeting per year.

Commissioner Galloway said he appreciated Ms. Marz's belief that there is a learning curve for new members, but noted that Mr. Sandoval has been on the Board 10 years. He requested the next time there are vacancies, it be opened for applications to find out if there are other people interested in serving.

Commissioner Sferrazza asked that the terms be four years unless the Board approved an exception, such as in the case of Attorney General Brian Sandoval.

In response to Vice Chairman Weber, Mr. Beasley responded that in 1999 the Board passed a resolution eliminating term limits for members of the Law Library. He respectfully asked that the Board not impose any term limits because there is not a great deal of interest in serving on this committee, that it is difficult to find qualified people who are willing to actually show up for the meetings and do the work, and that Mr. Sandoval and Mr. Musselman be reappointed.

Vice Chairman Weber stated everyone should be able to have an application, and that opportunity was not afforded this time.

Upon recommendation of Ms. Marz on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried with Chairman Shaw absent, it was ordered that Russ Musselman and Brian Sandoval be reappointed to the Law Library Board of Trustees, and that in the future an application process be used each time there is a vacancy.

04-196

APPEARANCE: JIM LOPEY, CHAIR, WASHOE COUNTY LOCAL EMERGENCY PLANNING COMMITTEE AND JOHN SLAUGHTER, INTERIM EMERGENCY MANAGER

Jim Lopey, Chair, Washoe County Local Emergency Planning Committee, and John Slaughter, Interim Emergency Manager, gave an overview of the Washoe Local Emergency Planning Committee (LEPC) through a handout and a PowerPoint presentation, which included the history and purpose of LEPC. He also reviewed many of its functions and benefits to the community. He described the composition of the LEPC membership and noted that John Slaughter is an integral part of the organization. He acknowledged their broad-based membership, and said without all the various

members, the organization would suffer greatly, because appropriate and efficient emergency planning is multi-disciplined.

Commissioner Humke asked about the grant monitoring activity and whether the \$2.34 million in grant funds for Homeland Security includes the right to build a grant monitoring function, which Mr. Lopey replied was not the case. Mr. Lopey then described in detail what the grant funding covers, including reporting requirements.

Commissioner Humke asked why the administration of funds is facilitated through a fiscal officer from the City of Reno, expressing his belief that should not be the case. County Manager Katy Singlaub clarified that LEPC is not a Washoe County department, that it is a Washoe County titled consortium, and that various public entities receive grants under LEPC through this consortium. She emphasized that not all of these funds come to Washoe County.

Commissioner Sferrazza mentioned the functions of LEPC to satisfy the community right to know portion of the law and inquired what information is being furnished to the community concerning hazardous waste being transported in the community, weapons of mass destruction, and dangerous facilities operating locally. Mr. Lopey addressed Commissioner Sferrazza's concerns and described reporting procedures for hazardous materials, and noted if such information were requested, they would try to satisfy the need for information.

Commissioner Sferrazza suggested this be presented to the Board on a weekly basis so it can be published to the community, and Mr. Lopey reiterated that the State Fire Marshall's Office also keeps a database on hazardous materials, which is tracked by a hazardous materials fee. Commissioner Sferrazza asked that the committee at least identify the most dangerous materials for public awareness. Mr. Lopey directed the Board to their website but agreed that it would be untenable to publish this type of exhaustive list. He suggested database searches by facility or geographic area of interest.

Mr. Slaughter suggested ways to address Commissioner Sferrazza's concerns, and there was further discussion regarding hazardous materials and public awareness.

Commissioner Galloway asked who would plan the emergency responses if the infrastructure were attacked. Mr. Lopey and Ms. Singlaub responded by describing the role of LEPC in coordinating and reviewing those plans to make sure they include all the necessary and required elements, including disaster mitigation.

04-197 REQUEST FOR RECONSIDERATION – FY 2001/02 TAX REFUND
REQUEST – DERMODY FAMILY LIMITED PARTNERSHIP

County Manager Katy Singlaub presented a brief background history of this item and reminded the Board that the granting of a refund requires a unanimous decision of all five Commissioners, but the action regarding a motion to reconsider

requires only a simple majority of the Board. Madelyn Shipman, Legal Counsel, offered further background information.

On motion by Commissioner Sferrazza, seconded by Commissioner Humke, which motion duly carried with Chairman Shaw absent, it was ordered that the request by the Dermody Family Limited Partnership for A tax refund for fiscal tax years 2001/02 and 2002/03, on real property APN No. 086-101-28, be reconsidered on March 23, 2004, when all five Commissioners will be present.

04-198 REFUND OF TAXES - NEW DANA PERFUMES CORP. – DENIAL

Pursuant to District Attorney Opinion No. 6405, on motion by Commissioner Sferrazza, seconded by Commissioner Humke, which motion duly carried with Chairman Shaw absent, it was ordered that the request by New Dana Perfumes Corp. for refund of personal property taxes for fiscal year 2000/01, in the amount of \$2,567.94, on Identifier No. 2/307-022, be denied, and Vice Chairman Weber be authorized to execute the Decision.

04-199 INTERLOCAL AGREEMENT - REGIONAL PUBLIC SAFETY TRAINING CENTER

Upon recommendation of Sheriff Dennis Balaam, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Shaw absent, it was ordered that the Interlocal Agreement between the County of Washoe, the City of Reno, the City of Sparks, Sierra Forest Fire Protection District and Truckee Meadows Community College (TMCC), for the operation of the Regional Public Safety Training Center (RPSTC) by Washoe County, the assumption of the operation functions of the RPSTC into Washoe County, and the transfer of three TMCC employees be approved and Vice Chairman Weber be authorized to execute the same.

It was further ordered that:

1. Five positions be established in the County; i.e., four in the Sheriff's Office total position complement established in the Sheriff's RPSTC Special Revenue fund and one in General Services;
2. A new class be established as Director, Regional Public Safety Training Center at pay range R, \$61,734-\$80,267; and
3. The operations function of the facility be assumed and, pursuant to Washoe County Code, Section 5.203, provide for the transfer of three employees of TMCC into the County.

It was noted that the Interlocal Agreement transfers operations and five facility positions from the TMCC to Washoe County; and because TMCC is no longer

operating the facility, they will stop contributing one-half of the Director's salary of approximately \$45,000 annually. TMCC will continue to contribute \$293,151 annually toward operations of the facility.

04-200 RESOLUTION – CREATION OF THE REGIONAL PUBLIC SAFETY TRAINING CENTER SPECIAL REVENUE FUND - BUDGET

Upon recommendation of Ron Steele, Fiscal Analyst II, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried with Chairman Shaw absent, it was ordered that the following Resolution be adopted and Vice Chairman Weber be authorized to execute the same:

RESOLUTION

A RESOLUTION TO CREATE THE REGIONAL PUBLIC SAFETY TRAINING CENTER (RPSTC) SPECIAL REVENUE FUND.

WHEREAS, The County has agreed to operate the Regional Public Safety Training Center for the benefit of local public safety agencies.

WHEREAS, The resources and disbursements relative to the operations of the Regional Public Safety Training Center need to be separated from the other County financial activities; and

WHEREAS, The County will annually budget resources and disbursements to operate the Regional Public Safety Training Center, now, therefore be it

RESOLVED, By the Commissioners of Washoe County, Nevada, that:

Section 1. The Regional Public Safety Training Center is hereby created as a Special Revenue fund subject to the Local Government Budget Act contained in NRS 354.

Section 2. The County Comptroller is hereby directed to establish said fund on the official books and records of Washoe County for the purpose of accounting for the operations of the Regional Public Safety Training Center.

Section 3. Any interest earned on the monies in the fund, after deducting applicable bank charges must be credited to the fund.

Section 4. The Resolution shall be effective on passage and approval.

Section 5. The County Clerk is hereby directed to distribute executed copies of the Resolution to the Department of Taxation and the Comptroller within thirty days.

04-201 INCLINE VILLAGE MAINTENANCE FACILITY – MITIGATION FEES – BEST MANAGEMENT PRACTICE DEPOSIT – PUBLIC WORKS

Upon recommendation of Roger Van Alyne, Capital Projects Division Director, through Tom Gadd, Public Works Director, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried with Chairman Shaw absent, it was ordered that the following actions be taken concerning the Incline Village Maintenance Facility:

1. The payment of \$39,210 Air and Land Mitigation fees to the Tahoe Regional Planning Agency be approved;
2. The deposit of \$254,533 for Best Management Practice security to Tahoe Regional Planning Agency be approved; and
3. The Public Works Director be authorized to execute the necessary documents.

04-202 REIMBURSEMENT – PECCETTI RANCH ESTATES, LLC - FOOTHILL ROAD SEWER MAIN - WATER RESOURCES

Upon recommendation of Paul Orphan, Engineering Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried with Chairman Shaw absent, it was ordered that the Director of the Department of Water Resources be directed to reimburse to Peccetti Ranch Estates, LLC, \$209,799.70, the County's share of the cost to extend a sewer main in Foothill Road.

04-203 EXPENDITURE OF WC-1 FUNDS – JESCH PROPERTY PURCHASE – PARKS

Upon recommendation of Karen Mullen, Director, Parks and Recreation Department, and Alicia Reban, Executive Director, Nevada Land Conservancy, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried with Chairman Shaw absent, it was ordered that the expenditure of WC-1 funds, not to exceed \$200,000, toward the acquisition of the 3.12-acre Jesch Property, to complete the link between Bartley Ranch and Anderson Regional Parks, contingent upon approval of matching funds from State Question 1 in the amount of \$425,000 for the balance of the purchase price of \$625,000, be approved.

04-204

2002 REGIONAL PLAN SETTLEMENT AND ASSOCIATED ISSUES

Madelyn Shipman, Assistant District Attorney, advised the process of appealing Reno's program of annexation has been started; but the City is going forward with non-contiguous annexations without regard to the fact that the County has filed a Petition for Judicial Review. She said the only way to stop these annexations would be to file a Motion to Enjoin. Commissioner Sferrazza suggested the County file suit against the properties so they could not get necessary financing. Ms. Shipman stated she would be concerned about clouding titles.

Commissioner Sferrazza moved to authorize the Assistant District Attorney to file whatever is legally most efficient, in her judgment, to bring this issue forward and that this matter be scheduled for a joint meeting with Reno City Council as soon as possible. Commissioner Humke seconded the motion. Following further discussion, the motion carried unanimously with Chairman Shaw absent.

Sam Dehne, Reno resident, voiced his objections to what he feels is a "massive land grab" by the City of Reno.

In response to Mr. Dehne, Ms. Shipman clarified the difference between annexation of contiguous and non-contiguous properties.

04-205

REPORTS/UPDATES FROM COUNTY COMMISSION MEMBERS

Commissioner Humke advised that he would be requesting a resolution to be placed on a future agenda concerning the Regional Transportation Commission plans for a transportation corridor through his District now being referred to as the Southeast Connector, formerly known as the Tahoe-Pyramid Link.

Commissioner Galloway reported he would be attending a luncheon on Friday to honor foster grandparents and urged everyone to support the foster grandparent program.

Commissioner Sferrazza reported they were successful in getting the 2010 NACo (National Association of Counties) Convention in Reno and the City of Reno was successful in getting the 2006 National League of Cities Convention in Reno. He also requested a legal opinion from the District Attorney concerning the Board's legal rights under the Constitution to curtail someone's right to speak at a public meeting.

3:45 p.m. The Board recessed.

5:30 p.m. The Board reconvened with Chairman Shaw and Commissioner Humke absent.

APPEAL CASE NO. AX04-001 – SPECIAL USE PERMIT CASE NO. SB03-023 – CREATIVE KIDS DAYCARE – COMMUNITY DEVELOPMENT

5:30 p.m. This was the time set in a Notice mailed to affected property owners by the Department of Community Development on February 27, 2004 to consider the appeal of the Board of Adjustment's denial of Special Use Permit Case No. SB03-023, Creative Kids Daycare (Appellant: Mark Phillips, Creative Kids Realty, LLC). The purpose of the public hearing is to consider an appeal to overturn the Washoe County Board of Adjustment's action denying the request to construct a 3,083 square-foot building for the operation of a day-care facility to accommodate 59 children as authorized in Article 110.810 of the Washoe County Development Code. The project is located at the northwest corner of Marilyn Mae Drive and Sky Ranch Boulevard north of La Posada Drive in Spanish Springs. The ±1.36-acre parcel is designated Low Density Suburban (LDS) in the Spanish Springs Area Plan, and is situated in a portion of Section 36, T2IN, R20E, MDM, Washoe County, Nevada. The property is located in the Spanish Springs Citizen Advisory Board boundary and Washoe County Commission District No. 4 (APN: 534-344-04).

Vice Chairman Weber opened the public hearing.

Trevor Lloyd, Planner, reported there has been a request to continue this matter to March 23, 2004 when a full Board is present; and he did try to contact as many people as possible to let them know the matter would be continued.

5:35 p.m. Commissioner Humke returned to the meeting.

Commissioner Sferrazza moved to continue the public hearing to March 23, 2004 at 5:30 p.m. Commissioners Galloway and Humke expressed their desire to hear from the people in attendance.

Roz Snyder, Marilyn Mae Drive resident, advised that their Homeowner's Association had expressed that the residents were in support of the daycare center. She pointed out a vote was taken at an Association meeting when such action was not on the meeting agenda.

Joan Fizone, Marilyn Mae Drive resident, stated the proposed location is just not the right place for a daycare center. She also confirmed that Mr. Lloyd sent her an e-mail concerning the continuation.

Commissioner Galloway seconded the motion to continue; and, upon call for the vote, the motion carried with Chairman Shaw absent, and it was ordered that the public hearing be continued to March 23, 2004 at 5:30 p.m.

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There being no further business to come before the Board, the meeting adjourned at 5:50 p.m.

BONNIE WEBER, Vice Chairman
Washoe County Commission

ATTEST:

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

*Minutes Prepared by
Sharon Gotchy, Deputy County Clerk*