

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

2:00 P.M.

MAY 10, 2005

PRESENT:

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

Amy Harvey, County Clerk
Katy Singlaub, County Manager
Melanie Foster, Legal Counsel

The Board met in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. Following the Pledge of Allegiance to the flag of our Country, the Clerk called the roll and the Board conducted the following business:

05-434 AGENDA

In response to discussion by the Board, Melanie Foster, Legal Counsel, stated that Item 16, First Reading of an Ordinance regarding animals could be continued to a date certain during approval of the agenda, while still taking public comment at the time certain of 5:30 p.m.

be approved with the following changes: **Delete:** Item 9, Appearance by John McLain, Resource Concepts, Inc. and Elwood Miller, Nevada Fire Council, on the results of the Community Wildfire Risk/Hazard Assessment and Mitigation Plan; and Item 18, Sierra Forest Fire Protection District. It was further ordered that the First Reading of an Ordinance amending the Washoe County Code by amending Chapter 55 relating to animals and fowl and enacting provisions regarding animal control in Washoe County be continued to the May 24, 2005 meeting with public comment being heard today at or after the time certain of 5:30 p.m.

05-435 PUBLIC COMMENTS

Jerry Purdy, local resident, discussed water quality monitoring and the need to expand the groundwater database to include all of the Truckee River water testing being done by all of the different agencies. He provided documentation on which test each agency conducted that was placed on file with the Clerk.

Gary Norris, licensed professional engineer, spoke about the bridges along the Truckee River in downtown Reno needing scour protection in case of another flood and on debris upstream.

Charles Jarvi, member of the local animal rescue community, spoke about the animal rescue community not having adequate notice to provide input into the proposed animal control ordinance. He provided an evaluation of the ordinance, which was placed on file with the Clerk.

Guy Felton, local resident, addressed a comment by Melanie Foster, Legal Counsel, at the April 26th meeting on an Attorney General opinion, stating that opinion was just an opinion, which does not have the force of law. He also spoke about public comment being mandatory. He placed on file with the Clerk a copy of the Attorney General's letter dated December 10, 2001 to Patricia Lynch, Reno City Attorney, regarding a complaint against the Reno Animal Services Advisory Board.

Les Barta, local resident, spoke on the Gary Schmidt matter and the disparaging comments made by Chairman Weber and Commissioner Humke about Incline Village residents at Mr. Schmidt's last hearing.

Daryl Drake, local commercial real estate broker, requested an agenda item to discuss the fiscal impacts of the City of Reno's new redevelopment areas to the School District, the County, and the City of Reno General Fund. He said he was concerned that only one of the seven met the general blight conditions described in the Nevada Revised Statute 279, and he was concerned about the costs of the new districts to the average City of Reno taxpayer.

Judith Snell, local resident, provided statistics on animals housed at the shelter. She also spoke on the proposed animal ordinance, which she believed had been tweaked to be a bit worse, and the new animal facility.

Al Hesson, local resident, spoke about the City of Reno budget and the lack of funds for the women and children's center at the new homeless shelter. He spoke on their plight and said it costs less to help the children now than after they fall through the cracks.

Jerry Schumacher, South Truckee Meadows General Improvement District (STMGID) Local Managing Board Chairman, said the local board approved the 2005/06 budget, while the augmentation to the present budget of approximately \$60,000 was a split vote that was approved three to two. He said things were going to get out of hand if STMGID did not reign in spending.

Juanita Cox, local resident, spoke about Open Meeting Law violations, and said during a previous public comment she expressed her opposition to Dick Gammick, District Attorney, being on the selection committee for the next Public

Defender. She said her comment was not intended to discredit any other law enforcement officers, only Mr. Gammick.

Commissioner Larkin read the public comment card from Toni Strassburg Pearce, Animal Rescue Coalition, requesting the reading of the animal ordinance be postponed.

In response to Chairman Weber, Melanie Foster, Legal Counsel, affirmed at the Board's discretion any further public comments could be limited to one minute after 10 people speak.

Commissioner Galloway said the rule stated the time for all speakers could be reduced down to as little as one minute if the Board knew in advance that there were more than 10 public comment cards. He encouraged everyone to get their comment cards in early so the Board could determine what needed to be done to conduct the meeting. Chairman Weber said she had two public comment cards from citizens that would get one minute each.

Sam Dehne, local resident, spoke about the right of people to speak.

Gary Schmidt, local resident, discussed the *Reno-Gazette Journal* article about too many people in the room during the May 9, 2005 Caucus meeting, which was placed on file with the Clerk.

COMMISSIONERS'/MANAGER'S ANNOUNCEMENTS

Commissioner Larkin requested a review of the salary savings policy for a future agenda.

Commissioner Sferrazza invited all elected officials to a lunch with seniors on May 18th and May 24th at the Senior Center. He requested an agenda item for discussion and possible direction to staff regarding the fiscal impact of new, expanded, or pending redevelopment districts and new or pending Star Bond Districts on taxpayers and government entities. He said he would not participate in any caucus meeting that exceeded the legal occupancy, and he was aware sometimes people were turned away.

Commissioner Galloway replied only staff was turned away and the legal occupancy limit was only exceeded by two people. He said he would rather deal with more substantial matters, and there was no need for a formal complaint since the matter was immediately corrected.

05-436 PROCLAMATION - MAY 2005 FOSTER CARE MONTH

Commissioner Larkin read and presented the proclamation declaring May 2005 Foster Care Month to Catherine Rodriguez, President, Sierra Association of Foster Families, and Binnie Lopez, Social Services. Ms. Rodriguez spoke about the partnership

between foster families and Social Services. Ms. Lopez thanked foster parents for the day-to-day care they provide to children while their families are in crisis. She spoke about the partnership with local Wendy's restaurants during Foster Care Month to increase community awareness of foster care and foster children.

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

PROCLAMATION

WHEREAS, There is nothing more precious to our Washoe County community than the healthy growth and development of our youth, who will determine the future direction of our state; and

WHEREAS, The family, serving as the primary source of love, identity, self-esteem, and support, is the very foundation of our communities and our state; and,

WHEREAS, In Washoe County, Nevada, there are more than 600 children and youth in foster care who are being provided a safe, secure and stable home environment along with the compassion and nurturing of a foster family; and,

WHEREAS, Foster families open their homes and hearts to children whose families are in crisis; thus they play a vital role in helping children and families heal, reconnect, and launch children into successful adulthood; and,

WHEREAS, Dedicated foster families frequently adopt foster children, resulting in a greater need for more foster families; and,

WHEREAS, Many youth who reach their 18th birthday are prepared for adulthood as a result of their foster family and these same foster families often continue to provide ongoing support and guidance; and

WHEREAS, There are numerous individuals with public and private organizations who work to increase the public awareness of the needs of children in and leaving foster care as well as the enduring and valuable contribution of foster parents and the foster care system will only reach as high as those who choose to be part of it; and,

WHEREAS, Foster Care Month in Washoe County, Nevada is an appropriate opportunity to thank the families who embrace the often thankless responsibility of providing a home and family to children in need of affection, love and security and to support the efforts of those who dedicate their time to children in and leaving foster care; and now therefore be it,

PROCLAIMED, By the Washoe County Board of County Commissioners, that May 2005 is designated as Foster Care Month. We encourage citizens to volunteer their talents and energies on behalf of children in foster care, foster parents and the child welfare professional staff working in our county this month and throughout the year.

**05-437 PROCLAMATION - MAY 2005 OLDER AMERICAN'S MONTH
AND MAY 8-14, 2005 NATIONAL SENIOR CENTER WEEK -
SENIOR SERVICES**

Commissioner Sferrazza read the proclamation declaring May 2005 Older American's Month and May 8-14, 2005 National Senior Week into the record and presented it to Martha Rug, Senior Advisory Board. Ms. Rug thanked the Commissioners for their work towards helping seniors.

On motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the following Proclamation be adopted and Chairman Weber be authorized to execute the same:

PROCLAMATION

WHEREAS, Washoe County is home to over 36,500 Citizens 60 years or older who are a vital part of our community, comprising a significant demographic; and,

WHEREAS, Older citizens are sensitive, valuable people, entitled to dignified, independent lives free from fears, myths and misconceptions about aging; and,

WHEREAS, Our community must strive to understand, address and respond to the evolving physical, emotional, recreational and housing needs of our aging population; and,

WHEREAS, As elected officials, we recognize, appreciate and value the diversity of our community, especially the wealth of knowledge, experiences and contributions of our older citizens; and,

WHEREAS, We must also recognize and give support to caregivers, both family members and professionals; and,

WHEREAS, Our society is dependent upon intergenerational and interagency cooperation and support and benefits from everyone's collective efforts to serve older Americans and the people who love them; and,

WHEREAS, We are proud of the many and diverse services provided by Washoe County to our older citizens, both within our Senior Community Center and at many locations throughout the County which offer information, education and vital social interaction; and,

WHEREAS, We provide a wide array of services, such as Meals on Wheels, Daybreak Adult Day Health Program, Senior Legal Project, Congregate Meals, Advocacy, Representative Payee, Case Management and Information and Referral and a wide variety of social programs; yet we continually strive to develop new and meaningful programs to connect proactively with our growing and varied constituency: and,

WHEREAS, We value the relationships with the private donors and other non-profit agencies that help to support our programs to aid senior citizens: and,

WHEREAS, This year marks the 40th Anniversary of the passage of the Older Americans Act by the United States Congress; now, therefore, be it

PROCLAIMED, By the Washoe County Board of Commissioners that May 2005 is designated as Older Americans Month and May 8-14, 2005 is designated Senior Center Week.

**05-438 CERTIFICATES OF APPRECIATION – SUGGESTION AWARDS
– MANAGEMENT SERVICES/SUGGESTION PROGRAM
COORDINATOR**

David Ybarra, Suggestion Program Coordinator, spoke about the Suggestion Awards program and the suggestions made by the current recipients. Chairman Weber presented the certificates to David Neissess, Public Works, and Deputy Kirk Holden, Sheriff's Office.

Upon recommendation of Mr. Ybarra, through John Slaughter, Management Services Division Director, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that the presentation of Certificates of Appreciation to Mr. Neissess and Deputy Holden, for suggestions approved by the Suggestion Awards Committee, be confirmed.

05-439 RESOLUTION – RECOGNIZING EMERGENCY DISPATCHERS

On motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried, it was ordered that the following Resolution be adopted and Chairman Weber be authorized to execute the same:

RESOLUTION

WHEREAS, Emergency Dispatch Centers operate 24 hours a day, 7 days a week, 365 days a year; and

WHEREAS, Emergency Dispatch Centers dispatch a vast variety of calls for service; and

WHEREAS, Emergency Dispatch duties include providing emergency medical instructions (ENID) over the phone and coordinating mutual aid assistance from surrounding agencies; and

WHEREAS, All of these folks act day in and day out in the finest tradition of professional dispatchers and reflect a great credit to the law enforcement agencies, fire agencies and Washoe County citizens; now, therefore, be it

RESOLVED, That the Washoe County Board of Commissioners does hereby recognize all emergency dispatchers for their commitment and professionalism to the citizens of our community.

05-440 WHOLESALE LIQUOR LICENSE – JOHN B. DOSS DBA GREAT BASIN WINE CO., LLC – COMMUNITY DEVELOPMENT

Craig Stevens, Nevada Department of Taxation, Compliance Division Investigator, explained his position, and said he had been working with local law enforcement agencies to stop smuggling of liquor. He was concerned that it appeared some approvals were granted before the investigations on the applicants were completed and he hoped to work with County licensing personnel to help rectify that situation.

In response to Commissioner Galloway, Mr. Stevens said he was not aware of an open investigation regarding this application.

In response to Commissioner Humke, Mr. Stevens stated he was working with staff to look at procedures to see if changes were needed.

Commissioner Larkin asked if requests were coordinated with respective jurisdictions and said it might be appropriate to review the policy if not. Catherine Lorbeer, Senior Planner, replied the County does not evaluate whether or not the application meets the Cities' local codes. She said the applicant must obtain a liquor license from the City where the business would be located, but they must first go through this process with the County. She said she had been tasked with looking at the County Code to see if it could be streamlined.

In response to Commissioner Galloway, Ms. Lorbeer said the applicant needed the County license because they would be distributing to locations in the County even though they were physically located in the City of Sparks. Commissioner Galloway said he did not see anything wrong with the County approving this application before the City of Sparks approves a specific location because the County's license was not tied to a specific location. Ms. Lorbeer agreed, stating the business location on the County's license would be updated, but Board approval was not needed if the location changed. Commissioner Galloway said it could be possible to make the process more efficient by sharing background information.

Commissioner Larkin requested looking at the application process for any opportunity to streamline it. Ms. Lorbeer said liquor licenses require investigation by the Federal Bureau of Investigation, which adds considerable time to the process.

Upon recommendation of Bob Webb, Planning Manager, through Adrian Freund, Community Development Director, on motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried, it was ordered that the wholesaler of intoxicating liquor business license for John B. Doss, doing business as Great Basin Wine Company, LLC, be approved. It was further ordered that each Commissioner present sign the application.

05-441 RESOLUTION - GRANT PROGRAM CONTRACT – FISCAL YEAR 2005/06 – NORTHERN NEVADA POLICE AND FIRE GAMES 2005 – FINANCE/MANAGEMENT SERVICES

Upon recommendation of Anna Heenan, Senior Fiscal Analyst, and Gabrielle Enfield, County Grants Administrator, through John Sherman, Finance Director, on motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried, it was ordered that the Grant Program Contract with the Northern Nevada Police and Fire Games 2005 for Fiscal Year 2005/06 in the amount of \$25,000 be approved and Chairman Weber be authorized to execute the same. It was further ordered that Finance be directed to increase the Community Support budget by \$25,000 in internal order 60157, Police and Fire Games account 710400 - Payments to Other Agencies, and to decrease the Contingency account 189000-820000 by \$25,000, leaving a balance in the Contingency account of \$961,000.

It was also ordered that the following Resolution be approved and Chairman Weber be authorized to execute the same:

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 the Western States Police and Fire Games will provide a substantial benefit to the habitants of Washoe County; now, therefore, be it

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

1. The Board hereby grants to the Northern Nevada Police and Fire Games 2005 a private, non-profit organization, a grant for fiscal year 2004 - 2005 in the amount of \$25,000.
2. The purpose of the grant is to provide for sponsorship support for the Western States Police and Fire Games 2005.
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 is attached hereto and incorporated herein by reference.

**05-442 MEALS FOR FISCAL YEAR 2005/06 COMMISSION
MEETINGS/RETREATS – COUNTY MANAGER**

Upon recommendation of Rita Lencioni, Assistant to the County Manager, through Katy Singlaub, County Manager, on motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried, Chairman Weber ordered that the expenditure at the existing per diem rate for the provision of lunch for participants during Fiscal Year 2005/06 Board retreats be approved. It was further ordered that the expenditure at the existing per diem rate for meals during Board of County Commissioners' meetings that extend, or are anticipated to extend, for an afternoon-evening meeting beyond 6:30 p.m. or for a daytime meeting beyond 1:00 p.m. for Fiscal Year 2005/06 be approved.

**05-443 FACILITY USE AGREEMENT – VETERANS OF FOREIGN
WARS (VFW), VERDI POST NO. 10053 – VFW BUILDING -
PUBLIC WORKS/FACILITY MANAGEMENT**

Katy Singlaub, County Manager, said the Verdi Township Citizen Advisory Board (CAB) should actually state the Verdi CAB, and she thanked the Verdi Veterans of Foreign Wars post for letting the CAB use its facility.

Upon recommendation of Mike Turner, Facility Management Division Director, through Tom Gadd, Public Works Director, on motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried, it was ordered that the Facility Use Agreement between Washoe County and the Veterans of Foreign Wars of the United States (VFW), Verdi Post No. 10053, a Nonprofit Nevada Corporation, concerning lease of space in the VFW building in Verdi, Nevada for continued use by the Verdi Citizen Advisory Board for the period July 1, 2005 through June 30, 2006 in the amount of \$960 be approved and Chairman Weber be authorized to execute the same.

**05-444 AFFIDAVIT OF WAIVER AND CONSENT NO. 31,
ARROWCREEK SUBDIVISION UNIT 28, SAD 23 -
APPORTIONMENT REPORT – WATER RESOURCES**

Upon recommendation of Mark Johnson, Environmental Engineer II, and Paul Orphan, Engineering Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried, it was ordered that the Affidavit of Waver and Consent No. 31, ArrowCreek Subdivision Unit 28, Special Assessment District 23, ArrowCreek area, be approved and Chairman Weber be authorized to execute the same. It was further ordered that the Water Resources Director be authorized to record the document.

**05-445 PURCHASE – COMPUTERS, PRINTERS, AND SOFTWARE –
INCLINE VILLAGE LIBRARY – PURCHASING**

Upon recommendation of John Young, Assistant Buyer, through John Balentine, Purchasing and Contracts Administrator, and Nancy Cummings, Library Director, on motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried, Chairman Weber ordered that the purchase of computers, printers, and software in the amount of \$46,300 for the Incline Village Library, utilizing existing contracts of the State of Nevada and the Western States Contracting Alliance for Dell Equipment and ASAP Software, be approved.

**05-446 PURCHASE – FURNITURE – INCLINE VILLAGE LIBRARY –
PURCHASING**

Upon recommendation of John Young, Assistant Buyer, through John Balentine, Purchasing and Contracts Administrator, and Nancy Cummings, Library Director, on motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried, it was ordered that the purchase of furniture in the amount of \$91,267.27 for the Incline Village Library, utilizing existing contracts of the State of Nevada with Machabee Office Environments for Steelcase, Vecta, and Brayton, be approved.

05-447 AWARD OF BID – NO. 2483-05 – POOL CHEMICALS - PARKS

Lee Joseph, Inc.
Sierra Chemical Co.

Upon recommendation of Charlene Collins, Buyer, through John Balentine, Purchasing and Contracts Administrator, and Karen Mullen, Regional Parks and Open Space Director, on motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried, Chairman Weber ordered that Bid No.

2483-05 for pool chemicals on behalf of the Regional Parks and Open Space Department, on a requirements basis, in the estimated annual aggregate amount of \$30,000 be awarded to Lee Joseph, Inc. for bid items 1, 7, 8, and 9 and to Sierra Chemical Co. for bid items 2, 3, 4, 5, 6, and 10 for a one year period with the County retaining the option of a one year extension.

**05-448 REQUEST FOR PROPOSAL – NO. 2481-05 – GOLF COURSE
SIGNAGE – PARKS**

Sand Carved Signs.

Upon recommendation of Charlene Collins, Buyer, through John Balentine, Purchasing and Contracts Administrator, and Karen Mullen, Regional Parks and Open Space Director, on motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried, Chairman Weber ordered that the Request for Proposal No. 2481-05 for the golf course signage on behalf of the Regional Parks and Open Space Department be awarded to Sand Carved Signs at no cost to Washoe County. It was further ordered that the Purchasing and Contracts Administrator be authorized to execute a three-year agreement and to accept a \$9,000 donation from Sand Carved Signs upon completion of the installation of the golf course signage.

**05-449 TRAVEL ACCOUNT – VOLUNTEER MILEAGE - SENIOR
SERVICES**

Juanita Cox, local resident, spoke about the appearance of a cover up regarding this reimbursement.

Sam Dehne, local resident, said he favored reimbursing volunteers for travel expenses.

Katy Singlaub, County Manager, said County policy stated travel expense reimbursement for non-employees must come before the Board. Marietta Bobba, Senior Services Director, believed she had the authority to approve the reimbursement, and as soon as she discovered she did not, it was brought before the Board at a public meeting pursuant to County policy. She said nothing was being covered up, and the Internal Revenue Service stipulates the amount of the mileage payment.

Upon recommendation of Ms. Bobba, through John Berkich, Assistant County Manager, on motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried, Chairman Weber ordered that the creation of a travel account specific to the Department of Senior Services to reimburse volunteers for mileage expenses in the amount of \$1,200 for Fiscal Year 2004/05 and \$2,000 for Fiscal Year 2005/06 be authorized. It was further ordered that the Department be authorized to reimburse volunteers for mileage incurred retroactively to July 1, 2004. It was noted the

2004/05 funds would be reallocated from the Senior Services Administration Account 250110-710500 - Other Expenses to the new travel account.

05-450 GRANT AWARD – U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT - SENIOR SERVICES

Upon recommendation of Marietta Bobba, Senior Services Director, through John Berkich, Assistant County Manager, on motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried, Chairman Weber ordered that the Grant Award for comprehensive housing counseling and default counseling from the U.S. Department of Housing and Urban Development in the amount of \$38,000 for the period October 1, 2004 through September 30, 2005 be accepted. It was further ordered that the Finance Department be directed to make the following budget adjustments:

Account Number	Description	Amount of Increase
10226-431100	Federal Reserve	\$28,000
10226-701110	Base Salaries	\$28,000

05-451 AGREEMENT – VETERAN’S ADMINISTRATION – ADULT DAY CARE SERVICES - SENIOR SERVICES

Sam Dehne, local resident, said he favored approving this agreement.

Upon recommendation of Marietta Bobba, Senior Services Director, through John Berkich, Assistant County Manager, on motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried, it was ordered that the agreement between Washoe County and the Veteran’s Administration for Adult Daycare Services, effective October 1, 2004 through September 30, 2007, be retroactively renewed and Chairman Weber be authorized to execute the same. It was noted the reimbursement rates were \$60 per day for October 1, 2004 through September 30, 2005 (Base Year); \$65 per day for October 1, 2005 through September 30, 2006 (Option 1); and \$70 per day for October 2, 2006 through September 30, 2007 (Option 2).

05-452 INTERLOCAL AGREEMENT – STOREY COUNTY – SENIOR NUTRITION PROGRAM - SENIOR SERVICES

Katy Singlaub, County Manager, on behalf of the Board, congratulated Senior Services for the low cost and efficient Storey County meal delivery program.

Upon recommendation of Marietta Bobba, Senior Services Director, through John Berkich, Assistant County Manager, on motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried, it was ordered that the Interlocal Agreement between Washoe County and Storey County, concerning providing a Senior Nutrition Program through the Department of Senior Services, effective July 1, 2004 through April 3, 2006, be retroactively renewed and Chairman

Weber be authorized to execute the same. It was noted there was no fiscal impact as Storey County pays for the meals.

**05-453 RESOLUTION – AMENDED TAHOE AREA PLAN CP05-001 –
COMMUNITY DEVELOPMENT**

Upon recommendation of Eva Krause, Planner, through Adrian Freund, Community Development Director, on motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried, it was ordered that the following Resolution be adopted and Chairman Weber be authorized to execute the same:

RESOLUTION

**ADOPTING THE AMENDED TAHOE AREA PLAN (CP05-001),
A PART OF THE WASHOE COUNTY COMPREHENSIVE PLAN**

WHEREAS, Sections 278.150, 278.170 and 278.210, Nevada Revised Statutes, specify that the Washoe County Planning Commission may prepare, adopt and amend a master (comprehensive) plan for all or any part of the County, subject to County Commission approval;

WHEREAS, Section 278.160, Nevada Revised Statutes, specifies that the master plan shall include the following subject matter or portions thereof as deemed appropriate: community design, conservation plan, economic plan, historic properties preservation plan, housing plan, land use plan, population plan, public buildings, public services and facilities, recreation plan, safety plan, seismic safety plan, solid waste disposal plan, streets and highways plan, transit plan, and transportation plan, and such other plans as judged necessary;

WHEREAS, A public hearing on the adoption of the amended TAHOE AREA PLAN, a part of the Washoe County Comprehensive Plan, was held on March 15, 2005, by said Planning Commission;

WHEREAS, The Washoe County Planning Commission has found that the TAHOE AREA PLAN, a part of the Washoe County Comprehensive Plan, and the most recent amendment, together with the applicable maps and descriptive matter, provide a long-term general plan for the development of the County including the subject matter currently deemed appropriate for inclusion in the Comprehensive Plan, and has submitted the amendment to the TAHOE AREA PLAN to the Board of County Commissioners, Washoe County, with the recommendation for approval and adoption thereof;

WHEREAS, Section 278.220, Nevada Revised Statutes, specifies that the Board of County Commissioners of Washoe County, Nevada, may adopt and endorse plans for Washoe County as reported by the Planning Commission, in order to conserve and promote the public health, safety and general welfare;

WHEREAS, A public hearing on the adoption of the Washoe County Comprehensive Plan, including the TAHOE AREA PLAN, was first held on May 21, 1991, with the most recent amendment to the TAHOE AREA PLAN being held on April 26, 2005, by the Board of County Commissioners of Washoe County, Nevada;

WHEREAS, At the conclusion of the public hearing, the Board of County Commissioners endorsed the amendments to the TAHOE AREA PLAN, a part of the Washoe County Comprehensive Plan;

WHEREAS, The amendment to the TAHOE AREA PLAN, a part of the Washoe County Comprehensive Plan, has completed all the necessary requirements for adoption as specified in the Nevada Revised Statutes and Article 820, Amendment of Comprehensive Plan, of the Washoe County Development Code; now, therefore, it is hereby

RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY, NEVADA, That the Board does hereby adopt and endorse the amended TAHOE AREA PLAN, a part of the Washoe County Comprehensive Plan, to serve as a guide for the orderly growth and development of Washoe County, Nevada.

05-454 AWARD OF BID – SECURITY FENCE AND ELECTRONICS – 911 PARR BOULEVARD – PUBIC WORKS

Artistic Fence Co.
Tholl Fence, Inc.

Upon recommendation of Roger Van Alyne, Capital Projects Division Director, through Tom Gadd, Public Works Director, on motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried, it was ordered that the bid for the security fence and electronics be awarded to the low, responsive and responsible bidder, Tholl Fence, Inc., in the amount of \$108,516 and Chairman Weber be authorized to execute the contract documents upon presentation.

05-455 RESOLUTION - AUGMENT BUDGET - FINANCE

Juanita Cox, local resident, said the money proposed to augment the budget should be given back to the people, not spent. She said more discussion was needed on this item.

Sam Dehne, local resident, said he agreed with Ms. Cox, except he favored the retroactive pay for the Sheriff's Deputies. He would also like the Board to approve \$3,600 to televise the Airport Authority meetings.

Katy Singlaub, County Manager, said the Board approved the carryover funds spending plan in December 2004. She said this item satisfies the statutory requirement that the Board officially augment the budget to allow the expenditures to be made. She said it is a great idea to save money and invest it in projects, such as the Jan Evans Juvenile Justice Center, rather than having to borrow money for projects.

Upon recommendation of John Sherman, Finance Director, on motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried, Chairman Weber ordered that the Publication of Notice of Intent to Augment Budget be acknowledged. It was further ordered that the following Resolution augmenting the General Fund in the amount of \$2,488,136 be adopted. It was noted that \$1,296,000 would be transferred to the Public Works Construction Fund pursuant to the approval of the General Fund Carryover Funding Plan approved December 21, 2004 for the funding of projects including, but not limited to, the GIS Aerial photography, Countywide Legato System Licenses, additional firewalls required by the Criminal Justice Information System Audit, Sheriff Deputy's retroactive pay due to the bargaining unit agreement and general fund contingency account.

**RESOLUTION
TO AUGMENT THE BUDGET OF THE WASHOE COUNTY GENERAL FUND
AND
TRANSFER FUNDING TO THE PUBLIC WORKS CONSTRUCTION FUND**

WHEREAS, the Washoe County General Fund had an opening fund balance not appropriated in fiscal year 2004/2005; and

WHEREAS, the General Fund requires the \$1,192,136 of appropriations for projects within the General Fund; and

WHEREAS, the Public Works Construction Fund requires a transfer from the General Fund in the amount of \$1,296,000 for projects in the carryover spending plan approved by the board on December 21, 2004:

NOW THEREFORE BE IT RESOLVED, by the Board of County Commissioners of the County of Washoe, State of Nevada:

Section 1. That the budget of the Washoe County General Fund and Public Works Construction Fund be adjusted as follows:

		Increase Expenditures	
189000-82000	General Fund (GF) Contingency		\$500,000
920299-710100	Public Works Construction Fund (PWCF) projects		500,000
920499-781001	PWCF Public Safety Deferred Projects		150,000
920599-781080	PWCF Deferred Projects		100,000
108700-710490	GF - GIS Aerial Photography Contribution		47,483
179200-781004	GF - General Assistance Legato System		31,493
PW920269-710210	PWCF-Countywide Legato System Licenses		121,000
PW920265-711504	PWCF-Criminal Justice Information System Firewall		425,000
150200-701110	GF-Balance for Sheriff Deputy's Retro Pay		613,160
			\$2,488,136

Revenues		
General Fund Unappropriated opening fund balance		\$2,488,136
Transfers		
188500-814092	General Fund transfer out to Public Works Construction Fund	\$1,296,000
920999-621001	Public Works Construction fund transfer in from General Fund	\$1,296,000

Section 2. This Resolution shall be effective on passage and approval.

Section 3. The County Clerk is hereby directed to distribute copies of the Resolution to the Department of Taxation, Public Works, Comptroller, and the Budget Division.

05-456 ACCEPT – DEVELOPER-BUILT WATER, SEWER, AND RECLAIMED FACILITIES - WATER RESOURCES

Upon recommendation of Jerry McKnight, Finance and Operations Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried, Chairman Weber ordered that the following developer-built water, sewer, and reclaimed facilities dedicated to Washoe County be accepted. It was noted that acceptance increases infrastructure assets and equity of the Utility Services Division by \$2,891,816.72, and the estimated total annual depreciation expense would be \$73,946.96 per year.

Water Facilities	DWR No.	Value
1. 3760 St Andrews Drive	1000391	\$1,217.98
2. Bank of America - Double Diamond	1000278	\$3,952.41
3. Damonte Ranch Village 14B	1000090	\$1,978.89
4. Eagle Canyon III - Unit 5	1000125	\$298,542.10
5. Estates at Mt Rose	1000091	\$785,581.91
6. Northern Nevada Corporate Center - Phase 1	1000225	\$45,182.51
7. Pyramid Cove	1000339	\$16,191.72
8. Rio Wrangler Parkway	66673454	\$159,108.56
9. Sierra Vista Professional Center - Phase 2	1000071	\$24,515.80
10. Sierra Vista Professional Center - Phase 3	1000216	\$85,036.74
11. Smith's #378 - Village at Double Diamond	1000179	\$129,782.57
WATER TOTAL		\$1,551,091.19

Sewer Facilities	DWR No.	Value
1. Canyon Hills - Unit 1	1000317	\$269,488.38
2. Eagle Canyon III - Unit 5	1000125	\$305,906.84
3. Estates at Mt Rose	1000091	\$759,548.63
4. Redfield Campus - Bldg 1	1000424	\$1,063.87
5. Redfield High - Tech Center	1000222	\$1,063.87
SEWER TOTAL		\$1,337,071.59

Reclaimed Water Facilities	DWR No.	Value
1. Bank of America - Double Diamond	1000278	\$1,217.98

2. Northern Nevada Corporate Center - Phase 1	1000225	\$1,217.98
3. Smith's #378 - Village at Double Diamond	1000179	\$1,217.98
RECLAIMED TOTAL		\$3,653.94

TOTAL VALUE \$2,891,816.72

**05-457 ENGINEERING SERVICES CONTRACT AMENDMENT NO. 1 –
LONGLEY LANE WATER TREATMENT FACILITY -
ECO:LOGIC CONSULTING ENGINEERS - WATER RESOURCES**

Upon recommendation of Rick Warner, Sr. Licensed Engineer, and Paul Orphan, Engineering Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried, it was ordered that Amendment No. 1 to the engineering services contract with ECO:LOGIC Consulting Engineers in the amount of \$189,000, concerning providing additional engineering work for the Longley Lane Water Treatment Facility by completing design work to the treatment facility that was not included in the original consultant scope of work or fee schedule, be approved. It was further ordered that Chairman Weber be authorized to execute the contract documents and that the Engineering Manager be authorized to issue the Notice to Proceed.

**05-458 FISCAL YEAR 2006-2010 CAPITAL IMPROVEMENTS PLAN –
FUNDING 2005/06 PROJECTS – FINANCE**

Katy Singlaub, County Manager, spoke about the process for identifying capital improvement projects before bringing the plan before the Board for approval.

Anna Heenan, Senior Fiscal Analyst, discussed the review committees and the project details of the Capital Improvements Program (CIP) as provided in the staff report.

In response to Commissioner Humke, Ms. Heenan said non-program projects are projects that did not receive funding for 2005/06 because of priorities, but would be reevaluated next year to see if funding was available.

In response to Commissioner Humke, Ms. Singlaub said there was an agreement with the State to trade services to maintain Route 447.

Commissioner Larkin said he did not see a clear tie between the priorities listed in the staff report and the Board's priorities, and he would like that information provided. He said he would also like to see how the two committees ranked the projects. In response to Commissioner Larkin, Ms. Heenan said the Pay-As-You-Go projects totaled \$17 million and the \$270 million was from all funding sources.

John Sherman, Finance Director, said some CIP projects would be debt funded, and he explained dedicated and general tax dollars funding.

In response to Commissioner Galloway, Ms. Heenan said whether or not there were external funds available was factored into the prioritization of the projects and the total cost included funds coming from other agencies. She said Attachment B indicated the funding source for each project.

Ms. Singlaub said ratepayers, not property or sales taxes, fund some projects, such as water projects. She said others use federal grants or loans. She said the projects funded from the General Fund had been identified.

Commissioner Sferrazza said his concern was the County only paves County streets, but 95 percent of the people in his District live in the City of Reno and pay the same taxes as everyone else in the County. He had determined that only two percent of the streets on the proposed overlay and slurry seal list for fiscal year 2005/06 were in his District. Ms. Heenan said it was not two percent of the funding but two percent of the paving. She explained how the roads were chosen each year for paving and said that in one year a district might have more roads on the list and the next year it might be another district depending on the Pavement Condition Index. Commissioner Sferrazza asked what law prohibited the County from paving streets in the City of Reno. He said snowplowing was done cooperatively for the first time in history and he would like to see the same done with paving. He said he could not support the CIP list as it was.

Ms. Singlaub stated an interlocal agreement to share equipment was being worked on by all three Public Works Departments, which would come back to the Board. She said the Cities collect taxes to do road maintenance in their jurisdictions, but collaborative, cooperative provision of service was being worked on in the interest of all taxpayers.

Commissioner Humke recommended the public look at the *Washoe County Fiscal Year 2005/06 Proposed Budget* because it provides a good idea of how the various revenue sources are collected and distributed, and how the County operates.

Commissioner Galloway said if the County had been responsible for paving the roads throughout the County, higher property taxes would have been levied, which was no longer possible because the tax cap had been reached. He said the last time the fiscal analysis was done it indicated there was no net fiscal inequity between incorporated and unincorporated residents. He said incorporated residents were getting other things that more than compensated for the street paving. He said the CIP should be looked at as a whole, not divided into slices.

Commissioner Sferrazza said he agreed on regional services, but not street services. He said his District should get a fair slice of the pie. He asked that the intergovernmental figure in the budget be broken out by sales taxes, gas taxes, and so on and that the funding source be broken out in the CIP rather than lumping everything in the General Fund because the County puts more than just gas taxes into road maintenance. He said he would like what the County pays for roads to be clearly shown.

Commissioner Larkin said the CIP budget of \$270 million for fiscal year 2005/06 is roughly less than half of the total budget. He said the CIP was an infrastructure related investment so infrastructure could be preserved, systems enhanced that facilitate e-government, and aging systems replaced with more efficient technology.

In response to Chairman Weber, Ms. Heenan said debt financing would come back to the Board for approval and she explained the CIP list groupings. She said the Citizen Advisory Boards would receive a book containing the CIP information, which would include more project detail, after the CIP was approved.

Upon recommendation of Ms. Heenan, through Mr. Sherman, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried with Commissioner Sferrazza voting “no,” Chairman Weber ordered that the Washoe County Fiscal Year 2006-2010 Capital Improvements Plan be adopted and the funding for fiscal year 2005/06 for projects with an estimated cost greater than \$50,000 be approved.

4:15 p.m. The Board took a brief recess.

4:37 p.m. The Board reconvened with all members present.

05-459 **TRUCKEE MEADOWS GROWTH TASK FORCE – COUNTY MANAGER**

Michelle Poché, Assistant County Manager, provided the history and status of the Truckee Meadows Growth Task Force. In response to a question at Caucus, she said the Community Foundation of Western Nevada had agreed to act as the task force’s fiscal sponsor to accept funds from the two Cities, the County, and the private sector.

Phil Satre, Truckee Meadows Growth Task Force Chair, spoke about the diverse people comprising the task force. He said the group had demonstrated they all care about creating a better quality of life in the Truckee Meadows, both economically and environmentally. He advised the task force was currently trying to identify all of the priorities but had created a mission statement and taken testimony in the meantime. He said the reason the task force was asking the County and the Cities of Reno and Sparks for \$25,000 each was to provide administrative support beyond what was volunteered. Mr. Satre also discussed other areas that would be funded out of the money requested. He said the task force timeframe was 12-18 months, and the task force did not expect the money to be authorized until a work plan was submitted to the County and the Cities of Reno and Sparks. He said the task force also planned to ask for help from private enterprise and individuals, but first needed to demonstrate the agencies that created the task force support it.

In response to Commissioner Humke, Mr. Satre said the entire budget, including private donations, was in the \$100,000 to \$120,000 range.

Commissioner Galloway said he would like to see a work plan and a budget. Mr. Satre said the task force was asking for the \$25,000 to be included in the budget contingent on the Commission's review and support of the task force's work plan. He said providing a budget in the short term would be difficult because it is a hard issue to define, but the work plan could include a tentative budget. He spoke about the staff support and the input received from the three entities.

Ms. Poché said staff had encouraged the task force to make the request for the \$25,000 from each of the entities so the amount could be included in their budgets with the understanding the monies would not be released until the work plan was approved.

Commissioner Sferrazza spoke about having an open process to apply for money where everyone would fill out the same application forms so the Board could competitively judge who would be funded. He said the task force originally said they did not want government involved, but now they were asking for money. He stated he wanted to know if there were bylaws, who was on the task force, and how they were selected or replaced before giving the task force money.

Mr. Satre said he received several requests to serve on the task force, but no one was self-appointed. Stacey Lomer, Truckee Meadows Growth Task Force Vice Chair, spoke about the selection process and about the 23 individuals serving on the task force. She said there are no bylaws to determine how people would be replaced and they are not yet a 501-3(c) corporation.

In response to Commissioner Larkin, Mr. Satre said the task force is not organized as a non-profit, an LLC, or a sole proprietorship. He said they had spent less time on the organizational structure because they are a task force with one single task. He said they had created a mechanism for funding through the Community Foundation, which could be given direction not to disperse funds until a request is received that is justified under the budget and work plan the task force must create. He questioned the value of having bylaws because it was an organization created to perform a single task.

Sam Dehne, local resident, said this task force was not viable without Sam Dehne, but that it was too late to manage growth. He said the Economic Development Authority of Western Nevada should be doing this study, not spending more money on this task force.

Sue Voyles, *Reno-Gazette Journal* reporter, inquired if this task force was subject to the Open Meeting Law and if the meetings would be properly noticed.

In response to Mr. Satre identifying the educators on the task force, Chairman Weber said she would like to see more members from education, and the Board should support the task force's financial request since the Board had asked for its creation.

In response to Commissioner Larkin, Michael Thomas, Economic Development Authority of Western Nevada, said having one elected official from each jurisdiction participate was taken back to the members where it was decided the different entities' liaisons from staff was sufficient and would keep the task force a citizen led initiative.

In response to Commissioner Larkin, Melanie Foster, Legal Counsel, said the Attorney General would consider if the task force was supported by tax funds and if it served in an advisory capacity to a public body when determining whether or not it was subject to the Open Meeting Law. Mr. Satre replied the meeting agendas were already being noticed and public comment solicited.

Commissioner Galloway said the weight, credibility, and impact of any report generated by the task force depended on its membership, which he felt was not sufficiently diverse because voices were missing from already formed groups. He encouraged the task force to try to get those groups involved.

Commissioner Humke agreed with the task force members that staff liaisons from the different entities were sufficient. He recommended including representatives from Storey, Lyon, and Carson Counties in the task force because they, along with Washoe County, represent an economic region. He said he did not believe the task force needed to attain 501-3(c) status, but was subject to the Open Meeting Law.

In response to Commissioner Humke, Mr. Satre responded that restructuring the Regional Planning legislation was not identified as the mission of the task force even though it falls under the scope of some of the issues. He said the task force was looking at issues, recommendations, and a timeframe. He said the Counties would be contacted for their input, but the task force was already almost too large at 23 members. He said the Community Foundation was chosen because the County is not a custodian for individuals' or corporations' monies and it eliminates having four separate agencies dispersing funds.

Commissioner Sferrazza said he agreed with Commissioner Humke that the Open Meeting Law requirement must be met and he shared Commissioner Galloway's concern about the diversity of the task force. He said he would like the Tribes represented because they are affected by growth and planning issues.

Mr. Satre said the Tribes were invited to participate and declined. He said the group was very conscientious, devoting their time as volunteers, and he personally did not like being told that a bunch of people needed to be added because the group did not represent the community. He said if that was how the Board felt, they should find someone else. Commissioner Galloway said he appreciated Mr. Satre's comments, but if a group is structured a certain way and that structure is defended, then the results would also have to be defended.

Commissioner Sferrazza asked if the task force could be subject to the same application form the Board used to consider other groups' requests for funds. He would also like them subject to the same reporting and auditing requirements that every other group is subject to that receives County money. Chairman Weber said the Board asked the community to set up this task force. Commissioner Sferrazza said there should be a uniform application process for everyone and that this could be given priority, but not special treatment.

Commissioner Humke said he disagreed with Commissioner Sferrazza because the Board had invited them to this process and it would be bad form to ask them to submit an application. He said this was not a private non-profit, but a task force created at the suggestion of several members of the business community instead of doing a ballot question.

After further discussion clarifying this was only an appropriation authority, upon recommendation of Ms. Poché, on motion by Commissioner Larkin, seconded by Commissioner Humke, which motion duly carried, Chairman Weber ordered that the request from the Truckee Meadows Growth Task Force for \$25,000 be included in the Community Development Department's budget for fiscal year 2006, contingent upon the Commission's review and support of the task force's work plan for the fiscal year, meeting Open Meeting Law requirements, and the Cities of Reno and Sparks making an equal appropriation.

Commissioner Sferrazza moved to amend the motion to have the task force be subject to filling out the same application form and the same reporting requirements as every other group. Chairman Weber called for a second to the motion; and, hearing no second, the motion failed.

05-460 PUBLIC HEARING – BOUNDARY ADJUSTMENTS - DISTRICT NO. 24 (GROUNDWATER REMEDIATION) - WATER RESOURCES

5:30 p.m. This was the time set in a Notice of public hearing published in the *Reno Gazette-Journal* on April 12, 2005 to conduct a public hearing to consider all comments concerning a proposed amendment to the boundaries of the Groundwater Remediation District No. 24 (Central Truckee Meadows Remediation District).

The Chairman opened the public hearing by calling on anyone wishing to speak for or against the proposed amendment for the boundaries of the Groundwater Remediation District No. 24. There being no response the Chairman closed the public hearing.

05-461 BILL NO. 1445 - AMENDING ORDINANCE NO. 1000 - BOUNDARIES DISTRICT NO. 24 (GROUNDWATER REMEDIATION)

Bill No. 1445 entitled “AN ORDINANCE AMENDING ORDINANCE NO. 1000 CREATING THE WASHOE COUNTY, NEVADA DISTRICT NO. 24 (GROUNDWATER REMEDIATION) IN ORDER TO CHANGE THE BOUNDARIES OF THE DISTRICT; RATIFYING APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN DIRECTED THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF.” was introduced by Commissioner Galloway, the title read to the Board, and legal notice for final action of adoption directed.

05-462 BILL NO. 1446 - ORDINANCE - DISTRICT NO. 24 (GROUNDWATER REMEDIATION)

Bill No. 1446 entitled “AN ORDINANCE CONCERNING THE WASHOE COUNTY, NEVADA DISTRICT NO. 24 (GROUNDWATER REMEDIATION); PROVIDING FOR THE PAYMENT OF A PORTION OF THE COSTS OF DEVELOPING AND CARRYING OUT A PLAN FOR REMEDIATION; IMPOSING A FEE TO PAY SUCH COSTS ON THE PARCELS OF LAND IN SUCH DISTRICT NO. 24; DESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF THE FEE; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN DIRECTED TOWARD THOSE PURPOSES; AND PRESCRIBING OTHER MATTERS RELATING THERETO.” was introduced by Commissioner Galloway, the title read to the Board, and legal notice for final action of adoption directed.

05-463 AMENDING WCC CHAPTER 55 – ANIMAL SERVICES

5:30 p.m. Katy Singlaub, County Manager, said this item was scheduled to be a first reading of an Ordinance that would amend Washoe County Code by incorporating and

unifying the jurisdiction for animal services for the City of Reno into Chapter 55 of Washoe County Code, which would allow the County to take over animal control services effective July 1, 2005. She said per the Board's adoption of the agenda, this item was continued to May 24, 2005 for the first reading, but the Board requested public comments be heard.

Charles Jarvi, local resident, urged the Board to consider alternative wording in several sections of the Ordinance.

Chairman Weber requested the public place phone numbers on their comment cards so staff could contact them.

Tom Gadd, Public Works Director, provided contact information for the public to reach either himself or Jean Ely, General Services Division Director.

Commissioner Galloway asked what the timeframe would be to complete alternative wording or different versions of the Ordinance. Mr. Gadd responded the input would be needed by May 17 or 18, 2005, in order to publish and notice in accordance with the Open Meeting Law.

Mr. Gadd explained this amendment expanded the congested area for the County and he referenced a map in the staff report explaining the expansion. Mr. Gadd said the expanded areas were taken to the Citizen Advisory Board's (CAB's) for comment. He said the amendment took the existing Ordinance within the City of Reno, and folded it into Chapter 55 of the County Code, which had to be completed so required animal control laws could be enforced within the City of Reno. It also enables staff to operate the existing animal shelter until the new shelter is built and allows the County to enter into a partnership with the Nevada Humane Society. He said the amendment did make minor changes in the grammar and language to the existing ordinance; however, there was no significant change in the ordinance to what already existed either in the City of Reno or Washoe County. Mr. Gadd noted the first reading had to be done by May 24, 2005, and the second reading during the first week of June 2005 to be effective by July 1, 2005.

Melanie Foster, Legal Counsel, said the District Attorney's Office could prepare a couple of Ordinances if there were substantial differences and then the Board would have to choose which version to introduce.

Judith Snell, local resident, asked if it was possible to add the necessary amendments to the existing Ordinance. She suggested implementation of an animal advisory board.

Juanita Cox, Citizens in Action member, said ordinances should be made specifically to solve a problem.

Nancy Jackson, Reno resident, said it was difficult to group domestic animals and livestock in the same ordinance. She recommended an ad hoc committee be formed for residents and staff to work together.

Gary Schmidt, Washoe County resident, said the Ordinance was arbitrary and capricious regarding dogs.

Commissioner Larkin read comments from the following citizens: Carol Jaques, Donna Prichard, and Helen Tyler, who supported citizen input being included prior to the first reading. He recommended staff form an ad hoc group to address the issues raised and bring back multiple ordinances on May 24th.

In response to Commissioner Galloway, Mr. Gadd confirmed the interlocal agreement between the County and the City of Reno required incorporating the existing Ordinance from the City of Reno into the amendment. He said other portions of the City's Ordinance had to do with the shelter operation. Mr. Gadd said changes would occur in terms of how the shelter would operate when staff returned with a professional services agreement between the County and the Nevada Humane Society. He said staff had letters from the Attorneys for the Cities of Reno and Sparks concurring that no substantial changes were needed with the existing Ordinance in order to run the shelter until the new facility could be built.

Mr. Gadd commented staff had spent countless hours discussing this Ordinance. He said staff had examined the requirements for kennels and kennel construction, which was based on the size of an animal. He stated a kennel was for the protection of the animal as well as the community. Mr. Gadd said the terminology referred to the issue of selling an animal, which was what transpired when an animal was adopted because a sales transaction occurred.

In response to Commissioner Galloway, Mr. Gadd explained the appeal process. As for the language, Mr. Gadd said the amendment could address that the word "sale" meant "adoption". He said indoor kenneling could be considered, but dogs need to go out and there is the dilemma. Mr. Gadd commented on the present agreement between the County and the Humane Society.

Mr. Gadd said he agreed with the option of forming the ad hoc committee to take input, but as far as creating an animal services board, he would suggest bringing that back for a separate discussion. Commissioner Galloway supported that request.

Terrance Shea, Deputy District Attorney, said only a few items were driven by the July 1, 2005 date and the remaining items could be addressed in a more orderly fashion. Mr. Shea said the items that need to be established by July 1st were the County's authority to patrol the City of Reno, the animal control center and the County's authority to run it, and the provisions for controlling cats.

In response to Chairman Weber, Ms. Singlaub reiterated the Board would continue the first reading of the Ordinance to May 24, 2005, and would receive citizen input until May 17, 2005. She said staff suggested drafting multiple ordinances to consider prior to the May 24th reading and forming an ad hoc group to discuss the ordinance. Ms. Singlaub said the public could provide input via the County's website more expeditiously and encouraged them to look at the entire Ordinance.

7:20 p.m. The Board took a brief recess.

7:45 p.m. The Board reconvened with all members present.

05-464 **AWARD OF BID - BID NO. 2479-05 - MOSQUITO ABATEMENT PRODUCTS - HEALTH**

This was the time to consider award of the bid for mosquito abatement products for the District Health Department. The Notice to Bidders for receipt of sealed bids was published in the *Reno Gazette-Journal* on March 9, 2005. Proof was made that due and legal Notice had been given.

Bids were received from the following vendors:

Adapco, Inc.
B & G Chemicals & Equipment
Clarke Mosquito Control Products
Target Specialty Products
Univar USA

Commissioner Galloway questioned the reason for one specific brand since there was no sole-source justification. Scott Munson, Health Department Vector Borne Disease Program, said only the manufacturer, Hallmark, supplied an insecticide certified by the Environmental Protection Agency (EPA) for use in potable water. He explained the County alternated two other products so insects do not develop a resistance to one insecticide, but the products were not as effective as the one from Hallmark. He said in 2001 Hallmark changed the pricing structure to open it up to multiple vendors, which was why there were a number of vendors offering the product at the same price. Richard Williams, Buyer, explained the manufacturer set the purchase price.

Commissioner Galloway requested sole-source justification include a statement to compare the effectiveness of the products for future bids.

In response to Commissioner Sferrazza, Mr. Williams said there were multiple bids for multiple products with only one tie and he discussed the staff recommendations. He noted a portion of the bid was being awarded and staff would draw lots for the tie.

In response to Commissioner Humke, Mr. Williams confirmed the bidders were party to a non-collusion agreement and the distributor agreement did not constitute collusion. He said when this situation occurred in 2002, the District Attorney's Office and Hallmark's legal department met and concluded the sales agreement was not collusive as structured. Commissioner Humke disagreed.

In response to Commissioner Sferrazza, Melanie Foster, Legal Counsel, explained the conditions where a pricing agreement would violate the Nevada Fair Trade Practices Act.

Gary Schmidt, local resident, spoke about the Sherman Anti Trust Act.

In response to Commissioner Sferrazza, Mr. Williams said when this was being formulated he contacted Mr. Timothy Bridgeport, United States Department of Justice, Antitrust Division, who responded it was legal.

Upon recommendation of Mr. Williams, through John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Sferrazza, seconded by Commissioner Larkin, which motion duly carried, Chairman Weber ordered that Bid No. 2479-05 for mosquito abatement products for the Environmental Health Department, on a multiple award basis, be awarded to Adapco, Inc. for Items 3, 4, 5, and 8, Clarke Mosquito Control Products for Item 6, and Target Specialty Products for Item 7. It was further ordered that the Purchasing and Contracts Administrator be authorized to break the tie for Items 1 and 2 by a public drawing of lots to be held at 9:00 a.m. on May 11, 2005 in the Purchasing Office. It was noted this award recommendation was made on a requirements basis in the estimated annual amount of \$360,000. It was also noted expenditures might vary from the estimate based on the actual requirements of the Environmental Health Division over the term of the award, which shall be from the date of bid approval through November 30, 2006, with the County retaining the option for a one year extension.

**05-465 GUIDELINES - COMMUNITY EVENTS SPONSORSHIP -
MANAGEMENT SERVICES**

Gabrielle Enfield, Grants Administrator, reviewed the staff report and the additional information requested at the May 9th Caucus meeting regarding establishing the guidelines for Community Event Sponsorship. She said she was unable to provide the review of the Special Purpose Award guidelines requested by Commissioner Sferrazza because of the time available to gather information and it would be brought to the Board within the next several meetings. She discussed the suggested guidelines and clarified how the Community Event Sponsorship guidelines fit into the Community Support Policy.

Commissioner Sferrazza said he only wanted to approve the total amount of grant money available within the budget because he felt the individual grant requests should go through an application process. Commissioner Sferrazza requested the same

rules apply to special purpose monies. He said he had asked for a per capita cost on who benefited as part of the criteria. Ms. Enfield replied that information was included in the suggested evaluation criteria.

Katy Singlaub, County Manager, noted staff had examined each item under the non-competitive special purpose awards based on Ms. Enfield's input because of her knowledge of the program and service offerings for each of the entities on the list. She said these awards typically provide a service that the County would otherwise provide or it is an entity that saves the County money by the provision of the service. In response to Commissioner Sferrazza, she said the entities had requested the money as part of the budget process as asked by the Board.

After further discussion, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the proposed Community Events Sponsorship Guidelines, including the amendment to Item 8(d) changing the amount to \$5,000 and Item 12 being preferred but not required, be approved. It was noted that not meeting a guideline(s) would not be a bar to receiving a grant, but would be evaluated in making a grant.

Ms. Enfield suggested an internal sub-committee be set up that would review and evaluate the applications for the sponsorship and offered recommendations for the makeup of the committee.

Melanie Foster, Legal Counsel, clarified what was on the agenda and said the Board could proceed with the makeup of the committee.

In response to Ms. Enfield's suggestions, Commissioner Humke recommended a Commissioner be added to the sub-committee. Commissioner Larkin recommended Commissioner Sferrazza.

After further discussion, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, it was ordered that an evaluation committee, with the addition of a Commissioner, be approved.

Ms. Singlaub said, before an award could be made, it would have to be approved by resolution giving the Board the opportunity to approve or deny individual requests. She said, if the Board approved an amount and additional requests over and above that amount were received, the requests could come back to the Board for contingency funding or District funds could be looked at for funding.

On motion by Commissioner Sferrazza, seconded by Commissioner Larkin, which motion duly carried, it was ordered that the budget for Community Event Sponsorship in the amount of \$50,000 for fiscal year 2005/06 be approved and that a maximum amount not be approved at this time.

In response to questions asked at Caucus, Michelle Kling, Community and Clinical Health Services Division Director, said staff was recommending having an in-house wellness coordinator and participation in the Tier 8 Workplace Wellness Program. She said an independent contractor would provide a health profile questionnaire and the disease management component, but there were duties that require having an in-house wellness coordinator, such as conducting employee focus groups to solicit input regarding strategies that would likely increase participation in the wellness program and working with employees to design a program that best meets the County's needs. She said the in-house coordinator could also assist Purchasing develop the Request for Proposal (RFP) for the contracted disease management component.

Ms. Kling said once the independent contractor was chosen, the interaction between the County and the contractor would require coordination, scheduling, follow-up with employees, evaluation of the contractor, and feed-back on the success of the program. Ms. Kling said Human Resources, Risk-Management, and the Health Department did not have sufficient staff to manage the activities of an independent contractor. She said having an in-house coordinator provided continuity to the program should the contractor change, and to have a successful wellness program, there had to be someone to continually champion it.

Ms. Kling said health screening was being increased to twice a year while being offered at four different locations to increase the number of participants and to increase identification of health risks. She said staff intends to use feedback from the health screening, coupled with the health profile questionnaire to determine the best way to help employees change their lifestyle and improve their health. She stated the committee would be soliciting proposals for the disease management services provider to target those individuals with the greatest health risk, which provides the greatest return on investment, and she explained the differences between provider programs. Ms. Kling felt it was essential the County and its employees decide what type of program was needed and to solicit proposals on the County's criteria, not the criteria of the providers.

Ms. Kling said the committee considered the best practices in the industry and one of the best is provided to Washoe County School District employees. She commented their annual report stated they experienced \$3.48 in medical costs savings and \$5.82 in absenteeism savings for every dollar invested in the program.

Ms. Kling said staff had completed a great deal of research prior to their wellness program recommendation. She said trends could be identified and intervention provided before serious chronic disease developed by analyzing data on the health condition of an individual over a period of time. The best practices of a wellness program focus on five components: identification of high health risk factor, education, intervention strategies, life style modification, and information management.

Ms. Kling identified the major risk factors contributing to deaths in the County, said a wellness program focuses on those factors, and explained the benefits of the program to an individual.

In response to Commissioner Sferrazza, Ms. Kling replied, for the disease management component under the Health Insurance Portability and Accountability Act (HIPAA), only the independent contractor could obtain an individual's medical information and the wellness coordinator would not be privy to that information. Bill Mikawa, Internal Auditor, stated disease management staff he had spoken to used several methods to obtain medical information for analytical purposes, including reviewing past medical claims costs and questionnaires. He said employee participation in the program would require the employee signing a waiver releasing their medical information for the purpose of the program.

Commissioner Larkin said he was supportive of an employee wellness program, but was skeptical of establishing an in-house wellness coordinator because he had experienced employees becoming reticent in approaching someone in-house. He said he favored having a contractor establish the wellness program; and, once the program was established, revisiting whether or not a full time person would be needed to run the program. Commissioner Larkin said the contractor could be a contingent employee, but he believed the focus should be the establishment of the program.

In response to Chairman Weber, Mr. Mikawa said St. Mary's stated they would be able to provide a wellness specialist as a St. Mary's employee and the County could contract with that person. He said the specialist would develop and coordinate the wellness program, and St. Mary's provided a job description that showed the specialist would be responsible for the implementation, coordination, and maintenance of the program, including evaluating its effectiveness, financial performance, and customer satisfaction; and they would develop and maintain an incentive program. Mr. Mikawa said the problems he saw with the St. Mary's proposal were the self-evaluation and if the incentives were what the County wanted. He said staff wanted to get employee input and develop the incentive program from their input. He stated the best way to do that would be to hire a full-time person to work with the focus groups. He said staff believed without the coordinator it would be difficult to achieve the program's goals.

In response to Commissioner Galloway, Mr. Mikawa said the Board could specify the coordinator's credentials as an outside contractor. Commissioner Galloway questioned the employee incentives and how they would work. Mr. Mikawa referred to the staff report, which described the suggested incentives.

In response to Commissioner Humke, Mr. Mikawa said any incentive plan had to be negotiated with the employee bargaining groups, especially if the employees would be charged. Commissioner Humke remarked one of the more difficult aspects of creating the program was establishing the incentives.

In response to Commissioner Sferrazza, Mr. Mikawa said if medical costs, claims, and premiums were not reduced, then employees would have to co-share those costs. He said the in-house coordinator would be doing the communications and scheduling within the County, while the actual disease management provider has a medical staff that would evaluate the information provided.

Katy Singlaub, County Manager, said employee groups would like to have the County demonstrate a show of support for wellness. She said there had been health fairs where catastrophic illnesses were found and saved lives, but the capacity of staff to do those routine things that are a wellness commitment was being exceeded. Staff was proposing to do the best of both by having a contract provider, who has health care expertise, manage the disease component and the higher level, higher cost issues. The wellness coordinator would manage the day-to-day routine programs and scheduling. She said the task force had proposed setting this in place for January 2006. Ms. Singlaub suggested putting the money into the budget as the staff was recommending and then continuing to work on the best model for the County between now and January.

Commissioner Galloway requested the amount of money be changed from \$165,000 to \$200,000. Commissioner Larkin agreed with \$200,000. Commissioner Humke also agreed, stating it was time to show the bargaining groups that the Board was serious about the program.

Commissioner Sferrazza said he preferred keeping the amount \$165,000 or having it come back to the Board at a date certain with a job description or an RFP to turn it over to a contractor. He said he favored the in-house coordinator to supervise the program based on staff comments.

Commissioner Humke said he also favored the in-house coordinator, and Commissioner Galloway said that piece did not have to be resolved today, but he felt three months would be the maximum wait. He said he appreciated the money being there so staff would not be constrained.

In response to Commissioner Larkin, Ms. Singlaub said the challenge was getting the RFP written and she felt four months would be better because staff time was being borrowed from other duties.

In response to Commissioner Sferrazza, Mr. Mikawa said, with the additional funding' staff could contract out for help writing the RFP before hiring a wellness coordinator. He said if writing the RFP had to wait until the wellness coordinator was hired, it would delay the RFP that much more.

In response to Commissioner Sferrazza, Ms. Singlaub replied they would like to spend some of the money now and to have the flexibility to initiate the program without hiring a wellness coordinator, which would come back to the Board. She said staff would like some of the other activities to go forward like disease management.

On motion by Commissioner Larkin, seconded by Commissioner Humke, which motion duly carried, it was ordered that the wellness program be established without defining the implementation at a total cost of \$200,000 for fiscal year 2005/06 with a time certain of 120 days starting May 10, 2005.

05-467 LEGISLATIVE UPDATE

Katy Singlaub, County Manager, updated the Board on AB326. She said she and Commissioner Humke testified on behalf of the County and the retroactivity provision was removed. She said Senator Kerr offered an amendment that eliminated open-space from one of the prohibited issues with regard to eminent domain. She said he provided an amendment of a first right of refusal to the original owner that would be required if local governments acquired property through eminent domain and decided to dispose of it within 10 years. Staff objected to the amendment because the County might need to acquire a parcel via eminent domain for the flood control project and would not always want to provide first right of refusal to the owner if the County were going to transfer that property to a flood control district or to the Army Corp of Engineers. The Legislators were positively swayed by the County's suggested amendment, which would allow a transfer to another government entity without the first right of refusal, within 10 years and for the adjudicated original public benefit for which the County acquired the property.

Ms. Singlaub said Senator Mark Amodei wanted to keep alive the discussion of eminent domain for open space for process requirements that open space would have to follow some best practices, which the Board had endorsed by unanimously endorsing AB143.

Gary Schmidt, Washoe County resident, said he had requested public records on any line items within any Departments' budgets that allowed lobbying before the State Legislature. He said the Board was in violation of Nevada Revised Statute 239 because he did not receive the documents, and he wanted to know what the Board considered a reasonable time in which requests could be provided.

Commissioner Galloway asked if record requests from the public had to be in writing. Melanie Foster, Legal Counsel, said the Public Records Law did not require requests be made in writing, but Departments usually ask complex requests be put in writing. She said the lack of response might indicate there was no information to provide, not non-responsiveness.

Ms. Singlaub said she had acted on Mr. Schmidt's verbal request and had transmitted it to the Budget Office. She said lobbying is not usually identified as line items in Department budgets except for the Legislative Affairs Program.

Chairman Weber said staff might not be able to respond to a request quickly. Ms. Singlaub said Mr. Schmidt's request was significant based on her written

notes, and staff would try to meet the request within a reasonable time without interfering with meeting the Statutory Public Hearing requirements on the Budget.

In response to Commissioner Sferrazza, Ms. Singlaub said the employee lobbying policy approved by the Board had been supplied to Mr. Schmidt.

Chairman Weber inquired if the Board could ask that any request be made in writing. Ms. Foster replied that could be done as long it was not done to deny action on a simple request. She said she would review the form used by the County and some could be made available at the meeting.

In response to Commissioner Larkin, Ms. Foster said there was a provision in the Public Records Law allowing governments to charge for the cost of producing the record. She said there could also be a charge for extraordinary use of time and staff resources. She said the Attorney General had opined that the cost for anything over half an hour could be figured out and the citizen notified of that cost. Ms. Foster said the Board had adopted that policy by resolution and it included the extraordinary charges.

In response to Commissioner Larkin, Ms. Singlaub said the District Attorney's Office had stated ample authority existed to manage the process within State Law and she did not believe any additional legislation was needed. Ms. Foster said Nevada Law stated all public records are open for inspection and copying unless declared confidential by law, but nowhere is the term public records defined even though there have been attempts that have never gone anywhere. She said the Supreme Court adopted a balancing test and that is the analysis engaged in when an issue comes up about records.

In response to Commissioner Sferrazza, Ms. Foster said requests should be made to the custodian of the record, but requests made to the wrong agency are steered to the proper one.

05-468 BOARD RULES AND PROCEDURES

Commissioner Sferrazza requested the amendment of County Commission Rules and Procedures as stated in his memorandum dated April 29, 2005.

Commissioner Galloway supported the basic intent of the recommendation, but said it should be based on the same standard as applied to citizen appointments. He said, unless Legal Counsel stated a two-thirds vote was required to remove a citizen from a committee, then it should not be applied here because the whole intent was to make the rules the same.

Melanie Foster, Legal Counsel, said she was not aware of a two-thirds vote requirement for removal from any of the Boards to which the Commissioners appoint. She stated the causes for removal should be spelled out. Commissioner Galloway stated the causes for removal should be malfeasance, misconduct, or dereliction of duty.

Commissioner Humke said rule changes were made in January, and it was agreed to revisit the rules every six months. He said he did not feel these changes were warranted because there has been no six-month review.

Commissioner Sferrazza moved and Commissioner Galloway seconded the motion to approve the suggested language, but adding at the end of the next to the last paragraph “based on the malfeasance, misconduct or neglect of duty” and changing two-thirds vote to “after hearing the complaint, a majority vote of the County Commissioners shall be required.” On call for the vote, the motion failed with Commissioners Sferrazza and Galloway voting “yes,” and Chairman Weber and Commissioners Larkin and Humke voting “no.”

**05-469 RECONSIDERATION - APPOINTMENT OF COMMISSIONERS –
JOINT FLOOD PROJECT COORDINATING COMMITTEE**

Commissioner Galloway had asked if persons in key positions were demanding the appointments be changed or if it was politically critical to satisfy Federal authorities and nothing had been furnished to him indicating that was the case. He believed there would have to be a compelling reason to do this even in the absence of a rule change. He said unless Commissioner Sferrazza resigned, he would not support this action.

Commissioner Sferrazza indicated he would resign if Senator Harry Reid were interested in his resignation. Katy Singlaub, County Manager, said she attempted to contact Senator Reid’s office and had not heard back.

In response to Chairman Weber, Melanie Foster, Legal Counsel, said the motion to reconsider had already been done.

Gary Schmidt, local resident, opposed the “winding back the clock” method of removing someone from any Board or Commission. He said State law regulates removing someone from a Commission, which at times the Board had ignored.

In response to Chairman Weber, Michelle Poché, Assistant County Manager, said the Reno City Council had appointed Councilmembers Hascheff and Aiuzzi and the Sparks City Council had appointed Mayor Martini and Councilmember Moss. Chairman Weber reiterated she did not want to remove anyone specifically, but her thoughts were the Commission Chairman should be on the committee because the Chairman would be in that arena and have the credibility of the entire Board, best serving the County’s interests.

Commissioner Sferrazza said the City of Reno appointee was not the Mayor. He said he would like to continue to serve on the committee because he represents downtown where a lot of the improvements were being made, especially since he had been involved with this issue since the early 1980’s.

Commissioner Galloway stated downtown was important even though the Army Corps of Engineers abandoned that portion of the project. He felt Commissioner Sferrazza should remain on the committee and he believed there should be continuity.

Commissioner Humke said he favored emphasizing all areas that touch and concern the river in the County.

Chairman Weber stated she would not pursue this issue and Commissioner Sferrazza should remain on the Joint Flood Project Coordinating Committee.

REPORTS/UPDATES FROM COUNTY COMMISSIONERS

Commissioner Larkin commented on a Reno-Sparks Convention and Visitors Authority (RSCVA) workshop where a consultant retained by the RSCVA made a presentation on the possible Wildcreek options. He said he and Councilmembers Salerno and Dortch were appointed by the RSCVA as an oversight committee to review the consultant's work, and then the consultant would come back to that committee with public input, which was the biggest issue the public brought to the workshop.

Commissioner Galloway spoke as a member of the Regional Planning Governing Board and said he wanted to explain an item that had occurred. He said former Councilwoman Harsh had contacted him about an energy production method that turned trash into energy. He stated because he was not familiar with the technology, he suggested setting up an informal meeting with himself and Chairman Weber along with inviting one or two members of the City Councils of Reno and Sparks to get familiar with the technology to see if it deserved public scrutiny. No one from the City of Sparks attended, but Mayor Cashell, City of Reno, Susan Lynn, environmental activist, and someone from Waste Management attended. He said they were very impressed with the technology, and he said the Regional Planning Governing Board Chairman plans to ask his Board what they wanted to do. Commissioner Galloway said he felt it was worthwhile for the public to hear this presentation because it was very different from anything else he had ever heard.

Commissioner Humke reported Barbara Hunt, District Health Officer, had given notice of her pending retirement, but will work through the middle of August. He said the Health Board had begun the search process and discussed some of the search parameters. Commissioner Humke said he and Commissioner Sferrazza had participated in the Public Defender process with the first committee, creating a benchmark schedule. He said he had spoken with a member of the second committee and they had also set a schedule.

Commissioner Sferrazza reported on the seventh member of the Truckee Meadows Water Authority Board. He stated he had voiced concerns with the RSCVA Board about Legislation that would take away from the County the ability to approve the sale of property by the RSCVA. He said no majority from the RSCVA Board was willing to reconsider or make any modifications to the Legislation.

Chairman Weber said no certain dates were set for upcoming meetings during the recent V&T Railroad meeting. She requested an alternate be able to attend, but Legislative policy does not allow an alternate. She said another Commissioner could attend the meeting, but not as a voting member. Chairman Weber said a Regional Town Hall was scheduled for June 4, 2005 in Chambers, and Nevada Works would be having a retreat in June.

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There being no further business to come before the Board, the meeting adjourned at 10:16 p.m.

BONNIE WEBER, Chairman
Washoe County Commission

ATTEST:

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

*Minutes Prepared by
Jan Frazzetta, Deputy County Clerk
Stacy Gonzales, Deputy County Clerk*