

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY 9:00 A.M. FEBRUARY 24, 1998

PRESENT:

Joanne Bond, Chairman  
Mike Mouliot, Vice Chairman  
Sue Camp, Commissioner  
Jim Galloway, Commissioner  
Jim Shaw, Commissioner  
Judi Bailey, County Clerk  
John MacIntyre, County Manager  
Madelyn Shipman, Legal Counsel

The Board met in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 E. 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:

AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Camp, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that the agenda for the February 24, 1998 meeting be approved with the following amendments -- Delete: 18B, Appointment, Juvenile Justice Blue Ribbon Committee and Item 28, Addendum, regarding possible appeal to the Regional Planning Governing Board of City of Reno's Program of Annexation.

PUBLIC COMMENTS

Onie Cooper, Chairman, Nevada Martin Luther King, Jr. Commission, thanked the Board in advance for considering the approval of a Resolution to be heard later in the meeting regarding naming highway I-80, from one-half mile East of Vista to one-half mile West of Robb Drive, The Martin Luther King Jr. Highway, advising that both the Reno and Sparks City Councils have adopted the resolution.

98-175 PROCLAMATION - MARCH, 1998 - PURCHASING MONTH

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Camp, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the following proclamation be adopted and Chairman Bond authorized to execute:

PROCLAMATION

WHEREAS, The purchasing and materials management has a significant role in the quality, efficiency and profitability of business and government throughout the United States and internationally; and

WHEREAS, The purchasing and materials management profession works for public and private, non-profit and for-profit organizations; and

WHEREAS, In addition to the purchasing of goods and services, the purchasing and materials management profession engages in, or has direct responsibility for executing, implementing and administering contracts; developing projections and forecasts; developing and implementing procurement strategies; supervising and/or monitoring the flow, storage, staging and use of materials;

and

WHEREAS, The purchasing and materials management operation must develop and maintain good working relationships with suppliers and with other departments and divisions within the organization; and

WHEREAS, The purchasing and materials management profession has tremendous influence on the economic conditions in the United States and internationally, with an accumulative purchasing power in the multi-billions of dollars; and

WHEREAS, The Purchasing Department of Washoe County has consistently guarded the public trust, engendered confidence in the supplier community, been nationally recognized for "Achievement of Excellence in Procurement" and saved the County millions of dollars over the years; and

WHEREAS, The National Association of Purchasing Management of Northern Nevada, the National Purchasing Institute and the National Institute of Government Purchasing, in all of which Washoe County is a member, as well as other associations throughout the United States and around the world are holding activities and special events to further educate and inform the public about the role of purchasing within government, business and industry; now, therefore be it

PROCLAIMED BY THE BOARD OF COMMISSIONERS OF WASHOE COUNTY, NEVADA, That March, 1998 is designated as "Purchasing Month" and that the Board encourages all citizens of Washoe County to join with them in commemorating this observance.

#### 98-176 SEXUAL ASSAULT VICTIMS - MEDICAL CARE - PAYMENT

Pursuant to NRS 217.280 to 217.350, on motion by Commissioner Camp, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bond ordered that payments with funds from the District Attorney's account designated Sexual Assault Victims Expenses be authorized for initial emergency medical care and follow-up treatment for 7 victims of sexual assault in an amount totaling \$2,770.70 as set forth in a memorandum placed on file with the Clerk from Vickie Wedow, Administrative Assistant, District Attorney's Office, dated February 3, 1998.

#### 98-177 ALCOHOL BEVERAGE WAIVER - SENIOR SERVICES

Upon recommendation of Karen Mabry, Senior Services Director, on motion by Commissioner Camp, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bond ordered that the prohibition of serving alcoholic beverages for the Daughters of Norway, to utilize the Reno Senior Services Center for their annual smorgasbord event to be held on Saturday, April 25, 1998 from 5:30 p.m. to 9:00 p.m., be waived.

#### 98-178 CORRECTION WATER RIGHTS DEED - W. R. ROGGENBIHL - WATER RESOURCES

Upon recommendation of John Collins, Utility Services Division Manager, on motion by Commissioner Camp, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that a Correction Water Rights Deed for 1.376 acre-feet of surface water rights from a portion of Claim 474/475, as further changed by Application 63243, between W. R. Roggenbihl, as Grantor, and Washoe County as Grantee be approved; that Chairman Bond be authorized to execute the Correction Water Rights Deed; and that the Utility Services Division Manager be directed to record the Correction Water Rights Deed with the County Recorder.

#### 98-179 ACCEPTANCE OF GRANT - NEVADA STOP VIOLENCE AGAINST WOMEN PROGRAM - DISTRICT ATTORNEY

Upon recommendation of Richard Gammick, District Attorney, on motion by Commissioner Camp, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bond ordered that the District Attorney be authorized to accept a grant under the Nevada Stop Violence Against Women Program in the amount of \$30,000 for a term September 15, 1997 through October 31, 1998; and that the following account transactions be authorized and assigned to the District Attorney's budget for the term of the grant:

Account Number	Account Description	Increase Budget
1066G-7829	Computer Equipment	\$ 30,000.00
1066G-4301	Federal Contributions	\$ 30,000.00

It was noted that the funds are budgeted for computer equipment for the recently created Domestic Violence Protection Team of the District Attorney's Office; and that this is the third grant which the District Attorney's Office has applied for and received under the Nevada Stop Violence Against Women Program.

98-180 PURCHASE - TWO ALL TERRAIN VEHICLES (ATV's)SHERIFF

Upon recommendation of Richard Kirkland, Sheriff, on motion by Commissioner Camp, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bond ordered that the purchase of two Yamaha YFM250YK, 4x4 All Terrain Vehicles (ATV's) out of Federal Forfeiture Funds (Account 15141-D) be approved up to \$9,100.00 to cover all quotes obtained.

It was noted that the suggested vendor, Michael's Yamaha provided the lowest of three quotes obtained by the Sheriff's Office; that their purchase price is \$8,600.00; that alternative brands meeting specifications are acceptable; and that the ATV's will be utilized to patrol back country areas and to clean up the Truckee River corridor.

98-181 ACCEPTANCE OF DONATION - VECTOR PROGRAM - HEALTH

Upon recommendation of James Begbie, Acting District Health Officer, on motion by Commissioner Camp, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bond ordered that a donation from Dan Ariaz of a Hewlett Packard Desk Jet 500C Printer, Serial No. SN3404S31959 with an estimated value of \$300.00 to be used at the Vector Field Station and the donation of a 17-cubic foot Philco refrigerator/freezer, model #RD16A6DK,SN2WD914 with an estimated value of \$600.00, to be used to store bats and other biological samples for the Vector Program, be accepted with gratitude.

98-182 BUDGET AMENDMENT - FY 1997/98 AIR QUALITY MANAGEMENT PROGRAM - HEALTH

Upon recommendation of James Begbie, Acting District Health Officer, on motion by Commissioner Camp, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bond ordered that an amendment to the District Health Department Fiscal Year 1997/98 Air Quality Management Program Budget in the amount of \$155,754 in federal funds be approved and the following account transactions be authorized:

Account Number	Description	Amount of Increase
002-1700-1723G2-4301	Federal Contributions	\$ 68,795.00
7001	Base Salaries	11,271.00
7042	Group Insurance	930.00
7043	Dependent Insurance	723.00
7046	Workman's Comp	253.00
7047	Unemployment Comp	50.00
7048	Retirement	2,113.00
7050	Medicare	1,633.00
7140	Other Professional Services	47,412.00
7205	Minor Furniture & Equipment	1,500.00
72051	Personal Computers	2,580.00
72052	Printers	800.00

	7237	Computer Software	650.00
	7245	High Risk Supplies	350.00
		Total - Mobile Sources	\$ 68,795.00
002-1700-1723G4-4301		Federal Contributions	\$ 83,310.00
	7001	Base Salaries	13,895.00
	7042	Group Insurance	930.00
	7043	Dependent Insurance	723.00
	7046	Workman's Comp	253.00
	7047	Unemployment Comp	50.00
	7048	Retirement	2,605.00
	7050	Medicare	201.00
	7140	Other Professional Services	56,442.00
	7205	Minor Furniture & Equipment	1,500.00
	72051	Personal Computers	2,580.00
	72052	Printers	800.00
	7237	Computer Software	650.00
	7245	High Risk Supplies	350.00
	7620	Travel	2,231.00
		Total - PM-10 Supplemental	\$ 83,310.00
002-1700-1723G7-4301		Federal Contributions	\$ 3,649.00
	7364	Registration	2,662.00
	7620	Travel	987.00
		Total - CAA Training	\$ 3,649.00
Total Increase in Federal Contributions			\$155,754.00
Total Increase in Expenditures			\$155,754.00

98-183 BUDGET AMENDMENT - FY 1997/98 COMMUNITY AND CLINICAL HEALTH SERVICES BUDGET - HEALTH

Upon recommendation of James Begbie, Acting District Health Officer, on motion by Commissioner Camp, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bond ordered that an amendment to the District Health Department Fiscal Year 1997/98 Community and Clinical Health Services Budget by decreasing a line item account to fund a per diem pool of nurse practitioners in the amount of \$1,225.00 be approved and the following account transactions be authorized:

Account Number	Description	Amount of Increase/(Decrease)
002-1700-1705G3 7140	Professional Services	\$ (900.00)
002-1700-17300 7140	Professional Services	\$ (325.00)
002-1700-17110 70021	Pooled Positions	\$1,225.00

This was the time to consider award of bid, Notice of Bidders for receipt of sealed bids having been published in the Reno Gazette-Journal on January 29, 1998, for replacement of Fleet Heavy Equipment comprised of (6) articulated motor graders, (4) front end loaders, and (3) backhoe loaders for the Equipment Service Division of the General Services Department. Proof was made the due and legal Notice had been given.

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

Cashman Equipment Company, Inc.  
Empire Equipment Company  
Komatsu Equipment Company  
GCS - Western Power & Equipment, Inc.

Mecom Distributing failed to respond to the invitation to bid.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Camp, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bond ordered that Bid No. 2062-98 for replacement of Heavy Fleet Equipment for the Equipment Services Division of the General Services Department be awarded to the lowest responsive, responsible bidders as follows:

GCS - Western Power & Equipment	
Bid Item #1A	(Motor Graders)
Cashman Equipment Company	
Bid Items #2A - 4A	(Front end Loaders & smaller Backhoes)
Empire Equipment Company	
Bid Item #5A	(Large Backhoe)

It was noted that under the terms of the award, GCS - Western Power & Equipment, Cashman Equipment and Empire Equipment will provide the County with new replacement equipment for the initial cost of \$863,916.00, \$810,570.56, and \$105,426.00 respectively, for a total initial capital outlay of \$1,779,912.56, and warranty all major components thereof for a period of three years; that at the end of three years, GCS - Western Power & Equipment, Cashman Equipment Co., and Empire Equipment Company will buy-back the equipment from the County at a guaranteed amount of \$840,000.00, \$643,083.00 and \$80,021.00 respectively, for a total guaranteed buy-back of [\$1,563,104.00] resulting in a total net cost to the County of \$216,808.56.

It was further ordered that the Board reject bid items 1 - 5 which were for the same equipment under a four-year buy-back program and proved to be less economical than a three-year term coinciding with the manufacturer's standard warranty on the equipment.

98-185 RECYCLED PRODUCTS POLICY - QUALITY OF LIFE INDICATORS - PURCHASING/ASST. CO. MANAGER

John MacIntyre, County Manager, reviewed questions raised at yesterday's caucus concerning this item and clarified that the Quality of Life Indicators currently reflected in the Truckee Meadows Regional Plan document are not intended to be used as new standards of development review for proposed projects or regulatory measures for the general public; that they are intended to reflect the County's commitment as an organization to identify potential objectives and define how the County organization operates; and that this is a case of Washoe County "leading by example."

Commissioner Galloway stated that the indicators do not always represent indicators of Quality of Life; that some of them are strategies, i.e., "Energy and Vehicle Miles Traveled" which could be refined to be more universally applicable as this is not the only measure of how well one can conserve energy in transportation.

Following discussion, on motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that a policy relative to purchasing recycled products; reuse of durable products and waste stream reduction in support of 1993 Federal Executive Order 12873; the Comprehensive Procurement Guideline of the Resource Conservation and Recovery Act Section 6002 and the Nevada Revised Statutes 332.065 and 444A.020, and Quality of Life Indicators, Exhibit "A" only (placed on file with the Clerk), be approved and adopted as an example of how Washoe County "leads by example".

98- 186 LEASE AGREEMENT - HANGER SPACE - SHERIFF

Upon recommendation of Commissioner Mouliot, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that a lease agreement between Washoe County and Richard Nurge, concerning hanger space at Stead Airport for use by the RAVEN Helicopter Program in the amount of \$2,100.00 to be paid annually, be approved; and that Chairman Bond and the Purchasing and Contracts Administrator be authorized to execute the agreement.

It was noted that the hanger is located at 5521 Alpha Avenue, Stead, Nevada; and that the lease will be paid for out of Federal Forfeiture Funds, Account No. 15141-D.

98-187 JOINT-USE AGREEMENT - WASHOE COUNTY SCHOOL DISTRICT - ELECTION FACILITIES - VOTERS

Upon recommendation of Laura MacMahon, Registrar of Voters and Ray Sibley, Risk Manager, on motion by Commissioner Shaw, seconded by Commissioner Camp, which motion duly carried, it was ordered that a Cooperative Joint-Use Agreement between Washoe County and the Board of Trustees of the Washoe County School District, concerning the use of school sites for polling places during elections years, be approved and Chairman Bond be authorized to execute.

98-188 CONTRACTS - IN-COURT HISPANIC INTERPRETER SERVICES - DISTRICT COURT

Commissioner Camp inquired about the possibility of being reimbursed in part for the cost of providing In-Court Hispanic Interpreters, and Madelyn Shipman, Assistant District Attorney, advised that individuals have the right to access the judicial system through the use of these services; that the County has numerous interpreter contracts; and that she will report back to the Board concerning what specific courts utilize this service, however, the majority of services are provided in Justice Court and District Court.

Commissioner Shaw stated that individuals requiring interpreter services should be responsible for paying a portion of these fees.

Brian Mirch, Finance Division, stated that he would report back to the Board concerning the interpreter services and how many other communities charge for a fee for same.

Upon recommendation of Cathy Krolak, Court Administrator, on motion by Commissioner Camp, seconded by Commissioner Shaw, which motion duly carried, it was ordered that two independent contracts for In-Court Hispanic Interpreter Services between the Second Judicial District Court of Washoe County, Marco Contreras and Betsabeth Brena concerning In-Court Hispanic Interpreter Services for District Court in the amount of \$18,000 per contract for a term of one year, February 1, 1998 through January 31, 1999 be approved.

98-189 INTERLOCAL AGREEMENT & CONTINGENCY TRANSFER - STATE DIVISION OF MENTAL HYGIENE & MENTAL RETARDATION - PUBLIC DEFENDER - FINANCE

Madelyn Shipman, Assistant District Attorney, reviewed background information regarding this item explaining the process utilized to determine whether an offender is mentally competent to assist in their own defense; that under the statute, two evaluations are required by a Licensed Clinical Psychologist; that the Public Defender's Office has agreed to utilize the services of the State Psychologist with the Division of Mental Hygiene and Mental Retardation and not require the legal evaluation process of two competency evaluations in an effort to streamline the criminal trial process if the State meets the necessary criteria.

Commissioner Camp expressed concern that the State does not provide malpractice insurance for their own employees although the County would be required to partially reimburse the State for these services.

Ray Sibley, Risk Manager, stated that the original contract did not provide for malpractice coverage; that the County required that it be contained in the contract and the State refused advising that they do not cover their employees for malpractice in the Division of Mental Hygiene; that Mr. Goelitz contacted the State Risk Management Office and was advised that these employees are covered for malpractice under the State self-insurance program; that language was drafted to include that provision in the contract; that after reviewing the contract the language was not included; and that the provision in the contract indicating if the County desires coverage they would be required to pay for it should be deleted and a new clause should be inserted which Mr. Sibley then distributed to the Board and placed on file with the Clerk.

Mr. Sibley then read the following amended language: "State shall provide professional errors and omission liability (malpractice) applying to all activities performed under this agreement in a form acceptable to the County. The State, pursuant to Nevada Revised Statute 41, may self fund this particular liability exposure. Should the State purchase coverage, the State will maintain said coverage during the term of this agreement and for a period of three years from the date of termination of this agreement. Such coverage, if purchased, shall be in an amount of not less than \$500,000 per claim and \$1,500,000 as an annual aggregate. The premium costs incurred to meet these contract requirements shall be borne by the State and no cost to the County."

Commissioner Galloway inquired if this language had been reviewed by State representatives and Mr. Sibley stated that it was his understanding that this had been reviewed and agreed upon by the State Risk Management Division; that he provided this information to Mr. Goelitz; that he had not been apprised of conversations with individuals at the Mental Health Division; and that it is his assumption that the amended language will be forwarded to the State for formal approval of this language change.

Ms. Shipman stated that this represents a change to the contract which will go back to the State for acceptance or rejection; that the State self-insures as the County does; that she does not understand the issue of non- coverage of malpractice insurance as this is normally covered under all umbrella insurance policies and self-insured programs; and that the Board can proceed with the approval of the contract with amended language as suggested.

Katy Simon, Deputy County Manager, stated that she will look into the timing issue regarding the contract as she does not desire to go forward with an improper contract and Mr. Sibley clarified that the language to be deleted is contained on Page 4, Item No. 4 in the contract.

Upon recommendation of Gary Goelitz, Senior Administrative Analyst, on motion by Commissioner Galloway, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bond ordered that an Interlocal Agreement between Washoe County and the Nevada State Division of Mental Hygiene and Mental Retardation concerning provision of mental health competency evaluation services for the Public Defender's Office be approved as amended; and that the following account transactions be authorized:

Transfer From:

Account	Account Description	Amount
001-1890-7328	Contingency	\$ 17,000.00

Transfer To:

Account	Account Description	Amount
001-1031-7140	Other Professional Services	\$ 17,000.00

98-190 COST SHARING AGREEMENT - U.S. GEOLOGICAL SURVEY - TRUCKEE MEADOWS FLOOD WARNING SYSTEM - WATER RESOURCES

Leonard Crowe, Water Resources Planning Manager, reviewed background information contained in a staff report and answered questions of the Board concerning this item.

Following discussion, on motion by Commissioner Camp, seconded by Commissioner Shaw, which motion duly carried, it was ordered that a cost sharing agreement between Washoe County and the U.S. Geological Survey, United States Department of the Interior, concerning precipitation and stream gage upgrades and operation and maintenance for the Truckee Meadows Flood Warning System be approved in the amount of \$70,000 (Washoe County's contribution \$35,000 and the U.S. Geological Survey's contribution \$35,000); and Chairman Bond authorized to execute.

It was noted that the funds for the agreement will be taken from the Department of Water Resources 1997/98 Flood Control Program Budget.

98-191 INTERLOCAL AGREEMENT - CITY OF RENO - EDWARD BYRNE MEMORIAL STATE & LOCAL LAW ENFORCEMENT GRANT PROGRAM - SOCIAL SERVICES

Upon recommendation of May Shelton, Director, Social Services Department, on motion by Commissioner Camp, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that an Interlocal Agreement between Washoe County (Child Protective Services) and the City of Reno (Police Department), concerning participation in the Edward Byrne Memorial State and Local Law Enforcement Grant Program be approved for the period July 1, 1997 through June 30, 1998.

It was noted that the Edward Byrne Memorial Foundation has awarded the Reno Police Department \$123,352 to support the formation of a child abuse and neglect joint investigation team; that the grant is renewable for an additional three years; and that matching funds up to \$42,000 to support the formation of the joint investigative team are contained in the Department's FY 1997-98 approved budget.

98-192 CAPITAL CONTRIBUTION FRONT ENDING AGREEMENT - REGIONAL TRANSPORTATION COMMISSION - LIFESTYLE HOMES, INC. - HIGHLAND RANCH PARKWAY

Upon recommendation of Derek Morse, Engineering Manager, Regional Transportation Commission, on motion by Commissioner Shaw, seconded by Commissioner Camp, which motion duly carried, it was ordered that a Capital Contribution Front Ending Agreement between Washoe County, the Regional Transportation Commission and Lifestyle Homes, Inc., concerning improvements to Highland Ranch Parkway be approved and Chairman Bond authorized to execute on behalf of Washoe County.

98-193 EMPLOYEE HOUSING AGREEMENT - PARK RANGER - DAVIS CREEK PARK - GENERAL SERVICES

Bud Fujii, Director, General Services Department, reviewed background information concerning this item advising that park rangers residing in County housing receive housing at no cost to them and receive it as a benefit to their salaries with reimbursement for utilities.

Commissioner Galloway inquired if this issue should be covered in Collective Bargaining agreements as some park rangers are not entitled to free rent. Mr. Fujii explained that housing is only available at certain parks and Commissioner Galloway stated that it appears that there is a salary differential between rangers. Katy Simon, Deputy County Manager, stated that she would look into the precedent, criteria and selection of housing resident park rangers and report back to the Board on this item.

Upon recommendation of Bud Fujii, Director, General Services Department, on motion by Commissioner Mouliot, seconded by Commissioner Camp, which motion duly carried, it was ordered that an Employee Housing Agreement between Washoe County and Jeffrey Glavor, Park Ranger, concerning residing in a County-owned residence in Davis Creek Park, be approved and Chairman Bond authorized to execute.

98-194 LEASE AGREEMENT - COMMUNITY RESOURCE OUTREACH CENTER - GENERAL SERVICES

Upon recommendation of Bud Fujii, Director, General Services Department, on motion by Commissioner Mouliot, seconded by Commissioner Galloway, which motion duly carried, it was ordered that a Lease Agreement between Washoe County and Buck Norred, dba Buck Norred Investments of Nevada, concerning lease of retail/office space for a 48-month period, March 1, 1998 through February 28, 2002 for continued operation of the Community Resource Outreach Center at 4385 Neil Road be approved; that Chairman Bond be



authorized to execute; and that the following account transactions for custodial expense be authorized:

1997-98:	General Services (1611-7340)	Juvenile Services (1295-7362)
Increase:	\$1,000.00	Decrease: \$1,000.00

98-195 CORRECTED RESOLUTION - REFUND OF TAXES - QUILICI RANCH

This item was considered on November 18, 1997 [Item No. 97-1154].

Upon recommendation of James Barnes, on motion by Commissioner Mouliot, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the following Corrected resolution be adopted and Chairman Bond be authorized to execute on behalf of Washoe County:

RESOLUTION -- Directing the County Treasurer to Refund Taxes

WHEREAS, The Board of Commissioners of Washoe County, pursuant to NRS 354.240 has the authority to direct the County Treasurer to refund to an applicant the amount of money paid into the County Treasury in excess of the amount legally payable; and

WHEREAS, Quilici Ranch (Lessee and Taxpayer) made application for the refund of 1994-1995, 1995-1996 and 1996-1997 real property taxes contending that the Taxpayer's property, APN 038-242-03, 038-200-06 and 038-250-06, was entitled to an agricultural deferment, without benefit of first applying for said deferment; and

WHEREAS, Quilici Ranch has paid taxes that were in excess of taxes based on agricultural use of the property for fiscal years 1994-1995, 1995-1996 and 1996-1997 in the amount of \$9,438.83; and

WHEREAS, it is the opinion of the Board of Commissioners of Washoe County that the applicant for a refund has just cause for making such application and that the granting of such refund would be equitable.

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

1. That the Treasurer of Washoe County be and hereby is authorized and directed to refund to Quilici Ranch a total of \$9,438.83, that amount being the taxes paid by Quilici Ranch that were in excess of taxes based on agricultural use of the property for the tax years 1994-1995, 1995-1996 and 1996-1997 on APN 038-242-03, 038-200-06 and 038-250-06.
2. The Treasurer of Washoe County is further directed to debit the account of each governmental entity which has shared in the excess of the taxes collected in error for its pro rata share of the refund.

It was noted that inadvertently, one of the years used in the Resolution granting the tax refund for the Quilici Ranch was incorrect; that 1993-1994 was used, when the correct year should have been 1996-1997 which resulted in a "corrected" Resolution and includes a revised tax refund increasing the previous amount of the refund from \$9,310.07 to the correct amount of \$9,438.83.

98-196 RESOLUTION - NAMING INTERSTATE HIGHWAY I-80 THROUGH SPARKS AND RENO - MARTIN LUTHER KING, JR. HIGHWAY

On motion by Commissioner Camp, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the following Resolution be adopted:

RESOLUTION

WHEREAS, Dr. Martin Luther King, Jr. was one of the world's best known advocates of nonviolent social change strategies. In 1957, he formed the Southern Christian Leadership Conference and fought for desegregation in all realms of life and through his efforts

was able to improve the lives of African-Americans; and

WHEREAS, Dr. King's efforts were the force that helped pass the Civil Rights Act of 1964 and the Voting Rights Act of 1965; and in 1964, he was the recipient of the Nobel Peace Prize; and

WHEREAS, Dr. Martin Luther King, Jr. was assassinated on April 4, 1968; his legacy and stature survive him; and his birthday, January 15, was designated a national holiday; now, therefore, be it

RESOLVED, By the Board of Commissioners of Washoe County, Nevada, that the Board hereby requests that the Nevada State Transportation Board consider naming Interstate Highway I-80 from 1/2 mile east of Vista Boulevard to 1/2 mile west of Robb Drive, the Martin Luther King, Jr. Highway to commemorate the memory of Dr. Martin Luther King, Jr.

#### 98-197 CONTINGENCY TRANSFER - OVERTIME ACCOUNTS - SHERIFF

Upon recommendation of Gary Goelitz, Senior Administrative Analyst, on motion by Commissioner Mouliot, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that a transfer of \$165,000 from contingency to various overtime accounts within the Detention Bureau of the Sheriff's Office be approved as recommended; and that the following account transactions be authorized:

Transfer From:			Transfer To:		
Account	Acct. Desc.	Amount	Account	Acct. Desc.	Amount
001-1890-7328	Contingency	\$165,000.00	15090-7003	Overtime	\$99,600.00
			15091-7003	Overtime	\$65,400.00

#### 98-198 CONTINGENCY TRANSFER - UNBUDGETED CAPITAL OUTLAY - JAIL INFORMATION SYSTEM - SHERIFF

County Manager John MacIntyre stated that questions had been raised at yesterday's caucus concerning the number of computers previously authorized by the Board and unbudgeted during this current fiscal year.

Katy Simon, Deputy County Manager, stated that she had discussed this issue with Ron Wolff, Director, Management Information Services, who informed her that the number of computers approximated 201.

Brian Mirch, Finance Division, distributed a list of personal computers purchased by various departments from July 1, 1997 to January 31, 1998, which was placed on file with the Clerk, stating that it was his belief that the computers had been budgeted for.

Ron Wolff, Director, Management Information Systems, stated that he receives requests from various departments who purchase computers out of their base budget if funds are available; that he is unaware if these purchases were identified as line items; that there were approximately 200 computers purchased between May and June using carryover funds from 1996-97 budget; and that these particular computers are contained in the 1997-98 budget.

Commissioner Galloway stated that his concern is if a department has a lump sum for contingency and there is no expectation or breakdown of what might come out of it, that it may be better to have an estimate of how much money will be used for technology upgrades to enable departments to know how much they have left for other items, and Mr. Mirch stated that is handled during the budget process at which time they look at various accounts and review their history.

Upon recommendation of Gary Goelitz, Senior Administrative Analyst, on motion by Commissioner Galloway, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bond ordered that a contingency transfer, an unbudgeted capital outlay for the purchase of (5) personal computers and a purchase order amendment with RAM Data Systems for additional conversion of the jail information system in the amount of \$24,400 be approved; and that the following account transactions be authorized:

Transfer From: Transfer To:

Account	Acct. Desc.	Amount	Account	Acct. Desc.	Amount
001-1890-7328	Contingency	\$24,400.00	001-1590-7105	Consulting Serv.	\$11,000.00
			001-1590-72051	Personal Computers	\$13,400.00

98-199 RETENTION/RECLASSIFICATION OF POSITION - ROADS

Upon recommendation of David Roundtree, Public Works Director, on motion by Commissioner Camp, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that the Retention/Reclassification of the position being vacated in the Roads Division with an established salary range of Y260 be approved.

Jerry McKnight, Budget Coordinator, referred to a memorandum dated February 12, 1998 attached to the agenda material concerning this item explaining that the recommendation was to proceed with the reclassification with the provision that the position be frozen until the budget process. Mr. McKnight stated that he would like the Board to reconsider the previous motion relating to the timing of filling the position, not necessarily the reclassification.

On motion by Commissioner Camp, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that the previous motion be reconsidered.

Mr. McKnight stated that there is a vacant supervisory position in the Roads Division and that Mr. Roundtree desires to have that position reclassified if the Board moves ahead with an overall plan for the Roads Division.

David Roundtree, Public Works Director, stated that part of the concern is if the Board decides not to take action on this item today, the position would be eliminated February 27, 1998 when it becomes vacant.

Joanne Ray, Chief of Personnel, stated that the Assistant Roads Superintendent position should be extended which is scheduled to be abolished on February 27th and Mr. McKnight's recommendation to the Board was to allow the retention of the Assistant Road Superintendent; that the memo that Mr. Roundtree submitted was a request to have that former position reclassified downward; and that the Board could retain the position of Assistant Road Superintendent and allow Personnel to proceed pending the fiscal outlook.

The previous motion was then amended by Commissioner Camp with the provision that the position not be filled until the budget process and Commissioner Galloway seconded the motion. The motion passed unanimously.

98-200 PURCHASE OF PROPERTY - 805 MORRILL AVENUE - GENERAL SERVICES

Upon recommendation of Bud Fujii, General Services Department, on motion by Commissioner Camp, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that the purchase of a 6-plex and property located at 805 Morrill Avenue, Parcel Numbers 008-161-20 & 40, in Reno, Nevada from property owners Rosalina R. De Valdivia and Leticia Zabalza in the amount of \$165,000 be approved.

It was noted that property acquisition funds are budgeted in Account 092-920242 in the amount of \$500,000; and that the County's Strategic Plan has identified the need to obtain property located South of the Administrative Complex.

98-201 PERMANENT/PART-TIME POSITION - SUN VALLEY COMMUNITY SERVICE CENTER - "LOOKING FINE IN '99" CAMPAIGN - COMMUNITY DEVELOPMENT

Upon recommendation of Bob Webb, Department of Community Development, on motion by Commissioner Camp, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that the creation of a permanent, part-time position in the Washoe County Department of Community Development to staff the Sun Valley Community Service Center and support the "Looking Fine in '99"

Campaign be authorized for the remainder of this fiscal year to June 30, 1998.

It was noted that pursuant to the Board's direction in May, 1997, staff from various County agencies and departments were directed to participate in the Sun Valley community cleanup, known as "Looking Fine in '99"; that a temporary part-time clerk was hired on September 15, 1997 as part of the staff support for the campaign and provides administrative support for the enforcement team; and that funding for the position will be derived from salary savings from the Department of Community Development.

#### 98-202 APPOINTMENT - JOINT COORDINATING COMMITTEE - TRUCKEE MEADOWS WATER RECLAMATION FACILITY

On motion by Commissioner Mouliot, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that Ed Schmidt, Director of Water Resources, be appointed as the County's representative to the Joint Coordinating Committee for the Truckee Meadows Water Reclamation Facility replacing David Roundtree, Public Works Director.

#### 98-203 APPOINTMENT & RESIGNATION - WEST TRUCKEE MEADOWS CITIZEN ADVISORY BOARD

On motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that the resignation of Ellen Riley from the West Truckee Meadows Citizen Advisory Board be accepted; that Duane Rasmussen be appointed as the East of McCarran Boulevard representative to fill the unexpired term of Ms. Riley to June 30, 1998; and that Len Crocker be appointed as the West of McCarran Boulevard representative with a term to expire June 30, 1999.

#### 98-204 CHANGE ORDER - EXCAVATOR RENTAL - EQUIPMENT SERVICES

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Camp, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bond ordered that a change order necessary to extend rental payments due for a Case 9020 Excavator rented to the Equipment Services Division of the General Services Department since July, 1997 be approved in the amount of \$19,500.00 for a total value of the purchase order of \$37,500.00.

It was noted that the original Purchase Order No. 167126 was issued for a four-month rental at \$4,500.00 per month for a total of \$18,000.00; that it was anticipated that a new excavator would be procured under formal bid and be available to the County by November 1997; that the delivery time offered in the bid for the new excavator was longer than anticipated necessitating the continued rental through January 28, 1998; and that funds for this expenditure are contained in the FY 1997/98 budget of the Equipment Services Division, General Services Department, Account No. 6903-7367.

#### 98-205 REVISED POLICIES - INSTALLATION OF SPEED HUMPS - & STOP SIGN USAGE - PUBLIC WORKS

David Roundtree, Public Works Director, stated that one of the goals of the Policy for the installation of speed humps and stop sign usage is to eliminate having to bring these issues to the Board for discussion and determination on a regular basis; although due to the fact that there are significant funds involved in the installation of speed humps, unless budget appropriations are sufficient to cover the projects, they would still have to come to the Board for funding allocations; and that he would suggest an annual appropriation at a level approximating \$30,000 and Board approval for an amount in excess of that.

Commissioner Galloway inquired about "request for stop signs" set forth in the policy which states that a written request must be submitted by residents questioning what may happen if the general community should feel differently than residents regarding where stop signs should be installed and if a provision could be included in the policy wherein a request could also come from the Board to consider public input on these issues.

Mr. Roundtree stated that staff is responsive to issues raised by the Board and if he does not feel there is a clear mandate or a sound engineering basis for a proposed project, he would bring this information to the Board prior to the approval of a project.

Assistant District Attorney Madelyn Shipman clarified that there is a process in place to assure documentation for these requests, as anytime traffic control devices are established on roadways, there are liability factors involved; that this policy went

through the District Attorney's review process on the basis that the policy does not guarantee that everyone desiring a stop sign on their street will get a stop sign installed; that the request has to be documented as to the safety and other factors that would be dealt with as a result of that particular traffic control device; that she does not believe this should be added to the policy; and that if a Board member requests a follow up to a constituent's request, she would suggest putting it in writing and submitting it to the Public Works Director and not bringing it up at the Commission level because a mere verbal request under Commissioners' Comments would not be sufficient.

Commissioner Galloway then moved that additional language be added under "request for stop signs" (d) that a request may also be made in writing by a member of the Board and the motion died for lack of a second.

Commissioner Shaw and Commissioner Mouliot stated that they are comfortable having the Public Works Director handling this matter.

Upon recommendation of David Price, County Engineer, through David Roundtree, Public Works Director, on motion by Commissioner Shaw, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bond ordered that the revised "Washoe County Policy for Installation of Speed Humps" and revised "Washoe County Policy for Stop Sign Usage" be adopted as recommended by staff and placed on file with the Clerk.

98-206 FINAL MITIGATION PLAN - UNION PACIFIC/SOUTHERN PACIFIC MERGER - RENO MITIGATION STUDY - COMMUNITY DEVELOPMENT

Bob Webb, Community Coordinator, Department of Community Development, reviewed background information and answered questions of the Board regarding the Final Mitigation Plan (FMP) prepared by the Surface Transportation Board (STB), Section of Environmental Analysis on the Reno Mitigation Study for the Union Pacific/Southern Pacific Railroads (UP/SP) merger contained in an agenda memorandum dated February 12, 1998.

Mr. Webb further advised that the following items of significance have not been changed from the October 14, 1997 public hearing:

1. The SEA did not observe rotten ties or inappropriate maintenance on any of the tracks running through the Reno area.
2. That UP's plans to replace wooden ties with concrete ties in certain critical sections were not identified.
3. SEA believes that system-wide mitigation measures which were proposed as part of the original merger adequately address any concerns with infrastructure.
4. That the FMP did not recommend any emergency access or mitigation measures for the communities served by Stag Lane, Del Curto Lane or Canal Road.
5. That FMP did not mention the Gerlach area with concerns to HAZMAT particularly on the Feather River route as they perceive this outside the study area.
6. That HAZMAT mitigation measures were not provided for the Truckee Meadows area other than the completion of an area contingency plan.
7. That the Verdi area was not addressed for noise impacts as the SEA considers that community outside of the study area.
8. The economic impacts resulting from increased train traffic were "outside the scope of the study" and were not addressed.
9. The SEA states that an Environmental Impact Statement under the Environmental Protection Act is not required for this merger.

10. SEA maintains that the existence of rail traffic and more particularly pre-existing conditions are not an impact of the merger and are not included in this mitigation plan, and therefore, pre-existing conditions are not being included in the plan.

Mark Demuth, MADCON Consultation Services and Environmental Consultant for the City of Reno, and Merri Belaustegui-Traficanti, Deputy City Attorney/Mitigation Task Force member gave an overhead presentation of the Final Mitigation Plan (placed on file with the Clerk) which included a comparison of what was originally offered in the PMP and what is currently being proposed and answered questions of the Board.

In conclusion, Mr. Webb advised that all public comments on the FMP must be postmarked by March 12, 1998 to meet public review requirements imposed by the SEA; and that the Reno City Council voted last Tuesday to reinforce their previous comments.

Following discussion, the Board determined that very little has changed from the Preliminary Mitigation Plan; and that all formal comments made by the Board during the public hearing held on October 14, 1998 should be forwarded as they are still applicable and Commissioner Galloway stated that the inclusion of the installation of concrete railroad ties throughout the entire Truckee Meadows stretch would be an important addition to the PMP.

#### 98-207 EDUCATION REIMBURSEMENT POLICY REVISION - PERSONNEL

Upon recommendation of Joanne Ray, Chief of Personnel, on motion by Commissioner Shaw, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bond ordered that the revised Education Reimbursement Policy be adopted and renamed the Tuition Reimbursement Policy; and that the External Training Standards Policy be approved.

#### 98-208 NEW, REVISED & ABOLISHED CLASSIFICATIONS - PERSONNEL

Upon recommendation of Joanne Ray, Chief of Personnel, on motion by Commissioner Mouliot, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that the following new, revised and abolished classifications be approved:

Building Systems Controls Specialist		
code 8134	grade W320	(\$39,083.20-\$52,062.40)
Children's Service Coordinator		
code 6130	grade Y260	(\$41,891.20-\$55,785.60)
Planning Manager		
code 0712	grade Y280	(\$44,574-\$59,446)
Associate Director, Washoe County Library		
code 5025	grade C220	(\$41,558.40-\$55,556.80)
Physician		
code 2250		(abolish)
Temporary Employment Service		
code 0599		(abolish)
Budget Coordinator		
code 0152		(abolish)

#### COMMISSIONERS' /MANAGER'S COMMENTS

Commissioner Bond encouraged the Board to continue pursuing issues regarding the Public Administrator.

Jerry McKnight, Budget Coordinator, introduced Anna Heenan, Senior Administrative Analyst replacing Lisa Gianoli in the Finance Division.

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There being no further business to come before the Board, the meeting adjourned at 11:50 a.m.

JOANNE BOND, CHAIRMAN  
Washoe County Commission

ATTEST: JUDI BAILEY, County Clerk