

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

TUESDAY

2:00 P.M.

APRIL 24, 2001

PRESENT:

**Jim Shaw, Chairman**  
**Pete Sferrazza, Vice Chairman**  
**Joanne Bond, Commissioner**  
**Jim Galloway, Commissioner**  
**Ted Short, Commissioner**

**Amy Harvey, County Clerk**  
**Katy Singlaub, County Manager**  
**Maureen Griswold, 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:

**01-396      AGENDA**

In accordance with the Open Meeting Law, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Shaw ordered that the agenda for the April 24, 2001, meeting be approved with the following amendments: Item 6I1, an agreement with Moore Iacofano Goltsman, Inc., concerning facilitation of meetings for the Spanish Springs Septic Conversion project is being pulled from the Consent Items for discussion/action. It was also noted that Line 4 of Item 16, recommended salary and benefit changes, should be corrected to read December 31, 2001 instead of December 1, 2001.

**PUBLIC COMMENTS**

Sam Dehne, local resident, expressed his concerns regarding Reno City Council and EDAWN (Economic Development Authority of Western Nevada).

**MANAGER'S/COMMISSIONERS' COMMENTS**

Commissioner Sferrazza apologized to Mr. Dehne for not requesting that he be allowed to speak at their joint meeting with Reno City Council this morning.

Commissioner Sferrazza requested an item concerning development of parks under the bond issue be placed on the next available agenda explaining that in the bond issue, there are a number of parks located in Commission District 3, Panther Valley, Paradise Park, University Ridge Park and the Mira Loma Skate Park; that he recently obtained a copy of the City of Reno's Capital Improvement Plan, which does not include

funding for these parks; and that the County is selling the bonds and transferring the funds to the City of Reno with the understanding that Reno could immediately spend the money. He stated the County needs to find out if Reno is going to build these parks, and, if they are not, the funds should be put into an interest bearing trust fund until Reno presents plans to build those specific parks. Commissioner Sferrazza stated it would be a misrepresentation to the voters to distribute the funds if the parks are not built.

Commissioner Galloway requested a report from legal counsel concerning whether the Open Meeting Law applies to organizations such as EDAWN, and if not, whether County support could be contingent upon them observing the Open Meeting Law.

**MINUTES**

On motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Shaw ordered that the minutes of the regular meeting of March 27, 2001, be approved.

**01-397      APPROPRIATION TRANSFERS WITHIN COMMISSIONERS' OFFICE**

Pursuant to discussion at Caucus, Commissioner Sferrazza advised that he has requested any unused funds be transferred back to the Commissioners' accounts who do not travel. Upon recommendation of Karen Wallace, Administrative Analyst, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Shaw ordered that the following appropriation transfers within the County Commissioners' budget, in anticipation of travel to attend the National Association of Counties conferences, be approved and the Comptroller be directed to make the necessary adjustments:

**Decrease:**

001-1001-729151 (District 1)	\$ 2,000
001-1001-729152 (District 2)	\$ 2,000
001-1001-729153 (District 3)	\$ 2,000
001-1001-729154 (District 4)	\$ 2,000
001-1001-729155 (District 5)	<u>\$ 2,000</u>
TOTAL	\$10,000

**Increase:**

001-1001-7329 (Dues)	\$ 3,000
001-1001-7364 (Registration)	\$ 1,000
001-1001-7620 (Travel)	<u>\$ 6,000</u>
TOTAL	\$10,000

**01-398            APPROPRIATION TRANSFER – E-911 ADVISORY COMMITTEE TRAVEL FUNDS**

Upon recommendation of Press Clewe, Chairman, E-911 Advisory Committee, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Shaw ordered that the following appropriation transfer, necessary to allow E-911 Committee members to attend the National Emergency Number Association’s 2001 Annual Conference in Orlando, Florida, as well as other educational conferences and seminars, be approved and the Comptroller be directed to make the necessary adjustments:

<b><u>Decrease:</u></b>	008-0801-7140 (Professional Services)	\$5,000
<b><u>Increase:</u></b>	008-0801-7620 (Travel)	\$5,000

**01-399            CONTINGENCY TRANSFER – DISTRICT COURT – MENTAL HEALTH COMPETENCY EVALUATIONS**

Upon recommendation of Anna Heenan, Senior Fiscal Analyst, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Shaw ordered that a transfer from the Contingency account in the amount of \$27,452 to District Court to cover the costs of providing mental competency examinations be approved and the Comptroller be directed to make the following adjustments:

<b><u>Decrease:</u></b>	Contingency 001-1890-7328	\$27,452
<b><u>Increase:</u></b>	District Court 001-1210-7468	\$27,452

**01-400            ACCEPTANCE OF DONATION – INTERNATIONAL GAME TECHNOLOGY – SHERIFF**

Upon recommendation of Dennis Balaam, Sheriff, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Shaw ordered that the donation of \$1,000 from International Game Technology (IGT), to be used by the Washoe County Sheriff’s Office to purchase additional Internet safety material for children, be accepted with the Board’s gratitude. It was further ordered that the following budget adjustments be authorized:

<b><u>Increase Revenues:</u></b>	15235D-5802	\$1,000
<b><u>Increase Expenditures:</u></b>	15235D-7230	\$1,000

**01-401            AUTHORIZATION FOR NON-COUNTY EMPLOYEE TRAVEL  
EXPENSE – SHERIFF**

Upon recommendation of Sheriff Dennis Balaam, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Shaw ordered that the Washoe County Sheriff’s Office be authorized to pay for non-county employee travel expenses in the amount of \$750, which includes airfare and lodging, to bring Sheriff Ted Sexton to Reno on April 10, 2001 for the ceremony recognizing the third year anniversary of the Sheriff’s Contractors Auxiliary. Sheriff Sexton was a last minute replacement speaker from National Sheriff’s Association.

**01-402            CONTINGENCY TRANSFER – COUNTY CLERK – ATTORNEY  
FEES**

Upon recommendation of Amy Harvey, County Clerk, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Shaw ordered that the request for \$10,000 from Contingency Funds for Fiscal Year 2000/01 for additional attorney fees of outside counsel representing the Washoe County Clerk in matters relating to the District Court separation issue be approved and that the Comptroller be directed to make the following account adjustments:

<b><u>Decrease:</u></b>	001-1890-7328 – Contingency	\$10,000
<b><u>Increase:</u></b>	001-1041-7140 – Other Professional Services	\$10,000

**01-403            RESOLUTION – REPEALING APRIL 18, 1995 RESOLUTION –  
CHIEF DEPUTY SHERIFF PERSONNEL LONGEVITY PAY,  
COMPENSATORY TIME, UNIFORMS, ETC.**

Upon recommendation of Joanne Ray, Human Resources Director, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that the following resolution, repealing the April 18, 1995 Resolution that adopted longevity pay, compensatory time, uniform allowance, and physical maintenance program provisions for Chief Deputy Sheriff personnel not otherwise covered by a collective bargaining agreement and ratifying actions taken to extend certain benefits to confidential non-represented positions of Undersheriff and Assistant Sheriff, be adopted and Chairman Shaw be authorized to execute:

RESOLUTION: REPEALING THE APRIL 18, 1995 RESOLUTION THAT ADOPTED LONGEVITY PAY, COMPENSATORY TIME, UNIFORM ALLOWANCE, AND PHYSICAL MAINTENANCE PROGRAM PROVISIONS FOR CHIEF DEPUTY SHERIFF PERSONNEL NOT OTHERWISE COVERED BY A COLLECTIVE BARGAINING AGREEMENT AND RATIFYING ACTIONS TAKEN TO EXTEND CERTAIN BENEFITS TO CONFIDENTIAL

NONREPRESENTED POSITIONS OF UNDERSHERIFF AND  
ASSISTANT SHERIFF

WHEREAS, the Board of County Commissioners of Washoe County approved a Resolution on April 18, 1995, that adopted for Chief Deputy Sheriff personnel not otherwise covered by a collective bargaining agreement the same longevity pay, compensatory time, uniform allowance and physical maintenance program provisions that were provided to the Washoe County Sheriff's Supervisory Deputies Association based upon the collective bargaining agreement ratified by the Board on March 21, 1995; and

WHEREAS, the Board of County Commissioners has ratified a collective bargaining agreement with the Washoe County Sheriff's Supervisory Deputies Association on January 9, 2001, which provides, among other things, for longevity pay, compensatory time, uniform allowance, a physical maintenance program, and physical abilities testing; and

WHEREAS, the County has already extended the physical maintenance program and physical abilities testing provisions to the confidential Chief Deputy Sheriff personnel (positions with working titles of "Undersheriff" and "Assistant Sheriff.") of Washoe County and has extended the changes in longevity pay, vacation accrual, and sick leave payout to the Chief Deputy Sheriff personnel; and

WHEREAS, the Board of County Commissioners finds it is cumbersome and inefficient to approve changes in such programs for these positions by way of resolution and as the Board has already extended certain programs to these personnel, the Board desires to ratify previous action to extend these programs and to repeal the prior resolution; and

WHEREAS, the Sheriff and Board of County Commissioners of Washoe County desire to provide these similar benefits based upon the current collective bargaining agreement as a guide only and without providing or extending any other provisions of that agreement and without committing to make changes to these benefits based upon future collective bargaining agreements;

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

1. Repeal of April 18, 1995 Resolution. The Board of County Commissioners of Washoe County hereby repeals the Resolution approved April 18, 1995 which Resolution is titled: "Resolution: Adopting Longevity Pay, Compensatory Time, Uniform Allowance, and Physical Maintenance Program Provisions for Chief Deputy Sheriff Personnel Not Otherwise Covered by a Collective Bargaining Agreement".

2. Ratification of Prior Actions Taken. The Board of County Commissioners of Washoe County hereby ratifies its prior action taken January 9, 2001 to

extend certain benefits to confidential Chief Deputy Sheriff personnel (Undersheriff and Assistant Sheriff positions).

3. The Board of County Commissioners of Washoe County directs that future requests to grant certain benefits to confidential Chief Deputy Sheriff personnel be taken by way of Board action upon staff recommendations and not by way of resolution.

4. Effective Date. The effective date for this Resolution shall be from and after the date of adoption.

Business Impact Note: The Board of County Commissioners hereby finds that this resolution does not impose a direct and significant economic burden upon a business, nor does it directly restrict the formation, operation or expansion of a business.

**01-404      RESOLUTION – SETTING PUBLIC HEARING – AMENDMENT  
TO BOUNDARIES – SPECIAL ASSESSMENT DISTRICT 24 –  
GROUNDWATER REMEDIATION DISTRICT**

On motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that the following resolution calling a hearing on the amendment of the boundaries of District No. 24 (Groundwater Remediation) be adopted and Chairman Shaw be authorized to execute:

**RESOLUTION NO. 01-404  
(of Washoe County, Nevada)**

**A RESOLUTION CALLING A HEARING ON THE  
AMENDMENT OF THE BOUNDARIES OF DIS-  
TRICT NO. 24 (GROUNDWATER REMEDIATION)  
IN WASHOE COUNTY, NEVADA; PROVIDING  
FOR A NOTICE OF HEARING, AND PROVIDING  
OTHER MATTERS PROPERLY RELATED  
THERE TO.**

1. **WHEREAS**, the Board of County Commissioners (the "Board") of the County of Washoe (the "County") in the State of Nevada has created a district for the remediation of the quality of water (the "District" or "District No. 24") pursuant to NRS §540A.250 through §540A.285; and

2. **WHEREAS**, subsection 3 of NRS §540A.250 provides that:

"The District created pursuant to this section must include, without limitation:

- a. the area where the condition which requires remediation is determined by the Board to be present, or for which remediation is determined by the Board to be necessary, including any area to which the condition is expected to migrate unless remediation is carried out; and
- b. if the Board determines that the condition which requires remediation affects the quantity or quality of drinking water within the region, the wholesale and retail service area of any provider of water that has used or uses for any portion of its supply wells located in the area described in paragraph (a)"; and

3. **WHEREAS**, pursuant to NRS §540A.250 the Board has had prepared for it a plan for remediation designated the "Central Truckee Meadows Remediation District Final Work Plan February 22, 1996" (the "Plan for Remediation"); and

4. **WHEREAS**, the Plan has been submitted to the Division of Environmental Protection of the State of Nevada (the "Division") and approved by the Division pursuant to Subsection 1 of NRS §540A.260; and

5. **WHEREAS**, the Plan for Remediation indicates that, and based upon such plan the Board has determined that, the condition which requires remediation affects the quality of drinking water within the region; and

6. **WHEREAS**, the boundaries of the District therefore are to include the wholesale and retail water service area of Sierra Pacific Power Company ("Sierra"), which is a provider of water service that has used and uses for a portion of its water supply, wells located in the area in which the condition that requires remediation is present; and

7. **WHEREAS**, the boundaries of the District were originally filed in the office of the County Clerk on September 16, 1997, and as so filed, were made the boundaries of the District (the "Original Boundaries") by Ordinance No. 1000, duly adopted by the Board on November 12, 1997; and

8. **WHEREAS**, the Original Boundaries have been amended; and

9. **WHEREAS**, the Board has determined and hereby determines to propose to further amend the boundaries of the District with respect to the fee collected in 1998, 1999 and 2000 to exclude from the District certain properties, included in the Original Boundaries of the District, which properties did not receive water service involving water provided on a wholesale or retail basis by Sierra during the prior years; and

10. **WHEREAS**, the Board has determined and hereby determines to propose to amend the Original Boundaries of the District with respect to the fee collected in 2001,

to add to and include such Original Boundaries new properties added to the wholesale and retail water service area of Sierra since December 31, 1997; and

11. **WHEREAS**, the Board has determined and hereby determines to propose to amend the Original Boundaries of the District with respect to the fee collected in 2001 to exclude from the District certain properties, which properties did not receive water service involving water provided on a wholesale or retail basis by Sierra during calendar year 2000; and

12. **WHEREAS**, each of the following will be filed with the County Clerk (the "Clerk") prior to the publication of a notice of hearing as hereinafter described

(i) a list of the properties proposed to be so excluded with respect to the fee collected in 1998-2000 as described in the 9th preamble hereto, entitled "Second List of Properties to be Excluded from the 1998-2000 Boundaries of District No. 24" (the "Second Exclusion List"),

(ii) a description of the areas to be so added to the District as described in the 10th preamble hereto, entitled "2001 Description of Areas to be Added to District No. 24" (the "2001 Addition List"), and

(iii) a list of the properties proposed to be so excluded with respect to the fee imposed in 2001 as described in the 11th preamble hereto, entitled "First List of Properties to Be Excluded from the 2001 Boundaries of District No. 24" (the "First 2001 Exclusion List"); and

13. **WHEREAS**, pursuant to NRS §540A.262, the Board is required to hold a hearing before amending the boundaries of the District; and

14. **WHEREAS**, the Board desires to authorize publication of a notice of the hearing in accordance with NRS §540A.262.

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

Section 1. A hearing is hereby called on the proposed amendment to the boundaries of the District. The hearing shall be held not less than 15 days after the notice of hearing described herein is published. The Manager is authorized to schedule the hearing and request that the Clerk publish the Notice described below after materials described in preamble 11 (the "Amendments") are filed in the office of the Clerk.

Section 2. Upon receipt of request from the Manager as provided in Section 1, the Clerk is hereby authorized and directed to publish a notice of hearing not less than 15 days prior to the hearing in a display advertisement which is at least 3" x 5" in size in a newspaper of general circulation in the County. The notice shall state that the descrip-



tion of the boundaries and the amendment to those boundaries is on file at the office of the Clerk for public examination.

Section 3. The Officers of the County are directed to effectuate the provisions of this resolution.

Section 4. All resolutions, or parts thereof, in conflict herewith are hereby repealed to the extent of such inconsistency.

Section 5. The invalidity of any provisions of this resolution shall not affect any remaining provisions hereof.

Section 6. This resolution may be amended in any manner, at any time by the Board. This resolution does not obligate the Board to proceed with the District or issue bonds.

Section 7. The Board has determined, and does hereby declare, that this resolution shall be in effect after its passage in accordance with law.

**01-405      INTERLOCAL AGREEMENT – ADDENDUM NO. 1 – NATIONAL POLLUTANT DISCHARGE ELIMINATION STORM WATER PERMIT IMPLEMENTATION – PUBLIC WORKS**

Upon recommendation of Kimble Corbridge, Engineering, through Dave Roundtree, Public Works Director, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that Addendum No. 1 to the Agreement dated July 24, 1990 between the County of Washoe, the City of Reno, the City of Sparks and Nevada Department of Transportation, concerning extension of the term of the original agreement retroactively from August 1, 2000 for an additional five years (subject to automatic renewal for another five years in the absence of objection thereto made in writing by any party hereto 90 days in advance of renewal date) for the National Pollutant Discharge Elimination Storm Water Permit Implementation, be approved and Chairman Shaw be authorized to execute. It was noted that the County's share for next year's budget will be \$72,000.

**01-406      AGREEMENT – HOT AUGUST NIGHTS, INC. – SPONSORSHIP**

Upon recommendation of Kathy Carter, Community Relations Director, through Katy Singlaub, County Manager, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that the Sponsorship Agreement for 2001 and 2002 between the County of Washoe and Hot August Nights, Inc., (a non-profit organization) be approved and Chairman Shaw be authorized to execute. It was noted that Washoe County will receive \$10,000 each year from Hot August Nights for law enforcement services and use of County park facilities.

**01-407      SIERRA SAGE GOLF COURSE – EXTEND WINTER RATES – PARKS**

Upon recommendation of Karen Mullen, Parks and Recreation Director, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Shaw ordered that the Director of Parks and Recreation be authorized to extend winter golf rates at Sierra Sage Golf Course for a period of time while the turf regrows on the tees and greens, not to exceed June 1, 2001.

**01-408      ACCEPTANCE OF GRANT AND DONATIONS – PARKS DEPARTMENT**

Upon recommendation of Karen Mullen, Parks and Recreation Director, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Shaw ordered that the following grants and donations, totaling \$25,587 received during Fiscal Year 2000/01, be accepted with the Board's gratitude, and the following account transactions be approved:

	REVENUE ACCOUNT	EXPENSE ACCOUNT	AMOUNT
Bartley Ranch Old Huffaker School Donations	90060D-5802	90060D-7878	\$7,879
Wilbur D. May Arboretum Donations	6405-5802	6405-7196	\$7,207
Wilbur D. May Museum Donations	6402-5802	6402-7321	\$5,500
Sierra Sage Golf Course Donations	6803-5802	6803-7195	\$ 302
Sun Valley Neighborhood Center Donations	14232-5802	14232-7266	\$ 900
Before/After School Program Donations	1422-5802	1422-7266	\$ 299
Camps & Special Programs	14235-5802	14235-7266	\$ 500
Nevada Division of Forestry-Urban Forestry Grant	90075G-4301	90075G-7878	\$3,000

The Board also ratified and expressed gratitude for the many other non-cash donations received during the year for the Parks' facilities.

**01-409      ACCEPTANCE OF DONATIONS – LABYRINTH PLAZA AND GARDEN – WILBUR D. MAY ARBORETUM AND BOTANICAL GARDEN – RANCHO SAN RAFAEL – PARKS**

Upon recommendation of Karen Mullen, Parks and Recreation Director, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Shaw ordered that The Labyrinth Plaza and Garden Design at the Wilbur D. May Arboretum and Botanical Garden in Ranch San Rafael Park be approved.

It was also ordered that \$39,000 in donations for construction Phase I of the Labyrinth Plaza Garden be accepted with the Board's gratitude and that the following account transactions be approved:

**Increase Revenue:**

90071D-5802 – Donations      \$39,000

**Increase Expenditures:**

90071D-7878 – Park Improvements \$39,000

It was noted that \$26,050 in donations has been received to date from:

- \$ 8,800 from the E.L. Cord Foundation,
- \$ 5,000 from the Washoe County District Attorney Fraud Check Division,
- \$ 250 from the Northern Nevada Women Lawyer’s Association,
- \$ 2,000 from the Nevada District Attorney’s Association,
- \$10,000 from IGT (International Game Technology);

that Nevada Bell has pledged \$10,000, which will be received shortly; and that an additional \$3,000 in donations is anticipated this fiscal year.

**01-410            CORRECTION OF FACTUAL ERRORS -2000-01 SECURED TAX ROLL**

Upon recommendation of Jean Tacchino, Assistant Chief Deputy Assessor, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that the following Roll Change Requests, correcting factual errors on tax bills already mailed, be approved for the reasons stated thereon and mailed to the affected property owners, a copy of which has been placed on file with the Clerk. It was further ordered that the Order on each roll change directing the Treasurer to correct the error be approved and Chairman Shaw be authorized to execute on behalf of the Commission.

<b>PROPERTY OWNER</b>	<b>PARCEL #</b>	<b>AMOUNT</b>
Honora E. Logan, Tr. 1999 Supp Roll-Imp Only	204-290-14	[-\$25.51]
<b>2000 SECURED ROLL</b>		
Armored Transport, Inc.	006-183-33	[-\$131.10]
G.L. & Kaikalani K. Walsh Sr.	012-382-04	[-\$325.30]
Great Northern Marketing and Management, Inc.	019-052-11	[-\$171.81]
Great Northern Marketing and Management, Inc.	019-052-13	[-\$171.63]
Great Northern Marketing and Management, Inc.	019-110-15	[-\$365.63]
Great Northern Marketing and Management, Inc.	019-110-17	[-\$690.18]
Baldini’s, Inc.	034-031-10	[-\$686.33]
William C. & Barbara C. Thornton	040-660-05	[-\$400.09]
Honora E. Logan, Tr.	204-290-14	[-\$62.10]
Gregory J. & Georgia D. Berry	222-073-06	[-\$402.98]
<b>2001 SECURED ROLL</b>		
Jose P. Gonzalez, et al.	550-294-02	[2001 rate not available]

**01-411            MOVING EXPENSES FOR NEW HIRE – COMMUNITY DEVELOPMENT**

Commissioner Sferrazza asked whether the individual requested payment of moving expenses as a condition of employment and if such payment is necessary to get the person to take the position. Joanne Ray, Human Resources Director, explained the applicant did request moving expenses and was advised that it would have to be approved by the Board since Washoe County does not routinely pay moving expenses. Robert Sellman, Director, Community Development Department, stated the employee was told there was no guarantee the Board would approve the request and the applicant did accept the job under those terms. Ms. Ray added it would be her recommendation that the moving expenses be paid because this was an extremely difficult position to fill.

Commissioner Galloway noted there was a recent incident where the County paid the moving expenses and the employee only stayed a short period of time. He asked if there would be a problem approving payment upon completion of so many months of service. Ms. Ray expressed she believed that would be a problem because this is something that should be done to keep Washoe County competitive and to attract highly qualified people.

Commissioner Sferrazza asked Ms. Ray if she was saying the County is not paying enough for this position to recruit qualified individuals, and asked what the salary is for this position. Ms. Ray responded the salary is \$48,300.

Commissioner Short suggested a policy be established to cover moving expenses. Commissioner Sferrazza pointed out that there is a policy, and this position is not included in that policy. He further stated the County spent a lot of money doing the HayStudy to get salaries where they should be and now people are requesting even more.

Ms. Ray stated the policy regarding moving expenses was established for unclassified management positions with other positions being considered on a case-by-case basis. She reiterated that they had a very difficult time filling this Planner position.

On motion by Commissioner Short, seconded by Commissioner Galloway, which motion duly carried with Commissioner Sferrazza voting “no,” Chairman Shaw ordered that unbudgeted moving expenses, in an amount not to exceed \$3,000 confirmed with receipts, be paid to Eva Krause upon completion of six months of service with Washoe County.

**01-412            AGREEMENT – MOORE IACOFANO GOLTSMAN, INC. (MIG) – SPANISH SPRINGS SEPTIC CONVERSION PROJECT ASSISTANCE – WATER RESOURCES**

Ed Schmidt, Director, Department of Water Resources, stated the planning process for development of alternatives for the Spanish Springs Septic-to-Sewer Conversion project is approximately 50 percent complete and reviewed the work already done

by Moore Iacofano Goltsman, Inc. (MIG) in facilitating the public meetings with the Spanish Springs homeowners, who will ultimately decide which alternative is selected in accordance with the Nevada Department of Environmental Protection (NDEP). He stated the NDEP requirement is to have the conversion plan submitted to them by February 2002, and staff is requesting that MIG continue to work with the County and the public in developing and exploring the alternatives.

Commissioner Galloway discussed doing this in-house. Mr. Schmidt stated the feedback he has received concerning MIG has been positive. He further advised this is a special project, which was not anticipated or included in the budget, and it is taking an incredible amount of staff time to plan, prepare for, and conduct the meetings according to the NDEP directive.

Commissioner Short asked what will occur if they are not able to get a consensus from the homeowners. Mr. Schmidt stated the information the department has put out to the community is that the County will meet the scheduled deadline because failure to do so carries the possibility of a \$25,000 a day fine and a jail sentence. He said they are asking the public to come up with alternatives that meet the NDEP requirements, but staff will be the experts in investigating the costs and feasibility of all the possibilities.

Chairman Shaw noted this is a lot of money. Commissioner Sferrazza stated there would be more money to spend on the project itself if these consultants were not hired. He also stated if the County is going to continue to do these kinds of projects, it would seem better to create a staff to conduct and facilitate these meetings instead of spending hundreds of thousands of dollars hiring consultants. He added he could not support this request.

Commissioner Bond expressed a concern about the community making the decisions on the alternate solutions and asked what will happen if NDEP does not agree with the solution the community chooses. Mr. Schmidt advised that is why he stays in close contact with the State.

Lois Avery, Spanish Springs CAB, stated their CAB has not taken any action on this, therefore, she is speaking as an individual and because Clark Monson asked her to speak for him. She stated they have just received their price increase for the water district, everyone is very concerned about costs, and they are not convinced spending \$98,000 in this manner is a good thing. In response to Commissioner Galloway, Ms. Avery stated the MIG people are meeting facilitators and what is really needed is hiring someone knowledgeable about the alternatives, their feasibility and their costs.

Sam Dehne stated there must be someone in the gigantic Washoe County complex with enough expertise to handle this problem rather than spending \$100,000 of the taxpayers' money to hire outside consultants.

Commissioner Galloway moved that this particular funding request be denied and stated the Board might be open to an alternate, scaled-down proposal after consultation with the Regional Water Planning Commission as to what that body feels is the best plan and whether or not they could assist in the funding. At the request of Commissioner Sferrazza, Commissioner Galloway added to the motion that the area homeowners also be included in determining the most cost-effective process. Commissioner Sferrazza seconded the motion. Upon call for the vote, the motion carried unanimously, and Chairman Shaw ordered that the proposed Spanish Springs Septic Conversion Project Assistance Agreement with Moore Iacofano Goltsman, Inc. (MIG) be denied.

**01-413            COUNTY SUGGESTION PROGRAM – EMPLOYEE AWARDS**

Darin Conforti, Senior Administrative Analyst, reported the County Suggestion Program Committee met on April 3, 2001 and is recommending awards for two suggestions submitted by Washoe County employees. The first is \$25.00, initial award, to Mike Boster, Parks Planner, for his suggestion that motorpool vehicles be replaced with lower emission and higher fuel economy hybrid propulsion vehicles. The second award is \$4,000 to Lynn Granger and Frank Hubbell, Eligibility Certification Specialists with Social Services, for their suggestion to add a manual matching process to the current procedure used for determining eligibility for Medicaid, which resulted in Child Protection Services being able to identify additional federal Medicaid Targeted Case Management funds and eliminated the need to buy \$25,000 in software. He noted that in the first year, the suggestion from Frank and Lynn has generated an additional \$235,000 in Medicaid reimbursements to Washoe County.

Chairman Shaw presented Certificates of Award to Mike, Frank, and Lynn and expressed the Board's appreciation for their service to Washoe County.

**01-414            APPEARANCE – RICHARD GAMMICK, DISTRICT ATTORNEY**

District Attorney Richard Gammick conducted a lengthy presentation providing a detailed overview of the District Attorney's office. He displayed many charts, graphs, maps, etc., on the overhead depicting an organizational chart of the office, photographs of the various facilities, an aerial photograph showing the proximity of the different office locations, and a map of Washoe County showing the locations of all the courts from Gerlach to Incline Village that his deputies have to go to for hearings. Mr. Gammick then presented several charts and graphs showing statistics, with year-by-year comparisons of criminal cases and civil cases, by type of case, and the various other programs such as the Fraud Check Diversion Program, where his staff has collected approximately \$3.5 million in restitution for the victims, and the Family Support Division, which is collecting over \$25 million a year in child support payments. He also reviewed the other divisions of his office and programs administered by his staff such as Investigations, Victim Advocacy Program, Grants, Consolidated Narcotics Unit, Drug Court, Information Technology, etc., and discussed possible impacts of the 2001 legislative session, especially the proposed mental health court.

Mr. Gammick then answered several questions of Board members. Commissioner Sferrazza discussed reports and statistics he received from the District Courts and attempted to correlate the numbers. Mr. Gammick stated he is not aware of what the District Courts are counting, and, until all the computer programs are working properly, he can not say all his numbers are 100 percent accurate, but they are as close as they can get them.

Gary Schmidt, area resident, stated he wanted to remind the Board of two recent incidents involving Madelyn Shipman, Assistant District Attorney, Civil Division, and Mr. Gammick. The first was his case petitioning for access to public records against the Department of Water Resources in which he was the prevailing party and was awarded attorney's fees by the court. He expressed his contention that Ms. Shipman made it difficult for them to serve a County Engineer for the hearing, and that Mr. Gammick has failed to respond to his written inquiry regarding same. The second incident concerned comments made to him by Ms. Shipman in the County Manager's office.

**01-415            PRESENTATION – EARLY CASE RESOLUTION PROGRAM –  
DISTRICT ATTORNEY & PUBLIC DEFENDER**

District Attorney Richard Gammick and Chief Deputy Public Defender Steve Gregory explained the Early Case Resolution (ECR) program, a system whereby criminal cases eligible for the program are identified according to specific criteria with the main goal being the expeditious resolution of criminal matters to save taxpayer money. The exact detail of how these cases are negotiated was explained, and Mr. Gammick noted that there has not been a legal challenge on any of the cases since the program began in 1997. He also stated the types of savings they actually measure are witness fees and the number of jail days; they have saved Washoe County over \$3.8 million in just those two categories; and they do not measure the amount of court time saved, transportation costs, or staff costs for both the District Attorney and Public Defender in trial preparation, etc.

Mr. Gregory stated the goal of the program is to ensure justice for the defendants while saving money for the taxpayers. He stated his job is to make sure due process is observed and defendants are not "railroaded" into doing anything they do not want to do. Mr. Gregory stated he only allows his very experienced Deputies to handle these cases, just as the District Attorney does. They meet with the Deputy District Attorney in the mornings to go over the offers and negotiate on behalf of their clients. Then in the afternoons, he goes up to the jail and talks to the defendants, face-to-face, to go over their offer. The defendants then either accept or reject the offer. In almost all cases, when the offer is accepted and the defendant enters his plea, he receives the "same justice sooner." Mr. Gregory stated he does not know who coined that phrase, but it is certainly applicable to the ECR program. He also pointed out that if he or his staff believe a defendant would be better off going to trial, they so advise the defendant, as their first priority is providing the best defense for their clients.

Commissioner Sferrazza stated the Board recently had a presentation regarding criminal statistics from David Bennett (the consultant who works on managing the jail population) indicating 95 percent of all criminal cases are handled by the Public Defender's office and approximately 80 percent of those are resolved through ECR. Mr. Gammick stated he thinks Mr. Bennett is counting all cases, including misdemeanors, that plead rather than go to trial. He stated their figure of 39 percent of felony and gross misdemeanor cases resolved through ECR has remained constant. Commissioner Sferrazza stated he understands considerable Justice Court time is being saved by not having preliminary hearings and asked if there are any statistics on the number of District Court days saved. Mr. Gammick stated they have not tracked that, but they know there are significant savings in pre-trial and post-trial motions and hearings, trial preparation, jury selection, and actual trial days.

In response to Commissioner Galloway, Mr. Gregory stated once an offer is rejected, they do not go back; no one is "hammered" to take a deal; and there are no threatening tactics used to convince defendants to accept deals. Commissioner Galloway also asked about conflicts between attorneys and defendants and whether defendants can request new counsel. Mr. Gregory explained that he, or one of the other Chief Deputies, will speak with the defendant and attorney about the issue to resolve the problem, noting that while all indigents have a right to appointed counsel, they do not have the right to select that counsel.

Other scenarios and "what-ifs" were brought up and Mr. Gammick and Mr. Gregory explained that the original ECR offer is usually the best deal a defendant is going to get, and defendants are told up front that the ECR offer will only be presented once. If an offer is rejected and a case proceeds to trial, but before the conclusion of the trial the defendant changes his mind and says he wants to accept the ECR offer, the District Attorney will not give him that same deal, or the whole objective of the program would be lost. There may still be a plea agreement at that point in time, but it will not be the same as the original ECR offer. Mr. Gammick noted that the people in jail do have at least a little knowledge about the system and they do talk among themselves about it also.

Board members thanked Mr. Gammick and Mr. Gregory for the information. Commissioner Short stated he believes the ECR is an excellent program.

**01-416            UPDATE ON REGIONAL PROJECTS**

Dave Roundtree, Public Works Director, updated the Board as follows:

1. The Public Safety Training Center: ground was broken last fall; grading for the project is complete; primary utility installations should begin early next month (May); building permits have been issued for the Armory Building, Drill Tower, the Burn Building, and the Administration Building; some of that construction should begin in the very near future; permits are in place for the water storage tank; the interlocal agreement is in final draft form and will be presented to the agencies for approval; and he believes the project is still on schedule for completion in December, 2001.



2. The Regional Dispatch Center and Emergency Operations Center (EOC): the project has been broken into two phases, the first phase being development of the Telecommunications building; bids are currently being solicited for that and for the grading and a bid award is scheduled for the June 12, 2001 meeting; the second phase is construction of the primary building; preparation of the construction documents will be complete next month; and bids will be solicited in July with the construction period scheduled for October, 2001, to July, 2002.

3. The Jan Evans Juvenile Justice Facility: applications were submitted to the City of Reno last week for the Special Use Permit, Master Plan Amendment, and a zone change needed to construct this facility on the proposed site; approval of the applications is expected in early June and the purchase agreement for the property is contingent upon receipt of those approvals; design development should go through mid-August; construction documents will then be prepared; and the project will be put out to bid early in the spring of 2002. Mr. Roundtree stated completion is projected in August 2003.

Paul Urban, Washoe County Flood Control Manager, distributed a written report concerning the status of the Truckee River Flood Management project. Phase I, the community coalition, the public involvement process to get ideas and issues on the table, is complete. Phase II, the Environmental Impact Statement evaluating four different alternatives, is just beginning. Mr. Urban briefly reviewed the EIS process, stated monthly updates will be provided to all interested agencies, and answered questions from Board members.

Jim Lencioni, Telecommunications Supervisor, reviewed the progress of 800 MHz regional radio system stating the County has finally received the needed FCC licensing for the system; and, with that, there is now a final system design. Ericsson has been given notice to proceed with that design and to order equipment. The construction of transmitter sites has been proceeding; most of the core sites have been completed; the Slide Mountain site has been approved by the Forest Service; and they have presented an interlocal agreement to IVGID for the Incline Village site for their approval. He stated they are still hoping to have something going by the end of the year.

Commissioner Galloway and Mr. Lencioni discussed collocation of transmitter towers and the paging system used to notify the volunteer fire personnel.

Commissioner Bond asked how far north and northeast coverage will be provided. Mr. Lencioni stated they have added sites because of other users joining in, one of which is the Pyramid Lake Paiute Tribe; and, because of the Tribe, the County was able to obtain a site at Marble Bluff, which will greatly enhance coverage at Pyramid Lake. He stated they will be leveraging the NDOT sites at Eagle Ridge and McClellan Peak.

Tom Kearns, area resident, stated people have been trying for centuries to regulate rivers and it can not be done. Building by a river makes no sense and he hates to see so much money being allocated to try to tame a river.

**SPONSORSHIP REQUEST – NEVADA HISPANIC SERVICES 9TH ANNUAL ADELANTE AWARDS DINNER**

Commissioner Galloway stated there are many different groups and organizations, most of which have an ethnic orientation; and he asked, if the Board were to relax the guidelines, would all of these groups be able to appear and receive money. He stated this request is for fund raising of a general fund type of nature rather than assisting in a specific event, and he is not sure that it falls within the current guidelines.

Commissioner Sferrazza stated the list provided by Kathy Carter, Community Relations Director, only includes events funded through that department; and it does not include Skyfire or other departments that he knows have purchased tables at various dinners. He stated no matter what department it comes from, all the funds are “County” funds, and it would not be fair to deny this request because of some vague, ambiguous policy.

Ms. Carter stated Community Relations receives many requests for the County to purchase a table at a dinner and the criteria used to determine whether or not to provide support is 1) a County program or employee is being recognized at the event, or 2) the County is an active sponsor of the event. In response to Chairman Shaw, Ms. Carter stated this particular event does not meet that criteria. She also advised that the Adelante Dinner is a supplement to their annual Cinco de Mayo celebration.

Commissioner Galloway stated he agrees that the Board needs to look at the larger picture, but he feels approving this request would set a precedent the Board might not want to set. Commissioner Sferrazza stated if this request is denied, they should all be denied, otherwise it is discrimination. Commissioner Galloway suggested a moratorium on approving these types of funding requests until the Board adopts a policy.

Tom Kearns, area resident, said it is great that the County has an open checkbook, but the County can not discriminate; and this opens Pandora’s box.

Commissioner Bond moved that the request be rejected. Commissioner Galloway seconded the motion, noting the reason was not because of the organization, but because of the Board not having a specific policy for these types of funding requests.

Commissioner Sferrazza stated he could not support the motion and, further, he would have to vote against every other request in the future. He also requested a list of every organization the County has supported, whether approved by the Board or not, and further that every such request come before the Board from now on so he can vote against it.

Commissioner Bond asked Commissioner Sferrazza how he felt about rejecting this request based on a policy being put in place to specifically address contributions to organizations. Commissioner Sferrazza stated he would have no problem approving this request and then having a moratorium until a policy is in place.

Katy Singlaub, County Manager, provided historical information stating that until May, 1999, there was a prohibition on funding any of these types of requests for the very reasons the Board is currently discussing; it is very difficult to determine which organizations or events qualify and which do not.

Commissioner Galloway asked if there was any appetite among the Board members for a moratorium. Chairman Shaw stated he could not support a moratorium. Commissioner Galloway stated he could not change his position on this request.

Maureen Griswold, Deputy District Attorney, advised that NRS 244.1505 states that the Board can provide money to a non-profit organization when it provides a substantial benefit to the inhabitants of the community. Therefore, if the Board wishes to grant this request, the members need to make that substantial benefit finding.

Ms. Carter noted there will be a keynote speaker at this dinner, and they will be honoring three Hispanic leaders from the community.

Chairman Shaw asked if Board members had the option of using some of their District funds. Ms. Singlaub stated it would still have to meet the substantial benefit test because no matter where the funds come from, they are all County funds.

Commissioner Sferrazza pointed out that according to the most recent census, 20 percent of the local population is Hispanic, which is a substantial part of Washoe County's population, therefore, this would benefit a substantial part of the population.

Chairman Shaw called for a vote on the motion to deny the request. Commissioners Shaw, Bond, and Galloway voted "Aye," and Commissioners Sferrazza and Short voted "No." The motion passed 3 to 2.

Commissioner Sferrazza asked if he could provide part of the funding from his District funds since the majority of the Hispanic population resides in his District, and if an item could be placed on the next agenda. He was told it would still have to meet the legal test. Commissioner Sferrazza pointed out that the reason for denying was because of not having a policy, not because they could not make the finding. Katy Singlaub, County Manager, also advised that the next available agenda for another item is after the dinner.

Commissioner Bond stated she would make a motion to reconsider the action to deny the request. Chairman Shaw seconded the motion; and, upon call for the vote, the motion to reconsider passed 4 to 1, with Commissioner Galloway voting "no."

Commissioner Sferrazza moved that he be allowed to appropriate \$1,000 from his District funds to purchase the 10-person table at the Nevada Hispanic Services 9th Annual Adelante Awards Dinner to be held May 4, 2001. Commissioner Bond stated she would second the motion, and she would assist with funding from her District funds. Chairman Shaw stated he would also assist in funding. Commissioner Galloway stated

he could not support the motion. Commissioner Short stated with four members, each could put in \$250 for the \$1,000 table.

Tom Kearns reiterated his comments that the Board is opening Pandora's box; that they can not discriminate; and that there are many, many groups and organizations that could come and ask for money.

Chairman Shaw called for the vote and the motion carried 4 to 1, with Commissioner Galloway voting "no."

**01-418            AMEND LAZY 5 REGIONAL PARK MASTER PLAN – SKATE PARK – PARKS AND RECREATION DEPARTMENT**

Katy Singlaub, County Manager, advised that if the recommendation to include a skate park in the Lazy 5 Regional Park Master Plan is approved, the funding would come from residential construction tax funds.

Will Brown and Lois Avery, Spanish Spring residents and members of the Citizen Advisory Board, stated they are in favor of the skate park, but have serious concerns about children crossing the Pyramid Lake Highway to get there. They urged that some type of safe pedestrian crossing be established in conjunction with completion of the skate park.

Karen Mullen, Parks and Recreation Director, stated staff shares the same concerns. She stated they are currently working with a member of the CAB on the path systems and undercrossings, and looking for and at other alternatives, such as a street light or using the culverts that are going to go under the highway as part of the flood control project.

Tom Kearns, Washoe County resident, expressed a concern about the County's liability.

Upon recommendation of Karen Mullen, Parks and Recreation Director, on motion by Commissioner Short, seconded by Commissioner Bond, which motion duly carried, Chairman Shaw ordered that the Lazy 5 Regional Park Master Plan be amended to include a skate park.

**01-419            BAILEY CREEK NEIGHBORHOOD PARK – MASTER PLAN – PARKS AND RECREATION DEPARTMENT**

Upon recommendation of Karen Mullen, Parks and Recreation Director, on motion by Commissioner Short, seconded by Commissioner Bond, which motion duly carried, Chairman Shaw ordered that the Master Plan for Bailey Creek Neighborhood Park be approved. It was noted that the park is located off Toll Road, is approximately 3 acres in size, and will have group and individual picnic sites, paths, play equipment, parking, lawn area and landscaping.

01-420

**RATIFICATION OF COLLECTIVE BARGAINING  
AGREEMENTS – SUPERVISORY AND NON-SUPERVISORY  
UNITS – WASHOE COUNTY EMPLOYEES ASSOCIATION**

Upon recommendation of Steve Watson, Labor Relations Manager, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Shaw ordered that the amendments to the collective bargaining agreements with the Washoe County Employees Association (WCEA) Supervisory and Non-Supervisory bargaining units (as placed on file with the Clerk) be ratified.

It was noted the term of the agreements is three years, from July 1, 2001 through June 30, 2004, and the following general salary increases (COLA's) were agreed to:

July 2, 2001	-	2% general salary increase
December 31, 2001	-	2% general salary increase
July 1, 2002	-	4% general salary increase
July 7, 2003	-	3.5% general salary increase

01-421

**SALARY AND BENEFIT CHANGES – NON-REPRESENTED  
EMPLOYEES – HUMAN RESOURCES**

Upon recommendation of Joanne Ray, Human Resources Director, on motion by Commissioner Bond, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Shaw ordered that salary and benefit changes for the non-represented employee groups, i.e., Confidential, Unclassified Management, Juvenile Services, Law Library, District Court and Justice Court, be approved as follows:

1. A 2 percent salary increase be granted effective July 2, 2001, with the exception of the Confidential Attorneys, the Chief Investigator—District Attorney's Office, and Undersheriff and Assistant Sheriffs.
2. A 2 percent salary increase be granted effective December 31, 2001, with the exception of the Confidential Attorneys, the Chief Investigator—District Attorney's Office, and Undersheriff and Assistant Sheriffs.
3. The same implementation rules as those applicable for WCEA (see previous item) will be followed for Confidential, Unclassified Management, Juvenile Services and Law Library employees with respect to the salary increases.

01-422

**CONSULTANT SERVICES – REGIONAL WATER  
MANAGEMENT FUND – DESERT SPRINGS/REACH 9 FLOOD  
CONTROL PROJECT – WATER RESOURCES**

Lois Avery, Spanish Springs resident, expressed her concern that the County is spending money on consultants when there are probably 15 engineers in the

Water Resources Department. If the County engineers are not able to develop facility plans, the qualifications for engineers need to be revised.

Commissioner Sferrazza stated he would like staff to respond to Ms. Avery's comments.

Jeanne Ruefer, Water Resource Planning Manager, stated these funds will be from the Regional Water Management Fund; there are engineers on staff who do these facility plans; but for the flood control projects, the Regional Water Planning Commission agreed to provide funds annually to do facility plans for projects listed in the Regional Management Plan. She further stated the staff engineers are quite occupied with developing several other facility plans, and this is a project the City of Sparks would like to see move forward so it can be integrated with other flood control projects.

Commissioner Bond asked if this reflects the plan shown to the Board that indicated the 185 acres being set aside for a detention basin. She stated she thought there was a plan already. Ms. Ruefer stated that one is the Spanish Springs plan which is further north than Desert Springs.

Commissioner Sferrazza asked if this has anything to do with the plan to use a County park as a detention basin. Ms. Singlaub stated that is the one at Wingfield Springs on the other side of the valley.

Commissioner Galloway asked if staff has any estimate of how many engineering hours will be involved in this project and if the consultant's estimate of 1,068 hours is comparable to what in-house engineering would take. Ms. Ruefer stated she would have to get that information. Commissioner Galloway asked if the 1,068 hours is a reasonable number and if the County engineers have the same expertise. Ed Schmidt, Director, Department of Water Resources, suggested continuing the item so staff can get the information needed to respond to these questions.

Yong Song, City of Sparks Flood Control Manager, stated he believes the 1,068 hours is reasonable. He stated this project is a very important element of the Spanish Springs drainage master plan. He displayed a map and described the other various flood control projects, stating the project is to divert the water flows by confining the water and conveying the flow under Pyramid Lake Highway to the dam. He further stated if this project does not happen, the flow from basins 12 and 13 will flow over the Pyramid Highway at LaPosada.

Commissioner Galloway and Mr. Song then discussed whether other proposed flood control projects and the unknown variables might affect this project so that it would have to be changed after all the engineering work is done. Ms. Ruefer stated the project formerly known as the Boneyard Flat project is pretty well laid out, but there could be things identified in the facility planning project that might have an affect on Desert Springs; and that is the purpose of doing a facility planning effort. Commissioner

Galloway confirmed that the Boneyard Flat project is at a stage where this would be workable to do without waste. Ms. Ruefer answered affirmatively.

Upon recommendation of Ed Schmidt, Director, Department of Water Resources, on motion by Commissioner Bond, seconded by Commissioner Galloway, which motion duly carried, it was ordered that an expenditure of \$100,000 from the Regional Water Management Fund, to develop a facility plan for the Desert Springs/Reach 9 Flood Control Project, be approved. It was further ordered that the Interlocal Agreement between the County of Washoe and the City of Sparks to transfer the funds for consultant services for facility development be approved and Chairman Shaw be authorized to execute.

**01-423            AWARD OF BID – SOUTH TRUCKEE MEADOWS  
WASTEWATER TREATMENT FACILITY EXPANSION  
PROJECT – WATER RESOURCES**

This was the time to consider award the bid for construction of the South Truckee Meadows Wastewater Treatment (STMWRF) Facility Expansion Project. Bids were received from:

K.G. Walters Const. Co., Inc.	\$16,799,000.00
Q&D Construction Inc.	\$17,076,700.00
CDM Engineers & Construction, Inc.	\$17,175,000.00
Pacific Mechanical Corporation	\$18,400,000.00
Kiewit Western Co.	\$18,800,000.00
Engineer's Estimate	\$19,400,000.00

Upon recommendation of John Collins, Manager, Utility Services Division, through Ed Schmidt, Director, Department of Water Resources, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, it was ordered that the contract for construction of the South Truckee Meadows Wastewater Treatment (STMWRF) Facility Expansion Project be awarded to K.G. Walters Construction Co., Inc., the lowest responsive, responsible bidder, in the amount of \$16,799,000.00; that Chairman Shaw be authorized to execute the contract documents upon receipt; and that the Utility Services Division Manager be authorized to issue the Notice to Proceed.

Commissioner Short asked whether the sewer was paying for itself now or still relying on the County General Fund. Mr. Schmidt reported that a payment of approximately \$2 million will be made back to the General Fund by the end of June; that they currently have approximately \$6 million in sewer cash reserves; and that, after the June payment, the balance STMWRF owes the General Fund will be approximately \$12 million. Commissioner Sferrazza asked if that was without interest. Jeff Tissier, Water Resources Senior Accountant, stated that is without interest and he provided other financial information. Commissioner Sferrazza requested an analysis of this loan with interest.

**01-424      AGREEMENT – FOXBORO COMPANY - COMPUTER CONTROL SYSTEM – STMWRF EXPANSION PROJECT – WATER RESOURCES**

Upon recommendation of John Collins, Manager, Utility Services Division, through Ed Schmidt, Director, Department of Water Resources, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, it was ordered that the contract between the County of Washoe and Foxboro Company, for the Computer Control System for the South Truckee Meadows Wastewater Treatment Facility Expansion Project, be approved; that Chairman Shaw be authorized to execute the contract documents upon receipt; and that the Utility Services Division Manager be authorized to assign the contract to K.G. Walters Construction Co., Inc., the successful bidder on the STMWRF Expansion Project.

It was noted that the price for the computer control system (\$453,000) was included in the K.G. Walters Construction Co., Inc.'s bid, and no separate payment for this work will be provided. The contract will be assigned to K.G. Walters Construction Co., Inc. and they will be responsible for the scheduling, installation and commissioning of the equipment covered by this contract.

**01-425      AGREEMENT – PARKSON CORPORATION – HEADWORKS SCREENING EQUIPMENT – STMWRF EXPANSION PROJECT – WATER RESOURCES**

Upon recommendation of John Collins, Manager, Utility Services Division, through Ed Schmidt, Director, Department of Water Resources, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, it was ordered that a contract between the County of Washoe and the Parkson Corporation for the Headworks Screening Equipment for the South Truckee Meadows Wastewater Treatment Facility Expansion Project be approved; that Chairman Shaw be authorized to execute; and that the Utility Services Division Manager be authorized to assign the contract to K.G. Walters Construction Co., Inc., the successful bidder on the STMWRF Expansion Project.

It was noted that the price for the headworks screening equipment (\$89,350) was included in the K.G. Walters Construction Co., Inc.'s bid, and no separate payment for this work will be provided. The contract will be assigned to K.G. Walters Construction Co., Inc. and they will be responsible for the scheduling, installation and commissioning of the equipment covered by this contract.

**01-426      HEALTH BENEFITS PROGRAM – FISCAL YEAR 2001/2002 – RISK MANAGEMENT**

Pursuant to discussion at Caucus, Katy Singlaub, County Manager, advised that the next time the insurance administration contract comes up for renewal, it will be advertised. Commissioner Sferrazza thanked Mr. Sibley for providing him the



comparison of State of Nevada versus Washoe County health benefits. He stated he would support the recommendation with the understanding that the next contract will be put out for bid.

Noting this is a \$4 million increase in health insurance, Commissioner Short stated he wanted to emphasize and encourage that staff do everything possible in wellness programs, renegotiating generic prescriptions, etc., to save money.

Upon recommendation of Raymond Sibley, Risk Management, through John Sherman, Finance Director, on motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, Chairman Shaw ordered that the changes to the Washoe County Health Benefits Program, as outlined in Mr. Sibley's agenda memorandum and Exhibits A, B, and C, which were placed on file with the Clerk, be approved and that the Risk Manager be authorized to execute insurance contracts and other service contracts necessary to continue the program as outlined.

**01-427            NOISE ORDINANCES – REGIONAL APPROACH - COMMUNITY DEVELOPMENT**

Bob Webb, Community Development, commented that, if the Board decides to look at developing a noise ordinance, staff would request that direction be given to work with appropriate agencies, such as the Sheriff's Office and District Attorney, to craft the ordinances. Commissioner Bond commented that discussions should also include contractors.

Commissioner Galloway noted that the agenda material contains information concerning County noise restrictions. He advised that Tom Kearns, County resident, provided a sample ordinance from the Town of Atherton, California, which is very good. However, he would want to look at what the Cities of Reno and Sparks currently have and build on what is already in place. He noted the community differences between the Truckee Meadows and the Town of Atherton and stated that, to the extent good ideas are contained in the Town of Atherton ordinance that would be applicable to this community, a broader look could be taken. Commissioner Galloway then requested that a preliminary report with a matrix approach be provided.

Tom Kearns advised he has also been working with the City of Reno on this issue. He said he would like to see immediate amendments to restrict any work on Sunday and implement noise decibel restrictions. Commissioner Galloway stated he agrees that protecting weekends should be looked at.

Chairman Shaw read a statement submitted by Sam Dehne, who had left the meeting, advising he agrees that noise "attacks" upon innocent citizens and air pollution need to be addressed.

Chairman Shaw then commented that operating hours need to be looked at. Commissioner Galloway suggested there be an initial review of what might be im-

plemented in a first phase; the County adopt what Reno and Sparks already have in place for the time being; and that staff present other possible options for a more comprehensive ordinance in the future.

**01-428            LEGISLATIVE UPDATE**

Katy Singlaub, County Manager, advised that at last week's County Commission meeting the Justice Facility Working Committee (JFWC) made a recommendation that addressed legislation, and many people are present to talk about this issue. JFWC Item No. 16 recommended the District Court consider moving a General Jurisdiction judge to the Family Court.

Joan Lambert, Lobbyist, advised the concerns being expressed relate to the possible reconsideration of the position previously taken by the Board to support SB127, which adds an additional judge to the Second Judicial District Court to be elected in 2002 to take office in January, 2003. She reviewed testimony and discussion held before the Senate Finance Committee where SB127 was heard.

Commissioner Sferrazza asked about Washoe County's fiscal requirement if another judgeship is created. Later in the meeting, County Manager Singlaub reviewed the fiscal numbers submitted when the judges first requested the Board's support of this legislation.

Chuck Weller, Chair, JFWC, advised the highest priority identified by the Committee was the construction of office space for the District Attorney. Funding for that construction is insufficient and recommendation No. 16 was made as a possible way to save money that could be used for construction. The recommendation is not to change legislation, remove a Family Court or General Jurisdiction judge, or transfer a General Jurisdiction judge. The recommendation was to consider whether the judge's position or new construction is of higher priority. Mr. Weller then advised that all available statistics indicate the caseload of the District Court is flat and even declining in some situations.

Commissioner Sferrazza noted there were some discrepancies in the per capita caseload numbers provided by the Court Administrator and the Supreme Court for 1999/2000. Mr. Weller advised he noted the same discrepancies and commented that a possible explanation might be that the Supreme Court accounting is based on the fiscal year, and the Court Administrator may have reported on a calendar year basis. Further discussion was held concerning caseload numbers.

Mike Robinson, JFWC, advised that the Committee only looked at what was given to them; that members reached consensus on approximately 90% of the recommendations and findings; and that recommendation No. 16 was unanimous.

Judge Janet Berry, Second Judicial District Court, thanked Mr. Weller and the JFWC for doing an exemplary job to assimilate information. She introduced several members of the Bar Association. She advised that the Washoe County Bar Association

has expressed concern about the potential that the Board would withdraw its support for SB127. Judge Berry then discussed the unique needs in Family Court, advising that judges trained and educated in family matters are essential to address the important matter of family issues in the community with great expertise. There has been an incredible increase in the complexity of General Jurisdiction cases, which increases the time spent and depletes resources; and District Court has been extremely conservative with their request for one additional judge.

Judge Scott Jordan, Second Judicial District Court, Family Division, stated the numbers do not tell the complete story in terms of demands on the system. Cases in the General Jurisdiction Division of the Court are much more complex and there has been an increase in more serious criminal cases. They are being as efficient as possible and have received great support from the General Jurisdiction Division, but the need for an additional judge is there and will be extreme by 2003. Judge Jordan responded to questions of Commissioner Sferrazza concerning caseload, system efficiencies, the request for a Mental Health Court, additional positions, etc. He noted that caseload numbers handled primarily by the Court Masters were removed, which includes domestic violence, child support enforcement and juvenile cases. Commissioner Sferrazza commented this would indicate a 10% increase per year in total cases.

Ron Longtin, Court Administrator, provided information concerning staffing issues, Court Masters, caseload numbers, etc.

Judge Charles McGee, Family Court, advised that the judges are very busy, and the initiatives they implemented have provided the luxury of being able to do things they believe are necessary to stem some of the problems for the community. If they do not get a new judge two years from now, they will be in trouble again with their caseload.

Commissioner Galloway stated he would support proceeding forward with the requested legislation but would ask that information be provided concerning the complexity and the time required to deal with court cases. Mr. Longtin advised that developing a weighted case index is a goal for the current calendar year, which should give a better picture of judge time per case. Commissioner Bond said she would not want to stop the legislative process, noting that Washoe County is growing and another judge will be needed.

Myra Sheehan, President, Nevada Trial Lawyers Association and Chair of the Domestic Committee, advised that the Nevada Trial Lawyers Association has testified before the Legislature in support of SB127. She said Washoe County is in desperate need of a Family Court judge and she hopes the Board will continue to support the legislation.

Bridget Robb Peck, President, Washoe County Bar Association, spoke in support of the additional Family Court judge position and SB127. She expressed concern that converting a General Jurisdiction judge to a Family Court position would negatively

impact the implementation of justice for the criminal courts, civil practitioners, and litigants.

Chairman Shaw advised that letters were received from Attorneys Margaret Springgate Evans and Herb Santos, Jr. requesting the Board's support of SB127.

On motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, Chairman Shaw ordered that the Board continue its support of SB127.

Commissioner Sferrazza noted that his motion was based on the information provided today, primarily that there has actually been a caseload increase each year when all Family Division cases, including those handled by the Court Masters, are taken into consideration.

**01-429            BILL NO. 1293 - ORDINANCE NO. 1117 - AMENDING WCC  
CHAPTER 5 – EMPLOYEE CLASSIFICATION SYSTEM –  
ESTABLISH JOB EVALUATION COMMITTEE**

**5:30 p.m.**        This was the time set for continuance of public hearing on April 10, 2001. [See BCC Item No. 01-361].

Katy Singlaub, County Manager, advised that the ordinance reflects amendments requested at the first reading with regard to the membership of the Job Evaluation Committee.

Chairman Shaw opened the public hearing and called on those wishing to speak. There being no response the public hearing was closed.

On motion by Commissioner Sferrazza, seconded by Commissioner Short, which motion duly carried, Chairman Shaw ordered that the amendments to the Ordinance be approved. Commissioner Sferrazza thanked staff for working to make it possible to add the additional positions to the Job Evaluation Committee.

On motion by Commissioner Sferrazza, seconded by Commissioner Short, which motion duly carried, Chairman Shaw ordered that Ordinance No. 1117, Bill No. 1293, entitled "AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY CHANGING PROVISIONS RELATING TO THE CLASSIFICATION SYSTEM AND ESTABLISHING THE JOB EVALUATION COMMITTEE INCLUDING ITS MEMBERSHIP AND TERMS AND SETTING FORTH THE DUTIES AND RESPONSIBILITIES OF THE COMMITTEE IN ASSISTING IN ADMINISTRATION OF THE CLASSIFICATION SYSTEM AND OTHER MATTERS PROPERLY RELATING THERETO," be approved, adopted, and published in accordance with NRS 244.100.

**01-430      RESIDENTIAL GARBAGE RATE INCREASE – INDEPENDENT SANITATION COMPANY**

**5:30 p.m.** This was the time set in a Notice of Public Hearing, published in the Reno Gazette-Journal on April 13, 2001, concerning the requested residential garbage rate increase for Independent Sanitation Company. Proof was made that due and legal notice had been given.

Katy Singlaub, County Manager, advised that this issue was reviewed at yesterday's caucus. Staff's recommendation is to approve the rate structure using the CPI increase.

Chairman Shaw opened the public hearing and called on those wishing to speak. There being no response, the public hearing was closed.

On motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, Chairman Shaw ordered that the rate structure concerning the residential garbage rate increase for Independent Sanitation Company to be effective May 1, 2001 be approved as follows:

The rate structure represents a 2.2 percent increase over the current rates, and adopts the provisions of the current franchise agreement that fixes rate increases for the term of the franchise agreements to a percentage change in the Consumer Price Index, All Urban Consumers, U.S. City Average-Item: Garbage and Trash Collection (1983=100) ("CPI") as published by the Bureau of Labor Statistics, Washington, D.C. commencing with the index for January, 2000. The rates do not include the \$1.25 per month charge for the curbside recycling program.

<b>Service Level</b>	<b>Current Monthly Rate</b>	<b>Proposed Monthly Rate 5/1/2001</b>
1 Can	\$ 7.74	\$ 7.91
2 Cans	\$10.33	\$10.56
2 Can/1 Cubic Yard	\$12.89	\$13.17
1 Mobile Toter/1 Cubic Yard	\$15.14	\$15.47

**01-431      COMPREHENSIVE PLAN AMENDMENT CASE NO. CPOOSS-002 – APPEAL CASE NO. AX0101-003 – VISTA DORADO PARTNERS – COMMUNITY DEVELOPMENT**

**5:30 p.m.** This was the time set in a Notice of Public Hearing, published in the Reno Gazette-Journal on April 13, 2001 to consider the appeal of Comprehensive Plan Amendment Case No. CPOOSS-002 and Appeal Case No. AX0101-003 (Vista Dorado Partners) filed by the applicant to reverse the Washoe County Planning Commission action to DENY an amendment to the Spanish Springs Area Plan, being a part of the

Washoe County Comprehensive Plan, by re-designating Assessor's parcel numbers 89-151-18 through 27, 32, and 33 from the land use category of General Rural (GR) to Medium Density Suburban (MDS), High Density Rural (HDR) and Open Space (OS). The proposal includes new language in the Spanish Springs Area Plan to restrict development on the Vista Dorado property. The net change in development potential equals a maximum of 594 new residential dwelling units. The parcels considered for the land use change total  $\pm$ 483 acres and are located south of Eagle Canyon Road, approximately 1-1/4 miles west of the Pyramid Lake Highway. The parcels are found within the Spanish Springs Hydrographic Basin, in the S 1/2 and NE 1/4 of Section 33, T21N, R20E, MDM. The parcels considered for the land use change are designated as "Rural" on the Truckee Meadows Regional Plan land use diagram. Therefore, a Regional Plan amendment to "Suburban" and "Rural Reserve" will be necessary. Administrative changes to the area plan are necessary to reflect the changes requested within this application, including new text or policy, a revised Public Services and Facilities Map, and a revised table of land use. Proof was made that due and legal notice had been given.

Sharon Kvas, Community Development, advised that, in considering an appeal of a denial, the Board may only use the record and additional evidence relative to the application. The applicant has requested to reduce the density on the project to 482 units. Staff, with concurrence of the District Attorney's Office, indicated to the applicant that the Board could only look at the application presented to the Planning Commission, which was for 594 dwelling units. The applicant recently presented a letter withdrawing the appeal, which they state is based on staff's representation that the Board may not consider their request to reduce the density to 482 units; and that the reduction in units would be considered a significant change to the application, which would entitle them to submit another Comprehensive Plan Amendment application without waiting one year. Ms. Kvas said staff would request that the Board entertain that the project for 482 units is significantly different, and the applicant would not have to wait one year to submit an application. She noted that the Planning Commission had several issues with the project, including infrastructure and community concurrence, and staff would hope the developer would look at those issues in their new application.

Legal Counsel Griswold advised that on Comprehensive Plan Amendments, in the past, the Board looked at whether what was being proposed was significantly different from what the Planning Commission looked at. Should the Board consider a request for reduction to be significantly different, the only option is to go back to the Planning Commission. If the Board makes a finding that the project is significantly different, the applicant can submit another application at any time.

Bill Thomas, Summit Engineering, representing Vista Dorado Partners, advised they have committed to dropping the density to 482 units and understand that cannot be done tonight. Rather than going through another hearing process, they decided to withdraw the application, and, therefore, there is no appeal. Mr. Thomas responded to questions of the Board and advised that the 594-unit project was an increase over the number of units previously presented to the Board. The plan proposed that one-third of the land be designated as open space, but the number of units did increase. Commis-

sioner Bond stated her recollection is that, because of the opposition to the original project, the Board requested the applicant renegotiate with the community and try to reduce the number of units.

Chairman Shaw opened the public hearing and called on those wishing to speak.

Bob Davis, Nancy Danner, John Bell, and Bea Vandenberg, area residents; Lois Avery, Spanish Springs Citizen Advisory Board; and Dennis McCrohan and Cheryll Glotfelty, area residents, requested that the Board uphold the Planning Commission's denial of the project. Concerns expressed included that the applicant did not work with the community to develop an acceptable project; the designation should remain General Rural and lots be one-acre in size to fit in with the vision of the area; frustration with the continuing 11<sup>th</sup> hour changes to the project; the applicant ignored the previous direction of the Board and pulled a "sneaky" trick in order to submit another application; the applicant is bypassing the public process. Chairman Shaw read a statement from Gale Simon, area resident, expressing opposition to changing the current General Rural zoning on the property.

Robert Sellman, Director, Community Development, stated the questions before the Board are whether the application is withdrawn and whether the proposed subdivision is a significant change over what has already been considered. He suggested the proper procedure would be to let the applicant resubmit their application and go through the Planning Commission process, which will determine whether the project represents a significant change. He noted that a decision cannot be made just based on unit numbers, and a new map would need to be reviewed to determine whether the project is significantly different.

Commissioner Galloway noted that the applicant's withdrawal is conditional, and the Board can determine whether to accept a conditional withdrawal.

Gary Schmidt, Mt. Rose Highway resident, expressed general support for the applicant. He stated that changes are most often made by the applicant in an effort to accommodate persons that have expressed concerns. Mr. Schmidt then requested clarification relative to Development Code criteria contained in 110.820.30 concerning use of the record and any additional evidence the Board may use in considering an appeal from a denial of a Comprehensive Plan amendment request. Legal Counsel Griswold advised that the Board can consider the record made before the Planning Commission as well as what might be presented tonight. The issue is whether the project is substantially different and whether the Planning Commission would have changed their view based on what is now proposed. If so, the proper place would be back before the Planning Commission, but the Board is limited on the denial of a Comprehensive Plan Amendment and cannot send it back to the Planning Commission. They can only agree or disagree. Mr. Schmidt noted the information provided by Ms. Griswold represents an inconsistent position from the District Attorney's Office.

Tom Kearns, County resident, stated he understands the frustration being experienced by the residents. He believes there should be a moratorium on building because of water supply and utility issues, and any new development should connect to the sewer.

Clark Monson, Spanish Springs CAB, asked whether the Board is going to allow the applicant to withdraw. If the Board decides to hear the appeal, he requested that people be allowed to speak again.

Commissioner Sferrazza stated that the Board would have no choice but to accept a withdrawal that is not conditional. If this is a conditional withdrawal, however, the Board can deny the request and go forward with the hearing.

Mr. Thomas advised that the withdrawal is not conditional.

There being no one else wishing to speak, Chairman Shaw closed the public hearing.

On motion by Commissioner Galloway, seconded by Bond, which motion duly carried, with Commissioner Sferrazza voting "no," Chairman Shaw ordered that the withdrawal of Comprehensive Plan Amendment Case No. CPOOSS-002 be acknowledged and the case be considered closed.

Commissioner Sferrazza stated that he voted "no" because he does not support the withdrawal.

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There being no further business to come before the Board, the meeting adjourned at 7:15 p.m.

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JAMES M. SHAW, Chairman  
Washoe County Commission

ATTEST: AMY HARVEY, County Clerk

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*Minutes Prepared By:*  
*Sharon Gotchy and Barbara Trow*  
*Deputy County Clerks*