

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY 5:15 P.M. SEPTEMBER 9, 1997

PRESENT:

Joanne Bond, Vice Chairman and Acting Chairman
Jim Galloway, Commissioner
Mike Mouliot, 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 East Ninth Street, Reno, Nevada, with Vice Chairman Bond presiding as Acting Chairman due to the resignation of Chairman Sims effective September 2, 1997. Following the pledge of allegiance to the flag of our Country, the Clerk called the roll and the Board conducted the following business:

97-896 AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried, Acting Chairman Bond ordered that the agenda for the September 9, 1997, meeting be approved with the following amendments: delete Items 7.D.(1), Software and eight monitors for personal computers--Sheriff; and 7.D.(2), Software and eight monitors for personal computers--Registrar of Voters.

PUBLIC COMMENTS

There was no response to the call for public comments.

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THE BOARD CONVENED AS THE COUNTY LIQUOR BOARD

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97-897 REFUND OF BUSINESS LICENSE FEES - LEONARD BRAZZANOVICH

Upon recommendation of Karen Carmel, Supervisor, Business License and Code Enforcement, on motion by Commissioner Shaw, seconded by Commissioner Mouliot, which motion duly carried, Acting Chairman Bond ordered that the \$75.00 fee that Leonard Brazzanovich paid on August 7, 1997, for a mobile barber business be refunded as the applicant was told by the Nevada State Board of Barbers that he could not do this business without a permanent fixed location.

97-898 REFUND OF LIQUOR LICENSE FEES - EMPIRE STORE (DON LAWSON) AND BULLOCK'S GAS STATION (DILDAR SINGH)

Upon recommendation of Karen Carmel, Supervisor, Business License and Code Enforcement, on motion by Commissioner Shaw, seconded by Commissioner Mouliot, which motion duly carried, Acting Chairman Bond ordered that certain liquor license fees be refunded as follows:

Don Lawson, dba Empire Store - \$450.00
Dildar Singh, dba Bullock's Gas Station - \$325.00

It was noted that in both instances the investigation fee is not being refunded because the background checks had already been completed.

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THE BOARD RECONVENED AS THE WASHOE COUNTY BOARD OF COUNTY COMMISSIONERS

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MINUTES

On motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried, Acting Chairman Bond ordered that the minutes of the regular meeting of August 12, 1997, be approved.

97-899 SEXUAL ASSAULT - MEDICAL CARE - PAYMENT

Pursuant to NRS 217.280 to 217.350, on motion by Commissioner Galloway, seconded by Commissioner Mouliot, which motion duly carried, Acting 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 medical or psychological treatment for 25 sexual assault victims in an amount totaling \$9,413.79 as set forth in a memorandum from Vickie Wedow, Administrative Assistant, District Attorney's Office, dated August 13, 1997, and placed on file with the Clerk.

97-900 ACCEPTANCE OF DONATION - SHADOW MOUNTAIN SHOW AND SHINE - D.A.R.E. PROGRAM - SHERIFF

Upon recommendation of Sheriff Richard Kirkland, on motion by Commissioner Galloway, seconded by Commissioner Mouliot, which motion duly carried, Acting Chairman Bond ordered that a donation in the amount of \$1,182.00 from the Shadow Mountain Show and Shine Event to be used for the D.A.R.E. Program be accepted with the Board's gratitude.

97-901 PURCHASE - MICROWAVE FREQUENCY COUNTER - SHERIFF

Upon recommendation of Richard Kirkland, Sheriff, on motion by Commissioner Galloway, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the purchase of an EIP Microwave Frequency Counter at a cost of \$5,900 for the Sheriff's Office be approved.

97-902 DISINTERMENT OF HUMAN REMAINS - HEALTH

Pursuant to NRS 451.050(2), upon recommendation of David Rice, District Health Officer, on motion by Commissioner Galloway, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the request of Ida D. Brown for the disinterment of human remains of William L. Brown from Our Mother of Sorrows Cemetery, Reno, Nevada, to be reinterred at East Linwood Cemetery in Galesburg, Illinois, be approved.

It was noted that the cause of death was not due to any contagious or loathsome disease and the cost of the disinterment and removal will be borne by the family of the deceased.

97-903 PURCHASE OF COMPRESSED NATURAL GAS (CNG)POWERED PICKUP TRUCKS - PURCHASING/EQUIPMENT SERVICES

John MacIntyre, County Manager, reviewed the recommendation concerning the purchase of CNG (compressed natural gas) powered vehicles. In responseto Commissioner Galloway, Mr. MacIntyre stated that he is quite comfortable with the recommendation but

would add that for any future purchases of this type there be specific notification to and clearance from his office and the Finance office before finalization occurs.

Commissioner Galloway noted that this authority can only be exercised when the price is lower than what would result from the competitive bidding process.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Galloway, seconded by Commissioner Mouliot, which motion duly carried, Acting Chairman Bond ordered that:

1. The purchase of four new 1996 model year compressed natural gas (CNG) powered 1/2 Ton pick-up trucks, offered as closeouts and subject to prior sale, from Hinckley Dodge of Salt Lake City, Utah, on behalf of the Equipment Services Division, be approved in the net amount of \$76,616.00;
2. This purchase be considered exempt from competitive bidding requirements pursuant to NRS 332.146 which allows the exception for auction, closeout, and bankruptcy sales; and
3. The Purchasing and Contracts Administrator be authorized to purchase additional alternatively fueled vehicles identified as closeouts as they may become available and approved for purchase by the Equipment Services Division without prior approval of the Board and to be presented to the Board for review after the fact in order to allow the County to take advantage of closeout opportunities for alternatively fueled vehicles already approved in the capital outlay budget of Equipment Services.

97-904 CONSTRUCTION BID - LARAMIE DRIVE AND CONCHO DRIVE REINFORCED BOX CULVERTS - PUBLIC WORKS

This was the time to consider award of bid, Notice to Bidders for receipt of sealed bids having been published in the Reno Gazette-Journal on August 14 and 21, 1997, for the Laramie Drive and Concho Drive Reinforced Concrete Box Culverts for the Public Works Department. Proof was made that due and legal Notice had been given.

The following bids were received:

Contractor	Bid
Ford Construction	\$178,493.00
Canyon Creek Construction	\$209,729.60
Granite Construction	\$209,799.00
Schauer Excavation	\$218,749.00
Contri Construction	\$233,050.00
TW Construction	\$241,869.75
Mike's Trenching	\$248,694.00

Upon recommendation of David Roundtree, Public Works Director, on motion by Commissioner Galloway, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the bid for the Laramie Drive and Concho Drive reinforced box culverts be awarded to Ford Construction Company, Inc., the lowest responsible, responsive bidder, in the amount of \$178,493, and the Chairman be authorized to execute the contract documents upon presentation.

It was noted that the project will be funded through Public Works accounts FL160101-7880 (Laramie Drive) and FL160102-7880 (Concho Drive); and that the project is eligible for reimbursement from FEMA and Washoe County's contribution will be approximately \$22,300 representing 12.5% of the construction cost.

97-905 CONSTRUCTION BID - SIERRA SAGE GOLF COURSE - PUBLIC WORKS

This was the time to consider award of construction bid, Notice to Contractors for receipt of sealed proposals having been published in the Reno Gazette-Journal on July 11, 17, and 24, 1997 for construction of the Sierra Sage Golf Course new maintenance building for the Public Works Department. Proof was made that due and legal Notice had been given.

The following bids were received:

Contractor	Bid
T. L. Miller Construction	\$536,000.00
Ferrell Construction	\$591,978.00
Christman Construction	\$611,218.00
Orion Construction	\$638,805.00
Callanan-St. John	\$649,928.00
Q & D Construction	\$667,082.00
K.W. Western Construction	\$668,651.00

Upon recommendation of David Roundtree, Public Works Director, on motion by Commissioner Mouliot, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the bid for construction of the Sierra Sage Golf Course new maintenance Building be awarded to T. L. Miller Construction, the lowest responsible, responsive bidder, in the total amount of \$536,000.00, consisting of the Base Bid (\$511,000) plus Additive Alternate No. 1 (\$25,000), and the Chairman be authorized to execute the contract documents upon presentation.

It was noted that the Engineer's estimate for the Base Bid and Alternate No. 1 was \$551,300; and that funds for the construction of the building are available in Account 6807-0126 and are part of the revenue bonds for the renovation of Sierra Sage Golf Course and Washoe Golf Course.

97-906 AWARD OF BID - SITE PREPARATION - MEDIUM SECURITY JAIL EXPANSION - PUBLIC WORKS

This was the time to consider award of construction bid, Notice to Contractors for receipt of sealed proposals having been published in the Reno Gazette-Journal on August 15, 20, and 25, 1997 and the Daily Sparks Tribune on August 15, 1997 for the site preparation for the medium security jail expansion for the Public Works Department.

Proof was made that due and legal Notice had been given.

The following bids were received:

Contractor	Base Bid Only
A & K Earth Movers	\$308,000.00
Granite Construction	\$346,346.00
Ledcor Industries	\$437,138.00
Q & D Construction	\$529,548.00

Upon recommendation of David Roundtree, Public Works Director, on motion by Commissioner Shaw, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the base bid only for site preparation for the medium security jail expansion be awarded to A&K Earth Movers, the lowest responsible, responsive bidder, in the amount of \$308,000, and the Chairman be authorized to execute the contract documents upon presentation.

It was noted that the jail expansion project is being funded by the public safety bond issue approved by the voters in November 1996.

Pursuant to questions at Caucus, County Manager John MacIntyre outlined the proposed tasks, membership and size of a committee staff is seeking to establish to study and evaluate the juvenile justice system in the Truckee Meadows.

Commissioner Shaw stated that consideration should be given to having a high school senior or college student on the committee.

District Court Judge Charles McGee agreed that having a youth representative on the committee would be a good idea. The Judge then elaborated on the tasks of the committee, such as developing work programs, treatment programs, etc.; and stated that Wittenberg is "an accident waiting to happen;" that the voters turned down a new juvenile detention facility at the last election and probably still would if asked again; and that the County can no longer wait for State assistance, but must take action to generate solutions to the growing problems in the juvenile justice system.

Following further discussion on motion by Commissioner Galloway, seconded by Commissioner Mouliot, which motion duly carried, Acting Chairman Bond ordered that formation of a Blue Ribbon Committee to study, evaluate and recommend changes in the juvenile justice system be approved and that staff be directed to begin the recruitment process for committee members.

97-908 ACCEPTANCE OF COMMUNITY CORRECTIONS PARTNERSHIP BLOCK GRANT AND ADDITIONAL PROBATION OFFICER POSITIONS - JUVENILE SERVICES

Rob Calderone, Director of Juvenile Services, reviewed background information concerning a State grant designed to provide additional supervision for juvenile offenders in order to reduce the number of commitments to the Nevada Youth Training Center. He stated that their goal is to reduce Washoe County's commitment rate by 15 percent with the hiring of three additional Probation Officers to provide intensive supervision for the high-risk, high-needs youth; and answered additional questions of the Board.

Upon recommendation of Brian Mirch, Senior Administrative Analyst, on motion by Commissioner Mouliot, seconded by Commissioner Galloway, which motion duly carried, Acting Chairman Bond ordered that the Community Corrections Partnership Block Grant, in the amount of \$121,342, from the State of Nevada Division of Child and Family Services be accepted; that three new probation officer positions be approved for a two-year period only from September 1, 1997 to September 1, 1999; and that the Comptroller be directed to make the following account changes:

Increase Revenue		Amount	Increase Expenditures		Amount
01-1284G-4301	Federal Cont.	\$121,342.00	01-1284G-7001	Base Salaries	\$ 87,934.00
			-7042	Group Ins	6,819.00
			-7043	Group Ins. Dep.	1,250.00
			-7046	Work Comp	587.00
			-7047	Unemp Ins	182.00
			-7048	Retirement	24,570.00
	Total	\$121,342.00		Total	\$121,342.00

It was noted that, if the State does not continue the grant, this will be revisited at the end of the 2-year program and that the new employees will be informed that these are grant funded positions and may only be for two years.

97-909 REQUEST FOR REFUND OF TAXES - AIRTOUCH CELLULAR - DENIAL

Pursuant to District Attorney Opinion No. 6333, on motion by Commissioner Shaw, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the request by AirTouch Cellular for refund of taxes on personal property, I.D. Numbers 2/473-005, 2/473-006, 2/473-007, 2/473-014, 2/473-015, 2/473-016, and 2/473-017 for Fiscal Years 1992-1993 and 1993-1994 in the amount of \$7,717 be denied for the reasons stated in the District Attorney's Decision placed on file with the Clerk.

Upon recommendation of James Barnes, Deputy District Attorney, as stated in D.A. Opinion No. 6353, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the following Resolution be adopted and Acting 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, Grace Community Church of Reno (Taxpayer) made application for the refund of 1996-1997 real property taxes because Taxpayer applied too late in 1996 to receive an exemption for the Taxpayer's property, APN 039-740-03; and

WHEREAS, Grace Community Church of Reno has overpaid taxes for fiscal year 1996-1997 in the amount of \$17,510.85; 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 Grace Community Church of Reno a total of \$17,510.85, that amount being the taxes overpaid by Grace Community Church of Reno for the tax year 1996-1997 on APN 039-740-03.
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.

97-911 RESOLUTION - REFUND OF TAXES - RANBETH CORPORATION - FY 95/96 & 96/97 - I.D. NO. 2/905-105

Upon recommendation of James Barnes, Deputy District Attorney, as stated in D.A. Opinion No. 6354, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the following Resolution be adopted and Acting 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, Ranbeth Corporation (Taxpayer) made application for the refund of 1995-1996 and 1996-1997 personal property taxes on Taxpayer's property I.D. #2/905-105, because Taxpayer reported irrigation equipment which was exempted from taxation by an amendment made in 1995 to NRS 361.068 (1); and

WHEREAS, Ranbeth Corporation has overpaid taxes for fiscal years 1995-1996 and 1996-1997 in the amount of \$508.40; 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 Ranbeth Corporation a total of \$508.40, that amount being the taxes overpaid by Ranbeth Corporation for the tax years 1995-1996 and 1996-1997 on I.D. #2/905-105.
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.

97-912 CORRECTION OF FACTUAL ERRORS - 1996/97 AND 1997/98 TAX ROLLS - ASSESSOR

Upon recommendation of Thomas Sokol and Jean Tacchino, Assessor's Office, on motion by Commissioner Shaw, seconded by Commissioner Galloway, 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 indicated thereon and mailed to the property owners, a copy of which is placed on file with the Clerk. It was further ordered that the Orders directing the Treasurer to correct the errors be approved and Acting Chairman Bond be authorized to execute on behalf of the Commission.

1996/97 Unsecured Roll

Rockwood Incorporated I.D. #2/465-095

1997/98 Unsecured Roll

Douglas G. Underdown I.D. #32/14-213

1997/98 Secured Roll

First Reno LTD Partnership APN No. 02116004

John E. & Carole S. Myers I.D. #034-172-10

RCR No. 84 Joan R. Mack, Tr., et al. Parcel No. 007-296-20

RCR No. 85 Shahe & Ani Balikian Parcel No. 020-021-08

RCR No. 86 Dan C. Heinz, et al. Parcel No. 077-470-21

RCR No. 87 Clark & Lori Brummet Parcel No. 078-124-05

RCR No. 88 Catherine V. Schuley, Tr. Parcel No. 086-303-18

RCR No. 89 Gene T. & Alison P. Pretti Parcel No. 126-271-10

RCR No. 90 Duffield Investment Group, Inc. Parcel No. 131-080-26

RCR No. 91 Duffield Investment Group, Inc. Parcel No. 131-080-32

RCR No. 92 John E. Raskulinecz, et al. Parcel No. 009-452-05

RCR No. 93 DBB Holdings Parcel No. 010-421-11

RCR No. 94 Michael N. Galli Family Trust Parcel No. 011-012-11

RCR No. 95 Clearacre Partners Parcel No. 013-041-34

RCR No. 96 Chuyen V. & Lien L. Vu Parcel No. 051-203-10

RCR No. 97 Joe M. & Grace Pinedo Parcel No. 071-251-06

RCR No. 98 Paul T. & Vicki A. Shuey Parcel No. 078-291-03

RCR No. 99 Douglas F. & Patricia A. Brunner Parcel No. 084-080-11

RCR No. 100 Louis H. & Judith E. Rorden, Tr. Parcel No. 125-531-07

RCR No. 101 Elbert O. Thompson, Sr., et al. Parcel No. 508-105-08

97-913 APPOINTMENTS - WASHOE COUNTY SCHOOL DISTRICT - OVERSIGHT COMMITTEE FOR SCHOOL FACILITIES

On motion by Commissioner Shaw, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that Commissioners Bond and Galloway be appointed to serve on the Washoe County School District's Oversight Panel for School Facilities.

97-914 CHILD PROTECTIVE SERVICES - REVISED MISSION STATEMENT - SOCIAL SERVICES

May Shelton, Director, Social Services Department, stated that there is a continuing effort to implement the recommendations made by the National Child Welfare Leadership Center for improving the Child Protective Services (CPS) system in Washoe County.

Mike Capello, Director, Children's Services Division, stated that staff, especially CPS employees, came together and worked with a consultant/facilitator provided by the Nevada Division of Child and Family Services; that they started by looking at how things have been done in the past and what has happened in child protection services over the last 10 to 15 years; that they spent a lot of time talking about their values and the results of incident driven responses; and that staff then redefined goals and came up with this new mission statement.

On motion by Commissioner Shaw, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the report regarding the Department's revised mission statement be accepted.

97-915 STATUS REPORT - DEVELOPMENT/IMPLEMENTATION OF EXPANDED ASSESSMENT PROCESS, FAMILY SUPPORT SERVICES, AND OUT STATIONING CHILD PROTECTIVE SERVICES STAFF - SOCIAL SERVICES

May Shelton, Director, Social Services Department, and Mike Capello, Director, Children's Services Division, presented a detailed status report on the development and implementation of an Expanded Assessment Process, Family Support Services and Out stationing of Child Protective Services staff, which were developed in response to the recommendations of the Child Welfare Leadership Center, the Washoe County Child Protection Technical Working Group, and the Washoe County Child Protection Citizen Task Force. Mr. Capello summarized the major points of the report, a copy of which was placed on file with the Clerk, and stated that these functions have been developed with input from staff at all levels and in conjunction with the State and Clark County; and that implementation is scheduled to be piloted in October, refined in November, and the goal is full implementation by January, 1998.

On motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Acting Chairman Bond ordered that the status report be accepted.

97-916 ADDITIONAL CHILD PROTECTIVE SERVICES COORDINATOR POSITION AND CLERK TYPIST II POSITION - SOCIAL SERVICES

May Shelton, Director, Social Services Department, stated that they are requesting an additional Child Protective Services Coordinator position and a Clerk Typist II position to be outstationed at the Greenbrae Shopping Center in Sparks; and that there are sufficient funds in the Department's budget. She reviewed the costs of adding these personnel but stated that the numbers do not include ancillary costs such as office furniture and equipment, computers, etc. Ms. Shelton also stated that during the month of August they had 313 investigations and 211 of those were children under the age of 6; that those are much higher numbers than estimated; and that they are hoping the numbers will go back down when school starts.

In response to Commissioner Shaw, Lisa Gianoli, Finance Division, stated that there are funds available in the Social Services Department budget that can go toward the ancillary costs.

Upon recommendation of May Shelton, Director, Social Services Department, on motion by Commissioner Shaw, seconded by Commissioner Mouliot, which motion duly carried, Acting Chairman Bond ordered that the addition of a Child Protective Services (CPS) Coordinator and one Clerk Typist II to provide administrative oversight and clerical support to the Child Protective Services staff outstationed in the proposed space at the Greenbrae Shopping Center be approved.

97-917 CONTRACT - CHILD ABUSE AND NEGLECT PREVENTION TASK FORCE, INC. (CAN PREVENT) - HUMAN SERVICES

John Sherman, Management Analyst, reviewed background information and answered questions of the Board concerning a potential contract regarding community-based child abuse prevention efforts.

Upon recommendation of Mr. Sherman and Mike McMahon, Human Services Coordinator, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, it was ordered that staff be authorized to negotiate a contract with the Child Abuse and Neglect Prevention Task Force, Inc. (CAN Prevent) based upon the draft contract outline, which was placed on file with the

Clerk, and that the Chairman be authorized to execute the contract when presented.

97-918 CHILD ABUSE PREVENTION EDUCATION AND TRAINING

John Sherman, Management Analyst, reviewed background information concerning the continuing efforts toward implementing the recommendations of the National Child Welfare Leadership Center and the task forces that evaluated the child protection system in Washoe County.

Upon recommendation of Mr. Sherman and Mary Henderson, Public Affairs Director, on motion by Commissioner Galloway, seconded by Commissioner Mouliot, which motion duly carried, Acting Chairman Bond ordered that the Public Affairs Director be directed to correspond, on behalf of the Board, with the officials at the University of Nevada, Reno, and State Professional and Certifying/Licensing Boards regarding recommendations from the Washoe County Child Protection Citizen Task Force concerning increasing the training requirements as well as requiring continuing education in child abuse/neglect prevention as outlined in the agenda memorandum dated August 28, 1997, placed on file with the Clerk.

97-919 DISCUSSION AND UPDATE - WATER RESOURCE ISSUES

Leonard Crowe, Water Resources Planning Manager, briefed the Board regarding the four major issues that staff have been concentrating on since the January flood, which are channel cleaning, USGS publication of flood statistics, a flood warning system, and the Army Corps of Engineers' long term project for Truckee Meadows flood control. He stated that funding and approvals are finally in place to begin the channel cleaning project and that work will begin soon; that there is a discrepancy between the USGS and the Corps of Engineers as to whether the January event was a flood of record or something less and local experts are working closely with the USGS and the Corps to make that determination; that there has been a lot of concern expressed that the warning system needs to be improved since many gauges and telemetering equipment were lost upriver and have not yet been replaced; and that the Army Corps of Engineers is in the process of making a determination regarding activation of the Truckee Meadows Flood Control Plan. Mr. Crowe advised that there have also been private groups coming together, such as those in the industrial area of Sparks, to work on solutions to these problems and to put pressure on the Congressional delegations to obtain needed funding; and that the Truckee River Water Management Council is an excellent opportunity for a public/private partnership involving local, state and federal governments along with private citizens. Mr. Crowe then answered numerous technical questions of the Board.

Chris Nelson of Trammel Crow stated that since the January flood a group of individuals who own property in the Sparks industrial area have been coming together to see what they could do to be better prepared or to prevent such an occurrence in the future; that they have been looking at both short-term and long-term solutions; that the losses sustained this year were devastating; and that he feels the Army Corps of Engineers' project and an early warning system will allow people time to prepare so that property, as well as jobs, can be saved.

97-920 BILL NO. 1164 - ORDINANCE NO. 989 - AMENDING WCC CHAPTER 80 - RECREATING THE DEPARTMENT OF PUBLIC WORKS

7:00 p.m. This was the time set in a Notice of Public Hearing, published in the Reno Gazette-Journal on August 29, 1997, to consider the second reading and adoption of Bill No. 1164. Proof was made that due and legal notice had been given.

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

On motion by Commissioner Shaw, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that Ordinance No. 989, Bill No. 1164, entitled "AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY RECREATING THE DEPARTMENT OF PUBLIC WORKS; AND OTHER MATTERS RELATING PROPERLY THERETO" be approved, adopted, and published in accordance with NRS 244.100.

97-921 BILL NO. 1165 - ORDINANCE NO. 990 - AMENDING WCC CHAPTER 65 - SCHEDULE OF PENALTIES FOR DELINQUENT PAYMENT FROM TELEPHONE COMPANIES AND SUPPLIERS

7:00 p.m. This was the time set in a Notice of Public Hearing, published in the Reno Gazette-Journal on August 29, 1997, to consider the second reading and adoption of Bill No. 1165. Proof was made that due and legal notice had been given.

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

On motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried, it was ordered that Ordinance No. 990, Bill No. 1165, entitled "AN ORDINANCE AMENDING CHAPTER 65 OF THE WASHOE COUNTY CODE PROVIDING FOR THE ESTABLISHMENT OF A SCHEDULE OF PENALTIES FOR DELINQUENT PAYMENT OF AMOUNTS DUE FROM TELEPHONE COMPANIES AND SUPPLIERS; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO" be approved, adopted, and published in accordance with NRS 244.100.

97-922 SOUTHWEST TRUCKEE MEADOWS NEIGHBORHOOD TRAFFIC AND SAFETY CONCERNS #2 - FOOTHILL ROAD- MT. ROSE HIGHWAY

7:00 p.m. This was the time set in a Public Hearing Notice, published in the Reno Gazette-Journal on August 29, 1997, for the Board to consider a report from the Citizen Committee on Southwest Truckee Meadows Neighborhood Traffic and Safety Concerns (#2) and to take action on several recommendations contained in the report. Bob Webb, Department of Community Development, presented the report detailing the committee's findings and recommendations in the neighborhoods between Foothill Road and the Mt. Rose Highway, noting that this is a different committee than the group that worked on the Edmonds/Broili traffic problems. Mr. Webb briefly reviewed the report and stated that staff endorses the report and recommendations.

Acting Chairman Bond opened the public hearing by calling on those wishing to speak.

John Davies, committee member, stated that he believes most of their problems will be solved when the Zolezzi Lane/I-580 interchange is in place.

Commissioners Galloway and Shaw asked additional questions concerning striping and speed humps.

Elaine Steiner, committee member representing the South Hills Improvement Association, stated that the residents living on Broken Hill Road are against striping their street, cited the details of three accidents, and stated that striping would not have prevented any of those accidents.

Randy Jackson, committee member and President of Thomas Creek Estates Homeowner's Association, stated that the speed humps on Thomas Creek Road have been very effective in slowing the traffic down and eliminating some of the cutthrough traffic and that he supports the installation of a speed hump on Broili.

Ellen Steiner, representing the Citizen Advisory Board, stated that another issue that has been raised but is not part of this report is a traffic signal at Thomas Creek and Mt. Rose.

Kathy Kollar, committee member and Fieldcreek resident, encouraged the Board to consider striping Fieldcreek in an effort to reduce speeding.

Pam Reese, member of both traffic committees, clarified that the committee is recommending funding a traffic signal at Mt. Rose/Thomas Creek; that they went with the majority opinions expressed in the surveys returned by the residents; and that the striping on Fieldcreek was a very close vote.

There being no one else wishing to speak, the hearing was closed.

In response to Commissioner Galloway, Mr. Webb explained that NDOT will not fund a signal at Mt. Rose/Thomas Creek; and Commissioner Mouliot advised that the cost of a signal is approximately \$125,000.

Following further discussion, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Acting

Chairman Bond ordered that the report of the Citizen Committee on SWTM Neighborhood Traffic and Safety Concerns (#2) be accepted; that staff be directed to implement the recommendations contained therein except 6.3--striping on Broken Hill and 8--funding a traffic signal at the Thomas Creek/Mt. Rose intersection; and that staff be directed to draft a policy for subsequent Board approval regarding when Engineering can be delegated the authority to decide action on unwarranted speed humps and unwarranted stop signs.

97-923 ABANDONMENT CASE NO. AB6-8-97 - DENNIS M. HART (APN: 130-241-19)

7:00 p.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on August 29, 1997, and mailed to affected property owners by certified mail on August 27, 1997, for the Board to consider the recommendation of the Washoe County Planning Commission to deny Abandonment Case No. AB6-8-97 for Dennis M. Hart to abandon the westerly terminus of Vivian Lane, a 110-foot portion of the 125-foot roadway, between parcels 18 and 19. Vivian Lane subdivision is located south of Lakeshore between Debra Lane and Pine Cone Circle, designated High Density Suburban (HDS) in the Tahoe Area Plan, and situated in a portion of Section 23, T16N, R18E, MDM, Washoe County, Nevada. Proof was made that due and legal Notice had been given.

Sharon Kvas, Department of Community Development, displayed a site map on the overhead projector, provided background information, and answered questions of the Board.

Acting Chairman Bond opened the public hearing by calling on anyone wishing to speak. There being no response, the public hearing was closed.

On motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the recommendation of the Washoe County Planning Commission to deny Abandonment Case No. AB6-8-97 be upheld.

97-924 ABANDONMENT CASE NO. AB6-9-97 - SOUTHWEST POINTE ASSOCIATES FOR ARROWCREEK - (APN: 152-020-08, -09 & -10)

7:00 p.m. This was the time set in a Notice of Public Hearing mailed by certified mail to affected property owners on August 27, 1997, and published in the Reno Gazette-Journal on August 29, 1997, to consider the recommendation of the Washoe County Planning Commission to conditionally approve Abandonment Case No. AB6-9-97 for Southwest Pointe Associates/ArrowCreek to abandon and realign portions of a 60- to 120-foot roadway (ArrowCreek Parkway) within the ArrowCreek Subdivision and Golf Course project. The project site is located north of the Mount Rose Highway (SR431) and west of Thomas Creek Road. The subdivision property is designated Low Density Suburban (LDS), Low Density Rural (LDR), Medium Density Rural (MDR), High Density Rural (HDR), and General Rural (GR) in the Southwest Truckee Meadows Area Plan and is situated in portions of Sections 14, 23, 24 and 26, T18N, R19E, MDB&M, Washoe County, Nevada. Proof was made that due and legal Notice had been given.

Sharon Kvas, Department of Community Development, provided background information and answered questions of the Board.

Acting Chairman Bond opened the public hearing by calling on anyone wishing to speak regarding this abandonment.

Ellen Steiner, Southwest Truckee Meadows Citizen Advisory Board, reported that the CAB voted in favor of this abandonment.

There being no one else wishing to speak, the hearing was closed.

It being the consensus of the Board that NRS 278.840 is being complied with and that the abandonment and realignment of the roadway described in the aforesaid Notice appears to be in the best interest of the public and that no person would be materially injured thereby, on motion by Commissioner Galloway, seconded by Commissioner Mouliot, which motion duly carried, Acting Chairman Bond ordered that Abandonment Case No. AB6-9-97 be approved subject to the following conditions:

1. Prior to the recordation of the Order of Abandonment, the applicant shall submit to the County Engineer for review and approval, legal descriptions, prepared by a registered professional, for the area of abandonment and the replacement easements.

2. Retention of all public utility easements or relocation of all public utility easements to the satisfaction of and at no expense to Washoe County or the existing public utilities which originally accepted and approved said easements as well as any other public utilities now in existence which currently utilize said easements. Said relocations shall be evidenced by the recordation of properly executed documents reflecting the grant of the new easements to said public utilities and the relinquishment by said public utilities of their former easements.

3. The applicant shall comply with all conditions necessary to effect the Order of Abandonment within two years from the date of the action by the Board of County Commissioners or this conditional abandonment will be null and void.

97-925 APPEAL - SPECIAL USE PERMIT CASE NO. SPW6-28-97 - PENNEY'S TAP/SIERRA PACIFIC POWER COMPANY - FRIENDS OF RANCHO SAN RAFAEL PARK

7:00 p.m. This was the time set in a notice mailed August 28, 1997, to affected property owners and other interested parties for the Board to consider the appeal of Peggy Lear Bowen, representing Friends of Rancho San Rafael Park, and the following individuals as homeowners/taxpayers/ratepayers: Peter J. Sferrazza, William C. Thornton, Lorraine B. Burke, Michael C. Robinson, and Dennis Ghiglieri, from the Washoe County Planning Commission's conditional approval of a request by Sierra Pacific Power Company to construct a 120 KV above ground power line from the North Valley Road Substation to Penney's Tap north of the Keystone water tank. The line will follow existing easements and will replace an existing 60 KV line. Approximately 0.5 miles of the 3-mile line is located in Washoe County outside of the Reno city limits.

Ron Kilgore, Department of Community Development, displayed a large map on the overhead projector, provided background information and reviewed the letter of appeal, noting that the undergrounding requirements in Article 604 of the Development Code cited by the appellants apply to subdivisions and that at the present time there is no County requirement that the line be undergrounded.

In response to Board questions, Ben Veach of Summit Engineering representing the applicant, stated that the new poles will be approximately 7 to 10 feet higher than the current poles; that they will be removing poles; and that there will be two less poles in Washoe County adjacent to Rancho San Rafael.

Acting Chairman Bond opened the public hearing by calling on those wishing to speak concerning this matter.

Appellant Peggy Lear Bowen, President, Friends of Rancho San Rafael Park, quoted from Article 604 of the Development Code, Section 110.604.30, which requires undergrounding of utilities and stated that they do not believe it only pertains to subdivisions. She presented photographs to the Board showing where a gas pipeline is buried in this same corridor; stated that the pipeline was exhumed approximately 5 years ago and a larger pipeline buried; and that that is proof that the power line can also be buried. Ms. Bowen discussed at length the adverse impacts caused by this power line being devaluation of property, unsightly visual impacts, concerns regarding electromagnetic fields, and danger to the pilots participating in the Great Reno Balloon Races as well as the safety factor for the many other special events held at Rancho San Rafael.

She emphasized the importance of cleaning up the sight line in the region's biggest and best park. She also expressed her contention that this is a new project stating that the existing poles will be removed and a new line will be put in and because of that this is a new subdivision and utilities should be undergrounded. Ms. Bowen also contended that utility lines have been undergrounded in the southwest/Mt. Rose area because of political considerations and stated that the same should be done for the northern part of the county.

She further stated that they have been told it will cost \$6-million to bury this line; that amortizing that amount over 20 years would mean it will only cost the ratepayers pennies per month; that it is the Sierra Pacific Power Company customers who will pay for this; and that the power company should use the ratepayers' money to make the community better.

Mike Robinson, Sunnyside Drive resident, noted a discrepancy between the information in the staff reports and what was said earlier concerning the height of the new poles that needs to be resolved. He stated that Rancho San Rafael is a wonderful park in which the public has over \$20-million invested and that this is the perfect opportunity for the County to clean up the northern

end of the park.

Dennis Ghiglieri, northwest Reno resident, stated that Rancho San Rafael is the focal point for many community events and the opportunity to have this power line buried will not happen again.

Pete Sferrazza, area resident, reiterated the appellant's position that this is a new line and an addition to existing line, not simply an upgrade, and should therefore be buried in accordance with the Development Code; that there will be significant visual impacts on bordering neighborhoods; and that the cost of undergrounding is being used as justification for overhead lines when similar lines in other areas have been undergrounded. He stated that he would urge the Board to require that this line be buried and since the power company is going to be removing the poles, the County should encourage them to underground the other lines as well to completely eliminate the existing blight near the park.

Roy Herrick, University Ridge resident, demonstrated on the overhead map the number and location of homes, existing, planned and under construction, in the area that will be heavily impacted by this power line; and stated that this line will be visible in the US395 corridor all the way to the airport with poles being as much as 30 feet higher than existing poles.

John Gwaultney, 798 Tarn Way, representing 112 homes in the Washoe Vista Homeowner's Association, stated that they will be equally, or even more seriously, impacted by this power line; that he believes the cost of the project is being blatantly misrepresented; that the profits of Sierra Pacific are at stake; and that the Commission cannot be expected to make a proper decision without true and correct facts and figures. He also presented photographs to the Board showing that this powerline does intrude on the ridgeline.

Lorraine Burke stated that what is needed is a corridor study; that the regional plan specifically calls for a study to determine what infrastructure is necessary; and that she attended the North Valleys Citizen Advisory Board meeting where this was discussed and the decision by that board was that this should not be approved because it is inconsistent with the North Valleys Area Plan.

Frank Gross, University Place resident, stated that all sewer lines, water lines, and gas lines are underground and yet here in 1997 they are still talking about above ground power lines; that this is the "line in the sand;" that if the County draws the line, the power company will be forced to do alternatives; and if the County allows this line to go above ground, it will set a precedent for the future.

Bill Albright, Chairman of Rancho San Rafael Park Advisory Board, stated that much of the northern boundary of the park is the visible skyline from Reno and anything that stands up on that ridge would jut up above that. He also stated that he does not believe the Board has the correct information on the cost and without it they cannot make a good decision.

In response to questions from Commissioner Galloway as to whether or not the citizens were willing to pay the costs of undergrounding, Mr. Herrick stated that the citizens will pay one way or the other, either through higher rates if the line is buried or through decreased property values if it is not. Commissioner Mouliot stated that if the line is buried, there will soon be homes covering the hill and that he would rather see a power line than 500 more homes.

Gary Smires, Sparks resident, stated that a policy should be implemented requiring the power company to bury all of their lines.

Ben Veach of Summit Engineering representing the applicant, Sierra Pacific Power Company, explained that the purpose and need for this increased capacity is to transmit badly needed power to Stead because of the growth in that area; reviewed the other alternatives that were considered stating that using the existing corridor provides real advantages; and stated that undergrounding was eliminated partly because of cost but also because the terrain is too rugged, there are questionable soils around University Ridge, and there are identified wetlands in the area where George's Den used to be located which would require significant mitigation. Mr. Veach then refuted some of the statements made by the opponents and answered numerous questions of the Board concerning mitigation of the wetlands and complying with the Army Corps of Engineers requirements, and the costs of burying the line, agreeing that amortizing \$6-million over 20 years for 200,000 ratepayers would mean an increase in power bills of approximately 25-cents per month. Mr. Veach further stated that their concern would be whether this would set a precedent

requiring them to bury every otherline they put in. He also presented photographs to the Board depicting the rough and rocky terrain and stated that even if required to bury this line, they would not bury the existing lines as they are not replacing lines, but are adding to existing lines.

In response to Commissioner Shaw, Mr. Kilgore stated that it is staff's position that this is an upgrade as opposed to a new line.

Commissioner Mouliot explained his concerns being that he owns property at 910 Parr Boulevard; that his property is not affected by the power line, but it is affected by what will happen on adjoining property if this power line is undergrounded; and that he knows that the other property owner has very grandiose plans to build many, many homes if the power line is buried, which he does not want to see.

In rebuttal, Ms. Bowen brought up safety issues; stated that there would be no more required of Sierra Pacific in wetlands mitigation than was required 5 years ago when they buried the bigger gas line; and pointed out that there are three phases to this project and she believes it is within the Board's purview to determine if this is an upgrade or a new project. She reiterated many of her previous comments and stressed that anywhere that gas line is buried, this power line can also be buried. She also stated that the support the applicants have from the Balloon Races is from the Balloon Race committee, not from the pilots and the people who are really affected by power lines.

Mr. Sferrazza restated the issues of cost and residents in the northern areas being treated equally with South Truckee Meadows residents.

Tom Gallagher, Summit Engineering, emphasized that there is a power line there now and when this project is complete there will be a power line there and that no one will be able to tell the difference.

Ms. Burke discussed the need for a corridor study again.

Acting Chairman Bond closed the public hearing.

A lengthy discussion ensued among the Board members. Commissioner Galloway expressed that he believes the lines should be undergrounded around Rancho San Rafael Park. Legal Counsel Madelyn Shipman stated that she has heard nothing that changes her opinion that this special use permit process is only applicable to this one line because of the construction involved and advised that if the Board does require that all or part of this line be undergrounded, they should be aware that the other lines will still be overhead.

Commissioner Shaw moved that the appeal be upheld based on the testimony presented stating that he does believe this is a new line and he is very concerned about visual impacts and safety issues; and that he would encourage Sierra Pacific to consider placing the Washoe County portions of the line underground. The motion died for lack of a second.

Commissioner Galloway moved that the project be allowed to proceed with an additional condition to satisfy the basis of the appeal and Finding No. 4, which is that in the two western-most affected areas of the County, the line be undergrounded. The motion was seconded by Commissioner Mouliot. Legal Counsel Shipman requested that the motion be more geographically specific. Mr. Kilgore stated that he has a map by parcel number which could be used. Commissioner Galloway stated that he wants to include all of the portions of the power line that are west of North Virginia Street and are in the County. Commissioner Mouliot agreed. Upon call for the vote, the motion carried 3 to 1 with Commissioner Shaw voting "no," and Acting Chairman Bond ordered that Special Use Permit Case No. SPW6-28-97 be granted subject to the following amended conditions:

UNLESS OTHERWISE SPECIFIED, ALL CONDITIONS MUST BE MET OR FINANCIAL ASSURANCES MUST BE PROVIDED TO SATISFY THE CONDITIONS PRIOR TO SUBMITTAL FOR A BUILDING PERMIT. THE AGENCY RESPONSIBLE FOR DETERMINING COMPLIANCE WITH A SPECIFIC CONDITION SHALL DETERMINE WHETHER THE CONDITION MUST BE FULLY COMPLETED OR WHETHER THE APPLICANT SHALL BE OFFERED THE OPTION OF PROVIDING FINANCIAL ASSURANCES. ALL AGREEMENTS, EASEMENTS, OR OTHER DOCUMENTATION REQUIRED BY THESE CONDITIONS SHALL HAVE A COPY FILED WITH THE COUNTY ENGINEER AND THE DEPARTMENT OF COMMUNITY DEVELOPMENT.

COMPLIANCE WITH THE CONDITIONS OF THIS SPECIAL USE PERMIT IS THE RESPONSIBILITY OF THE APPLICANT, HIS SUCCESSOR IN INTEREST, AND

ALL OWNERS, ASSIGNEES, AND OCCUPANTS OF THE PROPERTY AND THEIR SUCCESSORS IN INTEREST.

FAILURE TO COMPLY WITH ANY CONDITIONS IMPOSED IN THE ISSUANCE OF THE SPECIAL USE PERMIT MAY RESULT IN THE INSTITUTION OF REVOCATION PROCEDURES.

WASHOE COUNTY RESERVES THE RIGHT TO REVIEW AND REVISE THE CONDITIONS OF THIS APPROVAL SHOULD THEY DETERMINE THAT A SUBSEQUENT LICENSE OR PERMIT ISSUED BY WASHOE COUNTY VIOLATES THE INTENT OF THIS APPROVAL.

GENERAL CONDITIONS

1. The applicant shall demonstrate substantial conformance to the plans approved as part of this special use permit. The Department of Community Development shall be responsible for determining compliance with this condition.
2. A copy of the Final Order stating conditional approval of this special use permit shall be attached to all applications for administrative permits issued by Washoe County.
3. The sections of the power line that are in Washoe County west of North Virginia Street shall be placed underground.

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There being no further business to come before the Board, the meeting adjourned at 10:15 p.m.

JOANNE BOND, Acting Chairman
Washoe County Commission

ATTEST: JUDI BAILEY, County Clerk