

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

2:00 P.M.

NOVEMBER 27, 2001

PRESENT:

Jim Shaw, Chairman
Pete Sferrazza, Vice Chairman
Joanne Bond, Commissioner
Jim Galloway, Commissioner

Nancy Parent, Chief Deputy County Clerk
Howard Reynolds, Assistant County Manager
Madelyn Shipman, Assistant District Attorney

ABSENT:

Ted Short, Commissioner

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:

01-1212 AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Bond, seconded by Commissioner Galloway, which motion duly carried, Chairman Shaw ordered that the agenda for the November 27, 2001, meeting be approved.

2:12 p.m. Commissioner Sferrazza arrived.

PUBLIC COMMENTS

Russ Price, Heppner Subdivision resident, requested that the Chairman read a letter submitted by his neighbor, Jim York, concerning the fees they were required to pay to appeal a land use decision affecting their neighborhood. Chairman Shaw read Mr. York's letter into the record. The letter concerned the difference between the fees posted on the County's website and the fees they were actually required to pay after staff told them the fees had changed. Mr. Price stated the \$691 appeal fee is very high and not the amount advertised on the website, and they are requesting a refund.

Chairman Shaw stated the Board cannot take any action on the request at this time, but he will have staff check into the matter and bring an item to the Board for action.

Sam Dehne, local resident, stated the agendas provided at the back of the Chambers do not include the addendum adding the bowling stadium item and expressed that he does not believe that item should be addressed. Madelyn Shipman, Assistant District Attorney, advised that the addendum was posted properly and timely.

MANAGER'S/COMMISSIONERS' COMMENTS

Commissioner Bond requested a future workshop be scheduled to discuss allowing commercial uses in residential areas.

Commissioners Sferrazza and Galloway requested that the issues raised by Mr. Price be scheduled on a future agenda for the Board to address. Commissioner Bond stated she has already requested an explanation from staff and a future agenda item.

01-1213 **APPEARANCE - KELLY MARSCHALL - RENO AREA**
ALLIANCE FOR THE HOMELESS - UPDATE ON HOMELESS
SHELTER SITE

Kelly Marschall, Social Entrepreneurs, Inc., speaking on behalf of the Reno Area Alliance for the Homeless (RAAH), updated the Board on the current status of services for and needs of the homeless persons in Washoe County. She stated they have been meeting for about a year to develop a community-based continuum of services for men, women and children. Ms. Marschall stated having a permanent site for a shelter is a critical need, and she reviewed the pros and cons of three potential sites they have evaluated. She stated RAAH has agreed to move forward with the new, larger Sage Street site, although they are concerned about traffic, safety, and the proximity to the railroad tracks and the transfer station. They are hopeful those issues can be addressed in design and construction of the facility.

Commissioner Galloway asked why RAAH is not in favor of the Galletti Way site. Ms. Marschall stated the Reno-Sparks Indian Colony is adamantly opposed to the Galletti site, and the site is so small they would not be able to serve women and children.

Chairman Shaw noted an article in the newspaper today concerning another possible site and stated the individual behind the proposal wishes to address the Board.

Marty Giudici, owner of American Redi-Mix, stated they have been aware of the Sage Street site for a long time, but it appeared the site was not going to be selected. He said safety at this site is a major issue because of all the large concrete trucks going in and out all day, so he is proposing a land swap with the City of Reno whereby he would move his operation to the north side of the railroad tracks and the shelter could be built on his 3-acre site south of the tracks focused towards Kietzke Lane. He explained why that would be safer for everyone and stated the other impacted businesses in the area are starting to come to agreement on this site.

Gay Canepa, Reno-Sparks Corridor Business Association, stated a men's shelter, a women's shelter, and a family shelter are needed before this community goes through another winter. She said her group is also very concerned about safety; that Mr. Giudici's company has almost one truck per minute going through there; and his proposal would solve that problem. Ms. Canepa advised that if ReTrac does come to pass, it will start at Sutro Street; and Sage Street will then become a staging area for the equipment and construction material, which raises other safety concerns regarding the Sage Street site. She also listed several other advantages for the Giudici site.

Mary Ann Ryan, Washoe County Adult Services, stated many of her clients are mentally ill homeless persons and this proposed site is in the corridor those individuals travel and live-in. She stated that homeless shelters have been discussed in this community for years and she would like to see the talking stop and action taken now.

Bob Rusk, concerned citizen, urged the Board to support the concept of the Sage Street area.

Leann McElroy, City of Reno, advised the Reno City Council does have an action item on their agenda for this date concerning selection of a site for the homeless shelter.

01-1214 UNBUDGETED CAPITAL OUTLAY - REPLACEMENT USED TRUCK CHASSIS - RED ROCK VOLUNTEER FIRE DEPARTMENT

Upon recommendation of Roy Slate, Division Chief, Reno Fire Department, on motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, Chairman Shaw ordered that the purchase of a used truck chassis for the Red Rock Volunteer Fire Department and the unbudgeted capital outlay in the County General Fund, Fire Suppression Budget, in the amount of \$14,000, be approved.

01-1215 ACCEPTANCE OF GRANT - DEPARTMENT OF EDUCATION COMMUNITY TECHNOLOGY CENTERS - LIBRARY

Upon recommendation of Nancy Cummings, Library Director, on motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, Chairman Shaw ordered that the Community Technology Centers Grant in the amount of \$150,865 from the Department of Education be accepted. It was noted the grant is a collaboration between the Washoe County Library and the Northern Nevada Literacy Council, working in conjunction with the Northern Nevada Literate Community to create community technology centers to assist in basic education, computer training and career development. It was further ordered that the addition of computer equipment, in the amount of \$24,500, to the County Technology Refresh Program, be approved.

01-1216 AWARD OF BID - COLD SPRINGS PARK SEWER IMPROVEMENTS - PUBLIC WORKS

Upon recommendation of Anthony McMillen, Licensed Engineer, through Rodney Savini, Capital Projects Division Manager, on motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, it was ordered that the bid for the Cold Springs Park Sewer Improvements project be awarded to the low, responsive, responsible bidder, Byars Construction, in the amount of \$55,290.00, and that Chairman Shaw be authorized to execute the contract documents upon presentation.

It was noted that the project will provide sewer service to the Cold Springs Park; that the scope of work includes approximately 1,400 linear feet of 8-inch diameter sanitary sewer with appurtenances; and that three contractors responded to an informal bid solicitation.

01-1217 WATER RIGHTS DEED - NORTH VALLEY HOLDINGS, LLC

Upon recommendation of John Collins, Manager, Utility Services Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, it was ordered that the following actions be taken regarding Reynen & Bardis Development, LLC, or Cimarron West, LLC, or Cimarron East, LLC, in support of future development:

1. The Water Rights Deed for 3.80 acre-feet of surface water rights from Truckee River Claim 588 between North Valley Holdings, LLC, as Grantor, and Washoe County, as Grantee, be approved and Chairman Shaw be authorized to execute;
2. The Utility Services Division Manager be directed to record the Water Rights Deed with the County Recorder.

01-1218 WATER RIGHTS DEED - TRUCKEE CANYON PROPERTIES, LTD.

Upon recommendation of John Collins, Manager, Utility Services Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, it was ordered that the following actions be taken regarding a proposed parcel map and future industrial development:

1. The Water Rights Deed between Truckee Canyon Properties, Ltd., as Grantor, and Washoe County, as Grantee, for 200.0 acre-feet of ground water rights from Supplemental Permit 61891 and 200.0 acre-feet of ground water rights from Supplemental Permit 61892, for a total combined duty of 200.0 acre-feet annually, be approved and Chairman Shaw be authorized to execute;

2. The Utility Services Division Manager be directed to record the Water Rights Deed with the County Recorder.

01-1219 WATER RIGHTS DEED AND WATER SALE AGREEMENT - TRUCKEE MEADOWS WATER AUTHORITY

Upon recommendation of John Collins, Manager, Utility Services Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, it was ordered that the following actions be taken regarding Roseview Estates, Unit 2:

1. The Water Rights Deed between Truckee Meadows Water Authority (TMWA), as Grantor, and Washoe County, as Grantee, for 0.45 acre-feet from a portion of Claim 221, further changed by Application 64221, 0.29 acre-feet from a portion of Claim 221, further changed by Application 65763, 3.78 acre-feet from a portion of Claim 352, further changed by Application 68142, and 0.63 acre-feet from a portion of Claim 561, further changed by Application 65763 be approved. The total amount conveyed is 5.15 acre-feet of surface water rights.
2. The corresponding Water Sale Agreement between TMWA and Washoe County be approved.
3. Chairman Shaw be authorized to execute the Water Rights Deed and the Water Sale Agreement.
4. The Utility Services Division Manager be directed to record the Water Rights Deed and Water Sale Agreement with the County Recorder.

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 Commissioner Galloway temporarily left the meeting.
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01-1220 RESOLUTION - INTENT TO TRANSFER WASHOE COUNTY'S INTEREST IN THE NATIONAL BOWLING STADIUM PROPERTY TO THE CITY OF RENO

Madelyn Shipman, Assistant District Attorney, explained the item before the Board is possible adoption of a resolution declaring the County's intent to transfer its interest in the National Bowling Stadium to the City of Reno and setting a public hearing for the Board to receive objections to the transfer.

Commissioner Sferrazza expressed his understanding that if the transfer is approved, the City of Reno will sell bonds to defease the County from debt, but asked what would happen if the Reno bonds became subject to a vote of the citizens. John Sherman, Finance Director, explained the agreement to transfer has a clause in it that

states the County bonds now outstanding on the National Bowling Stadium must be defeased prior to the transfer of the property. He further stated if that does not happen, the property will not transfer.

Sam Dehne, Reno citizen, voiced his opposition to the proposed transfer stating it will result in a massive taxing of the Reno citizens.

Commissioner Sferrazza stated the Washoe County taxpayers will be relieved of any burden because 100 percent of the costs will come from room taxes and other fees paid by the casinos and hotels that benefit from the bowling stadium.

On motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Shaw be authorized to execute on behalf of Washoe County:

RESOLUTION

A RESOLUTION DECLARING THE COUNTY'S INTENT TO TRANSFER ITS INTEREST IN THE NATIONAL BOWLING STADIUM PROPERTY TO THE CITY OF RENO UPON CERTAIN TERMS INCLUDING THE DEFEASANCE OF THE COUNTY BOWLING STADIUM BONDS AND FIXING A DATE FOR A PUBLIC MEETING AT WHICH OBJECTIONS MAY BE MADE AND OTHER MATTERS PROPERLY RELATED THERETO

WHEREAS, Washoe County owns certain property in Washoe County known as The National Bowling Stadium ("NBS") located at 300 North Center Street including certain buildings and improvements and which property is more specifically described on the attached Exhibit A, (hereinafter referred to as "County Parcel");

WHEREAS, The County Parcel has been and is currently used by the Reno-Sparks Convention and Visitors Authority ("RSCVA") as a bowling facility benefiting the region's tourism industry and the region's economy;

WHEREAS, The City of Reno ("Reno"), the City of Reno Redevelopment Agency (the "Agency") and the RSCVA desire to engage in a transaction whereby Reno will sell bonds to pay off existing debt at the NBS and fund the rehabilitation of the NBS to be part of a new downtown events center, the Agency will manage the rehabilitation and the RSCVA will have the responsibility of operating the new events center;

WHEREAS, The transaction described in the preceding paragraph also involves defeasing the county bonds used for the NBS and the transfer of the NBS real property from the Washoe County to Reno;

WHEREAS, The rehabilitated NBS will benefit the region's tourism industry and the region's economy and will be used for public purpose;

WHEREAS, The County Parcel was not obtained through donation, dedication, or acquired in accordance with Chapter 37 of the NRS; and

WHEREAS, NRS 277.053 provides that one public entity may convey real property to another public entity without charge if the property is to be used for a public purpose; now, therefore, be it

RESOLVED, By the Washoe County Board of Commissioners as follows:

1. Based on representations of Reno, the Agency and RSCVA, the Board of County Commissioners (the "Board") of Washoe County hereby finds that NBS will continue to be used for a public purpose after its transfer to Reno and that such a transfer would be in the best interest of Washoe County. The Board therefore declares its intent to convey the County Parcel to Reno for no charge at or after the time of defeasance or satisfaction of the county bonds and other county obligations incurred for the NBS.

2. The County Parcel to be conveyed is described on Exhibit A, attached hereto.

3. The regular meeting of the Board on December 11, 2001 is hereby fixed as the date and time of a public meeting of the Board at which objections to the proposed conveyance may be made by the electors of Washoe County. NRS 277.050.

4. County officials are hereby directed to arrange for the publication of notice of the adoption of this resolution to be published in a newspaper of general circulation published in the Washoe County not less than twice, on successive days, the last publication to be not less than 7 days before the date of the public meeting set above. NRS 277.050.

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The Board convened as the County Liquor Board, with Commissioners Galloway and Short and Sheriff Balaam absent.
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01-1221 IMPORTER OF INTOXICATING LIQUOR LICENSE - ANTONIO AND LESLIE CAGGIANO, DBA LA COLLINA, INC.

Bob Webb, Department of Community Development, responded to questions from the Board.

On motion by Commissioner Sferrazza, seconded by Chairman Shaw, it was ordered that the application by Antonio Caggiano and Leslie Curry-Caggiano, dba La Collina, Inc., for an Importer of Intoxicating Liquors business license be approved and that the application be signed by the Board.

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The Board reconvened as the Board of County Commissioners.
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01-1222 APPOINTMENT - ORGANIZATIONAL EFFECTIVENESS COMMITTEE (OEC)

Commissioner Bond asked whether there would be any potential conflicts if individuals on the Organizational Effectiveness Committee became candidates for public office. Madelyn Shipman, Assistant District Attorney, stated there would not.

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Commissioner Galloway returned to the meeting.
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On motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, Chairman Shaw ordered that Mike Robinson be appointed to the Organizational Effectiveness Committee (OEC) with the term to expire December 31, 2004. It was noted that Mr. Robinson was sponsored by Commissioner Sferrazza.

01-1223 PUBLICATION AND RESOLUTION - NOTICE OF INTENT TO AUGMENT THE 2001-2002 BUDGET - FINANCE

Upon recommendation of Ron Steele, Finance Department, on motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, it was ordered that the publication of a Notice of Intent to Augment the Budget be acknowledged. It was further ordered that the following resolution be adopted and Chairman Shaw be authorized to execute on behalf of Washoe County:

RESOLUTION

Resolution to Augment the 2001-2002 Budget of Washoe County's General Fund (001)

WHEREAS, The 2001 Nevada Legislature in Chapter 247 of NRS authorized the County Recorder to collect an additional fee for Technology Improvements to the County Recorder's Office.

WHEREAS, the revenues of the Washoe County General Fund were budgeted to be \$214,107,820 for the year ended June 30, 2002.

WHEREAS, said additional resources are as follows:

County Recorder Technology Improvement Fees	<u>\$270,000</u>
TOTAL	<u>\$270,000</u>

WHEREAS, said additional expenditures are estimated as follows:

County Recorder Professional Services	\$150,000
County Recorder Data Processing expenditures	<u>\$120,000</u>
TOTAL	\$270,000

WHEREAS, there is a need to apply these excess proceeds in the General Fund.

Now, therefore it is hereby **RESOLVED** that the General Fund shall augment its 2001-2002 budget by appropriating \$270,000 for use in the General Fund, thereby increasing its appropriations from \$222,272,950 to \$222,542,950. A detailed schedule was placed on file with the Clerk and by reference is made a part hereof.

It is further **RESOLVED** that the County Clerk is hereby directed to distribute copies of the Resolution and detailed schedules to the Department of Taxation, State of Nevada, the Comptroller and the Budget Division.

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It was also ordered that the General Fund be augmented as follows:

<u>Increase Revenues</u>		
001-1116D-5131	Recorder Technology Fees	\$270,000
<u>Increase Expenditures</u>		
001-1116D-7103	Professional Services	\$150,000
001-1116D-7820	Data Processing Hardware	<u>\$120,000</u>
		\$270,000

**01-1224 AGREEMENT - ARMY CORPS OF ENGINEERS -
LAWTON/VERDI INTERCEPTOR - UTILITY SERVICES
DIVISION - DEPARTMENT OF WATER RESOURCES**

Commissioner Galloway asked if this agreement is only for the initial work and whether those who use the interceptor extension would be the people who pay for the portion not covered by government grants or subsidies.

Steve Bradhurst, Director, Department of Water Resources, advised that staff has received a new agreement from the Army Corps of Engineers regarding the Lawton/Verdi Interceptor project with new financing requirements. Jerry McKnight, Accounting Manager, Water Resources, distributed a handout outlining the financing issues. He stated the grant offered by the federal government is for \$1,982,000; there is a requirement for a 25 percent local match, which would be \$495,000; and staff is recommending the match be funded through an interfund loan similar to a line of credit whereby the department would draw down the funds only as needed. Mr. McKnight stated doing it that way would reduce the costs that will eventually be passed on to the

developers and users, and it would give the County the opportunity to recover some of the costs already invested in this project. He stated the County has approximately \$90,000 invested and 75 percent of that would go back into the project immediately once the costs are reviewed by the Corps. He noted that in 1988, when approving the Riverdale Subdivision, the Commission imposed a fee on the lots as they were developed, and the County has collected approximately \$23,000 from that. Mr. McKnight stated those funds would also be used for the required match, in addition to the connection fee that will be paid when they actually tie into the line.

Commissioner Galloway asked if that is how the County would recover the costs rather than establishing a special assessment district. Mr. McKnight stated that is what staff is suggesting. Commissioner Galloway asked whether the loan would be interest free or if all the taxpayers would have to bear the cost of the loan. Mr. McKnight responded they are suggesting it be an interest free loan and the Washoe County Finance Director has indicated the funds are available for the loan.

Noting that the agreement is for design and partial construction, Commissioner Galloway asked for a definition of "partial construction." Mr. McKnight stated they currently anticipate proceeding with the facilities plan and the environmental assessment for the entire project, which would be approximately 6.3 miles of line taking the interceptor from Mogul to the state line; and that, as well as acquisition of rights-of-way, will probably use up most of the \$2-million. Any remaining funds would be used for initial construction.

Commissioner Galloway stated his other concern is the size of the line as he does not want to facilitate the intensification of land use beyond that projected by Washoe County based on the currently approved land use designations. Mr. McKnight stated that the size of the line would be calculated as part of the facilities plan and would be based on projected growth according to the current land use plan. He also stated this project has been studied and evaluated by many consultants for many years going back to 1976. Mr. Bradhurst advised that the proposed line is 30 inches; that it has been 30 inches since 1976 as far as the interceptor goes; and that it would drop down to a smaller line after Boomtown. He also stated the facility plan will examine all options in terms of sewerage that area; and, once that is done, the Corps will prepare the environmental assessment on the facility plan.

Mr. Bradhurst stated the reason for the grant is to get existing septic systems offline to protect the water quality in the Truckee River, and staff is proposing a financing mechanism. He directed the Board's attention to the agenda memorandum noting there are 5 recommended actions, and stated he is requesting the Board approve 1, 4 and 5 at this time.

Commissioner Bond noted this project has been on-going for many years and asked if there is a timeline, if the County is going to go forward on it, and if the City of Reno might become a partner.

Mr. Bradhurst advised that he has had recent discussions with Reno Public Works staff who have indicated they would like to work cooperatively with the County on this project. He stated the Corps indicated they could do the facilities plan and environmental assessment in four months; and, as this has been studied so much, a lot of the information is already available. Mr. Bradhurst further advised the funds were authorized by federal legislation in 1999; this is the 2001 appropriation; and there is another \$8-million earmarked for the State of Nevada, of which Washoe County could receive a portion.

Commissioner Sferrazza stated if this enables the City of Reno to go forward with their proposed Verdi annexations, he would not support it. Mr. Bradhurst stated he does not believe there is a connection.

Commissioner Bond stated she does not want any perception that this is being done because of an annexation issue. She emphasized this has nothing to do with that issue, and the facility planning is vital unless the Board wants to deal with another sewer problem in the future similar to the current situation in Spanish Springs.

John Nelson, Department of Water Resources Engineer, stated the scope of work in the current agreement is to go from where the interceptor is now out to the state line; the agreement is not looking at any annexations; and the agreement was actually drawn up before the annexations came to light.

Commissioner Sferrazza stated the annexations were contingent on sewer being provided, and he is assuming the City of Reno has an alternate method of providing the sewer if the County does not go forward. Mr. Nelson stated the City has represented that they would pay out of their funds and would go after these grant funds if the County does not.

Commissioner Galloway stated it should be clear in the agreement that what the County is building is only from Boomtown onward, and the County is not funding anything that starts before Garson Road.

Mr. Bradhurst stated with or without the City of Reno, it would be his recommendation that the County keep moving forward and continue going after additional grant funds.

Commissioner Bond noted the difficulty the County and the City have in reaching agreement and urged everyone to work together and move quickly on this. She stressed the importance of the City and County cooperating because of the congressional delegation working to secure grant funds for this project. Mr. Bradhurst stated he does feel good about the discussions he has had with Reno staff so far.

Don Heacock, Civil Engineer with Meridian Company, disclosed his company has done work for American Environmental Resources Inc., and stated the correct name for the project should be the Lawton/Verdi Wastewater Project, not the

Lawton/Verdi Interceptor. He stated there has not been a proper analysis of other alternatives. Commissioner Galloway asked Mr. Heacock if he had specific alternatives in mind that should be studied. Mr. Heacock stated the regional plan needs to be looked at; there is an existing utility out there; there are individual systems for some of the homes closest to the river; and the waste could be trucked for \$20-million. He stated there are many things that need to be examined, and both the price tag and the environmental concerns have to be considered.

Michael DeMartini, President of American Environmental Resources, operator of Verdi Meadows Utility Company, Inc., stated that a 30-inch line would be large enough to carry 6mgd at Mogul, which would be enough capacity for 8,000 homes; and that is far more homes than the current County land use plan calls for. He further stated Verdi Meadows is a regional facility, with 80 acres of property set aside for the purposes of wastewater treatment; the Nevada Division of Environmental Protection has confirmed that there is no limit to the service boundary of the treatment facility; and the Public Utilities Commission denied Washoe County's protest of the annexation of Verdi Meadows Utility Company. He also stated that, as an engineer, he has studied the proposed line, and he explained why he believes it will be very difficult to construct. Mr. DeMartini stated his solution would be to expand Verdi Meadows Utility to 1mgd, which would be sufficient to sewer the area. He further stated they would then be able to provide effluent to the golf courses proposed for that area; they would work with everyone to make sure the treatment is acceptable; and he noted that the amount of money just to do the study is almost enough to build the plant.

Tom Gallagher, Summit Engineering, representing various Verdi property owners, stated his company has been responsible for designing and constructing every phase of the interceptor that is in place right now. He stated he was very happy to hear that the City and the County may be working together on this project. Mr. Gallagher said he is the one who has been involved in Washington D.C. trying to secure these funds for this project, and he does not believe building the line from Garson Road to the state line will go over well in Washington. He further said it would also not look good when the County approaches the federal government for funds after it decides what to do in Spanish Springs. Mr. Gallagher stated the Verdi Meadows Utility Company could not handle Boomtown. He stressed that the entities need to get together and do this right because jurisdiction does not matter and has nothing to do with the quality of the river; and stated that, as a Washoe County citizen, he is getting real tired of these power plays between entities.

In response to Commissioner Sferrazza, Mr. Gallagher stated the annexation has nothing to do with this sewer; the Supreme Court will decide that issue; and if the County decides not to put a sewer out there, that will not impact the Supreme Court decision. Commissioner Sferrazza stated if the Supreme Court decides in favor of the City of Reno, the County should not be responsible for construction of the sewer line between the current location and Garson Road. Mr. Gallagher stated that out of 35,000 feet of sewer line, when the annexation is complete, there would be 770 feet of it in the City of Reno.

Madelyn Shipman, Assistant District Attorney, stated this was a necessary project for the County prior to these annexation issues; the County had worked with the City in numerous agreements to obtain sewer capacity or promises of future capacity for citizens; and with the proposal currently before the Board and an interlocal agreement with the City, there should be ways to deal with all of these issues without slowing the project. She emphasized that this project is necessary with or without properties being in or out of the City.

Mr. Gallagher agreed and stressed that this is a water quality issue. He further stated Reno is proposing to come up with the majority of the matching funds to achieve the federal money and reiterated that this is a County-City project.

Mr. Bradhurst stated the facility plan will be the phase where all of the alternatives will be studied, and an interlocal agreement between the County and the City could address the concerns.

Commissioner Sferrazza stated the agreement does not say anything about the Lawton/Verdi Interceptor, but only talks about the Lawton/Verdi Wastewater project and asked if the staff report should be changed to be consistent with the agreement. Mr. Bradhurst agreed.

Commissioner Galloway requested that the record be very clear that staff will look at all of the alternatives, including the size of the pipe, alternative treatments, etc., in order to have an environmental assessment document that is accurate and complete. Mr. Bradhurst assured the Board that all of the alternatives will be examined and stated that the State and the Corps will also be reviewing everything.

Following further discussion, upon recommendation of John Collins, Manager, Utility Services Division, through Steve Bradhurst, Director, Department of Water Resources, on motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, it was ordered that:

1. Chairman Shaw be authorized to execute the agreement with the Army Corps of Engineers for facility planning, design and partial construction of the Lawton/Verdi Wastewater Project in the amount of \$2,000,000;
2. The Water Resources Department Director be authorized to proceed with solicitation of requests for proposals to complete the facilities plan and design of the Lawton/Verdi Wastewater Project.
3. The Water Resources Department Director be authorized to request reimbursement for up to 75 percent of the expenditures to date of costs associated with facilities planning and design of the Lawton/Verdi Wastewater Project.

Mr. McKnight asked if the Board could also approve the interfund loan discussed earlier. He was advised that would have to come back as a future agenda item.

Commissioner Sferrazza asked how the loan would be paid back. Mr. McKnight stated it would be paid back from connection fees. Commissioner Sferrazza asked where the money for the loan would come from. Mr. McKnight stated the loan could be from County General Fund monies or the hook-up fee fund in Water Resources. Commissioner Sferrazza stated he is totally opposed to using General Fund money for that purpose.

On motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried with Commissioner Sferrazza voting "no," Chairman Shaw ordered that staff be directed to bring a proposal back to the Board at a future meeting concerning the interfund loan plan to finance the necessary County match for this project.

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Commissioner Galloway temporarily left the meeting.
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**01-1225 AGREEMENT - UNITED STATES DEPARTMENT OF INTERIOR
- U.S. GEOLOGICAL SURVEY - RENO-SPARKS FLOOD EARLY
WARNING SYSTEM - WATER RESOURCES**

Upon recommendation of Jeanne Ruefer, Water Resource Planning Manager, through Steve Bradhurst, Director, Department of Water Resources, on motion by Commissioner Bond, seconded by Commissioner Sferrazza, which motion duly carried, it was ordered that the Joint Funding Agreement between Washoe County and the United States Department of the Interior, United States Geological Survey, concerning operation and maintenance of stream and precipitation gages that support the Reno-Sparks Flood Early Warning System for Fiscal Year 2002, in the amount of \$105,750, be approved and Chairman Shaw be authorized to execute. It was noted that the federal share of this agreement is \$45,050, and the local share is \$60,700; and that Washoe County, the City of Reno, and the City of Sparks contribute one-third each to the local share.

**01-1226 REGIONAL WATER PLANNING COMMISSION - REQUEST TO
FORM TASK FORCE - GROUNDWATER DEVELOPMENT -
WATER RESOURCES**

Upon recommendation of the Regional Water Planning Commission, on motion by Commissioner Bond, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Shaw ordered that the Regional Water Planning Commission be directed to form a task force to address groundwater development issues in the region and make policy recommendations to be forwarded to the Board of County Commissioners through the RWPC for inclusion in the Regional Water Management Plan.

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Commissioner Galloway returned to the meeting.
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APPOINTMENT PROCESS - PARK COMMISSION AND OTHER BOARDS

Chairman Shaw asked his fellow Board members if they wanted to continue this item to a time when all of the Board members are present. Commissioner Sferrazza stated that would be okay, and that he wanted more complete information than what has been presented concerning other boards and commissions. He stated he also wanted the ordinance or statute that established representation for each board. He noted the Park Commission representatives are supposed to be "at-large" and there are three members each from three different districts and asked if that was legally possible. Commissioner Sferrazza further stated he would like much more information about the Park Districts.

Madelyn Shipman, Assistant District Attorney, stated she disagrees that the words "at-large" mean that you cannot appoint from districts and she thinks the statute is trying to provide a system that ensures broad representation from the whole County. She further stated the Park Commission long ago decided the best way to make sure that occurred would be to have the appointments made from the Park Districts that exist within the County.

Commissioner Sferrazza stated he wants to know what those districts are and whether they include the entire County. Karen Mullen, Parks and Recreation Director, distributed a map outlining the Park Districts laid over the Commission Districts. Commissioner Sferrazza stated that Commission Districts 3 and 4 have no representation on the Park Commission. A discussion ensued between Commissioner Sferrazza and Ms. Mullen regarding where some of the Park Commissioners live. Commissioner Sferrazza stated that no one on the Park Commission lives in Commission District 3, his district; and those residents have no representation on the Park Commission.

Commissioner Sferrazza further noted that the Senior Center is in District 3; that most of the people who use the Senior Center live in District 3; and that there is no one on the Senior Services Board of Trustees who lives in District 3 to represent those people.

Commissioner Galloway asked if the objective is to have the Park Commission Districts conform to the County Commission Districts to provide for a more even distribution. Commissioner Sferrazza agreed that would provide better representation, but stated he wanted to look at all of the boards the Commission appoints. He further stated he does not understand why his Commission District seems to include three Park Districts and he has never been asked to recommend anyone for appointment to the Park Commission.

Following further discussion, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Shaw ordered that this item be continued and staff, the County Manager and other concerned Departments, be directed to present various options concerning appointments to various boards and commissions to ensure a more equal representation of all County residents.

**01-1228 BILL NO. 1319 -AMENDING WCC CHAPTER 5 - MERIT
PERSONNEL ORDINANCE**

Bill No. 1319, entitled, "**AN ORDINANCE AMENDING CHAPTER 5 OF THE WASHOE COUNTY CODE BY ADDING A PROVISION RELATING TO PARKING ALLOWANCE, UPDATING VARIOUS PROVISIONS RELATING TO LEGAL PROFESSIONAL EMPLOYEES, OVERTIME, CAREER INCENTIVE, PROMOTIONAL EXAMINATIONS, PROBATIONARY PERIODS, HOLIDAYS, ANNUAL LEAVE, SICK LEAVE, AND PERSONAL LEAVE, REMOVING REFERENCE TO THE ASSISTANT COUNTY MANAGER FOR PERSONNEL, AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO,**" was introduced by Commissioner Sferrazza, the title read to the Board and legal notice for final action of adoption directed.

**01-1229 INTERNET AND INTRANET ACCEPTABLE USE POLICY
REVISIONS - INTRODUCTION OF ORDINANCE AMENDING
WCC CHAPTER 5 - DE MINIMUS USE POLICY**

Bill No. 1320, entitled, "**AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY ELIMINATING PERSONAL USE OF COUNTY COMPUTERS DURING WORKTIME, FURTHER RESTRICTING THE PERSONAL USE OF COUNTY COMPUTERS, AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO,**" was introduced by Commissioner Bond, the title read to the Board and legal notice for final action of adoption directed.

Commissioner Bond asked what kind of reports would be given to Department heads monitoring employee usage. Joanne Ray, Human Resources Director, stated the computer system has the capability to produce reports listing employee usage of Internet sites. Chairman Shaw stated the emphasis is on "personal use." Ms. Ray agreed, stating employees could still access the Internet for work-related information.

Commissioner Sferrazza asked about people using other people's computers. Ms. Ray stated the software will require a log-on procedure, so even if an employee was using another employee's computer, they would still have to use their own log-on name and the County would know who was using the computer.

Commissioner Galloway asked why the de minimus use policy did not work. Madelyn Shipman, Assistant District Attorney, stated the problem was how to determine whether someone was abusing the policy without having the technical ability to track the usage. Commissioner Galloway stated it appears that enforcing the policy was not very practical.

Commissioner Sferrazza suggesting limiting the sites that could be accessed. Ms. Ray stated that would be very difficult to accomplish. Commissioner Galloway stated the new log-on procedure will allow departments to determine exactly what

an employee is doing with their computer, and that would also provide the means to enforce the de minimus use policy.

Chairman Shaw stated approval of the Washoe County Staff Internet and Intranet Acceptable Use Policy revisions noted in the agenda memorandum would address these issues and make employees more accountable.

Commissioner Sferrazza stated he receives a lot of e-mail concerning things such as lost keys, etc., which is personal; and he believes that is the most abused use of County equipment. He asked how that could be controlled.

Ms. Ray stated the staff recommendation only applies to the Internet to make it clear to the employees that they are not to go shopping on E-Bay, etc., and that the Internet is only to be used for business reasons. She further stated e-mail is similar to using the telephone and that is not what staff is trying to address.

Chairman Shaw stated this could be nit-picked to death, but there is a policy and the employees know they are not supposed to be doing this.

Commissioner Galloway stated he would like to see if implementing the log-on process and producing the reports would eliminate the need to go further. He stated he is not comfortable doing away with the de minimus use policy.

Ms. Shipman stated in order to take action against an employee, the employee must have full notice in advance of what is authorized and what is not authorized; and a policy that allows for ambiguity cannot be enforced.

Howard Reynolds, Assistant County Manager, advised that the type of e-mail Commissioner Sferrazza is referring to is already not permitted under the de minimus use policy. Commissioner Sferrazza asked if the employees are going to be told that they will be subject to disciplinary action if they continue personal use of e-mail. Ms. Ray stated it has been communicated in many different formats to Washoe County employees that it is inappropriate to use County equipment, supplies, etc., for personal use; and there is an ordinance stating that which is given to employees. Commissioner Sferrazza pointed out that there is a big contradiction here as personal use of telephones and e-mail is allowed but those are also County equipment.

Following further discussion, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Shaw ordered that the proposed revisions to the Internet and Intranet Acceptable Use Policy be continued and staff be directed to also draft a specific policy for e-mail. Commissioner Sferrazza stated, if the policy is that personal use of e-mail is allowed, that should also be included in the ordinance. Commissioner Galloway further asked that when staff returns with this matter, they should fully explain why e-mail should be treated differently, or if not, that should be reflected in the changes.

Ms. Shipman asked whether the entire item or just the policy revisions are being continued. Board members wanted to continue the whole item. Commissioner Bond withdrew her introduction of the ordinance.

**01-1230 INTERLOCAL AGREEMENT - RENO MUNICIPAL COURT/
DISTRICT ATTORNEY FACILITY**

Paul Lipparelli, Deputy District Attorney, distributed the latest version of the interlocal agreement for joint construction of the Reno Municipal Court and the District Attorney offices. He advised that staff has not yet met with Reno staff, so he does not know if Reno has any problems with this latest version. He discussed the changes made as a result of the last joint meeting between the two boards.

Commissioner Galloway expressed a concern with the fixed amount for relocating the tenants of the 195 South Sierra building in the event Reno backed out of the deal. Mr. Lipparelli explained the termination provisions outlined in Article 14. Commissioner Galloway suggested the County not vacate the building until bids are received and it is known for sure that Reno will go ahead with the project, unless Reno would be willing to deposit their share of the construction funds in some type of account up front.

Commissioner Sferrazza noted that Article 14.7 needs the number of years filled in. Mr. Lipparelli stated he is asking for the Board's guidance on that. The Board concurred that 7 years should be sufficient.

Mr. Lipparelli then reviewed the latest financing issues outlined in the agreement, noting that both parties are being required to deposit with a Trustee a sufficient amount of money to cover each party's share of the costs of the project, which should address Commissioner Galloway's concern.

The parking spaces and the steering committee were also discussed.

Mr. Lipparelli stated he is also seeking Board guidance for a date or time-frame to be inserted in Article 12.2, regarding when the funds shall be placed on deposit, which probably cannot be done until design is finished.

Commissioner Sferrazza asked if Reno staff was in agreement on these changes. Mr. Lipparelli stated they have not been presented to Reno yet. The Board directed that this latest version, with the Board's changes, be presented to Reno.

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**The Board convened as the Washoe County Board of Commissioners and the
Washoe County Liquor Board, with Sheriff Dennis Balaam present.**
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01-1231

**BILL NO. 1314 – ORDINANCE NO. 1138 – AMENDING WCC
CHAPTER 25 – BUSINESS LICENSE ORDINANCE**

5:30 p.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on November 16, 2001, to consider second reading and adoption of Bill No. 1314. Proof was made that due and legal Notice had been given.

Chairman Shaw opened the public hearing and called on anyone wishing to speak for or against the adoption of said Ordinance.

Bob Webb, Planning Manager, Community Development, stated that he received three phone calls from business owners; and, after he advised them about the amendment, they had no problem with the change. He reviewed the \$75 business license fee language included in section 25.0255.2(a), as directed by the Board at the November 13th meeting.

Commissioner Bond asked whether a massage license from another county is valid in Washoe County, and vice versa. Mr. Webb said there is a reciprocity provision in the WCC; and, if an individual has a license with requirements similar to the one required in Washoe County, that license would be honored by Washoe County.

Jim Nadeu, Captain, Washoe County Sheriff's Department, said he understood the concern expressed by Great Basin Pawnbrokers regarding the requirement to fingerprint repeat customers every time, but they are trying to make this as less intrusive as possible, and putting a fingerprint on every pawn slip is very simple. Captain Nadeau said, if businesses have to retain fingerprints for repeat customers, that would require them to maintain a database, which they may not be inclined to do.

Commissioner Sferrazza expressed his concern for requiring fingerprints, and asked if that would deter people who pawn stolen property. He said he is concerned about not being able to recover stolen property. Captain Nadeau said he did not believe that would deter criminals from pawning stolen property, and advised that this is good for the pawnshops.

Cris Shimkovsky, President, Great Basin Pawnbrokers, Inc., said their business conducted a voluntary fingerprint test over the last 2 weeks, and they did not have a negative reaction, other than a few people who believed it invaded their privacy. He expressed his concern that Reno and Sparks have the same requirements as Washoe County, otherwise it gives those businesses an unfair advantage over the businesses in Washoe County. Captain Nadeau said the officers who handle those details within the Cities of Sparks and Reno will be requesting their Councils approve the same type of requirement as Washoe County.

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

The Board directed staff to speak with the Cities of Sparks and Reno staff and request they review their codes with respect to pawnshops to consider requiring fingerprints as well.

On motion by Commissioner Bond, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Shaw ordered that Ordinance No. 1138, Bill No. 1314, entitled, **“AN ORDINANCE AMENDING CHAPTER 25 OF THE WASHOE COUNTY CODE BY AMENDING THE WASHOE COUNTY BUSINESS LICENSE ORDINANCE CONCERNING ACTIVITIES EXEMPTED FROM A BUSINESS LICENSE, LICENSES FOR MOBILE BUSINESSES, REFUNDS, TEMPORARY LICENSES, DEFINING CHARITABLE ORGANIZATIONS, LICENSES AND PERMITS FOR MASSAGE THERAPISTS AND APPRENTICES, MOTION PICTURE LICENSES, RECORDS FOR SECONDHAND STORES AND PAWNBROKER LICENSES, HOME OCCUPATION LICENSES, CRIMINAL HISTORY BACKGROUND INVESTIGATIONS AND DISQUALIFYING CONVICTIONS, REGISTRATION CARDS, TEMPORARY WORK PERMITS, AND OTHER MATTERS RELATING THERETO,”** be approved, adopted and published in accordance with NRS 244.100.

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The Board convened as the Washoe County Liquor Board and the Washoe County Gaming Board, with Sheriff Dennis Balaam present.
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01-1232 BILL NO. 1315 – ORDINANCE NO. 1139 – AMENDING WCC CHAPTER 30 – INTOXICATING LIQUOR AND GAMING LICENSES AND REGULATIONS CONCERNING CRIMINAL HISTORY BACKGROUND INVESTIGATIONS

5:30 p.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on November 16, 2001, to consider second reading and adoption of Bill No. 1315. Proof was made that due and legal Notice had been given.

Chairman Shaw opened the public hearing and called on anyone wishing to speak for or against the adoption of said Ordinance. There being no one wishing to speak, Chairman Shaw closed the public hearing.

On motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, Chairman Shaw ordered that Ordinance No. 1139, Bill No. 1315, entitled, **“AN ORDINANCE AMENDING CHAPTER 30 OF THE WASHOE COUNTY CODE BY AMENDING THE WASHOE COUNTY INTOXICATING LIQUOR AND GAMING LICENSES AND REGULATIONS CONCERNING CRIMINAL HISTORY BACKGROUND INVESTIGATIONS, MERGER OF THE LIQUOR AND GAMING BOARDS, AGE LIMIT IN PACKAGE SALES AREAS, THE TIME WHEN LIQUOR MAY BE SOLD AND DISPOSED, AND OTHER**

MATTERS RELATING THERETO,” be approved, adopted and published in accordance with NRS 244.100.

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The Board reconvened as the Board of Washoe County Commissioners.
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**01-1233 BILL NO. 1316 – ORDINANCE NO. 1140 – AMENDING WCC
CHAPTER 110, ARTICLE 406, BUILDING PLACEMENT
STANDARDS – ARTICLE 902, DEFINITIONS**

5:30 p.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on November 16, 2001, to consider second reading and adoption of Bill No. 1316. Proof was made that due and legal Notice had been given.

Chairman Shaw opened the public hearing and called on anyone wishing to speak for or against the adoption of said Ordinance.

Sharon Kvas, Planning Manager, Community Development, using the overhead projector, provided the Board with a view of the old lot widths and the new lot widths, if the amendment is approved. She said current lots would remain legal; that this allows consistency in lot widths; and that setbacks would not change.

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

On motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, Chairman Shaw ordered that Ordinance No. 1140, Bill No. 1316, entitled, “**AN ORDINANCE AMENDING PROVISIONS RELATING TO WASHOE COUNTY CODE CHAPTER 110, ARTICLE 406, BUILDING PLACEMENT STANDARDS AND ARTICLE 902, DEFINITIONS. THE AMENDMENT ADJUSTS THE WIDTH STANDARDS FOR THE GENERAL RURAL (GR), GENERAL RURAL RESIDENTIAL (GRR), LOW DENSITY RURAL (LDR), MEDIUM DENSITY RURAL (MDR), AND HIGH DENSITY RURAL (HDR) LAND USE DESIGNATIONS, ADDS TWO ADDITIONAL METHODS FOR CALCULATING THE LOT WIDTH, AFFORDS A MODIFICATION PROCESS TO THE LOT WIDTH STANDARDS FOR COMPELLING ENVIRONMENTAL CONSIDERATIONS, PERMITS 1/16 SECTION PARCELS (NOMINALLY 40 ACRES) IN GENERAL RURAL AND AMENDS DEFINITIONS TO REFLECT THE PROPOSED CHANGES, AND OTHER MATTERS RELATING THERETO,**” be approved, adopted and published in accordance with NRS 244.100.

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There being no further business to come before the Board, the meeting adjourned at 6:00 p.m.

JAMES M. SHAW, Chairman
Washoe County Commission

ATTEST: **AMY HARVEY**, County Clerk

*Minutes Prepared by
Sharon Gotchy and Jeraldine Magee
Deputy County Clerks*