

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

1:00 P.M.

JANUARY 15, 2002

PRESENT:

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

Amy Harvey, County Clerk
Katy Singlaub, 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. Following the Pledge of Allegiance to the flag of our Country, the Clerk called the roll and the Board conducted the following business:

02-47 AGENDA

Katy Singlaub, County Manager, clarified that Item No. 11 is in regard to the new Reno Municipal Court/District Attorney joint facility. She also advised that, as a result of the Caucus meeting, Item 6E3, design services agreement for remodel of 1 South Sierra for the new Family Court, should be taken off the consent agenda for discussion, and Items 11, Washoe County's portion of the design budget for the Reno Municipal Court/District Attorney joint facility, 12, nonexclusive fill slope easement agreement with Somerset Development for an easement through the Northgate golf course property, 13A, a sewer line easement through open space in Mogul Canyon for Somerset Development, and 15, creation of a water rate relief assistance program, can be moved to the consent agenda.

In accordance with the Open Meeting Law, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Sferrazza ordered that the agenda for the January 15, 2002, meeting be approved as amended.

PUBLIC COMMENTS

There was no response to the call for public comments.

MANAGER'S/COMMISSIONERS' COMMENTS

Commissioner Galloway reported that at the January 14, 2002, West Truckee Meadows Citizen Advisory Board meeting, they had to continue their discussions on the regional plan update for the second time because they did not have enough information. He requested that staff provide the report the CAB requested in which staff went through each aspect of the proposed update and made comments as to what is acceptable/unacceptable. He further stated the CAB is also requesting a staff presentation from either the County or the Truckee Meadows Regional Planning Agency concerning the public input that has been received.

Commissioner Bond reported that she will be presenting some resolutions for Board consideration and adoption requested by NACO concerning bus service in rural communities for the handicapped and elderly.

Commissioner Shaw expressed his appreciation to the Water Resources Department staff for responding to calls he received concerning water bills.

02-48 AUTHORIZATION FOR NON-COUNTY EMPLOYEE TRAVEL EXPENSE - PAUL SEDGEWICK - SHERIFF

Upon recommendation of Sheriff Dennis Balaam, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that the Sheriff be authorized to pay for non-County employee travel expenses, in the approximate amount of \$750, including airfare, lodging and meals, to bring Paul Sedgewick to Reno from Santa Ana, California, on or about January 29, 30 and 31, 2002, to perform an audit of the Toxicology Section of the Forensic Science Division, in order for the Forensic Science Division to maintain accreditation status.

02-49 RESOLUTION ESTABLISHING RATE OF INTEREST - SPECIAL ASSESSMENT DISTRICT NO. 30 - ANTELOPE VALLEY ROAD

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

**RESOLUTION NO. 02-49
(of Washoe County, Nevada)**

A RESOLUTION CONCERNING WASHOE COUNTY, NEVADA SPECIAL ASSESSMENT DISTRICT NO. 30 (ANTELOPE VALLEY ROAD); ESTABLISHING THE RATE OF INTEREST PAYABLE ON DEFERRED INSTALLMENTS OF ASSESSMENTS IN THE DISTRICT; RATIFYING, APPROVING AND CONFIRMING ALL ACTION

**PREVIOUSLY TAKEN BY THE COUNTY
CONCERNING THE DISTRICT; AND PROVIDING
THE EFFECTIVE DATE HEREOF.**

WHEREAS, the Board of County Commissioners (herein "Board") of the County of Washoe (the "County"), in the State of Nevada, pursuant to an Ordinance, adopted June 26, 2001 (the "District Ordinance"), created Washoe County, Nevada, Special Assessment District No. 30 (Antelope Valley Road) (the "District") and ordered the acquisition of a street project for the District (the "Project"); and

WHEREAS, the Board has by ordinance (the "Assessment Ordinance") heretofore passed and adopted levied assessments against the assessable lots, tracts and parcels of land benefited by the Project; and

WHEREAS, the Assessment Ordinance provided that said unpaid assessments shall be payable in installments of principal and interest, with interest in all cases on the unpaid and deferred installments of principal from the effective date of the Assessment Ordinance at rate or rates which shall not exceed by more than one percent (1%) the highest rate of interest on the Bonds (as hereinafter defined); and

WHEREAS, the Board adopted an ordinance (the "Bond Ordinance") authorizing the issuance and sale of the Washoe County, Nevada, General Obligation (Limited Tax) Medium Term Bonds Series 2001 B ("Bonds") at the interest rate and other terms set forth in the Certificate of the Finance Director (as defined therein), and the highest interest rate on the Bonds allocated to the District, as authorized and provided by such ordinance and Certificate, is 4.5% per annum; and

WHEREAS, the Assessment Ordinance provided that the Board may by ordinance or resolution adjust the 2% delinquency penalty and 3% prepayment penalty provided therein.

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

Section 1. All actions, proceedings, matters and things heretofore taken, had and done by the County and the officers of the County (not inconsistent with the provisions of this resolution) concerning the Districts including, but not limited to, the improvement and acquisition of the Projects, the performing of all prerequisites to the levying of special assessments, the fixing of the assessment lien against the property in the Districts, and the issuance and sale of the Bonds for the Districts, are ratified, approved and confirmed.

Section 2. The Board has determined and does hereby determine that the interest rate on the unpaid and deferred installments of assessments for the District shall be 5.5% per annum from the effective date of the Assessment Ordinance for the

District. The Board has determined and does hereby determine that the County Treasurer or the County Finance Director may waive the 2% delinquency penalty if such delinquency is paid within 15 calendar days of the due date of the assessment.

Section 3. The County Clerk is hereby directed to deliver to the County Treasurer of the County a notice that such unpaid and deferred installments of assessments for the District shall bear interest at such rate. The County Treasurer hereby is authorized, empowered and directed, and it shall be his or her duty, to receive, collect and enforce the payment of all assessments made and levied for the Project, the installments thereof, all interest thereon at such rate, and the penalties accrued, at the time and in the manner specified in the Assessment Ordinance, and to cause such moneys to be deposited into the Bond Fund created by the Bond Ordinance (except as otherwise provided in the Bond Ordinance).

Section 4. The officers of the County are directed to take all action necessary to effectuate the provisions of this resolution.

Section 5. All bylaws, orders and resolutions, or parts thereof, in conflict with this resolution are repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any bylaw, order, or resolution or part thereof, heretofore repealed.

Section 6. If any section, paragraph, clause or provision of this resolution shall be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution.

Section 7. This resolution shall be in full force and effect from and after its adoption.

**02-50 AWARD OF JOINDER BID - ELEVATOR PREVENTATIVE
MAINTENANCE AND REPAIR - BID NO. 2312-02 - FACILITY
MANAGEMENT**

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 November 8, 2001, for elevator preventative maintenance and repair for the Facility Management Division of the General Services Department in joinder with the City of Reno, the City of Sparks and the Washoe County School District. Proof was made that due and legal Notice had been given.

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

High Sierra Elevator Specialist, Inc.
Commercial Elevator Inc.

Kone, Inc.
 ThyssenKrupp Elevator

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that Bid No. 2312-02 for elevator preventative maintenance and repair for the Facility Management Division of the General Services Department in joinder with the City of Reno, the City of Sparks, and the Washoe County School District be awarded to the lowest responsive, responsible bidders as follows:

VENDOR	AGENCY	BID ITEMS	BID PRICE
High Sierra Elevator Specialists, Inc.	Washoe County City of Reno	1A - 1W 4A - 4F & 4H - 4K	\$2,775.00/mo. \$ 730.00/mo.
Commercial Elevator	City of Sparks WCSD	2A - 2I 3A - 3G	\$1,026.35/mo. \$ 539.00/mo.

It was further ordered that the Purchasing and Contracts Administrator be authorized to execute an agreement between Washoe County and High Sierra Elevator Specialists, Inc., for elevator preventative maintenance and repair for a three-year period with a single, two year renewal option, in the estimated amount of \$33,300. It was noted that the other participating joinder agencies shall enter into their own agreements with the respective bidders pursuant to terms and conditions of the Invitation to Bid, which includes an extended coverage option that each agency may consider as bid items 1-X, 2-I, 3-H, and 4-G. Washoe County Facility Management has elected to forego the extended coverage option bid item 1-X, which covers the costs for major replacement parts but increases the monthly maintenance costs by 50%, as that is not felt to be cost effective.

02-51 AWARD OF JOINDER BID - HIGHWAY SIGNS AND MATERIALS - BID NO. 2311-02/RW - ROADS

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 November 21, 2001, for highway signs and materials for the Roads Division of the Public Works Department in joinder with the City of Reno. Proof was made that due and legal Notice had been given.

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

- 3M Company
- Allied Tube and Conduit Corp.
- Osburn and Associates
- Rocal Inc.
- Safeway Sign Co.

Signs and Blanks, Inc.
 U.S. Standard Sign Co.
 Vulcan Signs
 Zumar Industries Inc.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that Bid No. 2311-02/RW for highway signs and materials for the Roads Division of the Public Works Department in joinder with the City of Reno be awarded as follows:

VENDOR	CATEGORIES
3M Company 3M Center Building Saint Paul, MN 55144	8, Engineering Grade Pressure-Sensitive Paper, Bid Items: 77-89 10, Hi. Intensity Grade Sheeting, Pressure Sensitive, Bid Items: 110-114 11, Diamond Grade Sheeting, Bid Items: 115, 116
Osburn Associates Inc. P.O. Box 912 9383 Vanatta Road Logan, Ohio 43138	5, Engineering Grade Reflective Heat-Activated Sign Faces, Bid Item: 70 6, Engineering Grade Reflective Pressure Sensitive Sign Faces, Bid Item: 71
Rocal, Inc. P.O. Box 640 60 North Fork Lane Frankfort, Ohio 45628	9, Engineering Grade Reflective Heat-Activated Paper, Bid Items: 103-109
Safeway Sign Co. 9875 Yucca Road Adelanto, CA 92301	1, Complete Signs, Bid Items: 1-9
U.S. Standard Sign Co. 11400 W. Addison St. Franklin Park, Il 60131	2, Sign Blanks .080 Aluminum, Bid Items: 10-53 2B, Sign Blanks .080, Aluminum for the City of Reno Bid Items: 54-57
Vulcan Signs P.O. Box 850 Foley, AL 36536	3, Extruded Street Name Sign Blanks Bid Items: 58-64
Zumar Industries Inc. 6371 Randolph Street Los Angeles, CA 90040	4, Galvanized Metal U-Post, Bid Items: 65-69 7, High Intensity Grade Pressure-Sensitive Sign Faces, Bid Items 72-76 8B, Engineering Grade, Pressure-Sensitive Paper for the City of Reno, Bid Items: 90-102 12, Center Mounted Reflectors, Bid Items: 117, 118 13, Perforated 12 Ga. Hot-Dipped Galvanized Square Tube Posts, Bid Items: 119-126 14, Pavement Markers, Bid Items: 127-130 15, Traffic Cones, Bid Items: 131-133 16, Barricades, Bid Items: 134, 135 17, Miscellaneous, Bid Items: 136-149

It was noted that the award shall be for 24 months from the date of bid award and shall be for an indeterminate amount as exact future requirements for these items are not known at this time, and the estimated value of this award for Washoe County is in excess of \$49,500.

**02-52 REJECT ALL BIDS - BID NO. 2314-02 - SEMI TRUCK TRACTOR
- EQUIPMENT SERVICES**

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that all bids received for the semi truck tractor in response to Bid #2314-02 be rejected and the Purchasing and Contracts Administrator be authorized to solicit new bids for same based on revised specifications.

**02-53 WHOLESALE DEALER OF WINE AND LIQUOR BUSINESS
LICENSE - ANTONIO AND LESLIE CAGGIANO DBA LA
COLLINA, INC.**

Upon recommendation of Bob Webb, Planning Manager, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that the application for a Wholesale Dealer of Wine and Liquor Business License for Antonio Caggiano and Leslie Curry-Caggiano, dba La Collina, Inc., be approved.

**02-54 INTERLOCAL AGREEMENT - CITY OF SPARKS -
ANNEXATION OF LA POSADA DRIVE AND ADJACENT LANDS
- PUBLIC WORKS**

Upon recommendation of Dave Roundtree, Public Works Director, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the Interlocal Agreement between the County of Washoe and the City of Sparks, concerning annexation of La Posada Drive and adjacent lands (Cimarron/Windham Hills) into the City of Sparks and maintenance of said facilities and lands by the City of Sparks and Washoe County, be approved and Chairman Sferrazza be authorized to execute.

**02-55 AGREEMENT - VETERANS ADMINISTRATION - ADULT
DAYCARE SERVICES - SENIOR SERVICES**

Upon recommendation of Karen Mabry, Senior Services Director, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the Amendment of Solicitation/Modification of Contract between the County of Washoe and the Veterans Administration, concerning the provision of Adult Daycare services for VA beneficiaries, be approved and Chairman Sferrazza be authorized to execute. It was further ordered that the Senior Services Director be authorized to serve as Contract Administrator.

02-56 **INTERGOVERNMENTAL SERVICE AGREEMENT - UNITED STATES MARSHAL SERVICE - JUVENILE SERVICES**

Upon recommendation of Mary Ann Woolley, Juvenile Services, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the Intergovernmental Service Agreement for Housing of Federal Prisoners between the County of Washoe (Juvenile Services) and the United States Marshals Service and the Department of Immigration and Naturalization Service, concerning provision of two bed spaces for the Marshals Office and one bed space for Immigration and Naturalization Service in the new Jan Evans Juvenile Justice Center, be approved and Chairman Sferrazza be authorized to execute.

It was noted that the daily childcare rate proposed is \$100, staff reimbursement rates are proposed at \$20 per hour, and Washoe County will be reimbursed for daily cost of care and for staff supervision for off-site medical care for juveniles housed under the provisions of this Agreement. It was further noted that Washoe County is to receive \$150,000 from the United States Department of Justice as reimbursement for work completed during the construction phase of the new juvenile justice facility.

02-57 **DESIGN BUDGET - RENO MUNICIPAL COURT/DISTRICT ATTORNEY JOINT FACILITY - PUBLIC WORKS**

Upon recommendation of Dave Roundtree, Public Works Director, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that Washoe County's portion of the design budget for the new Reno Municipal Court/District Attorney joint office building to be constructed at 195 South Sierra, in the amount of \$1,021,860, be approved and that the Director of Public Works be authorized to make reimbursements to the City of Reno for design costs in accordance with the provisions of the approved interlocal agreement.

02-58 **AGREEMENT - NON-EXCLUSIVE FILL SLOPE EASEMENT - SOMERSETT DEVELOPMENT COMPANY LTD. - NORTHGATE GOLF COURSE - RENO-SPARKS CONVENTION AND VISITOR'S AUTHORITY**

Upon recommendation of Madelyn Shipman, Assistant District Attorney, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the Nonexclusive Fill Slope Easement Agreement between the County of Washoe, on behalf of the Reno-Sparks Convention and Visitor's Authority, and Somerset Development Company Ltd., concerning an easement needed by the owners of the Somerset development through the Northgate golf course property, be approved and Chairman Sferrazza be authorized to execute.

**02-59 SEWER LINE EASEMENT - SOMERSETT DEVELOPMENT -
ACCEPTANCE OF TRAIL EASEMENT - MOGUL CANYON -
PARKS**

Upon recommendation of Karen Mullen, Parks and Recreation Director, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the Sewer Line Easement, with conditions, through Washoe County Parks open space in Mogul Canyon for Somerset Development be approved and Chairman Sferrazza be authorized to execute once legal descriptions have been verified in the field. It was further ordered that Chairman Sferrazza be authorized to accept the trail easement on behalf of Washoe County.

02-60 WATER RATE RELIEF ASSISTANCE PROGRAM - FINANCE

Upon recommendation of Darin Conforti, Senior Fiscal Analyst, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that staff be directed to continue researching and planning the actions necessary to create a Water Rate Relief Assistance Program for future consideration and adoption by the Board.

**02-61 CONTRACT - ARCHITECTURAL SERVICES - REMODEL OF 1
SOUTH SIERRA - FAMILY COURT ADDITION - PUBLIC
WORKS**

Dave Roundtree, Public Works Director, provided background information concerning the selection committee and their ranking of the proposals received for architectural design services for the remodel of 1 South Sierra Street to accommodate the new Family Court addition. He also reviewed staff's analysis of two different scenarios that have been proposed, which were to either remodel existing space or to expand the third floor of the 1 South Sierra building, including the costs of relocating the Public Defender's offices to leased space. Mr. Roundtree then responded to questions from Board members. He further stated that staff has not examined the expansion scenario thoroughly because there are no funds budgeted to cover that expense.

Chuck Weller, Chairman, Justice Facilities Working Committee (JFWC), stated that planning for court facilities should be long term and should not be "bandaid" solutions to address the most current, pressing issue. He pointed out that when the District Attorney moves out of the historic courthouse, 17,000 square feet of space will be available, and asked why the Public Defender could not be moved into that space rather than into leased space.

Ian McFarland, ArcForm Group, explained his plans and cost estimates for expanding the third floor of the 1 South Sierra building, noting that the foundation and columns are already in place and the exterior skin can be removed and reused. He further stated his \$193 per square foot is a very conservative figure and his plan provides an ad

ditional 5,000 square feet of flexibility for the same amount of money. Mr. McFarland then responded to several questions of Board members.

Commissioner Galloway asked if Mr. McFarland's plans include floors that are strong enough to hold the Family Court files. Mr. McFarland responded that it does.

Commissioner Shaw asked Mr. Roundtree to respond to Mr. McFarland's remarks. Mr. Roundtree stated there would be foundation and structural work necessary for the proposal to expand as there is no column currently in place. He stated he did have a contractor review Mr. McFarland's proposal; the contractor does not believe it can be done for \$193 per foot; and the remodel scenario will cost about \$100 a foot. He also discussed the problems and associated costs of having the Public Defender's staff in two separate locations when 195 South Sierra is demolished.

Commissioner Galloway recalculated the figures from the various scenarios from a "cash-out-the-door" perspective and determined that it appeared to him that expansion would actually cost less.

Commissioner Shaw asked whether staff feels this is a "bandaid" as Mr. Weller suggested. Mr. Roundtree stated he believes the remodel is a good solution as it puts the new Family Court facility on the third floor with the other Family Courtrooms by January, 2003, when it is statutorily mandated; and he does not think an expansion project could be done on time. Chairman Sferrazza stated, with five courtrooms, he thinks they could make do.

Katy Singlaub, County Manager, noted that the Family Court was a priority of the JFWC; and that she has consulted with Dan Wiley, the courts' master plan consultant, who indicated the County should move forward on the Family Court.

Tom Gadd, General Services Director, responded to questions concerning the space used by the Public Defender and the lease that has been negotiated to relocate them to 350 South Center Street.

Commissioner Galloway stated he would like to have a consistent analysis of all the factors.

On motion by Commissioner Galloway, seconded by Chairman Sferrazza, which motion duly carried with Commissioners Bond and Shaw voting "no," it was ordered that this item be continued to February 12, 2002, and staff return with the requested analyses of the proposals.

INTRODUCTION OF NEW WASHOE COUNTY EMPLOYEES

Approximately 20 new Washoe County employees introduced themselves to the Board. Chairman Sferrazza welcomed them to Washoe County.

02-62

APPEARANCE - ANDREW GOODRICH, DIRECTOR, AIR QUALITY DIVISION

Andrew Goodrich, Director, Air Quality Management Division, District Health Department, conducted a PowerPoint presentation providing information to the Board concerning proposed regulations for street sanding and sweeping to address the problems of air quality in the Truckee Meadows due to the area being designated by the Environmental Protection Agency in the same category as Phoenix and Los Angeles. He stated that the County will have to devise a State Implementation Plan to meet health standards and submit it to the EPA by August. Mr. Goodrich discussed possible plans and what other cities have done, especially the use of different materials for the de-icing sand, as that sand is one of the biggest contributors to the dust problem. He then answered questions of Board members.

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Commissioner Galloway temporarily left the meeting.
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02-63

KENNEL PERMIT APPEAL - DANIEL BURDG

Katie Stevens, Animal Control Officer, reviewed background information and the chronological history of complaints received and citations issued concerning the dogs at 294 East 9th Avenue in Sun Valley. She also responded to questions from the Board members.

Daniel Burdg, applicant, stated the dog involved in the bite incident was not one of his dogs; and his dogs have not been loose. He further stated he brings his dogs in at night so they will not bark because the nighttime barking, which does occur throughout the neighborhood, also bothers him. Mr. Burdg stated he is currently staying at his sister's house and is only asking for a temporary permit until April because he is planning to move.

Ed Douglas, 270 East 9th Avenue, spoke in opposition to the kennel permit, stating Sun Valley residents have spent a lot of time and money cleaning up Sun Valley. He further stated there is an ordinance that should be upheld, and the permit should not be granted.

Jessica Miles stated she and her father live across the street from Mr. Burdg, and they have asked Mr. Burdg several times to keep his animals under control. She stated the dogs will not stop barking; they are always out; and they are vicious animals. Ms. Miles further stated she knows it is Mr. Burdg's dogs that are barking at night because she has looked out and seen him yelling at them. She said she has a 4-year son who plays outside, and she is concerned for his safety.

William Miles also expressed concern for his grandson stating he has seen these dogs go after people walking down the street.

Following deliberation, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried with Commissioner Galloway temporarily absent, Chairman Sferrazza ordered that the application for a kennel permit for Daniel Burdg to keep seven dogs at 294 East 9th Avenue in Sun Valley be denied, and the number of dogs be reduced.

02-64 ACQUISITION OF CANEPA RANCH PROPERTIES - PARKS

Karen Mullen, Parks and Recreation Director, stated staff is seeking direction from the Board concerning the acquisition of the Canepa Ranch properties located on the south side of the Truckee River, adjoining U.S. Forest Service land to the Sierras, and on the east side of the Belli Ranch area. She stated there is approximately 1,300 feet of river frontage and 4,900 feet of the Steamboat Ditch running through the property, which totals about 120 acres. Ms. Mullen stated acquisition of this property would provide for extending the Truckee River bike path, as well as providing access to the river and to the Sierras, preservation of wildlife habitat, and protection of the water quality of the Truckee River. She advised that staff has submitted an application for Southern Nevada Public Lands Management Act (SNPLMA) Funds, but in the meantime the Canepa family has notified the County that they must move forward and sell the property; and that they do have a buyer. Ms. Mullen then reviewed the options staff believes are available to the Board, which were outlined in the agenda memorandum. She stated they feel the best options are 1A or 1B, as the water rights could also be acquired.

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Commissioner Galloway returned to the meeting during Ms. Mullen's presentation.
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Commissioner Galloway stated he believes Option 1 would be best and that it would be his desire that any land needed for any future trails or other improvements not be sold.

Tina Nappe and Becky Stock of the Nevada Land Conservancy and Susan Lynn of the Truckee River Yacht Club urged the Board to support Option 1 and to acquire all of the Canepa Ranch for the public.

On motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried, Chairman Sferrazza ordered that staff be directed to begin the process for the County to purchase the Canepa Ranch under Option 1 outlined in the staff report, which includes all parcels of land on the south side of the Truckee River, with the Truckee Meadows Water Authority (TMWA) purchasing the water rights for in-stream flows to the Truckee River. It was noted the Canepa Ranch properties total 119.85 acres with an appraised value of \$1,350,000 for the land and have 167.68 acre feet of water rights valued at \$586,688.

02-65 APPOINTMENT PROCESS FOR BOARDS AND COMMISSIONS

Chairman Sferrazza advised that he requested this item concerning the appointment process and has agreed to defer it to the first meeting in February to give staff time to put together a report on upcoming appointments.

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that the discussion and staff direction concerning the appointment process for other boards and commissions be continued to the first meeting in February, 2002.

**02-66 PROPOSED \$60,000,000 CITY OF RENO GENERAL
OBLIGATION (LIMITED TAX) PARK, RECREATIONAL AND
BUILDING BONDS**

Katy Singlaub, County Manager, reported that she has received a proposed list of projects for the bond from the City of Reno. She emphasized that the projects have been recommended by the Parks Commission and the Arts and Culture Commission, but they have not yet been adopted by the Reno City Council; and it is, at this point, a work-in-progress. There will also be a citizen survey conducted, which may change the scope of the bond project.

Nancy McCartney, Director of Parks, Recreation and Community Services for the City of Reno, reported that, once the survey results are compiled, the list will probably change; and the list is basically a "placeholder" at this time.

Commissioner Galloway stated it would be reassuring to see something in this concerning the resources available for park maintenance by the City. He stated there have been neighborhood parks annexed into the City that are not being maintained by the City. Ms. McCartney stated an agreement was proposed to deal with that issue; and the City Council approved the agreement, but the County never approved it.

Madelyn Shipman, Assistant District Attorney, stated she understands the Board wants to know what the bond funds will be used for, but the purpose of the law relates to whether the County might have a competing item on the ballot that may have a conflict with the \$3.64 cap, which should be the main focus of this discussion.

Commissioner Galloway asked what other entities may be coming forth for a piece of the 12-cents left on the tax cap. He further stated that all those things need to come to the Debt Management Commission at the same time.

Ms. McCartney responded to the maintenance issue, stating her budget has been increased significantly because of the commitment the Reno City Council has given to the quality of maintenance for the parks. She agreed that the other entities need to come forward with their bonds and stated she is also concerned about putting the Washoe County School District at risk for the 2004 election and bonds for the middle schools.

Commissioner Galloway moved that this item be continued and gave staff specific direction. The motion was seconded by Commissioner Shaw.

Chairman Sferrazza stated he would also like to direct that staff look into whether there would be any way to do another joint bond similar to the last time. He also asked that the City of Reno provide information concerning University Ridge Park, Panther Valley, and Paradise Park when this item comes back.

Sam Dehne, a Reno citizen, expressed his concern regarding bonds and taxes.

Chairman Sferrazza called for the vote on the motion to continue. The motion carried unanimously and it was ordered that the adoption and execution of a resolution either approving or objecting to the City of Reno's \$60,000,000 bond proposal be continued; that staff be directed to 1) devise a plan by which the Board could find out what the other capital needs are from all the other entities; 2) get a more firm list of projects for this particular bond; 3) bring forth information concerning resolution of the maintenance issue; and 4) examine the possibility of doing another joint bond with the City.

02-67 **BILL NO. 1324 -AMENDING WCC CHAPTER 110 -
DEVELOPMENT CODE - ARTICLE 818 TECHNICAL
REVISIONS**

Bill No. 1324, entitled, "AN ORDINANCE AMENDING PROVISIONS RELATING TO WASHOE COUNTY CODE, CHAPTER 110, DEVELOPMENT CODE, ARTICLE 818, AMENDMENT OF DEVELOPMENT CODE, BY ADDING A PROVISION FOR TECHNICAL REVISIONS OF THE CODE, AND 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.

02-68 **DEVELOPMENT CODE AMENDMENT - INTRODUCTION OF
BILL AMENDING WCC CHAPTER 110 - OFF PREMISE SIGNS -
CONTINUED**

Mike Harper, Planning Manager, Department of Community Development, explained the proposed ordinance before the Board primarily concerns billboards. He said the genesis behind the amendments is that the current ordinance has potential conflicts in defining what types of signs are regulated, that State law changed and the County ordinance needs to be brought into conformance, and because of implications of a recent court decision involving the City of Sparks' sign ordinance. He further stated staff does not anticipate having to make any further changes to this ordinance when they look at the other on-site sign ordinance.

Mr. Harper stated a concern was expressed at Caucus about removing the special use permit requirement for off-site signs. He stated sign regulations have to be very objective in nature; and a special use permit introduces the idea of arbitrary, capricious action. He also said that, if there is a very strict, objective set of standards for off-site signs, there would be no reason for everyone to go through the time and expense of special permits. Another concern expressed at Caucus was the proposed removal of exempt and prohibited signs as listed signs. Mr. Harper stated they wanted to eliminate the concept that signs were being regulated by their content.

Madelyn Shipman, Assistant District Attorney, advised that the current moratorium concerning new off-site signs has expired, so staff will be bringing a resolution to the next meeting for the Board to consider extending that moratorium.

Commissioner Short asked if the number of billboards would stay constant at 125. Mr. Harper advised that staff is just starting to do another survey of the number of signs, which they hope to have completed by the time the Board adopts a new ordinance; and it is highly likely that the total number of signs will go down because many sites that had billboards have been annexed by the Cities, and the ordinance stated that whenever a billboard site was annexed, the cap was automatically reduced.

Ms. Shipman advised the ordinance also provided that billboards would be lost through development, but the last legislative session did not allow that and provided for an appeal process to the Board of County Commissioners in those circumstances.

Mr. Harper then explained the negotiations that occurred with the billboard industry in response to Commissioner Short.

Commissioner Galloway and Mr. Harper discussed what has happened in other areas, and Commissioner Galloway stated that it is the arbitrary nature of the special use permit process that allowed new billboards to be constructed in the City of Sparks. Commissioner Galloway further stated that, unless someone can come up with really great, objective standards which would actually prevent damage to the public viewshed, what might happen is that these billboards could be relocated and the actual number could increase. Ms. Shipman stated relocation could only occur in roadway sections currently designated in the Code; and those sections already have all the billboards allowed under current spacing regulations. Mr. Harper then described the roadways and designated sections where billboards are allowed.

Commissioner Galloway stated the public has spoken about billboards; he does not believe they were in favor of relocation; and he would request that there be no new billboards in any new locations. Mr. Harper stated that would be contrary to what was worked out with the sign industry. Commissioner Galloway stated he realizes that, and said he has changed his position on this issue since the agreement was worked out with the industry. He stated there are so many other advertising avenues available, and he does not believe billboards are necessary to the economic function of the area. Chairman Sferrazza stated he agrees.

Doug Smith, Chairman, Citizens for a Scenic Northern Nevada, reported that all three local entities are working on new billboard ordinances; and it appears to him that the proposed County ordinance is very well written. He stated they would not have a problem with no new billboards, and that is what the people want. Commissioner Galloway clarified that by "no new billboards," the public is actually saying they do not want any new locations where billboards could be sited. Mr. Smith stated that people do not want to see a billboard tomorrow where they did not see one today. Commissioner Galloway and Mr. Smith also agreed that no one is trying to take away the existing locations or what the billboard industry currently has.

Ms. Shipman cautioned that the word "relocation" evidently has a different meaning in the Reno ordinance because it appears that the Reno City Council has concluded that a billboard removed pursuant to development has a right to be relocated on a new segment of highway, and Reno is calling that a relocation as opposed to a permit for a new sign. She further stated the proposed County ordinance does not allow for relocation, and there is no provision stating that if a sign comes down, the owners could relocate it. There is a cap, which could be changed; and there are provisions for roadway segments where there might be some space for new permits.

Commissioner Galloway stated he is glad to hear that and hopes the language is strong enough. He stated he does not want to put anyone out of business, but does want to send a strong message to the other entities. He expressed concern with taking items out of the ordinance in case certain portions of it were struck down by a court action. Ms. Shipman stated that has not been the trend and the County ordinance must be changed to conform to state law; and the standards are necessary because there are a lot of non-conforming signs. She then explained the legislative history of the billboard laws.

Chairman Sferrazza asked if there are any provisions for the industry to appeal to the Commission in the case of losing a billboard to development. Ms. Shipman stated they have that appeal right under State law and that has been included in the proposed ordinance. Commissioner Galloway asked whether the Board would have an avenue to make an exception to the ordinance. Ms. Shipman and Mr. Harper both stated there is a no-variance clause in this section of the Code.

Chairman Sferrazza stated it was said earlier that there are six locations in the County available for billboards and asked if those sites would go away if the Board said no new billboards. Mr. Harper stated they would and further advised that most of those locations are on the highway to Nixon.

On motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that introduction of the proposed ordinance be continued, and the ordinance be brought back with amended language to put the prohibited signs in the appropriate places and to prohibit new locations of billboards in the unincorporated area of Washoe County.

**PALOMINO VALLEY - LIVESTOCK RUNNING AT LARGE -
DISTRICT ATTORNEY**

Terry Tiernay, Palomino Valley resident, stated the residents of Palomino Valley are requesting that Washoe County Code Chapter 55.184, concerning livestock running at large and trespassing on private property, be updated to conform to State law, NRS 568.340. Mr. Tiernay elaborated on the effects of changing the congested area language in the Code, whether these are civil or criminal violations, and the fact that the residents have the right to bring litigation against the people who own the livestock that is damaging their properties. In response to Commissioner Shaw, Mr. Tiernay stated some of the damage suffered by some of the residents has been quite extensive, including the total loss of a vehicle.

Commissioner Galloway asked why the County Code would need to be amended if this is already covered by State law. Mr. Tiernay stated the Sheriff's Deputies would like to respond to their calls and cite the individuals who own the livestock.

Madelyn Shipman, Assistant District Attorney, explained various options the Board could consider. The first step would be to designate the area as a congested area. She further stated that many of these laws are probably archaic and should be looked at again.

Dave Mitchell, Palomino Valley resident, stated the problem is the ranchers are not taking the cattle to the BLM property, but instead are dropping the cattle, approximately 200 head, in the bottom of the valley and letting them wander all over and destroy private property. He stated everyone is looking at NRS 569 and they are requesting that NRS 568 be considered.

Commissioner Bond stated the problem also exists in Spanish Springs on the 10-acre parcels, and she has heard from residents in Lemmon Valley with the same problem. She asked if designating it as a congested area would solve the problem. Ms. Shipman stated it would and explained the different types of congested area designations.

Mr. Tiernay stated the people of Palomino Valley and the Citizens Advisory Board did not authorize him to ask that the area be designated as a congested area, so that issue would have to be discussed and decided at that level first.

COMMUNICATIONS AND REPORTS

The following communications and reports were received, duly noted, and ordered placed on file with the Clerk:

02-70

COMMUNICATIONS

- A. Fully executed original Interstate Agreement for Cross Designation of Law Enforcement Officers between Washoe County and Sierra County Sheriff's Department, State of California. Refer to Item 97-1152, November 18, 1997.
- B. Fully executed original Interlocal Agreement between the City of Reno (Police Department) and Washoe County (Child Protective Services Division) concerning the investigation of child abuse/neglect and increase services to the families of the community. Refer to Item 01-736, July 10, 2001.
- C. Fully executed original Agreement for Consultant Services with the Hay-Group Inc. for ongoing classification and compensation services pursuant to our agreement with the W.C.E.A. Refer to Item 01-559, June 12, 2001.
- D. Fully executed original Contract between Washoe County and Social Entrepreneurs, Inc. to provide consultant services for the Continuum of Care Process (also executed by representatives of the Cities of Reno and Sparks). Washoe County Human Services Consortium.
- E. Amendment #1 to Interlocal Contract between Public Agencies (Department of Employment, Training and Rehabilitation Employment Security Division) Workforce Investment Support Services and NevadaWorks dated July 10, 2001.
- F. Fully executed copy of an Interlocal Contract between the State of North Carolina and the State of Nevada, Department of Employment, Training and Rehabilitation, Employment Security Division.

02-71

REPORTS - MONTHLY (NOVEMBER 2001)

- A. Animal Control
- B. County Clerk
- C. Court Clerk (Nov/Dec 2001)
- D. Treasurer

02-72

REPORTS - QUARTERLY

- A. Sparks Justice Court (ending September 31, 2001)
- B. Court Clerk (ending December 2001)

02-73 REPORTS – COMPREHENSIVE ANNUAL (ENDED JUNE 30, 2001)

- A. Regional Transportation Commission

02-74 AUGMENT 2001-2002 BUDGET

- A. Resolution to Augment 2001-2002 Budget of the Washoe County School District

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There being no further business to come before the Board, the meeting adjourned at 4:50 p.m.

PETER J. SFERRAZZA, Chairman
Washoe County Commission

ATTEST: AMY HARVEY, County Clerk

*Minutes Prepared by
Sharon Gotchy
Deputy County Clerk*