

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

TUESDAY

2:00 P.M.

DECEMBER 21, 2004

PRESENT:

**Jim Shaw, Chairman**  
**Bonnie Weber, Vice Chairman**  
**Jim Galloway, Commissioner**  
**David Humke, Commissioner**  
**Pete Sferrazza, Commissioner**

**Amy Harvey, County Clerk**  
**Katy Singlaub, County Manager**  
**Melanie Foster, 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:

**04-1270      AGENDA**

In accordance with the Open Meeting Law, on motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried, Chairman Shaw ordered that the agenda for the December 21, 2004 meeting be approved with the deletion of Item 8, Award of Bid No. 2442-04 Office Supplies for Washoe County and Joinder Agencies for Fiscal 2004/05, and change Item 12B, Use of County Roads in Mogul, to reflect Community Development, not Water Resources.

**04-1271      PUBLIC COMMENTS**

Jerry Purdy, local resident, spoke on the Truckee River Flood Control Project and provided documentation that was placed on file with the Clerk.

Janet Carson, Tahoe-Pyramid Bikeway, offered to provide an update at the Board's convenience on the status of the Tahoe-Pyramid Bikeway project. She said the project had applied for a grant to build a bridge as part of the trail, and she needed, by January 11, 2005, a statement from Washoe County detailing issues, concerns, support, or opposition. In response to Katy Singlaub, County Manager, Ms. Carson said having this as an agenda item on January 11, 2005 with approval being faxed to the appropriate agencies would meet the deadline. Ms. Carson said she would work with staff and she handed out brochures, which were placed on file with the Clerk.

Susan Seidl, Monte Cristo property owner, discussed a letter sent to Ms. Singlaub on November 23, 2004 from Timothy Lambdin, realtor, on behalf of 22 Monte

Cristo property owners and realtors asking three questions about the denial of building permits to property owners. She asked when a response to the letter could be expected, and Ms. Singlaub said she would respond immediately after seeing the letter.

Sam Dehne, local resident, spoke on his background, why he comes to meetings, and his ejection from the Airport Board meeting and subsequent trial.

### **COMMISSIONERS'/MANAGER'S ANNOUNCEMENTS**

Commissioner Galloway requested a staff update on the January 11, 2005 agenda regarding the progress of the Truckee River Flood Control Project. He requested a legal opinion on the extent maintenance was allowed and bridge options prior to the meeting. He also requested agenda items on January 11th concerning appointments to fill vacancies on the Incline Village Citizen Advisory Board and on the Organizational Effectiveness Committee.

Commissioner Humke requested the Purchasing Department show the process of awarding a bid at the January 11 or 18th meeting because of the possible protest on the Award of Bid No 2442-04 for Office Supplies for Washoe County and Joinder Agencies for Fiscal Year 2004/05.

Commissioner Sferrazza requested the Tahoe-Pyramid Bikeway letter or resolution be put on the January 11th agenda.

Chairman Shaw thanked his friend, Vallea Rose, for her efforts on behalf of his retirement party held December 20th at the Nugget and spoke about how much he enjoyed the party.

#### **04-1272      PRESENTATION OF APPRECIATION – JAMES M. SHAW**

Commissioner Weber thanked Chairman Shaw on behalf of the Board of County Commissioners, staff, and the community for his service to the County. Commissioner Galloway presented a statue of appreciation to Chairman Shaw.

Anita Sullivan, on behalf of Senator Harry Reid, presented a certificate to Chairman Shaw recognizing his unwavering service, leadership, and his dedication to children, education, and the residents of Washoe County.

Chairman Shaw thanked his colleagues, Katy Singlaub, County Manager, and staff and spoke about his retirement plans.

Sam Dehne, local resident, said he was saddened by Chairman Shaw's departure and complemented him on how he ran the Board meetings.

Gary Schmidt, local resident, read a passage from the Bible used by the Byrds in one of their songs "To Everything There Is a Season." He admonished

Chairman Shaw to enjoy his vacation as he passes from one season to another, and he presented him with a Bible.

**04-1273        MINUTES**

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, Chairman Shaw ordered that the minutes of the regular meeting of November 23, 2004 and the special joint meeting of September 27, 2004 with the Incline Village General Improvement District Board of Trustees be approved.

**04-1274        PROCLAMATION – MILLS LANE DAY – DECEMBER 28, 2004**

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that the following Proclamation be adopted and Chairman Shaw be authorized to execute the same:

**PROCLAMATION**

**WHEREAS**, The Washoe County Commission and the Reno City Council unanimously approved naming the new joint Reno Municipal Court/District Attorney building the Mills B. Lane Justice Center; and

**WHEREAS**, This decision was based on Judge Lane's past service to the community as former Washoe County District Attorney, District Court Judge and Chief Deputy Sheriff; and

**WHEREAS**, Judge Lane has also brought nationwide attention to Nevada serving as a professional boxing referee for 102 World Championship bouts as well as host of The Judge Mills Lane Show from 1998 until 2001; and

**WHEREAS**, Judge Lane also served his country in the U.S. Marine Corps and later graduated from the University of Utah's College of Law; and

**WHEREAS**, Judge Lane will join Washoe County and other officials and members of the community on December 28th in commemorating construction progress of the new Mills B. Lane Justice Center; now, therefore, be it

**PROCLAIMED**, By the Washoe County Board of Commissioners that December 28, 2004 is designated as "Mills Lane Day" in recognition of the contributions Judge Lane has made to Washoe County, the State of Nevada, and the United States of America.

**04-1275      RESIGNATION – WASHOE-STOREY CONSERVATION  
DISTRICT BOARD OF DIRECTORS - MANAGER**

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, Chairman Shaw ordered that Bryan Tyre's resignation, effective immediately, from the Washoe-Storey Conservation District Board of Directors be accepted. It was further ordered that Jim Shaffer be appointed to fill Mr. Tyre's unexpired term of June 30, 2006.

**04-1276      CANCEL - COMMISSION CAUCUS ON DECEMBER 27, 2004  
AND COMMISSION MEETING ON DECEMBER 28, 2004**

Sam Dehne, local resident, objected to the cancellation of the meetings.

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, Chairman Shaw ordered that the regularly scheduled Commission Caucus meeting on December 27, 2004 and the Commission Meeting on December 28, 2004 be canceled and the Clerk be directed to post the notice of cancellation.

**04-1277      SEXUAL ASSAULT - MEDICAL CARE - PAYMENT**

Pursuant to NRS 217.280 to 217.350, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, Chairman Shaw ordered that payments with funds from the District Attorney's account designated Sexual Assault Victims Expenses be authorized for initial emergency medical care and follow-up medical or psychological treatment for 36 sexual assault victims in an amount totaling \$6,800.94 as set forth in a memorandum from Kim Schweickert, Program Assistant CARES/SART, District Attorney's Office, dated November 30, 2004.

**04-1278      ACCEPTANCE OF GRANT - NATIONAL NETWORK OF  
ADOPTION ADVOCACY PROGRAMS - SOCIAL SERVICES**

Upon recommendation of Mike Capello, Social Services Director, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, Chairman Shaw ordered that the Social Services Director be authorized to accept the grant from the National Network of Adoption Advocacy Programs in the amount of \$10,000 to increase awareness of the need for foster and adoptive homes that reflect the diverse cultures of children awaiting permanency within Washoe County. It was further ordered that the Finance Department be directed to make following budget adjustments:

280910 Cost Center Grouping, One Church, One Child Grant	<b>Amount of Increase or (Decrease)</b>
Revenue:	
10455-431100 Federal Grants	\$10,000

Expenses:	
10455-710100 Professional Services	\$8,700
10455-710500 Other Expense	\$1,300

**04-1279      RESOLUTION – AMEND TRUCKEE MEADOWS REGIONAL PLAN TO IMPLEMENT SPANISH SPRINGS AREA PLAN - COMMUNITY DEVELOPMENT**

Upon recommendation of Eric Young, Advanced Planning Section, through Adrian Freund, Community Development Director, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried with Chairman Shaw abstaining, it was ordered that the following Resolution be approved and Chairman Shaw be authorized to execute the same:

**RESOLUTION  
INITIATING AN AMENDMENT TO THE TRUCKEE MEADOWS REGIONAL PLAN IN ORDER TO IMPLEMENT THE SPANISH SPRINGS AREA PLAN UPDATE.**

**WHEREAS**, Section 278.150 and 278.210, Nevada Revised Statutes, specifies that the Washoe County Planning Commission may prepare, adopt and amend a master (comprehensive) plan for all or any part of the County, subject to County Commission approval;

**WHEREAS**, The Washoe County Planning Commission has found that the SPANISH SPRINGS AREA PLAN; a part of the Washoe County Comprehensive Plan, should be amended to reflect a comprehensive update with the goals of preserving community character, establishing greater stability of land use, and better timing the provision of infrastructure with growth;

**WHEREAS**, the Board of County Commissioners of Washoe County, Nevada, pursuant to Section 278.220, Nevada Revised Statutes, has adopted and endorsed the Spanish Springs area plan update as recommended by the Planning Commission, in order to conserve and promote the public health, safety and general welfare;

**WHEREAS**, the goals, policies and maps that constitute the Spanish Springs area plan update were developed in an open and inclusive process that included over thirty public workshops and other meetings;

**WHEREAS**, some components of the Spanish Springs area plan update that will be necessary to achieve the aforementioned goals are not in conformance with the current Truckee Meadows Regional Plan;

**WHEREAS**, the Truckee Meadows Regional Plan permits local jurisdictions, including Washoe County, to initiate and pursue Regional Plan amendments;

**WHEREAS**, the necessary regional plan amendments will not hinder or alter the ability of the Regional Plan to accomplish its broader goals and will substantially

increase Washoe County's ability to be a constructive partner in Regional Planning; now, therefore, it is hereby

**RESOLVED, BY THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY, NEVADA,** That the Board does hereby initiate an amendment to the Truckee Meadows Regional Plan in order to implement the Spanish Springs Area Plan update, a plan found by this board to be of substantial benefit to the residents of the greater Spanish Springs as well as to the region at large.

**04-1280      MOGUL PARK PLAYGROUND EQUIPMENT REPLACEMENT – GREAT WESTERN PARK AND PLAYGROUND - PURCHASING**

Upon recommendation of Charlene Collins, Buyer, through John Balentine, Purchasing and Contracts Administrator, and Karen Mullen, Regional Parks and Open Space Director, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, Chairman Shaw ordered that the Purchasing and Contracts Administrator be authorized to purchase new playground equipment from Great Western Park and Playground in the amount of \$45,949.57 to replace existing equipment at Mogul Park. It was further ordered that the Purchasing and Contracts Administrator utilize the current Carson City Bid No. 0102-011, Playground Equipment, awarded to Great Western Park and Playground and to Dale Green Associates, valid through August 1, 2006 and any extensions of that award, for this purchase and the procurement of future playground equipment requirements upon the request of the Regional Parks and Open Space Director or designee, subject to budget approval by Finance. It was noted some purchases would be in excess of \$25,000.

**04-1281      DONATIVE AGREEMENT AND GIFT DEED – LAND IMPROVEMENT COMPANY – APN 008-161-39 - PUBLIC WORKS**

Upon recommendation of Mike Turner, Facility Management Division Director, through Tom Gadd, Public Works Director, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, Chairman Shaw ordered that the Donative Agreement and Gift Deed from the Land Improvement Company for Assessor's Parcel Number 008-161-39, for approximately 5,298 square feet of land located at the end of Morrill Avenue, be accepted with the gratitude of the Board. It was further ordered that the Public Works Director be authorized to execute and deliver any and all instruments and funds as may be necessary or appropriate to accomplish the acquisition in the name and on behalf of Washoe County.

**04-1282      FEASIBILITY STUDY – WOMEN AND FAMILY SHELTER AND COMMUNITY RESOURCE CENTER - GRANTS ADMINISTRATOR**

Upon recommendation of Gabrielle Enfield, Grants Administrator, through Katy Singlaub, County Manager, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, Chairman Shaw ordered that the feasibility study funding for the Women and Family Shelter and Community

Resource Center in Washoe County for an estimated cost of \$17,000 be approved. It was further ordered that the Finance Department be directed to make the following budget adjustments:

<b>ACCOUNT NUMBER</b>	<b>DESCRIPTION</b>	<b>AMOUNT OF INCREASE/ (DECREASE)</b>
189000-820000	Contingency	(\$17,000)
183100-710100	Non-Profit Grants/Payments to Other Agencies	\$17,000

**04-1283      RESOLUTION - GRANT PROGRAM CONTRACT - FY 2004/05 – INCLINE VILLAGE CHILDREN’S CABINET CLINIC - GRANTS ADMINISTRATOR**

Upon recommendation of Gabrielle Enfield, Grants Administrator, through Katy Singlaub, County Manager, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that the Grant Program Contract with the Incline Village Children’s Cabinet Clinic for Fiscal Year 2004/05 in the amount of \$50,000, to support primary medical care for low income residents of Incline Village, be approved and Chairman Shaw be authorized to execute the same.

It was further ordered that the following Resolution be approved and Chairman Shaw be authorized to execute the same:

**RESOLUTION** – Authorizing the Grant of Public Money to a Nonprofit Organization Created for Religious, Charitable or Educational Purposes

**WHEREAS**, NRS 244.1505 provides that a Board of County Commissioners may expend money for any purpose which will provide a substantial benefit to the inhabitants of the County and that a board may make a grant of money to a nonprofit organization created for religious, charitable or educational purposes to be expended for a selected purpose; and

**WHEREAS**, the Board of Commissioners of Washoe County has determined that \$50,000 in funding is needed to address the basic health care needs of the uninsured and underinsured of Incline Village; now, therefore, be it

**RESOLVED**, by the Board of Commissioners of Washoe County that:

1. The Board hereby grants to Children's Cabinet Incline Village, a nonprofit organization created for religious, charitable or educational purposes, a grant for fiscal year 2004 - 2005 in the amount of \$50,000 (Community Support).

2. The Board finds that in making this grant a substantial benefit will be provided to the inhabitants of the County by providing basic health care to low income, uninsured, and underinsured clients living in the Incline Village area.
3. The maximum amount to be expended from the grant and the conditions and limitations upon the grant are as set forth in the Grant Program Contract, which Contract is attached hereto and incorporated herein by reference.

**04-1284      DONATION – COMMUNITY AND CLINICAL HEALTH SERVICES DIVISION – NEVADA PUBLIC HEALTH FOUNDATION - DISTRICT HEALTH**

Upon recommendation of Patsy Buxton, Health Analyst, through Eileen Coulombe, Administrative Health Services Officer, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, Chairman Shaw ordered that the donation by the District Health Department’s Community and Clinical Health Services Division in the amount of \$600 to the Nevada Public Health Foundation to support education scholarships for teen parents be approved.

**04-1285      AMENDMENT – FY 2004/05 – IMMUNIZATION PROGRAM - HEALTH**

Upon recommendation of Patsy Buxton, Health Analyst, through Eileen Coulombe, Administrative Health Services Officer, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, Chairman Shaw ordered that an amendment to the District Health Department Fiscal Year 2004/05 Immunization Program budget in the amount of \$45,770 in both revenue and expense funds in support of temporary services, medical and operating expenditures funded by a Notice of Grant Award from the Nevada State Health Division be approved. It was further ordered that the Finance Department be directed to make the following budget adjustments:

<b>ACCOUNT NUMBER</b>	<b>DESCRIPTION</b>	<b>AMOUNT OF INCREASE/ (DECREASE)</b>
Revenue:		
2002-10028-431100	Federal Contributions	\$45,770
Expenditures:		
2002-10028-701130	Pooled Positions	\$20,000
2002-10028-710300	Operating Supplies	\$16,770
2002-10028-710361	Postage	\$1,000
2002-10028-710502	Printing	\$8,000
	Total Expenditures	\$45,770



**04-1286**      **1998-2004 REMEDIATION DISTRICT FEE CORRECTION  
REIMBURSEMENT - WATER RESOURCES**

Upon recommendation of Jeanne Ruefer, Planning Division Manager, and Chris Benedict, Central Truckee Meadows Remediation District Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, Chairman Shaw ordered that the 1998-2004 Remediation District Fee Correction Reimbursement in the amount of \$3,757.46 be approved.

**04-1287**      **MODIFIED CONTRACT – U.S. GEOLOGICAL SURVEY -  
WATER RESOURCES**

Upon recommendation of Jeanne Ruefer, Planning Division Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, Chairman Shaw ordered that the modified contract in the amount of \$5,000, concerning providing additional funds to the U.S. Geological Survey for installation, sampling and analysis of six flux meters that were outside of the original scope of work but are necessary to meet project goals, be approved. It was noted this concerns the Spanish Springs Valley Nitrate Remediation Project.

**04-1288**      **WATER SERVICE CONTRIBUTION AGREEMENT – SOUTH  
RENO INVESTORS, LLC (RYDER) - WATER RESOURCES**

In response to Commissioner Humke, Steve Bradhurst, Water Resources Director, said this was interim water service for the development until the County's water treatment plant was online. He said this agreement requires the developer to dedicate Truckee River water rights to cover the interim period and creek water rights to cover the permanent water supply once the water treatment plant is online.

Upon recommendation of Mr. Bradhurst, and Madelyn Shipman, Assistant District Attorney, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that the Water Service Contribution Agreement between Washoe County and South Reno Investors, LLC (Ryder), concerning provision of water service to a 250 home subdivision in South Truckee Meadows, be approved and Chairman Shaw be authorized to execute the same.

**04-1289**      **CORRECTION OF FACTUAL AND CLERICAL ERRORS –  
ASSESSOR**

Upon recommendation of Thomas Sokol, Personal Property Supervisor, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the following Roll Change Requests, correcting factual errors on tax bills, and the Order directing the County Treasurer to correct the errors be approved and Chairman Shaw be authorized to execute the same:

<b>PROPERTY OWNER</b>	<b>ID NO.</b>	<b>AMOUNT</b>	<b>ROLL</b>
Pro Products Co.	2/296-042	[-\$775.35]	2001 Unsecured
Excellence	2/106-863	[-\$22.08]	2002 Unsecured
Pro Products Co.	2/296-042	[-\$857.60]	2002 Unsecured
LW Automotive	2/130-039	[-\$435.09]	2003 Unsecured
Pro Products Co.	2/296-042	[-\$788.01]	2003 Unsecured
Courtyard By Marriott	2/050-072	[-\$399.71]	2004 Unsecured
Gold Coin Motel	2/061-037	[-\$112.08]	2004 Unsecured
Glendale Manor Mobile Home Park	2/073-005	[-\$212.67]	2004 Unsecured
CC Services Inc.	2/153-051	[-\$100.60]	2004 Unsecured
Marble Slab Creamery	2/203-681	[-\$838.96]	2004 Unsecured
Silver Legacy Resort Casino	2/280-000	[-\$50,091.05]	2004 Unsecured
Leroy's Horse & Sports Palace	2/289-014	[-\$48.75]	2004 Unsecured
Hobart Corporation	2/308-058	[-\$112.99]	2004 Unsecured
Autotee Inc.	2/500-423	[-\$256.49]	2004 Unsecured
Studio 2	2/500-635	[-\$65.39]	2004 Unsecured
La Petite Academy Inc. 387	2/600-115	[-\$68.02]	2004 Unsecured
La Petite Academy Inc. 441	2/600-120	[-\$75.87]	2004 Unsecured
Jeff Tungate	31/066-14	[-\$21.41]	2004 Unsecured
Michael B. Stewart	31/16-846	[-\$22.86]	2004 Unsecured
Joe D. & Patricia L. Schrepfer	32/16-226	[-\$759.12]	2004 Unsecured
Cinthia A. Brown	32/183-35	[-\$390.05]	2004 Unsecured
Peter Forman	51/00-058	[-\$70.74]	2004 Unsecured
Tana B. Aero LLC	51/00-615	[-\$2,233.76]	2004 Unsecured
Sam Jaksick	53/00-073	[-\$480.76]	2004 Unsecured
David R. Volkmann	53/00-075	[-\$142.25]	2004 Unsecured
Sierra Nevada Holdings Inc.	53/00-099	[-\$1,645.70]	2004 Unsecured
Carl D. Herold	53/00-107	[-\$124.61]	2004 Unsecured
Airlift Helicopters Inc.	53/00-527	[-\$268.29]	2004 Unsecured
Jon Garman	53/00-540	[-\$124.70]	2004 Unsecured
Greg McKenzie	53/00-545	[-\$227.36]	2004 Unsecured

**04-1290      PROFESSIONAL SERVICES AGREEMENT – LIONEL, SAWYER AND COLLINS – FEDERAL LOBBYING SERVICES – JANUARY 1, 2005 TO JUNE 30, 2005 - MANAGEMENT SERVICES**

Commissioner Sferrazza said the agreement states Lionel, Sawyer and Collins agreed to work solely at the direction of the County Manager or designated representative, and his concern was he did not remember them appearing before the Board for direction. He said the contract provided for reports and analysis on a regular basis to the Board and the County Manager, but he would like them to come before the Board on issues going before the federal government. Commissioner Sferrazza said it was never his intent to delegate this to the County Manager.

Katy Singlaub, County Manager, said the Board had visited with the representative from the firm, Alfredo Alonso. She said the firm represents the County regarding Board adopted policies, and these policies are communicated to Lionel, Sawyer and Collins through the County Manager or the legislative affairs team. Ms. Singlaub said, because things can happen quickly, the Board has supported going through the County Manager.

Commissioner Sferrazza said he would like the contract to state that Lionel, Sawyer and Collins work under the direction of the County Manager or a representative of the Board. He said he would like to have Mr. Alonso come before the Board at a future meeting, because other lobbyists meet with the Board and attend meetings on a regular basis, which has not happened with this firm.

Upon recommendation of John Slaughter, Management Services Director, through Ms. Singlaub, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that the Agreement for Professional Services between Washoe County and Lionel, Sawyer and Collins in the amount of \$30,000, concerning federal lobbying services for the period January 1, 2005 to June 30, 2005, be approved and Chairman Shaw be authorized to execute the same. It was further ordered that the dual representation, under the conditions stated in number 6 of the agreement, be approved. It was also ordered that Budget Division be directed to make appropriate budget adjustments.

**04-1291      AGREEMENT – LIONEL, SAWYER AND COLLINS –  
LEGISLATIVE SERVICES - JANUARY 1, 2005 TO JUNE 30, 2005 -  
MANAGEMENT SERVICES**

Upon recommendation of John Slaughter, Management Services Director, through Katy Singlaub, County Manager, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that the Agreement for Professional Services between Washoe County and Lionel, Sawyer and Collins in the amount of \$120,000, concerning legislative services for the period January 1, 2005 to June 30, 2005, be approved and Chairman Shaw be authorized to execute the same. It was further ordered that the dual representation, under the conditions stated in number 6 of the agreement, be approved. It was also ordered that Budget Division be directed to make appropriate budget adjustments.

**04-1292      AWARD OF BID – HISTORIC COURTROOM REMODEL –  
DONATION – COURTHOUSE HISTORICAL AND  
PRESERVATION SOCIETY - PUBLIC WORKS**

This was the time to consider the award of the bid for the historic courtroom remodel for the Public Works Department. The Notice to Bidders for receipt of sealed bids was advertised on November 10, 2004.

Bids were received from the following vendors:

Z 7 Development  
Building Solutions, LLC  
Northern Sierra Construction

Judge Peter Breen, Washoe County Courthouse Historical and Preservation Society President, introduced the trustees and supporters of the Society and 2nd Judicial District Court staff. He especially thanked Chairman Shaw for his support, and presented a donation in the amount of \$75,000 from the Society, which Chairman Shaw gratefully accepted on behalf of the County. Judge Breen said because of everything that was being done, the cost for the remodel has increased an additional \$16,000, and he hoped something could be worked out where the Society would match the County with an \$8,000 contribution.

Sam Dehne, local resident, spoke in favor of the remodel.

Upon recommendation of Roger Van Alyne, Capital Projects Division Director, through Tom Gadd, Public Works Director, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the Award of Bid for the Washoe County Historic Courtroom Remodel for the Capital Project Division be awarded to the low, responsive, responsible bidder, Building Solutions, LLC, in the amount of \$78,895, and Chairman Shaw be authorized to execute the contract documents upon presentation. It was further ordered that the donation from the Courthouse Historical and Preservation Society in the amount of \$75,000 be accepted, and the Finance Department be directed to make appropriate budget adjustments. It was also ordered that the proposed augmentation to the contract to finish the remodel be brought back to the Board on a future agenda.

**04-1293      NOTICE OF INTENT AND RESOLUTION – AUGMENT CHILD  
PROTECTIVE SERVICES FUND - FINANCE**

In response to questions raised at Caucus, Darin Conforti, Assistant Court Administrator, stated this item does not authorize any specific expenditures; it only creates the budget authority so the Court can begin its planning process for using the IV-E reimbursements from the Court Appointed Special Advocacy program; and the Court would bring to the Board any actual expenditures. He said the intent is to use the reimbursements for the Model Court Program.

Upon recommendation of Kim Carlson, Senior Fiscal Analyst, through John Sherman, Finance Director, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the publication of a Notice of Intent to Augment the budget be acknowledged, and the Finance Department be directed to make the following budget and cash adjustments. It was further ordered that the Resolution to augment the Child Protective Services Fund in the amount of \$644,581 from unappropriated fund balance be approved and Chairman Shaw be authorized to execute the same:

**RESOLUTION**  
**To Augment the Child Protective Services Fund (Fund 228)**

**WHEREAS**, the Child Protective Services Fund has a need for program enhancements due to expanding service needs; and

**WHEREAS**, the Child Protective Services Fund has sufficient resources available from unbudgeted opening fund balance to augment its appropriations;

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

Section 1. That the budget of the Child Protective Services Fund be augmented as follows:

Increase Revenues

Unappropriated Opening Fund Balance	\$644,581
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Increase Expenditures and Other Sources and Uses

Court IV-E Reimbursement Personnel (280220-701412)	\$100,000
Court IV-E Reimbursement Prof Services (280220-710100)	\$105,528
Court IV-E Reimbursement Capital (280220-781004)	\$100,000
CPS transfer out to Kids Campus Activity Center (280210-814092)	\$250,000
Kids Campus Activity Center transfer in (PW920705.11-622028)	\$250,000
Kids Campus Activity Center Expenditure (PW920705.62-780100)	\$250,000
Legato Imaging System-County share (280210-781002)	\$ 81,553
CPS Travel (280210-711210)	\$ 7,500

Section 2. This Resolution shall be effective on passage and approval.

Section 3. The County Clerk is hereby directed to distribute copies of the Resolution to the Department of Taxation, the Comptroller and the Budget Division within the Finance Department.

**04-1294      TRANSFER – FISCAL YEAR 2003/04 GENERAL FUND**  
**CARRYOVER - FINANCE**

John Sherman, Finance Director, explained the carryover amount and that it was used annually for one time expenditures. He said in September 2004, the Board approved the augmentation of the funding for the Regional Animal Shelter, which was taken from contingency and by deferring some other capital projects. Mr. Sherman said this transfer replenishes those funds and funds several one-time items, including improving the Criminal Justice Information system that was required by a Federal Bureau of Investigation audit. He said all of the capital expenditures would come back to the Board for approval.

In response to Commissioner Sferrazza, Mr. Sherman said the cost of licenses for the Legato document imaging software system is based on the number of users with one license being required for each user. He said this is a one-time expenditure, but there is an annual maintenance cost. Mr. Sherman said the documents are scanned and this system manages the scanned documents. Katy Singlaub, County Manager, said the system allows for much faster searching and retrieval of information contained within a document.

Upon recommendation of Mr. Sherman, on motion by Commissioner Humke, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Shaw ordered that the transfer of Fiscal Year 2003/04 General Fund carryover in the amount of \$2,488,136 be approved and the Finance Department be directed to make following adjustments:

<b>ACCOUNT NUMBER</b>	<b>DESCRIPTION</b>	<b>AMOUNT OF INCREASE</b>
189000-820000	General Funds Contingency	\$500,000
920299-710100	PW General Government Deferred Projects	\$500,000
920499-781001	PW Public Safety Deferred Projects	\$150,000
920599-781080	PW Deferred Projects	\$100,000
108700-710490	GIS Aerial Photography Contribution	\$47,483
179200-781004	General Assistance Legato System	\$31,493
PW920269-710210	Countywide Legato System Licenses	\$121,000
PW920265-711504	Criminal Justice Information System Firewall	\$425,000
150200-701110	Sheriff Deputy's Retro Pay (or balance of carryover)	\$613,160
	Total	\$2,488,136

**04-1295      BID PROTEST – SHERIFF’S HEADQUARTERS AND DETENTION FACILITY CHECKPOINT ACCESS CONTROL SYSTEM - PUBLIC WORKS**

This was the time to consider the award of the bid for the Sheriff’s Headquarters and Detention Facility Checkpoint Access Control System for the Public Works Department. The Notice to Bidders for receipt of sealed bids was advertised on August 25, 2004.

Bids were received from the following vendors:

- PowerComm Solutions
- Mustang Alarm Services, Inc.

Katy Singlaub, County Manager, said there were no requests to speak regarding this protest concerning the Award of Bid for the Sheriff’s Headquarters and Detention Facility Checkpoint Access Control System.

In response to Commissioner Sferrazza, Roger Van Alyne, Capital Projects Division Director, explained why PowerComm Solutions protested the bid. He said he discussed the matter with PowerComm Solutions, who indicated the protest would be withdrawn in writing but it was not received prior to the meeting.

Upon recommendation of Mr. Van Alyne, through Tom Gadd, Public Works Director, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, Chairman Shaw ordered that the protest of bid, concerning the award of the bid for the Sheriff's Headquarters and Detention Facility Checkpoint Access Control System, be denied. It was further ordered that the Award of Bid to Mustang Alarm Services, Inc. in the amount of \$99,999 be authorized, and Chairman Shaw be authorized to execute the contract documents upon presentation.

**04-1296      PURCHASE AND SALE AGREEMENT - FALCON CAPITAL, LLC  
- DAVIS CREEK REGIONAL PARK**

Karen Mullen, Regional Parks and Open Space Director, spoke about the parcels and thanked the Conservation Fund and the Nevada Land Conservancy.

Commissioner Galloway said this acquisition was on the list for the Parks, Trails, and Open Space Bond. He would also like to see other wish lists of approved projects to be funded, which would make it easier for the Board to make decisions.

Mike Ford, Conservation Fund Nevada and Southwest Director, spoke on completing the acquisition and protection of over 2,000 acres of land along with a significant amount of water resources. He thanked staff and said he looked forward to working with them on future opportunities.

Upon recommendation of Ms. Mullen, through Michelle Poché, Assistant County Manager, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, Chairman Shaw ordered that the Agreement for the Purchase and Sale between Washoe County and Falcon Capital, LLC, concerning 34.13 acres of property (APN 046-051-39 and APN 046-051-40) at the entrance of Davis Creek Regional Park in the amount of \$900,000, be approved. It was further ordered that Chairman Shaw be authorized to execute the agreement and all necessary escrow-closing documents upon presentation.

**04-1297      AGREEMENT – THE NATURE CONSERVANCY – MCCARRAN  
RANCH PROJECT FUNDING - PARKS**

In response to Commissioner Humke, Karen Mullen, Regional Parks and Open Space Director, said the funds were from State Question 1 of which \$10 million was allocated to the Truckee River. She stated this project was being coordinated with the flood control project to maximize and leverage dollars. Commissioner Humke said this was an entirely voluntary, voter authorized measure that the County has entered into; and he thanked Regional Parks and Open Space staff for this effort.

In response to Commissioner Sferrazza, Michael Cameron, Nature Conservancy, said the balance of the local share was coming from sewer rate fees from the cities of Reno and Sparks. He said the original purchase price was \$300,000 for 304 acres along five miles of the Truckee River, paid for with private funds from the Nature Conservancy's membership, which were contributions from the Nature Conservancy on behalf of the larger project. He said the restoration project entails rebuilding the river channel with a lot of earth moving, earth materials being brought onto the property, and revegetation.

Upon recommendation of Rosemarie Entsminger, Fiscal Compliance Officer, through Ms. Mullen, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, Chairman Shaw ordered that the Agreement regarding the November 2002 State Question 1: Parks and Open Space Bond Issue - Truckee River McCarran Ranch Project Funding between Washoe County and The Nature Conservancy in the amount of \$500,000, concerning flood mitigation improvements on a section of the Truckee River at the McCarran Ranch, be approved. It was further ordered that Chairman Shaw be authorized to execute the same.

**04-1298      2004-2025 COMPREHENSIVE REGIONAL WATER  
MANAGEMENT PLAN - WATER RESOURCES**

Katy Singlaub, County Manager, stated Board action on this item requires four votes.

Jim Smitherman, Program Manager, spoke about the changes the Board requested and the Regional Water Planning Commission's response as outlined in the agenda memorandum dated November 30, 2004, and provided a handout highlighting the changes, which was placed on file with the Clerk. He explained that the decision to keep the language as is in Policy 1.3.e. was based on advice of Legal Counsel. Mr. Smitherman then discussed the 10-year drought standard, the six reasons the Regional Water Planning Commission recommends the nine-year drought standard be retained in the amendment, and what 10 years versus nine years would mean to Washoe County.

In response to Commissioner Sferrazza, Mr. Smitherman said the County was in its fifth year of drought. Commissioner Sferrazza said it did not make sense to him to change the drought standard in the middle of a drought. Mr. Smitherman said the current standard in the adopted water management plan was 10 years, but his frame of reference was to the proposed amendment to the 2004-2025 Washoe County Comprehensive Regional Water Management Plan. He said the 10-year standard was adopted during the middle of a drought that lasted eight years. He said he believed the Regional Water Planning Commission would argue that the worst drought on record plus one more year is a conservative drought standard, which is why they are recommending the change to nine years.

Commissioner Galloway spoke about reducing the drought reserves and water allocations. He said more needs to be done than was provided for in this plan to



prioritize water use and where it goes, whether to the core or to sprawl, which he opposes. He was concerned that nothing in this plan or the Regional Plan ties zoning to how much water is available, and policies are needed that do that.

Mr. Smitherman said, based on the rate of will serve letters given out, the County would not reach an irreversible situation until the plan is reviewed again or before the Truckee River Operating Agreement (TROA) is implemented. He said the TROA agreement is a durable drought plan that withstands 10 years plus.

Commissioner Galloway said he has been waiting for TROA to be finalized since he was elected eight years ago; and he does not want to gamble, especially if TROA is not implemented. He said controls should be in place keeping a balance between zoning and water use or putting more restrictions on landscaping for new development.

Mr. Smitherman said the Regional Water Planning Commission had talked about such a policy for the last couple of years, but he feels the place for the policy is in the Regional Plan. Commissioner Galloway said if it were in the Regional Plan, he would not have these concerns.

Michael DeMartini, Regional Water Planning Commission Chairman, spoke about the adoption of the 10-year drought plan, and what led to the proposal of the nine-year drought plan. He said with the adoption of this plan and TMWA's plan, there would be protection for 10 years.

Diana Langs, Regional Water Planning Commission member, thanked the Board for proposing continuing this item, because she felt TMWA should be involved.

Commissioner Sferrazza spoke on why he favored waiting until 2006 to see what happens with this drought before changing the drought standard; and why he wanted a continuance, including wanting more information on the tree ring data.

In response to Commissioner Sferrazza, Mr. Smitherman said when the 10-year drought plan was adopted, there was a lot of uncertainty on how long a drought would go on. He said now there has been quite a bit of analysis done that supports the recommendation of the nine-year standard. He said if the ten-year standard were retained, an additional storage project might have to be online as early as 2006.

In response to Commissioner Sferrazza's question about waiting until 2006, Ms. Langs said the bulk of these items are tied to the Regional Plan Settlement Agreement that needs to be approved.

Commissioner Galloway said Mr. Smitherman had indicated that a historical approach was taken to analyzing the data on what a drought would be like. He said Nevada appears to be moving into a long-term climate change, and an historical approach would require less water than would be needed during a climate change. He

said the statement that the probability of an eight-year drought was very small concerned him because there had been three in the last 100 years.

On motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, Chairman Shaw ordered that acceptance of the Regional Water Planning Commission's response to changes submitted by the Board of County Commissioners and adoption of the 2004-2025 Washoe County Comprehensive Regional Water Management Plan as amended be continued until January 18, 2005.

**4:18 p.m.** The Board recessed to a closed session for the purpose of discussing negotiations with employee organizations.

**5:05 p.m.** The Board reconvened with Chairman Shaw absent and Vice Chairman Weber assuming the gavel.

**04-1299 MOGUL COUNTY ROADS - COMMUNITY DEVELOPMENT**

Michael Harper, Planning Manager, provided background information regarding the use of County roads in Mogul for access to two developments, which would be master plan amendments through the City of Reno, as outlined in the staff memorandum dated December 10, 2004.

Commissioner Galloway said staff had stated the land between the parcels and Somerset has environmental and visual problems, and a connection might be contrary to hillside protection ordinances. He said two of the three parcels are outside of Somerset's control, and he would like a covenant on them that they could never connect to Somerset in return for connecting to Gooseberry Drive.

Commissioner Weber said at the December Verdi Citizen Advisory Board (CAB) meeting the 1998 Somerset Development Standards Handbook (DSH) was read stating that traffic would go through the Somerset development.

Commissioner Galloway said Mr. Harper was not able to get a copy of the handbook, only a statement from City of Reno staff that adjacent properties are not assured access through Somerset.

Commissioner Weber suggested having a workshop in the chambers with residents from Mogul, Somerset representatives, and other property owners who may have plans for future developments. She said the Verdi CAB was having a meeting January 6, 2005, and asked if the meeting could be held in the chambers. Mr. Harper suggested using the Senior Center for the meeting and also suggested other items to be presented.

Upon recommendation of Adrian Freund, Community Development Director, through Michelle Poché, Assistant County Manager, on motion by Commissioner Galloway, seconded by Vice Chairman Weber, which motion duly carried

with Chairman Shaw absent, it was ordered that staff be directed to prepare a letter to the City of Reno for signature by the Chairman reiterating the preferred alternatives for access for the Riverview Partners development, and to reinforce the expectation that the City of Reno will adhere to the good faith and fair dealing commitments made with respect to the Settlement Agreement regarding the Somerset parcels. It was further ordered that staff remind the City of Reno that access is needed to Old Highway 40; and that Mogul Mountain Road would only be available under the settlement agreement for pedestrian or auxiliary access, not for motor vehicle access.

It was also ordered that the issues regarding the application being prepared by CFA, Inc. for development of two parcels adjacent to Gooseberry Drive be continued and that staff arrange a meeting with all concerned parties.

It was also ordered that staff bring this matter back to the Commission at such time as the City of Reno may take final action for consideration of further action regarding possible breach of the Settlement Agreement regarding the Somerset parcels.

Later in the meeting, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried with Chairman Shaw absent, Vice Chairman Weber re-opened the discussion on County Roads in Mogul because of the arrival of Angela Fuss, CFA, Inc. Associate Planner, representing the developer of the parcels adjacent to Gooseberry Drive.

Ms. Fuss informed the Board that the deadline for filing their application with the City of Reno was January 3, 2005; and they would be willing to participate in the January 6, 2005 workshop. She said they have met with County staff to discuss traffic issues, with Somerset to discuss access issues, with the Verdi CAB several times to obtain their input on the project, and had a private meeting with several Mogul property owners.

Commissioner Galloway asked if access was required to neighboring parcels in the Somerset DSH. Ms. Fuss said the only item in the handbook that addresses access is the same item as in the Court case that states, "Somerset will not provide access through Mogul." She said it says nothing about adjacent properties.

Commissioner Galloway requested staff copy her handbook. He asked if it was physically possible to follow a drainage way in an environmentally acceptable manner to connect to a Somerset street. Ms. Fuss said Somerset parcels abut their property, but no roads were stubbed to the project. She said there were significant physical obstacles between Somerset and their parcels, while Gooseberry Drive had been stubbed for future development.

In response to Commissioner Sferrazza, Ms. Fuss said Gooseberry was to be primary and secondary access to the development, which was stubbed all the way up to the property. She said the tentative site plan shows that the majority of the 92 acres, or about 75 acres, are designated open space. She said the developable portion is going to be

single family zoning with only 41 homes, and there are no roads stubbed out for development. Ms. Fuss said there are lots abutting where roads could have been built so there is no future possibility of stubbing out a road to Somerset.

Commissioner Weber asked if there was any possibility of another property connecting to the development, and Ms. Fuss said there was no possibility. She said she could send out a copy of the site plan to the Board.

In response to Commissioner Galloway, Mr. Harper said the earliest the City of Reno could act on the plan without violating the cooperative planning criteria would be March 2005. He said the earliest the application could be provided to the CAB would be February for comment, and those comments must be incorporated because the City of Reno must respond to all comments received by the County. Mr. Harper said the workshop would be scheduled for January 6, 2005 if possible, or the middle of January at the latest. He said the workshop could establish the available options and which options could be considered so they could be brought back to the Board for a decision on how the Board wants to address the Reno City Council.

In response to Commissioner Sferrazza, Mr. Harper said the County probably required the Gooseberry Drive stub out when the property was originally developed in anticipation of future development.

**04-1300      MEDIATION ON REGIONAL ISSUES - DISTRICT COURT,  
DEPARTMENT 9 - COMMUNITY DEVELOPMENT**

Katy Singlaub, County Manager, read an e-mail to Madelyn Shipman, Assistant District Attorney, from the City of Sparks, concerning Judge Hardesty's offer to mediate regional issues, which was placed on file with the Clerk. She said Ms. Shipman recommended the Board decline the invitation and continue to work on a collaborative process with the City of Reno.

In response to a request from Vice Chairman Weber, Commissioner Galloway provided background on the offer of mediation by Judge Hardesty on issues related to the regional plan and to annexation with the Court setting the ground rules. He felt the meeting with Councilmembers Hascheff and Aiazzi, Vice Chairman Weber, and himself was very encouraging in terms everyone's ability to focus and work toward the future rather than rehashing the past. Vice Chairman Weber agreed.

Commissioner Humke said citizens expected the Board to settle issues with other entities on a voluntary, proactive basis, and to not use the Courts.

Commissioner Galloway suggested a retreat be set up, but not a Court mediated retreat. Vice Chairman Weber said the retreat would have to be brought back.

Upon recommendation of Ms. Shipman, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with

Chairman Shaw absent, it was ordered that the District Court, Department 9, proposal to participate in focused, facilitated mediation on regional issues respectfully be declined.

**04-1301      STATE LEGISLATURE LOBBYING POLICY - MANAGEMENT SERVICES**

John Slaughter, Management Services Director, presented a PowerPoint slide show highlighting the main points of the County Lobbying Policy for the State Legislature.

Commissioner Sferrazza said the policy was, if the majority of the Commissioners took a position, then that would be the position of the County. He said this policy seems to say that an elected official is not subject to this if they confine their lobbying activities to issues directly related to the scope of the office to which they were elected. He said he presumed this included Commissioners or any elected official. Mr. Slaughter said the policy Commissioner Sferrazza was speaking of was the Legislative Communication Policy that would be brought to the Board in January 2005. He said the statement about elected officials was taken directly from State Statute. Mr. Slaughter said an elected department head has some latitude in addressing the legislature.

Katy Singlaub, County Manager, said elected department heads have constitutional duties that they are obligated to exercise independently, but Commissioners have a different authority that is collective. In response to Commissioner Sferrazza, Mr. Slaughter said the words in bold, italic type are lifted directly from Statute. Commissioner Sferrazza said on its face that seems to apply directly to Commissioners as well as any other elected officials. Mr. Slaughter said the Board's practice is to adopt the Legislative Communication Policy that states the majority position of the Board is the position of the Board, which all Commissioners represent in the Legislature. Commissioner Sferrazza asked what happens if an elected department head takes a contrary position. Mr. Slaughter said as a separately elected constitutional officer they have the ability to address the State Legislature.

Commissioner Galloway said he would not go before the Legislature on a position contrary to the Board, but he would not agree that he could not express contrary opinions to individual Legislators outside the Legislature. He wants to be sure by adopting this policy that the Board's rights to address Legislators would be determined by the Legislative Communication Policy and by an individual's agreement to that policy. Mr. Slaughter said the intent is to keep the two policies separate.

In response to Commissioner Humke, Ms. Singlaub said County employees could not lobby the legislature on behalf of an association when it conflicts with the County's position if the County pays the employees' dues. She said she would supply a list of professional associations and license fees paid by the County.

Upon recommendation of Mr. Slaughter, through Ms. Singlaub, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly

carried with Chairman Shaw absent, it was ordered that the Washoe County Lobbying Policy for the State Legislature be approved with the clarification that it does not restrict the communication items to be covered in the Legislative Communication Policy regarding what elected Commissioners can do as individuals.

**04-1302      RESOLUTION – GUIDELINES DISTRICT SPECIAL FUNDING ACCOUNTS - DISTRICT ATTORNEY**

Commissioner Humke said he had a concern about knowing what the reference to the Ethics in Government Law means, and that would be a reason why he would not use the guidelines. Commissioner Galloway suggested that during any review of relevant laws by Legal Counsel this topic be covered.

After discussion regarding the differences between Resolutions B and C, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried with Chairman Shaw absent, it was ordered that the Resolution for Establishing Guidelines for County Commission District Special Funding Accounts, Attachment C, be approved and Vice Chairman Weber be authorized to execute the same:

**RESOLUTION ESTABLISHING GUIDELINES FOR  
COUNTY COMMISSION DISTRICT SPECIAL FUNDING ACCOUNTS**

**WHEREAS**, it is not always possible to plan for pre-determined levels of service to the community, the Washoe County Board of County Commissioners have expressed the desire to have special funding for certain types of commissioner district needs not budgeted, and

**WHEREAS**, there are sufficient appropriations for funding the County Commissioner District Special Funding Accounts; and

**WHEREAS**, the Board of County Commissioners acted on December 14, 1999 to created the County Commission District Special Funding Accounts.

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

Section I. That the following constitute the general policies and procedures for use of County Commissioner District Special Funding Accounts:

1. The money must be appropriated as part of the budget process.
2. The money must be utilized toward projects or causes that:
  - a. Are otherwise appropriate and legal public expenditures;
  - b. Provide a broad public benefit;

- c. Do not provide any personal or private benefit for the Commissioners making the recommendation.
3. Any use of the appropriations must be approved in a noticed public meeting where the full commission is present.
4. Any funding, not otherwise obligated by June 15th of any given year, will be returned to the General Fund at the end of each fiscal year.
5. Each commissioner district will have an account established within the fund accounting system and the funding will be divided between the districts.
6. The individual commissioner district accounts must not go over the budgeted amount.
7. Recommendations for expenditures from a commissioner district account may not be presented to or approved by the Board for the period of three months prior and including the day of any election pertaining to the election of a Commission Seat.
8. During any budget cycle where a hardship is projected and it is anticipated that all departments will be requested to reduce funding levels, the County Commissioner District Special Funding Accounts will be reduced pro rata to departmental reductions.

Section II. Purchases strictly forbidden by the policy, regardless of Board approval are listed below.

1. Use of the funds that will directly or indirectly benefit any campaign efforts by a Commissioner;
2. Use of the funds in violation of the Ethics in Government law.

Section III. This Resolution shall be effective upon passage and approval.

Section IV. The County Clerk is hereby directed to distribute copies of the resolution to the Commissioners, Comptroller and the Budget Division within 30 days of Board Action.

### **REPORTS AND UPDATES FROM COUNTY COMMISSIONERS**

Commissioner Galloway informed the Board that he was the Chairman of the Nevada Tahoe Regional Planning Agency (TRPA), which elects the seventh member of the TRPA and approves any action on projects by businesses that include gaming.

Commissioner Sferrazza said he had written a letter in support of the Nevada Energy Park concept as being consistent with the Board's Resolution on Renewal Energy. Vice Chairman Weber said she was told that it was not a good idea to put her support in writing in case of a future vote. Commissioner Galloway said he had consulted with Legal Counsel, and on their advice, only submitted comments while making it very clear that he was open to new information and did not prejudge any future decision that would be made on the basis of information now before the Board. He said one of his comments was that the concept appeared to be within the types of projects the Resolution endorsed.

Vice Chairman Weber said she had attended the last Reno-Sparks Convention and Visitors Authority (RSCVA) meeting where she voted against the cost of living adjustment for Jeff Beckelman, RSCVA President and CEO, which passed. She also reported on the progress of the V&T Railway. Vice Chairman Weber said she was not receiving notification of the NACO meetings. Katy Singlaub, County Manager, said she would make sure the Commissioners were added to NACO's notification list.

Commissioner Sferrazza said he was elected to the National Board and the Nevada Executive Board, entitling the County to one additional member, which is Vice Chairman Weber's position. Vice Chairman Weber shared that at the meeting other members spoke very highly of Commissioner Sferrazza.

### **COMMUNICATIONS AND REPORTS**

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

#### **COMMUNICATIONS:**

- 04-1303** An executed Resolution Adopting the Amended North Valleys Area Plan (CP03-010 and CP04-006), A Part of the Washoe County Comprehensive Plan (see: April 13, 2004, Item 04-316).
- 04-1304** A letter dated October 20, 2004 from the United States Board on Geographic Names informing that on September 9, 2004 the Board did not approve proposals to make official the names for two valleys in Washoe County, Murphys Gulch and Webster Canyon.

#### **REPORTS – ANNUAL (Fiscal Year 2003-2004)**

- 04-1305** Airport Authority  
**04-1306** Gerlach General Improvement District  
**04-1307** Palomino Valley General Improvement District  
**04-1308** Reno-Sparks Convention and Visitors Authority  
**04-1309** Washoe County  
**04-1310** Washoe County School District



**04-1311      REPORTS – BUDGET (Fiscal Year 2005)**

- A.      Regional Transportation Commission

**04-1312      REPORTS – MONTHLY (October 2004)**

- A.      Clerk of the Court – Fee Collections with Fiscal Year Totals
- B.      County Clerk’s – Fee Collections with Fiscal Year Totals

**04-1313      REPORTS – QUARTERLY (September 2004)**

- A.      Grand View Terrace General Improvement District

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There being no further business to come before the Board, the meeting adjourned at 6:38 p.m.

\_\_\_\_\_  
**JAMES M. SHAW**, Chairman  
Washoe County Commission

**ATTEST:**

\_\_\_\_\_  
**AMY HARVEY**, County Clerk  
and Clerk of the Board of  
County Commissioners

*Minutes Prepared by  
Jan Frazzetta, Deputy County Clerk*