



Sun Valley G.I.D. Board Meeting Minutes of July 28, 2011

Board Members Present:

Margaret Reinhardt	Chairperson
Linda Woodland	Vice-Chair
Sandra Ainsworth	Secretary
Garth Elliott	Treasurer
Robert Fink	Trustee

Board Members Not Present:

Staff Present:

Darrin Price	SVGID, General Manager
Mike Ariztia	SVGID, Public Works Director
Jennifer Merritt	SVGID, Staff
Stewart White	SVGID, Legal

Others Present:

Jim Ainsworth	Audience
Marge Cutler	Audience
Glenda Walls	Audience
Joyce Mayo	Audience
Charles	Audience
Blaine	Audience
Judge Higgins	Sparks Justice Court
Judge Deriso	Sparks Justice Court
Christi Cakirogula	Keep Truckee Meadows Beautiful
Joseph Barstow	Reverend, H.O.P.E. Church
Nancy Eklof	Eklof Public Relations, Etc.

The meeting of the Sun Valley GID was called to order by Chairperson Margaret Reinhardt at 6:00 p.m. in the Sun Valley District Administrative Building, 5000 Sun Valley Blvd, Sun Valley, NV.

Item#1. Roll call and determination of a quorum.

Board members present; Robert Fink, Linda Woodland, Margaret Reinhardt, Sandra Ainsworth, Garth Elliott. A quorum was present.

Item#2. Pledge of Allegiance.

Item#3. Motion to approve agenda

Linda Woodland made a motion to approve the agenda. Robert Fink seconded the motion. The motion carried unanimously.

Item#4. Certify posting of agenda.

Jennifer Merritt certified posting of agenda.

Item#5. Public comments for items not on the agenda.

None

Item#6. Discussion and motion to approve customer refunds for July 14, 2011, payables and customer refunds for July 28, 2011.

Treasurer Garth Elliott gave a brief report of the customer refunds for July 14, 2011, accounts payable and customer refunds for July 28, 2011.

Garth Elliott made a motion to approve the customer refunds from July 14, 2011 in the amount of \$1,526.95, accounts payable for July 28, 2011 in the total amount of \$273,119.75 and customer refunds for July 28, 2011 in the amount of \$1,301.51. Linda Woodland seconded the motion. After some discussion the motion carried unanimously.

Item#7. Discussion and motion to approve minutes from July 14, 2011.

Linda Woodland made a motion to approve the minutes of July 14, 2011. Robert Fink seconded the motion. The motion carried unanimously.

Item#8. Presentation from Judge Higgins regarding the graffiti court process.

Darrin Price thanked Judge Higgins and Judge Deriso for attending the District's meeting and reviewing the court process regarding graffiti. Darrin commented the District has become actively involved with the removal of graffiti since the acquisition of the Sun Valley Parks. District staff is very proactive on removing graffiti once it has been done. Staff is able to remove it or cover it up within two or three days. In addition Mike Ariztia has been researching graffiti programs from various states.

Judge Higgins provided various Nevada Revised Statutes regarding Graffiti Penalties and Abatement. Judge Higgins reported the toughest part of prosecuting someone for graffiti is catching them first. Per NRS 206.330 a person who places graffiti on or otherwise defaces the public or private property, real or personal, of another, with out the permission of the owner is guilty of a misdemeanor, subject to six months in the county jail if the value of loss is less than \$250.00. If the loss of value is \$250 or more but less than \$5,000, it is a gross misdemeanor and up to one year in the county jail. If the loss of value is \$5,000 or greater, it is a category E felony, punishable up to one to four years in the state prison. Violators are subject to the following fines or penalties; first offense, pay a fine of not less than \$400 but no more than \$1,000 and must perform 100 hours of community service. Second offense, pay a fine of not less than \$750 but no more than \$1,000 and perform 200 hours of community service. Third offense and each subsequent offense pay a fine of \$1,000 and perform 200 hours of community service. The community service assigned must, if possible, be related to the abatement of graffiti. Parents or legal guardians of a person under the age of 18 years who is caught violating is liable for all fines and penalties imposed against the person. If the parent or legal guardian is unable to pay the fine and penalties because of financial hardship, the court may require the parent or legal guardian to perform community service. If a person is 18 years of age or older and is found guilty of violating, in addition to any other penalty imposed, the court will issue an order of suspension of the violators driver's license for not less than 6 months but not more than 2 years. If the violator does not possess a driver's license, the court shall issue an order prohibiting the violator from applying for a driver's license for not less than 6 months but not more than 2 years.

Per NRS 206.335 carrying graffiti materials at certain locations with intent to vandalize is also considered a crime. Graffiti materials include broad-tipped marker, aerosol paint container, or other items that may be used to propel or apply fluid that is not soluble in water. Judge Higgins reported a sign must be posted at any public facility in a location reasonably expected to be

viewed by the public which states, "It is a misdemeanor to possess graffiti implements at the public facilities without valid authorization" or the court can't prosecute.

Judge Higgins reported a graffiti reward fund was created by NRS 206.340. When a defendant pleads or is found guilty of violating NRS 206.125, 206.330, or 206.335, the court shall include an administrative assessment of \$250 for each violation in addition to any other fine or penalty. The money collected goes towards the Graffiti Reward Program. Rewards are paid to a person who, in response to the offer of a reward, provides information which results in the identification, apprehension and conviction of a violator.

Judge Higgins briefly went over Enhanced Criminal Penalties, NRS 206.125 damage of property used for purpose of religion, for burial or memorializing of dead, for education, transportation facility, as a public transportation vehicle or as community center. Any person found guilty of a gross misdemeanor for damaging the related properties are to pay restitution for the damage and; first offense, to pay a fine of not less than \$400 but not more than \$1,000 and perform 100 hours of community service. Second offense, to pay a fine of not less than \$750, but not more than \$1,000 and perform 200 hours of community service. A third or subsequent offense, to pay a fine of \$1,000 and to perform 200 hours of community service.

Judge Higgins briefly went over Juvenile Penalties, NRS 62E.690, certain offenses concerning graffiti or defacement of property. If a child is adjudicated delinquent for the unlawful act of placing graffiti on or otherwise defacing public or private property and possesses a driver's license, the court will issue an order suspending the driver's license of the child for at least 1 year but not more than 2 years. If a child does not possess a driver's license and the child is or will be eligible to receive a driver's license within the 2 years immediately following the date of the order. The court will issue an order prohibiting the child from receiving a driver's license for a period specified by the juvenile court. If the child is already the subject of a court order suspending or delaying the issuance of the driver's license of the child, the juvenile court shall order the additional suspension or delay, as appropriate, to apply consecutively with the previous order.

Graffiti Abatement NRS 244.369 authorizes Washoe County to abate graffiti that is consider a nuisance which requires property owners to remove graffiti. If an individual refuses to cover up or remove any graffiti, Washoe County will remove or cover up the graffiti and lien the property for the cost to perform such work. Judge Higgins has a county graffiti ordinance and it can be found under section 50.260.

Robert Fink inquired if a person took a photo of an individual buying graffiti material and then passed them out to juveniles, can the individual who took the photo turn it into the authorities.

Judge Higgins reported that particular cases would be considered accessory to a crime. Law enforcements must catch them in the act. If a citizen witnesses the crime, they can report them to the law enforcement, but they would have to be able to identify the person.

Garth Elliott thanked both judges for coming and educating the District on the graffiti court process. Garth commented he is personally frustrated with the graffiti problem and the lack of interest from Washoe County Sheriff's Department. He was told by the Sheriff's Department that they can't focus on graffiti at this time due to budget cut backs. He also spoke with a Washoe County Commissioner who told him that graffiti is the community's problem and the community needs to fix it. Garth inquired what the community can do to help law enforcement with this ongoing problem.

Judge Higgins commented the community needs to notify the authorities of the tagger(s) or issue a citizens citation.

Judge Deriso suggested the District contact the S.W.A.T. program and have them come to Sun Valley for community service projects. Arrangements can be made through Brook Howard with S.W.A.T.

Sandra Ainsworth commented she knew of an individual who called the Sparks Police Department to report someone for vandalizing and they didn't do anything. They didn't even ask for the individual to file a report.

Judge Deriso reported the Sparks Police Department has limited staffing now due to their cut backs.

Darrin reported that the District is installing surveillance cameras at one of the District facilities and wanted to know what kind of video quality does the court need to help prosecute.

Judge Higgins reported as long as someone can identify the individual in the video then it can be used to help prosecute. Anyone can identify someone by face, clothing, or even a car.

Audience member Charles asked if it was legal to allow individuals to use a wall to graffiti on.

Judge Deriso commented even with authorization to use a wall to graffiti on, it still creates a nuisance problem.

Audience member Blaine commented there is a difference between graffiti and tagging. Some people use graffiti to express themselves in an art form. Other writings are considered gang signs or tagging. He would like to see a graffiti park for individuals to use.

Darrin thanked both Judge Higgins and Judge Deriso for their presentation.

Item#9. Discussion and possible direction regarding the District participating with a Graffiti Summit.

Darrin Price reported he received an email from Lori Adams with Washoe County regarding an update related to graffiti enforcement, education, and abatement efforts from the Washoe County Sheriff's Department at the Board of County Commissioners meeting scheduled for September 13, 2011.

Garth Elliott suggested a community summit to get community input about the ongoing graffiti nuisance. He would like to take the community input to the Board of County Commissioners and hope to get some resolution regarding this problem.

Darrin commented he is trying to get a copy of the Sheriff's Department presentation prior to review at the Board of County Commissioners meeting so the District can review it. Darrin suggested the District wait on pursuing or participating in a summit until the presentation has been made to the Board of County Commissioners to see what outcome might be available for the District. In the mean time staff will continue its efforts to research graffiti programs.

Item#10. Presentation from Keep Truckee Meadows Beautiful regarding Annual Great Truckee Meadows Community Cleanup and possible direction for future cleanups.

Darrin Price commented the District is a big supporter of Keep Truckee Meadows Beautiful and the District has partnered with them on several occasions.

Christi Cakirogula with Keep Truckee Meadows Beautiful thanked the District for their on-going support with the annual clean ups. Christi reported KTMB Illegal Task Force is working on an educational program in efforts to prevent illegal dumping. The Washoe County Sheriff's Department has been instrumental regarding illegal dumping. They have installed some hidden cameras in the desert. The Sheriff's Department also works with the Washoe County Health Department to make sure ordinances are being followed regarding illegal dumping. Christi reported that the volunteer numbers were down for the Sun Valley clean up sites for this year annual clean up. They managed to collect 5 tires and pick up 500 pounds of trash. There is still a lot of trash in the desert and KTMB is looking into additional clean ups. Christi inquired if the District had any ideas how to increase the number of volunteers for Sun Valley.

Linda Woodland suggested KTMB should contact the schools. Her experience is that teachers get involved in community projects if they are aware of them.

Garth Elliott commented his past volunteering efforts were a huge success because of a database. The database contained individuals who had an interest in a particular site and all individuals who were added to the database were notified of clean up events. The District just launched its website and hopefully from that, the District can develop a database strictly for volunteers.

Christi commented KTMB currently has a database, they are looking to grow their database so they can get more volunteers on upcoming clean up events.

Robert Fink commented that most people have to be asked in person. Not everyone reads flyers they receive or pay attention to posters. He suggested contacting the local churches, businesses, and bars.

Christi thanked the District for their suggestions and thanked them for their support.

Item#11. Discussion and motion to consider request from Reverend Joseph Barstow with H.O.P.E. Church of Nazarene to be a partner with the Health and Safety Fair and regarding waiver of fees.

Reverend Joseph Barstow with H.O.P.E. Church of Nazarene and the Sun Valley Food Pantry commented that he is trying to put together a Health Fair to benefit the Sun Valley community. The main target audience is individuals that take advantage of the Food Pantry. He is working with Renown to offer preventative special screenings. He requested permission to use the Sun Valley Neighborhood Center for the Health Fair scheduled for August 20, 2011.

Margaret Reinhardt inquired why Joseph can't use his own facility for the Health Fair. It would benefit the Church and the Food Pantry because individuals can learn more about the programs they offer. Margaret commented a lot of local businesses hold their own Health Fairs at their own facilities.

Joseph reported Renown did a site visit of the Church and did not find it adequate enough for the Health Fair.

Margaret commented there are a lot of different Health Fairs that are scheduled throughout the month of August. These Fairs can all be found on the Renown's website. She suggested for Joseph to maybe direct individuals to some of the other Health Fairs that are already scheduled. Margaret also commented she personally didn't want to start a precedent of waiving fees for the

use of the Neighborhood Center. Margaret commented she had no problem renting the Neighborhood Center for such event.

Robert Fink was a little confused with the way the agenda is worded. He thought Joseph was requesting to partner with the Health and Safety Fair that took place earlier this year. He did not think the request was for a new Health Fair put on by Joseph Barstow.

Darrin Price commented Joseph Barstow is looking to put on his own Health Fair. He is asking if the District is interested in partnering with him and requesting to use the Neighborhood Center with the waving of rental fees. Darrin also commented he spoke with Brenda Hess with Family Resources and she notified Darrin of another Health Fair on August 20, 2011 at the Lazy 5 Park. Darrin suggested maybe for Joseph to partner with that Health Fair since it is nearby.

Joseph reported that the Church is not putting on the Health Fair that the Sun Valley Food Pantry who operates out of the Church is putting on the Health Fair.

Joseph commented he is concerned about partnering with other Health Fairs because of the cost associated with them. His Health Fair that he has been trying to organize is a minimal cost to individuals if he can guarantee there will be 25 or more attendees.

Garth Elliott commented he thought the District has a policy regarding the waving of fees only for those who make a significant impact and/or contribution to the Sun Valley community.

Sandra Ainsworth commented that the various Health Fairs are all slightly different. Each fair screens for different things.

Margaret commented she thinks the District should start collecting rental fees from non-profit organizations. She also suggested if the District was to waive rental fees for an organization, they would in return make a donation to the District to go towards free swim days.

Darrin suggested for Joseph to investigate other Health Fairs to see if there is an opportunity to partner with them.

Robert suggested for Joseph to partner with all the local churches and put on a big Health Fair. He would then consider waiving rental fees.

Sandra commented she could not support an event that was originally a community event changed to a religious event.

Darrin requested to bring this item back after Joseph has investigated the other Health Fairs.

Item#12. Update and presentation from Nancy Eklof Public Relations, Etc. regarding District new customer brochure with discussion of possible edits and possible motion to approve.

Nancy Eklof with Nancy Eklof Public Relations provided a draft copy of the District's new customer brochure. Nancy reported she has been working with District staff to update the existing customer brochure. The new brochure will include a section that staff can update Trustees, she also added a section regarding recreation and emergency preparedness. Some of the photos in the draft brochure will be changed out with up-to-date photos.

Nancy reported she received several quotes for printing and they range from \$950 up to \$1,500 for a quantity of 2,500 copies. Additional cost will apply for design and some of the stock photos being used in the background.

Garth Elliott complimented the brochure and hopes that it will be available on the District's website once it is published. He would like to see more history of Sun Valley be included in the brochure. He was not sure that the District needed to talk so much about the technical information. He doesn't think a lot of the customers will know what some of the technical information is.

Robert made a motion to approve the brochure concept. Linda Woodland seconded the motion. The motion carried unanimously.

Nancy also reported on some of the other projects that she has been working on. She has been assisting the District with advertising with the recent Sun Valley Fun Sunday and upcoming free swim days at the pool. She will also work directly with the District with the promotion of the upcoming Veteran's Day Event. Nancy suggested the District should consider preparing a public service announcement that can air on some of the news stations. A public service announcement regarding graffiti would be a great way to get the community involved.

Robert complimented Nancy for the advertisement for the free swim days.

A. Discussion and possible motion regarding formal launch of District's website.

Darrin Price reported the District did a soft launch of the District's website. Staff is comfortable to move forward with a formal launch to the general public.

Robert Fink made a motion to approve Nancy Eklof to assist the District to formally launch the District's website. Linda Woodland seconded the motion. The motion carried unanimously.

Item#13. Discussion and motion to approve tank inspections.

Mike Ariztia reported the District is due to have some of the storage tanks inspected. There are four tanks that he would like to have inspected and they are; Chocolate Tank, Westside Tank, Klondike Tank, and JT Tank. Tank inspections consist of inspection of the welds, materials, the floor, and the coating of the inside of the tank. In addition, inspections also include vacuuming any sediment that is on the bottom of the tank. Mike reported he received two quotes and they vary from \$8,495 and \$8,900. The District originally approved \$15,000 in the 2011/2012 budget for tank inspections. Mike requested approval to schedule the tank inspections.

Linda Woodland made a motion to approve Mike Ariztia to schedule the tank inspections. Robert Fink seconded the motion.

During discussion, Garth Elliott inquired if tank inspections are mandated by law.

Mike reported the District is required to inspect the tanks and they are done every ten years. Mike likes to perform the inspections more frequently so the District can make any needed repairs to stay compliant.

The motion carried unanimously.

Item#14. Financial report by Bill Short.

None

Item#15. Legal report by Stewart White.

None

Item#16. Field report by Mike Ariztia.

Mike Ariztia reported on the following;

- He received the permit for the light pole for the Neighborhood Center. The electrician and Burgarello Alarm will work together regarding the installation of the new light and surveillance system.
- He is reviewing the edits he received from the POOL PACT regarding the proposed Volunteer Program. Once all edits are completed he will bring the draft Volunteer Program to the board for review.

Item#17. Managers report by Darrin Price.

Darrin Price reported on the following;

- Provided an RGJ article regarding the closure of North Gate Golf Course. The residents want to see the old golf course used as open space or a possible regional park in the future. Those residents will be required to pay an additional assessment fee to purchase the property from the original owner to keep it open space or a possible regional park. The assessment fee will vary from \$133 to \$766 annually.
- Provided a Public Notice for Carson City regarding proposed rate increase. Carson City is proposing a 14% rate increase to their sewer service and a 5% rate increase for their water service.
- Provided the first draft of the redistricting map for commissioners. Darrin reported that Commissioner Jung's territory would expand from 1st Ave. up to 7th Ave. And Commissioner Weber's territory would start from 7th Ave. and go north. Commissioner Weber would also pick up the Spanish Springs area.
- He is working with representatives from Washoe County regarding the proposed amendments to the recycling ordinances. He is trying to arrange for someone to come and give a presentation to the District regarding the proposed amendments.

A. Update regarding activity of on-going commissions and committees.

Darrin commented there is nothing new to report on commissions and committees.

B. Sun Valley Fun Sunday Update.

Darrin Price reported the Sun Valley Fun Sunday was a success. The District provided free trees, bushes, reflectors, environmentally friendly grocery totes, and informational brochures on District programs including water conservation. Darrin gave a brief breakdown of the expenses. The District budgeted \$9,500 for community events. The total expenses for the Sun Valley Fun Sunday was \$6,233.48, this includes sponsorship, tent rental, awards, promotional items, and staff time.

Garth Elliott commented he attended the Sun Valley Fun Sunday. He took the opportunity to speak with the car owners to get their feed back. Majority of the owners were pleased with the event. There are only two car shows that are still on grassy areas and Sun Valley is one of them.

Item#18. Public Comments.

Marge Cutler inquired if the District still receives a franchise fee for garbage. And would those franchise fees be in jeopardy if any amendments to the recycling ordinance are approved.

Margaret Reinhardt read into the record a public comment she received from Susan Severt. "Again I would like to express my concerns regarding the prudent use of money to fund a Public Relations position that is seemingly being paid a large amount of money for only a small amount

of work. From what has been mentioned in prior board meetings over \$15,500 is being spent for a service that is producing 4 Pipeline issues a year which amounts to approximately \$7600 an issue. At the last meeting I did raise this issue and I asked why the GID was not having the PR firm promote such events and activities as the pool opening, free swim days, and swim lessons. I was told at that time by Chairwoman Reinhardt that the PR firm is not a “publicist” for the GID. I guess my questions to the board is why isn’t this PR firm publicizing GID activities and events? And if the PR firm is not hired to do such activities, then who is in charge of publicizing the events and activities of the GID?

I do hope that you as trustees will at the very least ask for an accounting of hours billed and work completed, such as what you require from other contractors. “

Item#19. Board Comments.

Robert Fink commented he and Joyce attended the Washoe County Board of Commissioners meeting regarding the Incline Village property tax discussion. Robert thought the Chair of the Board of Commissioners did a good job running the meeting. The results of the property tax refund discussion resulted in Washoe County using funds from Risk Management to pay back the Incline Village property owners. Then there was discussion how Washoe County would pay back the Risk Management fund. Washoe County proposed a 1% vehicle tax, which received a lot of protest from audience members. The proposed tax increase will be further discussed at a future Board of Commissioners meeting.

Robert also commented on some dried spots on the baseball fields.

Linda Woodland commented she attended the recent breakfast meeting with Commissioner Weber. She thought the meeting was one of the more productive meetings.

Garth Elliott commented on the following;

- He thinks the Incline Village property tax situation is happening to the Sun Valley Area. Some citizens of the Sun Valley area are considering a class action suit against Washoe County.
- He would like to see a section under contact us on the District’s Website regarding Volunteering.
- He has a problem with other Sun Valley residents, non District customers, not being assessed the recreation fee. He would like to see other Sun Valley residents help pay for the Sun Valley Pool and Parks.
- He would like to invest some funds to help promote the pool more to help cover the recreation short fall.
- He would like to see better reporting from Hillerby Associates for the service he provides to the District. Doesn’t think the District is getting what they pay for.
- He would like for District staff to research a reader board to be placed out front of the District office to advertise meetings and events.
- There is a proposal to close the Sun Valley Post Office and the community needs to do something about it.

Margaret Reinhardt commented the Sun Valley Post Office leases from BLM for \$1.00 a year. She doesn’t think that Post Office would move to another location and pay more in annual rent.

Item#20. Future Agenda Items.

- Robert Fink requested discussion regarding the possible closure of the Sun Valley Post Office.

Item#21. Adjournment.

*Linda Woodland made a motion to adjourn at 8:40 pm. Sandra Ainsworth seconded the motion.
The motion carried unanimously.*