

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

1:30 P.M.

FEBRUARY 22, 2000

PRESENT:

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

Betty Jo Vonderheide, Chief Deputy County Clerk
Katy Singlaub, County Manager
Maureen Griswold, Deputy District Attorney

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:

00-147 AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Short ordered that the agenda for the February 22, 2000, meeting be approved.

PUBLIC COMMENTS

Kelly Probasco, Chairman, Cold Springs Citizen Advisory Board, read a letter that the CAB received from the Chief of the Cold Springs Volunteer Fire Department concerning the health, safety and welfare of citizens, in that the CSVFD has been denied access to the areas north of the Cold Springs 2000 development and have had problems with another developer on the west side of the highway which resulted in the VFD having to repair a road at an expense of \$1,070. He distributed copies of the letter to the Board, placed a copy on file with the Clerk, and requested that the County rectify the situation.

Sam Dehne, local resident, expressed concern about the results of an Ethics Commission hearing involving Reno Mayor Jeff Griffin. He also expressed concern about the Airport Authority expanding cargo operations and stated that the plane crash that occurred in Sacramento last Thursday (2/17/00) could just as easily have happened here in Reno and, if so, would have resulted in thousands of deaths; and he implored the Board to stop the Airport Authority's "cargo scheme" and to remove their appointees from the Board of Trustees.

MINUTES

Commissioner Galloway requested a minor change to his statement reflected on page 78 of the February 8, 2000, minutes. On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Short ordered that the minutes of the regular meeting of February 8, 2000, be approved as amended.

00-148 APPROPRIATION TRANSFER - CIP IMPLEMENTATION - PUBLIC WORKS - FINANCE

Upon recommendation of Anna Heenan, Senior Administrative Analyst, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Short ordered that the following appropriation transfers for CIP (Capital Improvement Projects) Implementation be approved and that the Comptroller be directed to make the adjustments:

| | | |
|--------------------|-------------------------------------|---------------------|
| CIP Implementation | 001-1602-7105 - Consulting Services | Decrease by \$2,400 |
| | 001-1602-7620 - Travel | Increase by \$2,400 |

00-149 SUBMISSION OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATIONS TO THE STATE OF NEVADA

Pursuant to a question at Caucus, Katy Singlaub, County Manager, advised that the total cost of the Civil Protective Custody building is \$2.4-million.

Upon recommendation of Sheila Leslie, Grants Administrator, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that submission of the following to the State of Nevada for Community Development Block Grant (CDBG) funding consideration be approved and Chairman Short be authorized to execute the documents concerning same:

| | |
|--|--------------|
| Lighthouse of the Sierra (Community Facilities) | \$250,000.00 |
| Civil Protective Custody Building (Community Facilities) | \$200,000.00 |
| Eldercare Project (Planning) | \$ 25,000.00 |

00-150 AWARD OF BID - ORTHOPHOTO MAPPING PRODUCTS - RFP NO. 2213-2000 - INFORMATION TECHNOLOGY DEPARTMENT

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 December 8, 1999, for orthophoto mapping products for the Information Technology-GIS Department and joinder agencies. 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:

Nies Mapping Group, Inc.
Tri State Surveying, Ltd.
ASI Analytical Surveys, Inc.
HJW
Walker and Associates
PSOMAS

Merrick & Company submitted a "no-bid" response; and 12 potential vendors failed to respond to the invitation to bid.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Short ordered that RFP No. 2213-2000 for orthophoto mapping products for the GIS Division of the Information Technology Department and the joinder agencies be awarded to the lowest responsive and responsible bidder, Nies Mapping Group, Inc., in the amount of \$558,607.89 over a two-year period. It was further ordered that the Purchasing and Contracts Administrator be authorized to purchase additional mapping products from the successful proposer through the end of the fiscal year June 30, 2001, provided there is no increase in pricing.

It was noted that the purpose of this award is to update the 1997 photography, improve its accuracy/resolution, and provide additional functionality such as contour information; that in June, 1998, an interlocal agreement with the Cities of Sparks and Reno was adopted creating a regional Base Map Committee to implement and update digital submission standards and other functions; and that the project will be accomplished with financial participation from the members of the regional Base Map Committee, which includes Sierra Pacific Power Company, the City of Sparks, the City of Reno and Washoe County.

00-151 CONTINGENCY TRANSFER - PARKS - INCLINE VILLAGE GENERAL IMPROVEMENT DISTRICT

Upon recommendation of Brian Mirch, Senior Administrative Analyst, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Short ordered that a transfer of \$20,000 from Contingency

(1890-7328) to the Parks Department (1404-7294) in order to pay for 5 previous years worth of billing recently received by the Parks Department from the Incline Village General Improvement District be approved and the Comptroller be directed to make the appropriate account changes. It was noted that this relates to a contract approved on January 11, 1990, in which the County is obligated to pay IVGID \$4,000 per year for maintenance of facilities.

00-152 AGREEMENT - MOORE, IACOFANO AND GOLTSMAN, INC. - TRUCKEE MEADOWS FLOOD PROTECTION PROJECT - WATER RESOURCES

Upon recommendation of Paul Urban, Flood Control Manager, through Ed Schmidt, Director, Department of Water Resources, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that a contract between the County of Washoe and Moore, Iacofano and Goltzman, Inc., concerning facilitation and public information services for the Truckee Meadows Flood Protection Project be approved and Chairman Short be authorized to execute. It was noted that funding has been approved as follows: \$75,000 from the Regional Water Management Fund and \$75,000 from the Contingency Fund.

00-153 CAPITAL CONTRIBUTION FRONT ENDING AGREEMENT (CCFEA) - SUN VALLEY DRIVE - PUBLIC WORKS

Upon recommendation of Clara Lawson, Engineering Division, through Dave Roundtree, Public Works Director, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that preparation of a Capital Contribution Front Ending Agreement between the County of Washoe, MacPartners, LLC and J.R. Investments, and the Regional Transportation Commission, concerning improvements to Sun Valley Boulevard be approved and Chairman Short be authorized to execute when presented.

00-154 TERMINATION OF AGREEMENT - ROAD BASE WORK - EMPIRE GROUP, LLC - APPROVAL OF NEW AGREEMENT - RODEO CREEK ROAD - PUBLIC WORKS

Pursuant to questions at Caucus, Katy Singlaub, County Manager, advised that the total cost of paving Rodeo Creek Road would be between \$500,000 and \$1.3-million, depending on the material, and that the plan would be to do it in \$250,000 per year increments.

Maureen Griswold, Deputy District Attorney, stated that the essence of the agreement before the Board for approval would require that the County use its best efforts to allocate \$250,000 per year until the project is done, which would mean that the County would pave 4 miles per year for 3 years, and that the Empire Group would do the base for the road. She stated that if the Board approves the agreement in concept, staff would work together with the Empire Group to clarify some of the language in the contract; that the contract does need a termination clause; that a modification is needed to clarify that the work would have to be put out to bid since it is over \$100,000; and that the County Risk Manager, Ray Sibley, has requested a change in the insurance provision.

Commissioner Galloway stated that he would like "best effort" taken out and have the agreement say that the County **will** fund it at \$250,000 per year. Ms. Griswold stated that that could be done as long there is a funding out clause, which is also required by law, so that each year if the Board fails to appropriate sufficient funds for the project, the agreement terminates. She further stated that this Board cannot bind future boards and it would be a misdemeanor to obligate funds that have not been appropriated.

Commissioner Sferrazza asked about the County policy requiring developers or private parties to build a road to County standards before the County accepts it for maintenance and asked why this road is being treated differently. He also asked how much the Empire Group is contributing. County Manager Singlaub stated that perhaps this matter should be continued as the Public Works Director, who is currently at a Reno City Council meeting, could better explain the history of the County's relationship with the Empire Group.

Commissioner Galloway stated that this is not a traditional development; that there has been an agreement in effect concerning this road; and that the County ought to be good on its word. Commissioner Sferrazza stated that he feels he needs more of the historical information to make a good decision.

Commissioner Bond stated that she would not like to continue this; that she feels the changes to the contract are minimal and the issues can be worked out; that the County can be very specific on the funds it can allocate in the first year; that this has been an on-going matter for 5 years; and that it needs to be resolved.

Upon recommendation of Dave Roundtree, Public Works Director, on motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried with Commissioner Sferrazza abstaining, it was ordered that the Road Base Work Agreement between the County of Washoe and Empire Group, LLC, dated May 20, 1997, be terminated; that a replacement Agreement to provide for revised funding and for an amended schedule for paving of Rodeo Creek Road [\$250,000 per year in infrastructure] be approved **in concept**; that the District Attorney be directed to make the necessary changes; and that Chairman Short be authorized to execute the agreement when presented.

Commissioner Sferrazza stated that he is not necessarily opposed to the motion but abstained from voting because he did not feel he had enough information.

00-155 BILL NO. 1266 - ADOPTS USER CHARGES FOR STORMWATER DRAINAGE AND FLOOD CONTROL SERVICE - WATER RESOURCES

Ed Schmidt, Director, Department of Water Resources, stated that, as per previous Board direction, staff has begun the initial phase of preliminary design for flood control and stormwater drainage facilities in the unincorporated areas, and the initial environmental work by two local firms has commenced; that they have gone before the Spanish Springs CAB three times; and that there is a general positive level of support for this project. He stressed that the figures are very preliminary because the design and engineering have not yet been completed. Mr. Schmidt also advised that staff sent out a mailing to approximately 3,700 residents to let them know about the public hearing that will be held regarding this.

Commissioner Bond asked if there was any indication in the notice that was mailed as to what the fee would be. Leonard Crowe, Water Resources Planning Manager, responded that it did include proposed figures for existing and future property owners in the Spanish Springs area, as well as what is proposed for the Southeast Truckee Meadows Specific Plan Area.

Staff then conducted a presentation showing several pictures of previous flooding in the Spanish Springs area using the overhead to display charts that depicted costs, financing, shared costs by cooperating agencies, etc. Mr. Crowe described each picture and provided historical information. John Collins, Manager, Utility Services Division, Department of Water Resources, discussed proposed financing plans stating that the total project cost is expected to be \$11.7-million; that NDOT's share is \$652,900 for the crossings over the Pyramid Lake Highway; that the City of Sparks' share will be \$5-million and will come in both funds, approximately 40 percent of the project costs, and their construction of additional facilities; and that Washoe County's share will be about \$6-million, or 60 percent of the project. Mr. Collins stated that approximately \$10.2-million will need to be financed. He then discussed various methods for calculating the fees and presented several tables and charts of benefit ratios, costs to existing users, costs to future users and breakdowns between residential and commercial properties under the different methods. He emphasized that the figures calculated for future residents is very sensitive to the growth rate and that staff used a very conservative growth rate figure. Mr. Collins further stated that the fee staff is proposing is \$2.50 per month, per residence to pay for the facilities and a \$2.15 per month, per residence, charge for operation and maintenance of the facilities for both Spanish Springs and the SETM, for a total of \$4.65 per month for existing residents; that for future residents, the developer will pay a \$550 facility charge and the homeowner will pay \$19.00 plus the \$2.15 per month; and that the ordinance does provide that this be reviewed annually. He also listed the reasons why staff feels this is the best proposal, being that the main benefit of the project will be that the road is not going to be flooded; that some of the homeowners associations already collect for drainage facilities, which the County would take over; and that there have been indications from some of the major developers in

the area that they liked this approach.

Mr. Collins then answered several questions from Board members. Commissioner Bond stated that it always makes her very nervous when numbers such as these are presented to the public that are subject to change. Mr. Collins responded that while this is staff's best estimate, they really do not expect any big surprises. Commissioner Shaw asked if these are the same numbers that were presented to the CAB, and Mr. Collins responded that they are.

Commissioner Sferrazza asked about designating this fee as a tax so that there could be federal tax advantages to the homeowners. Mr. Collins stated that he would explore that idea with bond counsel.

Commissioner Galloway asked if there are people within the boundaries of the District who might say that they don't use the road and they don't have any runoff. Mr. Collins replied that there are probably quite a few and his response to that is that you have to look at a flood control facility as a system so that everybody's flow can be accommodated. Commissioner Shaw asked if there is an appeal process in the ordinance for people who feel there is no benefit to them and Mr. Collins stated that they can appeal to the Board of County Commissioners.

Bill No. 1266, entitled, **"AN ORDINANCE ESTABLISHING FACILITY CONNECTION, USER AND DEBT SERVICE CHARGES FOR PROVISION OF STORMWATER DRAINAGE AND FLOOD CONTROL SERVICE BY WASHOE COUNTY WITHIN CERTAIN AREAS OF THE UNINCORPORATED AREA OF WASHOE COUNTY; REQUIRING THE DEPARTMENT OF WATER RESOURCES TO SUBMIT BILLINGS TO ALL USERS WITHIN THE CERTAIN AREAS, REQUIRING PAYMENT THEREOF; AND PROVIDING PROCEDURES FOR ITS ENFORCEMENT."** was introduced by Commissioner Bond, the title read to the board and legal notice for final action of adoption on March 28, 2000, directed.

Scott Donovan, Spanish Springs resident, expressed concern about establishing fees before the actual costs are known and suggested waiting a few months until the figures are more concrete. He further stated that he has not built his home yet, but his neighbor has, and asked that someone explain to him how he will benefit 9 times more than his neighbor will.

Richard Donovan, Spanish Springs resident since 1962, stated that there was one serious flood in 1986; that since that time, with the flow being rerouted, the water over the Pyramid Highway has been no deeper than 3 inches; and that the real solution to the problem would be to have the highway department raise the road up a couple of feet and put in more culverts. He further stated that he has approved plans to build 500 homes and if this is approved, he will not build his project. Mr. Donovan asserted that the driving force behind this project is to allow another developer to build 1300 homes in the 500 acres that is in a floodplain, which that developer will not be able to do if these facilities are not built.

Mr. Crowe responded that they are trying to remove the floodplain; that when the specific plan was approved, the developer reserved the right to build farther north, where they have just as much land, if the floodplain is not removed; that there are major concerns relative to flooding in this area; and that if the project does not go forward at this time, the ability to work with and share costs with the City of Sparks and NDOT will go away.

Commissioner Bond asked if the costs could be firmed up better by the March 28th public hearing. Mr. Crowe stated that he does not believe the project will stray very far from the \$11-million figure. Mr. Schmidt stated that they will not know the actual costs of this project for two

years, but they can work out some scenarios.

Commissioner Galloway asked if staff has reasonable confidence in the research done so far to believe that the environmental assessment and the design will not add additional parts to the project that would further increase the cost. Mr. Schmidt responded that would be doubtful, but this is only a preliminary design. Commissioner Galloway asked if there are any significant changes anticipated as a result of the environmental assessment. Mr. Schmidt stated that staff is not aware of anything.

Commissioner Galloway stated that whenever you build a home on vacant land, put in a driveway, curbs and gutters, landscaping, etc., you increase the impervious coverage, which accelerates the amount of flow off of the property and increases the amount of flooding elsewhere. Mr. Schmidt stated that is correct as the water has to go somewhere. Commissioner Galloway stated that the more that is built, the less opportunity there is for the water to soak in and more opportunity for it to run off in a rush.

Bob Sader, Attorney representing Hawco Properties, another Spanish Springs developer, presented a handout to the Board with a different proposal concerning rates and fees. He stated that Hawco Properties is the largest developer in the unincorporated area of Spanish Springs; that Hawco controls over 50 percent of all of the land in the 20-year plan; that Hawco controls about 97 percent of the commercial land; and that when future growth is considered, it is Hawco that is going to pay and they are going to ask that the impact fees to the developer be increased. Mr. Sader stated that they do support this ordinance; that they support the 25/75 split between existing and future residences; and that they believe that future growth should pay for the vast majority of this project. He further stated that the \$19 per month for debt service for future residents is way too high and Hawco is suggesting that fee be lowered and the impact fee to the developer be increased. In response to Chairman Short, Mr. Sader stated that they used the same cost figures as staff in their proposal, but they are estimating 2000 new homes; and that they believe staff's estimate of 60 new homes per year is way too conservative as Hawco alone has averaged 125 homes per year for the last 5 years and they are not the only developer out there.

A discussion ensued about the possibility of lowering the rates if the build-out occurred more rapidly as Mr. Sader suggested it would and of including Mr. Sader's proposed numbers as an alternative. Legal Counsel Griswold cautioned the Board that this is an introduction of an ordinance and it cannot be changed at this point; that this should proceed to the public hearing as is; that this testimony should be presented again at that hearing; and that if any changes are necessary, the amendments would need to be made after conducting the public hearing.

Chairman Short noted that George Mager provided comments on the "request to speak" card, which he read into the record.

Ms. Griswold noted that there is a business impact statement on this ordinance which has been filed with the Clerk and will be available for anyone to review in the Clerk's office.

00-156 RESOLUTION - GENERAL OBLIGATION (LIMITED TAX) SEWER BONDS

On motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Short be authorized to execute:

RESOLUTION NO. 00-156

A RESOLUTION CONCERNING THE FINANCING OF SEWER PROJECTS; DIRECTING THE CLERK TO NOTIFY THE WASHOE COUNTY DEBT MANAGEMENT COMMISSION OF THE COUNTY'S PROPOSAL TO BORROW MONEY AND TO ISSUE GENERAL OBLIGATION SEWER BONDS ADDITIONALLY SECURED BY PLEDGED REVENUES TO EVIDENCE SUCH BORROWING; SETTING FORTH THE INTENT TO REIMBURSE CERTAIN EXPENDITURES WITH BOND PROCEEDS; PROVIDING CERTAIN DETAILS IN CONNECTION THEREWITH; AND PROVIDING THE EFFECTIVE DATE HEREOF.

WHEREAS, Washoe County, Nevada (the "County") was created as a county pursuant to Section 243.340 of Nevada Revised Statutes ("NRS"), and, pursuant to NRS § 244A.011 to 244A.065, inclusive (the "County Bond Law"), is authorized to acquire, improve, equip, operate and maintain sewer projects within the County, including facilities pertaining to a county sanitary sewerage system for the collection, interception, transportation, treatment, purification and disposal of sewage, liquid wastes, solid wastes, night soil and industrial wastes as provided in NRS 244A.0505 (the "Project"); and

WHEREAS, the Board of County Commissioners (the "Board") of the County proposes to issue the County's general obligation (limited tax) sewer bonds additionally secured by pledged revenues (the "Bonds"); and

WHEREAS, pursuant to § 350.020(3) (subject to the approval of the proposal to issue general obligations by the Washoe County Debt Management Commission), proposes to adopt and publish notices of public hearing and adoption of a resolution of intent to issue the Bonds additionally secured by pledged revenues of the County's sewer projects and sanitary sewer system (the "Pledged Revenues"); and

WHEREAS, the Board anticipates making a determination that the Pledged Revenues will at least equal the amount required in each year for the payment of interest on and principal of the Bonds; and

WHEREAS, the Board proposes to issue the Bonds without an election unless a petition signed by the requisite number of registered voters of the County representing the requisite assessed value of the taxable property of the County is presented to the Board requiring the Board to submit to the qualified electors of the County for their approval or disapproval the following proposal:

GENERAL OBLIGATION SEWER BOND ADDITIONALLY SECURED BY PLEDGED REVENUES PROPOSAL:

Shall the Board of County Commissioners of Washoe County in the State of Nevada, be authorized to incur a general obligation indebtedness on behalf of the County by the issuance at one time, or from time to time, of the County's general obligation (limited tax) sewer bonds, in one series or more, in the aggregate principal amount of not exceeding \$4,000,000 for the purpose of financing, wholly or in part, the acquisition, construction, improvement and equipment of sewer projects, including, but not limited to, facilities pertaining to a county sanitary sewerage system for the collection, interception, transportation, treatment, purification and disposal of sewage, liquid wastes, solid wastes, night soil and industrial wastes, as provided in NRS 244A.0505, the bonds to mature serially commencing not later than five (5) years from the date or respective dates of the bonds and ending not later than thirty (30) years therefrom, to bear interest at a rate or rates not in excess of the statutory maximum rate in effect at the time bonds are sold, to be payable from general (ad valorem) taxes (except to the extent pledged revenues and other moneys are available therefor), and to be issued and sold at par, or below or above par, and otherwise in

such manner, upon such terms and conditions, and with such other detail as the Board may determine, including at its option but not necessarily limited to provisions for the redemption of bonds prior to maturity without or with the payment of a premium?

(the "Bond Proposal"); and

WHEREAS, subsection 1 of NRS § 350.004 provides, in relevant part, as follows:

"1. Before any proposal to issue general obligation debt . . . may be submitted to the electors of a municipality, or before any other formal action may be taken preliminary to the issuance of any general obligation debt, the proposed incurrence . . . must receive the favorable vote of two-thirds of the members of the [debt management] commission of each county in which the municipality is situated. . . ."; and

WHEREAS, subsection 1 of NRS § 350.005 provides, in relevant part, as follows:

"1. The governing body of the municipality proposing to incur general obligation debt. . . shall notify the secretary of each appropriate commission, and shall submit a statement of its proposal in sufficient number of copies for each member of the commission. . . ."

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

Section 1. All action, proceedings, matters and things heretofore taken, had and done by the Board, and the officers thereof (not inconsistent with the provisions of this resolution) directed toward the Project and the financing thereof be, and the same hereby is, ratified, approved and confirmed.

Section 2. The County Clerk shall be, and she hereby is, authorized and directed to notify immediately the Secretary of the Washoe County Debt Management Commission of the County's Proposal, and to submit to said Secretary a statement of the Proposal in sufficient number of copies for each member of the Commission. The County Director of Finance is authorized to update or amend the County's plan for capital improvements if necessary to reflect the Project and the Bonds and the Project to be financed thereby and to file the information as required by NRS § 350.0035 to the extent required to comply with NRS § 350.0035.

Section 3. In order to permit the County to reimburse itself for prior expenditures relating to the Project with the proceeds of Bonds, the Board hereby determines and declares as follows:

(a) The County reasonably expects to incur expenditures with respect to the financing of the Project prior to the issuance of Bonds and to reimburse those expenditures from the issuance of Bonds; and

(b) The maximum principal amount of Bonds expected to be used to reimburse such expenditures is \$4,000,000.

Section 4. All resolutions, or parts thereof, in conflict with the provisions of this resolution, are hereby repealed to the extent only of such

inconsistency. This repealer shall not be constructed to revive any resolution, or part thereof, heretofore repealed.

Section 5. If any section, paragraph, clause or other provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or other provision shall not affect any of the remaining provisions of this resolution.

Section 6. This resolution shall become effective and be in force immediately upon its adoption.

00-157 AUTHORIZATION TO CHANGE TEMPORARY PART-TIME POSITION TO A POOLED INTERMITTENT HOURLY POSITION - RECORDER

Upon recommendation of Kathryn Burke, County Recorder, on motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that the Washoe County Recorder's request to change the status of a temporary part-time Deputy County Recorder I position to an intermittent hourly pooled Deputy County Recorder I position be approved.

00-158 TRANSFER OF AUTHORIZED POSITIONS AND APPROPRIATIONS - ENGINEERING - PUBLIC WORKS

Upon recommendation of Anna Heenan, Senior Administrative Analyst, on motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, it was ordered that the Human Resources Department be directed to move position control #15, Associate Architect, and #21, Registered Engineer, from Department 1630, Engineering, to 1600, Public Works. It was further ordered that the Comptroller be directed to make the following adjustments:

| DECREASE | AMOUNT | INCREASE | AMOUNT |
|-------------------------------------|---------------|--------------------------|---------------|
| 1631-Engineering, Administration | | 1602-Capital Projects | |
| 7001 Base Salaries | \$48,701.40 | 7001 Base Salaries | \$48,701.40 |
| 7004 Incentive/Longevity | 1,000.00 | 7004 Incentive/Longevity | 1,000.00 |
| 7042 Group Insurance | 2,267.83 | 7042 Group Insurance | 2,267.83 |
| 7043 Dependent Insurance | 866.25 | 7043 Dependent Insurance | 866.25 |

| | | | |
|-----------------|-------------|-----------------|-------------|
| 7048 Retirement | 9,303.39 | 7048 Retirement | 9,303.39 |
| 7050 Medicare | 332.43 | 7050 Medicare | 332.43 |
| TOTAL | \$62,471.30 | TOTAL | \$62,471.30 |

00-159 FAIRVIEW/INCLINE VILLAGE TOURIST WATER QUALITY IMPROVEMENT PROJECT - ENGINEERING

Upon recommendation of Kimble Corbridge, Engineering Division, through Dave Roundtree, Public Works Director, on motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, it was ordered that the following actions be taken concerning the Fairview/Incline Village Tourist Water Quality Improvement Project, Incline Village, Nevada:

1. The Fairview/Incline Village Tourist Water Quality Improvement Project be approved in concept.
2. Staff be authorized to request \$325,000 from Washoe County’s TRPA Water Quality Mitigation Fund (Bitterbrush Settlement) for design and construction of the project.
3. The Director of Public Works be appointed as agent for Washoe County.
4. The Chairman be authorized to approve and accept the grant from the Nevada Tahoe Bond Act if offered.
5. Chairman Short be authorized to execute the following resolution upon its adoption for the funding from the Nevada Tahoe Bond Act (approximately \$975,000):

RESOLUTION

FAIRVIEW/INCLINE VILLAGE TOURIST WATER QUALITY IMPROVEMENT PROJECT, INCLINE VILLAGE, NEVADA

WHEREAS, the County of Washoe is submitting an application to the Division of State Lands (DIVISION) for financial assistance; and

WHEREAS, the Nevada Tahoe Conservation District has been assigned the administration of the program and has set up necessary procedures governing the program; and

WHEREAS, the adopted procedures established by the DIVISION require that the governing board must certify by resolution the approval of the proposed project application, including all understanding and assurances contained therein, and availability of matching funds prior to submission of said applications to the DIVISION.

NOW, THEREFORE, BE IT RESOLVED that the proposed **FAIR- VIEW/INCLINE VILLAGE TOURIST WATER QUALITY IMPROVEMENT PROJECT** is approved for implementation;

BE IT FURTHER RESOLVED that the Board of County Commissioners do hereby certify that said agency can finance 100% of their share of the project.

BE IT FURTHER RESOLVED that the Board of County Commissioners does hereby appoint the Director of Public Works as agent of the Board of County Commissioners to conduct all negotiation, execute and submit all documents including applications, agreements, billing statements, and so on which may be necessary for the completion of the above project.

Introduced, passed and approved this 22nd day of February, 2000.

00-160 GRANT OF PUBLIC MONEY TO PRIVATE NONPROFIT ORGANIZATION - CHRISTMAS IN APRIL ★ TRUCKEE MEADOWS PROGRAM

Upon recommendation of Mike Harper, Planning Manager, on motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Short be authorized to execute:

RESOLUTION—Authorizing the Grant of Public Money to a Private Nonprofit Organization - Christmas in April ★ Truckee Meadows Program

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 private organization, not for profit, to be expended for a selected purpose; and

WHEREAS, the Board of County Commissioners of Washoe County has determined that a certain amount of money is available in fiscal year 1999-2000, 2000-2001 for community support grants, which grants will provide a substantial benefit to the inhabitants of Washoe County and which are made to private, nonprofit organizations;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby grants to the Christmas in April ★ Truckee Meadows Program, a private, non-profit organization, a grant for fiscal year 1999-2000, 2000-2001 in the amount of \$12,401.61; and

BE IT FURTHER RESOLVED that the purpose of the grant is to support the Christmas in April ★ Truckee Meadows Program and assist in providing housing rehabilitation to homes in the unincorporated areas of Washoe County.

00-161 ADOPTION OF RESOLUTION - PROTECTION OF ENVIRONMENTALLY SENSITIVE LANDS - CASEY RANCH, GASPARI/BALLARDINI RANCH - PARKS

Katy Singlaub, County Manager, reported that she had a conversation with the representatives of the owners of the Ballardini Ranch and their indication was that they are not interested in selling or exchanging the property; and that the Bureau of Land Management (BLM) suggested that it remain included in the resolution in case there is an interest in the future to allow the County to still pursue it.

Karen Mullen, Parks and Recreation Director, stated that staff has been requested by community members to refer to the Gaspari/Ballardini Ranch as only the Ballardini Ranch. She also explained another minor change to the original resolution to clarify that it refers specifically to the

Open Space Plan adopted by all the local entities.

Bob Rusk, representing the Washoe Valley Citizen Advisory Boards, spoke in support of protecting and preserving the Casey Ranch.

Upon recommendation of Karen Mullen, Parks and Recreation Director, on motion by Commissioner Sferrazza, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the following amended resolution be adopted and Chairman Short be authorized to execute:

WHEREAS, the Southern Nevada Public Land Management Act of 1998 provides, from proceeds derived from the orderly disposal of certain Federal lands in Clark County, Nevada, acquisition opportunities for environmentally sensitive lands throughout the State of Nevada; and

WHEREAS, the 2000-acre Casey Ranch in Washoe Valley is considered unique for its aesthetic, historical, cultural, watershed, and wildlife values, its location adjacent to Bowers Mansion Regional Park, Davis Creek Regional Park, Scripps Wildlife Management Area, and Washoe Lake State Park; and

WHEREAS, the 1,100-acre Ballardini Ranch is considered unique for its critical deer wintering range, scenic ridgelines, stream corridors, meadow and wetland areas, and its location adjacent to United States Forest Service lands which provides a unique opportunity for access to the Sierra range; and

WHEREAS, the 120-acre Canepa property and the 44-acre Carson property on the Truckee River are considered unique for their Truckee River frontage, wildlife habitat, scenic views, recreational trail potential, their location adjacent to United States Forest Service lands, and, furthermore, their preservation would help safeguard water quality in the Truckee; and

WHEREAS, there is broad public support for the protection of the Casey Ranch as evidenced by the work of the Nevada Land Conservancy and the members of the Casey Working Group; and

WHEREAS, there is broad public support for the protection of the Ballardini Ranch as evidenced by the efforts of Protect Our Washoe and other interested parties; and

WHEREAS, there is broad public support for the protection of lands along the Truckee River as evidenced by its priority listing in the Regional Plan; and

WHEREAS, the Washoe County Commission remains committed to the implementation of the Washoe County Regional Open Space Plan adopted by Washoe County, the City of Reno, and the City of Sparks in 1994, which identifies significant portions of the lands known here as the Casey Ranch, the Truckee River parcels named above, and the Ballardini Ranch as worthy of protection; now, therefore, be it

RESOLVED that the Washoe County Board of Commissioners strongly supports the protection of the Washoe Valley Casey Ranch, the Ballardini Ranch, and the Carson and Canepa properties on the Truckee River through the Southern Nevada Public Land Management Act program administered by the Bureau of Land Management.

00-162 KENNEL PERMIT APPEAL - LEON BAUGHMAN

Katie Stevens, Animal Control Officer, provided background information concerning the kennel permit application from Leon Baughman to keep 7 Rottweilers at 1590 SR 341 (Geiger Grade), stating that the initial complaint received by Animal Control was concerning the welfare of the dogs. She further stated that Mr. Baughman is in the process of constructing a residence and his application was for temporary kennels at this time and permanent kennels in the future. Ms. Stevens stated that 10 neighbors were notified of the application and that 4 letters of objection have been received; and that Mr. Baughman has submitted 6 letters in support of the application, 3 of which live in the neighborhood.

Chairman Short stated that this is a construction site; that there is no fence; and that the dogs are in small wire cages. Ms. Stevens stated that if the permit is approved before the residence is constructed, Animal Control will require another temporary kennel be built due to the size of the dogs.

Leon Baughman, applicant, responded to questions from the Commissioners stating that he does breed and sell the dogs, but as a hobby, usually having two litters per year; that he currently has 3 working dogs that he is showing and 2 older dogs that are retired; and that out of each litter he keeps 2 dogs to train and show so that he can place them in show homes. He further stated that there will be four or five 25-foot runs with covers and side protection to limit the dogs' line of site so there will be no barking and explained in detail the problems he has experienced in constructing the home and his plans for completion of the home and the permanent kennels.

Chairman Short stated that the people who live in this neighborhood are calling him weekly to complain about these dogs and this property in general. Commissioner Sferrazza asked how one can have a kennel when there is no residence. Mr. Baughman stated that they have maintained residency on site for the past 12 months with a construction trailer and 2 recreational vehicles.

Marty Erickson, 1590 Cherokee Trail, stated that she liked the idea of fencing the property as the Commissioners suggested and that the situation has been better since the plywood was put on the kennels.

Chairman Short read a letter into the record from Vic and Marina Ridgley, 1560 Cherokee Trail, who were unable to attend, voicing their opposition. The Ridgley's had also submitted a photograph of the Baughman's property.

Commissioner Bond stated that the only way she could support granting this permit would be on the condition that there was a fence to enclose the kennels and the dogs kept inside at night. Other details concerning the size and type of fence were added as well as a 60-day review, and this was put into the form of a motion, but it died for lack of a second.

Following further discussion, on motion by Commissioner Sferrazza, seconded by Commissioner Shaw, which motion duly carried, Chairman Short ordered that the kennel permit be denied.

COMMISSIONERS COMMENTS

Commissioner Sferrazza requested a workshop in the near future concerning de-regulation of power.

Chairman Short requested staff look into the situation of having temporary construction/residential trailers on property for 18 months and building permits automatically extended for an additional 18 months.

Commissioner Bond noted that the contracts with some of the volunteer firefighter groups will be expiring this summer; that Reno has committed that they will accept any that are extended; and that she would like staff to start working on those.

* * * * *

4:35 p.m. The Board recessed.

5:00 p.m. The Board reconvened with Commissioner Sferrazza absent.

00-163 ALTURAS POWER LINE MITIGATION FUNDS - PROPOSED PROJECTS - COMMUNITY DEVELOPMENT

5:00 p.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on February 11, 2000, to review project description sheets and associated staff comments on each project proposed for funding with Alturas power line mitigation funds; receive public comments and testimony on these proposed projects; determine if these projects should be selected for funding; and appoint an appropriate Washoe County department as project manager for approved projects. Proof was made that due and legal Notice had been given.

Bob Webb, Planning Manager, Community Development, informed the Board about the following proposed projects: Grandview Water Company water system investigation; full-sized baseball fields for Babe Ruth and adult use; and the Swan Lake Nature Study Area. He stated that the North Valleys Babe Ruth League requested he advise the Board that they would like to build the ball fields now and install the lights later; that Karen Mullen, Director of Parks & Recreation, would like one ball field with lights to be built now and the second field built later; and that he feels this issue can be sorted out during the design and development of the project.

Chairman Short opened the public hearing and called upon those wishing to speak on this matter.

Joseph Townsell, Chairman, Grandview Terrace Horizon Hills Task Force, stated that all 3 projects have been reviewed by the community; that the water investigation system is extremely important to the residents of Grandview Terrace; and that once the water analysis is complete, they believe it will help the current residents with water improvement and any future development.

Thurman Carthen, Chairman of the Water District, stated that one of the problems with the water now is the low pressure, and when the new system was built, there was some confusion as to whether everyone was on the new system or still hooked up to the old system.

Commissioner Galloway inquired whether approval if the water system investigation would address the concerns regarding the water tank capacity for the fire hydrants as well. John Shaw, Shaw Engineering, Ltd., responded that the storage capacity would be addressed in the analysis; and that once the actual system is defined, they will run a hydrologic analysis to determine what the flows at the hydrants are relative to what they should be.

Howard Hanson, Member, Grandview Terrace Horizon Hills Task Force, stated that over a year ago he went before the Board of Directors for the North Valley Babe Ruth Baseball League and they informed him that 2 basic baseball fields was their first priority, but the second field could be built at a lower cost if built at the same time as the first field. He commented that this Board had said that they wanted lights at the field and his thought is that the lights could be put in at a later time; and that the cost of the parking lot, to be built at the fields, is substantial. He

advised that Ms. Mullen had indicated that a gravel parking lot would be sufficient for now, but that would have to be determined at a later time.

Gary Feero, area resident, requested the support of the Commissioners for all 3 projects; that the community has reviewed them and supports all of these projects; and that the water project will help the quality of life in the community.

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

On motion by Commissioner Bond, seconded by Commissioner Galloway, which motion duly carried, Chairman Short ordered that the following projects be accepted and approved:

- 1) \$7500 to the Grandview Water Company (GID) water system investigation and the Finance Department is directed to manage this project;
- 2) \$67,000 to the full-sized baseball fields for Babe Ruth and adult use at the North Valleys Regional Sport Complex and the Parks and Recreation Department directed to manage this project; and
- 3) \$3,000 to the Lemmon Valley Marsh Interpretive Area (Swan Lake Nature Study Area) and the Parks and Recreation Department directed to manage this project.

After inquiry by Commissioner Galloway, Katy Singlaub, County Manager, advised the Board that her understanding is that the issue of the lights at the baseball field will be worked out during the design phase in partnership with the community.

00-164 CONSOLIDATED PLAN 2000-2005 - COMMUNITY DEVELOPMENT

5:00 p.m. This was the time set in a Notice of Public Hearing to consider adoption of the Consolidated Plan with the provision that the Plan be brought back to the Board if there are substantive changes recommended prior to the submission of the document to U.S. Department of Housing and Urban Development (HUD).

Robert Sellman, Community Development Director, stated that the Consolidated Plan is a work in progress; that he has submitted 2 memos, one dated February 11, 2000 and one dated February 22, 2000, which contain recommended revisions to the Plan; and that those revisions need to be taken into consideration, if there is a motion to adopt the Consolidated 2000-2005 Plan, as they include comments from the Cities of Reno and Sparks as well as the County.

Chairman Short opened the public hearing and called upon those wishing to speak on this matter.

Matt Kowta, Bay Area Economics, stated that he has submitted to the Board a memo dated February 17, 2000, which has recommended revisions to the Consolidated Plan. Using the overhead projector, he reviewed his memo summarizing the following tables:

Table 1 - Home Allocation

Table 2A - Priority Needs Summary Table

Table 2B - Community Development Needs

Mr. Kowta stated that the public has until March 6, 2000 for submittal of written comments to the Plan; that tonight the Board is being requested to approve this Plan, conceptually, with the substantive changes submitted in the memos; and that once all of the changes are made they would come back before the Board for final approval.

Katy Singlaub, County Manager, commented that renter housing is of concern to the County, because most of the land use designations do not allow for the densities that promote extensive multi-family unit development.

Commissioner Galloway stated that he doesn't know where providing affordable housing stops and income assistance starts. Mr. Kowta responded that the Section 8 Program states that they will put qualifying individuals into housing and that persons will pay no more than 30% of their income towards the rent, although the rent may actually be a market type of rent.

Commissioner Shaw inquired if this presentation on affordable housing is being made to other concerned groups, in addition to the Cities of Reno and Sparks, and the County. Mr. Kowta responded that he is making a presentation of the Consolidated Plan to the Regional Planning Commission tomorrow night.

Eileen Piekarz, Affordable Housing Resource Council, stated that the report notes there are currently 1600 households on the waiting list for Section 8 and Public Housing, and both sources are limited. She further stated that she applauds this plan as a good comprehensive plan that lays out clear direction for the community to respond to, and it is far more specific than the plan from 5 years ago.

Ms. Piekarz advised the Board that there are some technical points that she has issues with in the definitions: on page 21, the definition of a special needs population leaves out drug and alcohol related problems, although these problems are included in special needs throughout the rest of the report, so it needs to be added for consistency; that on page 22, permanent support of housing focuses on permanent support of housing for homeless individuals and she believes that this needs to include permanent support of housing for those who may be housed currently and therefore are not homeless, but are not housed adequately; and that some of the tables need to be clarified.

Ernest Nielsen, representing the Senior Law Project and Truckee Meadows Fair Housing, stated that he is also a member of the Affordable Housing Resource Council and is an appointee to the Affordable Housing Advisory Committee. He congratulated staff and the people involved in putting this plan together and believes it is better than the plan 5 years ago. He discussed Fair Housing issues as well as Senior Citizen issues regarding affordable housing and requested that this Board consider those issues in determining whether to approve this plan.

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

Mr. Sellman advised the Board that the City of Sparks chose to close their public hearing and continue it for final decision on March 13, 2000; that this Board could do the same thing, close the public hearing and continue it to March 14, 2000; and that would give staff time to get through all of the formal public hearings and bring any significant changes back to the Board for final decision.

Commissioner Bond stated that she could support adopting the plan, as is, as long as there would be an opportunity for revision.

Commissioner Galloway stated that he could support adoption of the plan with goal commitments approved conceptually.

Commissioner Shaw stated that they could approve this plan conceptually and bring back any substantive changes for the Board to review.

On motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that the Consolidated 2000-2005 Plan be adopted, conceptually, and that certain quantitative measures and omissions be revisited by staff, including the recommended changes as discussed herein.

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There being no further business to come before the Board, the meeting adjourned at 6:15 p.m.

TED F. SHORT, Chairman
Washoe County Commission

ATTEST: AMY HARVEY, County Clerk