



# WASHOE COUNTY

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DA ✓  
Risk Mgt. N/A  
HR N/A  
Clerk LS

## STAFF REPORT

BOARD MEETING DATE: June 9, 2015

**DATE:** May 19, 2015  
**TO:** Board of County Commissioners  
**FROM:** Dave Solaro, Arch., P.E., Director  
Community Services Department, 328-2040, [dsolaro@washoecounty.us](mailto:dsolaro@washoecounty.us)  
**THROUGH:** Kevin Schiller, Assistant County Manager  
**SUBJECT:** Discussion and possible direction to the County Clerk to cause notice to be published and posted of an application by Southwest Gas Corporation for a Franchise Agreement to provide natural gas service to portions of Washoe County and to set the date for a hearing on the application including any objections thereto for July 14, 2015. (Commission Districts 1 and 2.)

### SUMMARY

This item seeks possible direction from the Board of County Commissioners (Board) to the Washoe County Clerk to cause notice to be published and posted of an application by Southwest Gas Corporation pursuant to Nevada Revised Statutes 709.070 for a Franchise Agreement to provide natural gas service to portions of Washoe County and to set a date for a hearing on the application including any objections thereto for July 14, 2015.

Washoe County Strategic Objective supported by this item: Sustainability of our financial, social and natural resources.

### PREVIOUS ACTION

On March 27, 1990, the Board caused notice to be published and posted of an application from Southwest Gas Corporation for a Franchise Agreement to provide natural gas service to portions of Washoe County.

On May 22, 1990, the Board held a public hearing to consider the application by Southwest Gas Corporation, and issued a franchise agreement.

### BACKGROUND

The power to grant franchise agreements by the Board is contained within the Nevada Revised Statutes (NRS) 709.050 to 709.170 and requires the Board to cause notice of the application upon receipt. The Community Services Department received the attached letter (application) for franchise agreement from Southwest Gas Corporation. The process for granting a franchise agreement has distinct steps, the first of which is to cause notice

AGENDA ITEM # #27

of the application and set a public hearing. The notice must contain pertinent information about the application and explain the process for making objections. The notice must be published once each week for a total of four consecutive weeks in a general circulation newspaper in the county, in this case the Reno Gazette Journal. The notice must also be posted in three public locations in the county at least 10 days prior to the application hearing, and the County Clerk will prove that notice was given at the meeting when the application hearing occurs and will make that a part of the record.

The attached Exhibit A is the notice prepared for this application from Southwest Gas Corporation.

At the date of the hearing the Board may make a decision or may continue the hearing for further proceedings not to exceed 30 days.

Currently Southwest Gas Corporation is operating within Washoe County under a 25 year franchise which expired May 22, 2015. Due to timing required under NRS chapter 709 the current franchise will expire, and if ultimately approved by the Board, the new agreement can be effective retroactive to May 22, 2015.

### **FISCAL IMPACT**

The fiscal impact associated with noticing this application is approximately \$500 in costs for publishing the notice for four consecutive weeks.

### **RECOMMENDATION**

It is recommended the Board of County Commissioners hold a discussion and possibly direct the County Clerk to cause notice to be published and posted of an application by Southwest Gas Corporation for a Franchise Agreement to provide natural gas service to portions of Washoe County and to set the date for a hearing on the application including any objections thereto for July 14, 2015.

### **POSSIBLE MOTION**

Should the Board agree with staff's recommendation, a possible motion would be: "Move to direct the County Clerk to cause notice to be published and posted of an application by Southwest Gas Corporation for a Franchise Agreement to provide natural gas service to portions of Washoe County and to set the date for a hearing on the application including any objections thereto for July 14, 2015."

RECEIVED

APR 28 2015

OFFICE OF  
C.S.D. ENGINEERING & CAPITAL PROJECTS



**SOUTHWEST GAS CORPORATION**

April 27, 2015

Washoe County  
Attention: Dave Solaro  
P.O. Box 11130  
Reno, NV 89520

Re: Southwest Gas Corporation; Application for Renewal of Franchise

Dear Mr. Solaro:

Southwest Gas Corporation, a California corporation ("SWG"), is a public utility qualified to do business under the laws of the State of Nevada and qualified to transact business in Washoe County, Nevada (the "County"). SWG currently provides natural gas service in the County pursuant to the Franchise granted May 22, 1990 by the Washoe County Board of County Commissioners, which according to its terms expires on May 22, 2015.

In accordance with NRS 709.050 through 709.170, and to permit the uninterrupted service and distribution of natural gas in Washoe County, SWG respectfully requests the renewal of its franchise from the County to maintain, use, operate, install, construct, repair and replace its gas system of mains, pipelines and conduits, together with all appurtenances and facilities, within all present and future public rights-of-way of the County, including all streets, roads, highways, bridges, public utility easements and public places in the County. SWG requests that the franchise be granted for a term of twenty-five (25) years commencing on or before May 22, 2015.

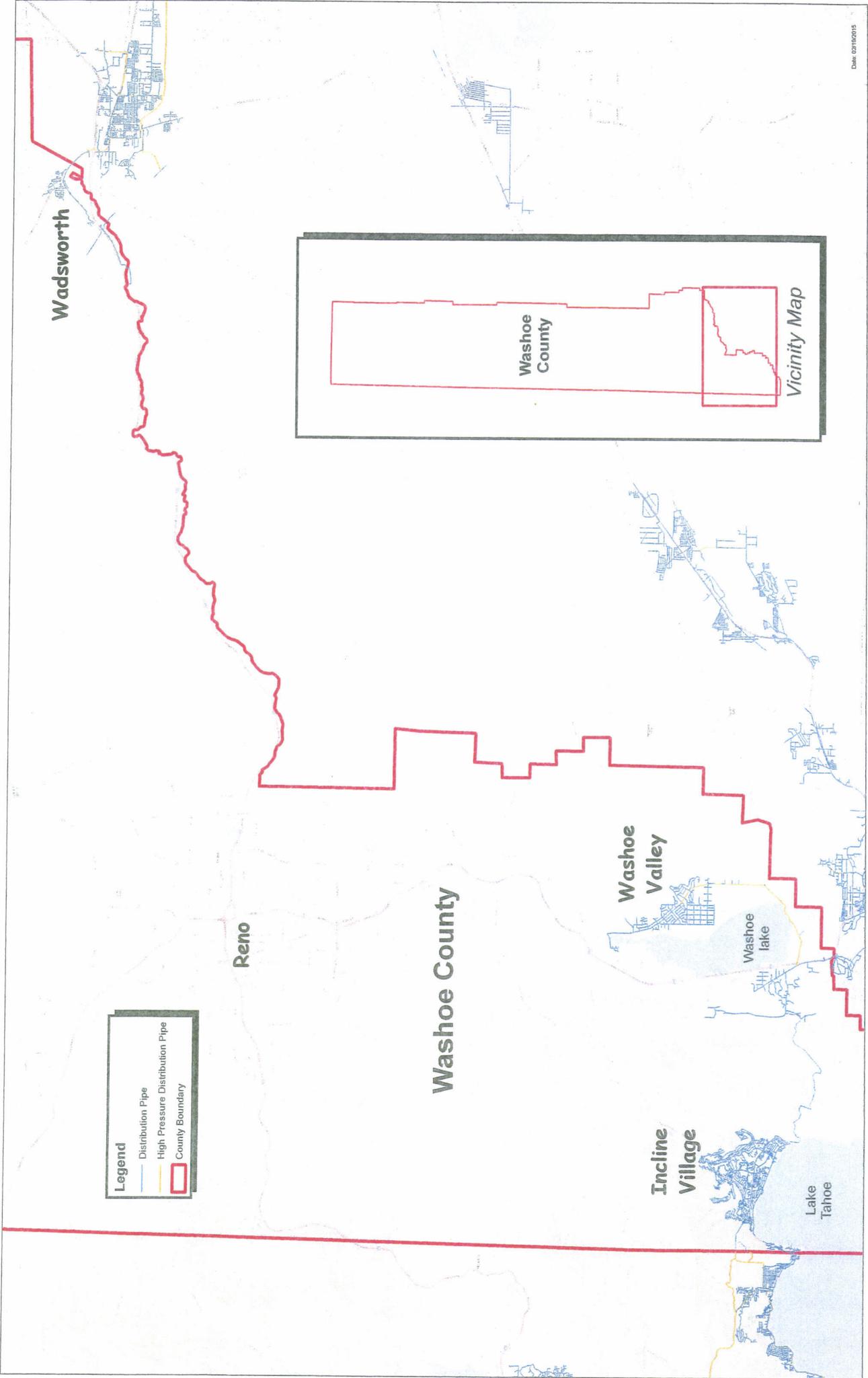
Enclosed for your reference is a plat generally depicting the present locations of SWG's facilities within the County public rights-of-way (subject to change as long as within County public rights-of-way). Also enclosed for your consideration is a proposed Franchise Agreement between the County and SWG. We respectfully request that this application be set for hearing at the Board's next regular meeting or as soon as possible thereafter.

If you have any questions, or need any additional information, please do not hesitate to contact me at (775) 887-2855.

Sincerely,

Davis Flaten

cc: Carla Kolebuck  
Russ Siegman  
Greg Davis



**Legend**

- Distribution Pipe
- High Pressure Distribution Pipe
- County Boundary

**Washoe County**

**Vicinity Map**

Exhibit A

Notice of Filing Application

Southwest Gas Corporation has filed an application with the Board of County Commissioners of Washoe County, Nevada for a franchise permitting the said applicant to construct, install, operate and maintain pipes and appurtenances for the purpose of conveying and distributing natural gas, and all necessary or proper appliances used in connection therewith, or appurtenant thereto, on or over the streets, alleys, avenues and other public places, and along the public roads and highways (except state highways and except within the present confines of any incorporated city or town) within the boundaries of Washoe County, Nevada, excluding therefrom all areas of any incorporated city, as more fully set forth in the application of Southwest Gas Corporation on file in the Washoe County Clerk's office.

Any and all interested parties are hereby notified that on the 14<sup>th</sup> day of July 2015, a public hearing will be conducted in the Commissioner's Chambers, first floor, Washoe County Administrative Building, A, located at 1001 East Ninth Street, Reno, Washoe County, Nevada commencing at \_\_\_\_\_ A.M. to hear any objections any person may have to the granting of said franchise, right or privilege. Objectors are notified that their objections must be filed in writing with the County Clerk prior to said date, or objectors may appear at the meeting and present their objections at the meeting at that time.

Dated: \_\_\_\_\_ 2015

Board of County Commissioners,  
Washoe County, Nevada

By: Nancy Parent  
County Clerk