

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

TUESDAY

10:00 A.M.

JULY 12, 2022

PRESENT:

Vaughn Hartung, Chair, *via Zoom
Alexis Hill, Vice Chair
Bob Lucev, Commissioner
Kitty Jung, Commissioner, via Zoom
Jeanne Herman, Commissioner

Janis Galassini, County Clerk
Eric Brown, County Manager
Nathan Edwards, Assistant District Attorney

The Washoe County Board of Commissioners convened at 10:02 a.m. 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, County Clerk Jan Galassini called roll and the Board conducted the following business:

- 22-0528 AGENDA ITEM 3** Appearance and presentation by Sonia Butler, Detective, Washoe County Sheriff's Office, on prevention of catalytic converter theft.

Washoe County Sheriff's Office Detective Sonia Butler played two anti-theft videos showing catalytic converters being stolen from parked vehicles. The video included a presentation, which Detective Butler read.

Vice Chair Hill thanked Detective Butler for the information needed to increase awareness in the community and help residents protect their vehicles. She noted the County would get the information out on social media as well.

There was no public comment or action taken on this item.

- 22-0529 AGENDA ITEM 4** Appearance and presentation from Bobbi Thompson (Director) and Tony Logoteta (Chief Operating Officer), Reno Air Race Association on the 2022 STIHL National Championship Air Races and Air Show, September 14-18, 2022.

Reno Air Race Association (RARA) Chief Operating Officer Tony Logoteta said they had made some wonderful strides. He wanted his director to provide the update.

RARA Director Bobbi Thompson conducted a PowerPoint presentation and reviewed slides with the following titles: Iconic Events (2 slides); 2021 Highlights; 2021 Marketing & PR; 2022 Preview (2 slides); 2022 Lineup (2 slides); STEM Education; Microsoft; Racing for the Future; Scholarships (2 slides); 2022 Challenges; Support and Win; Thank You.

Ms. Thompson acknowledged County Manager Eric Brown for his assistance and for allowing RARA to be there. She expressed excitement about the International Council of Air Shows Platinum Award being presented to their media group. She mentioned Microsoft had developed an air race game where users could race against themselves. She stressed the economic impact on the community and urged the Board to consider a CARES grant for \$100,000 to support the Reno Air Races (RAR). She believed it was a good investment for the entire County.

Commissioner Lucey asked about RARA's community involvement during and after the event, such as working with veterans and local businesses in the community. Mr. Logoteta stated they gave back throughout the year by making contributions to non-profit groups such as the 99s, the Elks Lodge, several aviation-based non-profits, and the Experimental Aircraft Association. He said they also donated tickets to more than 100 institutions as silent auction items and raffle prizes. He asserted that RARA had given back more than \$100,000 in monetary and in-kind donations to the community. He noted they took advantage of every opportunity to participate in the community, especially educational opportunities with children. He spoke about the Nevada Business Aviation Association and the Global Robot and Drone Deployment program noting they worked with children and provided drone pilot training that could be utilized as a skilled trade. He said they had been the primary sponsors for the drone program for the past two to three years. Commissioner Lucey indicated the National Aeronautics and Space Administration (NASA) had a drone pilot program at the Reno/Stead Airport and wondered whether RARA worked with them on any of their programs. Mr. Logoteta said they had not worked with them recently but NASA had been part of the Science, Technology, Engineering, and Math (STEM) Education Program in past events.

Commissioner Lucey asked about challenges going into this year's event. Mr. Logoteta stated the tragedy in 2011 was part of the history of the National Championship Air Races and Air Show (NCAR) but said it would not define RARA. RARA had done everything the National Transportation Safety Board and Federal Aviation Administration asked of them and the races had since been extremely successful and without incident. He mentioned the past ten years had been extremely difficult due to the local economy and additional challenges, but RARA had made significant progress in the past few years. He stated in 2021 they were able to turn the largest profit in the past 20 years. They thought everything was in line for the 2022 event until they received notification from the Reno Tahoe Airport Authority about an excess liability policy that covered RARA. They obtained the policy each year for a low cost but were unable to get the policy issued this year. RARA would be required to obtain the policy and the cost was \$500,000. This was the largest challenge RARA was facing for the 2022 event. He

indicated they were asking as many entities as they could to help raise the money since the event was only two months away.

Commissioner Lucey stated the RAR was a legacy event and was very impactful in Washoe County. He expressed how fortunate the community was during the summer and fall months to have legacy events starting with the Reno Rodeo, the Great Reno Balloon Race, Hot August Nights, and conclude with the RAR. He asserted the RAR was different than any other air show across the Country as it provided an opportunity to showcase military demonstrations, display airplanes, and perform aerobatic shows. He believed this was more than just a community event, there was significant economic development associated with it as well. He said the interest in the event brought veterans, airline executives, and many commercial pilots. He thought bringing airline executives from American Airlines, Delta Airlines, Southwest Airlines, and Alaska Airlines to see the Reno/Tahoe International Airport along with the Reno/Stead Airport helped to procure new routes and expand existing routes, which brought new business growth to the community. He mentioned the opening scene of the movie *Planes* was the RAR and said the races were impactful and known around the world. He indicated the Reno-Sparks Convention and Visitors Authority (RSCVA) contributed a significant amount of money to the event, and he urged the Board to look into the possibility of Coronavirus Aid, Relief, and Economic Security Act (CARES) funding to support RARA. He suggested the County look for additional opportunities to continue to support RARA for years to come.

Vice Chair Hill agreed the Board needed to figure out a way to support RARA, especially the educational portion. She thought this was in line with the goal of the American Rescue Plan Act (ARPA) grants and she hoped RARA had applied for those funds. She thanked them for bringing such a positive event to the community.

There was no public comment or action taken on this item.

22-0530 AGENDA ITEM 5 Public Comment.

Ms. Barb Fenne spoke about a meeting of the Truckee Meadows Regional Planning Agency that occurred on December 9, 2021, related to the Mogul development. She displayed a document, a copy of which was placed on file with the Clerk, which included information about translatable land use, the City of Reno Master Plan land use, and recognition that commercial and industrial land use were both acceptable. She asserted that residents occupied most of Mogul, and a storage facility and a small rock processing plant were the only industries in the area. She stressed the area did not have the space for sidewalks, which already created a dangerous situation. She noted the County was proposing two trailheads in the area, one on the east side and one on the west side. She opined the proposed zoning was not compatible with current and future uses for the area.

Ms. Elise Weatherly mentioned a television episode of True Crime where it took 15 years for DNA testing to determine a person had murdered a loved one. She said she did not believe in giving up on justice. She spoke about accountability, her brain tumor,

becoming more vocal, and replacing politicians, doctors, police officers, and attorneys. She said she was involved in volunteer work with numerous agencies.

Mr. Michael Craig displayed documents, copies of which were placed on file with the Clerk. He mentioned the impact the Donovan Pit would have on the community. The documents he provided listed the businesses and housing developments that would be built in the Donovan Pit area or north from Egyptian Drive. He expressed concern about 3,200 homes that were already in the building process and mentioned that Master Plan subsection 1.2 indicated only 1,500 homes were supposed to be built in that area by 2025. He thought this was unacceptable to the residents in the area. He opined Master Plan subsection 17.3 sections E-F were not compliant with the current infrastructure because only one fire station existed with a three-man crew. He noted the fire station was located at La Posada Drive and was required to support the entire area going north. He believed more development would create a significant safety issue within the community. He thought a moratorium needed to be put in place until the infrastructure was adequate.

Mr. Alex Czernaski expressed concern about fire hazards in the Shadow Ridge community. He spoke about a fire that occurred the previous summer in the Donovan Pit, stating the only thing that saved the community was the lack of wind. He mentioned a fire could start in the west and blow to the east, which would leave residents of that community with only one way in and one way out, or they could be trapped. Adding more homes, he believed, would create more of a safety hazard. He wondered about a plan to accelerate the flow of traffic in and out of the community when more houses were built.

Mr. Roger Edwards stated he was a 49-year resident of Washoe County and had been involved in many aspects of the County for a long time. He expressed frustration about the recharge program in Golden Valley. He spoke about the program working too well which led to the flooding of homes in the lower area. He stated many of these homes were in danger of losing their sewer systems, which would require them to be connected to the community system. He indicated to solve this issue the water level in the aquifer needed to be lowered. He believed construction companies could pump water out to use on job sites to keep the dust down. He opined Golden Valley could afford to put in a well to lower the water table. He said the recharge program was shut down more than six years ago and people continued to be billed \$22.66 per month. He wanted the Board to resolve the issue of the continued charges and to lower the water table. He noted the Board was still waiting on Director of Engineering and Capital Projects Dwayne Smith to provide a recommendation.

Mr. Will Brown spoke about the AR-15 rifle; it was designed to be a military rifle and to kill opposing soldiers. He stated the rifle was not meant to be a weapon used by a civilian. In the mid to late 1900s, the Thompson machine gun was the choice of gangsters and he said it was outlawed by the government. He stated Bonnie and Clyde-type robbers used the machine gun to overpower stores, the police, and banks, and to rob other people. He believed the AR-15 was a more deadly weapon than the Thompson machine gun and noted there were approximately 8 million of these in civilian hands. He asserted the AR-15 needed to become extinct from any non-military use.

Ms. Kay Dyer was not present when called to speak.

Ms. Emanuela Heller-MacNeilage expressed concern about Agenda Item 13, the Master Plan amendment for Mogul, and wondered whether the Board could make the findings as required. She spoke about the required findings and opined they were not consistent with the Master Plan. She stated a trailhead was in the plan and thought a change to the Master Plan could impact this project. She referred to the Interstate-80 (I-80) onramp and asserted the ramp was already too short to enter the highway. She believed the proposed changes would create additional safety issues. She indicated data received from a crash study determined there were three times more accidents on the westbound onramp as opposed to the eastbound onramp. She stressed the area could not handle the addition of commercial traffic. She stated the City of Reno had denied a request to build a development due to incompatible surrounding areas. She opined natural beauty and artifacts would be lost in the area if amendments to the Master Plan were approved.

Ms. Kris Engstrom requested the Board vote against the industrial zoning in Mogul. She spoke about lawyers working to find loopholes and opined those tactics were used on the Board during the last meeting. She said it was acknowledged that Item 13 was just about the grading and yet she thought everyone knew there was a project in mind since she was shown the project during a virtual meeting. She indicated there were rumors that part of the parcel was for sale, which brought up questions about what would be built there. She asserted the County was concerned about being sued for changes made to the Master Plan. She wanted the Board to do what was right for the people of Mogul, the community, and the County and not fear lawyers' threats. She spoke about possible significant safety concerns that could occur with changes to the Master Plan zoning. She requested the land zoning not be changed to industrial.

Mr. Larry Engstrom displayed an aerial video of the greater Mogul area and indicated the growth in the area was nearly all residential. He said after the completion of I-80 in 1974 the residential spread grew exponentially, and by 1990 the area was completely residential except for one small mini-storage facility. He stated residential growth continued and currently, the only commercial properties were a church, a couple of Truckee Meadows Water Authority (TMWA) facilities, a powerplant substation, and the mini-storage, none of which presented traffic issues or incompatibilities for the residents. He noted the City of Reno had control over most of the remaining spaces in the area. He opined placing a large industrial zone space in the middle of a quiet residential area was incompatible with the area. Large trucks would be dangerous for pedestrians and children in the area and would overwhelm the inadequate traffic design including the intersection near the train tracks and the westbound I-80 onramp. He asked the Board to vote against this zoning change.

Ms. Renee Rezentes stated she lived in a rural area and was amazed by all the traffic not just related to the area represented in Agenda Item 13, but throughout the County. She opined many California contractors were hired and offered significant amounts of money and benefits to do the jobs. She thought the people in the development areas were not considered and wondered why the Board was approving industrial

development when there was no safe access for emergency vehicles, school buses, or normal traffic.

Ms. Diana Christensen expressed support for the rezoning of the area as residential as she was afraid the Donovan Pit would be sold to someone who would turn it into an active pit. She stated there was nothing to stop an owner from opening a new asphalt batch plant or cement plant and making truck trips up the haul road. Although she spoke in favor of residential zoning, she wanted to see the Board place restrictions on the property to prevent larger issues from developing on that parcel. She requested the property be zoned low-density suburban, which would mean one-acre lots as opposed to the half-acre lots proposed. She requested the following: a signal placed at the corner of Pyramid Highway and Horizon View Road; a road to be cut to Calle de la Plata for additional access; a traffic calming to be placed on Horizon View Road; dust and construction noise to be held to a minimum; construction traffic to utilize Donovan Pit Road; native plants be replaced to reduce dust. She wanted all residents in that area to be protected from anything that would devastate the neighborhoods.

Mr. Don Christensen said he had lived in Washoe County for 45 years and in the Shadow Ridge development for the past 10 years. He indicated he bought his home from the previous contractors when there were only 13 homes in the area. He said within the past ten years, the traffic and infrastructure on Pyramid Highway had become very dangerous. He understood it was a State highway and much of the money for roads went to the southern portion of the State. He stated the infrastructure needed to be addressed if building was going to continue and he stressed fire protection was a priority. He spoke about the Board authorizing 15 more deputies for the Sheriff's Office, but he did not think that was enough. He thanked the Board, especially Chair Hartung, for the hard work getting traffic lights installed and addressing growth in the area. He said he was not happy about what Mr. Donovan wanted to do with his land but there were worse things that could be done with the property.

Mr. Pat Obrien spoke in opposition to the Reno-Tahoe Business Gateway in Mogul. He stated open space recreation areas were planned across the street from this proposed business park. He asserted the recreational access plan included hiking, mountain bike trails, fishing, and water sports, and wondered whether a business park would be approved right across from the beautiful recreation area. He encouraged the Board to take the entrance ramp to I-80 westbound. He said he had difficulty obtaining highway speed before merging into traffic and noted the danger of this situation. He hoped the Board would not approve this change.

Ms. Norma Saracino expressed concern about the aquifer supply for Spanish Springs and wondered whether there would be enough water to supply all the current homes and any new development. She believed this could cause increased water rates and possible shortages. She mentioned that 2,463 homes had been approved within the past 10 years and 3,200 new homes were in line to be built which could increase to 4,787 homes. She said the policy growth level was 1,500 new homes through 2025 and that land use had already been exceeded. She stated Washoe County Code standards required

there be a minimum of two ways in and two ways out per development. She stressed that Shadow Ridge only had one road, Horizon View Road, for ingress and egress. She wondered how the residents would leave the development in an emergency without being in danger when entering Pyramid Highway.

Ms. Katherine Snedigar spoke about the rules and regulations from the Health District about burning and stated she would burn her stove without a permit. She opined there were no rules that prevented people from clapping in Chambers. She mentioned that TMWA was testing water because she believed the Palomino Valley aquifer was going to go into Spanish Springs. She wondered whether that was to allow more homes to be built. She expressed concern about the potential effect on her well water. She opined the Board represented the developers and not the people that lived in the developments.

Ms. Lori Leonard displayed documents on her laptop. She stated the proposed industrial development zoning in Mogul was not compatible with the current or future plans for the area. She acknowledged that Mogul was 98 percent residential and provided access to public lands. She said the road to get across the river to public lands was narrow and asserted safety and access were the main concerns. She showed a brief video about transitioning to and from public lands. She noted traffic could back up into a five-way intersection if the railroad tracks were in use. She expressed concern about the dangers of the railroad crossing that did not have crossing gates. She spoke about the lack of visibility of vehicles coming toward the crossing, which was only large enough for one vehicle at a time. She referenced designs for future hiking trails and thought accessing the area could be dangerous.

Ms. Janet Butcher provided a document, a copy of which was placed on file with the Clerk. She spoke about the importance of audits to prove fair and credible information and believed they could improve internal controls and systems. She noted there were different types of audits that included software, procedure, and process. She opined there was incompetence in the procedures and processes of the 2022 primary election season. She addressed the issues she believed were improper, which included using the same colored ballot bags to transport items other than ballots, the chain of custody via the United States Postal Service, the lack of poll workers, the handling of mail-in ballots, anomalies of the status of votes, same-day registration without proper identification, people being removed from rolls or switched to non-partisan, the cost of a six-week process that could be handled in less time and with fewer costs, local resources were not used for hiring poll workers or printing voting materials, the quality of printed ballots, and the need to have party affiliation on the ballot. She wondered whether an election advisory board could be created to conduct audits of the process and procedure deficiencies. She thought this would be for the good of the community as a whole.

Mr. Kirk Arellano stated he was a resident of the Shadow Ridge development and was concerned about the traffic and infrastructure in Spanish Springs. He spoke about Pyramid Highway being a two-lane highway. He wondered where he could pull his car over if someone were to come at him head-on. He said the Board could speak

up and say infrastructure needed to be improved to avoid the possibility of daily or weekly accidents. He mentioned he purchased his home six years prior and noted it backed up to the Donovan Pit. He complained about the noise of semi-trucks going up and down the road. He expressed concern that 600 more homes were being built to the north of that road. He believed something needed to go where the Donovan Pit was but did not think industrial was the answer.

Mr. Jim Anderson stated he had known the Donovans since 1966, and when he moved to Spanish Springs in 1977, he lived in the fifth house. He urged the Board to pass the proposal the way it was. He indicated the Donovans had owned that property and had owned a land title longer than anyone else in the valley. He thought it would be wrong to take away the opportunity for the Donovans to sell their property and move on with life. He spoke about a flood in 1987 that cut an area out of Calle de la Plata that was 12 feet deep and 50 to 80 feet across. He indicated the Donovans worked seven days a week to produce enough material to repair the road.

County Clerk Jan Galassini stated an email was received from Mr. Donald Abbott, which was placed on file.

22-0531 AGENDA ITEM 6 Announcements/Reports.

Commissioner Lucey said he had the opportunity to travel as a representative of the Nevada Association of Counties (NACO) and spoke about the changes the NACO representatives made to their schedules so they could visit the rural areas of the State. He stated they went to Ely and had great discussions related to indigent services. He noted there would be significant discussions during the upcoming legislative session about indigent services, how those services were paid for by the counties, and costs that could be recovered from the State. He thought there were some interesting things to look forward to.

Commissioner Lucey spoke about the hiring of the new executive director of the University of Nevada, Cooperative Extension. He stated each county paid a certain amount, based on population, to the State of Nevada for the Cooperative Extension. The Cooperative Extension was a direct benefit to the community and included 4-H, programming, child advancement, and a number of ways the programs impacted each county. He said Dr. Jacob DeDecker was hired to take over the position as Dr. Ivory Lile had moved on. Commissioner Lucey indicated Dr. DeDecker would be relocating from Michigan in July. He wanted to invite Dr. DeDecker to meet with the Commissioners and discuss his plans for the future of the Cooperative Extension and how it would benefit Washoe County. He thought people in Northern Nevada were fortunate to live in a diverse State with 2 large counties and 15 small rural counties. He mentioned White Pine County was working with businesses and the community to increase economic growth in mining and agriculture and noted it had a very small budget to do that. He stated the most significant challenge was infrastructure including roads, internet, and housing. He indicated growth and challenges were statewide issues and they were being discussed by NACO.

Commissioner Lucey spoke about Washoe County legislative issues that would be discussed at the Legislature when the new session started in February 2023. He stated Nevada Revised Statutes 439 was about the governance and State laws that oversaw health districts across the State. He noted a new health district would be created to support four counties in the State. He wanted to see whether Washoe County needed to post about COVID-19 and final incident command reports regarding recovery of funding.

Commissioner Lucey wanted a discussion with the Nevada Department of Transportation (NDOT) about the road situation in the County. He spoke about Pyramid Highway, Mt. Rose Highway, State Route 431, McCarran Boulevard, and Kietzke Lane being State roads and noted many State roads within the region were not maintained to County or city standards. He stated traffic studies indicated improvement on Pyramid Highway since the advanced warning lights were removed. He wanted Mt. Rose Highway to be looked at for improvement in certain areas.

Commissioner Lucey asked for future discussion about trash incinerator policies within the County for commercial waste. He indicated a number of programs were being developed across the Country that created energy from incinerating commercial and green waste. He wondered about any policies the County had in place for these types of programs and whether there were ways to impact changes for future growth of energy networks.

Commissioner Herman wanted a progress report about the Golden Valley water issues and a solution for residents paying for a recharge program that was not being used.

Vice Chair Hill stated the West Truckee Meadows Verdi Citizens Advisory Board would be meeting on July 18 at the Northwest Reno Library and via Zoom. She said she would be presenting at the Legislative Board for review and oversight of the Tahoe Regional Planning Agency and the Marlette Lake Water System on July 15. She would be advocating for the State to help with more functional public transportation in Lake Tahoe.

Commissioner Lucey spoke about challenges with poll workers and being able to staff workers through early voting and election day. He mentioned that through NACO he spent time with a Chairwoman in Nebraska and learned they used a process similar to jury duty to select poll workers. He explained there were two different processes, people could sign up to volunteer as poll workers, or in the event of a shortage of volunteers, they sent selection letters to registered voters to request they work as poll workers. He stated the positions were paid and had rules to abide by, but he thought this was a possible solution for Washoe County. He believed this created more participation in the election process and would educate citizens about the entire process.

Commissioner Lucey stated the Truckee Meadows Fire Protection District brought up fire concerns and the Board received an update announcing a 20 percent chance of dry lightning was possible later in the day. He said the fire stations would be increasing staff in anticipation of dry lightning. He encouraged people to call 911 if they saw a fire

but said 911 could be overwhelmed with calls and might already be working on the incident. He noted the County would put out social media notifications regarding active fires.

CONSENT AGENDA ITEMS – 7A1 THROUGH 7F1

- 22-0532** 7A1 Recommendation to approve a Siphon Facilities and Access Easement and Notice of Description of Relocated Easement Area agreement between Washoe County and the Orr Ditch and Extensions Water Company as a result of the relocation and undergrounding of a portion of the Orr Ditch located on a portion of the Wildcreek Golf Course (Assessor's Parcel Numbers 027-011-10, 027-011-12, 027-011-14) in Sparks, Nevada. Community Services. (Commission District 3.)
- 22-0533** 7A2 Recommendation to approve a Grant of Easement for Water Facilities between Washoe County ("Grantor") and Truckee Meadows Water Authority ("Grantee") for the Safe Camp Facility on a portion of Assessor's Parcel Number 008-211-47. The easement will grant Grantee, its successors, assigns, agents, and licensees a permanent and non-exclusive easement and right of way to construct, alter, maintain, inspect, repair, reconstruct, and operate water system facilities, together with the appropriate mains, markers, conduits, pipes, valve boxes, meters, pressure regulators, fixtures, and any other facilities or appurtenances deemed necessary or convenient by grantee to provide water service. Community Services. (Commission District 3.)
- 22-0534** 7A3 Recommendation to approve a Grant of Easement (for power and gas distribution) between Washoe County ("Grantor") and NV Energy ("Grantee") on a portion of Assessor's Parcel Number 008-211-47 to construct operate, add to, modify, maintain and remove aboveground and /or underground communication facilities and gas systems for the distribution and transmission of gas and electric line systems for the distribution of electricity, consisting of poles, guys, anchors, cables, conduit, duct banks, manholes, vaults, transformers, pipes, valves, fittings, regulators, meters, service boxes, fixtures, bollards, apparatus and improvements. [For the value of \$1.00.] The easement is necessary for the construction of the Safe Camp Facility. Community Services. (Commission District 3.)
- 22-0535** 7B1 Recommendation to approve Washoe County's Indebtedness Report and accompanying schedules for fiscal year 2021/22 as of June 30, 2022, including general obligation and special assessment debt. If approved, staff will submit the report and schedules to the Washoe County Debt Management Commission and to the Nevada Department of Taxation by August 1, 2022. Comptroller. (All Commission Districts.)

- 22-0536** **7C1** Recommendation to acknowledge the Annual Report from the Internal Audit Division for Fiscal Year Ending June 30, 2022. Completed audit includes the Public Guardian and the office made efforts to implement recommendations. Manager's Office. (All Commission Districts.)
- 22-0537** **7C2** Recommendation to approve the three-year schedule of audits for the Internal Audit Division which is required to be presented to the Board for their approval pursuant to Washoe County Code 15.560. Manager's Office. (All Commission Districts.)
- 22-0538** **7C3** Recommendation to accept a 2023 Nevada State Emergency Response Commission (SERC), Operations, Planning, Training and Equipment (OPTE) grant for [\$28,850.00, no County match required] including funds to be used for food purchases. Grant Term is July 1, 2022 through June 30, 2023. If approved, authorize the Local Emergency Planning Committee (LEPC) Chair to execute grant documents and authorize the County Manager or his designee, to sign the Washoe County Sub-Grant Agreement between Washoe County and the Reno Fire Department (RFD), on behalf of the RFD Urban Search and Rescue (USAR) Team, per NRS 244.1505 in the amount of \$24,850.00 for one Hardline USAR Task Force Kit; approve Resolution necessary for same; and direct the Comptroller's Office to make the appropriate budget amendments. Manager's Office. (All Commission Districts.)
- 22-0539** **7C4** Recommendation to approve, pursuant to NRS 244.1505, Commission District Special Fund disbursement in the amount of [\$38,500.00] for Fiscal Year 2022-2023; District 1 Commissioner Alexis Hill recommends a [\$30,000.00] grant to the Incline Village/Crystal Bay Visitors Bureau --a non-profit organization that is organized for charitable, religious, or educational purposes-- to support the Spring 2022 Tahoe-Truckee Area Regional Transit (TART) - Connect Zone 3 Project; and a [\$5,000.00] grant to the Tahoe Fund --a non-profit organization that is organized for charitable, religious, or educational purposes—to support the ongoing sustainable tourism initiative, Take Care Tahoe; and a [\$2,500.00] grant to the Incline Village Crystal Bay Community & Business Association --a non-profit organization that is organized for charitable, religious, or educational purposes-- to utilize for event expenses associated with the Local Heroes Celebration and IVCB Sky Show; and a [\$1,000.00] grant to the Reno Bike Project --a non-profit organization that is organized for charitable, religious, or educational purposes-- to help recover costs to facilitate the 4th annual Tri-Lab event held on June 9, 2022; approve Resolutions necessary for same; and direct the Comptroller's Office to make the necessary disbursement of funds. Manager's Office. (Commission District 1.)

- 22-0540** **7D1** Recommendation to approve Interlocal Contract Between Public Agencies between the State of Nevada Department of Health and Human Services Division of Child and Family Services (DCFS) and Washoe County to provide psychiatric care to children in care in accordance with established policy, professional training, experience and community standards conducted by Fellows in the UNR Department of Psychiatry for the term of October 1, 2022 through September 30, 2024, in the amount not to exceed [\$25,272.00 (\$12,636.00 for FY23; \$12,636.00 for FY24)]; and if approved, authorize Chair to execute the Contract. Human Services Agency. (All Commission Districts.)
- 22-0541** **7E1** Recommendation to approve Washoe County's Debt Management Policy as of June 30, 2022 which includes (1) a discussion of the County's ability to afford existing general obligation debt, authorized future general obligation debt and proposed future general obligation debt; (2) a discussion of the County's capacity to incur authorized and proposed future general obligation debt without exceeding the applicable debt limit; (3) a discussion of the County's general obligation debt that is payable from property taxes per capita as compared with such debt of other municipalities in this State; (4) a discussion of the County's general obligation debt that is payable from property taxes as a percentage of assessed valuation of all taxable property within the boundaries of the municipality; (5) policy regarding the manner in which the County's expects to sell its debt; (6) a discussion of the County's sources of money projected to be available to pay existing general obligation debt, authorized future general obligation debt and proposed future general obligation debt; and (7) a discussion of the County's operational costs and revenue sources, for the ensuing 5 fiscal years, associated with each project included in its capital improvement plan if those costs and revenues are expected to affect the property tax rate; and direction to staff to submit to the Department of Taxation and the county debt management commission the policy or a written statement of the County's debt management policy on or before August 1 as required by NRS 350.013(1)(c). Manager's Office. (All Commission Districts.)
- 22-0542** **7F1** Recommendation to accept Treasurer's status report for the period ending June 30, 2022, of payment of refunds and interest since last update in the amount of \$1,637,206.87 on certain property tax overpayments for residential properties at Incline Village/Crystal Bay, in compliance with the October 21, 2019 Order issued by the District Court in Village League to Save Incline Assets, Inc., et.al. vs. State of Nevada, et.al., Case No. CV03-06922, as modified and clarified by the settlement agreement regarding the processing of refunds. Treasurer. (All Commission Districts.)

Commissioner Lucey acknowledged Item 7C4, which was a distribution of special district funds from Vice Chair Hill totaling \$38,500. He listed each of the donations and thanked Vice Chair Hill.

On the call for public comment, Ms. Elise Weatherly spoke about Item 7C1 and noted she liked what Janet Butcher had to say about implementing an internal audit for polling. She believed a person of integrity should be looking at items that needed to be audited. She encouraged a closer look to be taken at what was going on and who was running departments to ensure there was no collusion happening.

Mr. Tom Daly spoke about Item 7C2 and asked the Board to consider approving the audit schedule and to realize this was an election year. He commented there was no recommendation from the Chief Financial Officer or audit committee to audit the Registrar of Voters' Office or the County voter rolls. He indicated the Registrar's Office had already reported failures in the recent election including improperly printed ballots, voters being erroneously reclassified as non-partisan, and wrong ballots being sent to voters in election districts that had changed since the last census. He stated evidence was provided pertaining to voters who had opted out of receiving ballots but had still received at least one, if not two mail-in ballots. He mentioned there was no Registrar of Voters and there had not been one for the past four months. He urged an audit to be considered before placing a new person in the position.

On motion by Commissioner Lucey, seconded by Commissioner Herman, which motion duly carried on a 4-0 vote with Chair Hartung absent, it was ordered that Consent Agenda Items 7A1 through 7F1 be approved. Any and all Resolutions or Interlocal Agreements pertinent to Consent Agenda Items 7A1 through 7F1 are attached hereto and made a part of the minutes thereof.

BLOCK 8, 9, & 12

22-0543

AGENDA ITEM 8 Recommendation to approve a Golf Course Development Agreement between Washoe County and the Northern Nevada Youth Golf Foundation a Nevada non-profit corporation, doing business as First Tee Northern Nevada for the development of Wildcreek Golf Course (Assessor's Parcel Number 027-011-12) in Sparks, Nevada for affordable and charitable golf recreation. The purpose of the Development Agreement is to provide for the immediate transfer of APN 027-011-12 to the Northern Nevada Youth Golf Foundation under Board of County Commission action in October, 2021 while Washoe County purchases approximately 40 Acres of APN 035-080-04 from the Bureau of Land Management to be added to APN 027-011-12 when purchase is complete. Of monies committed to the improvement of Wildcreek Golf Course \$900,000 will be held by Washoe County to purchase the approximate 40 acres, allowing a remaining \$2,200,000 to be used for a 1:1 match for Northern Nevada Youth Golf Foundation's fundraising efforts to improve the golf course. Community Services. (Commission District 3.)

There was no response to the call for public comment.

On motion by Commissioner Lucey, seconded by Commissioner Herman, which motion duly carried on a 4-0 vote with Chair Hartung absent, it was ordered that Agenda Item 8 be approved.

22-0544

AGENDA ITEM 9 Recommendation to approve an Interlocal Agreement pursuant to NRS 277.180 between Washoe County, a political subdivision of the State of Nevada, and the Pyramid Lake Paiute Tribe of Nevada, a sovereign, federally recognized Indian Tribe, for the Tribe to provide emergency response services--including but not limited to appropriate fire, paramedic, and paramedic transport services-- to the Gerlach area of Washoe County effective upon approval by the Pyramid Lake Tribal Council, for an initial term of five-years, with possible two-year extensions. If approved, this agreement will include provisions allowing the Pyramid Lake Paiute Tribe of Nevada fire agency to use certain Washoe County facilities and equipment in the Gerlach area in connection with services rendered under this agreement. [Approximate annual cost to the county of \$552,303.09.] Manager's Office. (Commission District 5.)

Commissioner Herman said a special thanks to the people involved in providing a fire solution to Gerlach.

There was no response to the call for public comment.

On motion by Commissioner Lucey, seconded by Commissioner Herman, which motion duly carried on a 4-0 vote with Chair Hartung absent, it was ordered that Agenda Item 9 be approved. The Interlocal Contract for same is attached hereto and made a part of the minutes thereof.

22-0545

AGENDA ITEM 12 Recommendation to accept the resignation of Deanna Spikula, Registrar of Voters effective July 31, 2022; to accept the County Manager's recommendation to appoint the Government Affairs Liaison, Jamie Rodriguez, to the position of Interim Registrar of Voters, effective August 1, 2022; and, if approved, to direct the Washoe County Clerk within 10 days to certify the vacancy and new appointment to the Secretary of State's Office. This appointment is pursuant to NRS 244.164 and/or 245.180 and, if approved, will remain effective until either resignation by the appointee or an appointment by the Board of a Registrar on a non-interim basis. While serving in an interim capacity, the appointee shall be vested with the same authority to carry out the powers and duties of a Registrar appointed on a non-interim basis. Manager's Office. (All Commission Districts.)

On the call for public comment, Ms. Daela Gibson spoke in support of the appointment of Jamie Rodriguez to the position of Interim Registrar of Voters. She stated Ms. Rodriguez had the experience for the job and impressive history as a public servant to Washoe County.

County Clerk Jan Galassini stated she received 26 emails in support of Jamie Rodriguez being appointed as the Interim Registrar of Voters, which were placed on file.

On motion by Commissioner Lucey, seconded by Commissioner Herman, which motion duly carried on a 4-0 vote with Chair Hartung absent, it was ordered that Agenda Item 12 be accepted, approved, and directed.

- 22-0546** **AGENDA ITEM 10** Recommendation to appoint/reappoint individuals to fill two (2) positions as hunters, trappers or anglers or engaged in ranching or farming in the county; and an individual to fill one (1) position as the public seat, on the Washoe County Advisory Board to Manage Wildlife, with all terms beginning June 30, 2022 and ending on June 30, 2025, as per NRS 501.260. Applicants for the hunters, trappers, or anglers or engaged in ranching or farming in the county include: Ryan Browne, Charles Dettling, William Morgan, Brad Pillsbury, Casey Pinkston, and Steve Robinson (incumbent). Applicants for the public seat include: Leslie Mix, Irene Payne, and Jim Rhea (incumbent). Applicants not selected for the hunters, trappers, or anglers or engaged in ranching or farming in the county are eligible to be selected for the public seat. Manager's Office. (All Commission Districts.)

Commissioner Lucey indicated this item was postponed from the last meeting to provide the opportunity for the general public to review the qualification documentation for each candidate. He stated this was an advisory board to the Nevada Department of Wildlife in regards to wildlife management. He noted each county in Nevada had an advisory board. The Washoe County Advisory Board focused on issues pertaining to hunting, trapping, and fishing guidelines and worked cohesively with ranching and farming individuals in the community. He stated it was important for the people appointed to this advisory board to have a background in the specific topics. He said he had a chance to review the information on the individuals who applied for the open seats and thought it was important to appoint smart and active people to this board. He noted three seats were open, two board members had reapplied for their seats and one person wished not to apply. He supported Jim Rhea for the public seat and Steve Robinson for the sportsman seat.

On the call for public comment, Mr. Matt Melarkey stated he was the current chair of the advisory board but was submitting a comment on his own behalf. He said he appreciated the Board of County Commissioners (BCC) for providing the resumes and recommendation letters on the website for the public to review. He echoed Commissioner Lucey's comments about the importance of these board appointments. He wanted Jim Rhea and Steve Robinson to continue their duties as board members and recommended Ryan Browne for the third open sportsman seat. He believed Mr. Browne had the most extensive experience in habitat management and understanding the needs of Washoe County.

Mr. Rex Flowers stated he had been involved with the Nevada Wildlife Commission for the past 30 years and was a current board member for the Coalition for Nevada Wildlife. He agreed with Mr. Melarkey's recommendations but stated there was a fourth candidate he thought should be considered, Brad Pillsbury, who was a conservationist and worked hard in that area. He stated Mr. Browne and Mr. Pillsbury were actively involved with Northern Nevada Safari Club International. He mentioned these positions required a significant commitment and he thought those four men were the most qualified for the job.

County Clerk Jan Galassini stated she received an email from Mr. Brad Pillsbury, which was placed on file.

Commissioner Lucey echoed Mr. Flowers' comments. He indicated when he was first elected to the BCC it had been difficult to fill the advisory board seats because it involved so many areas of responsibility. He expressed his support for Ryan Browne to be appointed to the open sportsman seat.

On motion by Commissioner Lucey, seconded by Commissioner Herman, which motion duly carried on a 4-0 vote with Chair Hartung absent, it was ordered that Jim Rhea retain the public seat, Steve Robinson retain the sportsman seat, and Ryan Browne be appointed to the open sportsman seat for the Washoe County Advisory Board to Manage Wildlife.

22-0547 **AGENDA ITEM 11** Recommendation to approve purchase of property located at 1775 East 4th Street, Reno, Nevada from Reno Housing Authority in an amount not to exceed the appraised value of \$5,500,000 to be used to provide shelter and related services for people experiencing homelessness. The terms may include:

1. Purchase and Sale Agreement for the acquisition by Washoe County of 4.747-acre property located at 1775 East 4th Street, Reno, Nevada, 89512 (APN 008-211-50) in an amount of [\$5,150,000.00] plus closing costs not to exceed [\$12,000] and authorize Chair to execute documents in support thereof;
2. Resolution approving Subgrant by Washoe County in an amount of [\$350,000] from American Recovery Plan Act Funds to Reno Housing Authority be used for affordable housing and authorize Manager to execute documents in support thereof;
3. Second Amended Lease with Reno Housing Authority for 1775 East 4th Street, Reno, Nevada for a term to expire upon closing of the Purchase and Sale Agreement and in an amount of [\$40,000] per month with payments to be credited towards the purchase of the property and authorize Manager to execute documents in support thereof;

4. Contract between Washoe County and Reno Housing Authority for contribution from Reno Housing Authority in an amount up to [\$250,000] to assist with remediation and/or cleanup costs for any contamination discovered on the property and authorize Chair to execute documents in support thereof. Manager's Office (Commission District 3.)

Chief Deputy District Attorney Mary Kandaras stated this item was part of a long-term plan for homeless services in the region. She explained this item came before the Board on June 28, but the District Attorney's (DA) Office had not received the documentation from the Reno Housing Authority (RHA) and was unable to provide insight into the agreement. Since then, she said, the DA's Office had worked with the RHA and its attorneys to establish the terms of the agreement. The staff report contained information on the terms to purchase the property for an amount not to exceed \$5.5 million, which was the appraised value. She reviewed the four terms listed in the staff report. She stated the fourth term was about the RHA assisting with the cleanup of six 250-gallon underground storage tanks, which were believed to contain gasoline fuel. She indicated the RHA determined that money would be better spent to pursue affordable housing. The RHA was not going to provide cleanup funds, but she thought the City of Reno had committed to assist with the cleanup costs which would be in a separate agreement at a later time. Staff recommended the purchase and that items 1, 2, and 3 in the staff report be approved. Ms. Kandaras said she and Assistant County Manager Kate Thomas could answer any questions from the Board.

Commissioner Herman wanted to know who performed the appraisal. Ms. Thomas said she would get a copy of the appraisal to Commissioner Herman. Commissioner Herman wondered whether the appraisal was done in-house. Ms. Thomas stated it was not.

On the call for public comment, Ms. Renee Rezentes wondered about housing projects in Reno and thought one had just been approved. She asked whether the agenda item was an extension to that project or if it was a different housing project. She opined people in the community were going to be taxed to death for these projects. She believed it was an overreach to spend this amount of money to purchase the property, but said she understood the lease was very high. She inquired what would happen when these projects needed to be maintained and whether there would be money coming in to cover this. She requested a town hall meeting for residents to receive information about the happenings in the community.

Ms. Katherine Snedigar talked about a person in a wheelchair who complained about the ramp at the courthouse being covered with feces and urine from the homeless. She said he had asked the City of Reno to clean up the ramp, asked a judge what he should do, and spoke at a Board of County Commissioners' meeting to ask for help. She stated when he came to Washoe County, Commissioner Jung said cleaning the ramp needed to be on an agenda, which never happened. She expressed concern that the County was going to spend \$5.5 million on the homeless but was unwilling to spend \$100 to hose down a health risk at the courthouse. She opined the people were being overtaxed because

the County shut down businesses for more than 30 days, which was illegal and unlawful. She spoke about 6,000 more homes being built in Spanish Springs but said no highway improvements were being made to accommodate the traffic.

County Manager Eric Brown stated the appraisal would be sent to the Commissioners. Ms. Thomas indicated the appraiser was Anthony J. Wren, an MAI, SRA Certified General Appraiser. She noted the appraisal would be added to the website as well.

On motion by Commissioner Jung, seconded by Commissioner Lucey, which motion duly carried on a 4-0 vote with Chair Hartung absent, it was ordered that Agenda Item 11 be approved and authorized. The Resolution for same is attached hereto and made a part of the minutes thereof.

12:28 p.m. The Board recessed.

1:00 p.m. The Board reconvened with Chair Hartung absent.

PUBLIC HEARINGS

22-0548 AGENDA ITEM 13 Public Hearing: Master Plan Amendment Case Number WMPA22-0005 (Verdi SOI Rollback).

Recommendation to amend the Washoe County Master Plan, Verdi Area Plan Appendix B - Maps, to assign the master plan designation of Industrial (I) on two parcels (APN's 038-181-01 & 038-172-14) that have been removed from the City of Reno's Sphere of Influence (SOI) and returned to Washoe County's jurisdiction. If adopted, the master plan amendment will take effect after a determination of conformance with the Truckee Meadows Regional Plan by the Truckee Meadows Regional Planning Commission.

The Board of County Commissioners may adopt the proposed master plan amendment, may further modify the proposed master plan amendment and refer the matter back to the Planning Commission for its report in accordance with NRS 278.220(4), or may deny the proposed amendment after the public hearing.

If approved, the Board must authorize the chair to sign the resolution to this effect. Community Services. (Commission District 1.).

Vice Chair Hill opened the public hearing. County Manager Eric Brown read the agenda item.

Senior Planner Courtney Weiche conducted a PowerPoint presentation and reviewed slides with the following titles: Background/Location; Master Plan Land Use Category Rationale; Verdi Planning Area; Neighborhood Meeting; Planning Commission; Required Findings – Article 820; Possible Motion; Thank you.

***1:05 p.m. Chair Hartung joined the meeting via Zoom.**

Chair Hartung thanked Vice Chair Hill for covering for him that morning. He asked why the applicant requested a sphere of influence (SOI) rollback and why the City of Reno denied the amendment, noting it was an unprecedented move. Ms. Weiche stated the denial was related to a specific project, although she was unsure of the details of the denial. She said the owners of the property requested that the rollback occur.

Commissioner Lucey asked about the Planning Commission adopting this unanimously and wondered whether any of the Commissioners shared any concerns about the challenges. Ms. Weiche believed the Planning Commission tried to find a consistent Master Plan land use category that would be consistent with the existing industrial zoning.

Commissioner Lucey stated there were plans for parks in the planning or build-out stage near this parcel. Ms. Weiche said she would have to defer to the Planning Manager as she was fairly new to the County but she was unaware of any comments from the Parks Department regarding concerns related to future projects. Commissioner Lucey asked about the size of the parcel, and Ms. Weiche answered it was 29.8 acres. Commissioner Lucey understood it was bordered to the north with property owned by Union Pacific Railroad. Ms. Weiche confirmed that was correct although she believed it was to the south.

On the call for public comment, Ms. Barb Fenne displayed a document, a copy of which was placed on file with the Clerk. She stated she had been involved in this project since 2019. She spoke about finding number two, compatible land use, and finding A, sufficient infrastructure and resource capacity. She said there were no mega-buildings or massive trucks in Mogul and thought the project would impact the community. She asserted Mogul had antiquated intersections, short highway onramps, and significant safety issues. She spoke about the open areas around Mogul that had been left untouched and said Mogul was a tinderbox waiting to happen with only two exits. She wanted informed people to make good judgments and save the community and residents' lives.

Mr. Pat Obrien was not present when called to speak.

Ms. Emanuela Heller-MacNeilage displayed a PowerPoint presentation on the overhead, a copy of which was placed on file with the Clerk. She reviewed slides with the following titles: Liability; Reimagine Reno Masterplan 2017; TMRPA Dec 2021; Can the County be sued?; Lucas vs. South Carolina Coast Council (1992); Table of Uses; Westbound on-ramp is a trap; A Policy on Geometric Design of Highways and Streets; Westbound on-ramp should be 1120-1680 ft long; Vehicles merging onto I-80 west at 30 mph; Crash data exit 7 2015-2017; Adopt – LIABLE Don't adopt – NOT liable; Table 10-3 in The Green Book; Table 10-4 Speed Change Lane Adjustment Factors as a Function of Grade.

Ms. Kris Engstrom spoke in opposition to industrial zoning in Mogul. She stated the land was not disturbed; there was storage, but not in the proposed area. She

asserted she was aware of parks, bridges, and trails that were proposed as she had spoken to staff about them. She believed finding two was incompatible with the residential area of Mogul and said the two small existing businesses located on Mogul Road generated little traffic. She indicated truck traffic from the proposed zoning change would significantly impact Mogul residents. She mentioned finding three, the response to changing conditions, and argued that these parcels had always been industrial and had not addressed the changes over the past 40 years. She opined the driving economic force in Mogul was residential and the zoning should be altered to respond to the changing conditions. She noted the County Parks Department was planning hiking and river access along with the Tahoe-Pyramid Bike Trail in that exact area. She said finding four was available facilities and noted they were not available for a large development. She stated the underpass in Mogul was narrow and frequently included pedestrians and cyclists. Finding five was the desired pattern of growth, which had been residential since 1907. There was a burst of added residents in the 1980s that continued with new houses today. She asserted this was not congruent and was undesired. She opined the general Verdi Area Plan findings and the Verdi Community Plan maintenance findings could not be met. The Belli Ranch and Mogul communities were suburban developments, but she said they considered themselves rural due to lot size and their non-commercial nature. She did not think the change to industrial zoning would preserve vision and character.

Mr. Paul MacNeilage stated he had been engaged in the Master Plan process for five years and wanted the Board to hear the residents' voices. The community's interest was to ensure that development in the community happened responsibly and sustainably, and the contention was that industrial development was not suitable for these parcels. In 2018, the Reno City Council agreed with the community, and a special use permit for industrial use was unanimously denied; the cited reason was the incompatibility of surrounding uses and safety concerns related to industrial traffic. He thought nothing had changed since then. In 2021, the owner, Riverview Estates, and the new potential buyer, S3 Development, made a tactical move to remove the parcels out of the SOI. This shifted the burden of these problems to Washoe County along with the liability. He asserted the community was not notified of the SOI removal. Before and since the removal of the SOI, the community had shown its presence at every meeting of the City and County, and at the regional level. He stated residents were engaged and committed, and their goal was responsible development that would not harm the welfare of the community. In 2022, the Board of Adjustment heard their arguments and agreed with them, denying the special use permit, but recently a special use permit was granted on the grounds the permit was for grading only. He wondered what developer would grade a parcel without the intention of building on the property. He believed this put the community at a disadvantage. He indicated the zoning could be changed to commercial to be in accordance with the current land use.

Ms. Katherine Snedigar urged the Commissioners to go to Mogul and try to merge onto the highway at a safe speed. She opined changing the zoning to industrial was disrespectful to the residents there. She asserted there were many children and pedestrians that used that area.

Ms. Lori Leonard stated the request for industrial zoning was incompatible with the current and future uses of the area, and she expressed significant safety concerns. She displayed photos from her computer showing “no services” signs on the highway in an attempt to keep trucks out of the residential area. She showed a map indicating few access points to the river, noting there was one bridge accessible to the open public space. She spoke about a five-way intersection that was the only route in or out of the proposed parcel. She asserted train traffic would block the intersection, putting people in danger of being stopped on the road. She mentioned a vehicle was hit by a train in 2017 when its owner was attempting to access a parcel of a person who lived on the other side of the railroad tracks. She asserted there were no gates at the train crossing, and it could be dangerous for someone who was not familiar with the area.

Vice Chair Hill said this had been a difficult project. She knew what the community had gone through and wished there were better processes for this situation. She stated the City of Reno was not going to approve a project on the site and had the option to turn over the SOI back to the County. The City of Reno chose to turn the property back over to Washoe County as it knew there would be potential legal ramifications if it denied projects. She said the community asked the Board to look at the findings. She indicated she could meet the findings and thought the owner had a vested right in this property. She said it had been discussed that the County could change the zoning but that was a difficult legal situation to put the County in. Staff had discussed with the applicant whether there was an appetite to change the zoning to commercial and there was not. She stated this property had been zoned industrial for 30 years. She mentioned the issue was that it could legally be perceived as a takings, both in Nevada State law and the U.S. Constitution. She thought the responsible thing to do was to work with the developer after the Master Plan zoning change to industrial was complete and get the best project for the community. She noted a community meeting took place and great input was received. She wanted staff to do the work to ensure this was a safe project moving forward. She promised the community there were many different things the County was doing to ensure better planning for the community. She stated the regional plan was being worked on and she was working with Chair Hartung related to the SOI rollback. She mentioned the City of Reno had an appetite for this to happen. She asserted the translation tables needed to be more transparent for the community; having a different land use than zoning was confusing. She explained there was an option to make the change to industrial, but staff wanted to ensure the Board of County Commissioners (BCC) could make that choice. It had a different land use in the regional staff reports because that was what was listed for commercial in the City of Reno’s translation table. She noted a survey was online related to the Master Plan process as staff wanted to do better planning for the community. She moved to approve the Master Plan use and said the Board would work with staff to ensure the plan and project were done for the people.

Commissioner Lucey stated the proposed parcel was in between the Union Pacific Railroad property and I-80. He said the parks that had been referenced were in an area he used on a regular basis. He parked on the other side of the train tracks as there was no dedicated park trail currently in the area, although there could be in the future. He did not believe any park trails would be impacted by this project. He stated the parcel in

question sat lower than the highway so it would be blocked by the interstate into the residential area. He mentioned public comments about traffic at the Mogul Road access to that area, but he did not see any detriment of zoning for that parcel. He said it would be difficult for any developer to create an industrial park because large trucks needed a more significant radius to maneuver. He thought at most there could be delivery trucks, but no trucks of great size could be used in that area. He asserted industrial zoning would allow for large trucks and he did not believe that was possible with the allotted space. He thought any future development in this area would be more commercial than industrial. He supported the rezoning and explained any type of development would have to come back to the Board for approval. He noted the BCC could place constraints on the property at that time.

Chair Hartung indicated he would not be supporting this change in zoning due to trials the County had with the Nevada Department of Transportation (NDOT). He believed 4th Street along with the onramps and offramps at Mogul were NDOT right of ways. He thought Mogul Road belonged to Washoe County and was unsure who was responsible for the underpasses. He had seen these situations in Spanish Springs where increased truck traffic was a problem and changed the nature of the area. He expressed concern about the eastbound onramp and said he had a heavy-duty vehicle that he had difficulty getting up to speed to merge onto the highway. He thought that onramp was under-designed. He mentioned the developer had stated they wanted to build a commercial park that would be used by small contractors, plumbers, and such businesses, but he did not understand why they did not want to work with the County on the zoning.

On motion by Vice Chair Hill, seconded by Commissioner Lucey, which motion duly carried on a 3-2 vote with Chair Hartung and Commissioner Herman voting no, it was ordered that Agenda Item 13 be adopted, approved, and authorized. The Resolution for same is attached hereto and made a part of the minutes thereof.

22-0549 **AGENDA ITEM 14** Public Hearing: Appeal of the Washoe County Planning Commission's denial of Master Plan Amendment Case Number WMPA22-0001 and Regulatory Zone Amendment Case Number WRZA22-0001 (Donovan) which sought to amend the Washoe County Master Plan, Spanish Springs Area Plan, Appendix E - Maps to redesignate the master plan designation from Rural to Suburban Residential on four parcels totaling 144.83 acres and which sought to amend the Spanish Springs Regulatory Zone Map to change the regulatory zone from General Rural (GR - 1 du/40 ac) to Low Density Suburban (LDS – 1 du/1 ac) on the same four parcels.

The appellant is Christy Corporation, LTD (project applicant) and the property owner is Donovan Land, LLC. The project is located at 11600 Pyramid Way Sparks, NV 89441 and encompasses four (4) parcels: APNs 534-591-01 (49.49 ac), 534-591-02 (45.34 ac), 534-591-03 (5 ac) and 534-591-05 (45 ac).

The Board of County Commissioners (Board) shall consider the appeal based on the record and any testimony and materials submitted at the public hearing. The Board may affirm or reverse the Planning Commission's decision. If the Board reverses the Planning Commission's decision, the Board may adopt the proposed amendments as presented to the Planning Commission.

If adopted, the master plan amendment will take effect after a determination of conformance with the Truckee Meadows Regional Plan by the Truckee Meadows Regional Planning Commission. If approved, the Board must authorize the Chair to sign the resolutions to this effect. Community Services. (Commission District 4.)

Senior Planner Courtney Weiche conducted a PowerPoint presentation and reviewed slides with the following titles: Appeal; Background & Location; Applicant Request – MPA; Applicant Request – RZA; Spanish Springs Suburban Character Management Area (SCMA); Neighborhood Meeting; Master Plan Amendment Findings; Regulatory Zone Amendment Findings; Spanish Springs Area Plan Findings; Planning Commission Action; Recommendation; Possible Motion; Thank you.

Mr. Mike Railey stated he and Scott Christy from Christy Corporation LTD, property owner Tom Donovan, and Loren Chilson from Headway Transportation were available to answer any questions. Mr. Railey conducted a PowerPoint presentation and reviewed slides with the following titles: Donovan Ranch; Project Request; Project Location; Existing Conditions – Aerial View; Existing Conditions – Current Operations (2 slides); Existing Conditions – Horizon View Extension; Spanish Springs Area Plan; Master Plan; Zoning; Project Background/History (2 slides); Project Considerations (2 slides); Findings (3 slides); Questions/Answers.

Mr. Railey reviewed the findings and stated the project conformed with all policies and action plans contained in the Area Plan. He stated incorrect information was placed on the Nextdoor App about the number of houses that would be built on this land. He explained the density maximum was 144 houses. He indicated the haul road would be used for construction traffic, which could be conditioned with a future tentative map. He stressed that the Donovans had been completely transparent for the past 30 years about the future plans for the Donovan Pit to be reverted to residential. He urged the Board to consider the proposal.

Mr. Donovan, the owner of the Donovan Pit, thanked the Board for its hard work and opined it was a thankless job. He stated this was a continuation of what they had envisioned starting back in the late 1980s. He said it was a great place to grow up, but the plans were now coming to fruition. He noted they had considered the change to residential when Shadow Ridge was approved almost 20 years ago, but everything was halted when the great recession hit. He spoke about the first phase of Shadow Ridge that included only 19 houses before the developer became insolvent in 2007. He asserted their intentions for the future of the property had been documented since 1959. He mentioned they would

provide more amenities to the area and thought the property values would increase due to the construction noises at the Donovan Pit ceasing.

Commissioner Lucey asked about the haul road owned by Mr. Donovan and wondered whether there was the ability to add a secondary access road into a potential development on this property. Planning Manager Trevor Lloyd said his understanding in discussions with traffic engineers was that the area did not meet the required minimum spacing with NDOT. He stated they could work with NDOT to determine any options or alternatives, but the original response was that it could not be used as primary access and could only be used as emergency access.

Commissioner Lucey said there were parcels available that could link into Calle de la Plata, noting a 6.7-acre parcel (APN 534-59-104) owned by Washoe County was just south of the Donovan property. He wondered whether the Donovans or the new developers could use it to access Calle de la Plata. Mr. Lloyd said he could not commit without further research but thought it might be a viable solution. He stressed that the item was to change zoning. Commissioner Lucey stated he was looking to the future and believed traffic and access were his biggest issues with changing the zoning. He requested staff look into that parcel for possible access to Calle de la Plata.

Vice Chair Hill said there were some great comments about ways to ensure the development was done with the involvement of the community. She knew there had been a community meeting about this and wanted to confirm the public comments were not lost when staff was looking at an actual project. Mr. Lloyd stated when a tentative map was brought forward all the public comments received would be included with the staff report.

Chair Hartung indicated the applicant had a traffic study completed on Horizon View and wondered what the current level of service was on that road. Mr. Lloyd stated it was a level C. Chair Hartung asked how long the traffic study data had been collected. Mr. Lloyd stated the applicant's traffic engineer was available. Mr. Chilson informed Chair Hartung that the intersection at Pyramid Highway and Horizon View operated at a level C service during day and evening peak hours. Chair Hartung said he had been through there and did not believe it was a level C as he thought it would break periodically during the peak flows. Mr. Chilson indicated the traffic volumes were observed and noted the study was performed for rezoning. He said when there was a request for a project, another traffic study would be performed with full detail and would identify what was needed to manage traffic volumes.

Commissioner Lucey wondered about the current traffic of the haul trucks and equipment at the Donovan Pit. Mr. Chilson believed an average of 750 trucks per day were used. He stressed the number of trucks in the area took up more capacity on the roads than cars did, which created more awkward traffic conditions. He thought converting the Donovan Pit to residential would be beneficial.

On the call for public comment, Mr. Paul Rodriguez stated he was a resident in the Shadow Ridge development and understood that growth in the area was inevitable. He wondered about more homes that were being built off Pyramid Highway. He asserted more than 50,000 vehicles used that highway per day and it was extremely challenging just to get onto Pyramid Highway. He said the residential road and Pyramid Highway would be more congested and dangerous with the 3,000 new homes that had already been approved and the additional homes from the Donovan Pit proposal. Safety was the biggest concern and more vehicle accidents and pedestrian-involved incidents were occurring on Pyramid Highway. He stated the Planning Commission was painfully aware of the traffic concerns in the area. He opined denying the change to the Master Plan would reduce future traffic by not adding extra residential housing in the area.

Ms. Norma Saracino indicated she was a resident in the Shadow Ridge development. She asserted that NDOT had no plans to widen Pyramid Highway, which was already overcrowded and dangerous. She spoke about people driving faster than the highway speed limit of 55 miles per hour and using merge lanes as traffic lanes. She mentioned the number of vehicle accidents on the highway was 214 in 2021, and there were already 92 in 2022. She opined the highway did not have enough travel lanes for the current proposed development much less any additional developments in the future. She believed the infrastructure in that area needed to be addressed. She urged the Board to deny additional development at the Donovan Pit until issues were resolved.

Mr. Wayne Combs said he bought his house in the Shadow Ridge development just over two years ago and noted the traffic had doubled since then. He expressed concern about traffic on Horizon View turning onto Pyramid Highway to go south, saying it was dangerous and many near-miss accidents occurred daily. He asserted that NDOT had no plans to widen the road at Horizon View or install signalization. He asked the Board to deny the plans until other viable options for additional ingress and egress were provided.

Mr. Sam Vicino said he was a resident in the Shadow Ridge development. He spoke about a petition that was delivered to the County the previous day which included more than 400 signatures. He asserted there were so many homes currently being built and he knew growth was inevitable, but he thought with growth came infrastructure. He stated the City of Sparks and Spanish Springs lacked the infrastructure to handle this many more houses. He believed it was only a matter of time before a major tragedy occurred at the intersection of Pyramid Highway and Horizon View. He asked the Board to do the right thing and uphold the denial by the Planning Commission.

Mr. Gordon Astrom provided a document, a copy of which was placed on file with the Clerk. He indicated he lived in the Shadow Ridge development and thought houses would be built on the Donovan Pit property whether it was now or in the future. He wondered what could be done currently to ensure infrastructure issues were resolved so houses could be put in safely. He pointed out Pah Rah Ridge Drive, a road for another development in progress, noting it would go into the Donovan Pit property and could be an asset to the Donovans. He spoke about a parcel owned by Padlock Development and

thought Mr. Donovan could work with them to create a road to Calle de la Plata to allow for a safe transition to Pyramid Highway. He mentioned the Shadow Ridge development gave Washoe County the land between the Donovan Pit and the Padlock Development parcel and thought the County would provide an easement for additional access. He believed that was the most logical route until signalization was put in at Horizon View and Pyramid Highway.

Mr. Michael Craig provided documents, copies of which were placed on file with the Clerk. He commented on the County's mission statement displayed on the wall of Chambers, which was to keep a safe and healthy environment. He thought there was a problem north on Pyramid Highway that went across to Egyptian Parkway, noting it was a hazardous two-lane road. He mentioned there were already 32 homes in the building process and an expansion of 4,700 additional homes going in. He asserted this was a significant change to the dynamics of the area. He stated the industrial center had 57 businesses already established with the potential of 10 more to be completed by the end of the year. He thanked the Board for identifying and discussing the issues in this area. He displayed a photo of the end of Horizon View and asserted it would need to be a four-way stop. He said the vehicles coming from the Donovan Pit area would turn right into stopped traffic. He stated using Horizon View was not a solution for egress from the residential area. He spoke about a nearby land bridge coming out of the Donovan Pit that could be opened for additional access.

Ms. Stephanie Jennings was not present when called to speak.

Ms. Gwen Reeves spoke in opposition to zoning changes to the Donovan Pit. She stated the Donovan Pit property was proposed for one home per acre and a total of 144 units and once the rezoning was passed the parcel would be sold to a developer. She said the application stated the Donovans would utilize the Horizon View extension and compliment the Shadow Ridge development, which consisted of 390 homes with each parcel on one-third of an acre. She asserted the new developer could revise the plans and build more homes as this was common practice. She mentioned Mr. Donovan was provided an easement from Ryder Homes to enter the Donovan Pit. She expressed concern that Horizon View was the only ingress and egress into the community. She stated the developments contained multi-generational homes, which meant there were more vehicles per home. She asserted adding more than 1,000 extra vehicles daily would increase the driving hazards and all the vehicles would drive through the quiet community. She opined Pyramid Highway could not handle the traffic without improved infrastructure. She said they purchased their home two years ago because it was a quiet community and they were now surrounded by homes and businesses without proper infrastructure for safe living.

Ms. Diana Christensen asked for a condition to be attached to the rezoning of the property. She stated outside the subdivision sat two parcels Mr. Donovan still owned, one was zoned for neighborhood commercial, and the other was a retention pond the subdivision drained into. She assumed the parcel Mr. Donovan was requesting zone changes for would also drain into the pond. She indicated one of the parcels had been transferred in 2002, 2007, and 2014, but noted the retention pond plot had not been

transferred to the subdivision. She said during the previous year residents had issues with excessive rain and there was erosion damage to the pond. When the damage was brought to Mr. Donovan's attention, he replied it was not his problem and that someone would have to figure out how to repair it as he was not paying for it. She asserted Ryder Homes tried to step back and she wondered who was responsible for this issue. She stated Mr. Donovan eventually put construction fencing around the area for safety. She wanted to see the retention pond parcel be transferred to the stakeholders, whomever they ended up being. She asked for staff to look into this as she wanted the users to be responsible for maintenance and repairs.

Mr. Don Christensen said he purchased his home before Ryder Homes took over the development in bankruptcy. He asserted there had been much change to the area and not all of it was good change. He stated his biggest concern was the retention pond, noting his property was the closest to the haul road without actually being on the road, and it shared a property line with the retention pond. He said he watched the water rise in the pond and did not think it had the capacity to assume the drainage from the Donovan Pit area. He opined the retention pond was not properly engineered. He thanked Chair Hartung for his leadership and for getting NDOT to install traffic lights. He supported the rezoning and development of the Donovan Pit but thought it needed to be conditioned with every possible issue related to the area. He believed there could be worse things done to the property than to build houses.

Ms. Chante Jones was not present when called to speak.

Ms. Carol Casper provided documents, copies of which were placed on file with the Clerk. She indicated she was a resident of the Shadow Ridge development. She referred to the third page of her presentation, which was also included in the rezoning application. She displayed a photo of the subdivision where an access easement was provided, but it had not been approved by the association or others associated with the subdivision. She said in June 2021 Ryder Homes granted an easement across the common area to Mr. Donovan for this project with no compensation to the association. She displayed photos of the Sugarloaf Peak Trail access, looking west of the common area, where the road would run, and the easement going across the common area.

Mr. Greg Jones was not present when called to speak.

2:44 p.m. Commissioner Lucey left the meeting in Chambers and resumed attendance via Zoom.

Mr. Thomas Schapika thanked the Board for hearing the input from the community and recommended the appeal be rejected. He wanted the emergency access to be addressed and indicated the area did not have the access capabilities for the current Shadow Ridge development or any additional development. He stated Pyramid Highway needed signals and the speed limit to be reduced, which needed to be addressed with NDOT. He believed the speed limit was something that could be resolved easier than other

issues. He said a temporary rejection of the appeal would allow time to find resolutions for these issues.

Ms. Diane Craig was not present when called to speak.

Mr. Jim Anderson was not present when called to speak.

Mr. Charles Harkins expressed concern about traffic on Horizon View. He said the proposal was for 144 homes and Shadow Ridge parcels were one-third of an acre on average. He thought another developer could increase the number of houses by reducing the lot sizes. He asserted Horizon View was not capable of handling the egress in an emergency with the existing residents and with additional homes built there would be more than 1,200 vehicles trying to exit the development simultaneously. He stated school buses stopped at intersections in the neighborhood and with more vehicles, it could be unsafe for children being dropped off and picked up. He wanted the rezoning to be denied at this time and thought there were other options to make it safer for everyone.

Mr. Rick Lancaster provided documents, copies of which were placed on file with the Clerk. He said he enjoyed the community, but he was concerned about fire safety and evacuation plans as there was only one way in and one way out. His son worked for Cal-Fire to develop evacuation plans for communities and urged him to find an alternative way out of the community in case of an emergency. Mr. Lancaster located an alternative exit but stated it was now blocked. He understood new 30-home developments were required to have two access points in and out for first responders. He indicated the Shadow Ridge development had 396 homes. He spoke about a photo he provided of an overhead shot of a triple transporter truck at the Donovan Pit. He asked the Board to consider what it would be like to be a neighbor of the Donovan Pit for as long as it would take to restore it to a buildable site.

Ms. Elisa Lancaster provided documents, copies of which were placed on file with the Clerk. She read the provided document from Diane Craig, which requested the Board deny the rezoning. Ms. Craig's concerns included the lack of access roads in and out of the Shadow Ridge development, construction traffic noise, dust, the new developer building more than one house per acre, no plans to expand Pyramid Highway, 4,700 houses were in the process of being built, and the infrastructure could not accommodate the additional vehicles and people.

Ms. Katherine Snedigar opined the new developer would increase the number of houses from 144. She asserted Palomino Valley was currently experiencing that issue with a developer who changed from five-acre parcels to one-acre parcels with three houses per parcel and one acre of open space. She commented the new development would be surrounded by 40-acre parcels. She stated Palomino Valley had no traffic but complained the new residents drove the poorly maintained roads at speeds comparable to a highway. She thought more accidents would occur because of increased traffic.

Ms. Renee Rezentes stated she drove from Palomino Valley to town often and noted the traffic was getting bad from Pyramid Highway to Winnemucca Ranch Road and people did not want to slow down. She said she was driving to town recently and had to stop on Pyramid Highway to avoid a head-on collision with a vehicle coming straight at her in the same lane. She noted the vehicle was in the process of passing two vehicles and could not pass them in time. She asserted this situation was very dangerous and wanted new building to stop until the issues were resolved.

County Clerk Jan Galassini stated she received seven emails including a petition, which were placed on file.

Chair Hartung remarked he had lived in the valley for 35 years. He said he knew the Donovans well and they had thought the pit would go away a few years prior. He had defended the pit being there. He had asked NDOT to widen Pyramid Highway many times to no avail. He noted the average speed of drivers on the highway was 70 miles per hour or higher and it was a dangerous stretch of road. He spoke about the Ryder Homes non-disclosure issue, indicating it was a civil issue and was not in the purview of Washoe County. He expressed concern about the size of Horizon View and how it was constructed. He said there were already 390 homes in Shadow Ridge, which equated to 3,900 average daily trips on Horizon View. He asserted Horizon View should have been conditioned with a signal. He was concerned about drainage for the pit and thought it would be a problem. He asked the applicants to delay their request until some solutions were established for ingress and egress and discussions occurred with NDOT about the use of the haul road. He understood this item was for a land use change, and he thought there were some real concerns about potential development. He stated he lived on a low-density suburban (LDS) parcel which was one and one-third acres. He questioned the process of averaging the size of the lots saying LDS parcels should be 43,560 square feet.

Commissioner Herman suggested the item be delayed until there were resolutions for the issues. She thought infrastructure improvements should be scheduled before building could start.

Vice Chair Hill expressed concern about keeping the current zoning and about having a pit next to a residential space; she felt both were unsafe. She thought if the item was approved that day there would be more room to deal with NDOT to improve the roads. She stressed there were no homes currently projected, and she thought the developer could be asked to pay for many of the items of concern. She asserted staff was listening to the concerns so they would know how to permit the project in the future. She stated support for this item.

Commissioner Lucey thanked the public commenters who expressed their concerns regarding the project and rezoning. He understood and shared many of the same concerns with the community related to the traffic and safety of Horizon View. He commended Chair Hartung for his work to improve Pyramid Highway and said NDOT had not been responsive to the pleas of the County. He spoke about an issue in his district on Grand View Estates that was built at the top of Zolezzi Lane, which was not projected to

be developed at any time. He said Grand View Road allowed for the addition of 400 homes with single road access, which made for a challenging commute. He noted the number of homes seemed to be daunting but since the development had been completed, the projected impacts had not been seen. He reminded this item was only for rezoning and no development had been projected. He indicated support for the rezoning and believed the reclamation of the Donovan Pit was a situation that needed to occur to allow for growth and residential housing. He stressed that infrastructure would follow rezoning. He thought new developments were a benefit to communities as they brought infrastructure and safety.

On motion by Chair Hartung, seconded by Commissioner Herman, to deny the appeal as listed in the staff report and uphold the decision of the Planning Commission, which motion failed on a vote of 2-3 with Vice Chair Hill, Commissioner Lucey, and Commissioner Jung voting no.

On motion by Vice Chair Hill, seconded by Commissioner Lucey, which motion duly carried on a 3-2 vote with Chair Hartung and Commissioner Herman voting no, it was ordered to grant the appeal and reverse the Planning Commission's decision as listed in the staff report. The Resolution for same is attached hereto and made a part of the minutes thereof.

22-0550 AGENDA ITEM 15 Public Comment.

Ms. Barb Fenne was not present when called to speak.

Ms. Katherine Snedigar opined the Board did not represent the residents. She believed the government had no authority to shut down businesses during COVID-19. She disagreed with the County setting aside funds to reimburse legal costs.

22-0551 AGENDA ITEM 16 Announcements/Reports.

Chair Hartung thanked the Commissioners for covering for him and announced he would be out of the office for a couple of weeks.

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3:20 p.m. There being no further business to discuss, the meeting was adjourned without objection.

VAUGHN HARTUNG, Chair
Washoe County Commission

ATTEST:

JANIS GALASSINI, County Clerk and
Clerk of the Board of County Commissioners

*Minutes Prepared by:
Doni Blackburn, Deputy County Clerk*