

TUESDAY 1:30 P.M. JULY 13, 1999

PRESENT:

- Jim Galloway, Chairman
- Ted Short, Vice Chairman
- Joanne Bond, Commissioner
- Pete Sferrazza, Commissioner
- Jim Shaw, Commissioner
- Amy Harvey, County Clerk
- Katy Simon, County Manager
- Madelyn Shipman, Legal Counsel

The Board met in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 E. Ninth Street, Reno, Nevada. Following the pledge of allegiance to the flag of our Country, the Clerk called the roll and the Board conducted the following business:

99-664 AGENDA

Katy Simon, County Manager, advised that Item 10A concerning the Forensic Support Services Agreements also includes the Addendum's to those agreements, which information was provided in the agenda documentation but was not listed on the agenda. In accordance with the Open Meeting Law, on motion by Commissioner Sferrazza, seconded by Commissioner Shaw, which motion duly carried, Chairman Galloway ordered that the agenda for the July 13, 1999 meeting be approved.

PUBLIC COMMENTS

Philip Anderson, Chairman, Warm Springs Citizen Advisory Board, commented that problems are about to start again with regard to upcoming Development Code changes; that at their meeting last night, it was the general opinion of all present that the concerns of the citizens and property owners are still being ignored; that three months ago they were led to believe that the matter of architectural standards for all housing would be addressed and they are now being told that staff will present a plan with no changes; that they were not given the opportunity to change any of the items they found objectionable; that a questionnaire they mailed out resulted in 97% of the residents wishing to retain the quality standards; and that they respectfully request that staff be instructed to review this matter with the citizens of Warm Springs and consider amending the proposed changes to the Warm Springs Area rural residential development standards.

Wanda Wright, Palomino Valley resident and member of the Warm Springs Citizen Advisory Board, stated that for years there has been either a misunderstanding or misinterpretation problem in getting the information back to the Board regarding what the residents want; and that she requests that there be a better understanding of what the community wants as opposed to what staff tells the Board the community wants.

Laura Link, Snug Harbor, discussed the new business they are bringing to the community, advising that they have the only program in the United States that has been approved by the Department of Labor, the State Department of Education, and the State Apprentice Commission; that the program is for child care development specialists and will provide a method of taking people from various backgrounds and putting them into an apprenticeship program; that the program was presented at the Year 2000 Child Care Program in Las Vegas; and that Las Vegas and Federal officers were so pleased with their program they agreed that any graduate would be eligible for a Small Business Administration loan, which will provide the opportunity for a person to buy a home and turn it into a child care facility.

Jackie Decker, area resident, congratulated the County Commission on its interest to the public and commented that she finds the Board to be more responsive to the citizens than any board in Reno. She stated that it is the intent of the civic leaders and political bodies in the community to turn the airport into the US West Coast distribution hub for air cargo for Southeast Asia and the Pacific Rim; and that this would severely impact the community. She appealed to the Board to contact their appointees to the Airport Board and obtain more information on their plans for turning the airport into an air cargo distribution hub.

Wendy Dostal, Old Washoe City resident, stated that their area is experiencing some issues about paving and the residents are finding that the appropriate paperwork they submitted did not get to the Board members; that the residents do not want paving in the Old Washoe City area because they are concerned that it would create problems with traffic, safety, etc.; and that they are asking that the Board take a look at this issue and reconsider what is going on in their area. Katy Simon, County Manager, advised that following the West Washoe Valley Citizens Advisory Board meeting last week, there has been a lot of discussion and many Faxes have been received; that a meeting will be held tomorrow with David Roundtree, Public Works Director, to discuss some possible action plans; and that she will get back to Ms. Dostal and the other people who have contacted the County about this matter.

MINUTES

On motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, Chairman Galloway ordered that the minutes of the regular meetings of May 18 and 25, 1999 be approved.

99-665 SEXUAL ASSAULT VICTIMS - MEDICAL CARE - PAYMENT

Pursuant to NRS 217.280 to 217.350, on motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, Chairman Galloway ordered that payments with funds from the District Attorney's account designated Sexual Assault Victims Expenses be authorized for initial emergency medical care or follow-up treatment for 16 victims of sexual assault in an amount totaling \$4,699.43 as set forth in a memorandum placed on file with the Clerk from Vickie Wedow, Administrative Assistant, District Attorney's Office, dated June 17, 1999.

99-666 ACCEPTANCE OF LIBRARY SERVICES AND TECHNOLOGY ACT GRANT (LSTA) - LIBRARY

Upon recommendation of Nancy Cummings, Library Director, on motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, Chairman Galloway ordered that the Library Services and Technology Act (LSTA) Grant in the amount of \$2,997 to be used to develop a new literacy program for Washoe County residents, be accepted.

Katy Simon, County Manager, commented that a question was raised in yesterday's caucus meeting concerning how six sites were able to be served with this grant amount. She advised that trained volunteers have donated their services, and Washoe County acknowledges and extends appreciation to the volunteers that make this program possible.

99-667 EXPENDITURE FOR TRUCKEE MEADOWS REGIONAL PLANNING AGENCY FOR FISCAL YEAR 1999/00

Upon recommendation of Robert Sellman, Director, Community Development, on motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, Chairman Galloway ordered that the expenditure of \$178,236.32 as the County's proportional share of funding for the Truckee Meadows Regional Planning Agency for Fiscal Year 1999/00 be authorized.

99-668 DONATION OF OBSOLETE LABORATORY EQUIPMENT - FORENSIC SCIENCE DIVISION - SHERIFF

Upon recommendation of Richard Kirkland, Sheriff, on motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, Chairman Galloway ordered that the donation of obsolete laboratory equipment, as outlined in the agenda memorandum dated June 3, 1999, from the Forensic Science Division of the Sheriff's Office to area high schools be authorized. It was noted that this equipment has no resale or trade in value.

99-669 ACCEPTANCE OF DONATION - K-MART CORPORATION - D.A.R.E. PROGRAM - SHERIFF

Upon recommendation of Richard Kirkland, Sheriff, on motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, Chairman Galloway ordered that the donation of \$2,000 from the K-Mart Corporation to be used for the Sheriff's Office D.A.R.E. Program be accepted with gratitude. Chairman Galloway thanked K-Mart for their donation.

99-670 ACCEPTANCE OF DONATION-CASA FOUNDATION-FY 1999/00 VISITATION EXCHANGE PROGRAM - FAMILY COURT

Upon recommendation of Mary Herzik, Executive Director, CASA Foundation, on motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, Chairman Galloway ordered that the donation of \$25,000 from the CASA Foundation for continuing operation of the Family Court FY 1999/00 Supervised Visitation Exchange Program be accepted with gratitude. Chairman Galloway thanked the CASA Foundation for their donation.

It was further ordered that the Comptroller be directed to make the necessary account changes as follows:

| Increase Account | Amount | Increase Account | Amount |
|------------------|----------|------------------|----------|
| 001-121202D-5802 | \$25,000 | 001-121202D-7103 | \$16,000 |
| | | -7385 | \$ 1,500 |
| | | -7362 | \$ 7,500 |
| | | | |
| TOTAL | \$25,000 | TOTAL | \$25,000 |

99-671 RESOLUTION - LEVYING TAX RATES

Upon recommendation of John Sherman, Finance Director, on motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, it was ordered that the following Resolution be adopted and Chairman Galloway be authorized to execute:

RESOLUTION LEVYING TAX RATES FOR ALL WASHOE COUNTY ENTITIES FOR THE 1999-2000 FISCAL YEAR

WHEREAS, the Nevada Tax Commission has certified the combined tax rates for the 1999-2000 fiscal year; and

WHEREAS, the Board of County Commissioners is required, pursuant to NRS 361.460, to levy the tax rates for all local government entities in Washoe County for the fiscal period beginning July 1, 1999, and to designate the number of cents of each \$100 of property levied for each fund; and

WHEREAS, to confirm to the Nevada Department of Taxation the tax rates levied, the Department of Taxation has requested county commissions to adopt the resolution levying the tax rates of all local entities pursuant to NRS 361.460 and forward a copy of the Resolution to the Department;

NOW THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Washoe County, Nevada, hereby levies the tax rates for all local government entities in Washoe County as such rates have been certified by the Nevada Tax Commission;

BE IT FURTHER RESOLVED, that the tax rates for all local government entities in Washoe County for the fiscal year 1999-2000 as certified and levied are shown on Exhibits attached to the Resolution; and

BE IT FURTHER RESOLVED, that the tax rate for Washoe County be designated and distributed for each fund as shown on Exhibits attached to the Resolution;

BE IT FURTHER RESOLVED, that the County Clerk is hereby directed to distribute copies of this Resolution along with all attachments to the Nevada Department of Taxation, the Cities of Reno and Sparks, the Truckee Meadows Fire Protection

District, the Washoe County Treasurer, the Comptroller, and the Finance Director.

99-672 RESOLUTION - ADOPTION OF AMENDED TRUCKEE CANYON AREA PLAN (COMPREHENSIVE PLAN AMENDMENT CASE NO. CPA98-TC-1 AND CPA98-TC-2)

Upon recommendation of Ron Kilgore, Department of Community Development, on motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, it was ordered that the following Resolution be adopted and Chairman Galloway be authorized to execute:

RESOLUTION ADOPTING THE AMENDED TRUCKEE CANYON AREA PLAN (CPA98-TC-1 AND CPA98-TC-2) A PART OF THE WASHOE COUNTY COMPREHENSIVE PLAN

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

WHEREAS, The Washoe County Planning Commission has found that the TRUCKEE CANYON AREA PLAN, a part of the Washoe County Comprehensive Plan, and the most recent amendment, provides a long-term general plan for the development of the County including the subject matter currently deemed appropriate for inclusion in the Comprehensive Plan;

WHEREAS, Section 278.220, Nevada Revised Statutes, specifies that the Board of County Commissioners of Washoe County, Nevada, may adopt and endorse plans for Washoe County as reported by the Planning Commission, in order to conserve and promote the public health, safety and general welfare;

WHEREAS, A public hearing on the adoption of the Washoe County Comprehensive Plan, including the TRUCKEE CANYON AREA PLAN, was held on May 21, 1991, with the most recent amendment to the TRUCKEE CANYON AREA PLAN being held on July 13, 1999, by the Board of County Commissioners of Washoe County, Nevada;

WHEREAS, At the conclusion of the public hearing, the Board of County Commissioners endorsed the amendment to the TRUCKEE CANYON AREA PLAN, a part of the Washoe County Comprehensive Plan, pursuant to Section 278.0282, Nevada Revised Statutes, for conformance review with the Truckee Meadows Regional Plan;

WHEREAS, a public hearing for the review of conformance of the Washoe County Comprehensive Plan, including the TRUCKEE CANYON AREA PLAN, was first held on October 23, 1991, with the most recent amendment to the TRUCKEE CANYON AREA PLAN being held on June 9, 1999, by the Truckee Meadows Regional Planning Commission, at which time the plan was deemed in conformance with the Truckee Meadows Regional Plan; and

WHEREAS, The amendment to the TRUCKEE CANYON AREA PLAN, a part of the Washoe County Comprehensive Plan, which is in conformance with the Truckee Meadows Regional Plan, has completed all the necessary requirements for adoption as specified in the Nevada Revised Statutes and Article 820, Amendment of Comprehensive Plan, of the Washoe County Development Code; now, therefore, it is hereby

RESOLVED, BY THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY, NEVADA, That the Board does hereby adopt and endorse the amended TRUCKEE CANYON AREA PLAN, a part of the Washoe County Comprehensive Plan, to serve as a guide for the orderly growth and development of Washoe County, Nevada.

99-673 PURCHASE - VEHICULAR RADIO FREQUENCY MODEMS - SHERIFF

Upon recommendation of Richard Kirkland, Sheriff, on motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, Chairman Galloway ordered that the sole source purchase of vehicular radio frequency modems for the Sheriff's Office from Motorola expending Federal grant funds in the amount of \$95,066 be authorized.

It was noted that the Sheriff's Office received a Federal grant to purchase an additional thirty mobile computer terminals (MCT) for installation in Sheriff's patrol vehicles; that the MCTs are used by patrol deputies in the field to make inquiries into criminal justice data bases about warrants, stolen vehicles, stolen articles, and driver's license and vehicle registration information; that the Sheriff's Office uses the REMSA system under an agreement approved by the Board of County Commissioners in September, 1995 and the REMSA mobile data communications system contains Specialized Motorola mobile data equipment; that Motorola is the only manufacturer that can provide a modem capable of operating the REMSA mobile data system; and that NRS 332.115 authorizes an exception to the requirements for competitive bidding for items which may only be contracted from a sole source.

99-674 AWARD OF BID - LOADER MOUNTED SELF-CONTAINED SNOWBLOWERS - BID NO. 2174-99 - EQUIPMENT SERVICES

This was the time to consider award of bid, Notice to Bidders for receipt of sealed bids having been published in the Reno Gazette-Journal on May 14, 1999, for three new Loader Mounted Self-Contained Snowblowers for the Equipment Services Division of the General Services Department. Proof was made that due and legal Notice had been given.

Bids, copies of which were placed on file with the Clerk, were received from the following vendors:

Choquettes & Son Truck Body
Kodiak Northwest, Inc.
Snoquip

Plows Unlimited, Stewart & Stevenson, and Tucker Sno-Cat Corporation submitted "No-Bid" responses. Nevada Tractor, Sales Unlimited and Sicard failed to respond to the invitation to bid.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, Chairman Galloway ordered that Bid No. 2174-99 for three new Loader Mounted Self-Contained Snowblowers for the Equipment Services Division of the General Services Department be awarded to the lowest bidder meeting bid specifications, Kodiak Northwest, Inc., in the total amount of \$334,500.00.

99-675 WATER RIGHTS DEED - HARVEY GOLLINS - BLUE GEM MOBILE HOME PARK - UTILITY SERVICES

Upon recommendation of John Collins, Manager, Utility Services Division, through Ed Schmidt, Director, Department of Water Resources, on motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, it was ordered that the Water Rights Deed for 14.73 acre-feet of groundwater rights being a portion of Permit 30916, Certificate 13247, between Harvey Gollins, as Grantor, and Washoe County, as Grantee, on behalf of the Blue Gem Mobile Home Park located within the Spanish Springs Hydrographic Basin (APN 083-291-11), be approved and Chairman Galloway be authorized to execute. It was further ordered that the Utility Services Division Manager be directed to record the Water Rights Deed with the County Recorder.

99-676 WATER RIGHTS DEED - HIDDEN MEADOWS, LLC - UTILITY SERVICES

Upon recommendation of John Collins, Manager, Utility Services Division, through Ed Schmidt, Director, Department of Water Resources, on motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, it was ordered that the Water Rights Deed for 2.32 acre-feet of surface water rights from a portion of Claim Nos. 485 and 489, further changed by Application 65247; and 10.12 acre-feet of surface water rights from a portion of Claim Nos. 574 and 575, further changed by Application 65249, for a total duty of 12.44 acre-feet between Hidden Meadows, LLC, as Grantor, and Washoe County, as Grantee, in support of Hidden Meadows Unit 3B, be approved and Chairman Galloway be authorized to execute. It was further ordered that the Utility Services Division Manager be directed to record the Water Rights Deed with the County Recorder.

99-677 WATER RIGHTS DEED - DOUBLE DIAMOND BUSINESS PARK - UTILITY SERVICES

Upon recommendation of John Collins, Manager, Utility Services Division, through Ed Schmidt, Director, Department of Water Resources, on motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, it was ordered that the

Water Rights Deed for 34.0 acre-feet of groundwater rights under Permit 63004 between South Meadows Properties Limited Partnership, as Grantor, and Washoe County, as Grantee, in support of commercial development within the Double Diamond Business Park, be approved and Chairman Galloway be authorized to execute.

It was further ordered that the Utility Services Division Manager be directed to record the Water Rights Deed with the County Recorder.

99-678 DELETION - UNCOLLECTABLE PERSONAL PROPERTY ACCOUNTS - COMPTROLLER

Upon recommendation of Kathy Garcia, Comptroller, on motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, Chairman Galloway ordered that deletion of the names, amounts and account numbers from the personal property tax rolls in the amount of \$41,710.60, as listed on the document entitled Washoe County Assessor's/Treasurer's Deletion List, May '99 Adjustment Listing attached to the agenda memorandum dated May 27, 1999, be authorized.

It was noted that the tax delinquency list was reviewed by the District Attorney's Office who concurred with the Treasurer's Office that the amounts contained on the list appear to be uncollectable; that each item and tax amount on the delinquency list contains a reason why it is deemed to be uncollectable; and that the Treasurer's Office has made every effort to collect all amounts contained on the list.

99-679 CORRECTION OF FACTUAL ERRORS ON TAX ROLLS - ASSESSOR

Upon recommendation of Jean Tacchino, Assistant Chief Deputy Assessor, and Thomas Sokol, Assistant Chief Deputy Assessor, on motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, it was ordered that the following Roll Change Requests correcting factual errors on tax bills already mailed be approved for the reasons indicated thereon and mailed to the property owner, a copy of which is placed on file with the Clerk. It was further ordered that the Order on each roll change directing the Treasurer to correct the error be approved and Chairman Galloway be authorized to execute on behalf of the Commission.

| | | |
|--|-----------------------|--------------------------|
| Laura M. Shimkovsky | Parcel No. 204-231-08 | (1999/2000 Secured Roll) |
| John & Lisa M. Lottritz | Parcel No. 204-231-06 | (1999/2000 Secured Roll) |
| Joseph Hauslbauer | APN #032-066-15 | (1999/2000 Secured Roll) |
| Reno Sparks Convention Authority | Parcel No. 011-380-32 | (1997/98 Secured Roll) |
| Reno Sparks Convention Authority | Parcel No. 011-380-32 | (1998/99 Secured Roll) |
| Pacific International Travel | I.D. #2/103-229 | (1998/99 Unsecured Roll) |
| Ultimate Home Care Co. Inc. | I.D. #2/200-993 | (1998/99 Unsecured Roll) |
| Redmonds Catering | I.D. #2/203-175 | (1998/99 Unsecured Roll) |
| P M B Food Service | I.D. #2/213-071 | (1998/99 Unsecured Roll) |
| P D N Construction | I.D. #2/465-017 | (1998/99 Unsecured Roll) |
| Mickey Construction & Development | I.D. #2/174-178 | (1998/99 Unsecured Roll) |
| Nevada Shoe Factory | I.D. #2/105-011 | (1998/99 Unsecured Roll) |
| On Line Sports Media Inc. | I.D. #2/478-003 | (1998/99 Unsecured Roll) |
| The Flintworks | I.D. #2/102-530 | (1998/99 Unsecured Roll) |
| Studio C/Carousel Graphics & Design Studio | I.D. #2/112-032 | (1997/98 Unsecured Roll) |

99-680 INFORMATIONAL ITEM - APPLICATION FOR STATE IDENTIFICATION SYSTEM GRANT - CRIME LABORATORY - SHERIFF

On motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, Chairman Galloway ordered that the informational item concerning the application by the Sheriff's Office Crime Laboratory for \$163,000.00 of Federal funds established for State Identification Systems be accepted. It was noted that this is the third year of applying for this Federal funding.

99-681 APPOINTMENT - CLAYTON T. (TOM) GADD - GENERAL SERVICES DIRECTOR

Upon recommendation of Katy Simon, County Manager, on motion by Commissioner Sferrazza, seconded by Commissioner Shaw, which motion duly carried, Chairman Galloway ordered that Clayton T. (Tom) Gadd be appointed as Director of General Services at an annual salary of \$87,505.60, effective August 2, 1999; and that Mr. Gadd be reimbursed for reasonable and necessary relocation expenses.

Mr. Gadd thanked the Board and stated that he is looking forward to being part of the Washoe County team.

99-682 MONTHLY FEE FOR SERVICES - MCGEE CENTER GIRLS PROGRAM - JUVENILE SERVICES

Upon recommendation of Leonard Pugh, Director, Juvenile Services, on motion by Commissioner Sferrazza, seconded by Commissioner Short, which motion duly carried, Chairman Galloway ordered that Juvenile Services be authorized to assess a monthly fee in the amount of \$400 to the parents of a child placed in the McGee Center Girls Program for services provided.

99-683 AGREEMENTS - FY 1999/2000 FORENSIC SUPPORT SERVICES - SHERIFF

Upon recommendation of Richard Kirkland, Sheriff, on motion by Commissioner Sferrazza, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the Forensic Support Services Agreements and the Addendum's to Forensic Support Services Agreements between the Washoe County Sheriff's Office and the Sheriff's Offices for Carson City, Churchill County, Douglas County, Elko County, Eureka County, Humboldt County, Lander County, Lyon County, Mineral County, Pershing County, Storey County, White Pine County; the Police Departments for Elko, Fallon, Lovelock, Sparks, West Wendover, Winnemucca, Yerington; Nevada Employment Security Department; Nevada Highway Patrol; and Nevada Division of Investigation, concerning forensic science services for Fiscal Year 1999/2000.

99-684 GRANT AGREEMENT - ELECTRONIC REPORTING OF DOMESTIC PROTECTIVE ORDERS - NEVADA SUPREME COURT ADMINISTRATIVE OFFICE OF THE COURTS - SECOND JUDICIAL COURT AND INCLINE JUSTICE COURT

Upon recommendation of Cathy Krolak, Court Administrator, on motion by Commissioner Sferrazza, seconded by Commissioner Short, which motion duly carried, it was ordered that the grant agreement between the Nevada Supreme Court Administrative Office of the Courts (AOC) and the Second Judicial District Court and Incline Justice Court, to serve as pilot courts and participate in a U.S. Department of Justice Grant to Encourage Arrest Policies through the electronic reporting of domestic violence protective orders be approved and Chairman Galloway be authorized to execute.

99-685 RENEWAL - PURCHASE OF SERVICE AGREEMENT - GAIL PALCHIKOFF - CHILD PROTECTIVE SERVICES - SOCIAL SERVICES

Pursuant to the request made at yesterday's caucus meeting, Mike Capello, Division Director for Children's Services, Social Services Department, discussed two charts provided to the Board depicting contract counseling provider and expenditure comparisons, as well as rates charged by other providers. He then responded to questions of the Board.

Commissioner Shaw requested a quarterly report showing the evaluations the providers have conducted, especially as they relate to in-home or in-house, etc.

Upon inquiry of Commissioner Sferrazza, Mr. Capello reviewed the process for soliciting providers and advised that letters are sent out annually to survey interested providers in the community; that Social Services pays a rate that is closely tied to Medicaid reimbursement rates and typically a very low response to the survey is received because very few providers are willing to

accept those rates; and that a range of rates is negotiated by staff depending on the intensity and duration of services. Chairman Galloway commented that Legal Counsel has advised that the discussion is going beyond the matter before the Board today and suggested that this item could be continued and agenda'd to be heard in combination with a review of the entire contract procedure.

Commissioner Sferrazza then moved to continue this item and the motion died for lack of a second.

Upon recommendation of May Shelton, Director, Department of Social Services, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, with Commissioner Sferrazza voting "no," it was ordered that the renewal of the Purchase of Service Agreement between Washoe County and Gail Palchikoff concerning provision of services to child protective service clients (primarily Spanish-speaking clients) for Fiscal Year 1999/2000 be approved and Chairman Galloway be authorized to execute.

99-686 AGREEMENT - SOUTH TRUCKEE MEADOWS WATER RECLAMATION FACILITY SOLIDS HANDLING - CITY OF RENO - WATER RESOURCES

Upon recommendation of Ed Schmidt, Director, Department of Water Resources, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the South Truckee Meadows Water Reclamation Facility (STMWRF) Solids Handling Agreement between Washoe County and the City of Reno be approved and Chairman Galloway be authorized to execute.

99-687 RESIGNATION - APPOINTMENT - COLD SPRINGS CITIZEN ADVISORY BOARD

On motion by Commissioner Bond, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Galloway ordered that the resignation of Joseph McCaffrey as an at-large representative on the Cold Springs Citizen Advisory Board be accepted and Joan Liscom be appointed to fill that position with term to expire June 30, 2000.

It was further ordered that William Macklin and Paul Reimer be appointed as at-large representatives with terms to expire June 30, 2001.

99-688 APPOINTMENT - GERLACH-EMPIRE CITIZEN ADVISORY BOARD

On motion by Commissioner Bond, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Galloway ordered that Patricia Hanneman, Bruno Selmi and Cliff Weldon be appointed as at-large representatives to the Gerlach-Empire Citizen Advisory Board with terms to expire June 30, 2001.

99-689 RESIGNATION - APPOINTMENTS - NORTH VALLEYS CITIZEN ADVISORY BOARD

On motion by Commissioner Bond, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Galloway ordered that the resignation of William Gagnon as an at-large representative on the North Valleys Citizen Advisory Board be accepted, and Sarah Chvilicek be appointed to fill that position with term to expire June 30, 2000.

It was further ordered that Tom Harrison, Ramie Pratt, and Stephen Rogers be appointed as at-large representatives with terms to expire June 30, 2001.

99-690 APPOINTMENTS - SPANISH SPRINGS CITIZEN ADVISORY BOARD

On motion by Commissioner Bond, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Galloway ordered that Gary Hall, Vaughn Hartung and Clark Monson be appointed as at-large representatives to the Spanish Springs Citizen Advisory Board with terms to expire June 30, 2001.

99-691 APPOINTMENTS - SUN VALLEY CITIZEN ADVISORY BOARD

On motion by Commissioner Bond, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Galloway ordered that Darrell Alston, Marjorie Cutler, James Georges, John Jackson and Janice Townley be appointed as at-large representatives to the Sun Valley Citizen Advisory Board with terms to expire June 30, 2001.

99-692 APPOINTMENTS - VERDI TOWNSHIP CITIZEN ADVISORY BOARD

On motion by Commissioner Bond, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Galloway ordered that Jonathan Benedict, Dee Ann Radcliffe and Christopher Sewell be appointed as at-large representatives to the Verdi Township Citizen Advisory Board with terms to expire June 30, 2001.

99-693 APPOINTMENTS - WARM SPRINGS CITIZEN ADVISORY BOARD

On motion by Commissioner Bond, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Galloway ordered that Bruce Cote, Lorna Dalton, Deidre Erwin and Wanda Wright be appointed as at-large representatives to the Warm Springs Citizen Advisory Board with terms to expire June 30, 2001.

99-694 APPOINTMENTS/REAPPOINTMENTS - CHILD CARE ADVISORY BOARD

Katy Simon, County Manager, advised that some discussion was held on this item at yesterday's caucus meeting; that staff prepared the agenda recommendation pursuant to the procedure that is in place for the Child Care Advisory Board; and that if the Board wishes to implement a different process, that can certainly be done.

Commissioner Bond, stated that she is comfortable going forward with this item and the process could be reviewed at a future date. Upon inquiry, Ms. Simon advised that because this particular board specifies representation, a full advertisement is not done.

Commissioner Sferrazza stated that he does not have a problem with these recommendations, but would like to have a procedure where solicitation for applications for all boards are advertised.

On motion by Commissioner Bond, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Galloway ordered that the following appointments and reappointments to the Washoe County Child Care Advisory Board be ratified:

New appointments for term expiring August, 2002:

| | | | |
|---------------|-----------------------------|-----------------------------------|---|
| Karen Barreas | Director | Holy Child Day Home | Representing Non-Profit Child Care Providers |
| Joyce Larsen | Mental Health Counselor III | Early Childhood Treatment Program | Representing Nevada State Division of Child and Family Services |
| Pete Litano | Assistant Fire Marshal | Sparks Fire Department | Representing the City of Sparks |

Reappointments for term expiring August, 2002:

| | | | |
|---------------------|----------------|-----------------------------------|--|
| Constance Davies | Director | Stepping Stones Children's Center | Representing For Profit Child Care Providers |
| Lori E. Enzenberger | Office Manager | Reno Municipal Court | Representing Recipients of Child Care Services |

99-695 APPOINTMENT - SENIOR SERVICES BOARD OF TRUSTEES

On motion by Commissioner Bond, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Galloway ordered that

Gerry Taylor and Frank Kastory were appointed to the Washoe County Senior Services Board of Trustees with terms to expire July 1, 2003.

99-696 CHANGE ORDER NO. 1 - 1998/99 SLURRY SEAL CONTRACT - HIGHWAY 34 OUTSIDE GERLACH - PUBLIC WORKS

Commissioner Sferrazza asked if the Change Order cost of \$100,000 represents an amount that should be bid. Legal Counsel Shipman stated that the cost represents less than a 10% change in the contract which already covers an area in Gerlach, and would just be an extension of the Gerlach work; and that, although it may not be the best practice, it is legal in her opinion.

David Roundtree, Public Works Director, advised that the sole reason for bringing this item to the Board was because the County received such an advantageous price this year on the Slurry Seal Program; and that staff's intent is to slurry the amount that was scheduled for this year as well as what would be scheduled for next year for the Gerlach area, which will result in an anticipated savings of a minimum of 10-15%.

Upon recommendation of David Roundtree, Public Works Director, on motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, it was ordered that Change Order No. 1 to the 1998/99 Slurry Seal Contract to increase the contract with Granite Construction Company an additional \$100,000 for surface treatment work on the County-maintained Highway 34 outside Gerlach, be approved and Chairman Galloway be authorized to execute.

99-697 EMERGENCY WORK - WES CONSTRUCTION COMPANY - MT. ROSE AREA SEWER SERVICE - WATER RESOURCES

John Collins, Manager, Utility Services Division, responded to questions of the Board regarding this item.

Upon recommendation of John Collins, Manager, Utility Services Division, through Ed Schmidt, Director, Department of Water Resources, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Galloway ordered that the emergency work performed by WES Construction in the amount of \$41,914.14 involving construction and extension of the sanitary sewer outside the paving limits and concrete curb work in the Mt. Rose area be approved retroactively.

99-698 ONE PART-TIME PERMANENT COURT SERVICES OFFICE I POSITION - DISTRICT COURT

Katy Simon, County Manager, provided information pursuant to questions raised at yesterday's caucus meeting regarding this item and responded to further questions of the Board. Commissioner Shaw suggested that in the future these type of items might provide more information relative to the responsibilities and duties of the specific position.

Upon recommendation of Cathy Krolak, Court Administrator, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Galloway ordered that one part-time permanent Court Services Officer I position, without benefits, utilizing existing appropriation authority in the FY 99/00 Budget of the District Court be approved.

99-699 CHANGES TO AUTHORIZED POSITIONS - COMMUNITY AND CLINICAL HEALTH SERVICES PROGRAM - HEALTH

Katy Simon, County Manager, provided information regarding grant funded positions pursuant to questions raised at yesterday's caucus meeting.

Upon recommendation of James Begbie, on motion by Commissioner Short, seconded by Commissioner Shaw, which motion duly carried, Chairman Galloway ordered that the changes to authorized positions in the Community and Clinical Health Services (CCHS) Program to decrease Position Control #32 from a full-time position to a part-time (21 hours/week) position, to increase Position Control #205 from a part-time (21 hours/week) to a full-time position be approved, and the Human Resources Department be directed to make said changes.

99-700 REQUEST FOR REFUND OF APPLICATION FEES - SPECIAL USE PERMIT CASE NO. SPW10-34-98 WITH SITE REVIEW - ABANDONMENT CASE NO. AB1-1-99 - SIERRA NEVADA MONTESSORI SCHOOL - COMMUNITY DEVELOPMENT

Robert Sellman, Director, Department of Community Development, provided information in response to questions raised at yesterday's caucus meeting. He advised that the applicants paid the Special Use Permit and Abandonment application fees prior to receiving their tax exempt status; that staff informed the applicants that if they had been approved as a nonprofit at the time the applications were filed there would have been no fee and they could file for a refund when that status was obtained; and that staff could not find a direct policy addressing the issue of when and where waivers for filing fees would apply.

Upon inquiry of Chairman Galloway, Mr. Sellman advised neither the City of Reno nor the City of Sparks provides a waiver of fees to tax exempt organizations; and that the fees represent real dollars spent in the processing of applications. Commissioner Sferrazza stated that he does not think the County should exempt non-profit organizations and is concerned that approving this request would set a precedent; and that he does not think it is appropriate to waive the fees for an organization that was for profit when the application was filed. Commissioner Bond stated that she also would not want to set a precedent for previous or future applicants that would feel they were entitled to a refund after the fact.

Following further discussion, on motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, Chairman Galloway ordered that the request of Sierra Nevada Montessori School for a refund of application fees for Special Use Permit Case No. SPW10-34-98 with Site Review and Abandonment Case No. AB1-1-99 be denied.

99-701 ORGANIZATIONAL STRUCTURE CHANGES - MANAGEMENT INFORMATION SERVICES

Chairman Galloway commented that discussion was held on this item at yesterday's caucus meeting. Matt Beckstedt, Director, Management Information Services, was present to respond to questions. Katy Simon, County Manager, advised that this effort started approximately three years ago with the KPMG Peat Marwick study and tremendous progress has been made in the Management Information Services (MIS) Department. She thanked the MIS staff and Mr. Beckstedt for their diligent efforts to improve service and be responsive to bringing the County into and beyond the year 2000.

Upon recommendation of Matt Beckstedt, Director, Management Information Services, on motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, Chairman Galloway ordered that the following actions be taken:

1. The reorganization as approved by the Board in February, 1999 be modified by:
 - a. The District Attorney's Office be directed to recommend required changes to the Washoe County Code which creates the Information Technology Department in place of the Management Information Services Department.
 - b. The GIS Division be moved from the Manager's Office to the newly named Information Technology Department.
2. Implement organizational changes recommended by the KPMG Peat Marwick MIS Performance Audit which was approved by the Board in 1996.
 - a. Part One - Five (5) Project Coordinator positions in the Information Technology Department be approved and the following be authorized:
 - 1) A 5% salary adjustment to four existing positions for the additional duties performed.
 - 2) One new position.
 - b. Part Two - As part of the HayGroup study, if approved by the Board, the implementation of the remaining changes to the MIS classification structure be approved.
3. The Information Technology Department be authorized to retain KPMG Peat Marwick to critique the County's efforts in implementing the four-year-old MIS Performance Audit and provide future recommendations where appropriate.

John Collins, Manager, Utility Services Division, reviewed background information regarding the request for relief on application to Ordinance 1038 from payment of

- (1) the reclaimed water privilege connection fee which either requires a connection charge or dedicated water rights for service, and
- (2) from payment of the monthly service for provision of the reclaimed water service.

He advised that a number of parties that participated in the development of the Wolf Run Golf Course and other projects were involved in the request for relief, and will be referred to as the "Project."

Mr. Collins then discussed in detail various documents beginning on December 5, 1986 and continuing into 1998 and stated that the Project contends that the December 5, 1986 letter represents a contract and that document as well as subsequent documents commit the County to provide free reclaimed water service; that it is staff's position that the December 5, 1986 letter represented a proposal and does not constitute an agreement, and that document as well as the subsequent documents clearly indicate that it was never intended that reclaimed water service would be provided at no cost to the Project; that the County's commitment was that the Project would not be charged or handled any differently than anyone who is receiving reclaimed water service and has complied with the conditions of the ordinance; and that issues relative to costs were brought up at most of the meetings held with the parties involved.

Mr. Collins responded to questions of the Board and advised that the reclaimed water is a mixture of water and is not purely effluent. He presented a display map depicting the subject area and the South Truckee Meadows Effluent Reuse System and provided additional background information. He advised that 227 acre-feet of water rights was dedicated by the John Shaw Field Estate to the County for water service for the golf course; and that an additional 110 acre-feet represents County water which was made available on a temporary basis in an effort to move the project forward.

Richard Campbell, Attorney for the Project, reviewed several exhibits containing many of the same documents discussed by Mr. Collins. He advised that the two issues are

- (1) the County's requirement for the dedication of an additional 110 acre-feet of water rights or payment of an equivalent charge under the current County ordinance, and
- (2) the County's proposal of \$.55 per gallon charge for reclaimed water, which is also under the current ordinance; and that the Project's contention is that they are not obligated contractually to pay either of those charges at this point in time.

He reviewed the history of the Project and stated that the December 5, 1986 letter represented a proposal by Mr. Collins which was accepted and therefore represents an agreement; that there was a transfer of real property rights, well site, and some surface water rights; that 112 acre-feet of Dog Creek water rights were transferred to the County, which was accepted as part of the agreement package with the County; and that it is their position that they would be able to use the water they had dedicated, being the 227 acre-feet and the 112-acre feet until treated effluent is available. Mr. Campbell responded to questions of the Board and stated that they are not contesting that they would need to build and maintain improvements to deliver the treated effluent when it is available, which is estimated to be in the year 2004.

Commissioner Sferrazza disclosed that he met with Mr. Ferroni and Justice Charles Springer sometime ago and requested that this item be placed on the agenda; and that it was his understanding that the golf course did not object to paying the water service fee once the treated effluent was being provided. Mr. Campbell commented that he believes they will have to pay a fee at that time, but may have to negotiate a separate agreement as the contract does not spell out that they have to pay at all for the treated effluent and would, therefore, need to be amended or clarified as to what their rate for delivery would be.

A discussion commenced about the various issues brought forth and the documents presented. Chairman Galloway commented that the available reclaimed water does contain some effluent. Mr. Collins responded to further questions of the Board and stated that

staff does not agree that the Project has dedicated the additional water rights required by the December 5, 1986 letter as that water would need to be a resource that could be used to irrigate the golf course; and that the 112 acre-feet of Dog Creek water rights were dedicated with the understanding that those rights could be changed in order to be used in the South Truckee Meadows, but the Project has not been able to get the change application through the State Engineer's Office; and that the County agreed to hold onto the Dog Creek water rights but has not decided where they can be used.

Following further discussion, Commissioner Sferrazza moved that, on the basis that the 112 acre-feet of Dog Creek water rights are not transferable or usable, the request to not pay for the 110 acre-feet being provided by the County to the golf course be denied; and that if the Project pays the fee or furnishes usable water rights, the Dog Creek water rights would be returned. Commissioner Short seconded the motion.

A discussion then commenced relative to the Dog Creek water rights and upon inquiry of Commissioner Sferrazza, Mr. Campbell advised that the contract called for dedication of additional water rights but does not say where they had to come from or that they had to be usable for one purpose or another; that they do not think that under the contract they should have to prove whether those water rights are usable as that is now County water and does not belong to the Project; and that he does not know whether a transfer application was filed by the Project, but does not think they could legally make the application because they are not the owners of those water rights. Upon inquiry of

Commissioner Bond, Mr. Collins advised that the County has not filed a transfer application with the State Engineer's Office.

Chairman Galloway stated that he believes the context of the agreement shows that the dedicated water rights should be usable on the golf course.

Justice Charles Springer, President, John Shaw Field Foundation, stated that they agreed as part of the original transaction to transfer the 112 acre-feet and nothing was ever said about them being used on the golf course; and that it was obvious at the time that they were not usable for the golf course.

Chairman Galloway stated that he would like to have clarification regarding whether the County can transfer the point of use of part of the Dog Creek water rights or convert them into a monetary value to buy the necessary water rights, which would then not require additional water rights from the user. Upon inquiry, Mr. Collins stated that the County understood that those were Dog Creek water rights, but were dedicated with the understanding that they could be moved; and that he would need to research why those water rights were accepted by the County without assurance that they could be used.

Commissioner Sferrazza withdrew his motion stating that the questions presented need to be answered before proceeding further.

On motion by Commissioner Sferrazza, seconded by Commissioner Shaw, Chairman Galloway ordered that the requests by the Project for relief from payment for reclaimed water service be continued to August 24, 1999 in order to provide staff the opportunity to obtain additional information relative to the Dog Valley water rights.

Mr. Campbell advised that the August 24th date is satisfactory and that he would suggest that during that time frame negotiations continue with staff in an effort to resolve the issue.

99-703 MAIL HUB (USPS) - AIRPORT AUTHORITY

Chairman Galloway noted that several people have indicated a desire to speak regarding this issue; and that several letters have been received. He read a letter from Kryz Bart, Executive Director, Airport Authority, advising that their Board of Trustees took no action to stop the USPS project at its last meeting held on July 8, 1999; that the Airport Authority Board's next likely action pertaining to this issue will be to approve or disapprove an operation agreement with the contracted air carrier selected by the USPS; that the Board of County Commissioners will be notified of the meeting date and time when this action would take place; and that the results of two questions from a survey conducted by an independent research firm will be shared with the County Commissioners once the entire survey and analysis is complete.

The following people spoke in opposition to the USPS contract and asked that the Board request that the Airport Authority conduct an Environmental Impact Statement. Issues presented included concerns regarding noise, safety, health, air pollution, quality of life, etc.; that Federal regulations require an EIS; that the proposed Mail Hub represents a project of regional significance; that the second public hearing committed to by the Airport Authority is not forthcoming; and that a lawsuit has been filed by the Citizens for Airport Accountability (CAAA):

- John Hadder, Citizen Alert
- Sam Dehne, Reno citizen
- Alfred Vandenberg, area resident
- R. C. Cameron, area resident
- Jackie Decker, area resident
- Gail Anderson, Reno resident
- Peg O'Malley, area resident
- Judy Snell, Reno resident

Commissioner Sferrazza read a statement from Valerie Truce, area resident, asking that the Board require the Airport Authority to conduct an EIS and citing concerns relative to noise, quality of life, etc.

Upon the request of Commissioner Short, Mr. Cameron reported on the activities of the CFAA. He advised that the group was formed approximately two weeks ago and have had numerous meetings; that their mission is to make the airport accountable for their actions; that they have hired Rick Jarvis, an attorney in California who has won 19 environmental cases and won the case against the Port of Oakland relative to air cargo service; and that Mr. Jarvis has stated that he thinks the CFAA's chances of winning their lawsuit are better than they were in Oakland. He then stated that should they win their lawsuit, all expansion at the airport would shut down, which will affect the tourism that feeds Washoe County's economy. Upon inquiry of Chairman Galloway, Mr. Hadder provided information relative to the lawsuit shutting down additional flights at the airport.

Chairman Galloway commented that broader issues could be involved such as how to determine where to draw the line regarding requests for Environmental Impact Statements when there are changes and expansions at the airport; and that he does not have the legal knowledge to know whether an EIS is required for this service.

Commissioner Sferrazza stated that he wanted to make it very clear that he is opposed to this project, noting that he made a motion to that effect at a previous meeting but it failed because there was no second; that he thinks it is a reasonable position to request the Airport Authority not to proceed with the contract until they conduct an EIS; and that he has received hundreds of communications from people opposed to this project.

Commissioner Bond stated that she believes the reason the Board did not say no to the project earlier is because there was not enough information to make that determination.

Commissioner Shaw stated that he does not have a problem with requesting an EIS so that the Airport Authority would know the Board's position regarding the USPS proposal; and that he was disappointed that a second public hearing was not held. Commissioners Bond and Short agreed that it would be appropriate to request the EIS. Commissioner Short suggested that a temporary approval of the contract might be considered if it was conditioned that quieter aircraft be used, which could be done in concurrence with an ongoing EIS. He stated that he does not want to disturb the peace and tranquility of thousands of residents, but also understands that the airport is trying to keep landing fees competitive, etc.

Chairman Galloway commented that the original opposition to the proposal was with regard to the noise of the 727's and he thinks it would be more honest and direct to oppose a contract that would involve that aircraft as he would not want to take a position against the USPS if they fly quieter aircraft. Commissioner Sferrazza noted that other issues such as safety were also raised and noise was not the only problem expressed by the public. Chairman Galloway stated that the safety issue was specific to 727's because that aircraft with a hush kit does not have enough power to take off at a high altitude. Commissioner Shaw commented that if the Board's objections are limited to the kind of aircraft being proposed, it would be overlooking a lot of other concerns

brought forth.

On motion by Commissioner Sferrazza, seconded by Commissioner Shaw, which motion duly carried with Chairman Galloway "abstaining," it was ordered that the Airport Authority be requested not to proceed with the US Postal Service Mail Hub contract until an Environmental Impact Statement is conducted; and that the Airport Authority Board and the City Councils of Reno and Sparks be advised of this action as soon as possible.

Chairman Galloway stated that he abstained because he did not want an opposition vote to weaken the motion and would have supported a motion to oppose the contract unless it excluded the 727's.

99-704 MAPES HOTEL - FEASIBILITY STUDY

Scott Gibson, 571 St. Lawrence Street, stated he would like to thank the Board for their consideration in this matter and requested that they support the feasibility study for the Mapes Hotel.

Dale Erquiaga, Director of the State Department of Museums, Library & Arts, stated that in a meeting with County Manager Simon, and himself, Senator Bryan advised that he will do whatever he can at the federal level to help Washoe County with this process. Mr. Erquiaga then advised that the State will help with resources.

Jon Dewey, Truckee Meadows Heritage Trust stated that he has seven members of their Board present today and wholeheartedly supports the staff recommendation to the Board.

Michael Moreno, Area Director for the office of Senator Bryan advised the Board that Senator Bryan is fond of the Mapes Hotel and has expressed interest and concern regarding its fate to the Reno City Council as well as to the Board. Mr. Moreno read the letter from Senator Bryan to the Commissioners.

Toni Harsh, President of the Truckee Meadows Heritage Trust, expressed her support of staff's recommendation and advised of an opportunity through Saving America's Treasures, which is a White House Program that is joint ventured with the National Trust for Historic Preservation, to obtain \$50,000 in matching grant money. She further stated that they have been unable to apply for that grant because they do not have a letter of support from the City. She advised that the application is due by September 1, 1999.

Ron James, Nevada State Historic Preservation Officer, reaffirmed his agency's commitment to help in any way possible for the proposal to look at this problem; and that there are tax credits available through the National Parks Service which are worth 20% of the rehabilitation costs if they work with a private entrepreneur to do the rehabilitation work. He further advised that they also have the advantage of their public governmental status to allow the County to apply for Commission for Cultural Affairs Grants which makes available 2 million dollars a year for the rehabilitation of historic structures to be used as cultural centers.

On motion by Commissioner Bond, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Galloway ordered that staff be directed to act as follows:

1. Continue to evaluate the structural, operational and economic feasibility of converting the Mapes Hotel for use as County office and Court support services space.
2. Retain consulting support, up to \$25,000, to assist in the preparation of a response to the City of Reno Redevelopment Agency's request-for-proposals, should the initial evaluation prove favorable.
3. Pursue a project concept that would allow the Mapes Hotel to stay on the tax rolls, and provide for the County's long-term lease of the facility at a cost which would be competitive with what the County would have to otherwise invest to secure equivalent space and parking.

4. Pursue a project concept in which the facade of the Hotel is preserved, even if the original interior cannot be salvaged.

99-705 ENVIRONMENTAL IMPACT STUDY - RETRAC PROJECT

Chairman Galloway stated that he requested Robert Larkin be present today and speak about why the County should become a cooperating agency to the RETRAC Project.

Robert Larkin, Sparks citizen, defined the Cooperating Agency and National Environmental Policy Act and explained the difference between attending the scoping meetings as a member of the public and participating as a cooperating agency.

He stated that the RETRAC Project is the single largest public works project in this County's history and needs to have more than one governmental entity overseeing the project; and that the County should participate because they possess special expertise not available at the state or local governmental levels.

A discussion ensued among Board members concerning the effects of becoming a cooperating agency. In response to Commissioner Shaw's inquiry as to whether or not the County can become a cooperating agency if they are not invited to do so by the Federal Highway Administration, Mr. Larkin stated that there are three classifications to qualify as such: jurisdiction by law, request by special expertise, and interest as a County government.

The following Reno citizens spoke in support of Washoe County becoming a cooperating agency to the RETRAC Project: Michael Robinson, Patricia Purchert, Roy Hibdon, Sam Dehne, Paul Delorey (Citizens for Responsive Government), and Laura Carman (Hidden Valley Homeowners Association). Mary Winston was not present but had advised Chairman Galloway of her support.

Mark Demuth, currently retained by the City of Reno and is Project Manager for the EIS, referred to the letter written by Charles McNeeley, City Manager, City of Reno, to NDOT which did not specifically state that the City of Reno was opposed to Washoe County becoming a cooperating agency just that they questioned their jurisdiction by law. He further stated that the City of Reno has provided 6.2 million dollars for investing in the EIS with a team of qualified outside consultants to provide that expertise. He advised the Commissioners that Washoe County would be responsible for all of their own costs if they become a cooperating agency and their own expert to review matters.

Commissioner Sferrazza inquired why the City of Reno is concerned about the County becoming involved. Mr. Demuth stated that if Washoe County became a cooperating agency, the scope of work would have to be changed, which would slow things down as it was not considered in the original contract.

Commissioner Shaw inquired as to what is being done to keep the public up to date on this project, and Mr. Demuth stated that a portion of the contract is specifically for public awareness and education, and also that they have a Website where they try to inform the public on every aspect of the project and where all documents produced regarding the project will be posted.

Commissioner Bond inquired if a major issue arose regarding the project would they call on the expertise of the County to assist. Mr. Demuth stated that they have worked with the Manager of the Downtown Remediation District, who is employed by the County and that he participated in selecting the holes of where the test wells would be located. Jim Begbie, Acting Health District Officer, stated that this item has been placed on the District Board of Health's agenda for their July 28, 1999 meeting to consider whether or not they want to request cooperating agency status.

Commissioner Sferrazza stated that this project is being financed by Washoe County taxpayers and that the Board of County Commissioners should become involved and request cooperating agency status; but he is not willing to commit to spend any money to hire a consultant.

On motion by Commissioner Short, seconded by Commissioner Sferrazza, with the understanding that it is in the spirit of cooperation, which motion duly carried, with Commissioners Bond and Shaw voting "no," Chairman Galloway ordered that appropriate responsible agencies be contacted to further the process to name Washoe County as a cooperating agency to the RETRAC Project.

Upon recommendation of Robert Sellman, Community Development Director, on motion by Commissioner Bond, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Galloway ordered that the request of Benjamin Veach, Summit Engineering, to replace the current switching structure known as Penney's Tap with a mechanical structure allowing the energizing of the Stead Line at its design capacity of 120kv be approved based upon the authorities granted under section 110.304.10 of the Washoe County Development Code. It was noted that pursuant to NRS 278.310 and WCDL 110.808.45 this decision is subject to appeal to the Board of Adjustment within 15 days of the date of the decision.

99-707 BILL NO. 1247 - ORDINANCE NO. 1071 - AMENDING WCC CHAPTER 5 - INTERNAL AUDITOR PROGRAM

5:00 p.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on July 2, 1999, to consider second reading and adoption of Bill No. 1247. Proof was made that due and legal Notice had been given.

The Chairman opened the public hearing and called on anyone wishing to speak for or against the adoption of said Ordinance. There being no response, the hearing was closed.

On motion by Commissioner Sferrazza, seconded by Commissioner Short, which motion duly carried, Chairman Galloway ordered that Ordinance No. 1071, Bill No. 1247, entitled, "AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY REPEALING SECTION 5.024 (MANAGEMENT ANALYSIS PROGRAM), A SECTION CREATING THE MANAGEMENT ANALYSIS PROGRAM, AND BY ADDING PROVISIONS CREATING AN INTERNAL AUDIT PROGRAM WITHIN THE COUNTY MANAGER'S OFFICE, PROVIDING FOR THE CREATION OF INTERNAL AUDIT POSITIONS AND THE APPOINTMENT THEREOF, SETTING FORTH THE DUTIES AND RESPONSIBILITIES OF THE INTERNAL AUDITOR, AND OTHER MATTERS PROPERLY RELATING THERETO," be approved, adopted and published in accordance with NRS 244.100.

99-708 BILL NO. 1248 - ORDINANCE NO. 1072 - AMENDING WCC CHAPTER 15 - COPYING FEES

5:00 p.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on July 2, 1999, to consider second reading and adoption of Bill No. 1248. Proof was made that due and legal Notice had been given.

The Chairman opened the public hearing and called on anyone wishing to speak for or against the adoption of said Ordinance. There being no response, the hearing was closed.

On motion by Commissioner Sferrazza, seconded by Commissioner Short, which motion duly carried, Chairman Galloway ordered that Ordinance No. 1072, Bill No. 1248, entitled, "AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY REPEALING A PORTION OF SECTION 15.380 WHICH ESTABLISHED A FEE OF 15 CENTS PER COPY FOR COPIES MADE ON COPYING MACHINES," be approved, adopted and published in accordance with NRS 244.100.

99-709 SPECIAL ASSESSMENT DISTRICT NO. 26 - MATTERHORN DRIVE - PUBLIC HEARING

5:00 p.m. This was the time set in a Notice of the Filing of Assessment Roll published in the Reno Gazette Journal on June 22, 29, and July 6, 1999, and the opportunity to file written complaints, protests, or other objections, and of the assessment hearing, all concerning that certain area to be assessed for a street improvement project within the Washoe County, Nevada, Special Assessment District No. 26 (Matterhorn Drive). Proof was made that due and legal Notice had been given.

Chairman Galloway advised that there was one written protest received from Thomas D. Moody who stated that his property does not access Matterhorn Drive and the Red Rock Estates Subdivision is two miles from his road, Oregon Boulevard, and therefore he does not benefit from the paving of the road and he is asking that he be removed from the Assessment District. Dave Roundtree, Public Works Director, stated that the road runs in back of Mr. Moody's property and is paved, therefore his property is deemed to benefit.

The Chairman opened the public hearing and called on anyone wishing to speak for or against the adoption of said assessment.

Don Young, Planner in Community Development, advised that he is speaking for himself in noting that there are five property owners on Hungry Mountain Drive who pay much more than what some of the other property owners have been assessed, and that everyone within the border of four miles should pay the same amount.

John Swendseid, Bond Counsel for the County, stated that the Board does have the authority to reduce the amount assessed, but that amount would have to be made up elsewhere. He further stated that the hearing today is to determine whether the County applied the assessments as they said they would.

There being no one else wishing to speak the public hearing was closed.

99-710 SPECIAL ASSESSMENT DISTRICT NO. 27 - OSAGE ROAD/PLACERVILLE ROAD - PUBLIC HEARING

5:00 p.m. This was the time set in a Notice of the Filing of Assessment Roll published in the Reno Gazette Journal on June 22, 29, and July 6, 1999, and the opportunity to file written complaints, protests, or other objections, and of the assessment hearing, all concerning that certain area to be assessed for a street improvement project within the Washoe County, Nevada, Special Assessment District No. 27 (Osage Road/Placerville Road). Proof was made that due and legal Notice had been given.

Chairman Galloway advised that there was one written protest received from Robert Cryderman, Reno resident.

The Chairman opened the public hearing and called on anyone wishing to speak for or against the adoption of said Ordinance.

Robert Cryderman advised that he had to buy his own culvert and the County paid for everyone else's culverts; that the shoulder work in front of his property was not done properly; and that he had to call Roger West twice to improve the work on his driveway. He requested that the work be done correctly and that he be reimbursed the amount for the purchase of his culvert. Dave Roundtree, Public Works Director, stated that next to Mr. Cryderman's property, there are three undeveloped parcels and that the County has no easement across the open area; that the County did not purchase new culverts for all properties if the current ones were in good repair; and that if Mr. Cryderman made another access road, then that culvert was not calculated into the project cost.

There being no one else wishing to speak the public hearing was closed. On motion by Commissioner Bond, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Galloway ordered that staff look into the road work in front of Robert Cryderman's residence to determine if anything needed to improve the property is the responsibility of the County.

99-711 RESOLUTION - BILL No. 1249 - SPECIAL ASSESSMENT DISTRICT NO. 26 - MATTERHORN DRIVE

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the following Resolution be adopted and Chairman Galloway authorized to execute.

A RESOLUTION CONCERNING WASHOE COUNTY, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 26 (MATTERHORN DRIVE); OVERRULING COMPLAINTS, PROTESTS AND OBJECTIONS MADE TO THE ASSESSMENTS AT THE HEARING ON SAID ASSESSMENT ROLL; VALIDATING AND CONFIRMING SAID ASSESSMENT ROLL; PRESCRIBING OTHER DETAILS IN CONNECTION THEREWITH; RATIFYING ALL ACTION TAKEN CONSISTENT WITH THE PROVISIONS HEREOF; AND PROVIDING THE EFFECTIVE DATE HEREOF.

WHEREAS, the Board of County Commissioners (herein "Board") of the County of Washoe (the "County"), in the State of Nevada, pursuant to an Ordinance, adopted July 14, 1998 (the "District Ordinance"), created Washoe County, Nevada, Special Assessment District No. 26 (Matterhorn Drive) (the "District") and ordered the acquisition of a street project for the District (the "Project"); and

WHEREAS, the Board has heretofore determined that the cost and expense of the Project is to be paid by special assessments levied against the benefited lots, tracts and parcels of land in said District; and

WHEREAS, the Board has heretofore determined and does hereby declare that the net cost to the County of all the

improvements in the District (including all necessary incidentals which either have been or will be incurred in connection with the District) is \$755,000, which amount is to be assessed upon the benefited lots, tracts and parcels of land in the District; and

WHEREAS, the Board by a resolution duly adopted on May 11, 1999, directed the County Engineer (the "Engineer") to make out a preliminary assessment roll; and

WHEREAS, the Board together with the Engineer made out an assessment roll for said District which contains, among other things, the names and addresses of the last-known owners of the property to be assessed, or if not known stating that the name is "unknown"; a description of each lot, tract or parcel of land to be assessed; and the amount of the proposed assessment to be levied thereon; and said Engineer has reported said assessment roll to the Board and filed the same with the County Clerk; and

WHEREAS, the Board by resolution duly adopted on June 15, 1999, established a date, time and location at which the Board would hear and consider any and all complaints, protests and objections to the assessment roll and to the assessments contained therein; and

WHEREAS, the Board has, in accordance with the provisions of law relating thereto, given the requisite legal notice by both mail and publication that complaints, protests and objections to assessments for improvements in the District should be filed with the County Clerk, and that the Board would hear and consider any and all complaints, protests or objections on Tuesday, July 13, 1999, at 5:00 p.m., at the First Floor Commission Chambers, Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada; and

WHEREAS, the Board met at said place and time to hear and consider all complaints, protests and objections made or filed; and

WHEREAS, there was 1 written and 1 oral protest or objection; and

WHEREAS, all complaints, protests and objections, both written and oral, were heard and considered by the Board on July 13, 1999, and after extensive review and deliberation hereby are found to be without sufficient merit and are hereby overruled; provided, however, that the Board has, nevertheless, concluded that it is necessary and equitable that the assessment roll be corrected and revised as follows: [No corrections or revisions.]

WHEREAS, the Board has determined and does hereby again determine, that all of the assessable property in the County which is specially benefited by the improvements acquired in the District, and only the property which is so specially benefited, is included on the assessment roll heretofore filed with the County Clerk on June 15, 1999; and

WHEREAS, the Board has determined, and does hereby determine, that the notice, both mailed and published, for the hearing held on July 13, 199, on said assessment roll was reasonably calculated to inform each interested person of the proceedings concerning the District which may directly and adversely affect his or her legally protected rights and interests.

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

Section 1. This resolution shall be known as and may be cited by the short title "District No. 26 (Matterhorn Drive) Assessment Protest Resolution" (the "Resolution").

Section 2. All complaints, protests and objections, both written and oral, are hereby found to be without sufficient merit and are hereby overruled.

Section 3. The Board hereby validates and confirms the assessment roll for the District, as made out by the Board,

together with the Engineer, and filed in the records of the office of the County Clerk on June 15, 1999, is herein modified, revised, corrected and made de novo.

Section 4. All action, proceedings, matters and things heretofore taken, had and done by the County and the officers thereof (not inconsistent with the Provisions of this Resolution) concerning Special Assessment District No. 26 (Matterhorn Drive), including, but not limited to the acquisition of street improvements and the validation and confirmation of the assessment roll and the assessments therein, be, and the same hereby are, ratified, approved and confirmed.

Section 5. The Engineer and officers of the County be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution.

Section 6. All resolutions, or parts thereof, in conflict with this Resolution are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any Resolution or part of any Resolution heretofore repealed.

Section 7. If any selection, paragraph, clause or provision of this Resolution for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall in no way effect any remaining provisions of this Resolution.

Section 8. The Board has determined, and does hereby declare, that this Resolution shall be in effect immediately after its passage in accordance with law.

* * * * *

Bill No.1249 entitled "AN ORDINANCE CONCERNING WASHOE COUNTY, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 26 (MATTERHORN DRIVE); ASSESSING THE COST OF STREET IMPROVEMENTS AGAINST THE ASSESSABLE TRACTS OF LAND BENEFITED BY SAID IMPROVEMENTS; DESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID ASSESSMENTS; PROVIDING PENALTY FOR DELINQUENT PAYMENTS; PRESCRIBING DETAILS IN CONNECTION THEREWITH AND OTHER MATTERS RELATING THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF." was introduced by Commissioner Sferrazza the title read to the Board, and legal notice for final action of adoption directed.

99-712 RESOLUTION - BILL No. 1250 - SPECIAL ASSESSMENT DISTRICT NO. 27 - OSAGE ROAD/PLACERVILLE ROAD

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

A RESOLUTION CONCERNING WASHOE COUNTY, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 27 (OSAGE ROAD/PLACERVILLE ROAD); OVERRULING COMPLAINTS, PROTESTS AND OBJECTIONS MADE TO THE ASSESSMENTS AT THE HEARING ON SAID ASSESSMENT ROLL; VALIDATING AND CONFIRMING SAID ASSESSMENT ROLL; PRESCRIBING OTHER DETAILS IN CONNECTION THEREWITH; RATIFYING ALL ACTION TAKEN CONSISTENT WITH THE PROVISIONS HEREOF; AND PROVIDING THE EFFECTIVE DATE HEREOF.

WHEREAS, the Board of County Commissioners (herein "Board") of the County of Washoe (the "County"), in the State of Nevada, pursuant to an Ordinance, adopted July 14, 1998 (the "District Ordinance"), created Washoe County, Nevada, Special Assessment District No. 27 (Osage Road/Placerville Road) (the "District") and ordered the acquisition of a street project for the District (the "Project"); and

WHEREAS, the Board has heretofore determined that the cost and expense of the Project is to be paid by special assessments levied against the benefited lots, tracts and parcels of land in said District; and

WHEREAS, the Board has heretofore determined and does hereby declare that the net cost to the County of all the improvements in the District (including all necessary incidentals which either have been or will be incurred in

connection with the District) is \$227,000.08, which amount is to be assessed upon the benefited lots, tracts and parcels of land in the District; and

WHEREAS, the Board by a resolution duly adopted on May 11, 1999, directed the County Engineer (the "Engineer") to make out a preliminary assessment roll; and

WHEREAS, the Board together with the Engineer made out an assessment roll for said District which contains, among other things, the names and addresses of the last-known owners of the property to be assessed, or if not known stating that the name is "unknown"; a description of each lot, tract or parcel of land to be assessed; and the amount of the proposed assessment to be levied thereon; and said Engineer has reported said assessment roll to the Board and filed the same with the County Clerk; and

WHEREAS, the Board by resolution duly adopted on June 15, 1999, established a date, time and location at which the Board would hear and consider any and all complaints, protests and objections to the assessment roll and to the assessments contained therein; and

WHEREAS, the Board has, in accordance with the provisions of law relating thereto, given the requisite legal notice by both mail and publication that complaints, protests and objections to assessments for improvements in the District should be filed with the County Clerk, and that the Board would hear and consider any and all complaints, protests or objections on Tuesday, July 13, 1999, at 5:00 p.m., at the First Floor Commission Chambers, Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada; and

WHEREAS, the Board met at said place and time to hear and consider all complaints, protests and objections made or filed; and

WHEREAS, there was 1 written and 1 oral protest or objection; and

WHEREAS, all complaints, protests and objections, both written and oral, were heard and considered by the Board on July 13, 1999, and after extensive review and deliberation hereby are found to be without sufficient merit and are hereby overruled; provided, however, that the Board has, nevertheless, concluded that it is necessary and equitable that the assessment roll be corrected and revised as follows: [No corrections or revisions.]

WHEREAS, the Board has determined and does hereby again determine, that all of the assessable property in the County which is specially benefited by the improvements acquired in the District, and only the property which is so specially benefited, is included on the assessment roll heretofore filed with the County Clerk on May 11, 1999; and

WHEREAS, the Board has determined, and does hereby determine, that the notice, both mailed and published, for the hearing held on July 13, 1999, on said assessment roll was reasonably calculated to inform each interested person of the proceedings concerning the District which may directly and adversely affect his or her legally protected rights and interests.

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

Section 1. This resolution shall be known as and may be cited by the short title "District No. 27 (Osage Road/Placerville Road) Assessment Protest Resolution" (the "Resolution").

Section 2. All complaints, protests and objections, both written and oral, are hereby found to be without sufficient merit and are hereby overruled.

Section 3. The Board hereby validates and confirms the assessment roll for the District, as made out by the Board, together with the Engineer, and filed in the records of the office of the County Clerk on May 11, 1999, is herein

modified, revised, corrected and made de novo.

Section 4. All action, proceedings, matters and things heretofore taken, had and done by the County and the officers thereof (not inconsistent with the Provisions of this Resolution) concerning Special Assessment District No. 27 (Osage Road/Placerville Road), including, but not limited to the acquisition of street improvements and the validation and confirmation of the assessment roll and the assessments therein, be, and the same hereby are, ratified, approved and confirmed.

Section 5. The Engineer and officers of the County be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution.

Section 6. All resolutions, or parts thereof, in conflict with this Resolution are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any Resolution or part of any Resolution heretofore repealed.

Section 7. If any selection, paragraph, clause or provision of this Resolution for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall in no way effect any remaining provisions of this Resolution.

Section 8. The Board has determined, and does hereby declare, that this Resolution shall be in effect immediately after its passage in accordance with law.

* * * * *

Bill No.1250 entitled "AN ORDINANCE CONCERNING WASHOE COUNTY, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 27 (OSAGE ROAD/PLACERVILLE ROAD); ASSESSING THE COST OF STREET IMPROVEMENTS AGAINST THE ASSESSABLE TRACTS OF LAND BENEFITED BY SAID IMPROVEMENTS; DESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID ASSESSMENTS; PROVIDING PENALTY FOR DELINQUENT PAYMENTS; PRESCRIBING DETAILS IN CONNECTION THEREWITH AND OTHER MATTERS RELATING THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF." was introduced by Commissioner Shaw, the title read to the Board, and legal notice for final action of adoption directed.

99-713 APPEAL - SPECIAL USE PERMIT CASES NO. SPW3-9-99 AND SPW3-11-99 - FELLOWSHIP OF BELIEVERS (APPLICANT), JANET SEWELL (APPELLANT)

5:00 p.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette Journal on July 3, 1999, to consider the appeal of Janet J. Sewell from the Planning Commission's approval of the following: Special Use Permit Case No. SPW3-9-99 to construct in four phases a religious facility totaling 84,000 square feet of building area. The project will include a sanctuary seating 1,200 persons, offices, social hall, classrooms, pre-school, gymnasium, kitchen, and accessory spaces. The project is located north of 1-80 and W. Fourth Street and immediately east of Cliff View Drive in the Mogul area. The 20.13-acre site is zoned General Rural (GR) in the Verdi Area Plan and is situated in a portion of Sections 13 and 14, T19N, R18E, MDM, Commission District 5, Washoe County, Nevada (APN: 38-800-08, 10); and Special Use Permit Case No. SPW3-11-99 to operate a private K-8 school enrolling up to 300 students within a religious facility totaling 84,000 square feet of building area. The project is located north of 1-80 and W. Fourth Street and immediately east of Cliff View Drive in the Mogul area. The 20.13 acre site is zoned General Rural (GR) in the Verdi Area Plan and is situated in a portion of Sections 13 and 14, T19N, R18E, MDM, Commission District 5, Washoe County, Nevada (APN: 38-800-08, 10).

Ron Kilgore, Community Development, advised that approximately 425 homeowners in Mogul were notified of a public meeting prior to this being presented to the Planning Commission to provide input, and based upon comments received from that meeting the originally-applied-for 97,000 square feet was scaled down to 84,000 square feet, resulting in the number of students to be accommodated in the K-8 school being changed from 500 students to 300 students. In response to Commissioner Galloway's inquiry, he stated that Phases 1 and 2 will be built to be followed by 3 and 4.

Chairman Galloway disclosed that he had met with Pastor Rod Halecky, Janet & Chris Sewell and other individuals. Commissioners Bond and Shaw disclosed that they had also met with individuals regarding this issue. Commissioner Sferrazza stated that he declined to meet with either side.

There was discussion about the possibility of someone changing the use to a commercial building once it is built. Mr. Kilgore advised that a few uses can be changed without going to the Planning Commission, but that can be appealed to the Board of County Commissioners.

Commissioner Bond inquired if the building can be built before the sewer is available. Mr. Kilgore stated the short answer is no, but if there is an unforeseen delay the applicant can come back and ask for a waiver.

Chairman Galloway opened the public hearing and called on those wishing to speak in opposition.

Janet Sewell, Appellant, stated she is concerned about this project as it seems massive and detrimental to her neighborhood and requested that the Board deny the permits and direct another traffic impact study be conducted. She stated that the lighting in the parking lot would be detrimental to the neighbors homes that are adjacent to the back of the parking lot. She further advised the Board that she didn't have exact numbers, but during all of her talks with neighbors and residents of Mogul, she only spoke to one person who did not oppose the project. She then read a letter from Chris Sewell, her husband, who was unable to make the hearing tonight, expressing his opposition to this project, which letter was placed on file with the Clerk.

Mary Beth Jo, Kim Toulouse, John Steiger, and Bob Burris, all expressed opposition to the project because of the detrimental hazard the heavy traffic would cause.

Irvin Swartzburg, Mae Ann Avenue, stated that the traffic report does not address preschool traffic, church services, after-school care; and that the traffic report used national averages. Mr. Swartzburg submitted to the Board a traffic study that he worked using local figures that Janet Sewell obtained from the local schools showing that the traffic count is underestimated.

Mr. Kilgore advised Mr. Solaegui would be more appropriate to answer any traffic questions that the Board may have; that during the two hearings traffic was the most discussed item; and that NDOT is the reviewing agency.

Chairman Galloway then called on those unopposed to the project who requested to speak.

Bill Finley, Children's Pastor at Fellowship of Believers stated that the nearest house to the building is 625 feet and the nearest house to any parking area is approximately 300 to 325 feet; that they have a condition on the application already which does not allow any off-street parking in order to alleviate any concerns; that they have also provided two times the required landscaping to provide some buffers for the building site; and that they have the ability to go to a 2-to-1 parking ratio.

Melissa Lendell, Planner for CFA, stated that this is a master plan vision for a 20 acre site and the buildout is anticipated in phases over 15 years; that she disagrees with the request of residents to have the Board review each phase after being built; and that they have been in contact with the design engineers regarding the sewer and had them modify the depth of the sewer to accommodate this project. She also stated that the project has less coverage than the site could accommodate, has 40% landscaping, and parking exceeds County requirements. She added that the church would not oppose a meandering path walkway on church property to provide safe access.

Mr. Finley stated that Pastor Halecky started his church 18 years ago and they have worked with Sparks City Council and have a good history of complying with special use permits. He further stated that he drove a motor home through the street where the church will be built and there was no problem negotiating turns, turning around, or negotiating the off-ramp.

In response to Commissioner Bond's inquiry Mr. Finley advised that phase one is 15,000 square feet, with an unfinished upstairs for a total of 30,000 square feet for phase one. He stated school sessions would be held five days a week, church services on Sunday, and smaller meetings during the week; and that the preschool will start once phase one is built and some of the other

grades will start once the second floor is finished during phase one or phase two. He said that the pathway (a 4-foot walkway) would be built into the landscaping across the front; and that the lighting for the ballfield was not requested on the permit application and there are no plans at this time to change that.

Paul Solaegui, Traffic Engineer, stated that he prepared the traffic study and explained that private studies are how developers in this area assess their traffic impact and study a specific scope of work; that agencies who reviewed this study are County staff, Regional Transportation Commission and NDOT; and that the agency responds by letter if there are concerns. He further advised that the data is based on a national average; that he has conducted other traffic studies for 3 different schools; that the peak hour would be in the mornings when the school staff are arriving and students are being dropped off; and that there is not a huge peak on Sunday on most of these types of roadways.

Commissioner Bond inquired if NDOT has a review policy when they make approvals like this and predict service levels. Mr. Solaegui responded that NDOT has a number of ways to protect themselves as they review the study such as

- 1) the church will have to obtain an encroachment permit,
- 2) the church will have to deal with NDOT two more times, and
- 3) NDOT does an annual review of accident areas.

In response to Chairman Galloway, Mr. Solaegui stated that the church has programs to disperse their departure, with social hours, committee functions and youth committees; that a roadway has the capacity to serve 2000 cars in an hour, so even if all 600 left in an hour, that's only 30 percent of the capacity of the lane; and that although there would be some congestion they would still meet reasonable levels of service.

Louis Test, Attorney for the Fellowship of Believers stated that the traffic issue, the major element in this appeal, has been addressed by Mr. Solaegui; that NDOT is aware of the traffic concerns; and that the County standards will be followed.

Wayne Van Der Wal, Swope Middle School counselor; David Sayer, Reno citizen; Michelle Morandi, Assistant Pastor of the subject church; Randi Munn, Reno citizen; Robert Hemsath, President, First National Bank of Nevada; and Robert Owen, Washoe County citizen all spoke voicing support for the project.

Chairman Galloway read into the record the names of 59 people who were present to show support for the church but did not wish to speak.

There being no one else wishing to speak the public hearing was closed.

Chairman Galloway inquired if a Church without some other additional permit can be used as an overnight shelter. Mr. Kilgore stated that a residential group care home would require a separate special use permit; and that the County Code does not address homeless shelters specifically; however the Code allows the Director to make a determination to what the equivalent classification is.

Commissioner Sferrazza stated that he would like to have a traffic study review after phase one is constructed or phase two as that is the main concern of the residents opposing the Church; and that the mitigating factors would be the traffic that the church could control.

Commissioner Shaw inquired if caretakers would be living on the property. Mr. Finley stated that there is a separate parcel that is not a part of the project that would allow for a single family home to be built.

Commissioner Bond stated that no one has been required to come back and do a series of traffic studies; that Mr. Solaegui provided information that NDOT will be scrutinizing this project; and that the traffic study should be conducted by NDOT. She further stated that she would have no problem having a traffic study review completed at the end of 5 years or prior to phase 3, whichever comes first; that most concerns have been addressed; and that she supports approval of both permits and the findings and

conditions as listed in the staff report of the Planning Commission and would like additional conditions to address the following issues:

- 1) a meandering 4-foot walking path be provided on the Church property so that children can walk in safety on the road;
- 2) no overnights in a shelter situation; and
- 3) review the conditions within 5 years or before commencement of phase 3 to see if they are meeting the spirit of the conditions.

Having made the following findings:

- 1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Comprehensive Plan and the Verdi Area Plan;
- 2. Improvements. That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities are being provided, the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven;
- 3. Site Suitability. That the site is physically suitable for the type of development and for the intensity of the development;
- 4. Issuance Not Detrimental. That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area; and
- 5. That the Planning Commissioners gave reasoned consideration to the information contained within the staff report and information received during the meeting.
- 6. That the Board of County Commissioners gave reasoned consideration to the information contained within the staff report and information received during the meeting.

on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the appeal of Janet Sewell be denied and the recommendation of the Planning Commission be upheld, and Special Use Permit Case Nos. SPW3-9-99 and SPW3-11-99 be approved subject to the following conditions:

CONDITIONS FOR SPECIAL USE PERMIT CASE NO. SPW3-9-99 and SPW3-11-99 UNLESS OTHERWISE SPECIFIED, ALL CONDITIONS MUST BE MET OR FINANCIAL ASSURANCES MUST BE PROVIDED TO SATISFY THE CONDITIONS PRIOR TO SUBMITTAL FOR A BUILDING PERMIT. THE AGENCY RESPONSIBLE FOR DETERMINING COMPLIANCE WITH A SPECIFIC CONDITION SHALL DETERMINE WHETHER THE CONDITION MUST BE FULLY COMPLETED OR WHETHER THE APPLICANT SHALL BE OFFERED THE OPTION OF PROVIDING FINANCIAL ASSURANCES. ALL AGREEMENTS, EASEMENTS, OR OTHER DOCUMENTATION REQUIRED BY THESE CONDITIONS SHALL HAVE A COPY FILED WITH THE COUNTY ENGINEER AND THE DEPARTMENT OF COMMUNITY DEVELOPMENT.

COMPLIANCE WITH THE CONDITIONS OF THIS SPECIAL USE PERMIT IS THE RESPONSIBILITY OF THE APPLICANT, HIS SUCCESSOR IN INTEREST, AND ALL OWNERS, ASSIGNEES, AND OCCUPANTS OF THE PROPERTY AND THEIR SUCCESSORS IN INTEREST. FAILURE TO COMPLY WITH ANY CONDITIONS IMPOSED IN THE ISSUANCE OF THE SPECIAL USE PERMIT MAY RESULT IN THE INSTITUTION OF REVOCATION PROCEDURES.

ANY OPERATIONS CONDITIONS ARE SUBJECT TO REVIEW BY THE DEPARTMENT OF COMMUNITY DEVELOPMENT PRIOR TO THE RENEWAL OF A BUSINESS LICENSE EACH YEAR. FAILURE TO ADHERE TO THE CONDITIONS MAY RESULT IN WITHHOLDING RENEWAL OF THE BUSINESS LICENSE UNTIL CONDITIONS ARE COMPLIED WITH TO THE SATISFACTION OF THE DEPARTMENT OF COMMUNITY DEVELOPMENT.

WASHOE COUNTY RESERVES THE RIGHT TO REVIEW AND REVISE THE CONDITIONS OF THIS APPROVAL SHOULD THEY DETERMINE THAT A SUBSEQUENT LICENSE OR PERMIT ISSUED BY WASHOE COUNTY VIOLATES THE INTENT OF THIS APPROVAL.

GENERAL CONDITIONS

1. The applicant shall demonstrate substantial conformance to the plans approved as part of this special use permit. The Department of Community Development shall be responsible for determining compliance with this condition. Prior to issuance of a building permit the applicant shall submit a revised site plan in accordance with the project as approved by the Planning Commission.

2. The applicant shall obtain a building permit for the first phase of construction within five years from the date of approval by Washoe County.

3. A copy of the Final Order stating conditional approval of this special use permit shall be attached to all applications for administrative permits issued by Washoe County.

4. Prior to the issuance of any administrative permit issued by Washoe County, the applicant shall remove all off-premise signs (billboards) from the project site (APN: 38-800-08, 10) and place a restrictive covenant on the property that prohibits the further erection of off-premise signs, with Washoe County made a part to the covenant. The District Attorney's Office and the Department of Community Development shall be responsible for determining compliance with this condition.

5. The applicant and any successors shall direct any potential purchaser/operator of the site and/or the special use permit to meet with the Department of Community Development to review conditions of approval prior to the final sale of the site and/or the special use permit. Any subsequent purchaser/operator of the site and/or the special use permit shall notify the Department of Community Development of the name, address, telephone number, and contact person of the new purchaser/operator within 30 days of the final sale.

6. A note shall be placed on all construction drawings and grading plans stating:

NOTE

Should any prehistoric or historic remains/artifacts be discovered during site development, work shall temporarily be halted at the specific site and the State Historic Preservation Office of the Department of Museums, Library and Arts, shall be notified to record and photograph the site. The period of temporary delay shall be limited to a maximum of two (2) working days from the date of notification.

7. A complete set of construction improvement drawings, including an on site grading plan, shall be submitted when applying for a grading permit. Grading shall comply with best management practices and shall include detailed plans for grading, drainage, erosion control, slope stabilization, and mosquito abatement. Placement or removal of any excavated materials shall be indicated on the grading plan. Silt shall be controlled on-site and not allowed onto adjacent properties.

8. For construction areas larger than 5 acres, the developer shall obtain from the Nevada Division of Environmental Protection a Stormwater Discharge Permit for Construction and submit a copy to the Engineering Division prior to issuance of a grading or building permit.

9. Cross sections shall be submitted when applying for a grading permit. 10. All disturbed areas left undeveloped for more than 30 days shall be treated with a dust palliative. Disturbed areas left undeveloped for more than 45 days shall be revegetated. Methods and seed mix must be approved by the Engineering Division, with technical assistance from the Washoe-Storey Conservation District.

11. Approved Occupancy Permits shall be obtained from the Nevada Department of Transportation (NDOT) for access to or from roadways maintained by NDOT and a copy of said permit sent to the Engineering Division.

12. The minimum pavement requirements for on site paving shall be 3 inches asphalt over 6 inches granular base.

13. It should be noted that the project will be subject to the Regional Road Impact Fee at the church rate.

14. All regulatory traffic signs shall meet County standards and the Manual on Uniform Traffic Control Devices.
 15. A detailed hydrology/hydraulic report prepared by a registered engineer shall be submitted to the Engineering Division for review and approval. The report shall include the locations, points of entry and discharge, flow rates and flood limits of all 5- and 100-year storm flows impacting both the site and the off site areas and the methods for handling those flows. The report shall include all storm drain pipe and ditch sizing calculations and a discussion of and mitigation measures for any impacts on existing off site drainage facilities and properties.
 16. Any increase in storm water runoff resulting from the development and based upon the 5-year storm shall be detained on site to the satisfaction of the Engineering Division.
 17. The FEMA 100-year floodway flood plain and shaded X boundaries with associated flood elevations shall appear on the site plan to the satisfaction of the Engineering Division. Building permits for structures in these areas shall be in conformance with Washoe County Code Section 416.
 18. The developer shall pretreatment for petrochemicals and silt for all storm drainage from the site to the satisfaction of the Engineering Division.
 19. A grading bond of \$750/acre of disturbed area shall be provided to the Engineering Division prior to any grading.
 20. A letter from the water purveyor must be submitted to this division indicating the amount of water rights necessary to serve this project. Water rights in the specified amount, shall be dedicated to Washoe County in accordance with Article 422. These rights will be subsequently leased to the water purveyor for use on this project.
 21. Sanitary sewer connection fees in accordance with Washoe County Ordinances shall be paid prior to the approval of a building permit. Connection fees for commercial development will be determined upon waste fixture unit count. These fixture unit count shall be prepared by the applicants' architect or engineer in accordance with the Uniform Plumbing Code and shall be provided to the Utility Services Division for review and approval.
 22. If infrastructure such as any pump stations and interceptors, is necessary to supply sewer service to the project, the developer will be responsible to fund the design and construction. However, actual design will be the responsibility of the Utility Services Division. Prior to initiation of design the developer shall pay the estimated design costs to Washoe County. The Utility Division may either, provide such design in-house, or select an outside consultant. When an outside consultant is to be selected, the Utility Division and the developer shall jointly select that consultant.
- Funding of oversizing the design and infrastructure to accommodate future development as determined by accepted engineering calculations, shall be the responsibility of Washoe County. Washoe County shall either participate monetarily at the time of design and/or shall credit an appropriate number of service hook-ups to the developer at the time of issuance of a building permit.
23. Improvement plan checking fees, and construction inspection deposit fees in accordance with Washoe County Ordinances shall be paid prior to the approval of the building permit.
 24. No Certificate of Occupancy shall be issued until the sanitary sewer collection system has been completed and accepted for operation and maintenance by the Utility Services Division.
 25. Improvement drawings shall be in compliance with Washoe County Design Standards. The developer shall submit plans and specifications, for the sanitary sewer line to be constructed in the NDOT frontage road to the collector line in Cliffview Drive to serve the project, to the Utility Services Division for review and approval prior to the building permit.
 26. A sanitary sewer report shall be prepared by the applicant's registered engineer which addresses:

- a. the estimated sewage flows generated by this project
- b. projected sewage flows from potential or existing development within tributary areas,
- c. the impact on capacity of existing infrastructure,
- d. collection line sizes, alignment, and maximum velocities, for the entire project. This must be approved by the Utility Services Division and the City of Reno prior to approval of a building permit.

27. Sewer collection line easements shall be offered for dedication to Washoe County and must be approved by the Utility Services Division prior the approval of the building permit

28. Grease interceptor calculations must be provided to the Utility Services Division for approval prior the issuance of a building permit.

29. Prior to any ground disturbing activity, the applicant shall submit a landscaping/architectural design plan to the Department of Community Development for review and approval by the Design Review Committee. Said plan shall address, but not be limited to: type and color of building materials, general architectural design in keeping with a twenty-first century church, parking, parking lot circulation and striping, signage, exterior lighting, fencing, trash enclosures, landscaping material (if plant material: type, size at time of planting, maturation size at full growth, period of time between planting and full growth), landscaping location, landscaping irrigation system, and financial assurances that landscaping will be planted and maintained. Compliance with this condition will be determined by the Department of Community Development. (Italicized language added by Planning Commission)

30. A certification letter or series of letters by a landscape architect registered in the State of Nevada shall be submitted to the Department of Community Development. The letter(s) shall certify that all applicable landscaping provisions of Articles 408, 410 and 412 of the Development Code have been met. Any landscaping plans and the letter shall be wet-stamped. The letter shall indicate any provisions of the code that the Director of Community Development has waived. Compliance with this condition will be determined by the Department of Community Development.

31. The final landscape plan shall indicate the landscaping to be installed with each building phase. Landscaping as shown on the preliminary landscaping plan along the west edge of the sports field shall be installed prior to the issuance of a Certificate of Occupancy for phase one. Compliance with this condition will be determined by the Department of Community Development.

32. All landscaping shall be maintained in accordance with the provisions found in Section 110.412.75, Maintenance. A three year maintenance plan shall be submitted by a licensed landscape architect registered in the State of Nevada to the Department of Community Development, prior to a Certificate of Occupancy. The plan shall be wet-stamped. Compliance with this condition will be determined by the Department of Community Development.

33. No off premise parking shall be allowed.

34. Pre-school enrollment shall be limited to no more than 100 students at any one time.

35. A meandering four foot walkway shall be provided parallel to W. Fourth Street and terminating near W. Fourth Street on church property. This pathway shall be shown on the landscaping plan for review by the Design Review Committee in conjunction with Condition 29.

36. Residential or overnight shelter uses are not authorized under this permit unless part of a neighborhood/community sponsored activity.

37. A review of conditions by the Board of County Commissioners shall be scheduled five years from the date of this approval or prior to issuance of a building permit for phase three, whichever should come first. The review is for the purpose of determining whether actual church related vehicle trips, especially peak hour vehicle trips, were accurately predicted in the traffic report prepared by the applicants and, if not, to determine operational mitigation's to lessen impacts.

COMMISSIONERS' /MANAGER'S COMMENTS

Commissioner Shaw stated that he would like to review the letter from the Board of County Commissioners requesting to become a cooperating agency in the RETRAC Project before it is mailed.

Commissioner Bond stated that with regards to the Warm Springs CAB she would like to have the development standards resolved prior to it coming before the Board.

There being no further business to come before the Board, the meeting adjourned at 10:55 p.m.

JIM GALLOWAY, Chairman
Washoe County Commission

ATTEST: AMY HARVEY, County Clerk

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