

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY 5:15 P.M. MARCH 12, 1996

PRESENT:

Steve Bradhurst, Chairman  
Grant Sims, Vice Chairman  
Joanne Bond, Commissioner  
Mike Mouliot, Commissioner  
Jim Shaw, Commissioner

Betty Lewis, Chief Deputy County Clerk  
John MacIntyre, 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:

AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, Chairman Bradhurst ordered that the agenda for the March 12, 1996 meeting be approved with the following amendment: Delete - Item 9A - Amendment to Non-Exclusive Lease and Concession Agreement between the Reno-Sparks Convention and Visitors Authority and Ruby's Diner concerning additional concession catering services at the National Bowling Stadium.

96-181 WORK CARD PERMIT APPEAL - BONNIE L. DAGGETT

This appeal was considered on MONDAY, MARCH 11, 1996, at 1:30 P.M., prior to the Caucus meeting, the Board having convened, with all members of the Board present and Chairman Bradhurst presiding, to consider the appeal of BONNIE L. DAGGETT from the recommendation of the Sheriff's office to deny her work permit application as a private security guard with Holman Security.

On motion by Commissioner Shaw, seconded by Commissioner Bond, the Board convened in closed session to hear the reasons that the permit was denied.

Appellant was not present, and the Board reconvened in open session wherein the following action was taken.

On motion by Commissioner Mouliot, seconded by Commissioner Bond, which motion duly carried, Chairman Bradhurst ordered that the denial recommendation of the Sheriff's office be approved and the work permit for BONNIE L. DAGGETT be denied.

96-182 WORK CARD PERMIT APPEAL - JONATHAN PREISS

This appeal was considered on MONDAY, MARCH 11, 1996, at 1:30 P.M., prior to the Caucus meeting, the Board having convened, with all members of the Board present and Chairman Bradhurst presiding, to consider the appeal of JONATHAN PREISS from the recommendation of the Sheriff's office to deny his work permit application as a private security guard with Pinkerton Security.

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, the Board convened in closed personnel session to hear testimony as to why the work card should or should not be granted. The appellant was present to offer testimony during the closed personnel session as was Debi Williams, Records Section of the Sheriff's office. The Board then reconvened in

open session wherein the following action was taken.

On motion by Commissioner Mouliot, seconded by Commissioner Bond, which motion duly carried, Chairman Bradhurst ordered that the denial recommendation for a work permit by the Sheriff's office be overturned and the work permit for JONATHAN PREISS granted.

96-183 WORK CARD PERMIT APPEAL - JENNIFER WYATT

This appeal was considered on MONDAY, MARCH 11, 1996, at 1:30 P.M., prior to the Caucus meeting, the Board having convened, with all members of the Board present and Chairman Bradhurst presiding, to consider the appeal of JENNIFER WYATT from the recommendation of the Sheriff's office to deny her work permit application as a child care giver at Hopscotch Daycare.

On motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, the Board convened in closed personnel session to hear testimony as to why the work card should or should not be granted. The appellant was present to offer testimony during the closed personnel session as was Debi Williams, Records Section of the Sheriff's office. The Board then reconvened in open session wherein the following action was taken.

On motion by Commissioner Shaw, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bradhurst ordered that the denial recommendation of the Sheriff's office be overturned and the work permit be granted to JENNIFER WYATT.

PUBLIC COMMENTS

There was no response to the call for public comments

MINUTES

On motion by Commissioner Mouliot, seconded by Commissioner Shaw, which motion duly carried, Chairman Bradhurst ordered that the minutes of the regular meeting of February 13, 1996 be approved.

96-184 EXOTIC ANIMAL PERMIT (TEMPORARY) - DENNIS SWEENEY

John MacIntyre, County Manager, advised that an Exotic Animal Permit for Dennis Sweeney to keep one bobcat and one cougar at 15070 Red Rock Road was approved by the Board on January 9, 1996; and that Mr. Sweeney is requesting a temporary permit to keep the bobcat at a mobile home while his residence is under construction; and that the request has been reviewed by the Exotic Animal Advisory Board who recommended conditional approval.

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Bradhurst ordered that a temporary Exotic Animal Permit be granted to Dennis Sweeney to keep one bobcat at a mobile home placed on his property while the residence is under construction be approved, subject to the following conditions:

1. That it be a temporary permit of one year in duration from the date issued. Extensions may be allowed by the Exotic Animal Advisory Board in the case of demonstrated good cause.
2. That the double door entry system have provisions for both doors to be locked.
3. That the construction quality of the cat room be consistent with the enclosure requirements of the Washoe County Code.
4. That any potential avenue of escape, including, but not limited to, ventilation grates, heating system grates and windows be secured against escape.
5. That adequate ventilation be provided.

6. That the enclosure be maintained in a sanitary manner so as to not endanger the health of the cat.

96-185 APPEARANCE - INDEPENDENT AMERICAN PARTY OF NEVADA - DANIEL HANSEN, STATE CHAIRMAN AND LINWOOD E. TRACY, JR., WASHOE COUNTY CHAIRMAN

Linwood Tracy, Jr., Washoe County Chairman, Independent American Party of Nevada, addressed the Board relative to the Independent American Party of Nevada's desire to keep Nevada's history and honor Nevada's heritage, and stated that streets named after men of great importance to Nevada should not be changed; and that they are requesting that, since Nevada's Independence Day is October 31, the month of October, 1996 be designated as Nevada Awareness and Heritage Month in order to encourage the study of the history of the communities and the State. He referred to the recent request to rename Sutro Street after Dr. Martin Luther King and stated that they are not against Dr. King or naming a street, building, etc. after him, but do not support changing the name of a street that holds Nevada's history.

Commissioner Sims commented that he recently read a book about George Wingfield and it was incredible to read where the local street names came from. He asked if the Independent American Party of Nevada has put together a list of the historical personalities and the State's history that are currently on the name of streets.

Mr. Tracy advised that they are working on such a list.

Daniel Hansen, State Chairman, Independent American Party of Nevada, discussed their Resolution and Petition regarding street names, encouragement of the study of Nevada history, and the designation of October, 1996 as Nevada Awareness and Heritage Month, and stated that they are asking for the Board of County Commissioners' support regarding same.

Chairman Bradhurst suggested that, if the Board supports the request, the information be forwarded to the Regional Street Naming Committee which is comprised of representatives from Reno, Sparks, and Washoe County, indicating the Board is concerned about maintaining Nevada's heritage and history and would not be in favor of changing streets named after historical figures; and that he feels this would be most effective at the statewide level and the request for a Proclamation declaring Nevada Awareness and Heritage Month should be forwarded to the Governor's Office indicating that it deserves consideration in terms of a statewide heritage month, week, etc.

Commissioner Shaw suggested that the request for a Nevada Heritage Month also be forwarded to the State Superintendent of Public Instruction, Department of Education.

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Bradhurst ordered that the letter from Linwood Tracy, Jr., Washoe County Chairman, Independent American Party, containing the request that street names reflecting Nevada history not be changed, be forwarded to the Regional Street Naming Committee; and that it be noted that the Board would not be in favor of changing historical street names. It was further ordered that the noted letter be forwarded to the Governor's Office as the Board has determined that the request for a Nevada Heritage Month deserves consideration at the statewide level; and that the noted letter also be forwarded to the State Superintendent of Public Instruction, Department of Education.

96-186 AWARD OF CONSTRUCTION BID - DAVIS CREEK PARK PAVING AND OVERLAY - ENGINEERING

This was the time to consider award of construction bid, Notice to Contractors for receipt of sealed proposals having been published in the Reno Gazette-Journal on January 25 and 31, 1996 for Davis Creek Park Paving and Overlay for the Engineering Division of the Public Works Department. Proof was made that due and legal Notice had been given.

The following bids were received:

| Contractor         | Base Bid Amount | Alt. #1    | Total        |
|--------------------|-----------------|------------|--------------|
| Ace Asphalt Paving | \$236,882.00    | \$3,740.00 | \$240,622.00 |
| Atlas Contractors  | 243,188.58      | 4,715.40   | 247,903.98   |

|                      |            |          |            |
|----------------------|------------|----------|------------|
| Granite Construction | 260,336.00 | 7,630.00 | 267,966.00 |
| Sierra Nevada Const. | 271,540.89 | 6,600.00 | 278,140.89 |
| T E Bertagnolli      | 319,929.20 | 5,050.00 | 324,979.20 |

Upon recommendation of Jim Palabay, Engineering Division, through Craig McConnell, Director, Public Works Department, on motion by Commissioner Sims, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the base bid and alternate No. 1 for paving and overlay of roads and parking lots at Davis Creek Park be awarded to the low, responsive, responsible bidder, Ace Asphalt Paving, in the amount of \$240,622.00 and Chairman Bradhurst be authorized to execute the contract documents when presented.

96-187 COMPLETION OF TESTING OF NIPPON CARBIDE ROAD SIGN FACE MATERIAL - BID NO. 1895-95 - ROADS

Upon recommendation of John Balentine, Purchasing and Contract Administrator, on motion by Commissioner Sims, seconded by Commissioner Shaw, which motion duly carried, Chairman Bradhurst ordered that completion of the Nippon Carbide road sign face material by the Roads Division as recommended in the original Bid Recommendation and BCC award #96-101 dated February 13, 1996 be acknowledged.

It was noted that "The award to Nippon Carbide on bid items #86, 87, 88, 89, 110, 111, 112, and 113 is contingent on the Roads Division receiving samples and verifying the workability of this product; that if the Roads Division does not verify that this product is acceptable and workable the award for these bid items will be changed to rejected; that the testing is anticipated to be completed by February 26th; that the Board will be informed of the test results of the testing as soon as they are available"; and that the Purchasing Department has been informed by the Roads Division that they received samples from Nippon Carbide and the products tested are in compliance with the specifications described in the Invitation to Bid. It was further noted that the Nippon Carbides products are workable and acceptable to the Roads Division; and that upon this acceptance the Purchasing Department will begin utilizing Nippon Carbide as the vendor of record for these specific items.

96-188 TRANSFER FROM CONTINGENCY - REGIONAL SYSTEMS DYNAMIC MODELING PROJECT - FINANCE

Upon recommendation of Lisa Gianoli, Finance Division, on motion by Commissioner Sims, seconded by Commissioner Shaw, which motion duly carried, Chairman Bradhurst ordered that the transfer from Contingency to cover Washoe County's portion of the Regional Systems Dynamic Modeling Project be approved, and the following account transactions be authorized:

| Account Number   | Description                 | Decrease    | Increase    |
|------------------|-----------------------------|-------------|-------------|
| 001-1890-7328    | Contingency                 | \$13,300.00 |             |
| 001-1151402-7140 | Comp Planning TMRPA         |             | \$13,300.00 |
|                  | Other Professional Services |             |             |

96-189 TRANSFER FROM CONTINGENCY - HEALTH DEPARTMENT VECTOR CONTROL PROGRAM - FINANCE

Upon recommendation of Lisa Gianoli, Finance Division, on motion by Commissioner Sims, seconded by Commissioner Shaw, which motion duly carried, Chairman Bradhurst ordered that the transfer from Contingency to the Vector Control Program for the purpose of purchasing pesticides to conduct mosquito control activities this spring be approved and the following account transactions be authorized:

| Account Number | Description | Decrease    | Increase |
|----------------|-------------|-------------|----------|
| 001-1890-7328  | Contingency | \$80,000.00 |          |
| 002-1721G-7258 | Pesticides  |             | \$80,000 |

Upon recommendation of the Local District Managing Board and Trustees of the South Truckee Meadows General Improvement District, on motion by Commissioner Sims, seconded by Commissioner Shaw, which motion duly carried, Chairman Bradhurst ordered that the resignation of Mr. Sherwood Smith, a member of the Local Managing Board, be accepted; and that Mr. Dwight Blevins be appointed to fill the vacant seat for the remainder of calendar year 1996.

96-191 ACCEPTANCE OF DONATION TO GANG ALTERNATIVES PARTNERSHIP - STATE OF NEVADA DRUG SEIZURE FUNDS - SHERIFF

Upon recommendation of Richard Kirkland, Sheriff, on motion by Commissioner Sims, seconded by Commissioner Shaw, which motion duly carried, Chairman Bradhurst ordered that the donation of State of Nevada Drug Seizure funds to the Gang Alternatives Partnership in the amount of \$1,000 for the purpose of assisting the Gang Alternatives Partnership and the 4th Street Youth Center in identifying and defining the anti gang and anti drug programming needs of the Community and in developing programming to address those needs, be accepted with gratitude.

96-192 PARCEL SPLIT - WARREN I-80 LLC - APN 037-030-22

Upon recommendation of Jean Tacchino, Assistant Chief Deputy Assessor, on motion by Commissioner Sims, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the request of WARREN I-80 LLC to split Parcel No. 037-030-22 for the 1995/96 fiscal year be granted; and that the following Order be approved and Chairman Bradhurst be authorized to execute on behalf of Washoe County:

ORDER -- Directing the County Treasurer to Apportion Property Tax

WHEREAS, the Board of County Commissioners of Washoe County has the authority to direct the County Treasurer to divide and prorate the assessment and tax as same appears on the property tax rolls.

WHEREAS, WARREN I-80 LLC has made application to the County Treasurer to divide and prorate the assessment and tax on assessor's parcel number 037-030-22.

WHEREAS, an offer to tender the prorated tax when due and owing has been made.

WHEREAS, this Board has determined how the assessment and tax should be apportioned between the parcels.

IT IS HEREBY ORDERED THAT:

1. Each officer who has custody of the tax or assessment roll for the year for which the offer to tender has been made and for each subsequent year divide and prorate the assessment and tax as follows:

|                    |                                     |                     |
|--------------------|-------------------------------------|---------------------|
| NAME:              | WARREN I-80 LLC                     | APN: 037-030-23     |
| LAND: \$257,850.00 | IMP: \$57,150.00                    | PERS: - 0 -         |
|                    |                                     | TOTAL: \$315,000.00 |
| NAME:              | ROBERT L. HELMS CONST. & DEVEL. CO. | APN: 037-030-24     |
| LAND: \$ 80,318.00 | IMP: \$ 9,728.00                    | PERS: - 0 -         |
|                    |                                     | TOTAL: \$ 90,046.00 |

2. The County Treasurer accept the prorated tax when tendered and apply it to the proper parcel.

3. The County Assessor assess each parcel separately thereafter.

4. The Clerk of the Board mail a copy of this order to the owner of each parcel and to the person offering to tender payment.

Upon recommendation of James Barnes, Deputy District Attorney, as stated in D.A. Opinion No. 6308, on motion by Commissioner Sims, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the following Resolution be adopted and Chairman Bradhurst be authorized to execute on behalf of Washoe County:

RESOLUTION-Directing the County Treasurer to Refund Taxes

WHEREAS, the Board of Commissioners of Washoe County, pursuant to NRS 354.240 has the authority to direct the County Treasurer to Refund to an applicant the amount of money paid into the County Treasury in excess of the amount legally payable; and

WHEREAS, Sierra Development Company (Taxpayer), made application for the refund of 1994-1995 real property taxes because improvements on Taxpayer's property, APN 011-072-09, were demolished; and

WHEREAS, Sierra Development Company has overpaid taxes for fiscal year 1994-1995 in the amount of \$935.22; and

WHEREAS, it is the opinion of the Board of Commissioners of Washoe County that the applicant for a refund has just cause for making such application and that the granting of such refund would be equitable.

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

1. That the Treasurer of Washoe County be and hereby is authorized and directed to refund to Sierra Development Company a total of \$935.22, that amount being the taxes overpaid by Sierra Development Company for the tax year 1994-1995 on APN 011-072-09.
2. The Treasurer of Washoe County is further directed to debit the account of each governmental entity which has shared in the excess of the taxes collected in error for its pro rata share of the refund.

96-194 COOPERATIVE AGREEMENT - HUMBOLDT COUNTY - MAINTENANCE OF SOLDIER MEADOWS RANCH ROAD - PUBLIC WORKS

Upon recommendation of Craig McConnell, Public Works Director, on motion by Commissioner Sims, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the Cooperative Agreement between Washoe County and Humboldt County concerning maintenance of Soldier Meadows Ranch Road by Washoe County on a cost-reimbursable basis be approved and Chairman Bradhurst be authorized to execute.

96-195 CONSULTANT AGREEMENT - SEA, INC. - SUN VALLEY HYDROLOGIC MASTER PLAN - COMPREHENSIVE PLANNING

Upon recommendation of John Hester, Director, Department of Comprehensive Planning, on motion by Commissioner Sims, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the Agreement for Consulting Engineering Services and Scope of Services between Washoe County and SEA, Incorporated, for the Sun Valley Hydrologic Master Plan in the amount of \$6,400 for Phase I, and \$22,350 for Phase II, be approved and Chairman Bradhurst be authorized to execute.

96-196 RESOLUTION AUTHORIZING INTERFUND LOAN - GENERAL FUND (001) TO EQUIPMENT SERVICES FUND (069) - FINANCE

John MacIntyre, County Manager, advised that several questions were asked by the Board at yesterday's caucus regarding this item.

Upon recommendation of Tyrone Brooks, Finance Division, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the following Resolution authorizing an interfund loan to be transferred as needed from the General Fund to the Equipment Services Fund be adopted and Chairman Bradhurst be authorized to execute:

A RESOLUTION AUTHORIZING INTERFUND LOAN - GENERAL FUND (001) TO EQUIPMENT SERVICES FUND (069)

WHEREAS, the General Fund of the County (Fund 001) has sufficient cash resources to finance a short-term interfund loan of \$1,000,000; and

WHEREAS, the Equipment Services Fund (069) was established to account for the acquisition and maintenance of vehicles and equipment for Washoe County; and

WHEREAS, the Equipment Services Fund is in need of a short-term cash loan to cover interim financing requirements associated with operations and acquisition of replacement capital equipment and capital items approved in the budget; and

WHEREAS, the Equipment Services Fund will generate sufficient cash from operations during the fiscal year to repay the short-term loan.

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

Section 1. The County Comptroller is hereby directed to transfer in amounts as needed, up to \$1,000,000 from the General Fund (001) to the Equipment Services Fund (069) to cover cash needs.

Section 2. The cash interfund transaction for this loan is as follows:

|                           |               | Amount         |                |
|---------------------------|---------------|----------------|----------------|
|                           |               | Debit          | Credit         |
| General Fund              |               |                |                |
| Due from Equip. Svc. Fund | 001-0000-1369 | \$1,000,000.00 |                |
| Cash                      | 001-0000-1001 |                | \$1,000,000.00 |
| Equipment Service Fund    |               |                |                |
| Cash                      | 069-0000-1001 | \$1,000,000.00 |                |
| Due to General Fund       | 069-0000-2601 |                | \$1,000,000.00 |

Section 3. There is adequate appropriation authority within the Equipment Services Fund and no expenditure augmentations are recommended at this time.

Section 4. The term of this interfund loan shall be twelve calendar months, commencing on March 12, 1996, to be repaid within that term.

Section 5. There shall be no interest on this interfund loan.

Section 6. This Resolution shall be effective on passage and approval.

Section 7. The County Clerk is hereby directed to distribute copies of the Resolution to the Department of Taxation, the Comptroller, and the Finance Division within 30 days.

96-197 TAHOE COMMERCIAL ALLOCATION PROGRAM

Romany Woodbeck, Department of Comprehensive Planning, reviewed the Tahoe Commercial Allocation Program and responded to questions of the Board. She advised that, pursuant to discussion at caucus, several amendments are proposed which are that County staff will

present the Committee's prioritized list for each plan area to the Board of County Commissioners; that a preliminary allocation may be extended for a maximum time period of one year, which would only be permitted if a hardship exists; and that appeals of County staff decisions would be made to the Board of County Commissioners.

Following discussion, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bradhurst ordered that the Tahoe Commercial Allocation Program be approved as amended.

#### 96-198 REPORT - COMMUNITY MEETINGS IN HIDDEN VALLEY AND VIRGINIA FOOTHILLS - WILD/ESTRAY HORSES AND SYSTEMS MODEL DEVELOPMENT

Kathy Kollar, Public Information Officer, reviewed the report on community meetings concerning wild/estray horses and the systems model development, and advised that the joint meeting between the Board and the Storey County Commissioners regarding this issue is tentatively scheduled for the Board's regular meeting of May 28, 1996.

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Bradhurst ordered that receipt of the Report on community meetings in Hidden Valley and Virginia Foothills concerning wild/estray horses and efforts surrounding the Systems Model Development, be acknowledged.

#### 96-199 COMPREHENSIVE PLAN AMENDMENT CASE NO. CPA95-NV-02-A - SIERRA VISTA/BERGENDAHL: COLD SPRINGS VALLEY - APPEAL - COMPREHENSIVE PLANNING

7:00 p.m. This was the time set in a Notice of Public Hearing, published in the Reno Gazette-Journal on March 1, 1996 to consider an appeal filed by the applicant to reverse the Washoe County Planning Commission action to deny an amendment to the North Valleys Area Plan, being a part of the Washoe County Comprehensive Plan to redesignate portions of Assessor's Parcel Numbers 81-110-04, 05, 06 and 07 from General Rural (GR) to Low Density Suburban (LDS: max of 1 du/1 ac) and Open Space.

The amendment request would allow a net change in residential development potential of up to 334 new residential dwelling units. The parcels are located approximately one-half to one mile west of U.S. 395 north and are adjacent to the California State Line. The parcels are approximately one mile south of the Bordertown exit off of U.S. 395 North and are divided between the Cold Springs Hydrographic Basin and the Long Valley Hydrographic Basin, in the E/2, Section 31, and the W/2, Section 32, T21N, R18E, MDB&M and are designated as "Rural Reserve" (RR: max of 1 du/40 ac) on the Truckee Meadows Regional Plan land use diagram, therefore, a Regional Plan amendment will be necessary.

Dean Diederich, Comprehensive Planning, reviewed background information and advised that a letter dated March 7, 1996 has been received from Ross E. de Lipkau of Marshall, Hill, Cassas & de Lipkau, representing Priske-Jones Company in connection with the Sierra Vista project, requesting a delay of a minimum of 30 days in order to ensure all data regarding the issues of water rights and water availability may be coherently presented to the Board. He stated that, if the Board grants the extension, it is requested that the applicant's representatives meet with appropriate County staff from Comprehensive Planning and the Utility Division regarding information they would be presenting to the Board, etc. He noted that the Planning Commission's action of denial was not based solely on the water resource availability issue.

Chairman Bradhurst opened the public hearing and called on those wishing to speak.

Ross E. de Lipkau, Marshall, Hill, Cassas & de Lipkau, representing applicant, stated that they are requesting a continuance for a period of at least 30 days within which to compile hydrologic, geologic, and engineering data; that their technical people will work closely with County staff; and that they realize there are other issues that need to be resolved and are willing to work with all parties involved to address these issues. Upon inquiry of Commissioner Mouliot, Mr. de Lipkau advised that these matters will be discussed with the Advisory Board.

David Boily, North Valleys Citizens Advisory Board, expressed appreciation for being included in the discussions to resolve issues regarding the project, noting that many issues other than water are at stake.

Kelly Probasco, Chairman, Cold Springs Association, requested that the developer meet with their community prior to going to the CAB because that is where the major concerns first started from.

Following discussion, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bradhurst ordered that the public hearing for Comprehensive Plan Amendment Case No. CPA95-NV-02-A be continued to May 14, 1996 at 7:00 p.m.

96-200 BILL NO. 1107 - AMENDING WCC CH. 110 (DEVELOPMENT CODE) - SCENIC ROADWAY CORRIDOR - BILL NO. 1124 - AMENDING WCC CH. 110 - OPEN SPACE STANDARDS

7:00 p.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on March 1, 1996 to consider the second reading and adoption of Bill No. 1107. Proof was made that due and legal Notice had been given.

Dean Diederich, Department of Comprehensive Planning, reviewed Bill No. 1107 and stated that there was a great deal of concern and much discussion regarding the scenic corridor standards and to some extent site compatibility standards; that the solution for scenic corridors was to take a pilot approach to see how well it would work on the Mt. Rose corridor, which standards have been adopted by the Board; that it appears a great deal of work and coordination with the Department of Development Review needs to occur relative to site compatibility standards; and that staff has prepared a substitute ordinance for introduction which includes only the open space standards, various corrections to other articles in the Development Code to remove old references to the scenic corridor standards, and changes to reflect the new open space standards. He noted that additional work also needs to be done with regard to design guidelines.

Chairman Bradhurst opened the public hearing and called on those wishing to speak. There being no response the hearing was closed.

On motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, Chairman Bradhurst ordered that Bill No. 1107 be rejected.

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Bill No. 1124 entitled, "AN ORDINANCE AMENDING CHAPTER 110 OF THE WASHOE COUNTY CODE (DEVELOPMENT CODE) TO ADD ARTICLE 432, OPEN SPACE STANDARDS, AND OTHER MATTERS PERTAINING THERETO," was introduced by Commissioner Bond, the title read to the Board, and legal notice for final action of adoption directed.

96-201 BILL NO. 1121 - AMENDING WCC CHAPTER 70 & CHAPTER 80 - PARKING FINES/FORFEITURES & HANDICAPPED PARKING

7:00 p.m. This was the time set in a Notice of Public Hearing, published in the Reno Gazette-Journal on March 1, 1996, to consider the second reading and adoption of Bill No. 1121. Proof was made that due and legal notice had been given.

John MacIntyre, County Manager, provided information relative to the changes in fines contained in the ordinance. Legal Counsel Shipman discussed the ordinance and advised that fee increases apply to County property only and the figures relative to handicapped parking violations are those mandated by State law.

Chairman Bradhurst opened the public hearing and called on those wishing to speak.

There being no response the public hearing was closed.

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Bradhurst ordered that Ordinance No. 946, Bill No. 1121, entitled "AN ORDINANCE AMENDING CHAPTER 70 (VEHICLES AND TRAFFIC) AND CHAPTER 80 (PUBLIC WORKS; COUNTY PROPERTY) TO ADDRESS PARKING FINES/FORFEITURES AND HANDICAPPED PARKING," be approved, adopted, and published in accordance with NRS 244.100.

7:00 p.m. This was the time set in a Notice of Public Hearing, published in the Reno Gazette-Journal on March 1, 1996, to consider the second reading and adoption of Bill No. 1122. Proof was made that due and legal notice had been given.

David Roundtree, Regional Water Manager, stated that, pursuant to Board direction last summer, staff has worked with the Cities of Reno and Sparks regarding water use and water conservation principals with the secondary goal of developing an ordinance that would have common provisions; that, at the same time, discussions were ongoing between the County, the two Cities, the Pyramid Lake Paiute Tribe and Sierra Pacific Power relative to the conservation requirement of the Negotiated Settlement and the opportunity was provided to incorporate those requirements into the ordinance; and that a companion item on today's agenda is the request for approval of that agreement.

He reviewed the proposed ordinance to limit lawn watering to twice a week on an every year basis, and stated that the advantages include having a regional consistency regarding water use restrictions, substantially reducing peak demand of water which is directly reflected in the customer rate structure and would save the cost of facilities that would have to be built to accommodate that peak demand, and it would support the implementation of the Negotiated Settlement. He explained that Section 29(e) of the Preliminary Settlement Agreement, which is known as the "10% conservation element" in the document, calls for all local governments to achieve a 10% conservation during a drought year over the previous year's normal usage; and that the participants in the agreement have indicated that adoption of this ordinance by all three entities would satisfy that provision, which is a significant outstanding issue of the Negotiated Settlement. He discussed other issues relative to the proposed ordinance and the proposed language changes regarding the purpose and intent and the use of water in allaying dust for construction projects. Chairman Bradhurst commented that one reason for the suggested change to the purpose and intent is to make it clear that water saved is not used for growth and development.

A lengthy discussion commenced and Mr. Roundtree responded to questions of the Board. Chairman Bradhurst stated that many people have suggested that three-day-a-week watering may actually decrease consumption as some people over water on a two day limit. He asked if any analysis has been done regarding this and Mr. Roundtree stated that to his knowledge there has not been. Upon inquiry of Commissioner Bond, Mr. Roundtree advised that the ultimate goal is for 90% of the water customers to be on water meters; that this is estimated to take approximately 12 years because new growth is paying for the meters and as that money becomes available, the meters are installed; and that once this goal is reached, the ordinance could be revised. Chairman Bradhurst opened the public hearing and called on those wishing to speak.

John McQuay, Washoe County Representative, Water Planning Commission, provided a copy of the resolution adopted by the Water Planning Commission this morning in support of the water conservation ordinances by the three local governments, which he read into the record. He stated that the ordinance would remove a major stumbling block to the future of water in the community by implementing that portion of the settlement agreement with the Tribe. Mr. McQuay then responded to questions of the Board.

Mervin Wright, Jr., Vice Chairman of the Pyramid Lake Paiute Tribal Council, and Director of the Department of Water Resources for the Tribe, stated that they have been working cooperatively, aggressively, and in the spirit of good faith on the agreement; that there are a number of issues related to the Truckee River and Carson River that affect the Tribe, which issues go back approximately 100 years; and that on behalf of the Tribal Council he urges the County Commission to adopt the ordinance and the agreement. He further stated that they have embraced the current agreement and he did not expect options to be coming forth, such as three-day-a-week watering, and it would be difficult to go back to the Tribal Council and report that the community wants to renegotiate. He advised that the river provides their livelihood from a cultural, social, and economic standpoint and touches the entire community in the same manner, and the Tribe is willing to assist in any way to accomplish a conclusive agreement with the County and the Cities that has the trust and respect of all parties. Further discussion commenced regarding various water issues including the 10% water conservation requirement of Section 29(e) of the Preliminary Settlement Agreement.

Jim Hardesty, attorney representing The Nevada Landscape Association, stated that the organization has been extremely active in water conservation measures in the community and considerable time and effort has been spent to develop a water conservation plan which is currently in place with the Stage 1 through 4 ordinances that were initially adopted. He provided an analysis by Sierra

Pacific Power Company and stated that it shows that the average user per capita has dropped over the last several years and the community's efforts in using the four stage drought conservation approach have been successful, however, it has now produced a measuring stick that will be used against the community with respect to future water conservation. He questioned the need for mandatory twice-a-week watering when the proven track record has established the conservation standards. He also questioned some of the provisions of the agreement and proposed ordinance and stated that they have supported the Negotiated Settlement and feel it is very beneficial to the community, although there are other ways to improve conservation; that the exploration of three-times-a-week watering is well founded; and that he is disappointed with the resolution from the Water Planning Commission as they have appeared before that group and were told that there would be a public planning process, which has not happened. He noted that The Nevada Landscape Association has encouraged the consideration of a flex day if twice-per-week watering is imposed.

David Farside, area resident, stated that this is not just an issue of conservation, but rather is an issue of protocol, pressure of political power, and the preservation of special interest. He asked what ordinance, State law, or ruling by the Public Service Commission allows the County Commission to regulate the use of water in the County, and if the Public Service Commission has the authority to regulate water, gas, and electricity, why is this ordinance even being addressed. He stated that the County Commission has the right to create an ordinance to prohibit wasted water from running in the streets and entering the County sewers, but in his opinion, the Commission does not have the authority to mandate how or when water is used that Sierra Pacific Power Company is paid to deliver. He added that the reward for conservation in drought years is not wasting water, but having the privilege of using the water, which privilege the community has earned; and that he encourages the Commission not to adopt the ordinance.

Linda Burney, Sparks resident, spoke in opposition to the ordinance and stated that it angers her that new lawns get eight weeks of unrestricted watering, and new development has grass and trees that require water, when her 20-year-old lawn is dying.

She asked why developers are not being required to put in xeriscape.

David Howard, representing The Greater Reno-Sparks Chamber of Commerce, advised that they have submitted a letter of support for the ordinance and feel it is critical to move forward with this conservation measure. He stated that there is an extension of cooperation today that needs to be recognized in light of the problems experienced over the past 25 years with the water wars, lawsuits, and storage problems, etc.; and that he challenges the logic of less water use on a 3-day-a-week program.

Paul Wagner, Director, Pyramid Lake Fisheries, and member of the Regional Water Planning Commission, spoke in support of twice-a-week watering and the proposed ordinance, stating that it will achieve a very worthwhile goal for the community, noting that this has been a success and people in the community have become used to that conservation method.

Marlene Cook, area resident, spoke in opposition to the ordinance stating that she represents the residents of five mobile home parks which she owns. She stated that they would like to see more effort in cleaning up the closed polluted wells or install new wells rather than restricting water use.

Mary Hansen, Sun Valley Water and Sanitation District, asked several questions including whether the General Improvement District customers that are 100% metered at this time would also be mandated to follow the water restrictions, and to determine where the savings will go, and how long water can be stored in reservoirs, etc.

Kelly Probasco, Chairman, Cold Springs Association, stated that they have 1200 customers on water meters and a seven-year study shows that they conserve; and that the Cold Springs residents resent the fact that the County wants to include them in the water restriction requirement as their aquifer does not connect to the Truckee Meadows aquifer.

Michael King, President, Nevada Landscape Association, stated that the variance process is a joke when it comes to commercial properties and they recommend a water audit; that the requirements imposed on commercial properties do not work for multiple station areas; and that there is no protocol for the variance process.

Mike Bushelman, Water Planning Commission, stated that they have reviewed this matter several times in order to comply with a

number of issues that are contingent upon the Negotiated Settlement, and this was one option that was successfully negotiated between the Cities of Reno, Sparks, the County, and the Tribe, noting that the Negotiated Settlement is very important to the future of the community.

Dean Graves, Reno resident, spoke in opposition to the ordinance, stating that the current conservation methods have been proven to work.

Marc Krupin, Reno resident, spoke in opposition to the ordinance, stating that he advocates twice-a-week watering but feels it should be voluntary, which could be accomplished through public education and awareness of the area's limited resources; and that water meters should be installed on all properties as soon as possible, not over a 12-year period of time.

Fred Stone, Reno Park Water Company, stated that he has been in the water business for 27 years and has participated in some of the recent studies and hearings and has heard contradictory stories relative to the water supply in the area.

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

Upon request of Chairman Bradhurst, Mr. Roundtree responded to the issues and questions raised by those present. With regard to the Board's authority to regulate wastage of water, Legal Counsel Shipman reviewed NRS 244.3665 and stated that it provides ample authority for the County Commission to enact the proposed ordinance. Steve Walker, Water Management Planner, commented that the public planning process at the Water Planning Commission level relative to a regional water plan will commence as quickly as the work currently being done to determine all the issues to be addressed has been completed.

Chairman Bradhurst stated that it is important to implement the Negotiated Settlement, but it requires agreement among the County, the two Cities, the Tribe and Sierra Pacific Power; that based on the calls he received from constituents, he feels that three-day-a-week watering would not result in more water use than the over watering done on a twice-a-week watering schedule, and this could be measured to determine if there is a significant difference; that three-day-a-week watering should be tied to a normal snowpack in the high Sierras and if a problem develops, twice-a-week watering should be implemented; that as more people go on meters, the per capita use rate should continue to decrease; and that it should be made clear that this Board feels strongly about keeping the use rate at 1.1 acre feet per dwelling unit so there is always extra water for instream flow, drought storage, and recreational purposes. He stated that if the Board feels the same way he does, a new ordinance would need to be drafted, which would not be the agreement approved by the Tribal Council. He commented that the staffs of all the parties involved have worked very hard on this, but the Board has to make a decision based on all the information presented.

Commissioner Sims concurred and stated that he is not comfortable with the process of staff working out the arrangements and then going to the elected officials, and feels it should work the other way where the elected officials would devise a program based on what is best for the community; that Sparks and Reno are not necessarily going to endorse the ordinance and the three entities will have to come back together to address issues related to the Negotiated Settlement; and that the key is not the limiting of water days, but achieving a 10% conservation during drought years, which he feels can be accomplished through a three-day-a-week watering schedule.

Commissioner Mouliot stated that he does not agree with the language in the ordinance relative to criminal implications if the ordinance is violated, and feels the reference to requiring a container not exceeding a 3-gallon capacity should be removed.

Following further discussion, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, Chairman Bradhurst ordered that Bill No. 1122, entitled "An Ordinance amending Chapter 40 of the Washoe County Code to provide consistency with similar subject matter ordinances of Reno and Sparks, deleting reference to drought stages, adopting former Stage 2 drought conditions on year-round basis and adding a criteria for a declaration of water emergency and other matters pertaining thereto," be rejected.

It was further ordered that staff be directed to draft a new ordinance to include three-day-a-week watering when there is normal snowpack in the high Sierras and, if there is not a normal snowpack, drought condition watering of two-days-a week would be

automatically implemented, and also that this ordinance contain language changes to the Purpose and Intent, replace criminal implications with civil penalties, and remove the requirement for a 3-gallon container.

\* \* \* \* \*

Commissioner Bond left the meeting.

96-203 FISCAL YEAR 1994-95 ANNUAL GROWTH MANAGEMENT REPORT - COMPREHENSIVE PLANNING

7:00 p.m. This was the time set in a Notice of Public Hearing, published in the Reno Gazette-Journal on March 1, 1996, to consider the recommendation of the Washoe County Planning Commission to adopt the Fiscal Year 1994-95 Annual Growth Management Report, being a part of the Washoe County Comprehensive Plan, and to recommend submittal to the Truckee Meadows Regional Planning Agency as the annual report for Washoe County as required under NRS 278.0286. Proof was made that due and legal notice had been given.

Chairman Bradhurst stated that discussion was held at yesterday's caucus about the importance of this item, and it was suggested that the Board consider a continuation so that it can be properly considered.

Cynthia Albright, Department of Comprehensive Planning, provided comments relative to the report.

Chairman Bradhurst opened the public hearing and called on those wishing to speak and there was no response.

On motion by Commissioner Shaw, seconded by Commissioner Sims, which motion duly carried, Chairman Bradhurst ordered that this item be continued.

96-204 ABANDONMENT CASE NO. AB11-17-95 - BRUCE CHETTY RIGHT-OF-WAY (APN 047-032-23) - DEVELOPMENT REVIEW

7:00 p.m. This was the time set in a Notice of Public Hearing, published in the Reno Gazette-Journal on March 1, 1996, to consider the recommendation of the Washoe County Planning Commission to conditionally approve Abandonment Case No. AB11-17-95 for Bruce Chetty to abandon 1 foot of right-of-way abutting 23 Snowflower Drive; the applicant initially having requested abandonment of 4 feet, on property located in Southwest Pines, south of the Galena Forest Estates Subdivision, being a +1.997-acre parcel designated Low Density Suburban (LDS) in the Forest Area Plan within a portion of Section 10, T17N, R19E, MDM, Washoe County, Nevada. Proof was made that due and legal notice had been given.

Michael Harper, Director, Department of Development Review, provided background information regarding this item.

Chairman Bradhurst opened the public hearing and called on those wishing to speak. There being no response, the public hearing was closed.

Upon recommendation of the Washoe County Planning Commission, on motion by Commissioner Sims, seconded by Commissioner Shaw, which motion duly carried, Chairman Bradhurst ordered that Abandonment Case No. AB11-17-95 for Bruce Chetty be approved subject to the following conditions:

1. Prior to recordation of the Order of Abandonment, the applicant shall submit legal descriptions to the County Engineer for review and approval. The legal descriptions shall be prepared by a registered professional and shall be for the area of abandonment.
2. A public utility easement shall remain over the abandoned portion. The County Engineer shall be responsible for determining compliance with this condition.
3. The applicant shall comply with all conditions necessary to effect the Order of Abandonment within two years from the date of the action by the Board of County Commissioners or this conditional abandonment will be null and void.

7:00 p.m. This was the time set in a notice of public hearing dated March 1, 1996 mailed to affected property owners by the Department of Development Review to consider the appeal of the applicant from the recommendation of the Washoe County Planning Commission to conditionally approve Tentative Map Case No. TM10-15-95 by deleting a condition regarding a recreational trail in its approval of a 17-lot single-family residential, common open space subdivision with lots ranging in size from +2.2 to +8.1 acres, with a common space of +32.9 acres to be utilized as pasture land and for creek protection, the project consisting of five parcels totaling +85 acres zoned A-4 (Farm and Forest) and designated GR (General Rural) and MDR (Medium Density Rural) in the South Valleys Area Plan. The property is located at the northwest corner of the intersection of Old U.S. 395 and Franktown Road, situated in portions of Sections 3, 4, and 10, T16N, R19E, MDM, Washoe County, Nevada.

Michael Harper, Director, Department of Development Review, provided background information regarding this item and reviewed the memorandum prepared by Cheryl Ryan, the Planner assigned to the project, dated March 12, 1996, which was requested by the Board, in response to concerns listed in a letter dated February 6, 1996 that the Board received from several citizens along Franktown Road.

Karen Mullen, Parks Department, provided and reviewed documentation, which was requested by the Board at yesterday's caucus, that demonstrates that the subject path is noted on the maps of the Regional Parks and Trails Plan and the Regional Open Space Plan adopted by the County, and indicating that acceptance of this voluntary easement would be in conformance with those plans. She provided additional background information and reviewed the proposed easement. Ms. Mullen stated that concerns have been expressed that the only way to implement the trail is through condemnation, and that it has never been the intent of the Parks Commission or the Parks Department to enter into condemnation. She advised that in February, 1996, the Washoe Valley CAB voted to remove the 15-foot easement from all parks and trails plans, and it was explained that this would require an amendment request to the Parks Commission, which would then be forwarded to the County Commission; and that the Parks Commission will be reviewing this matter at its next meeting in April. Ms. Mullen then responded to questions of the Board and advised that the entire trail alignment probably needs to be reviewed by the Parks Commission to see if there have been any land changes that would preclude the completion of the path. Mr. Harper provided further information in response to inquiries of the Board. He then advised that he received a handwritten note this afternoon from Jane Rogers stating her opposition to any bicycle path along Franktown Road.

Chairman Bradhurst opened the public hearing and called on those wishing to speak.

Robert Rusk, appellant, discussed the alignment of Franktown Road and the easement and provided photographs of the area. He stated that the narrow right-of-way creates a dangerous situation for people that recreate on Franktown Road with one of the most hazardous areas being the portion of the road that turns at the Martini property; and that there should be no exceptions to the long range planning that is already in place, so that as development occurs along Franktown Road, the easement is properly in place. Mr. Rusk read a letter from Jon Christensen, Franktown Road resident, stating that not all residents on Franktown Road are opposed to a recreational trail, expressing his support of the County's efforts to secure easements for a roadside trail, and urging reversal of the Planning Commission's deletion of the condition regarding the recreational trail.

Kevin McCall, SEA, Inc., representing Heather Martini, applicant, advised that they are agreeable to the Board either upholding the appeal and reinstating the condition requiring the easement, or denying the appeal and upholding the Planning Commission's deletion, but would not want this matter postponed.

Vickie Finley, Parks Commission, stated that they would like to review the entire parks and trails issue, which they are prepared to do at their next meeting in April; that they are not requesting any delay of the development of this property; and that whatever decision the Board makes, they would like to be included in the process.

Loyal Robert Hibbs, representing The Procrastinating Peddlers, advised that they sponsor bicycle rides around Franktown Road and the loop around the lake, and find that the most dangerous part of that loop is the Franktown Road area; and that they encourage a bicycle trail along the road because they feel it is important to safety and recreation for all people who frequent the area on

their bicycles. He stated that he is also a member of the Reno Bicycle Council, and they are in favor of a trail along Franktown Road.

Steve Hamilton, Franktown Road resident, stated that he encourages people to recreate and enjoy the area, but the road is not connective, it is low use, and there is no need for further development; that Franktown Road is a quiet country lane and should stay that way, and the area is beautiful and needs to be preserved; and that there is no need to incur the expense of a bike lane which he feels would ruin the area.

Jack Bauer, President, West Washoe Association, advised that a petition was given to the Board which was signed by many people on Franktown Road opposing a bicycle trail along the road; that the applicant did not gift or volunteer the easement, but rather, it was solicited as a condition for approval by the CAB of the project. He presented and discussed the Guide for the Development of Bicycle Facilities published by the American Association of State Highway and Transportation Officials (AASHTO), advising that this guide is adhered to by the State. He reviewed the configuration that would be required for a bike lane on Franktown Road and stated that it would be dangerous; and that the only way to build a bike lane would be to condemn property.

Debbie Sheltra, West Washoe Association, stated that they are pro recreation and pro safety; that people from the south areas have consistently opposed a trail that would take up land; that they have consistently been told that the path would be on existing asphalt and there would be no need for a taking of property at any time; and that they welcome the revisiting of this issue by the Parks Commission. She presented and discussed photographs depicting problems that would have to be dealt with in the development of a bike lane along Franktown Road because of the narrow road and ditches along the road, etc. Ms. Sheltra stated that they request that the Board not start a process that cannot be completed and which would mislead the public into thinking they are entering a safe zone, and to uphold the Planning Commission's removal of Condition 25.

Charlie Choate, Franktown Road resident; John Sheldon, area resident; Loretta Carr, Franktown Station resident and secretary of the CAB; Barney Rasmussen, area resident; Richard Mason, Franktown Road resident; and Casey Jones, Franktown Road resident, also spoke in opposition to the appeal request. Scot Barbour, Chair, Washoe Valley Citizens Advisory Board, spoke in support of the appeal to retain Condition 25.

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

Chairman Bradhurst asked staff to respond to comments made and emphasized that many comments were related to implementation of the plan on individual parcels, and that the Board must address only the appeal of the recommendation by the Planning Commission to delete the condition regarding a recreational trail for the Whispering Pines Subdivision. Ms. Mullen advised that the 15-foot easement is a fairly standard condition; that AASHTO standards referred to are Federal standards which are greater than some of the local standards for bike paths and lanes; that it has never been the intent of the Parks Department or the Parks Commission to enter into condemnation; that lines on the map depicting trail paths are conceptual plans denoting the need for future access, and whether or not that ever occurs, the master plans indicate the desire for public access to federal lands to the west of Franktown Road; that the Parks Department has been working with the CAB to review their trails plan in Washoe Valley, and a number of issues concerning safety and blind driveways are being discussed; and that a lot of issues keep coming back for possible review by the Parks Commission.

Commissioner Sims commented that this is an awkward situation where many property owners are against the path but regional plans have been adopted that were supported by the people in the area and contain the path; and that he shares the concerns of the community in terms of viability of the path along Franktown Road. He inquired about the process should the Board direct the Parks Commission to review the trails issue.

Ms. Mullen advised that, if the easement is retained, the Parks Department would take no action until the review is conducted by the Parks Commission and their recommendation is presented to the County Commission for final action.

Following further discussion, on motion by Commissioner Sims, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bradhurst ordered that the appeal of Tentative Subdivision Map Case No. TM10-15-95 be upheld and Condition 25 regarding

the dedication of a 15-foot wide easement along Franktown Road to Washoe County for future trail development be reinstated.

It was further ordered that the Parks Commission be requested to review the entire parks and trails plans and present their recommendations to the Board for consideration and final action.

Mr. Harper noted that it is uncommon for a final map to be filed within less than two years after approval and the recommendation of the Parks Commission and final action by the Board regarding whether the easement should be retained or eliminated based upon the review of the master plan should be forthcoming within the next few months.

It was noted that several letters and one telephone message were received and placed on file with the Clerk.

96-206 SITE REVIEW CASE NO. SR1-1-96 - NORTH VALLEY AUTO SALES - DAVID V. CAMPANARO - DEVELOPMENT REVIEW - APPEAL

7:00 p.m. This was the time set in a notice of public hearing dated March 1, 1996 mailed to affected property owners by the Department of Development Review to consider the appeal of David V. Campanaro from the recommendation of the Washoe County Planning Commission in their imposition of Condition 7 regarding the installation of a fire hydrant in their approval of the request to develop a used car display lot for approximately 100 cars, on the northwest corner of the intersection of Sun Valley Boulevard and First Street. Because the project proposes utilizing the C-2 (General Commercial) zoning, a site review is required by the transition policy. The + 75-acre parcel is designated High Density Suburban (HDS) in the Sun Valley Area Plan and situated in a portion of Section 19, T20N, R20E, MDM, Washoe County, Nevada.

Michael Harper, Director, Department of Development Review, provided background information regarding this item.

Craig Thomsen, Fire Marshall, Truckee Meadows Fire Protection District, advised that he has provided additional documentation regarding this issue, pursuant to the Board's request at yesterday's caucus. He reviewed the codes and standards followed by the Fire Protection District to determine that a fire hydrant be installed on the corner of First Street and Sun Valley Boulevard to provide fire protection service to the subject lot.

He stated that because the automobiles to be placed on the lot are considered low combustibile material, it was determined that only one hydrant located within 150 feet of the lot would be needed, which is consistent with the Fire Code; and that the closest hydrant at this time is 261 feet.

Chairman Bradhurst opened the public hearing and called on those wishing to speak.

Vince Campanaro, appellant, advised that the nearest fire hydrant is actually 80 feet from the lot and is located on the corner of 1st and Breimon, and he feels this is in compliance with the Fire Code; that they have complied with all recommendations, which have been very expensive, and do not feel this additional cost is necessary since the existing fire hydrant is adequate; that 100 cars would be the maximum the lot could hold, and there will probably never be more than 20 or 30 cars on the lot; and that the cars are for display only and no work will be done on them.

Mr. Harper reviewed a map of the area and pointed out the location of existing and proposed fire hydrants.

Curry Jameson, broker representing the property owner, reviewed the development of the Breimon Acres properties and stated that they were previously told the existing hydrant was all that would be needed for the property; that a hardship exists because of the cost involved; and that due to the simplicity of just having a parking lot, they feel the existing hydrant is sufficient to meet safety requirements.

There being no one else wishing to speak, Chairman Bradhurst ordered that the public hearing be closed.

Fire Marshall Thomsen responded to questions of the Board and provided further explanation of Fire Code standards. Commissioner Mouliot stated that 100 cars stored on a 3/4 acre area is a density that he feels is unrealistic. Upon inquiry, Fire Marshall

Thomsen stated that if the Board directs storage on the lot be limited to 50 vehicles, he could monitor that through inspections, etc. and could accept such decision because of the low combustible hazard of the automobiles.

Following further discussion, on motion by Commissioner Mouliot, seconded by Commissioner Shaw, which motion duly carried, Chairman Bradhurst ordered that Condition No. 7 on Site Review Case No. SR1-1-96 be amended to state that the lot is to be limited to 50 cars and if more than 50 cars are displayed at the site, the applicant is to install a fire hydrant.

96-207 COMPREHENSIVE PLAN AMENDMENT CASE NO. CPA95-NV-02-B - NORTH VALLEYS CITIZENS ADVISORY BOARD - PUBLIC SERVICES AND FACILITIES POLICIES AND ACTION PROGRAMS - COMPREHENSIVE PLANNING

7:00 p.m. This was the time set in a Notice of Public Hearing, published in the Reno Gazette-Journal on March 1, 1996 to consider the Washoe County Planning Commission recommendation for approval of a request by the North Valleys Citizens Advisory Board to amend the North Valleys Area Plan, being a part of the Washoe County Comprehensive Plan, to adopt a number of Public Services and Facilities policy and action program language changes to address water resource and wastewater treatment issues. The Washoe County Planning Commission also recommended approval of an amendment to the Streets and Highways System Plan to designate a new collector road, including portions of Reno Park Boulevard, to accommodate projected traffic volumes west of U. S. 395. Proof was made that due and legal notice had been given.

Dean Deiderich, Comprehensive Planning, presented maps of the subject area and reviewed the proposed policy changes, advising that the recommendation is the result of several meetings of the North Valleys Citizens Advisory Board, which included reports from the Health Department and the Utility Division, on the topic of septic tank impacts on Cold Springs hydrographic basin resources and concerns over the continuing ability for new subdivisions to be approved without a requirement to connect to community sanitary sewer facilities. He advised that if the proposed amendments are approved by the Board, the next item on the agenda is the first reading of the Ordinance amending the Development Code to reflect those changes.

Chairman Bradhurst opened the public hearing and called on those wishing to speak.

David Boily, Chairman, North Valleys Citizens Advisory Board, spoke in support of the proposed amendments.

Andy Sallaberry, North Valleys property owner, asked several questions and requested clarification regarding arterial access and industrial development plans, etc.

Mr. Diederich responded to his questions and advised that they would be better addressed during their appointment scheduled for next week. Chairman Bradhurst noted that the location of the subject road is not definite and the plans provide only a general schematic of its location.

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

Following discussion, based on the findings that:

1. The proposed amendment to the North Valleys Area Plan is in substantial compliance with the policies and action programs of the Comprehensive Plan. The proposed amendment is consistent with policies in the Comprehensive Plan Elements including LUT.1.4, PSF.1.13, PSF.2.2 and PSF.2.4.
2. The proposed amendment to the North Valleys Area Plan will not adversely affect the implementation of the policies and action programs of the Conservation Element or the Population Element of the Washoe County Comprehensive Plan.
3. The proposed amendment to the North Valleys Area Plan will promote the desired pattern for the orderly physical growth of the County and guides development of the County based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services. The proposed collector road will identify where existing and future traffic should be directed to, and the Public Services and Facilities policy and action programs will protect the water resources of the North Valleys planning area.

4. The proposed amendment to the North Valleys Area Plan is the second amendment to the Plan in 1995, and therefore does not exceed the three permitted amendments as specified in Section 110.820.05 of the Washoe County Development Code.

5. The Washoe County Planning Commission public hearing, prior to the action on the proposed amendment to the North Valleys Area Plan, and the related changes to the text and maps of the plan, has been properly noticed in a newspaper of general circulation in the County as prescribed under NRS 278.210(1).

6. The Washoe County Planning Commission gave reasoned consideration to information contained within the staff report and information received during the public hearing.

7. The Washoe County Commission gave reasoned consideration to information contained within the reports transmitted to the Washoe County Planning Commission and the Washoe County Commission, and information received during the Washoe County Commission public hearings.

On motion by Commissioner Shaw, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bradhurst ordered that Comprehensive Plan Amendment Case No. CPA95-NV-02-B amending the North Valleys Area Plan to adopt a number of Public Services and Facilities policy and action program language changes to address water resource and wastewater treatment issues, be approved.

95-208 BILL NO. 1123 - AMENDING WCC CHAPTER 110 - NORTH VALLEYS AREA - DEVELOPMENT CODE AMENDMENT CASE NO. DCA96-2

Bill No. 1123 entitled, "AN ORDINANCE AMENDING CHAPTER 110 OF THE WASHOE COUNTY CODE (DEVELOPMENT CODE) BY AMENDING ARTICLE 208, NORTH VALLEYS AREA, THEREOF," was introduced by Commissioner Shaw, the title read to the Board, and legal notice for final action of adoption directed.

96-209 AGREEMENT - WATER CONSERVATION CONTINGENCY SECTION 29(e) - PRELIMINARY SETTLEMENT AGREEMENT

Chairman Bradhurst commented that this item is related to the item heard earlier this evening regarding the ordinance for drought Stage 2 conditions on a year-round basis; that the ordinance was not adopted by the Board, and direction was given to staff regarding a new ordinance; and that this agreement would probably need to be revised.

On motion by Commissioner Mouliot, seconded by Commissioner Shaw, which motion duly carried, Chairman Bradhurst ordered that this item be continued.

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There being no further business to come before the Board, the meeting adjourned at 1:00 a.m. on Wednesday, March 13, 1996.

STEPHEN T. BRADHURST, Chairman  
Washoe County Commission

ATTEST: JUDI BAILEY, County Clerk