

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY 5:15 P.M. June 11, 1996

PRESENT:

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

Judi Bailey, 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 Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bradhurst ordered that the agenda for the June 11, 1996 meeting be approved with the following amendments -- Delete: Item 10E, Exchange of Property - State of Nevada, Department of Transportation.

PUBLIC COMMENTS

There was no response to the call for public comments.

MINUTES

On motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, Chairman Bradhurst ordered that the minutes of the regular meeting of May 14, 1996 be approved.

96-525 WORK CARD PERMIT APPEAL - GLEN ENOKSEN

This appeal was considered on MONDAY, JUNE 10, 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 GLEN G. ENOKSEN from the Sheriff's denial of his work permit application as a private security guard for the Advantage Group.

On motion by Commissioner Bond, seconded by Commissioner Sims, 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, Vice Chairman Bradhurst ordered that the denial by the Sheriff to GLEN ENOKSEN for a work permit to work as a Security Guard for the Advantage Group be overturned and the work permit granted.

Upon recommendation of Katy Simon, Assistant County Manager, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, Chairman Bradhurst ordered that Jim Lencioni, Telecommunications Superintendent be appointed to serve a four-year term and Press Clewe, Emergency Management Coordinator, a two-year term on the 911 Emergency Response Advisory Committee.

96-527 RESIGNATION AND APPOINTMENT - AIRPORT NOISE ADVISORY PANEL

Upon recommendation of John MacIntyre, County Manager, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Bradhurst ordered that the resignation of Kiersten Mayer from the Airport Noise Advisory Panel be accepted, and that Doug Cooper be appointed to fill Ms. Mayer's term to expire May 31, 1997.

96-528 APPOINTMENT - BOARD OF ADJUSTMENT

Upon recommendation of John MacIntyre, County Manager, on motion by Commissioner Sims, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bradhurst ordered that Rex Williams be appointed to the Washoe County Board of Adjustment for a term to expire June 30, 2001.

96-529 RESOLUTION - ESTABLISHING A CONSTITUTIONAL BASED CAPACITY AT THE WASHOE COUNTY CONSOLIDATED JAIL

County Manager John MacIntyre, reviewed discussions held at yesterday's caucus and reviewed the proposed resolution with suggested language changes.

Sheriff Kirkland discussed the proposed resolution clarifying that he did not support a cap or limitation on criminals that have been properly processed by the criminal justice system. He further stated that it is essential that the City of Reno, the City of Sparks and all other agencies who utilize the consolidated jail facility participate in this effort; and that he would only support the resolution under these circumstances.

David Bennett, Criminal Justice Consultant, stated that the issue of setting a jail population management system limiting the number of prisoners in the facility is a very difficult decision; that the overall consensus is that no one favors the establishment of limits on the jail population; that upon passage of the resolution he will meet with those agencies most affected by setting a limit on the jail population, specifically the municipal courts, City attorneys, Police Departments and Justice Courts to hear their concerns in an attempt to build a release system that will maintain the integrity of the criminal justice system.

Commissioner Sims stated that he would support the resolution with the caveat that the Board take an active role with Mr. Bennett and Sheriff Kirkland and attempt to work with other elected officials to re-enforce that this is a consolidated jail and that the jail population problem belongs to everyone.

Following discussion, on motion by Commissioner Sims, seconded by Commissioner Bond, which motion duly carried, it was ordered that the following Resolution be adopted as amended, and Chairman Bradhurst be authorized to execute:

RESOLUTION - ESTABLISHING A CONSTITUTIONAL STANDARDS BASED CAPACITY AT THE WASHOE COUNTY CONSOLIDATED JAIL FACILITY

WHEREAS, Public Safety is one of the primary purposes and functions of local government; and,

WHEREAS, Washoe County operates and maintains a Consolidated Jail utilized by not only Washoe County, but also the Cities of Reno and Sparks, as well as the Federal Government and numerous other law enforcement agencies; and

WHEREAS, The provision of necessary public safety infrastructure and especially sufficient, constitutionally acceptable jail space

is one of the highest priorities of the Washoe County Board of Commissioners; and

WHEREAS, The designed capacity of the present facility at 911 Parr Blvd., is 615; and

WHEREAS, The average daily population of the jail currently is 867 inmates; and

WHEREAS, The peak population of the jail reached 1,066 inmates in the summer of 1995; and

WHEREAS, Even with jail population management initiatives, such as alternatives to incarceration and increased efficiencies in the Washoe County Criminal Justice System, with continued growth in the Washoe County population, the population of the jail is expected to increase; and

WHEREAS, Court Services has granted well over 400 own recognizance releases monthly, in addition to 40 to 50 own recognizance releases granted monthly by judges, but is still not able to offset the increase in inmate population caused by increased bookings; and

WHEREAS, The House Arrest Program, with an average daily population of 39 inmates and rising, is still not able to offset the increase in inmate population caused by increased bookings; and

WHEREAS, In 1995 the HELP Program has diverted over 675 homeless individuals from jail, but is still not able to offset the increase in inmate population caused by increased bookings; and

WHEREAS, Temporary housing to include tents has been used on a seasonal basis to accommodate the ever-increasing inmate population; and

WHEREAS, Jail legal consultants have indicated that the constitutional inmate jail population capacity of the existing facility is approximately 900 inmates; and

WHEREAS, The cost of housing, feeding, clothing, supervising and providing medical and other services to more than 900 inmates severely impacts the provision of other mandated services by Washoe County; and

WHEREAS, Despite the creation of these new and innovative alternatives to incarceration which defer up to 15,000 people per year out of the consolidated jail, the jail population is expected to increase; and

WHEREAS, Consultants retained by Washoe County to examine the operation of the criminal justice system and to look at jail capacity have informed the County that additional long-term capacity of approximately 1,250 beds will be required by the year 2005; and

WHEREAS, Notwithstanding the significant financial resources applied to jail maintenance, operation, and the provision of additional temporary capacity, the County is faced with a long-term need for additional permanent constitutional capacity; and

WHEREAS, Notwithstanding the fact that no one within the criminal justice system necessarily wants limits on jail population, the overwhelming physical fact is that the facility does not have sufficient capacity and will not have sufficient capacity as we move forward into the future without the construction of additional permanent constitutional capacity; and

WHEREAS, The jail population issue was presented to the Regional Governing Board at its Regional Criminal Justice Summit held February 22, 1996, and further presented to the Regional Governing Board at its May 9, 1996 meeting; and

WHEREAS, Following the most recent presentation, the Regional Governing Board adopted a motion endorsing the County's efforts to place a ballot question before the voters seeking funding authorization to construct additional capacity at the consolidated jail; now, therefore, be it

RESOLVED, By the Board of Washoe County Commissioners, and other policy-making bodies of user law enforcement agencies who incarcerate inmates, that a constitutional standards based capacity be placed upon the daily jail inmate population; and be it further

RESOLVED, That the maximum daily inmate population be limited to approximately 900 inmates; and be it further

RESOLVED, That local law enforcement agencies, as shown in the appendix, placed on file with the Clerk, be directed to work together to adopt policies and other alternatives to incarceration that will reflect the imposition of the jail limit by diverting non-violent offenders into community-based services wherever possible in lieu of arrests; and be it further

RESOLVED, That despite the overcrowding pressure on the jail, as a matter of policy, under no circumstances will a violent arrestee not be accepted for incarceration; and be it further

RESOLVED, That any inmate not incarcerated and/or released at the direction of the Sheriff's Office will be categorized as a non-violent offender; and be it further

RESOLVED, That it will take a joint effort between all local law enforcement agencies, alternative to incarceration programs and the local judicial system to positively affect the effort to maintain and/or lower the jail population; and be it further

RESOLVED, That the Washoe County District Attorney be hereby urged to file a petition with the Second Judicial District Court for an appropriate order to assure, to the degree possible, compliance with constitutional standards for prisoner housing.

96-530 ORDINANCE NO. 958, BILL NO. 1133 - AUTHORIZING ISSUANCE BY WASHOE COUNTY OF ITS GENERAL OBLIGATION (LIMITED TAX) VARIOUS PURPOSE BONDS, SERIES JUNE 1, 1996

Bill No. 1133, entitled, "AN ORDINANCE DESIGNATED BY THE SHORT TITLE, "1996" VARIOUS PURPOSE BOND ORDINANCE"; PROVIDING FOR THE ISSUANCE BY WASHOE COUNTY OF ITS REGISTERED, NEGOTIABLE, GENERAL OBLIGATION (LIMITED TAX) VARIOUS PURPOSE BONDS, SERIES JUNE 1, 1996; PROVIDING THE FORM, TERMS AND CONDITIONS OF THE BONDS PROVIDING OTHER COVENANTS, AGREEMENTS AND OTHER DETAILS CONCERNING THE BONDS; DECLARING THAT THIS ORDINANCE PERTAINS TO THE SALE, ISSUANCE AND PAYMENT OF THE BONDS; AND PROVIDING FOR ITS ADOPTION AS IF AN EMERGENCY EXISTS; AND PROVIDING EFFECTIVE DATE HEREOF," was introduced by Commissioner Bond, the title read to the Board, and adopted as if an emergency exists.

96-531 REVISION - TAHOE COMMERCIAL ALLOCATION PROGRAM PLANNING

Romany Woodbeck, Department of Comprehensive Planning, reviewed background information contained in a staff report concerning revisions to the Tahoe Commercial Allocation Program and answered questions of the Board. She advised that the revisions to the program include prioritization of projects based on a random selection program and the establishment of a maximum commercial floor area allocation per project for the Incline Village Commercial Community Plan Area. Ms. Woodbeck then discussed basic components of the revised program, and explained "pipeline projects" (applications received by TRPA between 1980 and 1988) explaining that this was a period where code changes took place, that building moratoriums were imposed and several regional plan revisions were enacted resulting in situations that caused eligibility and/or ineligibility for commercial allocation; and that applications received in 1984 without permit approval or foundations in ground, although these applications were received by TRPA, were not recognized or grandfathered in for commercial floor area. She further advised that they currently have six pipeline projects and that four of them are owned by the same property owner.

Jay Serrett, Commercial Property Owner, Incline Village, Nevada, reviewed correspondence from the TRPA distributed at yesterday's caucus and a memorandum to the Board concerning his on-going frustration concerning the inability to develop his properties located in the downtown shopping corridor of Incline Village on State Route 28. Mr. Serrett then reviewed a chronology of events concerning the submittal of his project plans to the TRPA in 1983 and answered questions of the Board.

Following discussion, upon recommendation of Romany Woodbeck, Department of Comprehensive Planning, on motion by Commissioner

Mouliot, seconded by Commissioner Shaw, which motion duly carried, Chairman Bradhurst ordered that the following actions be taken concerning revisions to the Tahoe Commercial Allocation Program:

1. Projects for commercial floor area should be prioritized using a computerized random selection program.
2. Establish a maximum commercial floor area allocation per project of 8,000 square feet for the Incline Village Commercial Community Plan Area.
3. That the County Commission not approve the prioritized list of projects or approve the preliminary allocation for each project.
4. That if a project does not meet the requirements of the revised program they would be removed from the list.
5. That concerning "pipeline" projects, one-third or 8,000 square feet of the floor area in the Incline Village Commercial Community Plan Area would be set aside for projects that had been determined by TRPA as being pending applications or pending projects on April 16, 1986.

96-532 AGREEMENT - HORIZON HILLS GENERAL IMPROVEMENT DISTRICT - DISSOLUTION OF DISTRICT AND ASSUMPTION BY WASHOE COUNTY

This item was continued from May 14 and 28, 1996 meetings.

John Collins, Chief Sanitary Engineer, reviewed background information concerning this item and discussed a handout distributed to the Board concerning compensation for Trustees of the Horizon Hills General Improvement District (HHGID).

On motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that an Agreement between Washoe County and the Horizon Hills General Improvement District concerning dissolution of the District, be approved and Chairman Bradhurst be authorized to execute.

96-533 BILL NO. 1135 - INITIATING DISSOLUTION OF HORIZON HILLS GENERAL IMPROVEMENT DISTRICT

Bill No. 1135 entitled, "AN ORDINANCE INITIATING THE DISSOLUTION OF THE HORIZON HILLS GENERAL IMPROVEMENT DISTRICT; PROVIDING FOR WRITTEN NOTICE OF THE PROPOSED DISSOLUTION TOGETHER WITH THE TIME AND PLACE FOR A HEARING ON THE DISSOLUTION," was introduced by Commissioner Shaw, the title read to the Board, and legal notice for final action of adoption directed.

96-534 ORDINANCE AMENDING ORDINANCE NO. 802, 830 AND 901 - REVISION OF SCHEDULE , RATES AND CHARGES & CONNECTION FEES - SANITARY SEWER SERVICE - VALLEY VILLAGE - LEMMON VALLEY

7:00 p.m. This was the time set in a Notice of Public Hearing, published in the Reno-Gazette Journal on May 31 and June 8, 1996 to consider second reading and adoption of Bill No. 1129. Proof was made that due and legal notice had been given.

Doug Coulter, District Health Department, discussed the proposed ordinance explaining that the Health Department's primary function is to help prevent the spread of disease; that upon inspection of a septic system repair located on Patrician Drive in Lemmon Valley, it was discovered that groundwater levels had risen significantly; that test samples indicated that the water contained high levels of bacteria indicating human fecal contamination; and that for this reason, they are recommending that the Valley Village area west of Lemmon Drive be connected to a community sewer system. Mr. Coulter then discussed septic system operations and repairs in the Valley Village Area depicted on a map for the Board's review concluding that it is in the best interest of public health that the area be connected to a community sewer system; and that any future subdivision maps in the Valley Village Area not be approved for septic systems.

John Collins, Chief Sanitary Engineer, discussed the existing community sewer system, alternatives investigated, estimated sewer system costs, financing options and estimated construction costs.

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

Carol Hart, a resident of Valley View Subdivision, advised that she had expended \$6,000 to replace her septic system in February, 1996; that age is the cause for most of the septic failures in the area, that high water tables are not the cause; and that she is opposed to the imposition of sewer service in her neighborhood.

Myra Ritter and Florence Stevenson, residents of Lemmon Valley, spoke in opposition to the sewer connection stating that the monthly surcharge would greatly effect individuals on fixed incomes and families with small children.

Dan Dragon, Hydrologist, Utility Division, advised that a high water table does exist in the area; that it may be localized around Patrician Drive; and that the high water table exists due to the amount of precipitation, the geologic environment, and recharge from septic tanks.

In response to concerns raised in previous testimony regarding the affordability of hooking up to a sewer and individuals on fixed incomes, Mr. Collins advised that a discount program is available through the Senior Services Division that would allow qualified individuals to receive a low income discount.

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

On motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bradhurst ordered that Ordinance No. 954, Bill No. 1129, entitled, "AN ORDINANCE AMENDING ORDINANCE NO. 802, NO. 830 AND 901 BY REVISING A SCHEDULE OF RATES, CHARGES AND CONNECTION FEES FOR PROVISION OF SANITARY SEWER SERVICE BY WASHOE COUNTY WITHIN THE VALLEY VILLAGE AREA OF LEMMON VALLEY IN WASHOE COUNTY; REQUIRING THE DEPARTMENT OF PUBLIC WORKS, UTILITY DIVISION, TO SUBMIT BILLINGS TO ALL UNSEWERED USERS WITHIN THE VALLEY VILLAGE AREA; REQUIRING PAYMENT THEREOF; PROHIBITING THE CONTINUED USE OF ONSITE SEPTIC DISPOSAL SYSTEMS AFTER TWO YEARS OF THE DATE SANITARY SEWER SERVICE IS AVAILABLE WITHIN THE VALLEY VILLAGE AREA; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO," be approved, adopted and published in accordance with NRS 244.100.

96-535 DEVELOPMENT AGREEMENT CASE NO. DA9-1-93 - SOUTHWEST POINTE/REDFIELD LAND COMPANY APN: (49-010-04, 49-010-10 AND 41-030-12)

7:00 p.m. This was the time set in Notice of Public Hearing mailed to all affected property owners on May 29, 1996 and published in the Reno-Gazette Journal on May 31, 1996 to consider the recommendation of the Washoe County Planning Commission to conditionally approve Amendment to Development Case No. DA9-1-93 for Southwest Pointe which agreement facilitates the development of a residential community including 1,090 homesites with common open space, a water delivery system, two golf courses with related recreational facilities, a day care facility, an equestrian center, and a commercial village center. The amendment allows the applicant to modify portions of the agreement pertaining to streets, access, drainage, parks and other portions. The total acreage of the project is ñ3,171.6 acres and located north of Mount Rose Highway (SR 431) and west of Thomas Creek Road. The property is designated Low Density Suburban (LDS), Low Density Rural (LDR), Medium Density Rural (MDR), High Density Rural (HDR), and General Rural (GR), in the Southwest Truckee Meadows Area Plan and is situated within portions of Sections 3, 10, 13, 14, 15, 22, 23, 24, 26, and 27, T18N, R19E, MDM, Washoe County, Nevada. Proof was made that due and legal notice had been given.

Bob Katai, Department of Development Review, reviewed history of the project and proposed amendments to the Development Agreement submitted by the applicant, advising that the amendments are modifications to the conceptual plan adopted as part of the preliminary development agreement. He further advised that the applicant had requested that the percentage of 12,000 square-foot lots increase up to 50% of the lot totals; that the percentage of lots between one-half and one-acre increase up to 40%; that the applicant's current proposal is that no more than 40% of the lot mix to be 12,000 lots; that no more than 35% of the lot mix being half-acre to one-acre lots; that the remaining lots are one acre or greater; that the original lot number of 1,090 has not been increased; that smaller lots would allow reconfiguration of the golf course and increase open space areas; and that smaller lots would not increase the density of the project.

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

Brita Tryggvi, CFA, Inc., representing applicant, discussed a comparison between the conceptual plan presented to the Board in 1993 and the proposal being presented today. She reviewed maps illustrating the changes and stated that the difference in the lot mix is due to an increase in the number of half-acre lots and a decrease in the number of one-acre lots; that the revised proposal leaves the number of 12,000-square-foot lots the same; that they are still planning an elementary school site, a potential middle school site, a community park, and a fire station site; that the main entry road is proposed to become private at Thomas Creek; that vehicular access would be slightly reduced; that access to the public will not be reduced; and that it is intended that the public have access to the trail system to the project along the roadways; and that they have always proposed connections for the regional trail system and that would remain unchanged. Ms. Tryggvi further advised that they are proposing a gate or a gate house to the development; that the road becomes private at the creek; and that they have met with the Nevada Division of Forestry, the agency responsible for fire protection in this area and this proposal complies with their requirements for a 20 foot area that is clear and unobstructed.

Mike Mohler, Project Manager, stated that they are unclear whether they will be constructing gates to the development; and that they are utilizing this concept in the initial sales phase of the project.

Russ Carpenter, a resident of Pleasant Valley and Chairman of the Mt. Rose/Geiger Grade Citizens Advisory Board, spoke in opposition to the gate concept stating that the neighborhood has not reached a point where gated communities are necessary.

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

Mr. Katai advised that the Southwest Truckee Meadows Citizens Advisory Board has recommended approval of amendments to the Development Agreement.

Chairman Bradhurst stated that with two public golf courses and a possible commercial area, it would be difficult to have a gate operation; that it may be used for marketing purposes initially, but if the intent is to encourage individuals to use the golf courses, a gate could be a detriment.

Ms. Tryggvi explained that conditions of approval allow retention of public access to the golf course; that public access to the trails and non-residential uses will all be retained; that the original plan, off the primary loop road, included several gates; and that they have now opted for one gate location.

Following discussion, on motion by Commissioner Sims, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bradhurst ordered that Amendment to Development Agreement Case No. DA9-1-93 for Southwest Pointe/Redfield Land Company be approved subject to the following Development Agreement conditions and the Template conditions:

CONDITIONS for DEVELOPMENT AGREEMENT CASE NO. DA9-1-93 for SOUTHWEST POINTE

UNLESS OTHERWISE STATED, PRIOR TO APPROVAL OF THE FINAL DEVELOPMENT AGREEMENT, ALL CONDITIONS MUST BE MET. A COPY OF ALL AGREEMENTS, EASEMENTS, OR OTHER DOCUMENTATION REQUIRED BY THESE CONDITIONS SHALL BE FILED WITH THE DEPARTMENT OF PUBLIC WORKS AND/OR DEPARTMENT OF DEVELOPMENT REVIEW.

COMPLIANCE WITH THE APPLICABLE STATUTES, ORDINANCES, RULES, REGULATIONS, AND POLICIES AND WITH THE CONDITIONS OF APPROVAL OF THIS TENTATIVE MAP IS THE RESPONSIBILITY OF THE DEVELOPER, ITS SUCCESSOR IN INTEREST, AND ALL OWNERS, ASSIGNEES, AND OCCUPANTS OF THE PROPERTY, AND THEIR SUCCESSORS IN INTEREST.

GENERAL CONDITIONS

1. Unless specifically stated in the final Development Agreement, all uses, densities and standards shall be consistent with the Washoe County Development Code and with the goals and policies in the Comprehensive Plan and the Southwest Truckee Meadows Area Plan. Unless specifically stated in the final Development Agreement, the allowed uses, densities, and standards of the land subject to the Development Agreement shall be those in effect at the time the final agreement is approved.

2. The final Development Agreement shall specify any time frames that have been extended beyond those specified by Washoe County Code or Nevada Revised Statutes. The Department of Development Review shall be responsible for determining compliance with this condition.
3. A "statement of compliance" format or formats for both residential and non-residential projects shall be made a part of the final Development Agreement. The Department of Development Review shall be responsible for determining compliance with this condition.
4. The developer and all successors shall direct any potential purchaser of the site, or portions thereof (other than individual single-family lots), to meet with the Department of Development Review to review the Development Agreement and the conditions of approval prior to the final sale of the site. Any subsequent purchasers of the site shall notify the Department of Development Review of the name, address, telephone number, and contact person of the new purchaser within 30 days of the final sale.
5. Prior to submittal to the Washoe County Board of County Commissioners, the final Development Agreement shall be reviewed and approved by the Office of the District Attorney of Washoe County.
6. The final Development Agreement will be submitted to the Washoe County Board of County Commissioners within three months of submission of a completed agreement with all accompanying exhibits, provided the Department of Development Review does not delay the submission in order to approve provisions of the agreement to its satisfaction. Extension of any of these time frames may be requested if mutually agreeable to Washoe County and the developer.
7. The developer shall provide the Department of Development Review staff with a quarterly report indicating the number of building permits issued and other building activity, once residential construction has started.
8. The developer shall define a process to ensure that the maintenance and replacement of the streets, parking areas, lighting, landscaping, recreational facilities, utilities, and other private infrastructure shall be performed by the homeowners associations and shall be perpetually funded. The County Engineer and the Department of Development Review shall be responsible for determining compliance with this condition.

STREETS AND TRAFFIC

9. A Level of Service C, or the current Washoe County standard, shall be used as a basis for evaluating transportation needs and traffic impact mitigation requirements.
10. The final Development Agreement shall not be approved until the right-of-way (ROW) of all necessary off-site accesses from the project to Thomas Creek Road are obtained. Preliminary golf course and roadway grading may commence before such approval has been obtained so long as such construction is done in accordance with Condition 21 for tentative maps. An approved and recorded ROW document shall be provided to the County Engineer and the District Attorney's Office.
11. Prior to final approval of the Development Agreement, the developer for Southwest Pointe shall petition the Washoe County Board of County Commissioners to create a Special Assessment District for the purpose of financing the construction of Whites Creek Lane from the project site to Wedge Parkway and other roads as defined in the SAD agreement. In the event that a special assessment district is not created, the developer shall construct Whites Creek Lane, as outlined in Conditions 17 and 19 for tentative maps, from the project site to Wedge Parkway. The County Engineer shall be responsible for determining compliance with this condition.
12. A Construction Traffic Haul Route Plan shall be submitted to the County Engineer for review and approval. The primary construction haul route shall be Whites Creek Lane. However, as part of Phase I development, Zolezzi Lane may be used, for construction mobilization only, for completion of the first 18-hole golf course and for the extension of utilities into the project site.

Prior to approval of any final map or prior to the issuance of the first building permit for the first final map, all construction traffic will be diverted to Whites Creek Lane. No construction traffic will be allowed on Thomas Creek Road between Whites Creek Lane and Zolezzi Lane. Access to Whites Creek Lane will be from the Mt. Rose Highway to Thomas Creek Road. When the 35th building permit is issued, all construction traffic will be required to use Whites Creek Lane from Wedge Parkway. Construction traffic will use Whites Creek Lane from Wedge Parkway if this segment is completed prior to the issuance of the 35th building permit. Thomas Creek Road from Mt. Rose Highway to the proposed Whites Creek Lane may be considered for a haul route provided the developer submits a traffic analysis and intersection design prepared by a licensed Nevada Civil Engineer which addresses and provides, as a minimum, recommendations regarding:

- a. site distance requirements;
- b. left turn storage capacity and design;
- c. intersection location and alignment;
- d. proximity to existing intersections and recommended separate distances;
- e. existing center median and landscaping concerns;
- f. determination of adequacy of existing Thomas Creek Road roadway geometric section; and
- g. determination of adequacy of existing structural section and load bearing capability.

The submitted report shall be evaluated and accepted by the County Engineer prior to any approval of the use of Thomas Creek Road as a haul route. Once Whites Creek Lane is connected to Wedge Parkway, this road shall become the primary construction haul route.

Any existing or proposed roads that will be used as construction haul routes and are not designated truck routes must be evaluated by a geotechnical study to determine the existing structural section and its load supporting capability. If the pavement section is inadequate to support the proposed construction loadings, the roadway must be redesigned or reconstructed as needed to provide a 20-year design life in accordance with the AASHTO Interim Guide for Flexible Pavements.

13. The developer shall provide a schematic pedestrian circulation plan. The Department of Development Review shall be responsible for determining compliance with this condition. The "statement of compliance" shall require that a detailed pedestrian circulation plan will be submitted as part of each tentative map and approved by the Department of Development Review.

14. Unless specifically stated in these conditions of approval or in the final Development Agreement, all public and private street design and construction is to be done in accordance with the Washoe County standards that are in effect at the time the final Development Agreement is recorded. The County Engineer shall be responsible for determining compliance with this condition.

15. Unless otherwise stated in these conditions of approval or in the final Development Agreement, all roadway improvements necessary (including but not limited to, curb, gutter, sidewalk, signing and striping, driveway access, and street lighting) to serve the project shall be designed and constructed to county standards and specifications and/or financial assurances in an appropriate form and amount shall be provided. The County Engineer shall be responsible for determining compliance with this condition.

16. All private roadways shall be depicted on the final maps and identified on the tentative map as either private access easements over individual adjacent lots or, if identified as separate parcels, as either common areas with equal fractional ownership by all of the lots within the development or common areas owned by the homeowners association. The County Engineer shall be responsible for determining compliance with this condition.

GRADING AND DRAINAGE

17. A general concept-level storm drain master plan shall be submitted to the County Engineer for approval prior to acceptance of the final Development Agreement. The general concept-level storm drain master plan shall address in general terms proposed methods for handling the existing and increased flows for the 10- and 100-year storms including detention and other proposed mitigation measures for both on-site and off-site areas. This master plan shall include a drawing which shows the existing drainage basins within the development and indicate how they may be impacted. After approval of the general concept-level storm drain master plan

and the final Development Agreement, and prior to approval of a tentative map for any phase or approval of any special use permit, a preliminary hydrology report shall be submitted to the County Engineer for approval. The County Engineer shall be responsible for determining compliance with this condition.

18. Detention/retention facilities are to be maintained by a homeowners association and perpetually funded unless Washoe County agrees to accept maintenance and financial responsibilities. Regional facilities would be maintained by Washoe County. The County Engineer shall be responsible for determining compliance with this condition.

19. A maintenance plan of all drainage facilities to be owned by the homeowners association shall be provided prior to approval of the conditions, covenants, and restrictions (CC&Rs). All treatment of stormwater, including snow storage runoff and storm water facilities design, is to consider the future planned Washoe County water treatment plant and associated Steamboat Ditch conveyance system. The County Engineer shall be responsible for determining compliance with this condition.

20. The off-stream detention/debris basin recommended in the 1990 Kennedy, Jenks, Chilton report shall be reserved based on the following timetable:

a. Washoe County will have three years to obtain the necessary permits for construction of the off-stream detention basin. This three years shall commence upon the approval of the final Development Agreement. If Washoe County fails to obtain the necessary permits, the property for the detention site shall be offered by the developer or his successors, for dedication to the Washoe County School District for a middle school or revert to open space.

b. If Washoe County does obtain the necessary permits within three years, construction of the project shall commence within 5 years of the approval of the final Development Agreement. If construction is not started by that date, the property for the detention site shall be offered by the developer or his successors, for dedication to the Washoe County School District for a middle school or revert to open space.

c. If an alternative solution or site becomes available for flood control, this property will immediately become available for dedication to the Washoe County School District for a middle school or revert to open space.

d. If the detention basin is constructed, Washoe County shall pay fair market value for the property.

21. The increase in development-caused runoff from the 100-year storm, including drainage's which run directly into the Steamboat Ditch, shall be detained/retained on-site because of the limited capacity of the flood control facilities in the area of South Virginia Street and the Steamboat Ditch Company. The County Engineer shall be responsible for determining compliance with this condition.

22. A geotechnical report shall be prepared, which considers the effects of earthquake forces and faulting in the area. The siting and design of detention/retention facilities shall be addressed based on the findings and recommendations provided in the geotechnical report. The County Engineer shall be responsible for determining compliance with this condition.

23. The development shall comply with the requirements of the Hillside Ordinance of the Development Code, as applicable. The Department of Development Review shall be responsible for determining compliance with this condition.

WATER AND WASTEWATER

24. A schematic water system plan for the referenced proposal must be submitted to the Utility Division and the District Health Department. Prior to a final map approval, the plan must show that the water system will conform to the State of Nevada Water Supply Regulations, NAC Chapter 445, and the State of Nevada Regulations Governing Review of Plans for Subdivisions, Condominiums, and Planned Unit Developments, NAC 278.400 through 278.410.

25. Prior to the approval of the final Development Agreement, a complete water analysis from at least one monitoring well must be

submitted to the District Health Department. The analysis must demonstrate the water conforms to the existing and proposed drinking water standards.

26. The developer shall utilize treated wastewater from the South Truckee Meadows Wastewater Treatment Plant. As part of the initial construction, the developer shall provide the necessary on-site easements needed to construct the infrastructure. When this resource becomes available to irrigate the golf course, the developer shall construct the necessary on-site infrastructure. The Utility Division shall be responsible for determining compliance with this condition.

FIRE PROTECTION

27. If requested by the applicable fire protection agency, a minimum one-acre site for a fire station shall be offered for dedication prior to recordation of the first final map. The developer shall enter into talks with the applicable fire protection agency for any other requirements, such as, a fire station site, manpower and equipment needs, or for coordination with other developments that have similar requirements and the results of those discussions, as they relate to the entire project, shall be incorporated into the Development Agreement.

PARKS/RECREATION/OPEN SPACE

28. An open space management plan and map shall be prepared that specifies the ownership of open spaces, type of uses allowed and who is responsible for maintenance. This plan shall address the provisions of Section 110.408.45 of the Development Code. Common areas shall be maintained by the homeowners association and provisions be made for perpetual funding for maintenance. Prior to approval of the final Development Agreement, a government entity (e.g. United States Forest Service, Washoe County Parks Department, etc.) or a non-profit organization (e.g. Washoe Parks Foundation) shall be identified that will accept the dedication of the open space buffers identified on the Concept Plan, which consists of approximately 1,500 acres. The Parks and Recreation Department and the Department of Development Review shall be responsible for determining compliance with this condition.

29. The final Development Agreement shall include a provision for the public open space that prohibits the sale of any open space without the consent of Washoe County. The Department of Development Review shall be responsible for determining compliance with this condition.

30. A minimum 10-acre public park site shall be offered for dedication to the county. A sketch plan will be included in the final Development Agreement. The final park design shall be mutually agreeable to the county and the developer. The developer will construct the recreation facilities in the park and then be reimbursed for the cost of the construction from the Residential Construction Tax. The responsibility of park maintenance shall be negotiated by the developer and Washoe County prior to the approval of the final Development Agreement. The Parks and Recreation Department and Department of Development Review shall be responsible for determining compliance with this condition.

31. The developer will work with the Department of Parks and Recreation to locate the proposed regional public trails to the satisfaction of Washoe County and the developer. The Parks and Recreation Department and Department of Development Review shall be responsible for determining compliance with this condition.

LANDSCAPING/ARCHITECTURAL DESIGN

32. Prior to approval of the final Development Agreement, the developer shall submit a Development Standards Handbook for the entire project to the Design Review Committee for its review and approval. These guidelines shall address, but not be limited to, type and color of building material, general architectural design, fencing, 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. The Design Review Committee shall also review the design of Whites Creek Lane, specifically to address Condition 19.c. for tentative maps. The Department of Development Review shall be responsible for determining compliance with this condition.

UNLESS OTHERWISE STATED, PRIOR TO FINALIZATION OF ANY PORTION OF THE TENTATIVE SUBDIVISION MAP, ALL CONDITIONS MUST BE MET OR FINANCIAL ASSURANCES TO ENSURE COMPLETION OF THE CONDITIONS MUST BE PROVIDED. THE AGENCY RESPONSIBLE FOR DETERMINING COMPLIANCE WITH A SPECIFIC CONDITION SHALL DETERMINE WHETHER THE CONDITION MUST BE FULLY COMPLETED OR WHETHER THE DEVELOPER SHALL BE OFFERED THE OPTION OF PROVIDING FINANCIAL ASSURANCES.

A COPY OF ALL AGREEMENTS, EASEMENTS, OR OTHER DOCUMENTATION REQUIRED BY THESE CONDITIONS SHALL BE FILED WITH THE DEPARTMENT OF PUBLIC WORKS AND/OR DEPARTMENT OF DEVELOPMENT REVIEW.

THE DEVELOPER SHALL MEET WITH THE ENGINEERING DIVISION AND THE DEPARTMENT OF DEVELOPMENT REVIEW AT LEAST SIXTY (60) DAYS BEFORE THE ANTICIPATED DATE OF APPROVAL BY THE PLANNING COMMISSION TO REVIEW SCHEDULING, REQUIREMENTS, FINAL CONSTRUCTION DRAWINGS, AND DOCUMENTATION NECESSARY TO ADEQUATELY COMPLY WITH THE CONDITIONS OF APPROVAL AND THE APPLICABLE STATUTES, ORDINANCES, RULES, REGULATIONS, AND POLICIES. NO FINAL MAP WILL BE SCHEDULED FOR A PLANNING COMMISSION MEETING DATE THAT IS LESS THAN SIXTY (60) DAYS FROM THE DATE OF THIS MANDATORY MEETING.

A REQUEST FOR AN EXTENSION OF TIME FOR THE RECORDING OF A FINAL MAP MUST BE SUBMITTED TO THE DEPARTMENT OF DEVELOPMENT REVIEW AT LEAST SIXTY (60) DAYS PRIOR TO THE EXPIRATION DATE OF THE TENTATIVE SUBDIVISION MAP. SAID EXPIRATION IS TWO YEARS FROM THE DATE OF APPROVAL OF THE TENTATIVE MAP OR A SUBSEQUENT FINAL MAP BY THE BOARD OF COUNTY COMMISSIONERS OR, WHEN APPLICABLE, BY THE PLANNING COMMISSION.

COMPLIANCE WITH THE DEVELOPMENT AGREEMENT, APPLICABLE STATUTES, ORDINANCES, RULES, REGULATIONS, AND POLICIES AND WITH THE CONDITIONS OF APPROVAL OF THIS TENTATIVE MAP IS THE RESPONSIBILITY OF THE DEVELOPER, ITS SUCCESSOR IN INTEREST, AND ALL OWNERS, ASSIGNEES, AND OCCUPANTS OF THE PROPERTY, AND THEIR SUCCESSORS IN INTEREST.

GENERAL CONDITIONS

1. The subdivider shall present to the planning commission a final map, prepared in accordance with the tentative map, for the entire area for which a tentative map has been approved, or one of a series of final maps, each covering a portion of the approved tentative map, within two (2) years after the date of approval of the tentative map. Prior to the expiration of a tentative map, the planning commission or, upon appeal, the governing body may grant a two (2) year extension for the presentation of the entire final map or next successive final map. The effective date of the extension shall be two (2) years from the date upon which the map would have expired.

If the subdivider fails to record a final map for any portion of the tentative map or obtain an extension within two years after the date of approval of the tentative map, all proceedings concerning the subdivision are terminated.

2. Unless specifically stated in the final Development Agreement, final maps and final construction drawings shall comply with all applicable statutes, ordinances, rules, regulations, and policies in effect at the time of approval of the final map or any subsequent extension date. The Department of Development Review shall be responsible for determining compliance with this condition.

3. Final maps shall be in substantial compliance with all plans and documents submitted with and made part of this tentative map request, as may be amended by action of the final approving authority. Substantial compliance shall be determined by the applicable agency and the Department of Development Review.

4. As part of every tentative map and final map application, the developer shall include a completed "statement of compliance" that demonstrates how the development will be or is consistent with the recorded final Development Agreement. The "statement of compliance" for the final map shall incorporate a description of how the conditions of approval have been met. The Department of Development Review shall be responsible for determining compliance with this condition.

5. Conditions, covenants, and restrictions (CC&Rs) shall be reviewed and approved by the District Attorney's Office, County Engineer, and the Department of Development Review prior to final map approval or prior to issuance of a certificate of occupancy for a non-residential use. Washoe County shall be made a party to the applicable provisions of the CC&Rs to the satisfaction of the District Attorney's office. If the CC&Rs are not recorded on the entire property, subsequent phases will be annexed to the previously recorded CC&Rs. Said CC&Rs shall specifically address the ability of the county to enforce certain provisions against the property and the individual property owner's responsibilities for the perpetual funding, maintenance and replacement, of the following items, at a minimum:

- a. Private roads within the subdivision.
- b. Equestrian center.
- c. Staffing of maintenance and security forces.
- d. Common area landscaping.
- e. Entrance gates.
- f. Snow removal and storage areas.
- g. Common area landscaping including along streets or landscaping along Whites Creek Lane.
- h. Fire and fuelbreaks.
- i. Detention basins and the accumulated sediment.
- j. Equestrian/pedestrian trails.
- k. Bicycle and pedestrian paths.
- m. Golf cart crossings.
- n. Off-site residential parking areas.

At a minimum, the CC&Rs shall also specifically address the following items:

- a. Requirement to abide by Architectural/Community Design Guidelines.
- b. All homes must have a garage with space for a minimum of two cars.
- c. Specifications on the limitation of turf area for single-family homes.
- d. Retention of public access to the golf course, bike paths, (i.e., 8-foot meandering paths along minor arterials and some collectors; refer to street sections), public trails, and non-residential uses.
- e. Notice of requirement to pay future sewer user fees.
- f. Requirement to adhere to National Electric Safety Code setbacks for existing overhead power lines.
- g. Potential for conservation easements or dedication of open space.
- h. Prohibition of motorized vehicles in open space.
- i. Areas with potential for equestrian traffic.
- j. Access to open space for pedestrian and bicycle traffic.
- k. Notice of pedestrian easements to abutting properties.
- l. Minimum defensible space requirements.
- m. Snow storage areas.

6. Prior to ground-disturbing activity or prior to finalization of any portion of the tentative map, the developer shall submit an archaeological/historical survey to the Department of Development Review. The Department of Development Review shall submit the survey to the State Historic Preservation Office of the Department of Museums, Library and Arts for review. Following that review, the State Historic Preservation Office shall submit a letter to the Department of Development Review that indicates the survey was acceptable.

7. A note shall be placed on all grading plans and construction drawings 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.

8. The developer shall be required to participate in any applicable General Improvement District or Special Assessment District formed by Washoe County. The applicable division of the Department of Public Works shall be responsible for determining compliance with this condition.

9. Prior to acceptance of public improvements and release of any financial assurances, the developer shall furnish to the Utility Division and/or Engineering Division a complete set of reproducible 'as built' construction drawings prepared by a civil engineer registered in the State of Nevada.

10. A complete set of construction improvement drawings, including an on-site grading plan, shall be submitted to the Engineering Division for approval prior to finalization of any portion of the subdivision. Grading shall comply with best management practices and shall include detailed plans for grading and drainage on each lot, erosion control, slope stabilization, mosquito abatement. Placement or disposal of any excavated material shall be indicated on the grading plan.

11. All soil boring logs must be included as part of the construction drawings. The County Engineer shall be responsible for determining compliance with this condition.

12. All new utilities shall be placed underground. The County Engineer shall be responsible for determining compliance with this condition.

13. The developer is to provide written approval from the US Postal Service for the plans for the installation of mail delivery facilities. The system, other than individual mail boxes, must be shown on the project construction plans and installed as part of the on-site improvements. The County Engineer shall be responsible for determining compliance with this condition.

14. The final map shall designate faults, by distance and bearings, that have been active during the Holocene epoch of geological time and shall contain the following note.

NOTE

No habitable structures shall be located on a fault that has been active during the Holocene epoch of geological time. The faults have been located by Civil Engineer Registered in Nevada and experienced in Geotechnical Engineering and field surveyed by a Nevada Registered Land Surveyor. The Department of Development Review shall be responsible for determining compliance with this condition.

15. The Washoe County Planning Commission certificate on the final map shall be approved by the County Engineer and the Department of Development Review.

STREETS AND TRAFFIC

16. The developer shall submit a detailed geotechnical analysis and report for pavement design recommendations to the County Engineer for review and approval. The report shall be based on the estimated traffic loadings for a 20-year design life and shall include assumptions concerning the distribution of trucks, to include project construction truck traffic. The resultant pavement thickness in the geotechnical analysis must be used if the report indicates a structural section that is stronger than minimum is required. The County Engineer shall be responsible for determining compliance with this condition.

17. Prior to the issuance of the first building permit, two lanes of Whites Creek Lane shall be constructed, to two-lane minor arterial standards as a minimum, from Thomas Creek Road to the project site. The County Engineer shall be responsible for determining compliance with this condition.

18. Prior to the issuance of the first building permit, a second access shall be constructed to the project site to emergency standards to the satisfaction of the applicable fire protection agency.

19. The County Engineer shall be responsible for determining compliance with this condition. Prior to the issuance of the 35th building permit, the following roadway improvements shall be constructed:

- a. The remaining two lanes of Whites Creek Lane from Thomas Creek Road to the project site if warranted by projected traffic demands.
- b. Two (2) lanes of Whites Creek Lane from Thomas Creek Road to Wedge Parkway with 100 feet of right-of-way. These two lanes will be constructed so that an additional two lanes may be added in the future if warranted by projected traffic volumes.
- c. Whites Creek Lane will be designed in a manner that minimizes any impacts on the adjacent homes to the north in Fieldcreek Ranch (e.g., fencing, berms, lowering the travel lanes).

20. The minimum pavement structural section shall be 5 inches of asphalt over 8 inches of aggregate base for minor arterials, 4 inches of asphalt over 6 inches of granular base for roadways (private and public) for collector streets, and 3 inches of asphalt over 6 inches of granular base for roadways for local streets. The County Engineer shall be responsible for determining compliance with this condition.

21. Prior to or upon approval of the CC&Rs, the developer shall have a street maintenance program approved by the County Engineer and the Department of Development Review. Maintenance of private streets shall be performed by the homeowners association and shall be perpetually funded.

22. The following roadway sections shall be applicable to the public and private on-site streets shown on the tentative map. A traffic report shall be submitted with each tentative map and shall identify the ultimate average daily traffic on each street and shall make recommendations for geometric design (e.g., left turn storage capacity, site distance, minimum required turning radius, etc.). The County Engineer shall be responsible for determining compliance with this condition.

a. Private Common Driveways - Serving 4 or less lots, pavement width 20 feet; serving 5 or more lots, pavement width 22 feet; no parking either side. Curb returns shall have a minimum face of curb radius of 20 feet on local streets and 25 feet on collector streets. Private common driveway locations will be shown on all tentative maps. Private common driveways will line up with proposed street intersections where possible and will comply with street intersection offset requirements. Single lot driveway access will not be allowed onto streets on which the average daily traffic exceeds 2000 trips. (Refer to street sections.)

b. Rural Private - 60 foot minimum ROW (maximum 200 ADT): minimum 22 foot pavement width; curb and gutter or County Engineer-approved concrete header with roadside ditch both sides (developer's discretion); no parking either side. A minimum 4-foot path or gravel shoulder on both sides of the street will be provided unless alternate provisions or locations of pedestrian paths can be provided and shown in the Pedestrian Circulation Plan. The County Engineer shall be responsible for determining compliance with the provisions of this condition. (Refer to street sections.)

c. Local Private - 60 foot minimum ROW (200 - 500 ADT): minimum 22 foot pavement width; curb and gutter or County Engineer-approved concrete header with roadside ditch both sides (developer's discretion); no parking either side. A minimum 4-foot path on both sides of the street will be provided unless alternate provisions or locations of pedestrian paths can be provided and shown in the Pedestrian Circulation Plan. The County Engineer shall be responsible for determining compliance with the provisions of this condition. (Refer to street sections.)

d. Collector Private - 60 foot minimum ROW (500 ADT to 2000 ADT): minimum 24-foot pavement width; curb and gutter or County Engineer-approved concrete header with roadside ditch both sides (developer's discretion); no parking either side. A minimum 4-foot path on both sides of the street will be provided unless alternate provisions or locations of pedestrian paths can be provided and shown in the Pedestrian Circulation Plan. The County Engineer shall be responsible for determining compliance with

the provisions of this condition. (Refer to Street Sections.)

e. Collector Private - 60 foot minimum ROW (2000 ADT to 8000 ADT): minimum 24-foot pavement width with an additional 12-foot left turn lane at intersections where warranted; curb and gutter or County Engineer-approved concrete header with roadside ditch both sides (developer's discretion); no parking on either side. A minimum 8-foot path on both sides of the street will be provided unless alternate provisions or locations of pedestrian paths can be provided and shown in the Pedestrian Circulation Plan. The County Engineer shall be responsible for determining compliance with the provisions of this condition. No residential driveway access will be allowed. Access for private common driveways will be allowed. (Refer to street sections.)

f. Collector Private - 120 foot minimum ROW collector street (up to 9600 ADT): A minimum 27-foot center median from curb face to curb face, 19-foot pavement width on either side of the median; curb and gutter on both sides or County Engineer-approved concrete header with roadside ditch both sides (developer's discretion); no parking either side except during special events; a minimum 8-foot meandering asphalt path both sides; no residential driveway access allowed. (Refer to street sections.)

g. Minor Arterial, Private - 120 foot minimum ROW (more than 10,800 ADT): A minimum 27-foot center median from curb face to curb face, 24-foot pavement width on either side of the median; County Engineer-approved concrete header with roadside ditch; no parking either side; a minimum 8-foot meandering asphalt path both sides; no residential driveway access allowed. A gate may be installed at the point where Whites Creek Lane becomes a private road. (Refer to street sections.)

h. Minor Arterial, Public - 120-foot minimum ROW (more than 10,800 ADT): A minimum 27-foot center median from curb face to curb face, 29.5-foot roadway section on either side of the median; curb and gutter on both sides; a minimum 6-foot concrete sidewalk on both sides; no residential driveway access is allowed. (Refer to street sections.) A gate may be installed at the point where Whites Creek Lane becomes a private road. A public turn-around is required on the public side of the gate.

23. All roadway grades shall be limited to the maximum allowable grades for each street classification as provided in the Washoe County Standards. The County Engineer shall be responsible for determining compliance with this condition.

24. Construction near fault lines shall be as follows:

a. Buildings for human occupancy shall be set back from the centerline of fault traces. Setback distances shall be determined by a geotechnical investigation prepared by a Nevada Registered Civil Engineer experienced in geotechnical engineering. The minimum setback shall be 50 feet on each side of the fault line.

b. Roadway construction in fault zones and along fault traces shall be reviewed by a Nevada Registered Civil Engineer experienced in geotechnical engineering. Any recommended special construction requirements (e.g., flexible joint connections for utilities) shall be complied with. The County Engineer shall be responsible for determining compliance with this condition.

25. All cul-de-sacs shall be a minimum pavement radius of 43.5 feet to front face of curb or 45 feet to edge of pavement. The County Engineer shall be responsible for determining compliance with this condition.

26. Landscaped medians shall be designed in accordance with AASHTO site distance and safety guidelines. The County Engineer and the Department of Development Review shall be responsible for determining compliance with this part of the condition. Maintenance of median landscaping shall be by the homeowners association as provided for in a separate maintenance agreement to be approved by the County Engineer and the District Attorney's Office prior to approval of the CC&Rs.

27. Temporary county standard turnarounds shall be constructed on all phased roadways which extend more than one lot depth beyond a maintained public or private street. The County Engineer shall be responsible for determining compliance with this condition.

28. All-weather emergency access roads shall be constructed at the end of all cul-de-sacs that are longer than 1,500 feet. These roads shall have a 30-foot access easement with a minimum 20-foot width and 2.5 inches of asphalt concrete pavement on an engineered gravel base. The roads shall be controlled by emergency access gates and shall be posted with signs stating "For

Emergency Vehicles Only". The County Engineer and the applicable fire protection agency shall be responsible for determining compliance with this condition.

29. Prior to final map approval, the developer shall provide all weather emergency access easements and road improvements at the locations shown on the tentative map, terminating at public or privately-maintained streets. The County Engineer shall be responsible for determining compliance with this condition.

30. Meandering asphalt paths will be acceptable provided that:

a. Pedestrian easements are included for portions of the paths located outside the county right-of-way.

b. Landscaping between the back of the curb and the path shall be designed in accordance with AASHTO site distance and safety guidelines. The County Engineer shall be responsible for determining compliance with the provisions of this condition.

c. Maintenance of the asphalt paths and landscaping shall be the responsibility of the developer and, when created, by the homeowners association as provided for in a separate maintenance agreement and to be approved by the County Engineer and the District Attorney's office prior to approval of the final Development Agreement.

31. Asphalt paths or gravel shoulders, located adjacent to private streets shall be privately maintained and funded. The County Engineer shall be responsible for determining compliance with this condition.

32. Street lights shall be installed at major intersections. The County Engineer shall be responsible for determining compliance with this condition.

33. No at-grade golf cart crossings shall be allowed across any street with 500 ADT or greater. Where possible, crossings should be below the grade of public streets. The County Engineer shall be responsible for determining compliance with this condition.

34. Off-site parking areas shall be provided within 500 feet of homes that have lots ranging in size between 12,000 square feet and one-half acre. One space shall be provided for every three homes. Parking areas shall be evenly distributed to avoid large paved areas and shall be shown on the tentative map(s). The Department of Development Review shall be responsible for determining compliance with this condition.

35. Project streets that are designed with security gates at points intersecting with public streets shall have adequate on-site stacking space. The specific type and size of the stacking areas must be approved by the County Engineer and constructed as approved.

36. Regulatory signs must be installed at the juncture of all public streets with a private street and at intersections along the primary loop road. Said sign shall state: "PRIVATE STREET NOT MAINTAINED BY COUNTY." All regulatory signs shall meet the Manual of Uniform Traffic Control Device standards. The County Engineer shall be responsible for determining compliance with this condition.

37. Street names shall be reviewed and approved by the Regional Street Naming Coordinator. The tentative map shall indicate street names for identification purposes.

DRAINAGE AND GRADING

38. After approval of the general concept-level storm drain master plan and the final Development Agreement, and prior to approval of a tentative map for any phase, a preliminary hydrology report shall be submitted to the County Engineer for approval. This preliminary hydrology report shall be prepared in accordance with county requirements for tentative maps, in conformance with the general concept-level storm drain master plan, and be applicable to the specific tentative map or special use permit being approved.

The report shall include, as a minimum, the locations, points of entry and discharge, flow rates and flood limits of all 10- and 100-year storm flows impacting both on-site and off-site areas and the methods for handling these flows as well as the proposed methods for handling storm water increases due to development. Proposed mitigation measures shall be included for any impacts on existing on-site and off-site properties and facilities. The County Engineer shall be responsible for determining compliance with this condition.

39. Prior to the submittal of any final map or issuance of any grading permit, a final detailed hydrology/hydraulic report for that phase, prepared by a Nevada Registered Engineer, shall be submitted to the County Engineer for approval. The report shall be in substantial compliance with the general concept-level storm drain master plan and contain all final storm drain pipe, ditch and retention pond sizing calculations and mitigation measures for any impacts on existing on-site and off-site properties and facilities. All drainage improvements shall be designed, constructed, and approved by the District Health Department and the County Engineer. The developer shall arrange for financial assurances, acceptable to the County Engineer, for all or part of these improvements.

40. A maintenance plan of all drainage facilities, to be owned by the homeowners association, shall be provided prior to approval of the CC&Rs. All treatment of stormwater, including snow storage runoff and storm water facilities design, is to consider the future planned Washoe County water treatment plant, and associated Steamboat Ditch conveyance system. All runoff from improved areas which runs into the Steamboat Ditch shall be pre-treated for silt and petrochemicals and shall be routed through a "wet" detention facility or approved alternative. The Utility Division and the Department of Development Review shall be responsible for determining compliance with this condition.

41. The 100-year floodplain boundaries and flood elevations shall appear on each final map. If the floodplain boundary has been changed by a Federal Emergency Management Agency (FEMA) Conditional Letter of Map Amendment or Conditional Letter of Map Revision, the date of that letter and a note to that effect shall appear on the final map. Grading or building permits shall not be issued for areas currently shown as "A" zones on the FEMA floodplain maps until a Letter of Map Amendment or Revision is submitted or until conformance with Washoe County flood construction standards is determined by the County Engineer. The County Engineer shall be responsible for determining compliance with this condition.

42. Prior to approval of the final map, the developer shall obtain a Stormwater Discharge Permit from the Nevada Division of Environmental Protection. If required, point discharge permit for each proposed detention pond will be obtained from the Nevada Division of Environmental Protection and copy shall be submitted to the County Engineer.

43. The developer shall provide pretreatment for petrochemicals, nutrients and other chemicals used for landscaping, and silt for all storm drainage from the site. Systematic cleaning of the streets, parking lots, and catch basins, and control of salt and sanding activities shall to be delineated in the maintenance plan. The County Engineer shall be responsible for determining compliance with this condition.

44. Prior to issuance of a grading permit for the golf course and/or final map, a final wetlands determination must be made and approved by the US Army Corps of Engineers and the approval letter provided to the Department of Development Review.

45. Prior to issuance of a grading permit for the golf course or approval of a final map, the developer shall obtain from the Army Corps of Engineers a 404 permit for wetland and dredge and fill for all roadway crossing of Thomas and Dry Creeks, or a letter from the COE indicating that a 404 permit is not required and a copy submitted to the County Engineer.

46. All street crossings of Thomas and Dry Creeks shall be designed to pass the 100 year flood flows without obstruction or overtopping of the roadway. Erosion protection shall be provided based upon the recommendation of the geotechnical report. The County Engineer shall be responsible for determining compliance with this condition.

47. Standard reinforced concrete headwalls or other approved alternatives shall be placed on the inlet and outlet of all drainage structures and rip-rap shall be used to prevent erosion at the inlets and outlets of all pipe culverts. The District Health Department and the County Engineer shall be responsible for determining compliance with this condition.

48. The stormwater discharges from this development that flow to Dry Creek shall be controlled to pre-development flow conditions and will be controlled to prevent water quality degradation of Steamboat Ditch. The developer shall provide drainage structures under Steamboat Ditch that would pass the 10-year frequency storm or demonstrate that there will not be any water quality degradation in Steamboat Ditch. The County Engineer shall be responsible for determining compliance with this condition.

The developer shall contact the Division of Water Resources, State of Nevada, to determine whether the proposed flood detention facilities will require permits. If required, copies shall be submitted to the County Engineer.

49. Prior to the approval of a grading permit or approval of a final map, a detailed dust control plan shall be prepared and submitted to Air Quality Management of the District Health Department and to the Department of Development Review. The dust control plan shall address, as a minimum, "phased grading" and stabilization methods that include the revegetation, application of palliatives or other District approved methods prior to any grading of new phases, as well as effective street cleaning for any mud or soil tracking to existing paved surfaces, and dust controls on any screening methods or storage piles located on the site.

50. Prior to approval of the first final map, an erosion control and soil stabilization plan and a grading plan shall be approved by the Washoe-Storey Conservation District. A copy of the approval shall be submitted to the District Health Department, Department of Development Review, and County Engineer.

51. A buffer shall be provided next to riparian vegetation. The size of the buffer shall be mutually agreeable to Washoe County and the developer. A minimum 50-foot buffer shall be provided from any structures. The Department of Development Review shall be responsible for determining compliance with this condition.

52. Individual lot drainage shall not be allowed to drain onto neighboring properties without proper reciprocal drainage easements and the individual lot drainage swales shall be designed to handle the 100-year flows and lined. The County Engineer shall be responsible for determining compliance with this condition.

WATER AND WASTEWATER

53. The developer shall construct or provide the financial assurances for the construction of the water and sewer system facilities. The financial assurances must be in a form and amount that is satisfactory to the Utility Division.

54. Fees for plan checking and inspection shall be paid in accordance with Washoe County ordinance. The Utility Division shall be responsible for determining compliance with this condition.

55. Easements for all water and sewer utilities shall be offered for dedication to Washoe County. The Utility Division shall be responsible for determining compliance with this condition.

56. No "certificate of occupancy" shall be issued until the water and sewer facilities have been completed and accepted for operation and maintenance. The Utility Division shall be responsible for determining compliance with this condition.

57. The sanitary sewer collection system and water system facilities, with the exception of the golf course and common area irrigation systems, must be offered for dedication to Washoe County. The Utility Division shall be responsible for determining compliance with this condition.

58. The Nevada Division of Environmental Protection must submit a letter to the District Health Department certifying their approval of the final map.

59. The developer shall deposit with the Utility Division the sum of \$50.00 per lot prior to recordation of all or part of the final map. This fee shall represent the prorated share of the completed water and wastewater facilities plan for the South Truckee Meadows for this development.

60. In accordance with the Washoe County Utility Division policies for the Southwest Truckee Meadows, water rights shall be dedicated to Washoe County. Prior to acceptance, the water rights must be in good standing with the State of Nevada Division of Water Resources and must reflect a point of diversion, place and manner of use acceptable to the Utility Division.
61. All minor infrastructure for potable water distribution shall be designed, constructed, inspected, and approved by the District Health Department and the Utility Division. The developer shall coordinate with the Utility Division to ensure the major infrastructure design can be accomplished prior to the approval of the final map.
62. Responsibility for design of wells, pump structure, controls, telemetry, and appurtenances, storage tanks, and transmission lines to the edge of the subdivision, all necessary to provide water service to the project, will rest with the Utility Division. 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 engineer. Funding of design and infrastructure in excess of the minimum requirements or that to serve the development as determined by generally 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 hookups to the developer at the time of recordation of the final map.
63. Prior to final map approval, a letter of approval from the Division of Water Resources for the water rights serving this proposal must be submitted. A water "will-serve" letter for a final map will not be issued until the production wells have been determined to have adequate water resource. The Utility Division shall be responsible for determining compliance with this condition.
64. Before approval of the final map will be considered, a letter from the water purveyor committing adequate water service to this proposal must be submitted to the District Health Department. This letter shall indicate that the facility will not be brought beyond its permitted capacity by this service.
65. Prior to the approval of a final map by the District Health Department, the production wells that will serve any phase of this development must be constructed, pump tested and sampled to ensure the proposed water system has sufficient quality and quantity.
66. Water quality results from a state-certified laboratory for new water sources shall be submitted to the Utility Division. The water quality sampling and testing shall be in compliance with the current State of Nevada Regulations for Public Water Systems, NAC 445.
67. If the water quality of the wells does not meet the secondary or the primary standards, as defined by NAC 445, water treatment facilities must be on-line and functioning prior to issuance of any building permits. The Utility Division shall be responsible for determining compliance with this condition.
68. If a supplemental water source is required, evidence that an adequate source has been procured by the developer/water purveyor shall be submitted to the Utility Division for their review and approval.
69. Any wells on the property not in use for production or monitoring purposes, shall be properly abandoned in accordance with State Regulations governing Water Wells and Related Drilling. The Utility Division shall be responsible for determining compliance with this condition.
70. The developer shall provide access to the existing monitoring wells. In the event access is no longer available, the developer shall construct new wells. The Utility Division shall be responsible for determining compliance with this condition.
71. The tentative maps shall show the maintenance roads for the existing and proposed water tanks. The location of these roads shall be mutually agreeable to the Department of Public Works and the developer.

72. The final map owner's certificate shall contain language indicating that the developer and his assignees agree to the use of residential water meters. The Department of Development Review shall be responsible for determining compliance with this condition.

73. Pursuant to Section 278.340 of the State of Nevada Regulations Governing Review of Plans for Subdivisions, Condominiums, and Planned Unit Developments, no grading permit shall be issued prior to District Health Department approval of the referenced final map. This condition does not apply to the construction of production wells required in Condition 68. The developer may seek relief from the District Board of Health for this requirement or may choose to create a separate parcel for the first 18-hole golf course.

74. The Department of Development Review shall be responsible for determining compliance with this condition. The final map shall contain the following note:

NOTE

No Certificate of Occupancy shall be issued until the water facilities have been completed and accepted by Washoe County.

SEWER

75. Responsibility for design of any pump stations and interceptors to provide sewer service to the project will rest with the Utility Division. 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 engineer. Funding of design and infrastructure in excess of the minimum requirements or that to serve the development as determined by generally 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 hookups to the developer at the time of recordation of the final map.

76. All minor infrastructure for sewer collection shall be designed, constructed, inspected, and approved by the District Health Department and the Utility Division.

77. The sewer "privilege connection fee" must be paid for each lot when required by the Washoe County Utility Division since it is not anticipated that there will be any additional major infrastructure needed to serve this development. The Utility Division shall be responsible for determining compliance with this condition.

78. All sewer hookup fees for the area within the final map will be paid to Washoe County. The Utility Division shall be responsible for determining compliance with this condition.

79. The final subdivision map shall show a dedicated, all-weather easement, with access, over the developments sanitary sewer lines. The Utility Division shall be responsible for determining compliance with this condition.

80. Proper easements shall be shown for off-site sewage and drainage systems. The Utility Division and the County Engineer shall be responsible for determining compliance with this condition.

81. Prior to final map approval, a letter, which can be a will-serve letter, from the Utility Division committing sewer service, must be submitted to the District Health Department. This letter shall indicate that the treatment facility will not be brought beyond its permitted capacity by this service.

FIRE PROTECTION

82. The plans submitted with a building permit application shall show evidence of compliance with the recommendations of the applicable fire protection agency. Those concerns are fire flows, fire hydrant number and location, access, sequential phasing of

firebreaks during development, permanent firebreaks, minimum firebreak space, use of fire resistant construction and/or roof material, sprinklering of structures, and spark arrestors in chimneys. Access and fire flows shall be addressed to the satisfaction of the fire protection agency prior to the approval of a final map.

83. The developer shall minimize grading to the maximum extent possible in the area around the critical mule deer habitat in order to preserve the existing browse shrubs. The Department of Development Review, in conjunction with the applicable fire protection agency, shall be responsible for determining compliance with this condition.

OTHER

84. A minimum 25-foot landscape buffer shall be installed between the homes and the collector and the arterial streets. The homeowners association shall be required to perpetually maintain these areas. The Department of Development Review shall be responsible to determining compliance with this condition.

85. Prior to acceptance of the first map, the telephone easement Doc. No. 415899, which runs through the middle of many lots, shall be realigned with appropriate abandonment and relocation easements, or the proposed lots realigned. The County Engineer shall be responsible for determining compliance with this condition.

CONDITIONS FOR SPECIAL USE PERMIT CASE NO. _____ 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 DEVELOPER 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 DEVELOPMENT REVIEW.

COMPLIANCE WITH THE CONDITIONS OF THIS SPECIAL USE PERMIT IS THE RESPONSIBILITY OF THE DEVELOPER, 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.

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. As part of every special use permit application, the developer shall include a completed "statement of compliance" that demonstrates how the development will be or is consistent with the recorded final Development Agreement. The Department of Development Review shall be responsible for determining compliance with this condition.
2. Prior to ground-disturbing activity, the developer shall submit an archaeological/historical survey to the Department of Development Review. The Department of Development Review shall submit the survey to the State Historic Preservation Office of the Department of Museums, Library and Arts for review. Following that review, the State Historic Preservation Office shall submit a letter to the Department of Development Review that indicates the survey was acceptable.
3. A note shall be placed on all grading plans and construction drawings 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.

4. Prior to acceptance of public improvements and release of any financial assurances, the developer shall furnish to the Utility Division and/or Engineering Division a complete set of reproducible 'as built' construction drawings prepared by a civil engineer registered in the State of Nevada.

5. The developer shall be required to participate in any applicable General Improvement District or Special Assessment District formed by Washoe County. The applicable division of the Department of Public Works shall be responsible for determining compliance with this condition.

6. All new utilities shall be placed underground. The County Engineer shall be responsible for determining compliance with this condition.

7. An animal waste management plan shall be prepared prior to the issuance of any building permit for a facility that might require such a plan. The plan must document how the migration of bacteria, nutrients, and other animal waste by-products to surface and ground waters will be prevented. The Department of Development Review shall be responsible for determining compliance with this condition.

STREETS AND TRAFFIC

8. All street construction shall comply, at a minimum, with the requirements for a subdivision within this project. The County Engineer shall be responsible for determining compliance with this condition.

9. The developer shall submit a detailed geotechnical analysis and report for pavement design recommendations to the County Engineer for review and approval. The report shall be based on the estimated traffic loadings for a 20-year design life and shall include assumptions concerning the distribution of trucks, to include project construction truck traffic. The resultant pavement thickness in the geotechnical analysis must be used if the report indicates a structural section that is stronger than minimum is required. The County Engineer shall be responsible for determining compliance with this condition.

10. The minimum pavement structural section shall be 5 inches of asphalt over 8 inches of aggregate base for minor arterials, 4 inches of asphalt over 6 inches of granular base for roadways (private and public) for collector streets, and 3 inches of asphalt over 6 inches of granular base for roadways for local streets. The County Engineer shall be responsible for determining compliance with this condition.

11. Prior to the issuance of the first building permit, two lanes of Whites Creek Lane shall be constructed, to two-lane minor arterial standards as a minimum, from Thomas Creek Road to the project site. The County Engineer shall be responsible for determining compliance with this condition.

12. Prior to the issuance of the first building permit, a second access shall be constructed to the project site to emergency standards. The applicable fire protection agency shall be responsible for determining compliance with this condition.

13. Construction near fault lines shall be as follows:

a. Buildings for human occupancy shall be set back from the centerline of fault traces. Setback distances shall be determined by a geotechnical investigation prepared by a Nevada Registered Civil Engineer experienced in geotechnical engineering. The minimum setback shall be 50 feet on each side of the fault line.

b. Roadway construction in fault zones and along fault traces shall be reviewed by a Nevada Registered Civil Engineer experienced in geotechnical engineering. Any recommended special construction requirements (e.g., flexible joint connections for utilities) shall be complied with.

The County Engineer shall be responsible for determining compliance with this condition.

14. Asphalt paths or gravel shoulders, located adjacent to private streets shall be privately maintained and funded. The County Engineer shall be responsible for determining compliance with this condition.

15. No at-grade golf cart crossings shall be allowed across any street with 500 ADT or greater. Where possible, crossings should be below the grade of public streets. The County Engineer shall be responsible for determining compliance with this condition.

GRADING AND DRAINAGE

16. After approval of the general concept-level storm drain master plan and the final Development Agreement, and prior to approval of any special use permit, a preliminary hydrology report shall be submitted to the County Engineer for approval. This preliminary hydrology report shall be prepared in accordance with county requirements for tentative maps, in conformance with the general concept level storm drain master plan, and be applicable to the specific tentative map or special use permit being approved.

The report shall include, as a minimum, the locations, points of entry and discharge, flow rates and flood limits of all 10- and 100-year storm flows impacting both on-site and off-site areas and the methods for handling these flows as well as the proposed methods for handling storm water increases due to development. Proposed mitigation measures shall be included for any impacts on existing on-site and off-site properties and facilities. The County Engineer shall be responsible for determining compliance with this condition.

17. Prior to the submittal of any final map or issuance of any grading permit, a final detailed hydrology/hydraulic report for that phase, prepared by a Nevada Registered Engineer, shall be submitted to the County Engineer for approval. The report shall be in substantial compliance with the general concept-level storm drain master plan and contain all final storm drain pipe, ditch and retention pond sizing calculations and mitigation measures for any impacts on existing on-site and off-site properties and facilities. All drainage improvements shall be designed, constructed, and by the District Health Department and the County Engineer. The developer shall arrange for financial assurances, acceptable to the County Engineer, for all or part of these improvements.

Prior to the issuance of a grading permit, the developer shall provide a letter granting a blanket drainage and construction easement to the Southwest Pointe Subdivision that allows the subdivision to drain onto the golf course and to construct detention facilities necessary to accommodate the subdivision-generated stormwaters in mutually agreed-upon locations. The easement shall be submitted with the plans for the final golf course improvements. The County Engineer shall be responsible for determining compliance with this condition.

18. Prior to the approval of a grading permit, a detailed dust control plan shall be prepared and submitted to Air Quality Management of the District Health Department and to the Department of Development Review. The dust control plan shall address, as a minimum, "phased grading" and stabilization methods that include the revegetation, application of palliatives or other District approved methods prior to any grading of new phases, as well as effective street cleaning for any mud or soil tracking to existing paved surfaces, and dust controls on any screening methods or storage piles located on the site.

19. For all projects larger than 5 acres, the developer shall obtain a Stormwater Discharge Permit from the Nevada Division of Environmental Protection and submit a copy to the County Engineer prior to ground-disturbing activity.

20. The developer shall provide pretreatment for petrochemicals, nutrients and other chemicals used for landscaping, and silt for all storm drainage from the site. Systematic cleaning of the streets, parking lots, and catch basins, and control of salt and sanding activities shall to be delineated in the maintenance plan. The County Engineer shall be responsible for determining compliance with this condition.

21. The stormwater discharges from this development that flow to Dry Creek shall be controlled to pre-development flow conditions and will be controlled to prevent water quality degradation of Steamboat Ditch. The developer shall provide drainage structures under Steamboat Ditch that would pass the 10-year frequency storm or demonstrate that there will not be any water quality degradation in Steamboat Ditch. The County Engineer shall be responsible for determining compliance with this condition.

22. All street crossings of Thomas and Dry Creeks shall be designed to pass the 100 year flood flows without obstruction or overtopping of the roadway. Erosion protection shall be provided based upon the recommendation of the geotechnical report. The County Engineer shall be responsible for determining compliance with this condition.

23. Standard reinforced concrete headwalls or other approved alternatives shall be placed on the inlet and outlet of all drainage structures and rip-rap shall be used to prevent erosion at the inlets and outlets of all pipe culverts. The District Health Department and the County Engineer shall be responsible for determining compliance with this condition.

24. Prior to issuance of a grading permit for the golf course and/or final map, a final wetlands determination must be made and approved by the Army Corps of Engineers and the approval letter provided to the Department of Development Review.

25. Prior to issuance of a grading permit for the golf course or approval of the final map, the developer shall obtain from the United States Army Corps of Engineers a 404 permit for wetland and dredge and fill for all roadway crossing of Thomas and Dry Creeks, or a letter from the COE indicating that a 404 permit is not required and a copy submitted to the County Engineer.

26. The developer shall submit to the District Health Department a letter approving the proposed methods of erosion control and soil stabilization from the Washoe-Storey Conservation District.

27. Prior to the issuance of a grading permit for the golf course, a golf course management plan shall be prepared that documents how the migration of fertilizers, pesticides, herbicides, and fungicides to surface and ground waters will be prevented. A surface and ground water sampling program shall be implemented to demonstrate that migration is not occurring and commits to modifying practices in the event that any of the above materials are detected. The Department of Development Review shall be responsible for determining compliance with this condition.

WATER AND WASTEWATER

28. The sanitary sewer collection system and water system facilities, with the exception of the golf course and common area irrigation systems, must be offered for dedication to Washoe County. The Utility Division shall be responsible for determining compliance with this condition.

29. The developer shall construct or provide the financial assurances for the construction of the water and sewer system facilities. The financial assurances must be in a form and amount that is satisfactory to the Utility Division.

30. Fees for plan checking and inspection shall be paid in accordance with Washoe County ordinance. The Utility Division shall be responsible for determining compliance with this condition.

31. Easements for all water and sewer utilities shall be offered for dedication to Washoe County. The Utility Division shall be responsible for determining compliance with this condition.

32. No "certificate of occupancy" shall be issued until the water and sewer facilities have been completed and accepted for operation and maintenance. The Utility Division shall be responsible for determining compliance with this condition.

33. If required and in accordance with the Washoe County Utility Division policies for the Southwest Truckee Meadows, water rights shall be dedicated to Washoe County. Prior to acceptance, the water rights must be in good standing with the State of Nevada Division of Water Resources and must reflect a point of diversion, place and manner of use acceptable to the Utility Division.

34. Responsibility for design of wells, pump structure, controls, telemetry, and appurtenances, storage tanks, and transmission lines to the edge of the subdivision, all necessary to provide water service to the project, will rest with the Utility Division. 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 engineer. Funding of design and infrastructure in excess of the minimum requirements or that to serve the development as determined by generally 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 hookups to the developer at the time of recordation of the final map.

35. Water quality results from a State of Nevada-certified laboratory for new water sources shall be submitted to the Utility Division. The water quality sampling and testing shall be in compliance with the current State of Nevada Regulations for Public Water Systems, NAC 445.

36. If the water quality of the wells does not meet the secondary or the primary standards, as defined by NAC 445, water treatment facilities must be on-line and functioning prior to issuance of any building permits. The Utility Division shall be responsible for determining compliance with this condition.

37. If a supplemental water source is required, evidence that an adequate source has been procured by the developer/water purveyor shall be submitted to the Utility Division for their review and approval.

38. Any wells on the property not in use for production or monitoring purposes, shall be properly abandoned in accordance with State Regulations governing Water Wells and Related Drilling. The Utility Division shall be responsible for determining compliance with this condition.

39. The developer shall provide access to the existing monitoring wells. In the event access is no longer available, the developer shall construct new wells. The Utility Division shall be responsible for determining compliance with this condition.

40. Responsibility for design of any pump stations and interceptors to provide sewer service to the project will rest with the Utility Division. 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 engineer. Funding of design and infrastructure in excess of the minimum requirements or that to serve the development as determined by generally 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 hookups to the developer at the time of recordation of the final map.

41. The sewer "privilege connection fee" must be paid for each lot when required by the Washoe County Utility Division since it is not anticipated that there will be any additional major infrastructure needed to serve this development. The Utility Division shall be responsible for determining compliance with this condition.

FIRE PROTECTION

42. The plans submitted with a building permit application shall show evidence of compliance with the recommendations of the applicable fire protection agency. Those concerns are fire flows, fire hydrant number and location, access, sequential phasing of firebreaks during development, permanent firebreaks, minimum defensible space, use of fire resistant construction and/or roof material, sprinklering of structures, and spark arrestors in chimneys. Access and fire flows shall be addressed prior to the introduction of any combustible materials to the site. The fire protection agency shall be responsible for determining compliance with this condition.

43. The developer shall minimize grading to the maximum extent possible in the area around the critical mule deer habitat in order to preserve the existing browse shrubs. The Department of Development Review, in conjunction with the applicable fire protection agency, shall be responsible for determining compliance with this condition.

LANDSCAPING

44. Detailed landscaping and irrigation plans for the village commercial center, club house, golf course, golf driving range, equestrian center, or other non-residential uses requiring special use permit review shall be submitted prior to the issuance of a building permit for the particular use.

45. A buffer shall be provided between the fairways/greens and all creeks. The setback of the buffer shall comply with 100.200(e) of the Uniform Building Code Section 7011 amended. The Department of Development Review shall be responsible for determining compliance with this condition.

96-536 SITE REVIEW CASE SR3-2-96 - STEAMBOAT STORAGE - APPEAL

7:00 p.m. This was the time set in a Notice of Public Hearing, mailed to all affected property owners by the Department of Development Review to consider the appeal of John Rhodes, Gordon Cowan and Larry Monroe from the Washoe County Planning Commission's conditional approval of the development of a 127,300-square-foot mini-warehouse facility with on-site residential quarters on a 8.5-acre portion of a 21.8-acre parcel. Because the project proposes using the C-2 (General Commercial) zoning, a site review is required by the transition policy. The property is located on the west side of U.S. 395 approximately 1.5 miles south of the Mount Rose Highway (SR 431). The 21.8-acre parcel is zoned C-2 (General Commercial) and designated General Rural (GR) in the Southwest Truckee Meadows Area Plan and situated in a portion of Section 33, T18N, R20E, MDM, Washoe County, Nevada.

Cheryl Ryan, Department of Comprehensive Planning, discussed handouts distributed to the Board concerning negotiations between the Appellant and the applicant, excerpts from the Hillside Ordinance regarding grading, cut and fill techniques for slopes, and new conditions of approval. She advised that the appellants felt that the overall size of the project was too large for the site and should be scaled down; that safety was a factor at the intersection of Rhodes Road and Hwy. 395; and that concerns were expressed over excavation cuts to the hillsides. Ms. Ryan explained that the applicants have addressed each concern; and that new language drafted in new conditions of approval have been agreed upon by both parties.

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

Katie Osgood, Osgood Engineers, representing applicant, stated that they are in agreement with revised conditions of approval for the project; that they are offering a 23% reduction in the overall density of the project reducing vehicular trips from approximately 40 to 31 trips per day; and that this project proposes the lowest impact use for this particular intersection. Ms. Osgood then discussed revised conditions and answered questions of the Board.

John Rhodes, Appellant, advised that the site review process has adequately addressed all of their concerns; that new proposed conditions will comply with the intent and spirit of the hillside ordinance as well as addressing safety issues; that they are particularly concerned with people exiting the project and turning north on US. 395 towards Reno as they will be tempted to turn directly into the left hand turn lane for the southbound lanes of U.S. 395 which allows the left hand turn into Rhodes Road; that to address this concern, the applicant has agreed to place a sign at their exit showing people how to make the turn, not to turn into the left hand turn lane for Rhodes Road, but rather the northbound lane of 395; that they have also agreed to place this information in their rental agreements and to request NDOT to allow them to put cat tracks and flashing yellow lights on the two warning signs imposed by the Planning Commission. Mr. Rhodes further encouraged the Board to make a strong recommendation to NDOT that safety does require these conditions and urging them to impose those requirements; and that he would support extended hours of operation from 7:00 a.m. to 8:00 p.m. Monday through Friday.

Tim Farrell, applicant, stated that he has attempted to meet all of the concerns expressed by residents in the area concerning safety considerations on U.S. 395; that they have reduced the overall size of the project, the number of vehicles per day, a reduction in acreage, an enhancement of appearance of the project for the neighborhood, and that they have addressed NDOT's consideration of flooding across the road. He further explained that they will be specializing in the storage of recreational vehicles and boat storage; and it is their intent to completely enclose those vehicles.

Russ Carpenter, President, Pleasant Valley Homeowners Association, advised that Mr. Farrell has been very cooperative in his efforts to comply with concerns expressed by residents; and that he would be hopeful that the Board can work with NDOT to further safety enhancements on U.S. 395 in the area of the project.

Gordon Cowan, Appellant, reiterated that Mr. Farrell has done an excellent job meeting everyone's concerns with regard to this project.

Commissioner Sims stated that he would recommend upholding the appeal with new proposed conditions submitted to the Board to include a change in the hours of operation; and that Ms. Ryan coordinate communications between the Board, the Citizens Advisory Board and the Regional Transportation Commission concerning written correspondence to NDOT regarding the importance of implementing these changes. There being one else wishing to speak, Chairman Bradhurst closed the public hearing.

Following discussion, on motion by Commissioner Sims, seconded by Commissioner Bond, which motion duly carried, Chairman Bradhurst ordered that the appeal of John Rhodes, Gordon Cowan and Larry Monroe of Site Review Case No. SR3-2-96 for Steamboat Storage be upheld subject to the following conditions:

CONDITIONS for SITE REVIEW CASE NO. SR3-2-96

ALL CONDITIONS MUST BE MET OR FINANCIAL ASSURANCES MUST BE PROVIDED TO SATISFY THE CONDITIONS PRIOR TO SUBMITTAL FOR A BUILDING PERMIT, UNLESS OTHERWISE SPECIFIED. 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 DEVELOPMENT REVIEW.

COMPLIANCE WITH THE CONDITIONS OF THIS SITE REVIEW 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.

THE BOARD OF COUNTY COMMISSIONERS 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 with the plans approved as part of this special use permit. Modification to the site plan may require amendment to and reprocessing of the site review permit. Conformance shall be determined by the Department of Development Review.
2. A copy of the Final Order stating conditional approval of this site review permit shall be attached to all applications for administrative permits issued by Washoe County. Building plans will not be reviewed unless the final order and site plan are attached.
3. The applicant shall complete construction of all structures used to further the operation within two years from the date of approval by Washoe County.
4. Prior to ground-disturbing activity, the developer shall submit a Construction Traffic Haul Route Plan to the County Engineer for review and approval. When existing roadways are to be used as construction haul routes, the Engineering Division requires a geotechnical exploration and analysis to determine load supporting capabilities and, in accordance with the geotechnical report, may require reconstruction sufficient to provide a 20-year design like in accordance with the AASHTO Interim Guide for Flexible Pavements.
5. A complete set of construction improvement drawings, including an onsite grading plan, shall be submitted when applying for a building/grading permit. Grading shall comply with the best management practices and shall include detailed plans for grading and drainage on the lot, erosion control, slope stabilization, and mosquito abatement. Placement or disposal of any excavated material shall be indicated on the grading plan.
6. The applicant and any successors shall direct any potential purchaser/operator of the site to meet with the development review staff to review conditions of approval prior to the final sale of the site. Any subsequent purchaser/operator of the site shall notify the development review staff of the name, address, telephone number, and contact person of the new purchaser/operator

within 30 days of the final sale.

7. A grading bond of \$750/acre of disturbed area shall be provided to the Engineering Division prior to any grading.

8. 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.

9. All landscaping and irrigation shall be completed prior to the issuance of a certificate of occupancy for phase I, or financial assurances in the form of a bond shall be provided.

10. Recreational Vehicle and Boat storage shall only be allowed in phase 3 and 4, and must be located in between the storage buildings and be fully screened from view.

11. No structures shall be built on a slope of 25% or greater, or on any portion of the site that will require cutting into the slopes to the west, north and south sides of the project.

LANDSCAPING AND DESIGN

12. A certification letter must be submitted by a licensed landscape architect that shows that all landscaping provisions in Section 410 and 412 have been met. The landscaping plans and letter shall be wet stamped. The letter shall indicate any provision for which the Director of Development Review has waived.

13. A landscaping/architectural design plan shall be reviewed and approved by the Design Review Committee prior to any ground disturbing activity. Said plan shall address:

- a. Type and color of building material including a color palette;
- b. Landscaping material and location (for plant material include type, size at time of planting, maturation size at full growth, period of time between planting and full growth);
- c. Landscaping irrigation system;
- d. Fencing plan;
- e. Lighting fixtures, including intensity of lumination and containment of spillage upon the property;
- f. Signage;
- g. Grading and berming.

14. All mechanical equipment, tanks, ventilating fans or similar equipment, whether located on a roof or on the ground, shall be screened from view from view from adjoining properties and streets. Screens shall be integrated into the overall architectural style of the associated building and shall be measured from the highest point of the object being screened. Screening method and material shall be reviewed by the Design Review Committee.

15. The sign shall be a monument sign no greater than 15 feet in height, and the colors and material shall be reviewed by the Design Review Committee.

TRAFFIC

16. All paving and driveway improvements necessary to serve the project shall be designed and constructed to County standards and specifications. Two-way driveway approaches shall have a 36 foot minimum width.

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

18. The minimum pavement structural section shall be 4 inches of asphalt over 6 inches of granular base for roadways with a right-of-way of 60 feet in width and shall be 3 inches of asphalt over 6 inches of granular base for roadways with a right-of-way of 50 feet in width to the satisfaction of the Engineering Division.

19. The minimum pavement requirements for onsite paving shall be 3 inches of asphalt over 6 inches granular base.

STORMWATER

20. 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 10 and 100 year storm flows impacting both the site and offsite 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.

21. Any increase in storm water runoff resulting from the development and based upon the 10 year storm shall be detained on-site to the satisfaction of the Engineering Division.

22. The developer shall provide pretreatment for petrochemicals and silt for all storm drainage from the site to the satisfaction of the Engineering Division.

23. 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.

FIRE

24. The plans submitted with a building permit application shall show evidence of compliance with the recommendations of the Truckee Meadows Fire Department Service. Those concerns are fire flows, fire hydrant number and location, access, alarm systems, use of fire resistant construction and/or roof material, and sprinklering of structures. Access and fire flow concerns shall be addressed prior to the introduction of any combustible materials to the site. The Truckee Meadows Fire Department shall be responsible for determining compliance with this condition.

AMENDED CONDITION

25. The size of the project shall be reduced from 127,500 square feet to 98,000 square feet by eliminating buildings N and O, eliminating the second story of building M, and redesigning the buildings in the southern portion of the site.

ADDITIONAL CONDITIONS

ACCESS

26. Ingress and egress information shall be provided to customers in the retail agreement.

27. A sign shall be placed at the exit showing the correct left turn procedure for departing vehicles.

28. The applicant shall work with NDOT to explore the possibility of placing cat tracks on Highway 395 to indicate proper left

turn movements. A letter of determination from NDOT shall be submitted to the Department of Development Review.

29. The applicant shall work with NDOT to explore the possibility of installing a yellow flashing yellow light on the warning signs to be placed 1,000 feet from the project site (north and south) indicating "slow moving vehicles." A letter of determination from NDOT shall be submitted to the Department of Development Review.

30. A combination of 2 to 1 and 3 to 1 cuts shall be employed for grading to the west of the site behind the buildings. In addition, the applicant shall hire a horticulturist to revegetate all hillside cuts and use an irrigated system to facilitate revegetation.

HOURS OF OPERATION

31. The hours of operation shall be 7:00 am to 8:00 p.m. Monday through Sunday.

96-537 ACTION ELECTRIC - EXCEPTION TO REQUIREMENTS FOR COMPETITIVE BIDDING - ELECTRICAL REPAIR AND MAINTENANCE SERVICE

County Manager John MacIntyre reviewed background information concerning this item.

Upon recommendation of John Collins, Chief Sanitary Engineer, through David Roundtree, Acting Public Works Director, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bradhurst ordered that Action Electric be authorized an exception to requirements for competitive bidding of electrical repair and maintenance service for Washoe County water and sewer facilities.

It was noted that the exception is based on the fact that repairs and maintenance of equipment can be more efficiently performed by Action Electric and that Action Electric's training and knowledge of County facilities is extensive.

96-538 AWARD OF BID - UNDERGROUND STORAGE TANK TIGHTNESS TESTING - BID NO. 1923-96 - PUBLIC WORKS IN JOINDER

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 April 26, 1996 for Underground Storage Tank Tightness Testing, for use by the Public Works Department in-Joinder with the City of Reno, the City of Sparks, the Washoe County School District, the Incline Village General Improvement District, Carson City, Douglas County and the Reno-Sparks Convention and Visitors Authority. Proof was made that due and legal Notice to Bidders had been given.

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

Accu-Test
Tri-State Environmental

Champion Precision Tank Testing was a "disqualified" bidder, and Associated Environmental Systems, Contract Environmental Systems, Earth Science Technology, Electro-Tech, Inc., Harding Lawson Associates, Inc., Sci-Tech Precision U.S.T. Testing, Smith Environmental, West Coast Locators, Broadbent & Associates, Inc., Dames & Moore, ELE. International, Inc., Environmental Eng. Technology, Lawrence Tank Testing, Scott Co., and Ustman Industries, Inc., failed to respond to the Invitation to Bid.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bradhurst ordered that Bid No. 1923-96 for Underground Storage Tank Tightness Testing for the Public Works Department, in-joinder with the City of Reno, the City of Sparks, the Washoe County School District, the Incline Village General Improvement District, Carson City, Douglas County and the Reno-Sparks Convention and Visitors Authority, be awarded to Accu-Test at a cost of \$154.00 per test for the period May 1, 1996 to April 30, 1997 with a provision for two one-year extensions.

It was noted that services are to be performed on a requirements basis; that the number of tanks requiring testing cannot accurately be accessed and as a result a specific dollar value is not available; and that it is estimated that the expenditures for Underground Storage Tank Tightness Testing shall approximate \$7,500.00 per fiscal year.

96-539 AWARD OF BID - 1995/96 SLURRY SEAL OF SELECTED STREETS - TRUCKEE MEADOWS AND INCLINE VILLAGE AREAS - ENGINEERING

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 9 and 16, 1996, for 1995/96 Slurry Seal of Selected Streets in the Truckee Meadows and Incline Village Areas, Washoe County, Nevada. Proof was made that due and legal Notice to Bidders had been given.

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

Intermountain Slurry	\$ 455,099.00
Valley Slurry	\$ 535,146.40
C.P.M.	\$ 574,164.80

Upon recommendation of Greg Belancio, Engineering Division, through David Roundtree, Acting Public Works Director, on motion by Commissioner Bond, seconded by Commissioner Sims, which motion duly carried, it was ordered that the 1995/96 Slurry Seal of Selected Streets in the Truckee Meadows and Incline Village Areas, Washoe County, Nevada be awarded to the low bidder, Intermountain Slurry Seal, for the Base Bid and Alternates No. 1, 2, 3 and 4, in the estimated amount of \$455,099.00; and that Chairman Bradhurst be authorized to sign the contract when presented.

96-540 AWARD OF CONSTRUCTION BID - GALENA TRANSMISSION MAIN & PRV, WE-CHE-ME TRANSMISSION MAIN - WE-CHE-ME WATER 0.35 MG WATER STORAGE TANK & GALENA FOREST ESTATES TANK PUMP STATION REBUILD PROJECT - PUBLIC WORKS

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 April 29, May 1, 3, 6 and 7, 1996, for Award of Construction Bid for Galena Transmission Main and PRV, We-Che-Me Transmission Main, We-Che-Me 0.35 MG Water Storage Tank & Galena Forest Estates Tank Pump Station Rebuild Project on behalf of the Utility Division of the Public Works Department. Proof was made that due and legal Notice to Bidders had been given.

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

Contract A - Pump Station, PRV Station and Transmission Mains	
Engineer's Estimate	\$522,350.00
Burdick Excavating, Inc.	\$620,948.00
Mike's Trenching, Inc.	\$694,457.00
Interstate Utility Constructors	\$749,903.00
Contract B - We-Che-Me Water Tank	
Engineer's Estimate	\$171,850.00
Resource Development Co., Inc.	\$164,314.00

Upon recommendation of John Collins, Chief Sanitary Engineer, through David Roundtree, Acting Public Works Director, on motion by Commissioner Sims, seconded by Commissioner Bond, which motion duly carried, it was ordered that the following actions be taken concerning this award of bid:

1. That the bid of Burdick Excavating Company for contract A of the Galena Transmission Main & PRV We-Che-Me Transmission Main, We-Che-Me Water 0.35 MG Water Storage Tank and Galena Forest Estates Tank Pump Station Rebuild Project in the amount of \$620,984 as non-responsive, be rejected;

2. That the bid for Contract A of the Galena Transmission Main & PRV, We-Che-Me Transmission Main, We-Che-Me Water 0.35 MG Water Storage Tank & Galena Forest Estates Tank Pump Station Rebuild Project, be awarded to Mike's Trenching, Inc., the lowest, responsible, responsive bidder in the amount of \$694,457.00;

3. That the bid for Contract B of the Galena Transmission Main 7 PRV, WE-Che-Me Transmission Main, We-Che-Me Water 0.35 Water Storage Tank & Galena Forest Estates Tank Pump Station Rebuild Project be awarded to Resource Development Company, Inc., the lowest, responsible, responsive bidder in the amount of \$197,625.00;

4. That Chairman Bradhurst be authorized to execute the contract documents upon their receipt.

5. That the Chief Sanitary Engineer be authorized to issue the Notice to Proceed. It was noted that Burdick Excavating, Inc.'s bid contained a copy of the bid bond, not an original bid bond; that the copy of the bid bond submitted was not on the required form supplied in the bid document package; that the copy contained text which was substantially different from the bid bond form supplied by the County and the use of which is required; and that the District Attorney's Office recommends the rejection of this bid.

96-541 BILL NO. 1134 - AMENDING WASHOE COUNTY CODE - VARIOUS PROVISIONS - CHAPTER 110 - PLANNING

Bill No. 1134 entitled, "AN ORDINANCE AMENDING THE WASHOE COUNTY CODE TO MODIFY ARTICLE 302 ALLOWED USES TO DELETE THE REQUIREMENT OF A SPECIAL USE PERMIT FOR A RESIDENTIAL GROUP HOME, TO MODIFY ARTICLE 304 USE CLASSIFICATION SYSTEM TO MORE CLEARLY DEFINE THE NUMBER OF PERSONS PERMITTED IN A RESIDENTIAL GROUP HOME AND TO MODIFY ARTICLE 322 GROUP CARE FACILITIES TO PROVIDE FOR STANDARDS THAT MUST BE MET TO ALLOW THE ESTABLISHMENT OF A RESIDENTIAL GROUP HOME; TO MODIFY ARTICLE 906 FEES TO DELETE THE SECTION ADDRESSING SIMULTANEOUS APPLICATIONS; TO MODIFY ARTICLE 912 ESTABLISHMENT OF COMMISSIONS AND BOARDS TO ADD A HEARING EXAMINER FOR HEARING OF AND FINAL ACTION ON VARIANCES, ELIMINATE ARTICLE 802 ADMINISTRATIVE WAIVERS, MODIFY ARTICLE 804, VARIANCES TO INCLUDE REFERENCES TO HEARING EXAMINERS AND MODIFY ARTICLES 308 HOME OCCUPATIONS, 312 FABRICATED HOUSING, 324 ANTENNAS, 406 BUILDING PLACEMENT STANDARDS, 414 NOISE AND LIGHTING STANDARDS, 800 PROCEDURES: TITLE AND CONTENTS AND 908 ISSUANCE OF PERMITS AND LICENSES TO DELETE REFERENCES TO ADMINISTRATIVE WAIVERS; TO MODIFY ARTICLE 912 ESTABLISHMENT OF COMMISSIONS AND BOARDS TO CHANGE THE LENGTH OF TERMS FOR BOARD OF ADJUSTMENT MEMBERS TO FOUR YEARS AND THE QUALIFICATIONS TO BE MEMBER TO REQUIRE RESIDENCY IN THE UNINCORPORATED PORTION OF THE COUNTY AND WITHIN CERTAIN COUNTY COMMISSION DISTRICTS AND TO MODIFY ARTICLE 916 ESTABLISHMENT OF COMMITTEES TO CHANGE THE COMPOSITION OF THE PARCEL MAP REVIEW COMMITTEE AND ALLOW THE PLANNING COMMISSION AND BOARD OF ADJUSTMENT TO APPOINT NON-MEMBERS TO THE DESIGN REVIEW COMMITTEE" was introduced by Commissioner Shaw, the title read to the Board, and legal notice for final action of adoption directed.

96-542 ALLEGED DISCREPANCIES - JERRY & BAMBI VAN DYKE & DAWN TOBUREN & KEN AND PENNY COMER - (APN: 84-280-25 AND 84-280-26)

Upon recommendation of Carol Forest Buonanoma, Assessor's Office, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Bradhurst ordered that documentation regarding transactions, Document Nos. 1897581 and 1904033 between Jerry T. and Bambi L. Van Dyke, as (Grantors) and Dawn S. Toburen and Ken and Penny Comer, as (Grantees), wherein there are alleged discrepancies under NRS 278.010 to 278.630, be referred to the District Attorney's Office.

It was noted that the document creates two new parcels without complying with the provisions of Chapter 278 of NRS requiring recordation of an approved Parcel Map.

96-543 ALLEGED DISCREPANCIES - WHITES CREEK LAND DEVELOPMENT, INC. & LEWIS HOMES OF NEVADA - SOUTH MEADOWS ASSOCIATES, DUTTON, MCGAH & BAILEY (APN: 16-520-14 AND 16-520-15)

Upon recommendation of Carol Forest Buonanoma, Assessor's Office, on motion by Commissioner Bond, seconded by Commissioner Shaw,

which motion duly carried, Chairman Bradhurst ordered that documentation regarding transactions, Document No. 1939357 between Whites Creek Land and Development, Inc., (Grantor) and Lewis Homes of Nevada, South Meadows Associates and Dutton, McGah & Bailey, (Grantees), wherein there are alleged discrepancies under NRS 278.010 to 278.630, be referred to the District Attorney's Office.

It was noted that the document creates two new parcels without complying with the provisions of Chapter 278 of NRS requiring the recordation of an approved Parcel Map.

96-544 CORRECTION OF FACTUAL ERRORS- RENO GENERAL PARTNERSHIP (APN: 012-139-14) 1995/96 SECURED ROLL

Upon recommendation of Jean Tacchino, Assistant Chief Deputy Assessor, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Bradhurst ordered that a factual error on Roll Change Request No. 273 (Amended) for Reno General Partnership be corrected for the reason indicated thereon and mailed to the property owner, a copy of which is placed on file with the Clerk.

96-545 INTERLOCAL COOPERATIVE AGREEMENT - REGIONAL TRANSPORTATION COMMISSION - STREET & HIGHWAY PROGRAM FUEL TAX PROJECTS

Upon recommendation of Derek Morse, Engineering Manager, Regional Transportation Commission, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that an Interlocal Cooperative Agreement between Washoe County, the City Council of Reno, the City Council of Sparks, and the Regional Transportation Commission, concerning design, right-of-way, construction engineering, or construction of specific projects contained in the Regional Transportation Commission's Fiscal Year 1996 and Fiscal Year 1997 Street and Highway Programs of Projects (Fuel Tax), be approved and Chairman Bradhurst be authorized to execute on behalf of Washoe County.

96-546 AGREEMENT - TESTING AND INSPECTION SERVICES LUMOS & ASSOCIATES, INC. - 1995/96 PAVING OVERLAY OF SELECTED STREETS - INCLINE VILLAGE AREA, WASHOE COUNTY - ENGINEERING

Upon recommendation of Greg Belancio, Engineering Division, through David Roundtree, Acting Public Works Director, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that an Agreement for Testing and Inspection Services between Washoe County and Lumos & Associates, Inc., for the 1995/96 Paving Overlay of Selected Streets in the Incline Village Area, Washoe County, Nevada, be approved and Chairman Bradhurst be authorized to execute the original Agreement when presented.

96-547 AGREEMENT - TESTING AND INSPECTION SERVICES - 1995/96 ROAD SURFACE TREATMENT PROGRAM (TRUCKEE MEADOWS AND INCLINE VILLAGE AREAS)

Upon recommendation of Greg Belancio, Engineering Division, through David Roundtree, Acting Public Works Director, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that an Agreement for Testing and Inspection Services between Washoe County and AGRA Earth & Environmental, Inc., for the 1995/96 Slurry Sealing of Selected Streets in the Truckee Meadows and Incline Village Areas, Washoe County, Nevada be approved and Chairman Bradhurst authorized to execute.

96-548 AGREEMENT - PARK SUBDISTRICT 2A & 2D - MASTER PLAN - PYRAMID ENGINEERS

Upon recommendation of Gene Sullivan, Parks & Recreation Director, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that an Agreement between Washoe County and Pyramid Engineers & Land Surveyors, Inc., concerning Park Construction Tax Subdistricts 2A & 2D Master Plan be approved in the amount of \$33,180.00; and Chairman Bradhurst be authorized to execute.

96-549 ACCEPTANCE OF DONATION - HIGHLY INTENSIVE SUPERVISION, TRAINING & EDUCATION PROGRAM - TRU VISTA - SHERIFF

Upon recommendation of Richard Kirkland, Sheriff, on motion by Commissioner Mouliot, seconded by Commissioner Bond, which motion duly carried, Chairman Bradhurst ordered that a \$500.00 gift certificate to be used for the Highly Intensive Supervision, Training

and Education Program (HISTEP) donated from "Tru Vista", for use at Home Depot, be accepted.

96-550 APPLICATION & ACCEPTANCE OF TRAINING FUNDS - CONSOLIDATED NARCOTICS UNIT - SHERIFF

Upon recommendation of Richard Kirkland, Sheriff, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bradhurst ordered that authorization for application and acceptance of training funds provided by the Department of Administration through Chapter 372A Taxes account to the members of the Washoe County Sheriff's Office, Consolidated Narcotics Unit, allowing members to pay for tuition, travel, lodging and per diem expenses, be approved and accepted.

96-551 ACCEPTANCE OF FUNDS - CHILDRENS CABINET - INCLINE VILLAGE - SHERIFF

Upon recommendation of Richard Kirkland, Sheriff, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Bradhurst ordered that funds from the Childrens Cabinet at Incline Village for funding of a Student/Community Liaison Specialist, classified by Personnel as a permanent part-time position based on continued funding, be accepted.

It was noted that the Childrens Cabinet at Incline Village has obtained grant funding of \$15,000 and additional committed funding of approximately \$10,000 toward this position.

96-552 DISTINGUISHED BUDGET PRESENTATION AWARD - FINANCE

Upon recommendation of Jerry McKnight, Budget Coordinator, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Bradhurst ordered that the Distinguished Budget Presentation Award received by Washoe County for its 1995-96 annual budget from the Governmental Finance Officers Association, be accepted and acknowledged.

96-553 REVISED DRIVER SELECTION TRAINING AND DISCIPLINE POLICY STATEMENT - RISK MANAGEMENT

Upon recommendation of Kevin Chadwick, Safety Officer, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bradhurst ordered that the revised Driver Selection, Training, and Discipline Policy, changing the time frame for completing driver selection forms from annually to once every three years, be approved.

96-554 AMENDMENT - LETTER OF CREDIT NO. 869900036 - SKY RANCH NORTH UNIT 2C

Upon recommendation of John Collins, Chief Sanitary Engineer, through David Roundtree, Acting Public Works Director, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bradhurst ordered that an Amendment to Letter of Credit No. 869900036 for Sky Ranch North Unit 2C, be accepted.

It was noted that the amendment is in support of the Sewer Facility Fee Payment Agreement.

96-555 RESOLUTION - DECLARING JUNE 22, 1996 - A DAY TO CELEBRATE BOWERS MANSION'S 50TH ANNIVERSARY - "IN MEMORY OF THE PAST, PRESERVED FOR THE FUTURE" PARKS

Upon recommendation of Gene Sullivan, Director, Parks & Recreation Department, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Bradhurst be authorized to execute:

RESOLUTION

WHEREAS, L.S. "Sandy" Bowers made his fortune mining silver from Nevada's Comstock Lode in Gold Hill, Nevada in the years 1859 to 1867; and

WHEREAS, L.S. "Sandy" and Eilley Bowers built their extraordinary residence on 162 scenic acres in Washoe Valley; and

WHEREAS, Henry Riter bought the Mansion in 1903 and opened the grounds to the public for picnicking and swimming at the hot springs; and

WHEREAS, in 1946 Henry Riter offered the Mansion and 46 acres for sale for \$100,000; and

WHEREAS, a group of women who became known as the Reno Women's Civic Club raised \$25,000 in four months with tremendous community support; and

WHEREAS, the Board of County Commissioners seeing the community outpouring matched the Reno Women's Civic Club's \$25,000 with \$75,000, and, on May 10, 1946, Bowers Mansion became a County Park;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY that June 22, 1996 be declared a day to celebrate Bowers Mansions 50th Anniversary; IN MEMORY OF THE PAST PRESERVED FOR THE FUTURE.

It was further ordered that the admission fee for swimming be rolled back to \$.05, .10 and .25 cents for children, juniors and adults respectively, for June 22 and 23, 1996.

96-556 KAWASAKI MULE UTILITY VEHICLE AND MAXI-SWEEP PORTABLE POOL VACUUM - PARKS

Upon recommendation of Gene Sullivan, Director, Parks & Recreation Department, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bradhurst ordered that the purchase of one Kawasaki Mule Utility Vehicle (\$6,500) for the Hidden Valley Regional Park and one Maxi-Sweep Portable Pool Vacuum, (\$3,520) for the Bowers Mansion pool, be approved; and that the following account transactions be authorized:

Decrease	Amount	Increase	Amount
01-14057-7160	\$2,000.00	01-14057-7855	\$2,000.00
01-14057-7270	1,000.00	01-14057-7855	1,000.00
01-14055-7153	3,500.00	01-14057-7855	3,500.00
01-1421-7219	3,520.00	01-1421-7825	3,520.00

96-557 DRAINAGE EASEMENT - RENO PARK BOULEVARD (APN: 087-550-03) - PUBLIC WORKS

Upon recommendation of James Gale, Senior Property Agent, Department of Public Works, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that a Grant of Easement from Jane Enterprises, needed to maintain existing drainage improvements on private property along Reno Park Boulevard, be accepted and Chairman Bradhurst authorized to execute.

96-558 ACKNOWLEDGE PUBLICATION OF NOTICE OF INTENT TO AUGMENT BUDGET AND RESOLUTION TO AUGMENT CHILD PROTECTIVE SERVICES FUND (FUND 028) - FINANCE

Upon recommendation of Lisa Gianoli, Finance Division, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that publication of a Notice of Intent to Augment the Budget be acknowledged; that the following resolution be adopted and Chairman Bradhurst be authorized to execute:

RESOLUTION

A RESOLUTION TO AUGMENT CHILD PROTECTIVE SERVICES FUND (FUND 028)

WHEREAS, The Child Protective Services Fund has had to fund the cost of construction of Kids Kottage II; and

WHEREAS, The Child Protective Services Fund has sufficient resources available from unbudgeted opening Fund Balance to allow for appropriation authority necessary to fund the transfers to Public Works to cover the cost of construction;

NOW THEREFORE BE IT RESOLVED, By the Board of County Commissioners of the County of Washoe, State of Nevada:

Section 1. That the budget of the Child Protective Services Fund (028) be augmented as follows:

Increase Revenues	
Unappropriated Opening Fund Balance	\$525,000.00
Increase Expenditures	
028-28081G-8192 Public Works Projects	\$525,000.00

Section 2. This Resolution shall be effective on passage and approval.

Section 3. The County Clerk is hereby directed to distribute copies of the Resolution to the Department of Taxation, the Comptroller and the Finance Division.

96-559 BUDGET AMENDMENT - FY 1995/96 AIDS AND DAYBREAK PROGRAMS - HEALTH

Upon recommendation of Dave Rice, District Health Officer, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bradhurst ordered that amendments to the fiscal year 1995/96 Aids and Daybreak Program budgets in the amount of \$200 and \$1,000 be approved, and that the following account transactions be authorized:

Account Number	Description	Amount
002-1700-1712G	Donations	\$ 200.00
-7140	Other Professional Services	100.00
-7357	Printing	100.00
	Total	\$ 200.00
1742G-5802	Donations	\$1,000.00
-7375	Special Awards	\$1,000.00

96-560 BUDGET AMENDMENT - FY1995/96 MATERNAL AND CHILD HEALTH PROGRAM

Upon recommendation of Dave Rice, District Health Officer, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bradhurst ordered that an amendment to the FY 1995/96 Maternal and Child Health Program Budget be approved in the amount of \$150,000, and that the following account transactions be authorized:

Account Number	Account Description	Amount
002-1700-1705 4301	Federal Contributions	\$150,000.00
002-1700-1705 7001	Salaries	\$ 42,732.00
7042	Group Insurance	2,686.00

7043	Dependent Insurance	2,088.00
7046	Workman's Comp.	280.00
7047	Unemployment Comp.	60.00
7048	Retirement	8,012.00
7050	Medicare	620.00
7140	Professional Services	75,723.00
7250	Office Supplies	200.00
7307	Auto Expense	600.00
7357	Printing	3,000.00
7375	Special Awards	7,000.00
7403	Biologicals	5,000.00
7802	Minor Medical Equipment	2,000.00
	Total Services	\$150,000.00

96-561 BUDGET AMENDMENT - FY 1995/96 SOLID WASTE MANAGEMENT PROGRAM BUDGET - HEALTH

Upon recommendation of Dave Rice, District Health Officer, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bradhurst ordered that an amendment to the FY 1995/96 Solid Waste Management Program Budget be approved in the amount of \$64,045, and that the following account transactions be authorized:

Account Number	Description	Amount of Increase
		\$ 64,045.00
002-1700-1727G-4302	State Contributions	
002-1700-1727G-7140	Professional Services	\$46,045.00
-7237	PC Software	2,000.00
-7825	Misc. Special Equipment	2,000.00
-7825	PC Hardware	14,000.00
	Total	\$ 64,045.00

96-562 WATER AND SEWER CONSTRUCTION PROJECTS - INSPECTOR - UTILITY

Upon recommendation of John Collins, Chief Sanitary Engineer, through David Roundtree, Acting Public Works Director, on motion by Commissioner Shaw seconded by Commissioner Bond, which motion duly carried, Chairman Bradhurst ordered that the hiring of a Water and Sewer Construction Projects Inspector for the Utility Division, be authorized.

It was noted that this position is to support construction of Special Assessment District 21 (Cold Springs Valley Wastewater Treatment Plant); and that sufficient funds are contained within the special assessment district bond proceeds to support the project and the position.

Karen Mullen, Assistant Parks Director, was present to answer questions of the Board concerning this item.

Upon recommendation of Gene Sullivan, Director, Parks & Recreation Department, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bradhurst ordered that the District 1C Master Plan for the Southwest Truckee Meadows, Callahan/Galena, and portions of the Forest Area, be adopted.

* * * * *

There being no further business to come before the Board, the meeting adjourned at 10:45 p.m.

STEPHEN T. BRADHURST, Chairman
Washoe County Commission

ATTEST: JUDI BAILEY, County Clerk