

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY 5:15 P.M. JULY 8, 1997

PRESENT:

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

Betty Lewis, Chief Deputy County Clerk
John MacIntyre, County Manager
Madelyn Shipman, Legal Counsel

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

97-717 AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sims ordered that the agenda for the July 8, 1997 meeting be approved.

PUBLIC COMMENTS

There was no response to the call for public comments.

MINUTES

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sims ordered that the minutes of the regular meetings of May 19, June 10 and 17, 1997, be approved.

97-718 CARRYOVER FUNDS - FRONT COUNTER REMODEL - BUILDING AND SAFETY - COMMUNITY DEVELOPMENT

Upon recommendation of Jess Traver, County Building Official, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Sims ordered that a front counter remodel in the Building Permit Services area of the Building and Safety Division, be approved in an approximate cost of \$59,000 with funding from carryover accounts 11516-7849 and 7802 within the Department of Community Development.

97-719 CLOSE AND/OR LIMIT ACCESS - MILITARY ROAD, LEMMON VALLEY DRIVE, ALBERT WAY - RENO AIR RACES - SHERIFF

Upon recommendation of Franklin Barnes, Patrol Division Commander, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Sims ordered that the Washoe County Sheriff's Office be allowed to close and/or limit access to Military Road, Lemmon Valley Drive, Albert Way and other streets in the vicinity of the Air Races that the Sheriff deems necessary to protect the public and regulate traffic during the week of September 8-14, 1997 to facilitate the movement of emergency vehicles and limit access to potentially dangerous areas during the Reno National Championship Air Races.

97-720 AMENDMENT - NORTH VALLEYS AREA PLAN - COMMUNITY DEVELOPMENT

Upon recommendation of Dean Diederich, Principal Planner, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the following Resolution adopting the amended North Valleys Area Plan based on the findings of conformance with the Truckee Meadows Regional Plan, be adopted and Chairman Sims be authorized to execute:

RESOLUTION-ADOPTING THE AMENDED NORTH VALLEYS AREA PLAN (CPA96-NV-2) A PART OF THE WASHOE COUNTY COMPREHENSIVE PLAN

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

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

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

WHEREAS, A public hearing on the adoption of the Washoe County Comprehensive Plan, including the NORTH VALLEYS AREA PLAN, was first held on May 21, 1991, with the most recent amendment to the NORTH VALLEYS AREA PLAN being held on May 13, 1997, by the Board of County Commissioners of Washoe County, Nevada;

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

WHEREAS, A public hearing for the review of conformance of the Washoe County Comprehensive Plan, including the NORTH VALLEYS AREA PLAN, was first held on October 23, 1991, with the most recent amendment to the NORTH VALLEYS AREA PLAN being held on June 11, 1997, by the Truckee Meadows Regional Planning Commission, at which time the plan was deemed in conformance with the Truckee Meadows Regional Plan; and

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

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

97-721 AWARD OF BID - AUTOMOTIVE AND COMMERCIAL BATTERIES - BID NO. 2007-97 - IN JOINDER

This was the time to consider award of bid, Notice of Bidders for receipt of sealed bids having been published in the Reno Gazette-Journal on May 23, 1997, for Automotive and Commercial Batteries in joinder with the City of Reno, the Regional Emergency Medical Services Authority (REMSA), and the Reno-Sparks Convention and Visitors Authority. Proof was made the due and legal Notice had been given. Bids, copies of which were placed on file with the Clerk, were received from the following vendors:

- A-1 Battery Company
- Allied Automotive Inc.
- Auto Parts Club
- Ferrous Supply Inc.
- Fleet Parts Inc.

Interstate Batteries
Nevada Battery Co. Inc.

Auto Depot, Inc., Auto Diesel Electric, Cashman Equipment Company, Inc., Grand Auto, Interstate Batteries, Lucky Star Investment Inc., Nevada Tractor and Equipment, Plaza Auto Parts, Sierra Battery Inc., and Silver State Int. Trucks failed to respond to the invitation to bid.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried, it was ordered that Bid No. 2007-97 for Automotive and Commercial Batteries be rejected.

It was noted that all bids received either offered batteries that did not meet minimum specifications or the bidders did not bid on every item; and that the Purchasing and Contracts Administrator has released a new Invitation to Bid based upon revised specifications for the Automotive and Commercial Batteries.

97-722 AWARD OF BID - MOSQUITO ABATEMENT PRODUCTS - BID NO. 2006-97 - HEALTH

This was the time to consider award of bid, Notice of Bidders for receipt of sealed bids having been published in the Reno Gazette-Journal on May 19, 1997, for Mosquito Abatement Products for the Environmental Health Division of the District Health Department. Proof was made the due and legal Notice had been given.

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

Fennimore Chemicals
Target Specialty Products, Inc.
Van Waters & Rogers
Zanus Corporation

Abbott Laboratories, Clark Mosquito Control, Cornbelt Chemical, Hogentogler & Co., Las Vegas Fertilizer, London Fog, Inc., Lowndes Engineering Co., Public Health Equipment and Supply, Inc., W.W. Grainger, Inc., Whitco Corporation and Zoecon Corporation failed to respond to the invitation to bid.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried, Chairman Sims ordered that Bid No. 2006-97 for Mosquito Abatement Products for the Environmental Health Division of the District Health Department be awarded as follows:

Bidder	Bid Item #	Descrip./Brand of Items Offered	Cost
Fennimore Chemicals	1.	VECTOBAC TECH POWDER	
		Packaged in 25 lbs. drums	\$22.50/lb.
	2.	VECTOBAC 12-AS	
		2 1/2 gal container Packaged two (2) per carton	\$19.90/gal
	6.	PYROCIDE #7067	
		Mosquito fogging concentrate in 5 gal. drums	\$107.00/gal
	7.	WITCO, GOLDEN BEAR #1356	
		packaged in 55 gal. drums	\$ 5.00/gal.
	9.	ABBOTT or TEKNAR (B.T.I.)	
		liquid packaged in 5 gal. containers	\$ 19.90/gal
	10.	ABBOTT or TEKNAR (B.T.I.)	

	powder, packaged in 25 lb. containers	\$562.50/ctn.
	11. ABBOTT OR TEKNAR (BTI) GRANULES	
	packaged in 40 lb. containers	\$ 60.00/ctn.
Zanus Corp.	3. ZOECON ALTOSID LIQUID LARVACIDE	
	1 gal. container	\$222.50/gal.
	4. ZOECON ALTOSID 30 DAY BRIQUETTES	
	400 Briquettes per carton	\$346.75/ctn.
	5. ZOECON ALTOSID PELLETS	
	Packaged in 22 lb. containers	\$ 23.52/lb.

It was further ordered that the Purchasing and Contracts Administrator be authorized to procure Bid Item #8 - Pyraperm, #455 dust, and Bid Item #7B - Whitco Golden Bear #111 (Bulk) on an as-needed basis as they did not receive consideration from any of the responding bidders; and that Mosquito Abatement Products shall be procured on a requirements basis during the term of the agreement period, July 1, 1997 through October 15, 1998.

It was noted that Bid Item #7B is not available in bulk at this time; and that for Bid Items #2, #9 and #10, Van Water & Rogers of San Jose, California had submitted prices that were less expensive than the next lowest bidder; that the products offered have not been approved by the Washoe County Vector Controls Division and will not be accepted.

97-723 AWARD OF CONSTRUCTION BID - OLD WASHOE WATER SYSTEM TANK NO. 1 & TRANSMISSION MAIN

This was the time to consider award of bid, Notice of Bidders for receipt of sealed bids having been published in the Reno Gazette-Journal on June 12, 13, 16, 17, and 18, 1997, for construction of Old Washoe Water System Tank No. 1 & Transmission Main on behalf of the Utility Services Division of the Department of Water Resources. Proof was made the due and legal Notice had been given.

The following bids were received:

Engineer's Estimate	\$326,000.00
Contractor	Bid
TW Construction Company	\$277,016.75
Mike's Trenching, Inc.	\$278,959.50
Resource Development Company	\$279,569.00
Gerhardt & Berry Construction	\$291,162.50
Spiess Construction	\$299,365.00
A & K Earthmovers	\$327,010.50
Ford Construction Company	\$354,560.00

Upon recommendation of John Collins, Utility Services Manager, on motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the bid for construction of Old Washoe Water System Tank No. 1 & Transmission Main be awarded to TW Construction Company, Inc., the lowest, responsible, responsive bidder in the amount of \$277,016.75; that Chairman Sims be authorized to execute the contract documents upon their receipt; and that the Utility Services Manager be authorized to issue the Notice to Proceed.

97-724 RESIGNATION AND APPOINTMENT - GERLACH/EMPIRE CITIZEN ADVISORY BOARD

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sims ordered that the resignation of Daniel Graves from the Gerlach/Empire Citizen Advisory Board be accepted; and that Donald Lawson, Jr., be appointed to fill Mr. Graves unexpired term to June 30, 1998.

97-725 MT. ROSE/GEIGER GRADE CITIZEN ADVISORY BOARD - DISSOLUTION & CREATION OF TWO NEW BOARDS

Leslie Roylance, Department of Community Development, reviewed a staff report and answered questions of the Board concerning a proposal to dissolve the existing Mt. Rose/Geiger Grade Citizen Advisory Board (CAB) and the creation of two new CABs, one for the area north of Geiger Grade Highway and east of U.S. 395 to include the Virginia Foothills community and Hidden Valley, and another CAB representing areas south of Geiger Grade Highway, west across U.S. 395 and south of Mt. Rose Highway to include Toll Road, Steamboat, Pleasant Valley, Callahan Ranch, Galena Forest, Southwest Pines and the area west along Mt. Rose Highway to the Tahoe Basin.

Russ Carpenter, Chairman, Mt. Rose/Geiger Grade CAB advised that the CAB had voted 5 to 1 in favor of Option 1 for the boundary along Geiger Grade which would allow a new Mt. Rose/Geiger Grade CAB to address more mature issues and developments; and that a new Southeast CAB could focus on developments pending within the Southeast Specific Plan Area, Hidden Valley and Virginia Foothill areas.

Ms. Roylance advised that Ted Short, a member of the Virginia Foothills Homeowner's Association, had indicated to her that the Association preferred Option 2 encompassing the Toll Road area as they believe properties feeding off of the Mt. Rose Highway and Geiger Grade have many issues in common.

Mr. Carpenter suggested that should the Board approve the recommendation to create two new CABs they could conduct more public meetings throughout the neighborhoods for the purpose of determining where the boundary lines should exist.

Chairman Sims stated that the main issue is that the Mt. Rose/Geiger Grade CAB is overburdened due to the large area it currently serves and for this reason they are unable to accurately study all of the issues that come before them; and that he would support splitting the CABs East and West of U.S. 395.

Commissioner Galloway expressed concern that if the dividing line were Geiger Grade instead of a natural physical boundary, that there could be individuals on opposite sides of the same road represented by different CAB's with many of the same concerns.

Marge Frandsen, a member of Hidden Valley Homeowner's Association, stated that their Association has indicated that they are willing to support either Option 1 or 2 as they believe it is a good idea to split the CAB due to lengthy agendas creating an inability to focus on numerous issues that come before them.

Following discussion, on motion by Chairman Sims, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that Option No. 1 be pursued as recommended by staff; that the dissolution of the Mt. Rose/Geiger Grade CAB and the creation of two new CAB's be brought back to the Board for further consideration; that guidelines be established for population, boundaries, creation and dissolution of CAB's; and that existing CAB members be given the opportunity to continue serving on the CAB.

97-726 BILL NO. 1162- AMENDING WCC CHAPTER 65 - SAFETY & HEALTH OF COUNTY OFFICERS & EMPLOYEES

Bill No. 1162, entitled "AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY REVISING PROVISIONS OF CHAPTER 65 RELATING TO SAFETY AND HEALTH OF COUNTY OFFICERS AND EMPLOYEES, TO RISK MANAGEMENT, AND OTHER MATTERS PROPERLY RELATING THERETO" was introduced by Commissioner Bond, the title read to the Board and legal notice for final action of adoption directed.

97-727 FUNDING - CONJUNCTIVE USE PILOT PROGRAM - SOUTH TRUCKEE MEADOWS - WATER RESOURCES

Steve Walker, Water Management Planner, Department of Water Resources, reviewed information contained in a staff report concerning funding a request for proposals (RFP) from the 1.5% Water Management Fee budget to conduct a feasibility analysis for the purpose

of identifying whether increased pumping and potential aquifer recharge with surface water, through existing municipal wells would effect domestic well owners and whether it would be a significant source of water to shallower domestic wells located on South McCarran Boulevard to the Mt. Rose Highway, east of the Carson Range and west of Steamboat Creek. Mr. Walker advised that completion time is estimated to be ninety days although he would request that this time frame be negotiable depending on the scope of the work, although it would not exceed 120 days.

John Collins, Utility Services Manager, updated the Board on the status of the Lemmon Valley/Golden Valley recharge demonstration project.

Following discussion, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sims ordered that a request for proposal (RFP) from the 1.5% Water Management Fee budget for a feasibility analysis of a pilot groundwater recharge project(s) and analysis of surface water infiltration to the shallow aquifer associated with use by domestic well owners located South of McCarran Boulevard to the Mt. Rose Highway, east of the Carson Range and west of Steamboat Creek be approved in an amount not-to-exceed \$75,000.00.

97-728 RETROACTIVE APPROVAL - PAYMENT OF CITATION - NEVADA HIGHWAY PATROL - COMPTROLLER

Upon recommendation of Kathy Garcia, Comptroller, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sims ordered that the payment of a citation issued by the Nevada Highway Patrol to a County employee for unsafe vehicle conditions while transporting equipment from Gerlach to Reno for repairs, which was determined not to be the responsibility of the driver, be retroactively approved in the amount of \$620.00.

97-729 NEW POSITION - DOMESTIC VIOLENCE PROSECUTION TEAM FOR DISTRICT ATTORNEY - FINANCE

Upon recommendation of Jerry McKnight, Budget Coordinator, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sims ordered that the addition of a new position in the District Attorney's Office to work on the Domestic Violence Prosecution Team be approved; and that the following account transactions be authorized:

Decrease		Increase	
Account	Amount	Account	Amount
Contingency		District Attorney Dept. Salaries & Benefits	
001-1896-7328	\$33,964.00	001-1061-7001	\$26,021.00
		001-1061-7048	\$ 7,943.00

97-730 RESOLUTION LEVYING TAX RATES - ALL WASHOE COUNTY ENTITIES - 1997-98 FISCAL YEAR - FINANCE

Upon recommendation of Jerry McKnight, Finance Division, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, it was ordered that the following Resolution be adopted and Chairman Sims be authorized to execute:

RESOLUTION--LEVYING TAX RATES FOR ALL WASHOE COUNTY ENTITIES FOR THE 1997-98 FISCAL YEAR

WHEREAS, the Nevada Tax Commission has certified the combined tax rates for the 1997-98 fiscal year; and

WHEREAS, the Board of County Commissioners is required, pursuant to NRS 361.460, to levy the tax rates for all local government entities in Washoe County for the fiscal period beginning July 1, 1997, and to designate the number of cents of each \$100 of property levied for each fund; and

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

Resolution to the Department;

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

BE IT FURTHER RESOLVED, that the tax rates for all local government entities in Washoe County for the fiscal year 1997-98 as certified and levied are shown on Exhibits placed on file with the Clerk; and

BE IT FURTHER RESOLVED, that the tax rate for Washoe County be designated and distributed for each fund as shown on Exhibits placed on file with the Clerk; and

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

97-731 CERTIFICATION OF BUDGETS AND SPECIAL ASSESSMENTS - PLEASANT VALLEY, COLD SPRINGS VALLEY, TRUCKEE MEADOWS/SUN VALLEY, LEMMON VALLEY & WARM SPRINGS GROUNDWATER BASINS

Upon recommendation of Jerry McKnight, Budget Coordinator, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sims ordered that the following budgets, as requested by the State of Nevada Department of Conservation and Natural Resources be approved:

Pleasant Valley Groundwater Basin	\$ 2,000.00
Cold Springs Valley Groundwater Basin	\$ 3,000.00
Truckee Meadows/Sun Valley Groundwater Basin	\$30,000.00
Lemmon Valley Groundwater Basin	\$16,000.00
Warm Springs Valley Groundwater Basin	\$ 3,445.83
TOTAL	\$54,445.83

It was further ordered that the County Clerk be directed to attest the certifications and submit them to the State Engineer with copies to the Treasurer's Office, Assessor's Office, and the Finance Division; that the County Assessor be directed to enter the amount of the charge or charges on the assessment roll against the claimants and the property or acreage served; and that the Treasurer be directed to bill and collect the special tax rates and/or assessments requested by the State Engineer.

97-732 REPORT - FINANCIAL INTERNAL CONTROLS - CONSTABLES

John Sherman, Management Analyst, was present to answer questions of the Board concerning this item.

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sims ordered that a report on the review of the financial internal controls over revenues and expenditures of the Washoe County Constables located in Gerlach, Incline Village, Reno, Sparks, Verdi and Wadsworth prepared by the CPA firm of Barnard, Vogler & Co., be accepted.

LEGISLATIVE UPDATE

Mary Henderson, Government Affairs Director, updated the Board on the conclusion of the 1997 legislative session stating that Washoe County faired very well this year and commended Madelyn Shipman, Assistant District Attorney, May Shelton, Director of Social Services and Lisa Gianoli, Finance Department for their participation in the legislative process. Ms. Henderson stated that she will bring forth a package to the Board summarizing the County's accomplishments during this session and an implementation

schedule of items that will ultimately require Board action.

Chairman Sims and the Board commended Ms. Henderson for her professionalism during the legislative session and County Manager John MacIntyre stated that Ms. Henderson has done an outstanding job of representing Washoe County as their chief spokesperson at the legislature.

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6:15 p.m. The Board adjourned to a closed personnel session for the purpose of discussing negotiations with Employee Organizations.

7:00 p.m. The Board reconvened in open session.

97-733 RESOLUTION - ISSUANCE OF GENERAL OBLIGATION GOLF COURSE BONDS

7:00 p.m. This was the time set in Notice of Public Hearing, published as a display ad in the Reno Gazette Journal on June 24, 1997, and revised on June 27, 1997 to consider a resolution authorizing the issuance of General Obligation (Limited Tax) Golf Course Bonds.

County Manager John MacIntyre reviewed background information and answered questions of the Board concerning the issuance of the bonds.

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

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

RESOLUTION NO. 97-733 A RESOLUTION PERTAINING TO THE ISSUANCE OF GENERAL OBLIGATION (LIMITED TAX) GOLF COURSE BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES) BY WASHOE COUNTY, NEVADA; AUTHORIZING THE ASSISTANT COUNTY MANAGER, FINANCE DIVISION OR HER DESIGNEE TO ARRANGE FOR THE SALE OF BONDS FOR THE PURPOSE OF DEFRAYING WHOLLY OR IN PART THE COST OF FINANCING GOLF COURSE FACILITIES OF THE COUNTY; AND PROVIDING OTHER DETAILS IN CONNECTION THEREWITH.

WHEREAS, pursuant to Subsection 350.500 to 350.720, inclusive, Nevada Revised Statutes (the "Bond Act"), the Board of County Commissioners (the "Board") of Washoe County, Nevada (the "County") is authorized, on behalf and in the name of the County to issue bonds for the purpose of financing wholly or in part golf course facilities of the County (the "Project").

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

Section 1. This resolution shall be known and may be cited by the short title "1997 Golf Course Sale Resolution."

Section 2. The Assistant County Manager, Finance Division or her designee is hereby authorized to arrange for the issuance and sale of bonds (the "Bonds") to finance all or any part of the golf course facilities of the County, in accordance with the Bond Act.

Section 3. The Assistant County Manager, Finance Division, or her designee is authorized to specify the terms of the Bonds, the method of their sale, the final principal amount of the Bonds, the terms of their repayment and security therefore, and other details of the Bonds, and if appropriate, to advertise the Bonds for public sale, and to execute a contract for the sale or accept bids for Bond, all subject to the Bond Act and further authorization or ratification by the Board by the adoption of one or more ordinances specifying the Bond terms and details and approving their sales (collectively, the "Bond Ordinance").

Section 4. The officers and employees of the County are hereby authorized to take all action necessary or appropriate to

effectuate the provisions of this resolution, including without limitation (a) assembling of financial and other information concerning the County, the Project, and the Bonds, and (b) preparing and circulating an official statement for the Bonds, and if deemed appropriate by the Assistant County Manager, Finance Division or her designee, preparing and circulating a preliminary official statement, a notice of bond sale for the Bonds, or both, in the forms specified by the Assistant County Manager, Finance Division or her designee. The Assistant County Manager, Finance Division or her designee is authorized to deem the official statement or preliminary official statement to be a "final" official statement on behalf of the County for the purposes of Rule 15c2-12 of the Securities and Exchange Commission.

Section 5. This resolution shall be effective on its passage and approval and shall be effective for a period of one year.

97-734 GENERAL OBLIGATION (LIMITED TAX) SEWER BONDS (TRUCKEE RIVER WATER QUALITY SETTLEMENT) ADDITIONALLY SECURED BY PLEDGED REVENUES SERIES 1997

7:00 p.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal as a display ad on June 24, 1997 concerning the issuance of General Obligation (Limited Tax) Sewer Bonds (Truckee River Water Quality Settlement), additionally secured by pledged revenues Series 1997 in an amount not-to-exceed \$12,000,000.

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

97-735 ABANDONMENT CASE NO. AB4-5-97 - BRUCE AND TERESA BACON (APN 085-670-16) - COMMUNITY DEVELOPMENT

7:00 p.m. This was the time set in a Notice of Public Hearing mailed by certified mail to abutting property owners on June 26, 1997 and published in the Reno Gazette-Journal on June 27, 1997, to consider the recommendation of the Washoe County Planning Commission to conditionally approve Abandonment Case No. AB4-5-97 for Bruce and Teresa Bacon to abandon 9 feet of an existing 30-foot road and public utility easement created as Parcel D of Parcel Map No. 244, recorded April 16, 1976. The 2.5 acre parcel is located at 260 Harmony Lane, designated medium Density Suburban (MDS) in the Sun Valley Area Plan, and the tract of land is situated in the NE1/4, SW1/4, NW1/4 of Section 8, T20N, R20E, MDM, Washoe County, Nevada. Proof was made that due and legal notice had been given.

Dean Diederich, Principal Planner, Department of Community Development, was present to respond to questions of the Board.

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

Richard Baker, a resident of Harmony Lane, requested clarification from staff concerning the location of the proposed abandonment.

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

It being the consensus of the Board that NRS 278.840 is being complied with and that the abandonment of the easement described in the aforesaid Notice appears to be in the best interest of the public and that no person would be materially injured thereby, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sims ordered that Abandonment Case No. AB4-5-97 for Bruce and Teresa Bacon be approved subject to the following conditions:

1. Prior to recordation of the Order of Abandonment, the applicant shall submit legal descriptions to the County Engineer for review and approval. The legal descriptions shall be prepared by a registered professional and shall be for the area of abandonment, the portion of the abandonment reverting to each abutting property owner, and any required replacement easements.
2. Retention of all public utility easements or relocation of all public utility easements to the satisfaction of and at no expense to Washoe County or the existing public utilities which originally accepted and approved said easements as well as any other public utilities now in existence which currently utilize said easements. Said relocations shall be evidenced by the recordation of properly executed documents reflecting the grant of the new easements to said public utilities and the

relinquishment by said public utilities of their former easements.

3. The applicant shall comply with all conditions necessary to effect the Order of Abandonment within two years from the date of the action by the Board of County Commissioners or this conditional abandonment will be null and void.

97-736 VARIANCE CASE V4-14-97 - REINKEMEYER FAMILY TRUST APN: 41-110-13 - APPEAL

7:00 p.m. This was the time set in a Notice of Public Hearing dated June 26, 1997 and mailed to affected property owners by the Department of Community Development to consider the appeal of Walther, Key, Maupin, Oats, Cox, Klaich & LeGoy, Attorneys at Law, representing David P. and Elaine V. Hanlon; George M. and Marilyn E. Nitz and John Gezelin, of the Board of Adjustment's conditional approval of a request to reduce the easement and paving width provisions of Section 110.436.110, Private Streets, of the County's Development Code. This variance seeks to reduce the easement width for a private street from 36 feet to 32 feet and to reduce the paving width for a private street from 22 feet to 18 feet. The variance is being sought to facilitate the division of a 13.04 acre parcel located southwest of the terminus of Faretto Lane. The subject easement is designated Medium Density Rural (MDR) and General Rural (GR) in the Southwest Truckee Meadows Area Plan and is situated in a portion of Section 2, T18N, R19E, MDM, Washoe County, Nevada.

Chairman Sims stated that his employer, First American Title Company, is currently involved with title work concerning the subject property and recused himself from this hearing.

* * * * *

Vice Chairman Bond assumed the gavel.

Sharon Kvas, Planner, Department of Community Development, reviewed a staff report and answered questions of the Board concerning the variance request advising that the Board of Adjustment had recommended conditional approval of the variance for final determination by the court regarding the use of Anitra Drive as an access to the applicant's parcel; that should the court determine that the applicant has legal access over Anitra Drive, then they shall use Anitra for access to its proposed division of land and the variance would be null and void. Ms. Kvas then gave an overhead presentation depicting the subject and neighboring parcels and reviewed a title document provided by the applicant's planner, Randy Walter, SEA, Inc., including legal descriptions utilized in their determination that a 32-foot access easement does exist explaining that the 32-foot width is being contested by the appellants who believe that only 30 feet exists which is subject to a title search.

In response to Commissioner Galloway's inquiry, Ms. Kvas explained that the current variance request concerns a proposed development based on old land use designations stating that land situated on both sides of the ditch was previously zoned A-2 (2.5 acre minimum) until June 30, 1997 although most of the properties now accessed by way of Anitra and consisting of five or more acres could have been 2.5 acre parcels through the site review process; that properties developed on Anitra were last developed in 1991; that the County standard for a primary access road contained in the Development Code is a 35-foot right of way, 22 feet to be developed with 6" of gravel and a 3" asphalt overlay.

Ms. Kvas further explained that the Truckee Meadows Fire Protection District (TMFPD) and the Nevada Division of Forestry (NDF) serve the area; that TMFPD serving Faretto Lane has a minimum standard of 20 feet and requires paving; that the NDF has a requirement of 24 feet and will accept gravel paving; and that the County requires 22 feet of asphalt as a standard; that the County surveyor preliminarily looked at the legal description being considered for the variance; that it his belief from a cursory look that it most likely went to 30.29 feet explaining that an existing bridge located where the proposed driveway comes into the Reinkemeyer property measures 11'9" from timber to timber and is utilized by the Reinkemeyers to access their undeveloped property.

Rich Riolo, Captain F.P.P., Nevada Division of Forestry, discussed safety issues regarding accessing narrow roadways with large fire apparatus explaining that the newer fire trucks are larger and heavier and he advocates a 24-foot width in the hope of preventing any possible fatalities that may occur in an emergency situation.

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

Louis Test, attorney representing several appellants in this matter, stated that the main issue is that the road is a 30-foot driveway; that it is not a 30 foot private road; that it has been utilized as a driveway for many years; that when surrounding neighbors purchased their properties they did so with the intent of enjoying a certain quality of life which they anticipated to be preserved; that they purchased their properties on a 30-foot road that was used as a private drive; that most of the lots in the area are larger than 2.5 acres and average more than 4.0 acres irrespective of the zoning; and that when the Reinkemeyer's purchased the property they purchased one lot not four lots.

Katy Osgood, Gray & Associates, stated that in her opinion, the main issue is the involuntary conversion of an individual's driveway to a private street; that Elaine and George Hanlon are the actual owners of the driveway; that the Reinkemeyers were one of the original deed holders and purchasers in 1971; that circumstances have not changed since that time; that five parcels access the private drive which is in excess of code requirements and grandfathered in as they existed prior to the existence of the code; that with regard to fire access, TMFPD and NDF both serving the area are quite a distance from the neighborhood and response time could take approximately fifteen to twenty minutes.

The following individuals spoke in opposition to the variance citing issues of liability, public safety, detriments to the scenic and rural character of the area, special circumstances and noise:

Elaine Hanlon
Marilyn Nitz
F. R. Breen, Esq.
John Gezelin, Esq.
John Hoffman, Esq.
Susan Baker
Mr. and Mrs. Rumberger (letter placed on file with the Clerk)

Ray Brunstrom, Fire Chief, Truckee Meadows Fire Protection District, stated that the District supports NDF's request that the driveway be converted to a private street meeting County standards; that they support that the bridge should be capable of handling large fire apparatus to standard County widths; that there are no fire hydrants in this area which requires transporting water on large fire tenders weighing in excess of 50,000 lbs., and that the nearest TMFPD fire station is located approximately 3.5 miles from the neighborhood.

Randy Walter, SEA Engineers representing the applicants, stated that the Reinkemeyers have been attempting to parcel their property since the zone change occurred; that they purchased the property in 1971 when the zoning was A-2 (2.5 acre parcels) which is the reason they are proposing to subdivide the property. Mr. Walter gave a slide presentation depicting the access road and surrounding parcels explaining that the Reinkemeyers have a parcel map approved by the County for four parcels subject to the condition that legal access to Anitra Drive can be proven.

Bob Maddox, attorney representing the Reinkemeyers, stated that the appeal is invalid; that it must be in writing and state the basis for the appeal including the inadequacy of findings made by the Board of Adjustment which they neglected to do; that he does not believe that Anitra Drive is a private road; that they have been in litigation with Mr. Neuffer which has since been resolved; that an analysis has been done of the bridge; that a critical issue concerning the bridge is not the total weight of the vehicle but rather the wheel load; that the bridge in its present configuration can withstand a 9,000 lb. wheel load; that fire equipment would not exceed that figure; that part of the settlement of the litigation included that the bridge be widened and reinforced; that the intention is to widen it to 18 feet and reinforced to enable it to withstand all wheel loads allowed on Nevada highways (a 9,000 lb. wheel load and an 18,000 lb. axle load).

Mike Neuffer, representing Neuffer Homes, stated that he has previously been involved in litigation with the Reinkemeyers; that a stipulation was made that the bridge be reinforced; and that no agreement had been entered into regarding widening of the bridge.

Dean Smith, S & H Investments, stated that they have subdivided 8 lots averaging 6.8 acres located above the subject property; that they had originally planned on constructing 20-22 lots; that after negotiations with residents on Anitra Drive, they agreed upon 8 lots which ultimately resulted in a recorded agreement. Mr. Smith stated that by allowing the Reinkemeyers to construct 2.5 acre parcels abutting their property would be inequitable as the countryside is not conducive to small parceling; and that the Reinkemeyers did not elect to participate in negotiations with S & H Investments and other residents along Anitra.

In conclusion, Mr. Test reiterated that the driveway is 30 feet; that it was always intended to be a private driveway; that Kevin Circle, designated as an emergency access could be utilized as another access; that with regard to the appeal, he did not raise the issue that the variance not filed by the property owner; and that a question exists as to whether the application is proper due to these circumstances.

In response to Commissioner Mouliot's inquiry, Chief Brunstrom explained that it would be very difficult for his equipment to access an 11%-15% grade during snowy and icy conditions and Captain Riolo concurred that it would be dangerous and difficult to navigate the road under these circumstances.

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

Madelyn Shipman, Assistant District Attorney, stated that with regard to implications that the appeal was improperly filed, the code is very specific regarding requirements for filing an appeal; that this is an issue of interpretation; and that she would further request that the Board make a finding that the appeal was properly filed.

Following discussion, on motion by Commissioner Mouliot, seconded by Commissioner Shaw, which motion duly carried, with Chairman Sims abstaining and Commissioner Galloway voting "no," Vice Chairman Bond ordered that the appeal of Walther, Key, Maupin, Oats, Cox, Klaich & LeGoy, Attorneys at Law, representing David P. and Elaine V. Hanlon; George M. and Marilyn E. Nitz and John Gezelin, be upheld and Variance Case No. V4-14-97 for the Reinkemeyer Family Trust be denied based on findings by the Board that the appeal was properly filed; that an 18-foot road is incapable of serving nine potential homes and does not meet the 36-foot standard; that an 11-foot bridge would increase the risk to public safety; that the grade is in excess of fire department standards; that the responsive fire departments have to truck in water utilizing tankers weighing in excess of 50,000 lbs. creating additional safety issues; and that the applicant has another access which can be pursued.

Commissioner Galloway stated that he is unable to support the motion as he cannot make the finding that the appeal was complete and proper; that if the motion had failed he would have suggested that the Board postpone this action to enable the application to be resubmitted; that many unresolved issues could be subject to litigation; and although this was a difficult decision for him, he fully understands the intent of the motion.

* * * * *

Chairman Sims reassumed the gavel.

97-737 BURNING MAN 97 OUTDOOR FESTIVAL

7:00 p.m. This was the time set in a Notice of Public Hearing mailed on June 23, 1997 to the applicant, the Washoe County Sheriff, the District Attorney, the District Health Officer, the Public Works Director, the County Building Inspector and Skip Canfield, CFA, Inc., pursuant to WCC 25.269(3) to consider an application for an Outdoor Festival license for the Burning Man 97' to be held 17 miles northwest of Gerlach, adjacent to State Route (SR) 447, at the Fly Ranch on Hualapai Flat, a parcel consisting of more than 3,300 acres, the actual event site and related facilities approximating 300 acres.

Karen Carmel, Licensing and Enforcement Division of the Department of Community Development discussed the application and reviewed a staff report containing licensing requirements for outdoor festival conditions proposed by numerous agencies of the County, outside agencies and an additional condition requested at yesterday's caucus requiring the private landowner Holland Livestock Ranch/John J. Casey, to sign an "Owners Affidavit" ensuring his understanding, participation and consent to all of the conditions

imposed on the outdoor festival license for the Burning Man event; that Chapter 25 of the Washoe County Code concerning festival permits outlines various areas that event holders are required to meet; that each agency is requested to provide conditions which they feel should be met; that the conditions are provided to the event coordinators who have until August 1, 1997 to submit their plans outlining how they intend to meet the conditions which are to be submitted in final form by August 15, 1997.

In response to Commissioner Galloway's inquiry concerning conditions that may not be met or non-issuance of the festival permit, Sheriff Kirkland stated that as in all events, if illegal activity should occur it is law enforcement's responsibility to enforce the law; that if the permit is denied and the event still takes place, it would be in violation of the law and proper action would be taken by his department and all other agencies; that he has met with the event coordinators; that after extensive review of their application and a review of prior action reports from his department after the event during the last two years, his department has generated conditions which address most of the concerns that have been raised by various agencies and staff. Sheriff Kirkland further advised that he is requiring that the event holders contract with a private security firm to assist his department to provide adequate security to aid in the preservation of order and protection.

Sheriff Kirkland then reviewed conditions proposed by his department and explained that a detailed cost estimate for coverage for his deputies approximates \$45,000.00 for twenty-four hour coverage stating that the metropolitan areas will not be at risk as his deputies will be working on overtime and as a result, his regular staff will not be reduced.

Rik Kajans, Assistant Fire Chief, discussed the severe fire dangers relating to the Burning Man festival and reviewed contents of a fuel analysis distributed to the Board emphasizing that life and safety are critical issues. Mr. Kajans presented a viewfoil presentation showing the area where the event will be held, the fuel testing area, and brush surrounding the proposed campsites explaining that the TMFPD is requiring fire breaks, that the District will be furnishing numerous equipment and personnel who will require housing to be shared by other agencies; and that in his opinion, the placement of fire personnel at this event is a calculated risk as far as fire protection for the Truckee Meadows community.

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

Larry Harvey, Managing Director of the Burning Man Festival, reviewed history of the event and presented background information concerning his staff coordinators explaining that they are well aware of the many adverse impacts associated with the event; that they are probably more familiar with the Black Rock desert than most people and then described the events and activities proposed for the event. Mr. Harvey advised that the Burning Man Festival attracts individuals from all age groups and professions; that they can be located on the Internet; that they have their own police force and radio station; and that individuals travel from as far away as Europe to attend the festival.

In response to Commissioner Mouliot's inquiry, Mr. Harvey stated that he had previously been convicted of a misdemeanor battery charge and that he resides in San Francisco, California.

Will Roger, Budget Manager for Burning Man, stated that he is the site coordinator for the event and reviewed various maps showing fire breaks, communication centers and emergency parking areas.

Michael Mikel, Safety Manager, stated that he resides in Gerlach, Nevada and that he formed an organization entitled the "Black Rock Rangers" eight years ago for the purpose of maintaining a safe environment for the Black Rock community. Mr. Mikel reviewed his plans for safety, medical and health advising that REMSA will provide the majority of medical coverage; and that the Rangers will be identifiable by flying ranger flags.

Chairman Sims asked Mr. Mikel if he felt he could comply with the proposed conditions and his answer was affirmative.

In response to Commissioner Mouliot's inquiry, Mr. Mikel stated that he resides in Nevada two to three months out of the year; and that they will meet all of the Health Department's requirements for dust control and all other conditions.

Joegh Bullock, Artist, stated that he has been associated with the Burning Man event for three years and discussed the art aspect

of the event. He then showed the "Burning Man" on the overhead projector which is a wooden sculpture standing 40 feet in height and ignited for ceremonial purposes on the last day of the festival. He further explained that this is a "hands-on" arts festival; that the average age of attendees is 33; that they are comprised of professional people and artists who come to the desert to experience freedom and benefit the community by renting recreational vehicles and purchasing camping equipment. Mr. Bullock stated that they are very concerned about the local landowners; that the event only lasts for 5 days; that they will keep people off private land and enforce this; and that they expect between 12,000 to 15,000 people on a four square mile ranch which is a large amount of land to accommodate the anticipated crowd.

Mr. Bullock explained that there have been no fires at Burning Man; that they would prefer to hold the event in the middle of the playa; that he believes the conditions are fairly strict although they will abide by them; and that they would like to make this an annual event.

Commissioner Bond stated that it was her belief that the eventholders had a good relationship with the BLM in the past, however, she had recently received correspondence from the BLM indicating that they had violated many stipulations in prior years. In response, Mr. Rogers stated that they had never received any complaints from the BLM.

Commissioner Mouliot stated that the promoters are advertising the event on the Internet as well as accepting reservations and money prior to the event being approved which is illegal.

Skip Canfield, CFA, representing applicants, discussed proposed conditions and requested that the Board permit campfires in designated areas and remove the condition relating to amphitheatres as it is not their intention to have an amphitheater at this years event.

Annie Westerbeke, representing the Fly Ranch, Geyser Campground and Holland Livestock stated that her uncle John Casey, owner of Holland Livestock, is very concerned about the fire danger; that this issue still needs to be mitigated; that they want to ensure that wildlife is protected; and that she believes Mr. Casey would be willing to sign the "affidavit" if adequate fire protection is provided. She explained that they have a lease for recreation purposes and a special use permit for grading for the event to be held on their property which encompasses 40,000 acres 70% of which is private land. She explained that she attended the event last year and found everyone to be very respectful, although she would encourage sobriety checks and more anti-drug campaigns.

Tom Shepvilid and Rick Powell spoke in support of the event stating that the non-profit organization is well informed and very helpful.

Richard Westerbeke spoke in support of the event suggesting that some of the money generated be utilized to aid ranchers in need of assistance stating that although the fire danger is extremely high, he believes the applicants are working very hard to mitigate this issue.

Frederick Osterhagen, a resident of Carson City, stated the promoters are responsible individuals and that the Internet is mainly a source of information for the event.

Charles Sedlachek stated that an entrance fee of \$65.00 for the event should prevent trespassing onto private land.

Samuel Bull stated that he has attended the event and found it to be very well organized and he believes that it benefits Washoe County as a whole.

Danny Olmstead stated that he has previously attended the event expressing concern that if the event is not held thousands of people will be roaming the Black Rock with nothing to do.

Gary Schmidt, a Washoe County resident, stated that he was instrumental in promoting the first rock concert in Nevada that drew over 100,000 people emphasizing that it is very important that conditions are adhered to and that authority is exercised during these types of events; and that Bill Graham concert promoter at the Reno Hilton is not a resident of the State of Nevada.

Mike Meizel, representing the Jackson family, spoke in opposition to the event stating that they have between 600 and 700 head of cattle; that they are one of the last working ranches in the area; that the event will necessitate them relocating their horses to other pastures; that they are very concerned about outbreaking fires; that although there is no vegetation on the playa, the area proposed for the event is vegetated with salt grass; that they are also concerned about safety issues relating to the hot springs; and that they are requesting Washoe County to name the Jackson family as an additionally insured during this event.

Susan Lynn, a Truckee Meadows resident, spoke in opposition to the event citing social concerns. She stated that the event promoters are attempting to make a bizarre event appear normal; that this is not the message that should be conveyed to Washoe County; that the event contains excessive lawlessness; that the hot springs present a large liability; that it presents a hardship for the Sheriff, the Fire Department and various other agencies; that over 400 violations were issued during last year's event; that the promoters failed to pay their bills in a timely manner; and that the BLM just recently received money owed them after the promoters had violated many conditions of their permit as well.

Bud Cribley, Assistant District Manager of the BLM in Winnemucca, stated that he had previously been involved with the permitting of Burning Man between 1990-1991; that he neither supports or opposes the event; that he would request additional conditions to address the management of adjoining private and public lands, wetlands, wildlife and cultural resources; and that he fully supports the conditions imposed by the Sheriff and the various Fire agencies.

Mike Whalen, BLM, Fire Management Officer, Winnemucca District, stated that they are working with the applicants who are making an honest attempt to meet the conditions.

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

Discussion ensued regarding conditions relating to campfires in selected areas and Paul Mijanovich, Truckee Meadows Fire Protection District, discussed conditions addressing this issue stating that they are requesting that the coordinators present a plan indicating how the campfires will be arranged to give them an idea how to control ignition sources located near hazardous brush areas.

Jack Sheen, Environmental Health Services, District Health Department discussed conditions proposed by the Health Department and responded to question of the Board.

Commissioner Bond stated that she is very concerned about the public safety issues relating to individuals who will be unable to pay for the event and who may wander throughout the Black Rock as well as the expenditure of time, personnel and money that will be generated by the County and all other agencies for this event.

Following extensive discussion by the Board, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Sims ordered that the application for the Burning Man 97 Outdoor Festival proceed with conditional approval with the caveat that there be no deviation or negotiation regarding required conditions from all agencies; that the applicant be required to secure a Letter of Credit in an amount sufficient to cover Washoe County expenses and to be drawn on a local bank; that an "Owners Affidavit" be signed by John Casey/Holland Livestock Ranch, private property owner hosting the event; that the Jackson family be listed as an additionally insured party subject to legal review; and that a status report on compliance with all proposed conditions be brought back to the Board on August 19, 1997.

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There being no further business to come before the Board, the meeting adjourned at 1:10 a.m. on Wednesday, July 9, 1997.

GRANT D. SIMS, Chairman
Washoe County Commission

ATTEST: JUDI BAILEY, County Clerk