

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY 5:15 P.M. APRIL 14, 1998

PRESENT:

Joanne Bond, Chairman  
Mike Mouliot, Vice Chairman  
Sue Camp, Commissioner  
Jim Galloway, Commissioner  
Jim Shaw, Commissioner

Judi Bailey, County Clerk  
John MacIntyre, County Manager  
Madelyn Shipman, Legal Counsel

The Board met in regular session in the Washoe County District Health Department, Building B, 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:

98-292 AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Shaw, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that the agenda for the April 14, 1998 meeting be approved.

PUBLIC COMMENTS

Robert Metz, 4360 Del Paso Drive, addressed the Board regarding the on-going lack of medical treatment he has received for his son Josiah while in the care of the child's mother. He advised that as of today, Child Protective Services (CPS) has agreed to provide protection for his son; and that the amount of time it took to obtain this protection resulted in the loss of vision in Josiah's left eye. Mr. Metz then spoke about his newly formed organization entitled "Parents for Equal Justice", a statewide organization created to be a monitoring agency for County-wide child services and family court services and to be a "watchdog" over the family courts in Nevada.

Kelly Probasco, Chairman, Cold Springs Community Association, discussed design changes to the proposed community center which will result in an approximate savings of \$60,800 by eliminating the second story.

MINUTES

On motion by Commissioner Shaw, seconded by Commissioner Camp, which motion duly carried, it was ordered that the minutes of the regular meetings of March 10 and 17, 1998, be approved with Chairman Bond abstaining on March 17th due to her absence on that date.

\* \* \* \* \*

THE BOARD CONVENED AS THE GAMING LICENSE BOARD

98-293 GAMING LICENSE - TAHOE FEED & GRAIN

Upon recommendation of Karen Carmel, Business License Supervisor, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that a gaming license for Tahoe Feed & Grain, Camptown Ltd., (Edward L. and Helen C. Colella) 868 Tahoe Blvd. #4, Incline Village, Nevada be granted.

It was noted that the Nevada State Gaming Commission approved the business license for Tahoe Feed & Grain on February 26, 1998.

\* \* \* \* \*

THE BOARD CONVENED AS THE COUNTY LIQUOR BOARD

98-294 REFUND OF BUSINESS LICENSE FEES

County Manager John MacIntyre responded to questions raised at yesterday's caucus concerning background investigative fees. Commissioner Galloway stressed the importance of ensuring that all business applicants are aware that investigative fees are non-refundable and Michael Harper, Department of Community Development, advised that the business application form specifies this information very clearly.

Upon recommendation of Karen Carmel, Business License Supervisor, on motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that business license permit fees be refunded to the following individuals:

Renea Dawn Green	Massage Permit	\$ 29.00
Cherie M. Cox	Massage Permit	\$ 29.00
John Brooks	Liquor License	\$ 425.00

THE BOARD RECONVENED AS THE BOARD OF COUNTY COMMISSIONERS

98-295 PROCLAMATION - VOLUNTEER RECOGNITION WEEK

On motion by Commissioner Shaw, seconded by Commissioner Camp, which motion duly carried, it was ordered that the following proclamation be adopted and duly executed:

P R O C L A M A T I O N

WHEREAS, Thousands of volunteers donate their time, energy and expertise to Washoe County and other organizations that provide services to County residents; and

WHEREAS, Volunteers contribute to the enrichment of our community and help make Washoe County a better place to live and work; and

WHEREAS, Volunteers are a valuable resource to Washoe County departments/agencies and contribute to the cost-effectiveness of government operations; and;

WHEREAS, Volunteers strengthen the democratic process by participating in local government activities and working to help solve community problems; and

WHEREAS, On April 13-19, 1998, citizens across the United States of America will thank volunteers for their many contributions as part of National Volunteer Week; now, therefore, be it

PROCLAIMED, That the Board of County Commissioners of Washoe County, Nevada, hereby proclaims April 13-19, 1998, as Volunteer Recognition Week.

98-296 ACCEPTANCE OF CASH DONATION - RENO ROTARY CLUB - D.A.R.E. PROGRAM - SHERIFF

Upon recommendation of Richard Kirkland, Sheriff, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that a cash donation in the amount of \$500.00 from the Reno Rotary Club to be used for the D.A.R.E. Program of the Sheriff's Office be accepted with gratitude.

98-297 EDWARD BYRNE MEMORIAL STATE & LOCAL LAW ENFORCEMENT FORMULA GRANT - SHERIFF

Upon recommendation of Richard Kirkland, Sheriff, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that an Edward Bryne Memorial State and Local Law Enforcement Formula Grant funded by the office of Criminal Justice Assistance of the Nevada Department of Motor Vehicles for the purchase of a Nicolet FTIR, a Leica microscope/spectrometer and a polarized light microscope be accepted in the amount of \$130,000.

It was further ordered that the following budget adjustments be authorized:

Increase Revenues		Increase Expenditures	
1552G/4301	\$65,000.00	15252G/7814	\$130,000.00

It was noted that \$65,000 of the grant are Federal funds and \$65,000 will be matched by Washoe County; that funds are available in the Division's Fine Revenue Accounts (15220D and 15222D); that the match of \$65,000 is to be transferred from 1522D (DUI Services) 57731; expenditure accounts 7140 (\$32,000) and 7849 (\$32,500).

98-298 STATE IDENTIFICATION SYSTEM GRANT - SHERIFF

Upon recommendation of Richard Kirkland, Sheriff, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that a State Identification System Grant funded by the Office of Criminal Justice Assistance, Nevada Department of Motor Vehicles and Public Safety, for the purpose of collection and analysis of convicted offender samples per NRS 176.111 and to upgrade the DNA section with new STR technology to include capillary electrophoresis system in the amount of \$172,727.00 in federal funds, be accepted. It was further ordered that the following budget adjustments be authorized:

Increased Revenues		Increased Expenditures	
1524G/4301	\$172,727.00	1524G/7829	(Computer) \$ 13,069.00
		1524G/7814	(Lab Equipment) 77,103.00
		1524G/7219	(Chemical Supplies) 21,220.00
		1524G/7240	(Lab Supplies) 6,650.00
		1524G/7140	(Professional Serv.) 50,000.00
		1524G/7620	(Travel) 4,685.00

98-299 ROUND-TRIP AIRLINE TICKET - ROBERT WIDEMAN - NEVADA DIVISION OF INVESTIGATION EMPLOYEE - SHERIFF

Upon recommendation of Richard Kirkland, Sheriff, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that the purchase of a round-trip airline ticket for Robert Wideman, a Nevada Division of Investigation employee, to travel to San Jose, California to utilize Mr. Wideman's computer expertise in an on-going homicide investigation be retroactively approved; and that the Comptroller be authorized to make the necessary budget adjustments.

It was noted that the cost of the airline ticket was \$140.00; that it was purchased out of the Detective Division travel budget, 15061-7620; that the trip was taken on February 17, 1998, returning to Reno on February 18, 1998; and that it was considered to be an emergency to ensure that the integrity of the crime scene was complete and to aid in the successful prosecution of the case.

98-300 BUDGET AMENDMENT - FY 1997/98 AIDS PROGRAM - HEALTH

Upon recommendation of James Begbie, Acting District Health Officer, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that an amendment to the District Health Department Fiscal Year 1997/98 Aids Program Budget in the amount of \$42,649 in Federal funds be approved and the following account transactions be authorized:

Account Number	Description	Amount of Increase
002-1700-1712G2 -4301	Federal Funds	\$ 42,649.00
002-1700-1712G2 -7001	Salaries	\$ 22,550.00
-7048	Retirement	\$ 4,250.00
-7050	Medicare	\$ 340.00
-7140	Other Professional Services	\$ 7,000.00
-7418	Lab Outpatient	\$ 8,509.00
	Total Expenditures	\$ 42,649.00

98-301 BUDGET AMENDMENT - FY 1997/98 COMMUNITY AND CLINICAL SERVICES BUDGET - HEALTH

Upon recommendation of James Begbie, Acting District Health Officer, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that an amendment to the District Health Department Fiscal Year 1997/98 Community and Clinical Services Budget in the amount of \$11,300 be approved and the following account transactions be authorized:

Account Number	Description	Amount of Increase/Decrease
002-1700-171102 -7140	Professional Services	(\$11,300.00)
-7829	PC Hardware	5,000.00
-7843	Audio/Video Equipment	6,300.00

98-302 BUDGET AMENDMENT - FY 1997/98 BUDGET FOR EARLY INTERVENTION CLINIC - HEALTH

Upon recommendation of James Begbie, Acting District Health Officer, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that an amendment to the District Health Department Fiscal Year 1997/98 Early Intervention Clinic Program Budget in the amount of \$41,667 be approved and the following account transactions be authorized:

Account Number	Description	Amount of Increase/(Decrease)
002-1700-17150 -7403	Biologicals	(\$ 2,667.00)
-7418	Outpatient Services	(\$39,000.00)
-7423	Referral Services	(\$41,667.00)

98-303 BUDGET AMENDMENT - FY 1997/98 IMMUNIZATION PROGRAM BUDGET - HEALTH

Upon recommendation of James Begbie, Acting District Health Officer, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that an amendment to the District Health Department Fiscal Year 1997/98 Immunization Program Budget in the amount of \$30,000 in Federal funds be approved and the following account transactions be

authorized:

Account Number	Description	Amount of Increase	
002-1700-1735G4 -4301	Federal Contributions	\$ 30,000.00	
002-1700-1735G4 -7140	Professional Services		\$ 20,000.00
-7230	Educational Materials		\$ 10,000.00
	Total	\$ 30,000.00	\$ 30,000.00

98-304 TRANSFER OF APPROPRIATION - ASSESSOR

Upon recommendation of Robert McGowan, Washoe County Assessor, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that a transfer of appropriation in the amount of \$4,500 to enable the appraisal staff to attend Continuing Education courses pursuant to NRS 361.223 and to aid in the selection of a CAMA system be approved and the following account transactions be authorized:

Account	Decrease Description	Amount
1026-7001	Base Salaries	\$ 4,500.00
Account	Increase Description	Amount
1024-7620	Travel - CAAS	\$ 2,000.00
1026-7620	Travel - Appraisal	\$ 2,500.00

98-305 APPROPRIATION TRANSFER - COUNTY COMMISSIONERS/MANAGER

Upon recommendation of Anna Heenan, Senior Administrative Analyst, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that appropriation transfers within the County Commissioners and the County Manager's budgets for travel expenses be approved in the amount of \$7,000; and that the following account transactions be authorized:

Account	Decrease Description	Amount
001-1001-7105	BCC - Consulting	\$ 1,000.00
001-1001-7289	BCC - Board of Equalization	\$ 1,000.00
001-1001-7832	Telephone	\$ 3,000.00
	Total	\$ 5,000.00
001-1011-7105	Manager - Consulting	\$ 2,000.00
	Total	\$ 2,000.00

Account	Increase Description
---------	----------------------

001-1001-7620 BCC - Travel \$ 5,000.00

Total \$ 5,000.00

001-1011-7620 Manager - Travel \$ 2,000.00

Total \$ 2,000.00

#### 98-306 TRANSFER OF APPROPRIATION - CORONER

Upon recommendation of Brian Mirch, Finance Division, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that an appropriation transfer in the amount of \$500.00 for travel expenses be approved and the following account transactions be authorized:

Increase	Account	Amount	Decrease	Account	Amount
1531-7620	Travel	\$500.00	1531-7105	Consulting	\$ 500.00

#### 98-307 TRANSFER OF APPROPRIATIONS - PUBLIC WORKS

Upon recommendation of Jerry McKnight, Director, Budget and Finance, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that an appropriation transfer in the amount of \$500.00 to cover increased travel costs be approved and the following account transactions be authorized:

Decrease	Account	Amount	Increase	Account	Amount
001-1601-7140	\$500.00	Other Professional Svcs.	001-1601-7620	Travel	\$ 500.00

#### 98-308 GRANT OF EASEMENT - EARL'S LIMITED PARTNERSHIP - PUBLIC WORKS

Upon recommendation of James Gale, Senior Property Agent, through David Roundtree, Public Works Director, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, it was ordered that a Grant of Easement between Earl's Limited partnership as Grantor, and Washoe County as Grantee required for Washoe County to maintain an existing sewer line within the Brookside Trailer park be approved and Chairman Bond authorized to execute.

#### 98-309 GRANTS OF EASEMENT - GOSHUTE ROAD - CRYSTAL BAY PUBLIC WORKS

Upon recommendation of James Gale, Senior Property Agent, through David Roundtree, Public Works Director, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, it was ordered that Grants of Easement between Fred J. Fulton and Arlene A. Fulton as Grantors and Washoe County as Grantee and Stanley R. Sieler, Jr., and Kathleen A Fulton as Grantors and Washoe County as Grantee concerning the construction of roadway and drainage improvements on Goshute Road located in Crystal Bay, Nevada be approved and Chairman Bond authorized to execute.

#### 98-310 GRANT OF EASEMENT - SIERRA PACIFIC POWER COMPANY PUBLIC WORKS

Upon recommendation of James Gale, Senior Property Agent, through David Roundtree, Public Works Director, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, it was ordered a Grant of Easement between Washoe County and Sierra Pacific Power Company be approved and Chairman Bond authorized to execute.

It was noted that the 8-foot easement will provide a second 600 amp. source of 23KV power line from Los Altos Parkway to a tie within Wingfield Springs and is located adjacent to Vista Boulevard within County owned property APN 522-091-01.

98-311 REQUEST FOR PROPOSAL - RFP #2067-98 - MODULAR FACILITY SIGNAGE - GENERAL SERVICES

This was the time to consider request for proposals, Notice to Proposers for receipt of sealed proposals having been published in the Reno Gazette-Journal on February 24, 1998, for Modular Facility Signage on behalf of the General Services Department. Proof was made the due and legal Notice had been given.

A Request for Proposal was received from the following respondent:

System 2/90, Inc.

Machabee Office Environment did not submit a proposal and Advanced Office Interiors, Contract Resource Group, Inc., Fastsign, Innerface Architectural Signage, Inc., Instant Sign Center, King Products, Inc., One Stop Signs, Sign Service, Ltd., Sign Station and Weidner Architectural Signage failed to respond.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Shaw, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that RFP No. 2067-98 for Modular Facility Signage on behalf of the General Services Department be awarded to System 2/90, Inc.

It was further ordered that the Purchasing and Contracts Administrator be authorized to enter into a two-year agreement, commencing May 1, 1998 through April 30, 2000, with the provision for a two-year extension at the sole option of the County.

It was noted that the total estimated value of the award is \$40,000 for a two-year period; that no specific dollar value will be assigned to the award resulting from the RFP as the signage will be purchased on a requirements basis only.

98-312 AWARD OF BID - SKI WAY WATER QUALITY IMPROVEMENT PROJECT - INCLINE VILLAGE - ENGINEERING

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 February 26, March 5, and 12, 1998, for the Ski Way Water Quality Improvement Project located in Incline Village, Nevada. 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 contractors:

CONTRACTOR	BID
Dossey Construction	\$346,904.18
Spiess Construction	\$368,220.00
Ford Construction	\$412,550.00
Joe Suter	\$434,650.00
Al Pombo, Inc.	\$435,424.00
Marv McQueary Construction	\$440,275.00
Perata Excavation	\$449,713.20
Granite Construction	\$453,355.00
A & K Earth Movers	\$469,169.00
Interstate Utility Company	\$480,024.00
V & C Construction	\$485,632.50

Burdick Excavating	\$492,115.00
Ace Asphalt Paving	\$492,450.00
Contri Construction	\$531,129.85
R.O. Peterson	\$648,846.00

Upon recommendation of Kimble Corbridge, Engineering Division, through David Roundtree, Public Works Director, on motion by Commissioner Shaw, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that the bid for the Ski Way Water Quality Improvement Project be awarded to the lowest responsive, responsible bidder, Dossey Construction and Excavating in the amount of \$346,904.18; and that Chairman Bond be authorized to execute the contract documents when presented.

98-313 SUBGRANT AGREEMENT - STATE OF NEVADA DEPARTMENT OF HUMAN RESOURCES - RYAN WHITE TITLE II CARE ACT - SOCIAL SERVICES

Upon recommendation of May Shelton, Director, Department of Social Services, on motion by Commissioner Camp, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that a subgrant agreement between Washoe County and the Nevada Department of Human Resources (Health Division) for the period March 23, 1998 through March 31, 1998, concerning covering costs of COBRA Health Insurance Premiums and any related costs for individuals who are H.I.V. positive and who have lost employment be retroactively approved in the amount of \$50,000, and Chairman Bond be authorized to execute.

98-314 PARTICIPATION AGREEMENT - HOSPITAL SERVICES - NEVADA HEALTH CARE COALITION - RISK MANAGEMENT

Upon recommendation of Ray Sibley, Risk Manager, on motion by Commissioner Shaw, seconded by Commissioner Camp, which motion duly carried, it was ordered that a Hospital Services (C-TH) Participation Agreement between Washoe County and the Nevada Health Care Coalition concerning cost-effective medical services provided at Carson Tahoe Hospital be retroactively approved to February 1, 1998; and that the Risk Manager be authorized to sign the required Participation Agreement.

98-315 INTERLOCAL AGREEMENT - CITY OF RENO ELECTIONS VOTERS

Upon recommendation of Laura MacMahon, Registrar of Voters, on motion by Commissioner Camp, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that an Interlocal Agreement between Washoe County and the City of Reno, concerning conducting elections for the City of Reno be approved and Chairman Bond authorized to execute.

98-316 BUSINESS ANALYSIS - INTERACT GROUP - PUBLIC SAFETY TRAINING CENTER - FINANCE

Upon recommendation of Katy Simon, Deputy County Manager, on motion by Commissioner Camp, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the expenditure of up to \$8,000 for the preparation of a business analysis for a Public Safety Training Center by the INTERact Group to be jointly funded by Washoe County, the Cities of Reno and Sparks, Truckee Meadows Community College and J.R. Investments, LLC, with Washoe County acting as fiscal agent be authorized; and that staff be directed to negotiate an agreement with The INTERact Group for same.

Legal Council Madelyn Shipman clarified that the intent is if there is a sales tax passed, the \$8,000 expenditure by the entities and private property owners would be reimbursed through the sales tax.

It was noted that approval of this item does not obligate the County to go forth with the Public Safety Training Center project and will provide the necessary analysis to determine the feasibility of the project at a site still to be determined.

98-317 INTERLOCAL AGREEMENT - NORTH LAKE TAHOE FIRE PROTECTION DISTRICT - DISPATCH SERVICES - FINANCE

Upon recommendation of Gary Goelitz, Senior Administrative Analyst, on motion by Commissioner Galloway, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that a previous Interlocal Agreement with the North Lake Tahoe Fire Protection

District approved on May 27, 1997 for provision of dispatch services by Washoe County on behalf of the Fire District be rescinded.

It was further ordered that a new Interlocal Agreement for Consolidated Communications Services between Washoe County and the North Lake Tahoe Fire Protection District with modifications be approved effective April 20, 1998 at which time the District's dispatch employees will become County employees with the consolidated dispatch center to be located within the Incline Village Sheriff's Office Substation.

It was noted that the estimated construction cost for the consolidated dispatch center is \$100,000 to \$110,000 with funds available within the Public Works Construction Fund.

#### 98-318 RESOLUTION - AMENDING CITIZEN ADVISORY BOARD BYLAWS - COMMUNITY DEVELOPMENT

Upon recommendation of Leslie Roylance, Department of Community Development, on motion by Commissioner Galloway, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the following resolution be adopted and duly executed:

#### R E S O L U T I O N

WHEREAS, The Board of Commissioners of Washoe County held a public meeting on April 14, 1998, and amended the Washoe County Citizen Advisory Board Bylaws; and

WHEREAS, Said amendment was requested to remove paragraphs 4 and 5 from Article 2, Representation, Washoe County Citizen Advisory Boards Bylaws, regarding existing membership requirements for the Incline Village/Crystal Bay Citizen Advisory Board; and

WHEREAS, This amendment will now allow all Citizen Advisory Board membership requirements to be addressed in the form of a Resolution; now, therefore, be it

RESOLVED, BY THE BOARD OF COMMISSIONERS OF WASHOE COUNTY, NEVADA, That the Board does hereby adopt the amended Washoe County Citizen Advisory Boards Bylaws, dated April 14, 1998.

#### 98-319 RESOLUTION - DEFINING EXISTING MEMBERSHIP REQUIREMENTS - INCLINE VILLAGE/CRYSTAL BAY CITIZEN ADVISORY BOARD - COMMUNITY DEV.

Upon recommendation of Leslie Roylance, Department of Community Development, on motion by Commissioner Galloway, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the following resolution be adopted and duly executed:

#### R E S O L U T I O N

WHEREAS, The Board of Commissioners of Washoe County held a public meeting on April 14, 1998, and amended the Washoe County Citizen Advisory Board Bylaws by removing paragraphs 4 and 5 of Article 2, Representation; and

WHEREAS, The existing membership requirements for the Incline Village/Crystal Bay Citizen Advisory Board will now be addressed in the form of a Resolution; now, therefore, be it

RESOLVED, BY THE BOARD OF COMMISSIONERS OF WASHOE COUNTY, NEVADA, That this Resolution defines the membership of the Incline Village/Crystal Bay Citizen Advisory Board and shall consist of seven members appointed by the Board of County Commissioners, with the following representation:

One member representing Crystal Bay At-large. This member must reside within the Crystal Bay Community.

Five members representing the Incline Village/Crystal Bay Community At-Large.

One member representing the Incline Village General Improvement District (IVGID).

The Chair of the Board of Trustees shall be the designated representative, or an appointee who is also a member of the IVGID Board of Trustees, with a term that has no expiration date. Should IVGID choose to not appoint a representative for the CAB, the Board of County Commissioners could appoint a member at-large with a two-year term limit based on the staggered terms of the existing membership.

98-320 RESOLUTION - ESTABLISHING COLD SPRINGS CITIZEN ADVISORY BOARD - COMMUNITY DEVELOPMENT

Upon recommendation of Leslie Roylance, Department of Community Development, on motion by Commissioner Galloway, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that a Resolution establishing the Cold Springs and North Valleys Citizen Advisory Boards adopted on February 10, 1998 be rescinded; and that the following new resolutions be adopted:

R E S O L U T I O N

WHEREAS, The citizens of the Cold Springs area of Washoe County have expressed a desire for a formal organization through which they can communicate their views and concerns to the Board of County Commissioners; and

WHEREAS, With such an organization, citizens can be kept better informed of decisions and actions of the Board of County Commissioners; now, therefore, be it

RESOLVED, BY THE BOARD OF COMMISSIONERS OF WASHOE COUNTY, NEVADA, That the Cold Springs Citizen Advisory Board be established under Sections 5.425 to 5.435, inclusive, of the Washoe County Code; and be it further

RESOLVED, That the Citizen Advisory Board's purpose shall be to provide a forum for residents' concerns and to provide on-going two-way communications between the residents and the Board of County Commissioners; and be it further

RESOLVED, That the Citizen Advisory Board may provide advice on any matter within the Board of County Commissioners' jurisdiction such as land use, zoning, services, budget, taxes and other matters affecting the lives, health, property or well-being of the residents; and be it further

RESOLVED, That the Cold Springs Citizen Advisory Board's geographical area of responsibility shall include the area within the Cold Springs hydrographic basin in Washoe County, north of the geographical area of responsibility for the Verdi Township Citizen Advisory Board, and west to the California-Nevada state border, as more specifically defined on a map placed on file with the Clerk; and be it further

RESOLVED, That the membership of the Cold Springs Citizen Advisory Board shall consist of five members at-large appointed by the Board of County Commissioners, with the requirement that persons sitting on the Citizen Advisory Board cannot concurrently serve as members of the Cold Springs Community Association; and be it further

RESOLVED, That in addition to applications from individuals as described under Sections 5.425 to 5.435 inclusive, of the Washoe County Code, membership nominations may be made by homeowners associations and other neighborhood-based organizations; and be it further

RESOLVED, That the initial terms of office shall officially begin the date the Board of County Commissioners appoint the members, but shall thereafter run from July 1 through June 30 of the appropriate years; and be it further,

RESOLVED, That the Cold Springs Citizen Advisory Board shall be established April 14, 1998.

R E S O L U T I O N

WHEREAS, The Board of Commissioners of Washoe County divided the North Valleys Citizen Advisory Board and created the Cold Springs Citizen Advisory Board; and

WHEREAS, The creation of the Cold Springs Citizen Advisory Board has altered the geographical area of responsibility and changed the membership of the North Valleys Citizen Advisory Board; now, therefore, be it

RESOLVED, BY THE BOARD OF COMMISSIONERS OF WASHOE COUNTY, NEVADA, That the North Valleys Citizen Advisory Board be restructured, as amended in the following paragraphs, under Sections 5.425 to 5.435, inclusive, of the Washoe County Code; and be it further

RESOLVED, That the existing geographical area of responsibility for the North Valleys Citizen Advisory Board is amended to exclude the geographical area of responsibility for the Cold Springs Citizen Advisory Board; and be it further

RESOLVED, That the membership of the North Valleys Citizen Advisory Board is amended to consist of seven at-large members (reduced from nine members) appointed by the Board of County Commissioners.

98-321 APPOINTMENTS - COLD SPRINGS ADVISORY BOARD - COMMUNITY DEVELOPMENT

Upon recommendation of Commissioner Bond, on motion by Commissioner Mouliot, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the following individuals be appointed as at-large members to the Cold Springs Citizen Advisory Board:

- Debra Leathers Term expiring 6/30/2000
- Joseph McCaffrey Term expiring 6/30/2000
- Kelly Probasco Term expiring 6/30/2000
- Paul Riemer Term expiring 6/30/1999

Commissioner Bond advised that Sharon Robinson, her recommended 5th at-large representative to the Cold Springs Citizen Advisory Board has decided to relocate; and that another appointment will be made on April 28, 1998.

98-322 RESOLUTION - DESIGNATING TAHOE REGIONAL PLANNING AGENCY AS THE METROPOLITAN PLANNING ORGANIZATION FOR THE LAKE TAHOE BASIN

Upon recommendation of Michael Harper, Department of Community Development, on motion by Commissioner Galloway, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the following resolution be adopted and duly executed:

RESOLUTION -- A Resolution Supporting the Designation of the Tahoe Regional Planning Agency as the Metropolitan Planning Organization for the Lake Tahoe Basin.

WHEREAS, President Clinton in July 1997 identified transportation as one of the primary issues associated with protecting the water quality of Lake Tahoe; and

WHEREAS, current transportation and air quality planning funds are inadequate to assist in achieving transportation and air quality thresholds mandated by the Tahoe Regional Planning Compact (Public Law 96-551); and

WHEREAS, designation of the Lake Tahoe Region as a Metropolitan Planning Organization would provide the region with additional transportation and air quality planning funds; and

WHEREAS, designation of the Lake Tahoe Region as an Urbanized Area would provide the region with additional transit operating funds; and

WHEREAS, additional transportation and air quality planning funds for the Tahoe Regional Planning Agency would be used to further support and coordinate Washoe County efforts in preserving Lake Tahoe; and

WHEREAS, designation of the Tahoe Regional Planning Agency as a Metropolitan Planning Organization would streamline many of the administrative actions required for federal transportation projects proposed in the Lake Tahoe region; and

WHEREAS, a formal request by local officials is required to support this designation.

NOW, THEREFORE, BE IT RESOLVED that Washoe County, by and through its Board of Washoe County Commissioners, supports the designation of the Tahoe Regional Planning Agency as the Metropolitan Planning Organization for the Lake Tahoe Basin.

98-323 RESOLUTION AND NOTICE OF INTENT TO EXCHANGE COUNTY PROPERTY - KEYSTONE CANYON & CITY OF RENO - PARKS

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

RESOLUTION AND NOTICE OF INTENT TO EXCHANGE WASHOE COUNTY PROPERTY

WHEREAS, Washoe County (hereinafter referred to as "County") is the owner of a ñ 3.0 acre piece of property located on McCarran Boulevard within the southwest one-quarter of Section 34, T.20N., R.19E., M.D.B.&M., a portion of Assessor's Parcel Number 02-020-09, shown as Parcel B on the Site Map placed on file with the Clerk; and

WHEREAS, County is the owner of a ñ 1.24 acre parcel located on Ives Avenue, within the southwest one-quarter of Section 34, T.20N., R.19E., M.D.B.&M., Assessor's Parcel Number 02-020-14, shown as Parcel C on the Site Map placed on file with the Clerk; and

WHEREAS, the County properties referenced above are part of Rancho San Rafael Regional Park, deeded to the County by the State of Nevada Public Employees Retirement System; and

WHEREAS, the City of Reno (hereinafter referred to as "City"), is the owner of a ñ .62 acre parcel located on Ives Avenue, within the southwest one-quarter of Section 34, T.20N., R.19E., M.D.B &M., a portion of Assessor's Parcel Number 02-020-12, shown the Site Map placed on file with the Clerk; and

WHEREAS, Keystone Community Corporation, A Nevada nonprofit corporation, affiliated with the University Family Fellowship Vineyard (hereinafter referred to as the "Church") is the owner of a ñ 47 acre piece of property which is a portion of the northeast one-quarter of the southeast one-quarter of Section 33, T.20N., R.19E., M.D.B.&M., being a portion of Assessor's Parcel Number 82-630-11, shown as Parcel A on the Site Map placed on file with the Clerk; and

WHEREAS, County has received an offer from the Church to exchange the Washoe County and City of Reno properties referenced above for a ñ 47 acre piece of property referenced above, which property is known as Keystone Canyon and which property is adjacent to Rancho San Rafael Regional Park; and

WHEREAS, County desires to obtain the Church property for public park purposes, to preserve public access to Keystone Canyon, and to protect the ridge line between Keystone Canyon and Rancho San Rafael Regional Park from development; and

WHEREAS, the City has agreed to exchange its property referenced above to facilitate the purposes spelled out herein so long as the City does not incur any costs in the exchange; and

WHEREAS, pursuant to NRS 244.281, the Board of County Commissioners of Washoe County has the power to exchange County property for other real property of substantially equal value, if it has also determined by resolution that the acquisition of the other real

property will be in the best interest of the County; and

WHEREAS, the Washoe County Park Commission and the Rancho San Rafael Advisory Board have recommended the exchange of these properties as outlined above;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY that it has determined that the acquisition of the Church's property will be in the best interest of the County based upon the terms and conditions referred to herein above.

BE IT FURTHER RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY that any exchange must be approved by the State of Nevada Public Employees Retirement System.

BE IT FURTHER RESOLVED AND ORDERED BY THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY that in accordance with the provisions of NRS 244.281, and following publication as required in NRS 244.281 of a notice of the County's intention to exchange the property (which authorization for publication was granted by the Board of County Commissioners on March 24, 1998), Washoe County will accept additional offers of cash or exchange through Karen Mullen, Director, Washoe County Parks and Recreation Department at P. O. Box 11130, Reno, Nevada, 89520 or at a public hearing of the Board of Washoe County Commissioners scheduled for 9:30 a.m. on Tuesday, April 21, 1998.

#### 98-324 DESIGN AWARDS PROGRAM - ENDORSEMENT & DESIGNATION OF REPRESENTATIVE

Cheryl Ryan, Department of Community Development, reviewed background information contained in a staff report concerning the formation of the Design Awards Program and answered questions of the Board.

Commissioner Bond suggested approaching "Truckee Meadows Tomorrow" to see if they may be interested in participating in the program and suggested that Sharon Kvas, Planner with the Department of Community Development, be appointed as the County's representative due to her strong background in planning and design.

Following discussion, on motion by Commissioner Galloway, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bond ordered that the Design Awards Program proposed to recognize outstanding examples of design in the Community by awarding built projects that provide an example of quality design and to encourage those qualities in future development in the community be endorsed and that Sharon Kvas, Principal Planner, Department of Community Development be designated as the Board's representative on the Design Awards Committee.

#### 98-325 RESOLUTION - REFUND OF TAXES - KARL'S KARPET CLEANING - I.D. # 2/142-179

Upon recommendation of James Barnes, Deputy District Attorney, on motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Bond authorized to execute:

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

WHEREAS, Karl's Karpets Cleaning has made a protest to the Washoe County Board of Equalization seeking a reduction in the value of the assessment placed upon its personal property by the Washoe County Assessor; and

WHEREAS, the Washoe County Board of Equalization did reduce the value placed upon the personal property of Karl's Karpets Cleaning, I.D. # 2/142-179; and

WHEREAS, the reduction in value by the Washoe County Board of Equalization results in the taxes of Karl's Karpets Cleaning being reduced by the amount of \$17.83 on #2/142-179; and

WHEREAS, Karl's Karpets Cleaning has previously paid its taxes and therefore is entitled to a refund in the amount of \$17.83 on

NOW, THEREFORE, IT IS HEREBY ORDERED by The Board Commissioners of Washoe County as follows:

1. That the Treasurer of Washoe County be and hereby is authorized and directed, pursuant to NRS 354.240, to refund to Karl's Karpet Kleaning a total of \$17.83, that amount being the excess taxes assessed to Karl's Karpet Kleaning for the tax year 1997/98 and paid into the County treasury.
2. The Treasurer of Washoe County is further directed to debit the account of each governmental entity which has shared in the excess of the taxes for its pro rata share of the refund.

98-326 RESOLUTION - REFUND OF TAXES - VISTA MEDICAL TERRACE - I.D. # 2/177-030

Upon recommendation of James Barnes, Deputy District Attorney, on motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Bond authorized to execute:

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

WHEREAS, Vista Medical Terrace has made a protest to the Washoe County Board of Equalization seeking a reduction in the value of the assessment placed upon its personal property by the Washoe County Assessor; and

WHEREAS, the Washoe County Board of Equalization did reduce the value placed upon the personal property of Vista Medical Terrace, I.D. #2/177-030; and

WHEREAS, the reduction in value by the Washoe County Board of Equalization results in the taxes of Vista Medical Terrace being reduced by the amount of \$1,292.90 on #2/177-030; and

WHEREAS, Vista Medical Terrace has previously paid its taxes and therefore is entitled to a refund in the amount of \$1,292.90 on #2/177-030.

NOW, THEREFORE, IT IS HEREBY ORDERED by The Board of Commissioners of Washoe County as follows:

1. That the Treasurer of Washoe County be and hereby is authorized and directed, pursuant to NRS 354.240, to refund to Vista Medical Terrace a total of \$1,292.90, that amount being the excess taxes assessed to Vista Medical Terrace for the tax year 1997/98 and paid into the County treasury.
2. The Treasurer of Washoe County is further directed to debit the account of each governmental entity which has shared in the excess of the taxes for its pro rata share of the refund.

98-327 RESOLUTION - REFUND OF TAXES - ROCHELLE KERBER (ALLSTATE) - I.D. # 2/102-499

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

WHEREAS, Rochelle Kerber (Allstate) has made a protest to the Washoe County Board of Equalization seeking a reduction in the value of the assessment placed upon its personal property by the Washoe County Assessor; and

WHEREAS, the Washoe County Board of Equalization did reduce the value placed upon the personal property of Rochelle Kerber (Allstate), I.D. #2/102-499; and

WHEREAS, the reduction in value by the Washoe County Board of Equalization results in the taxes of Rochelle Kerber (Allstate) being reduced by the amount of \$82.03 on #2/102-499; and

WHEREAS, Rochelle Kerber (Allstate) has previously paid its taxes and therefore is entitled to a refund in the amount of \$82.03 on #2/102-499.

NOW, THEREFORE, IT IS HEREBY ORDERED by The Board of Commissioners of Washoe County as follows:

1. That the Treasurer of Washoe County be and hereby is authorized and directed, pursuant to NRS 354.240, to refund to Rochelle Kerber (Allstate) a total of \$82.03, that amount being the excess taxes assessed to Rochelle Kerber (Allstate) for the tax year 1997/98 and paid into the County treasury.
2. The Treasurer of Washoe County is further directed to debit the account of each governmental entity which has shared in the excess of the taxes for its pro rata share of the refund.

98-328 CORRECTION OF FACTUAL ERRORS - 1997/98 SECURED TAX ROLLS - ASSESSOR

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

Michelle Perkins	APN 083-871-04	(1997 Secured Roll)
Arthur A. & Judi M. Brown	APN 552-226-21	(1998 Secured Roll)

98-329 ORDINANCE NO. 1013 - BILL NO. 1189 - AMENDING WCC ABOLISHING ELECTED POSITIONS OF CONSTABLE WITHIN WASHOE COUNTY

7:00 p.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on April 3, 1998 to consider second reading and adoption of Bill No. 1189. Proof was made that due and legal Notice had been given.

Chairman Bond opened the public hearing by calling on anyone wishing to speak for or against the adoption of said Ordinance.

Sandy Westby, a Sparks resident, spoke in opposition to the proposed abolishment of the Constables stating that she is the owner of an apartment complex in Sparks and often requires the services they provide for problems associated with evictions and non-payment of rent.

Commissioner Galloway inquired of Ms. Westby if adequate provisions were to be made for the services she requires through a different source, if she would be satisfied and she stated that she would be amenable to this approach.

In response to Ms. Westby's questions, Commissioner Bond stated that the Sheriff's Office would not necessarily assume all of the duties currently being handled by the Constable; that the duties are proposed to be a mix between the private sector and the Sheriff's Office; and that the elimination of the Constables is due to fiscal reasons and other circumstances including on-going litigation.

Legal Council Madelyn Shipman clarified that other issues regarding the proposed abolishment in addition to on-going litigation with the Constables include the archaic state of the law, exposure to the County by actions of Constables and issues regarding worker's compensation, the status of deputies and collective bargaining.

Jerry McKnight, Director of Budget and Finance, explained that the Finance Department has carefully looked at the fiscal side of this issue; that they are dealing with a very old set of laws pertaining to the Constables; that there are other ways this service

can be provided; that the position of the Incline Constable needs to be retained at this time as the services provided are unique; that the abolishment would reduce Risk Management issues which have been a concern; that this issue was reviewed prior to the last election, however, it was close to election time and it would not have been fair to those individuals who had already filed for office to consider the abolishment of the Constables; and that the decision was made at that time to review this issue again prior to the next filing date in May, 1998.

Mr. McKnight further explained that the Finance Department has contacted several out of state firms currently providing these services to ascertain how the process is working stating that privatizing is a fairly widespread practice; that Washoe County is the only County in Nevada that still utilizes the Constables with the exception of Clark County who still has one Constable; that they would propose retaining the Incline Constable due to the special services he provides; and that they will be looking at alternatives to that office in the future.

Ms. Shipman stated that the only person allowed under the law to do evictions would be the Sheriff when the Constables get abolished; that this service cannot be privatized without a change in the statute; that the intent is to have the Sheriff's Department assume the responsibility for those particular duties such as evictions and privatize services that are not required to be accomplished by the Sheriff; that the Sheriff's office is totally capable of assuming responsibility for what the Constables are doing in the outlying townships with the exception of non-Constable services being provided by the Incline Constable which is why the abolishment of that office is proposed to be postponed.

Ms. Shipman further explained that the issue is not based upon the Constable's compensation; that concerns raised about the Constables did not originate from a fiscal standpoint; that it arose from the exposure to the County because as an elected official, the County has no control over those individuals to ensure that adequate personnel practices are being followed.

Commissioner Galloway stated that Ms. Westby had not presented a compelling argument to dissuade his decision regarding the abolishment of the Constables Offices; and that the Board's concern under the present system is the lack of control over individuals' actions and conduct and incurring liabilities for the County.

Tom Smith, a Truckee Meadows resident, stated that he manages over 300 homes in Reno, Sparks and Washoe County; that the Constables have helped him a great deal with regard to safety issues; that it appears more costly to have the Sheriff's Office take on these duties; that any time one is dealing with individuals whether it be a deputy Sheriff or a Constable there is always the possibility of liability; that with regard to lockouts, the Sheriff's Office takes longer to arrive on the scene than the Constable; that they always have two officers for this purpose; that they are usually off-duty officers who get paid time and a-half and are more costly; and that in his opinion, Sheriff's deputies could be better utilized than responding to lockouts and serving papers. In conclusion, Mr. Smith stated that for him the issue is that of public safety.

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

Commissioner Bond stated that the Board will be scrutinizing this entire process very carefully; that if the process is unsuccessful they will revisit the issue; and that if they should reinstate the Constables, they would be employees of Washoe County.

On motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that Ordinance No. 1013, Bill No. 1189, entitled, "AN ORDINANCE ABOLISHING ELECTED POSITIONS OF CONSTABLE WITHIN THE COUNTY OF WASHOE; AMENDING WASHOE COUNTY CODE SECTIONS RELATING TO CONSTABLE; AND OTHER MATTERS RELATING THERETO," be approved, adopted and published in accordance with NRS 244.100.

98-330 ABANDONMENT CASE NO. AB1-1-98 - KENT A. ROBISON TRUSTEE - PUBLIC UTILITY EASEMENT (APN: 39-131-16)

7:00 p.m. This was the time set in a Notice of Public Hearing mailed by certified mail to affected property owners on March 31, 1998, and published in the Reno Gazette-Journal on April 3, 1998, to consider the recommendation of the Washoe County Planning Commission to approve Abandonment Case No. AB1-1-98 for Kent A. Robison, Trustee, to abandon the westernmost portion of La Salle

Heights and that portion of BurksBoulevard between La Salle Heights and Doretta Lane. The approximately 1.1 acres to be abandoned is designated General Rural (GR) in the Verdi Area Plan and is situated in a portion of Section 13, T19N, R18E, MDM, Washoe County, Nevada. Proof was made that due and legal Notice had been given.

Ron Kilgore, Department of Community Development, provided background information concerning the abandonment request.

Chairman Bond opened the public hearing by calling on anyone wishing to speak regarding the abandonment. There being no response, the hearing was closed.

It being the consensus of the Board that NRS 278.840 is being complied with and that the abandonment 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 Shaw, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered Abandonment Case No. AB1-1-98 for Kent A. Robison, Trustee, 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. An access easement in favor of Sierra Pacific Power Company shall be recorded over the roadway on Burks Boulevard.
4. Provisions for a turn-around on Doretta Lane shall be made to the satisfaction of the County Engineer.
5. 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.

98-331 APPEAL - TM7-11-97, SPW2-9-98, & SPW7-31-97 - MONTE VISTA SUBDIVISION - SILVER WEST HOMES

7:00 p.m. This was the time set to consider the appeal of Applicant, Thomas M. Holliday, (Silver West Homes) on behalf of property owners Nick and Vaslie Pappas, and John and Rose Ascuaga from the Washoe County Planning Commission's recommendation to deny the following cases:

Tentative Subdivision Map Case No. TM7-11-97 with Density Transfer Development and Site Review - To create a 64-unit density transfer subdivision on nine parcels totaling ñ348.25 acres. Because the applicant proposes utilizing the A-4 (Farm and Forestry Agricultural District) zoning, a site review is required by the transition policy.

Special Use Permit Case No. SPW2-9-98 - To accommodate the Monte Vista Subdivision under provisions of the old zoning (110.093) to vary the lot sizes from the five-acre minimum for A-4 (Farm and Forestry Agricultural District) zoning to a range of lot sizes from 1.5 to 5.5 acres in a 64 unit density transfer subdivision; to reduce the yard requirements from a width of 150 feet as required in A-4 zoning to a minimum width of 120 feet.

Special Use Permit Case No. SPW7-31-97 - To construct a 220,000-gallon steel water storage tank on a portion of a parcel that falls within the North Valleys planning area. The storage tank will be sited in the Spanish Springs planning area and will serve the proposed Monte Vista subdivision.

Site Location - The site is located approximately one mile northwest of Sun Valley Blvd. and Chimney Drive. The property falls

within three planning areas: Sun Valley, North Valley, and Spanish Springs and is designated as General Rural (GR) on all three area plans. Residential development will be limited to Sun Valley and Spanish Springs areas.

The property is situated in a portion of Section 1, T20N, R19E, MDM, Washoe County, Nevada. (APN: 552-020-03 through 552 020-11).

Commissioner Camp disclosed that her company does business with Lumos & Associates and FPE Engineering; that the company is not involved with this project; and that this will not affect her decision in this matter.

Cynthia Albright, Department of Community Development, reviewed her staff report containing the Planning Commission's recommendations and findings for denial of the proposed subdivision and reviewed the site location, an overview of the project and a detailed comparative fiscal impact analysis. Ms. Albright advised that the proposed development differs from other mobile home subdivisions as the developer will not be doing any grading on individuals parcels; and that the cost of the grading for the pads and mobile homes as well as the extension of utilities from the street to the mobile home site will be entirely the responsibility of the buyer which is very unusual. Ms. Albright further explained that the Planning Commission did not deny this application based entirely on the negative fiscal impact analysis; and that they were in complete agreement that the applicants' proposal is not consistent with comprehensive plan Policy LUT.1.4., and conservation element Policy C.2.3. and C.2.8., and whether or not this would be an orderly extension of growth and an appropriate area for this type of development.

Commissioner Bond stated that when this project initially came before the Citizen Advisory Board, they were discussing septic systems and wells; that due to concerns expressed by some of the residents it was her understanding that the developer has since agreed to bring all of the utilities to the project which is a considerable expense to the developer; that they are going to designate the parcels as real property and not personal property and confirmed with Ms. Albright that the CC&R's would not preclude stick built homes from being built within the project as well.

Commissioner Mouliot stated that most developments in the North Valleys were developed on an extended roads such as Golden Valley, Lemmon Valley and Stead; and that he does not see that this proposed development differs from any other development in the North Valleys area.

Commissioner Galloway inquired if any of the surrounding BLM land is currently on the BLM disposal list which churned the issue of a possible land swap. Ms. Albright further advised that during the public hearing portion of the Planning

Commission meeting no one spoke in opposition to the project. The Chairman opened the public hearing by calling on those individuals wishing to speak in favor or opposition to the project.

Carol Dodson, Lumos and Associates, representing applicant, Silver West Homes, reviewed the project utilizing visual displays. Ms. Dodson discussed primary and secondary access roads advising that all of the roads have been designed to meet County standards; and that utilities for the overall project will be provided by Sun Valley General Improvement District (SVGID) including water and sewer services.

Tom Holliday, President, Silver West Homes, stated the project was initially proposed to be on either septic systems, wells or public water; that after lengthy discussions with the SVGID it became obvious that it would be a better project and beneficial to SVGID to have a 220,000 water tank included in the project with an agreement they would provide significant emergency backup as well as fire service; that they had received some criticism because they have requested public streets; that the option of requesting private streets was rejected after some members of staff and the CAB had suggested that public standards would better suit the subdivision; and that the overall feeling from the community was that this project would create a rural life opportunity within a community which would provide a "move up" or "move out" opportunity within an existing community; that this project would provide a great asset to the community with that the average size of the manufactured homes being 1,900 square feet; that the average retail cost of each unit approximating \$80,000, not including the cost of perimeter stem walls, foundations and utilities.

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

Commissioner Galloway stated that with regard to the fiscal criteria contained in this staff report; that he does not want to utilize this criteria for the approval of this particular project, however, in the future, he would like to use this analysis and compare it to other areas already developed in Washoe County to see how well it stands up and to ascertain whether this is a valid approach by backtesting it on existing developments elsewhere; that the revenue generation is a concern but not sufficiently studied and not a reason for denial of the project; and that he believes the project meets the necessary criteria.

Commissioner Bond stated that staff's analysis was very complete, however, when these manufactured homes are placed on permanent foundations they will sell for \$100,000 and up; that if there is a minimum standard of 1,800 square feet it would not be possible to purchase a manufactured home for \$37,000, therefore, the revenue will be there and that the value of the land will predispose the kind of tenant or individual that would move onto the property; and that by the time they bring the infrastructure into their own private unit; that this will be a very upscale development.

Commissioner Camp stated that there is a lack of inventory on affordable housing as well as the number of areas that would accept modular homes; that this is a beautiful area that will allow individuals who may not have the income to afford upscale homes to live in a nice modular home and own a sizable lot as well.

Following discussion, on motion by Commissioner Galloway, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bond ordered that the appeal of Thomas M. Holliday on behalf of Silver West Homes and property owners Nick and Vaslie Pappas and John and Rose Ascuaga of Tentative Subdivision Map Case No. TM7-11-97 with Density Transfer Development and Site Review, Special Use Permit Case No. SPW2-9-98 and Special Use Permit Case No. SPW7-31-97 for Monte Vista Subdivision be upheld and the recommendation of the Washoe County Planning Commission for denial, be overturned subject to the following findings and conditions:

TENTATIVE SUBDIVISION MAP CASE NO. TM7-11-97 AND SPECIAL USE PERMIT CASE NO. SPW2-9-98:

FINDINGS:

- (a) Plan Consistency. That the proposed tentative subdivision map is consistent with the goals, policies and action programs of the Sun Valley Area Plan and the Washoe County Comprehensive Plan;
- (b) Design or Improvement. That the design or improvements of the proposed subdivision is consistent with the Sun Valley Area Plan - Land Use Plan and the Washoe County Comprehensive Plan;
- (c) Type of Development. That the site is physically suited for the type of development proposed;
- (d) Availability of Services. That the subdivision will meet the requirements of Article 702, Adequate Public Facilities Management System in that the project will be served by community water and sanitary sewer, and water rights will be secured prior to recordation of the final map;
- (e) Fish or Wildlife. That neither the design of the subdivision nor any proposed improvements is likely to cause substantial environmental damage, or substantial and avoidable injury to any endangered plant, wildlife or their habitat;
- (f) Public Health. That the design of the subdivision or type of improvement is not likely to cause significant public health problems due to the project being served by community water and sewer, mandatory refuse collection, and by utilizing acceptable drainage collection systems;
- (g) Easements. That the design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through, or use of property within, the proposed subdivision;
- (h) Access. That the design of the subdivision provides access to surrounding adjacent lands and provides appropriate secondary access for emergency vehicles;

(i) Dedications. That any land or improvements to be dedicated to the County is consistent with the goals, policies and action programs of the Sun Valley Area Plan and the Washoe County Comprehensive Plan;

(j) Energy. That the design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision; and

(k) That the Planning Commissioners gave reasoned consideration to the information contained within the staff report and information received during the meeting.

(l) That the Board of County Commissioners gave reasoned consideration to the information contained within the staff report and information received during the meeting.

CONDITIONS - TENTATIVE SUBDIVISION MAP CASE NO. TM7-11-97 THE TENTATIVE MAP APPROVAL ALLOWS THE SUBDIVIDER TO PROCEED WITH FULFILLING THE CONDITIONS OF APPROVAL AND RECORD A FINAL MAP FOR ALL, OR PORTIONS OF, THE DEVELOPMENT WITHIN TWO (2) YEARS FROM THE DATE OF THE PLANNING COMMISSION ACTION. FAILURE TO RECORD THE FIRST FINAL MAP WITHIN TWO (2) YEARS OF THE PLANNING COMMISSION ACTION, OR FAILURE TO RECORD THE LATEST MAP IN A SERIES WITHIN ONE (1) YEAR AFTER THE DATE OF THE MOST RECENTLY RECORDED MAP SHALL TERMINATE ALL PROCEEDINGS CONCERNING THE SUBDIVISION.

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 APPLICANT 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 COMMUNITY DEVELOPMENT.

THE DEVELOPER SHALL MEET WITH THE ENGINEERING DIVISION AND THE DEPARTMENT OF COMMUNITY DEVELOPMENT 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 COMMUNITY DEVELOPMENT AT LEAST SIXTY (60) DAYS PRIOR TO THE EXPIRATION DATE OF THE TENTATIVE SUBDIVISION MAP.

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.

A COPY OF THE FINAL ORDER FOR THE APPROVAL OF THE TENTATIVE MAP SHALL BE ATTACHED TO ALL PHASES / UNITS SUBMITTALS FOR FINAL MAP REVIEW 60-DAYS PRIOR TO RECORDATION.

GENERAL CONDITIONS

1. The subdivision shall be in substantial compliance with the provisions of Washoe County Development Code, Article 608 - Design Requirements. An advisory note shall be included on all final maps recorded for this subdivision that states the following information:

Regulatory Zone for Review Purposes

Density transfer Development (max. 64 units on 348.25 acres) with an average lot size of 2.0 acres, comparable to High Density

## Rural

Minimum Lot Area Required for Each Parcel	1.5 acres
Minimum Lot Width	120 feet
Minimum Front Yard	30 feet
Minimum Side Yard	15 feet
Minimum Rear Yard	30 feet
Maximum Building Height	35 feet / 2 story maximum

Variances to these standards may be processed as per Washoe County Code. The Department of Community Development shall be responsible for determining compliance with this condition.

2. Final maps and final construction drawings shall comply with all applicable statutes, ordinances, rules, regulations, and policies in effect at the time of submittal of the tentative map or, if requested by the developer and approved by the applicable agency, those in effect at the time of approval of the final map.
3. Final maps shall be in substantial compliance with all plans and documents submitted with and made a part of this tentative map request, as may be amended by action of the final approving authority. Substantial compliance shall be determined by the Department of Community Development.
4. Prior to acceptance of public improvements and release of any financial assurances, the developer shall furnish to the Utility Division and 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. The developer is to provide written approval from the U.S. Postal Service for the plans for the installation of mail delivery facilities. The system, other than individual mailboxes, 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.
7. The final map shall designate faults that have been active during the Holocene epoch of geological time and the final map 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 Department of Community Development shall be responsible for determining compliance with this condition.

8. A complete set of construction improvement drawings, including an on-site grading plan, shall be submitted to the County Engineer for approval prior to finalization of any portion of the tentative map. Grading shall comply with best management practices and shall include detailed plans for grading and drainage, erosion control, slope stabilization and mosquito abatement. Placement or disposal of any excavated material shall be indicated on the grading plan.
9. All open space shall be identified as common area on the final map. A note on the final map shall indicate that all common areas shall be privately maintained and perpetually funded by the Homeowner's Association until the Washoe County Parks Department agrees in writing to accept the dedication of the common area. The County engineer shall be responsible for determining compliance

with this condition. The maintenance of the common areas shall also be address in the CC&R's to the satisfaction of the District Attorney's Office.

10. Prior to recordation of the final map, exiting parcel lines shall be relocated through a boundary line adjustment or eliminated through a reversion to acreage, so they do not conflict with the proposed subdivision. The County Engineer shall be responsible for determining compliance with this condition.

11. In accordance with code, the minimum lot size shall be greater than 1.5 acres if the proposed street section with a 50-foot right-of-way and roadside ditches is used. If the minimum lot size is not increased above 1.5 acres, the appropriate standard street section for the 1.5-acre lot size (42-foot right-of-way and curb and gutter) shall be used. The County Engineer shall determine compliance with this condition.

12. Any existing easements in conflict with the proposed development shall be abandoned or relocated prior to recordation of the affected final map. Acceptable access shall be maintained to all adjacent properties that currently have legal access through the Monte Vista site. The County Engineer shall be responsible for determining compliance with this condition.

13. 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.

14. Conditions, covenants, and restrictions (CC&R's), including any supplemental CC&R's, shall be reviewed, approved, and recorded by the District Attorney's office. The final CC&R's shall be signed, notarized by the owner(s) and submitted to the District Attorney's office with the recordation fee prior to the recordation of the final map. The CC&R's shall require all phases and units of the subdivision approved under this tentative map to be subject to the same CC&R's, be under the authority of the same homeowners association if one is created, and be under the authority of the same architectural control committee if one is created. Should subsequent phases not be subject to the original CC&R's, an annexation document shall be submitted to the District Attorney's office and be subject to the same procedure as outlined for the original CC&R's. Washoe County shall be made a party to the applicable provisions of the CC&R's to the satisfaction of the District Attorney's Office. Said CC&R's shall specifically address the potential for liens against the property and the individual property owner's responsibilities for the funding of the maintenance, replacement, and perpetuation of the following items, at a minimum:

- a. Mandatory solid waste collection.
- b. Maintenance of the access easements, common area.
- c. Passive or natural heating or cooling opportunities.
- d. Maintenance of fire fuel breaks and vegetation mitigation/controls, particularly on the steep slopes.
- e. Installation of two (2) 3-inch caliper trees, one in the front yard and one in the back yard at the time of lot development.

In the event the Planning Commission recommends approval of the tentative subdivision and special use permit and conditions the applicant to maintain all necessary infrastructure to serve the proposed development, the CC&R's shall also address:

- f. Maintenance of the primary, secondary and internal street system, including pavement, drainage channels and all necessary signage.
  - g. Maintenance of the detention basins and drainage facilities.
15. The property owner(s) shall grant an avigation easement to, and acceptable to, the airport

Authority of Washoe county over the entire property. The property owner(s) shall provide the Building Department with appropriate documentation indicating the Avigation Easement has been granted and accepted by the Airport Authority of Washoe County prior to

the issuance of a building permit or mobile home set up permit. The Department of Community Development shall be responsible for determining compliance with this condition.

16. The developer and all successors shall direct any potential purchaser of the site to meet with the Department of Community Development to review conditions of approval prior to the final sale of the site. Any subsequent purchasers of the site shall notify the Department of Community Development of the name, address, telephone number, and contact person of the new purchaser within 30 days of the final sale.

17. The Washoe County Planning Commission certificate on the final map shall be to the satisfaction of the County Engineer and the Department of Community Development.

#### TRAFFIC AND ROADWAY

18. All public roadway improvements necessary 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.

19. The total width of the primary access road and the residential streets shall be 26 feet of paving. In addition, two feet of aggregate base shoulder shall be added on both sides of the paved section. The County Engineer shall determine compliance with this condition.

20. The minimum centerline radius for the secondary access and local streets with 250 average daily trips or less shall be 100 feet. The minimum centerline radius for all other streets shall be 180 feet. The minimum tangent length between curves on all local streets shall be 50 feet. The County Engineer shall determine compliance with this condition.

21. Written approval, including appropriate easements, offers of dedication, etc., is required for the offsite portions of the primary access road and the secondary access road prior to finalization of the first final map. The County Engineer shall determine compliance with this condition.

22. The secondary access road, if public, shall be constructed to Washoe County standards for a permanent emergency access road from Norte Court to an existing County road. The developer may replace the concrete curb with a 2-foot gravel shoulder and roadside ditch, if desired. Due to the unusually long length of the emergency access road, signs shall be posted on both sides along it at 500-foot intervals indicating that it is for emergency access only and not a public street. The County Engineer shall determine compliance with this condition.

23. The Construction Traffic Haul Route shall be the proposed secondary access road to Middlefork Drive to Sun Valley Boulevard. All existing residential streets on the haul route shall be rehabilitated in accordance with Washoe County Code. The County Engineer shall determine compliance with this condition.

24. The Regional Street Naming Coordinator shall approve street names, and a copy of the approval shall be submitted to the County Engineer prior to finalization of the affected final map. Bellezita Drive is not allowed to intersect Palero Drive in two locations. Street names shall be revised as necessary to obtain the required approval.

25. If Middlefork Place is designated as the secondary access road and maintained by Washoe County, appropriate easements and approvals will be required from the owners of Middlefork Place. The road must be upgraded to Washoe County standards to use it as an emergency access road, if Washoe County is to maintain the road. Danforth Drive shall be designated as the secondary access if the property owners on Middlefork Place do not agree to provide the applicant the necessary easements. The County Engineer shall determine compliance with this condition.

26. All access roads, primary and secondary, shall be paved in accordance with Washoe County standards. The County Engineer shall determine compliance with this condition.

## DRAINAGE

27. The conditional approval of this tentative map shall not be construed as final approval of the drainage facilities shown on the tentative map. Final approval of the drainage facilities will occur during the final map review and will be based upon the final hydrology report.
28. Prior to finalization of the final map, a master hydrology/hydraulic report and a master storm drainage plan shall be submitted to the County Engineer for approval. The County Engineer shall be responsible for determining compliance with this condition.
29. Prior to finalization of any portion of the tentative map, a final, detailed master hydrology/hydraulic report and a master storm drainage plan shall be submitted to the County Engineer for approval. All storm drainage improvements necessary 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.
30. There will be a minimum of 18-inches of V-ditch constructed on both sides of all access roads with a minimum of 12-inch diameter by 20-foot driveway culverts installed. The County Engineer shall determine compliance with this condition.
31. The proposed detention facility must be designed to maintain the peak flows from the 10 and 100-year storms or less than the predevelopment flows. The County Engineer shall be responsible for determining compliance with this condition.
32. Any increase in stormwater runoff resulting from the development and based on the 100-year storm shall be detained on site. The County Engineer shall be responsible for determining compliance with this condition.
33. Standard reinforced concrete headwalls or other approved alternatives shall be placed on the inlet and outlet of all drainage structures, and grouted rock rip rap shall be used to prevent erosion at the inlets and outlets of all pipe culverts to the satisfaction of the District Health Department and the Engineering Division.
34. The developer shall provide pretreatment for petrochemicals and silt for all storm drainage from the site to the satisfaction of the Engineering Division and the Washoe County District Health Department.
35. The developer shall obtain a Stormwater Discharge Permit from the Nevada Division of Environmental Protection (NDEP), and a copy of said permit shall be submitted to the County Engineer prior to construction. The Stormwater Pollution Prevention Plan as approved by the NDEP shall be included with the construction improvement drawings.
36. A note on the final map shall indicate that all drainage facilities not maintained by Washoe County, such as detention ponds or V-ditches, shall be privately maintained and perpetually funded by a homeowner's association. As an alternative to a homeowner's association, the developer may request the establishment of a County Utility Service Area under which fees would be paid for maintenance of the proposed drainage facilities. The fee amount will be based on the additional service above that normally provided by the County to maintain new facilities dedicated by the developer. The County Engineer shall be responsible for determining compliance with this condition.
37. The final hydrology/hydraulic report that addresses the primary access road and the secondary access road shall be reviewed and approved by the Bureau of Land Management. The approval shall specifically address the proposal of daylighting the roadside ditches at short intervals to convert the ditch runoff to sheet flow. A copy of the approval shall be submitted to the County Engineer prior to finalization of the first final map.
38. Washoe County has an approved Drainage Master Plan for Sun Valley which includes an HEC-1 model for the Sun Valley Drainage Basin. The master hydrology and hydraulic analysis and master storm drain plan for this project shall be prepared with the first final map and shall utilize the Sun Valley HEC-1 model from the most current version of the Master Plan to determine pre and post development flows. Upon final approval of the HEC-1 model that includes the Monte Vista development, a copy of the updated input

data file shall be submitted to the County. In no instance shall the peak flow rate at individual discharge points increase over current flow rates. The County Engineer shall determine compliance with this condition.

39. The maximum permissible flow velocities (that which does not cause scour) shall be determined for all constructed channels. The determination shall be based on a geotechnical analysis of the channel soil, proposed channel lining and cross section, and it shall be in accordance with acceptable engineering publications/calculations. Appropriate channel lining shall be provided for all channels such that the 100-year flows do not exceed the maximum permissible flow velocity.

40. Small detention ponds designed to accommodate flows from only one lot are not acceptable. Detention ponds shall be designed to detain flows from as much of the development as possible without altering downstream flows. The detention pond designs shall also address the need for additional capacity to handle high sediment loads in the anticipated runoff. The County Engineer shall determine compliance with this condition.

41. Appropriate drainage easements are required on all final maps for the public and private drainage facilities. The County Engineer shall determine compliance with this condition.

WATER AND WASTEWATER

42. A letter from the water purveyor must be submitted to this division indicating the amount of water rights necessary to serve this project. Water rights in the specified amount shall be dedicated to Washoe County in accordance with Article 422. These rights will be subsequently leased to the water purveyor for use on this project.

43. Prior to any final map approvals, the water purveyor must submit calculations demonstrating compliance with NAC 278.040 and NAC 278.410 of the State of Nevada regulations "Governing Review of Plans for Subdivisions, Condominiums and Planned Unit Developments". If water system improvements are required, then the construction plans must be submitted to and approved by the Washoe County District Health Department prior to final map approval.

44. Prior to any final map approvals, a letter from the water purveyor committing adequate water service to this subdivision must be submitted to the Washoe County District Health Department.

45. Prior to any final map approvals, a letter of approval from the Nevada Division of Water Resources must be submitted to the Washoe County District Health Department.

46. Prior to any final map approvals, a letter of approval from the Nevada Division of Environmental Protection must be submitted to the Washoe County District Health Department.

47. Connection fees for sewerage and the clean water surcharge, in accordance with Washoe County ordinances shall be paid prior to the approval of the final map.

48. The pertinent hydrobasin boundaries should be shown on the tentative map.

FIRE PROTECTION

49. If the paved street section on all roadways serving this project is narrower than 28 feet, "No Parking" signs shall be posted and maintained. The Truckee Meadows Fire Protection District shall determine compliance with this condition.

50. Access for all emergency vehicles to the common areas shall be provided. The Truckee Meadows Fire Protection District shall determine compliance with this condition.

51. Fire hydrants shall flow a minimum of 1,000 gallons per minute (GPM) at 20 psi. Hydrant placement maps shall be submitted for approval to the Truckee Meadows Fire Department. Hydrant spacing on cul-de-sac streets shall not exceed 400 feet and 500 feet on

through streets. Access and fireflows concerns shall be addressed prior to the introduction of any combustible materials to the site.

DISTRICT HEALTH DEPARTMENT CONDITIONS - TM7-11-97

1. Sewage disposal shall be by connection to the Sun Valley General Improvement District.
2. A letter from the Sun Valley GID committing sewer service to this proposal must be submitted. This letter shall indicate that the treatment facility will not be brought beyond its permitted capacity by this service.
3. The Nevada Division of Environmental Protection must submit a letter to the Health Department certifying their approval of the final map.
4. Before final approval will be considered, a letter from the water purveyor committing adequate water service to this proposal must be submitted to the Washoe County District Health Department.
5. A letter of approval must be submitted from the Division of Water Resources for this proposal.
6. Within sixty (60) days from the date of this letter, and prior to any final map approvals, the Sun Valley GID must submit calculations demonstrating compliance with NAC 278.400 and 278.410 of the State of Nevada Regulations Governing Review of Plans for Subdivisions, Condominiums, and Planned Unit Developments. If water system improvements are required, then the construction schedule and construction plans must be submitted to and approved by the District Health Department prior to final map approval.
7. A completed dust control plan must be submitted to this Department for review and approval prior to the issuance of a building permit. This plan must be in conformance with Washoe County District Board of Health Regulations Governing Air Quality Management, Section 040.030.
8. An application for Authority to Construct must be submitted and authorization obtained in conformance with Washoe County District Board of Health Regulations Governing Air Quality Management, Section 030.000, prior to commencement of construction on this project. Any source operation which emits 2 or more pounds per day must obtain a Permit to Operate upon completion of construction and prior to operation. All requirements of the Authority to construct authorization must be completed as a condition of this approval.
9. Any storm drainage from this site must have pretreatment for petrochemicals and silts.
10. Prior to approval of each final map, the applicant shall submit a final map review fee.
11. The construction plans for the development must be submitted to this Division for approval. The construction plans must conform to NAC 278.290 and 278.490.
12. Prior to approval of a final map for the referenced proposal, the design engineer shall submit to the satisfaction of the District Health Department a plan for periodic inspection of the construction of the systems for water supply and community sewerage. The design engineer shall, pursuant to the approved inspection plan, periodically certify in writing to the District Health Department that the improvements are being installed in accordance with the approved plans and recognized practices of the trade.

SPECIAL USE PERMIT CASE NO. SPW7-31-97 - MONTE VISTA WATER TANK FINDINGS:

(a) Plan Consistency. That the type of development proposed is consistent with the goals, policies and action programs of the Sun Valley Area Plan and the Washoe County Comprehensive Plan;

(b) Design or Improvement. That the design or improvements is consistent with the Sun Valley Area Plan - Land Use Plan and the Washoe County Comprehensive Plan;

(c) Type of Development. That the site is physically suited for the type of development proposed;

(d) Fish or Wildlife. That the type of development proposed improvements is not likely to cause substantial environmental damage, or substantial and avoidable injury to any endangered plant, wildlife or their habitat;

(e) Public Health. That the type of improvement is not likely to cause significant public health problems due to the project being served by community water and sewer, mandatory refuse collection, and by utilizing acceptable drainage collection systems;

(f) Easements. That the type of improvements will not conflict with easements acquired by the public at large for access through, or use of property within, the proposed subdivision;

(g) Access. That the water tank provides access to surrounding adjacent lands and provides appropriate secondary access for emergency vehicles;

(h) Dedications. That any land or improvements to be dedicated to the County is consistent with the goals, policies and action programs of the Sun Valley Area Plan and the Washoe County Comprehensive Plan;

(i) That the Planning Commissioners gave reasoned consideration to the information contained within the staff report and information received during the meeting.

(j) That the Board of County Commissioners gave reasoned consideration to the information contained within the staff report and information received during the meeting.

CONDITIONS - SPW7-31-97 - MONTE VISTA WATER TANK UNLESS OTHERWISE SPECIFIED, ALL CONDITIONS MUST BE MET OR FINANCIAL ASSURANCES MUST BE PROVIDED TO SATISFY THE CONDITIONS PRIOR TO SUBMITTAL FOR A BUILDING PERMIT. THE AGENCY RESPONSIBLE FOR DETERMINING COMPLIANCE WITH A SPECIFIC CONDITION SHALL DETERMINE WHETHER THE CONDITION MUST BE FULLY COMPLETED OR WHETHER THE APPLICANT SHALL BE OFFERED THE OPTION OF PROVIDING FINANCIAL ASSURANCES. ALL AGREEMENTS, EASEMENTS, OR OTHER DOCUMENTATION REQUIRED BY THESE CONDITIONS SHALL HAVE A COPY FILED WITH THE COUNTY ENGINEER AND THE DEPARTMENT OF COMMUNITY DEVELOPMENT.

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

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. THIS PROJECT SHALL BE SUBJECT TO ARTICLE 436, STREET DESIGN STANDARDS AND ARTICLE 420, STORM DRAINAGE STANDARDS OF THE WASHOE COUNTY DEVELOPMENT CODE. THE FOLLOWING CONDITIONS SUPPLEMENT THESE CODES.

GENERAL CONDITIONS

1. The applicant shall demonstrate substantial conformance to the plans approved as a part of this special use permit to the satisfaction of the Department of Community Development.
2. The applicant shall complete construction of all structures used to further the operation within two years from the date of approval by Washoe County.
3. A copy of the Final Order stating conditional approval of this special use permit shall be attached to all applications for administrative permits issued by Washoe County.
4. Final construction drawings shall comply with all applicable statutes, ordinances, rules, regulations and policies, including Articles 436, Street Design Standards and 420, Storm Drainage Standards of the Washoe County Development Code.

5. A complete set of construction improvement drawings, including an on-site grading plan, shall be submitted when applying for a building/grading permit. Grading shall comply with best management practices and shall include detailed plans for grading and drainage on the site, erosion control, slope stabilization, and mosquito abatement. Placement or disposal of any excavated material shall be indicated on the grading plan.
6. For construction areas larger than 5 acres, the developer shall obtain from the Nevada Division of Environmental Protection a Stormwater Discharge Permit for Construction and submit a copy to the Engineering Division prior to issuance of a grading or building permit.
7. All soil boring logs must be included as part of the construction drawings to the satisfaction of the Engineering Division.
8. All new utilities shall be placed underground to the satisfaction of the Engineering Division.
9. A grading bond shall be provided to the Engineering Division prior to any grading.
10. An Engineering Division inspection fee is required for all public street improvements. The fee shall be paid prior to the final improvement plan approval.
11. Prior to release of any financial assurances for private improvements, the developer shall provide the Engineering Division with a letter, prepared by a civil engineer registered in the State of Nevada, certifying that the private improvements have been constructed in accordance with the approved plans. The County Engineer shall determine compliance with this condition.
12. The developer shall submit a dust control plan to the District Health Department for review and approval prior to the issuance of a building permit.

TRAFFIC AND ROADWAY

13. 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.
14. For any County maintained streets the applicant 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, including Monte Vista Subdivision 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 the minimum is required. The minimum pavement requirements for local streets shall be 3 inches of asphalt on 6 inches of granular base. The minimum pavement requirements for collector streets shall be 4 inches of asphalt over 6 inches of granular base.
15. Prior to ground-disturbing activity, a proposed Construction Traffic Haul Route Plan shall be submitted to the Engineering Division for review and approval. The proposed secondary access road for Monte Vista Subdivision to Middlefork Drive to Sun Valley Boulevard shall be used as the 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 capacity. 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 Pavement.
16. All regulatory traffic signs shall meet County standards and the Manual on Uniform Traffic Control Devices.
17. Street names shall be approved by the Regional Street Naming Coordinator, and a copy of the approval shall be submitted to the County Engineer with the final street improvement plans.

18. Written approval, including appropriate easements, offers of dedication, etc., is required for all offsite roadways prior to the approval of the final improvement plans.

#### DRAINAGE

19. The conditional approval of this special use permit shall not be construed as a final approval of the drainage facilities shown on the special use permit. Final approval of the drainage facilities will occur during the final improvement review and will be based upon the final hydrology report.

20. A detailed hydrology/hydraulic report prepared by a registered engineer shall be submitted to the Engineering Division for approval. All storm drainage improvements necessary to serve the project shall be designed and constructed to County standards and specifications.

21. Standard reinforced concrete headwalls or other approval 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 to the satisfaction of the District Health Department and 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 maximum permissible flow velocity (that which does not cause scour) shall be determined for all channels. The determination shall be based on a geotechnical analysis of the channel soil, proposed channel lining and cross section, and it shall be in accordance with acceptable engineering publications/calculations. Appropriate channel lining shall be provided for all channels such that the 100-year flows do not exceed the maximum permissible flow velocity.

#### DISTRICT HEALTH DEPARTMENT CONDITIONS - SPW7-31-97

1. All land disturbing activities during construction phases, such, as, but not limited to, grading, excavation, cut and fill, etc., must be done with effective dust control measures consistent with Washoe County District Board of Health Regulations Governing Air Quality Management Section 040.030. Disturbances greater than 1 acre in size must obtain an approved dust control plan prior to beginning work.

2. The water system shall conform to the State of Nevada Public Water Supply Regulations, NAC Chapter 445.

#### 98-332 BILL NO. 1188 - ORDINANCE NO. 1012 - FINAL DEVELOPMENT AGREEMENT - DAMONTE RANCH TRADE CENTER

7:00 p.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on April 3, 1998, to consider second reading and adoption of Bill No. 1188. Proof was made that due and legal Notice had been given.

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

On motion by Commissioner Mouliot, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that Ordinance No. 1012, Bill No. 1188, entitled, "AN ORDINANCE PURSUANT TO NEVADA REVISED STATUTES 278.0201 THROUGH 278.0207 APPROVING THE FINAL DEVELOPMENT AGREEMENT FOR THE DAMONTE RANCH TRADE CENTER. THE AGREEMENT FACILITATES THE DEVELOPMENT OF COMMERCIAL AND INDUSTRIAL LAND WITHIN THE SOUTHEAST TRUCKEE MEADOWS SPECIFIC PLAN AREA. THE PROJECT CONSISTS OF TWO PHASES AND INCLUDES ñ193.00 ACRES OF OFFICE COMMERCIAL/INDUSTRIAL (OC/I), ñ39.2 ACRES OF GENERAL COMMERCIAL (GC), ñ50.00 ACRES OF OPEN SPACE (OS), and ñ3.6 ACRES OF PARKS AND RECREATION. THE ñ302 ACRE SITE INCLUDES INFRASTRUCTURE BACKBONE IMPROVEMENTS SUCH AS ROADWAY, UTILITY AND DRAINAGE FACILITIES WITHIN THE PROJECT AREA AS REQUIRED BY THE SPECIFIC PLAN. THE PROJECT ALSO INCLUDES A DESIGN STANDARDS HANDBOOK THAT WILL GUIDE FUTURE DEVELOPMENT WITHIN THE DAMONTE RANCH TRADE CENTER BOUNDARIES, THE PROPERTY IS LOCATED SOUTH OF DOUBLE DIAMOND RANCH AND EAST OF SOUTH VIRGINIA STREET, AND IS A PORTION OF THE SOUTHEAST TRUCKEE MEADOWS SPECIFIC PLAN AREA WITHIN THE SOUTHEAST

TRUCKEE MEADOWS AREA PLAN. THE PARCELS ARE SITUATED WITHIN SECTIONS 16, 17, 20, AND 21, T18N, R20E, MDM, WASHOE COUNTY, NEVADA. (APN's: 16-400-63, 65, 70, 71, 81, AND 16-520-03, 04, 05, 16, 18, 20, 24, 26, AND 27)" be approved, adopted and published in accordance with NRS 244.100.

It was further ordered that the MEMORANDUM OF FINAL DEVELOPMENT AGREEMENT between Washoe County and Nevada Tri Partners (DiLoreto South Truckee Meadows, BDM Development, Steamboat Creek Development, Inc., Damonte Family Limited Liability Company, South Meadows Associates, Dutton, McGah & Bailey, Lewis Homes of Nevada, and Whites Creek Land and Development, Inc.) concerning the Damonte Ranch Trade Center) be approved and Chairman Bond authorized to execute.

\* \* \* \* \*

There being no further business to come before the Board, the meeting adjourned at 8:20 p.m.

JOANNE BOND, CHAIRMAN  
Washoe County Commission

ATTEST: JUDI BAILEY, County Clerk