

TUESDAY 3:00 P.M. APRIL 27, 1999

PRESENT:

- Jim Galloway, Chairman
- Ted Short, Vice Chairman
- Joanne Bond, Commissioner
- Pete Sferrazza, Commissioner (arr. at 6:05 p.m.)
- Jim Shaw, Commissioner
- Amy Harvey, County Clerk
- Katy Simon, County Manager
- Rusty Nash, Legal Counsel

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

99-366 AGENDA

Katy Simon, County Manager, advised that during discussion at yesterday's caucus, it was requested that Item 14 regarding the transfer of Washoe County's Volume Cap to the State for allocation be heard following the public hearings; and that Item 16 regarding the intersection of Arrowcreek Parkway and Thomas Creek Road be heard as close to 4:00 p.m. as possible because several people will be present that item. Chairman Galloway stated that the request to hear Item 14 after the public hearings was because Commissioner Sferrazza would not be able to arrive at today's meeting until approximately 5:30 p.m., and the Chairman would be recusing himself on that item.

In accordance with the Open Meeting Law, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, with Chairman Galloway "abstaining", it was ordered that the agenda for the April 27, 1999 meeting including the requests relative to Item Nos. 14 and 16 as noted above be approved.

PUBLIC COMMENTS

Robert Cameron, area resident, spoke about his concerns regarding to the U.S. Postal Service's plan to move its West Coast Express Mail sorting hub to the Reno/Tahoe International Airport. He stated that the people who have attended all of the noise meetings are gravely concerned about this situation; that everyone in the Truckee Meadows is going to be affected because those Stage 3 adapted 727 aircraft will be leaving between 12:00 midnight and 1:30 a.m. when things are quiet; that property values at the north and south end of the airport are going to drop significantly; and that there are many people that think this situation has to be stopped.

Sam Dehne, Reno citizen, commented that the Board has a new appointment coming up for the Airport Authority and he would highly recommend that the person appointed by Washoe County who is on that board now be removed, noting that he does not live anywhere near the airport, is an aviation amateur, has been part of the mess that has been created at the airport, and he understands that he has a very heavy conflict of interest now that the airport is bent on becoming an overall cargo airport. He further stated that he plans to turn in an application to serve on that board; that he has a tremendous aviation background; that he has been to every airport and noise meeting for four years; and that he highly recommends that the Board put him on the Airport Board.

Doug Cooper, Retired, Federal Aviation Administration, discussed issues relative to the Boeing 727 aircraft and the new contract the airport is considering with the Postal Service. He stated that most of those aircraft are 20 years old; that in 1990

Washoe County Bar Association

\$ 30,000

E.L. Cord Foundation

\$116,000

99-369 PRESENTATION - 1999 CITIZEN SATISFACTION SURVEY

Roger Rahming, Vice President, InfoSearch International, conducted a slide presentation and reviewed the Washoe County 1999 Citizen Satisfaction Survey.

He advised that this is the third citizen satisfaction survey, the previous ones being conducted in 1995 and 1997; that the objective of the study was to ascertain from unincorporated Washoe County residents what they feel are the most important issues facing the County today and in the next 5 years, and how well the County is doing in providing those services; that the satisfaction rating for the County in general, and for 10 of the 16 services respondents were asked to rate, increased slightly since 1997, with an overall rating of 6 based on a scale of 1 to 10; that in 1999 the most important issues facing the County were growth related problems, followed by school education, taxes, tourism and the economy, and gangs and drugs; and that the five most important services were fire protection, traffic & law enforcement, maintaining streets and roads, prosecuting crime, and child protective services.

Katy Simon, County Manager, noted that the survey included only 613 interviews and asked what level of confidence that number provides for a population the size of Washoe County. Mr. Rahming advised that that number of interviews provides a 95% confidence level with a plus or minus 5% error factor. Discussion was then held regarding various issues related to the study and Mr. Rahming responded to questions of the Board.

Chairman Galloway noted that the Internet was an area that people showed great interest in utilizing as an alternative service location, and stated this is probably the trend of the future and should be considered when looking at other alternatives locations, such as future offices, etc. Commissioner Short commended Washoe County employees on the high rating for courteousness, but noted that the survey indicated that there is still room for improvement in this area. Chairman Galloway thanked the County employees for their courteousness to the public.

On motion by Commissioner Shaw, seconded by Commissioner Short, which motion duly carried, Chairman Galloway ordered that receipt of the report on the 1999 citizen Satisfaction Survey be acknowledged.

Later in the meeting, Chairman Galloway noted that Sam Dehne had requested to speak on this item. Mr. Dehne stated that "growth problems" were the number one concern of the unincorporated County residents, but this Board, as well as the Reno City Council, continue to approve one giant project after another; that growth must pay its way for growth impacts such as schools, roads, police, etc.; and that the citizens of Washoe County should be able to vote on approval or disapproval of major proposed projects. He then stated that the Internet will be one way to stop uncontrolled growth and recommended that the County get involved with the Internet for conventions, etc. which would reduce traffic and improve air quality.

99-370 RESOLUTION - NATIONAL DRINKING WATER WEEK - MAY 1 - 8, 1999 - WATER RESOURCES

Ed Schmidt, Director, Department of Water Resources, introduced Terry Svetich of the Water Resources Department, reviewing her expertise and achievements relative to water issues.

Ms. Svetich discussed water standards and programs being implemented to assure that a safe and dependable supply of water is maintained in the Truckee Meadows. She stated that the success of wellhead protection programs and source water protections will require a joint effort involving County staff, water customers, and the community; that as part of the public education effort, a consumer confidence report program was initiated last summer and these reports will be sent each year to water system customers; that Drinking Water Week is the County's opportunity to reach out to the community to let them know what is being done and to increase their understanding of the County's water systems. She then advised that Sun Valley Water and Sanitation District has developed an annual event, which this year is going to occur on Saturday, May 1st; and Water Resources has an open house planned on the afternoon of May 7th, which she invited the Commissioners to attend.

Chairman Galloway read the resolution acknowledging Drinking Water Week into the record.

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

WHEREAS, Water is a basic and essential need of humankind; and

WHEREAS, Our health, comfort, and standard of living depends upon an abundant supply of safe water; and

WHEREAS, Washoe County believes that citizens should have a safe and dependable supply of water both now and in the future; and

WHEREAS, Washoe County is calling upon each citizen to give drinking water a hand by protecting our source waters from pollution, conserving, and getting involved. Now, there, be it

RESOLVED, by the Board of Commissioners of Washoe County, Nevada, that May 1-8, 1999, is declared as National Drinking Water Week; and be it further

RESOLVED, that the Board urges all citizens to recognize the value, importance, and fragility of our water resources.

99-371 TRANSFER OF APPROPRIATIONS - PUBLIC WORKS CONSTRUCTION FUND - FINANCE

Katy Simon, County Manager, advised that the Board has been provided with information relative to the account titles for the Public Works Construction Fund accounts, as requested at yesterday's caucus.

Upon recommendation of Gary Goelitz, Finance Division, on motion by Commissioner Shaw, seconded by Commissioner Short, which motion duly carried, Chairman Galloway ordered that the following transfer of funds within the Public Works Construction Fund for FY 1998/99 be approved:

Decrease Account	Amount	Increase Account	Amount
9201-8189	\$120,000	920423-7880	\$120,000
9201-8189	\$ 12,070	920320-7879	\$ 12,070
9201-8189	\$143,105	920320-7880	\$143,105

It was noted that this appropriation transfer is for the completion of the Sheriff's Offices/Locker rooms in the basement of the Old Courthouse, and to augment the jail Unit #10 bathroom remodel because the original master plan estimate did not identify adequate restroom facilities as required by law.

99-372 INCREASE IN CONTRACT HOLD CHARGES - WITTENBERG HALL - FINANCE

Upon recommendation of Brian Mirch, Finance Division, on motion by Commissioner Shaw, seconded by Commissioner Short, which motion duly carried, Chairman Galloway ordered that the increase of contract hold charges at Wittenberg Hall from \$50 per day to \$80 per day for Youth Parole, Bureau of Indian Affairs, Division of Child and Family Services, Sierra Nevada Job Corps, and some rural counties, be approved.

99-373 WATER RIGHTS DEED - WATER SALE AGREEMENT -SIERRA PACIFIC POWER COMPANY - JIM AND JEANNIE OHL RESIDENCE - UTILITY SERVICES

Upon recommendation of John Collins, Manager, Utility Services Division, through Ed Schmidt, Director, Department of Water Resources, on motion by Commissioner Shaw, seconded by Commissioner Short, which motion duly carried, it was ordered that the Water Rights Deed for 0.92 acre-feet of surface water rights being a portion of Claim 221 between Sierra Pacific Power Company, as Grantor, and Washoe County, as Grantee, and Water Sale Agreement between Sierra Pacific Power Company and Washoe County in support

of Jim and Jeannie Ohl's residence, APN 035-310-54, in the Shadow Mountain area, be approved and Chairman Galloway be authorized to execute. It was further ordered that the Utility Services Division Manager be directed to record the Water Rights Deed and Water Sale Agreement with the County Recorder.

99-374 ACCEPTANCE OF DONATION - NORWEST/WELLS FARGO BANK & CO. - D.A.R.E. PROGRAM - SHERIFF

Chairman Galloway asked if anyone was present wishing to speak on this item and there was no response. He thanked Norwest/Wells Fargo Bank & Co. for their donation. Upon recommendation of Richard Kirkland, Sheriff, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Galloway ordered that the donation of \$500 from Norwest/Wells Fargo Bank & Co. to be used for the Sheriff's D.A.R.E. Program be accepted with gratitude.

99-375 ACCEPTANCE OF DONATION - RENO EMBLEM CLUB 372, INC. - D.A.R.E. PROGRAM - SHERIFF

Chairman Galloway asked if anyone was present wishing to speak on this item and there was no response. He thanked Reno Emblem Club 372, Inc. for their donation. Upon recommendation of Richard Kirkland, Sheriff, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Galloway ordered that the donation of \$906.38 from Reno Emblem Club 372, Inc. to be used for the Sheriff's D.A.R.E. Program be accepted with gratitude.

99-376 TRANSFER FROM CONTINGENCY - CORONER - FINANCE

Upon recommendation of Brian Mirch, Finance Division, on motion by Commissioner Shaw, seconded by Commissioner Short, which motion duly carried, Chairman Galloway ordered that the transfer of \$12,650 from the Contingency account to the Coroner's Office for the replacement of a broken X-ray machine be approved and the following account transactions be authorized:

Increase Account	Amount	Decrease Account	Amount
1531-7825 Misc. Equipment	\$12,650	1890-7328 Contingency	\$12,650

99-377 TRANSFER FROM CONTINGENCY - RSWC SKYFIRE 1999 - PARKS - FINANCE

Chairman Galloway stated that the agenda request needs to be changed to reflect that the grant of \$10,000 to RSWC Skyfire, Inc. approved by the Board on April 13, 1999 was for \$8,000 in cash and \$2,000 in fee waivers for facility use at Rancho San Rafael Park.

Upon recommendation of Brian Mirch, Finance Division, on motion by Commissioner Shaw, seconded by Commissioner Short, which motion duly carried, Chairman Galloway ordered that the transfer of \$8,000 from the Contingency account for the Parks Department for RSWC Skyfire 1999 be approved and the following account transactions be authorized:

Increase Account	Amount	Decrease Account	Amount
1404-7321 Contracts	\$8,000	1890-7328 Contingency	\$8,000

99-378 AWARD OF BID - AUTOMOTIVE AND LIGHT TRUCK REPAIR AND MAINTENANCE PARTS AND SUPPLIES - BID NO. 2147-99 - EQUIPMENT SERVICES DIVISION - INJOINDER

This was the time to consider award of bid, Notice to Bidders for receipt of sealed bids having been published in the Reno Gazette-Journal on March 16, 1999, for Automotive and Light Truck Repair and Maintenance Parts and Supplies for the Equipment Services Division of the General Services Department in joinder with the City of Reno and the Washoe County School District. Proof was made that due and legal Notice had been given.

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

Allied Automotive
Finley Industries, Inc.

Auto Diesel Electric, Inc. submitted a "No-Bid" response; the bid of CSK Auto, Inc. was disqualified; and Auto Parts Club, Express UnderCar Parts, Jordan's Thermo King, Inc., Mighty Distributing, One Stop Auto Parts, Plaza Auto Parts, Red Ball Auto Parts, and Vantage Parts failed to respond to the invitation to bid.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Shaw, seconded by Commissioner Short, which motion duly carried, Chairman Galloway ordered that Bid No. 2147-99 for Automotive and Light Truck Repair and Maintenance Parts and Supplies for the Equipment Services Division of the General Services Department in joinder with the City of Reno and the Washoe County School District be awarded as follows:

Primary Vendor:
Allied Automotive

Secondary Vendor
Finley Industries, Inc. DBA Napa Auto & Truck Parts

It was noted that the discounts, prices and exceptions as stated in the Invitation to Bid shall be honored and adhered to until February 28, 2001, with an option to renew for an additional two, one-year periods through February 28, 2003, provided pricing does not increase through the option years specified. It was further noted that the bid items will be procured on an "as-needed" basis and it is estimated that the expenditures for these parts and supplies shall be approximately \$51,000 per fiscal year.

99-379 AWARD OF CONSTRUCTION BID - BARTLEY RANCH PARK/AUDREY HARRIS PARK - PWP-WA-1999-644 - PUBLIC WORKS

This was the time to consider award of construction Bid No. PWP-WA-1999-644, Notice to Contractors for receipt of sealed proposals having been published in the Reno Gazette-Journal on March 31 and April 7, 1999 for paving, utilities, safety lighting, earth work, etc. at Audrey Harris Park and/or the Hawkins Amphitheater/Bartley Ranch Park for the Public Works Department. Proof was made that due and legal Notice had been given.

The following bids were received:

Contractor	Bid
Q & D Construction	\$249,515.00
Rapid Construction	\$249,942.00
Canyon Creek Construction	\$253,212.15
Ace Asphalt	\$274,184.00
Advanced Asphalt	\$281,999.90
A & K Earth Movers	\$285,581.00
Interstate Utilities	\$292,499.00

Upon recommendation of Anthony McMillen, Engineering Division, through David Roundtree, Public Works Director, on motion by Commissioner Shaw, seconded by Commissioner Short, which motion duly carried, it was ordered that Bid No. PWP-WA-1999-644 for paving, utilities, safety lighting, earth work, etc. at Audrey Harris Park and/or the Hawkins Amphitheater/ Bartley Ranch Regional Park be awarded to Q & D Construction, Inc. in the amount of \$249,515.00 and Chairman Galloway be authorized to execute the contract documents.

99-380 AWARD OF CONSTRUCTION BID - 1998/99 PAVING OF SELECTED PAVED & UNPAVED STREETS IN THE TRUCKEE MEADOWS AREA - PWP-WA-1999-618 - PUBLIC WORKS

This was the time to consider award of construction Bid No. PWP-WA-1999-618, Notice to Contractors for receipt of sealed proposals having been published in the Reno Gazette-Journal in accordance with NRS requirements for the 1998/99 Paving of Selected Paved and Unpaved Streets in the Truckee Meadows Area for the Public Works Department.

The following bids were received:

Contractor	Bid
Granite Construction	\$3,136,136.00
Frehner Construction	\$3,268,000.00
Q & D Construction	\$3,361,026.00
Sierra Nevada Construction	\$3,768,400.55

David Roundtree, Public Works Director, provided additional information, which was requested at yesterday's caucus, setting forth the age of the roads intended to be paved this year since they were constructed or their last significant overlay. He discussed asphalt standards and advised that some of the older roadways were constructed at a standard less than that in place today; that the current standard that was put in place in 1994 requires a 20-year design life; and that as a result of new maintenance practices and design requirements, staff believes the County is in a very good position to continue to improve the County roadway system.

Chairman Galloway stated that the citizen satisfaction survey ranked street and roadway maintenance as a very important issue, which he feels is a clear indication that this needs to continue to be supported. He commented that a few of the roads at the bottom of the list have had a shorter length of time since the last construction and asked that staff review those. Mr. Roundtree advised that staff would look at that matter, noting that it usually relates to the quality of the material that was paved over, as well as the traffic using those roads. Mr. Roundtree then responded to questions of the Board. Upon recommendation of Greg Belancio, Engineering Division, through David Roundtree, Public Works Director, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that construction Bid No. PWP-WA-1999-618 for the 1998/99 Paving of Selected Paved and Unpaved Streets in the Truckee Meadows Area be awarded to Granite Construction Company for the base amount of \$3,136,136.00 and Chairman Galloway be authorized to execute the contract documents.

99-381 AGREEMENT - TESTING AND INSPECTION SERVICES - 1998/99 PAVING OF SELECTED PAVED & UNPAVED STREETS IN THE TRUCKEE MEADOWS AREA - PUBLIC WORKS

Chairman Galloway noted that discussion was held on this item at yesterday's caucus meeting. David Roundtree, Public Works Director, was present to respond to questions of the Board.

Upon recommendation of Greg Belancio, Engineering Division, through David Roundtree, Public Works Director, on motion by Commissioner Shaw, seconded by Commissioner Short, which motion duly carried, it was ordered that the Agreement for Testing and Inspection Services between Washoe County and Stantech Consulting Engineers, Inc. for the 1998/99 Paving of Selected Paved and Unpaved Streets in the Truckee Meadows Area, Washoe County, Nevada, PWP-WA-1999-618 be approved and Chairman Galloway be authorized to execute the documents when presented.

It was noted that the costs of services to be provided under this agreement is estimated at \$161,145 and funds are available within the approved FY 97/98 Budget, Infrastructure Preservation (1604).

99-382 AGREEMENT - UPGRADE AND EXPANSION OF CRIME LAB - TRANSFER OF FUNDS - SHERIFF - PUBLIC WORKS

Katy Simon, County Manager, provided background information and advised that discussion was held on this item at yesterday's caucus meeting.

Upon recommendation of Gary Goelitz, Budget Analyst, and David Roundtree, Public Works Director, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the agreement between Washoe County and Dinter Engineering in the amount of \$44,005 for design of modifications to existing facilities at 911 Parr Boulevard required to provide necessary upgrades for forensic, toxicology, DNA, trace evidence, drug, photo processing and fingerprint labs, as well as evidence rooms and vehicle evidence garage areas be approved and Chairman Galloway be authorized to execute.

It was further ordered that the transfer of \$46,000, being the agreement amount plus an additional \$1,995 to cover costs of printing and advertising the bid package, from the Contingency Fund to the Public Works Construction Fund to cover the costs associated with the project be authorized.

It was noted that the transfer will reduce the contingency fund (1890-7328) by \$46,000 and increase the Sheriff's Crime Lab HVAC Modification Project (940427-7103) by \$46,000.

99-383 FIRST AMENDED LEASE AGREEMENT - COMMUNITY OUTREACH CENTER ON NEIL ROAD - TRANSFER OF FUNDS - GENERAL SERVICES

Katy Simon, County Manager, reviewed background information and advised that discussion was held on this item at yesterday's caucus meeting. Ms. Simon then responded to questions of the Board and advised that this action will allow the Juvenile Services Department to move to a better location which has additional space for the same amount of money; and that the \$3,000 penalty for early termination of the existing lease is to pay the original broker for the time required to find another tenant.

Following discussion, upon recommendation of Jean Ely, Interim Director, General Services Department, on motion by Commissioner Short, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the First Amended Lease Agreement between Buck Norred, dba Buck Norred Investments of Nevada (Lessor) and Washoe County (Lessee) to provide for cancellation of the existing lease of retail/office space at 4385 Neil Road, Reno, Nevada, currently utilized as a Juvenile Services Community Outreach Center, prior to its stated expiration date of February 28, 2002, provided the County is not in default of any of the terms and conditions provided therein and upon notice and payment of a penalty to Lessor as stated therein, be approved and Chairman Galloway be authorized to execute.

It was further ordered that the following account transactions be authorized in order to provide funding for payment of early termination penalties at the 4385 Neil Road location:

Increase Account	Amount	Decrease Account	Amount
1611-7340 General Services	\$3,000	1293-7103 Juvenile Services	\$3,000

It was noted that with the recent opening of the City of Reno Neil Road Family Services Center, Juvenile Services plans to relocate its community outreach program into a shared joint use facility which will offer a variety of services and programs to area residents.

99-384 INTERLOCAL AGREEMENT - SOUTH TRUCKEE MEADOWS GENERAL IMPROVEMENT DISTRICT - OPERATION AND MAINTENANCE OF WATER FACILITIES-WATER RESOURCES

Katy Simon, County Manager, advised that the Board approved the other half of this agreement sitting as the South Truckee Meadows General Improvement District Board of Trustees; and that the agreement contains the same amendment which clarifies the language in Article X regarding the effective date of the agreement.

Upon recommendation of Ed Schmidt, Director, Department of Water Resources, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the Interlocal Agreement between Washoe County and the South Truckee Meadows General Improvement District (STMGID) concerning the operation and maintenance of water facilities be approved as amended and Chairman Galloway be authorized to execute.

99-385 RESOLUTION - REFUND OF TAXES - FISH SPRINGS RANCH , I.D. #2/905-007 - NORTHWEST NEVADA WATER RESOURCES, INC., I.D. #2/905-131 - FY 1998-1999

Upon recommendation of James Barnes, Deputy District Attorney, as stated in D.A. Opinion No. 6369, on motion by Commissioner Short, seconded by Commissioner Bond, which motion duly carried, it was ordered that the following Resolution be adopted and Chairman Galloway be authorized to execute on behalf of Washoe County:

RESOLUTION-Directing the County Treasurer to Refund Taxes

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

WHEREAS, Fish Springs Ranch and Northwest Nevada Water Resources, Inc. (Taxpayers) made application for the refund of 1998-1998 personal property taxes because Taxpayers reported exempt personal property on their personal property declarations. The property involved is: Fish Springs Ranch - I.D. #2/905-007 and Northwest Nevada Water Resources, Inc. - I.D. #2/905-131; and

WHEREAS, Fish Springs Ranch and Northwest Nevada Water Resources, Inc. have overpaid taxes for fiscal year 1998-1999 in the amount of: Fish Springs Ranch - \$1,049.97 and Northwest Nevada Water Resources, Inc. - \$6,480.70; and

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

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

1. That the Treasurer of Washoe County be and hereby is authorized and directed to refund to Fish Springs Ranch a total of \$1,049.97 and Northwest Nevada Water Resources, Inc. a total of \$6,480.70, that amount being the taxes overpaid by Fish Springs Ranch and Northwest Nevada Water Resources, Inc. for the tax year 1998-1999 on I.D. #2/905-007 and I.D. #2/905-131 respectively.
2. The Treasurer of Washoe County is further directed to debit the account of each governmental entity which has shared in the excess of the taxes collected in error for its pro rata share of the refund.

99-386 RESOLUTION - REFUND OF TAXES - PET NETWORK OF NORTH LAKE TAHOE, INC. - APN 124-071-47 - FY 1998-1999

Upon recommendation of James Barnes, Deputy District Attorney, as stated in D.A. Opinion No. 6370, on motion by Commissioner Short, seconded by Commissioner Bond, which motion duly carried, it was ordered that the following Resolution be adopted and Chairman Galloway be authorized to execute on behalf of Washoe County:

RESOLUTION-Directing the County Treasurer to Refund Taxes

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

WHEREAS, Pet Network of North Lake Tahoe, Inc. (Taxpayer) made application for the refund of 1998-1999 real property taxes because the Taxpayers property, APN 124-071-47, was tax exempt; and

WHEREAS, Pet Network of North Lake Tahoe, Inc. has overpaid taxes for fiscal year 1998-1999 in the amount of \$4,504.24; and

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

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

1. That the Treasurer of Washoe County be and hereby is authorized and directed to refund to Pet Network of North Lake Tahoe, Inc. a total of \$4,504.24, that amount being the taxes overpaid by Pet Network of North Lake Tahoe, Inc. for the tax year 1998-1999 on APN 124-071-47.
2. The Treasurer of Washoe County is further directed to debit the account of each governmental entity which has shared in the excess of the taxes collected in error for its pro rata share of the refund.

99-387 RESOLUTION - REFUND OF TAXES - SOUTH RENO UNITED METHODIST CHURCH, INC. - APN 049-440-18 - FY 1998-1999

Upon recommendation of James Barnes, Deputy District Attorney, as stated in D.A. Opinion No. 6371, on motion by Commissioner Short, seconded by Commissioner Bond, which motion duly carried, it was ordered that the following Resolution be adopted and Chairman Galloway be authorized to execute on behalf of Washoe County:

RESOLUTION-Directing the County Treasurer to Refund Taxes

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

WHEREAS, South Reno United Methodist Church, Inc. (Taxpayer) made application for the refund of 1998-1999 real property taxes because the Taxpayers property, APN 049-440-18, was tax exempt for a part of fiscal year 1998-1999; and

WHEREAS, South Reno United Methodist Church, Inc. has overpaid taxes for fiscal year 1998-1999 in the amount of \$9,728.55; and

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

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

1. That the Treasurer of Washoe County be and hereby is authorized and directed to refund to South Reno United Methodist Church, Inc., a total of \$9,728.55, that amount being the taxes overpaid by South Reno United Methodist Church, Inc. for the tax year 1998-1999 on APN 049-440-18.
2. The Treasurer of Washoe County is further directed to debit the account of each governmental entity which has shared in the excess of the taxes collected in error for its pro rata share of the refund.

99-388 ELDERCARE PROJECT - NATIONAL DEMONSTRATION PROGRAM - SENIOR SERVICES

Karen Mabry, Director, Senior Services, provided background information and an overview of the ElderCare Project, advising that the project represents a national demonstration program designed to postpone premature institutionalization of low income senior citizens; that their objective is to develop a safe, secure, and homelike campus of continued care featuring an affordable assisted living option that promotes resident independence through assistance and programs currently offered by Senior Services, as well as preventive health care; and that this program would be the first of its kind in the country and is, therefore, eligible for consideration as a national demonstration project through the Health Care Financing Administration (HCFA), the agency responsible for administering the Medicare/Medicaid program. She advised that it is their intent to develop the project through

public-private partnerships what would involve appropriate representatives from each of the disciplines that have been identified; that the preliminary estimate of the costs to construct the facility is \$27.5-million and they intend to aggressively pursue funding from a variety of sources to enable the project to be debt free. She then reviewed a diagram of the proposed campus which was shown on the overhead camera.

Bruce Arkell, Consultant for Washoe County Senior Services on this project, discussed costs and revenue issues. He advised that they are basically talking about putting together a demonstration project for HCFA that says that ElderCare can take care of low income senior citizens cheaper than they can in nursing homes, if they are identified early and appropriate services are offered for the level of care they need at the time; and that many preventive rather than reactive things can be done. He further advised that they are keeping the program small, to about 500 people, so that expectations are not too big should this not work the way it is expected.

Chairman Galloway commented that there is a five-year projection of monies from the Federal government toward this program, and at the end of five years there would be 160 people living on site; and that it would be up to Congress to make sure that those funds are continued, so his concern is that, should that Federal funding go away, there needs to be some kind of fallback position that would protect those residents, as well as some kind of disclosure made to the residents that this is a pilot program. Mr. Arkell stated that those kinds of things would be developed as the program and funding package comes together.

Commissioner Bond stated that this program is worth making the effort to do, but expressed concern relative to liability issues, noting that this was a major concern in the early discussions about this program; and that she would not want the County to find itself in the position of forever being the care provider for these senior residents.

Ms. Mabry stated that they have kept the Board advised as to their progress so far and have not yet spent a great deal of time and energy in developing a full proposal; that from this point on things get serious and the issues raised relative to liability, etc. will be addressed before the final proposal is presented to the Board for formal approval. Commissioner Shaw stated that he has the same concerns as those expressed by other Board members, but believes that since this is a national demonstration project, those concerns would be addressed before finalizing the project.

Commissioner Short applauded Ms. Mabry and the other parties that developed the project, but noted that he has the same concerns and would not want this to become a financial burden on the taxpayers.

Chairman Galloway commented that the Board simply wants to take all precautions possible; that if this program works it would be cheaper for the Federal government to permanently fund the facility rather than having more costly accommodations in nursing homes; and that what is being hedged against is some kind of break down in the system that would leave the County in a difficult position.

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Galloway ordered that the Director of Senior Services be authorized to pursue implementation of the Washoe County ElderCare Project as a national demonstration program, keeping in mind that the concerns raised by the Board should be addressed as part of that process; and that updates be provided to the Board prior to each development phase.

99-389 MAPS DEPICTING ROADS PRESUMED TO BE PUBLIC - PUBLIC WORKS

David Roundtree, Public Works Director, reviewed the process of developing the maps depicting roads within Washoe County presumed to be public roads, which process included public hearings and a committee of people that worked long hours to accomplish that task. He reviewed the maps and advised that they depict presumed public roads but do not create or extinguish a public right-of-way by virtue of showing or not showing a road; and that they do represent their best estimate of what the public road system is as it relates to public roads crossing private property. He advised that there are a few categories of public roads that are not shown on the maps, being

(1)dedicated public rights-of-way, such as in subdivisions,

(2) some roads that cross publiclands under the jurisdiction of either the Bureau of Land Management or the Forest Service, which are presumed to be public because they are on public lands, and
(3) roads that could cross private property but have an alternate access to public lands depicted on the maps.

He further advised that following the public hearings held in 1997 there were a number of people who either protested or provided testimony that they were concerned about the development of the maps; that each one of those people were contacted by the committee and in every instance except one, they were able to resolve the situation with those people; and that they are quite comfortable that they have addressed the concerns that were raised to the Board during the public hearing process. Mr. Roundtree then responded to questions of the Board.

Chairman Galloway stated that this is a banner day but he wanted to be sure the maps were on solid footing; that at yesterday's caucus Legal Counsel advised that the notice for today's hearing is adequate; and that in view of the additional background presented today, he is comfortable that this has been handled appropriately with the concerned parties.

Commissioner Bond commented that there was a lot of public input on this issue and discussion was held with the CAB's and the private property owners; and that she is delighted to see these maps.

Legal Counsel Nash stated that the law is clear that the Court is the only jurisdiction to declare whether a road is public or not, and that option is open to anyone who wishes to either contest this in the future or open additional roads; but that this statement by the County will help a great deal in the development process by determining whether people have access, etc.

Mr. Roundtree noted that adoption of these roads and making them a part of the public record starts the statute of limitations, which in this case is 15 years; and that if a determination to the contrary is not made during that 15-year period, all roads shown on these maps actually do become public and there is then no opportunity for someone to challenge them.

Chairman Galloway noted that, pursuant to NRS provisions, adoption of these maps does not imply any obligation by the County to maintain these roads.

Melissa Davis, Nevada Public Land Access Coalition, advised that George Kent asked her to refer to the adoption of the roads as the right thing to do and Helen Leveille is concerned that the roads be recorded with the County Recorder; that the Nevada Public Land Access Coalition feels that the dedicated work done by the committee and Mr. Roundtree's staff cannot be faulted; and that the roads selected for the maps were thoroughly researched and proven to the accepted criteria. She commented that the Reno/Tahoe area is being marketed as a recreational destination; that local citizens are working toward making the area a trail users paradise, and insuring access to State and Federal land allows for planning with the managing agencies, recreational playgrounds, etc.; and that adopting these roads will greatly increase tourist dollars.

Chairman Galloway stated that Legal Counsel has advised that, relative to the issue raised regarding the recording of the maps, further research will need to be done to determine if that is legally allowed.

Upon inquiry of Commissioner Shaw, Mr. Roundtree advised that it is staff's intent to make the maps as accessible to the public as possible and the public libraries would be a good place to locate them.

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Galloway ordered that the maps depicting roads within Washoe County which are presumed to be public roads be adopted; and that staff be directed to utilize the information contained in the maps as it relates to public roads and public access issues in the review of development proposals. It was further ordered that the maps be recorded in the Recorder's Office if it is determined that it is legally allowable to do so. Mr. Roundtree then requested the Board's approval to draft a letter for Chairman Galloway's signature setting forth special recognition for the people on the committee that spent dozens of hours preparing the maps. Chairman Galloway asked the Board to also consider including a Certificate of Appreciation. The direction to draft said letter and to include Certificates of Appreciation was then included in the motion.

Dave Roundtree, Public Works Director, displayed a diagram of the intersection of Arrowcreek Parkway and Thomas Creek Road on the overhead and described how vehicular and pedestrian traffic flows through the intersection. He stated that one of the concerns supported by the Engineering staff is that the intersection is very wide; that what Engineering is offering as an alternative to a 4-way stop is to move the stopbar on northbound Thomas Creek to shorten the length by approximately 25 feet, which would put the northbound vehicle farther out into the intersection so it is more visible and would provide increased sight distance to the east; and that the sight distance is 550 feet, which does meet, and even exceeds, the design criteria for the posted speed limits. He further stated that the modification would include striping of an island, placement of delineators, and restriping of the crosswalks. Mr. Roundtree stated that this intersection does not meet the warrants for implementation of a 4-way stop according to both the uniform code and the established County policies; that everyone is concerned about safety, but he feels that these modifications will improve sight distance and should be tried and monitored for a period of time; and that he would strongly discourage putting in a 4-way stop on a trial basis and removing it later. He further stated that Arrowcreek is an arterial roadway and the County policy, which is consistent with the policy of the Regional Transportation Commission, is to not place stop signs on arterials. Commissioner Bond suggested putting in some street lighting saying that at night this is a very confusing intersection as you can't tell until you are right there which way you are going to go. Mr. Roundtree stated that there are some street lights now; that more could probably be put in; and that fresh paint would improve the visibility.

Commissioner Shaw asked if the Engineer's suggestion has been reviewed by the Sheriff's Department. Mr. Roundtree stated that the suggestion came from the traffic control committee, which committee consists of Washoe County's Traffic Engineer, the Manager of the Road Maintenance Division, and a representative from the Sheriff's Office, and that the Sheriff's Office does not support the recommendation.

Chairman Galloway discussed the pedestrian safety issue and asked what the traffic flow numbers are and what numbers warrant stop signs, stop lights, etc. Mr. Roundtree responded that the warrants for a stop sign require 500 vehicles per hour for an 8-hour period; that they have measured a little over 500 vehicles per hour for one hour, but it is not even close to that kind of volume for an 8-hour period. He further stated that the projected traffic on Arrowcreek is 9,000 vehicles per day, whereas the projected traffic on Thomas Creek is not expected to increase much more than it is at present.

Lt. Eric Radli, Washoe County Sheriff's Office, stated that he is a member of the traffic control committee; that they did visit the site; and that he also took Deputy Carl McLlelland, a member of the accident investigation team, to the intersection.

Deputy McLlelland stated that he has been on the Sheriff's Major Accident Investigation Team for eight years; that he was trained through the Technical Accident Reconstruction II level by Northwestern University Traffic Institute; and that he has probably investigated well in excess of 100 traffic accidents involving substantial property damage, substantial injury and/or death. He stated that the installation of a 4-way stop at subject intersection would generate the greatest overall safety for all of the motoring public as well as pedestrian traffic; and that since this intersection was opened in January, the Patrol Division has spent an inordinately large amount of patrol time there for traffic violations. Deputy McLlelland then responded to Board questions stating that he does not believe the changes proposed by Public Works would solve any problems; and that one of the biggest problems with this intersection is the hill and the curve.

Lt. Radli stated that going from west to east on Arrowcreek is downhill and vehicles tend to gain speed going downhill which further adds to the problems with this intersection. In response to Commissioner Short, Lt. Radli stated that an accident has not occurred there yet, but there have been a lot of near misses.

Robert Cameron, Southwest Truckee Meadows Citizen Advisory Board, stated that he also serves on the Southwest Citizens Concerned for Traffic and Safety Committee; that at each meeting, their facilitator gives them a street to study and consider; and that their committee did recommend a 4-way stop for the Arrowcreek/Thomas Creek intersection. He stated that this has been studied to death; that he does not understand why Public Works is balking at this; and that unwarranted stop signs were installed on Fieldcreek just for the purpose of slowing the traffic down.

The following individuals also spoke encouraging the Board to install a 4-way stop at subject intersection:

Rene Major
Jill Cummings
Steve Gajewski (CAB)
Hillary Huffman
Ellen Hendricks

The major concern expressed by everyone was the safety and welfare of the children walking to and from Hunsberger Elementary School as well as the motoring public. Several people discussed the intersection of Crossbow/Arrowcreek and requested that stop signs also be installed there. Concerns were also expressed regarding the parent volunteers acting as school crossing guards and people stated that they are adamantly opposed to student crossing guards on this street. Some people stated that the value of a child's life was much higher than the cost of stop signs.

Several children were also present and some of them addressed the Board:

Andrea Major read a letter into the record that she had written to Dave Price, County Engineer.

Kimberly Gajewski said that this intersection is really dangerous.

Jake Hendricks asked the Board to put the stop signs back up at both intersections saying, "please don't cause one of my friends to become a speed bump."

Roseann Hunter, Washoe County School District Field Supervisor for Transportation, stated that there are 5 84-passenger school buses completely full, 4 77-passenger buses that are almost full, and 3 special education buses each making 2 trips per day through this intersection; that it is a very dangerous intersection for the buses; that the growth in the area is going to continue and further increase traffic problems; and that when the new private middle school and high school open, traffic is going to increase immensely.

Chairman Galloway stated that he hopes everyone understands the cost of the signs is not the issue. Mr. Roundtree confirmed stating that the cost of installing the stop signs was never an issue; and that it would only cost a few hundred dollars to put in the stop signs or to do the other work that Engineering is recommending.

* * * * *

6:05 p.m. - Commissioner Sferrazza arrived at the meeting.

* * * * *

Mr. Roundtree stated that the County has installed unwarranted stop signs on roadways in the past, but unwarranted stop signs have never been installed on an arterial roadway; and he explained the problems that could create. Mr. Roundtree also answered numerous questions of Board members.

Chairman Galloway asked that the Sheriff's Office pay particular attention to the intersection at Crossbow/Arrowcreek and start ticketing motorists who are not stopping for the school crossing guards and traveling too fast. Lt. Radli stated that he would send traffic control units out there.

Commissioner Shaw moved that staff be directed to install 4-way stop signs at the intersection of Arrowcreek Parkway and Thomas Creek Road based on the findings that:

- 1) a 4-way stop to control traffic is necessary for the safety of the children of the neighborhood;

- 2) that the Sheriff's Office feels that a 4-way stop is needed at subject intersection based on the traffic study they conducted;
- 3) the Citizen Advisory Board has studied the intersection and feels there needs to be better traffic control;
- 4) the downhill grade approaching this intersection creates a special complication for motorists; and
- 5) the excessive width of the road creates a longer crossing time for pedestrians.

The motion was seconded by Commissioner Short.

Commissioner Sferrazza asked legal counsel whether he should vote since he arrived late. He stated that he has reviewed the agenda materials and is prepared to support the motion, but he did miss the public input. Rusty Nash, Deputy District Attorney, stated that since he did miss the public testimony, he should abstain from voting.

Chairman Galloway called for the vote and the motion duly carried, with Commissioner Sferrazza abstaining.

Someone from the audience asked when the signs would be put up. Mr. Roundtree stated that he thinks the installation could be made by the middle of next week.

99-391 ORDINANCE NO. 1063, BILL NO. 1239 - AMENDING WCC CHAPTER 55 - SPANISH SPRINGS CONGESTED AREA - CONTROL OF DOGS

5:00 p.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on April 16, 1999, to consider second reading and adoption of Bill No. 1063. Proof was made that due and legal Notice had been given.

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

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Galloway ordered that Ordinance No. 1063, Bill No. 1239, entitled, "AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY EXPANDING THE SPANISH SPRINGS CONGESTED AREA WITH RESPECT TO THE CONTROL OF DOGS AND OTHER MATTERS PROPERLY RELATING THERETO," be approved, adopted and published in accordance with NRS 244.100.

99-392 RESOLUTION - AUTHORIZING MEDIUM-TERM FINANCING - \$7,100,000 - VARIOUS PUBLIC PROJECTS

5:00 p.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on April 16, 1999, to consider a resolution authorizing medium-term financing. Proof was made that due and legal Notice had been given.

John Sherman, Interim Director of Finance, was present and answered questions of the Board concerning revenue sources for repayment.

Chairman Galloway opened the public hearing by calling on anyone wishing to speak concerning this. There being no response, the public hearing was closed.

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

RESOLUTION NO. 99-392

A RESOLUTION AUTHORIZING MEDIUM-TERM FINANCING IN AN AMOUNT OF UP TO \$7,100,000 FOR THE PURPOSE OF FINANCING ALL OR A PORTION OF THE COST OF VARIOUS PUBLIC PROJECTS; DIRECTING THE OFFICERS OF THE COUNTY TO FORWARD MATERIALS TO THE DEPARTMENT OF TAXATION OF THE STATE OF NEVADA; AUTHORIZING THE INTERIM FINANCE DIRECTOR TO ARRANGE FOR THE SALE OF THE COUNTY'S MEDIUM-TERM BONDS; PROVIDING CERTAIN DETAILS IN CONNECTION THEREWITH; AND PROVIDING THE EFFECTIVE DATE HEREOF.

[Resolution set forth in full in permanent minutes]

LEGISLATIVE UPDATE

Chairman Galloway stated that it was his understanding that the Sheriff's Office helped draft the language for SB510, which allows the Sheriff's Department the option of enforcing the TRPA 2-cycle engine ban; and that the Sheriff's Office is fully supportive of the bill. On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Galloway ordered that the Board's endorsement of SB510 be relayed to the Legislature.

John Slaughter reported that pursuant to the Board's request finance staff is reviewing AB285, a bill concerning programs to protect the Lake Tahoe basin.

99-393 RESOLUTIONS - TRANSFER OF \$3,384,677 OF WASHOE COUNTY'S VOLUME CAP TO THE DIRECTOR OF THE DEPARTMENT OF BUSINESS AND INDUSTRY

6:30 p.m. Chairman Galloway stated that he is recusing himself from discussion and action on this item because he and his wife own property in Double Diamond and are members of the Double Diamond Homeowners' Association, which is opposed to the Diamond Creek Apartments project, and further that his wife is a teacher at the elementary school that could be impacted by this project. He then turned the gavel over to Vice Chairman Short and left the meeting.

Robert Sellman, Director, Department of Community Development, summarized the process for allocation of approximately \$3.4-million in volume cap under the County Economic Development Revenue Bond Law, which provides bonding capacity through the State for industrial development purposes or for low income housing assistance. He stated that the three projects that have requested consideration are Oil-Dri Corporation of America, Diamond Creek Apartments Limited Partnership, and City Center Apartments; that all three projects are eligible for volume cap funding; and that Oil-Dri is the first industrial project the County has considered for this funding. Mr. Sellman further explained that staff is recommending funding Diamond Creek Apartments Limited Partnership (\$2,284,677) and Oil-Dri (\$1,100,000); that if one of these projects is not funded, staff has requested that the State retain the funds for Washoe County for another project; and that staff also feels that it would be in the County's best interest to require that these projects receive all of their entitlements by the end of August; and that if they do not, the volume cap be transferred to the City Center project.

Mr. Sellman also stated that in the AB506 housing study, which was a review of the needs of the county and the cities in total, the primary deficit identified was the lack of affordable multi-bedroom apartments. He further stated that the amount of overcrowding in apartments is significant; that the number of apartments in, or at least near, the unincorporated area is basically non-existent; and that they believe the Diamond Creek Apartments is a worthy project that addresses the County's recognized housing needs.

Responding to questions that had been asked at Caucus, Mr. Sellman stated that the length of affordability for the housing projects is typically 30 years, but contractually it can go up to 50 years; that it is a long term benefit to the citizens who need it the most; that the potential tax loss to the County for the Diamond Creek property could be \$417,000 per year; and that those "losses" are used as part of the local match in order to receive federal dollars back. He then answered additional questions from Board members.

Commissioner Sferrazza asked if all the projects are entitled to tax exemptions. Mr. Sellman stated that he believes City Center would be eligible if they apply for it; and that he does not know whether Oil Dri would be qualify.

Vice Chairman Short then requested that a representative from Oil Dri Corporation come forward to answer questions. John Chrissinger, President, CH Capital, Inc., stated that his company represents Oil Dri; that Oil Dri will create over 40 jobs with an average salary of \$37,750 per year including benefits; that there is no way they can obtain all of their entitlements by August 30th as staff has requested; that the State does not have this requirement and he asked that the County drop that request; that the bonds must be issued by the end of the year and the County has inserted safeguards in the resolution so the funds would revert to a housing project if they are not able to do their project; that funds for manufacturing are a "use-it-or-lose-it" type of funding, whereas housing funds can be rolled over and accumulated from year to year; and that if the County does provide

\$1.1-million to Oil Dri, the State will dedicate \$5.9-million to their project. In response to the Vice Chairman, Mr. Chrissinger stated that Oil Dri was founded in 1940 and they have successful operations in other areas of the country. In response to Commissioner Sferrazza, he stated that their project will not receive any property tax exemptions and that the County will gain tax revenue because it will have a manufacturing operation that did not previously exist. A discussion then ensued regarding the operation and the impacts on residents in Hungry Valley, where the project will be located, and Mr. Sellman explained that the applicant will have to obtain a special use permit which can be used to address mitigation of impacts. Mr. Chrissinger stated that they will also be subject to federal rules and regulations concerning operation, reclamation, etc.

Vice Chairman Short then called on the representative for Diamond Creek Apartments. Dane Hillyard, Pacific West Builders, Inc., stated that studies have determined there are three big needs in this area which are:

- 1) families and children are suffering from overcrowded housing conditions,
- 2) affordable housing needs to be spread throughout the community, not concentrated in certain areas, and
- 3) affordable housing is needed near employment centers.

Using charts and graphs displayed on the overhead, he showed the total number of units currently existing in Reno by number of bedrooms stating that there are very few 3- and 4-bedroom apartment rentals and families with more than 2 or 3 children are suffering severe overcrowding conditions. He stated that the City of Reno determined that Diamond Creek fulfills a need for affordable family housing in south Reno in accordance with the City's policy concerning Quality Housing for Working Families. He then displayed a map of the South Meadows master plan community showing the proximity of Diamond Creek Apartments to the employment center at South Meadows as well as the other apartment complex projects that are planned and stated that approximately 5,000 people are already working in this area and the projections are that number will double in the next 24 months; that the average wage earner working there would qualify for Diamond Creek housing; and that this is the last site available in the area for this type of project or the last chance to provide affordable housing for the thousands of people who will be working there. He then displayed drawings of the project pointing out the planned recreational areas, trails, and common facilities throughout the site, listed the many amenities that will be available to the residents, and stated that they have totally designed the project to meet the needs of families with children. Mr. Hillyard stated that Diamond Creek received support from the Washoe County Home Consortium, the Regional Governing Board, the City of Sparks, and the City of Reno.

Mr. Hillyard then responded to specific Board members' questions stating that they have reduced the number of units to 288 with a total of 912 bedrooms; that the bond funding would total approximately \$21.7-million including both cities, the state and the county; and that private investment is approximately \$10-million. Commissioner Sferrazza also pointed out that they would receive the property tax exemption. Mr. Hillyard stated that was correct, but that he believes the \$417,000 figure discussed earlier is high. Commissioner Sferrazza stated that based on a \$34-million value, the taxes would be that much.

Steve Biagiotti, President of SDA, Inc., developer of the City Center Apartments, stated that he is requesting that the County Commission make City Center a higher priority than Diamond Creek for the following reasons:

- 1) Affordable housing should be built where the jobs are. He stated that downtown Reno has about 22,000 jobs; that 80 percent of those jobs pay 60 percent or less of median income which equates to approximately 17,600 individuals currently working downtown who might qualify for affordable housing; and that South Meadows only has 3-4,000 jobs, of which only 20 percent pay 60 percent or less of median income, equaling 800 individuals who might qualify for affordable housing in South Meadows;
- 2) Downtown needs help; South Meadows does not;
- 3) City Center will pay property taxes; and
- 4) The perception that all affordable housing projects are going to downtown Reno is false; that in the last 3 years there have been 5 major apartment projects started with tax-exempt bonds; that 4 of those have been family developments in the suburbs and only 1 is downtown, which is the 240 units he is currently building at Third and Washington Streets.

In response to Board members' questions, Mr. Biagiotti stated that the site he is proposing currently has about 15 residential units that are in various states of disrepair; that he does not believe that a for profit developer should get away without paying real estate taxes; and that it is important to get enough money on the tax rolls so that redevelopment can work downtown; that his

company will be investing about 22percent cash in the project; andthat the proposed project would accommodate singles and couples, but not families.

Vice Chairman Short noted that he had received two letters in support of the Diamond Creek project, which were placed on file with the Clerk. He then called on the people who had expressed a desire to speak on this matter.

Clifford Dobler, TRC, LLC, stated that his company has assembled a large amount of land in the southeast portion of the downtown (Reno) redevelopment area, which is in real decay and they chose SDA, Inc., to be their developer; and that it is very necessary that these downtown projects get the tax exempt bonds as their construction costs are much higher because they have to provide underground parking for the residents. He further stated that City of Reno staff used a point system to evaluate the projects; that the City Center project rated 29 points, whereas the Diamond Creek project had only about 9 points; and that he does not understand the Reno City Council's decision to overturn staff's recommendation and choose Diamond Creek for the volume cap.

The following residents and property owners in the Double Diamond Ranch and South Hills areas spoke in opposition to transferring any Washoe County volume cap for use by the Diamond Creek Apartments:

Richard Naccarto
Steven Sundstrom
Charles Grimshaw
Kreg Rowe
David Atkinson
Jim Fatheree
Gordon A. Mundy
Kim Woolfall
John Byrne
Mary Van Kirk
Jim Elsmore
Patty Avery
Jim Newberg
Trish Seitsema
Bill Orthwein
Steve Stelle
Sam Dehne

Mr. Grimshaw, President of the Double Diamond Ranch Homeowners' Association and also representing The Meadows Homeowners' Association, submitted a petition containing 457 signatures of homeowners in Double Diamond Ranch and The Meadows opposed to the Diamond Creek Apartment project and requesting that the Board not allocate the volume cap to said project.

The issues and concerns cited by the area residents were as follows:

1. A planned luxury apartment complex with one- and two-bedroom units has been arbitrarily changed to an affordable housing project with a total of 912 bedrooms, which is more than double the original plan, with absolutely no input from the citizens who will be impacted the most.
2. The current homeowners purchased their properties relying on the master plan for the area and now that plan is being changed with no regard for these property owners or input from them.
3. The impacts of this tremendous increase in density on the roads, traffic, schools, infrastructure, etc., has not been considered. It was stated by several people that there have been no impact analysis studies done to determine how all these additional people aregoing to get in and out on only one road, where all these children are going to go to school, etc.

4. The Double Diamond area is not in need of economic revitalization, therefore, bond cap revenue should not be used. The bond cap revenue should be used in an area that really does need revitalization.
5. This project will not pay property taxes for probably 30 years, possibly more, resulting in lost revenue in excess of \$400,000 per year to Washoe County. That will also mean that the schools the additional children attend will not receive funds for the additional children.
6. The other special services for people who need low-cost housing, such as medical, public transportation, etc., are not available in this area.
7. Contrary to what the developer stated, the majority of the jobs in the South Meadows Business Park are not minimum wage or low paying which would be necessary to qualify people for this housing; and, if the people can't work in South Meadows, that would mean they will be driving long distances to other employment areas, adding to the traffic congestion, pollution, etc.
8. Mr. Stelle stated that they were given a schedule of the rents and it appears to him that only 11 4-bedroom units are priced at low-income rates; that the remaining units are priced at probably 95% of market; and that he questions whether this is truly a low income housing project, especially in light of the fact that the developers are going to get a \$6-million profit right away.

Sharleen Lowry, holding her toddler in her arms, urged the Board to consider approval of Diamond Creek stating that she does not want to raise her daughter in downtown Reno; that she does not work in a casino; that this is about women and children and they do need affordable housing; and that she has a good job and is not on welfare. Ms. Lowry became upset and stated that this not-in-my-backyard attitude and thinking that people like her will make their neighborhood a slum continues to hold people down.

Commissioner Sferrazza stated that he evaluated the Diamond Creek and City Center projects based on criteria adopted by the City of Reno and recommended by Washoe County and reviewed his findings concluding that City Center scores much higher than Diamond Creek in all areas. He also stated that in looking at the rent schedule, only 11 of the units are slated to be rented at \$382; and that providing funding to Diamond Creek would be giving a competing market project an unfair advantage.

Commissioner Sferrazza further stated that he would like to see someone bring forth a multi-family housing project in good areas of the city that would address Ms. Lowry's needs.

Commissioners Bond and Shaw expressed their agreement with Commissioner Sferrazza's statements and conclusions and also indicated their concerns that the citizens were never given an opportunity to provide input on the Diamond Creek project or to have their concerns addressed. Vice Chairman Short concurred. All Board members further expressed concerns about the loss of over \$400,000 a year in tax revenue with the Diamond Creek project.

Mr. Sellman advised that he does not have a problem granting the request by the Oil-Dri developer that the deadline for receiving all entitlements by August 31st be removed.

On motion by Commissioner Sferrazza, seconded by Commissioner Shaw, which motion carried on a 4 to 0 vote with Chairman Galloway having recused himself, it was ordered that the resolution transferring a portion of Washoe County's 1999 Volume Cap for use by the Diamond Creek Apartment project be amended so that the funds would be designated for the City Center Project instead and that the following amended resolution be adopted and Vice Chairman Short be authorized to execute on behalf of Washoe County:

RESOLUTION: A RESOLUTION AUTHORIZING THE TRANSFER OF \$2,284,677 OF WASHOE COUNTY'S 1999 VOLUME CAP (AS PROVIDED IN NRS 348A.010 et seq.) TO THE DIRECTOR OF THE DEPARTMENT OF BUSINESS AND INDUSTRY.

WHEREAS, Washoe County, a political subdivision of the State of Nevada, (hereinafter "County") is authorized by the County Economic Development Revenue Bond Law now constituting Nevada Revised Statute (NRS) 244A.669 to 244A.763, inclusive, to issue revenue bonds to finance, inter alia, one or more projects which promote the social welfare of the residents of the County by financing the acquisition, development, construction, improvement, expansion and maintenance

of affordable housing in Washoe County; and

WHEREAS, In accordance with the provisions of Chapter 348A of the Nevada Revised Statutes, as amended, the regulations adopted thereunder by the Director of the Department of Business and Industry (NAC 348A.010 to 348A.300, inclusive, as such regulations may be amended from time to time), Nevada's State Ceiling for each calendar year is allocated 50% to the Director and 50% to the local governments, with the local governments' share being allocated between cities and counties on the basis of population; and

WHEREAS, In accordance with the provisions of NRS 348A.010 to 348A.040, inclusive, and the regulations issued thereunder and referred to herein, the Director of the Department of Business and Industry has determined that the County's share of the Nevada State Ceiling ("Volume Cap") for 1999 is \$3,384,677; and

WHEREAS, the County desires to facilitate the development of affordable housing in the region;

NOW, THEREFORE, BE IT RESOLVED By the Board of Commissioners of Washoe County that \$2,284,677 of the County's Volume Cap as referenced herein is hereby transferred to the Director of Business and Industry on the condition that said amount of Volume Cap be transferred to the Nevada Housing Division and that the Division use it for the SDA Inc., City Center Apartments, affordable housing project with the appropriate match from the State's Volume Cap pool; and

BE IT FURTHER RESOLVED By the Board of Commissioners of Washoe County that if for any reason bonds for the SDA Inc., City Center Apartments, affordable housing project are not issued by December 31, 1999, the Board requests that the State Housing Division carry the Volume Cap forward to prevent its loss. Further, in the event that the Cap is unable to be used for the named project for whatever reason, it be carried forward by the State Housing Division for another multi-family project in Washoe County; and

BE IT FURTHER RESOLVED By the Board of Commissioners of Washoe County that County staff be directed to forward a copy of this Resolution to the Director of the Department of Business and Industry and to the Secretary of the State Board of Finance and that staff is authorized to provide and execute the transfer of said Volume Cap as provided herein.

* * * * *

On motion by Commissioner Sferrazza, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the following resolution transferring a portion of Washoe County's 1999 Volume Cap for use by the project proposed by the Oil-Dri Corporation be adopted and Vice Chairman Short be authorized to execute on behalf of Washoe County:

RESOLUTION: A RESOLUTION AUTHORIZING THE TRANSFER OF \$1,100,000 OF WASHOE COUNTY'S 1999 VOLUME CAP (AS PROVIDED IN NRS 348A.010 et seq.) TO THE DIRECTOR OF THE DEPARTMENT OF BUSINESS AND INDUSTRY.

WHEREAS, Washoe County, a political subdivision of the State of Nevada, (hereinafter "County") is authorized by the County Economic Development Revenue Bond Law now constituting Nevada Revised Statute (NRS) 244A.669 to 244A.763, inclusive, to issue such revenue bonds to assist in the financing of certain private activities so as to promote the social welfare of the residents of the County; and

WHEREAS, In accordance with the provisions of Chapter 348A of the Nevada Revised Statutes, as amended, the regulations adopted thereunder by the Director of the Department of Business and Industry (NAC 348A.010 to 348A.300, inclusive, as such regulations may be amended from time to time), Nevada's State Ceiling for each calendar year is allocated 50% to the Director and 50% to the local governments, with the local governments' share being allocated between cities and counties on the basis of population; and

WHEREAS, In accordance with the provisions of NRS 348A.010 to 348A.040, inclusive, and the regulations issued thereunder and referred to herein, the Director of the Department of Business and Industry has determined that the County's share

of the Nevada State Ceiling ("Volume Cap") for 1999 is \$3,384,677; and

WHEREAS, Oil-Dri Corporation of Nevada (the "Obligor"), has submitted an application to the Director of the State of Nevada Department of Business and Industry (the "Director") for the issuance of industrial development revenue bonds in the amount not to exceed \$7.0 million (the "Bonds") to finance certain costs of the Obligor related to the acquisition, construction, improving and equipping of a manufacturing facility for the production of sorbent clay and related products to be located in unincorporated Washoe County, Nevada (the "Project"); and

WHEREAS, the Director has the authority to issue the Bonds pursuant to the Nevada Revised Statutes, including Sections 349.400 through 349.670 thereof; and

WHEREAS, the Obligor has submitted an application to the County requesting that the County allocate a portion of its Volume Cap to the Project, and further, for the County to transfer said portion of allocated volume cap to the Director for the Director's use in the issuance of Bonds for the Project; and

WHEREAS, the Board of Commissioners of Washoe County desires to transfer to the Director a portion of the County's 1999 State Ceiling for Private Activity Bonds under Section 146 of the Internal Revenue Code of 1986, as amended (the "Code"), to be used by the Director in connection with the issuance of the Bonds for the Project; and

WHEREAS, the Director's use of the County's Volume Cap for the tax-exempt financing of the Project is consistent with the desire of the Board of Commissioners of Washoe County to facilitate and promote economic development and diversification through the use of its Volume Cap, and thereby, resulting in benefits to the citizens of the County;

NOW, THEREFORE, BE IT RESOLVED By the Board of Commissioners of Washoe County (the "Board") that the above recitals are true, and that the Board hereby authorizes and approves the transfer to the Director of \$1,100,000 of the County's 1999 State Ceiling for Private Activity Bonds under Section 146 of the Code to be used by the Director in connection with the issuance of the Bonds for the Project; and

BE IT FURTHER RESOLVED By the Board of Commissioners of Washoe County that in the event the Director determines that the volume cap transferred herein is not going to be used in the issuance of the Bonds for the Project by the end of the calendar year (i.e., on or before December 31, 1999), then the Director is to transfer the Volume Cap to the Nevada Housing Division (the "Division"). Further, the Division is to carry-forward any such Volume Cap to prevent its loss, if necessary, and shall use said volume cap for City Center for use during the year 2000 or an affordable multi-family housing project located within the County, as subsequently approved by the Board; and

BE IT FURTHER RESOLVED By the Board of Commissioners of Washoe County that County staff be directed to forward a copy of this Resolution to the Director and to the Secretary of the State Board of Finance.

* * * * *

There being no further business to come before the Board, the meeting adjourned at 8:50 p.m.

JIM GALLOWAY, Chairman
Washoe County Commission

ATTEST: AMY HARVEY, County Clerk