

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY 5:15 P.M. JULY 9 , 1996

PRESENT:

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

Judi Bailey, County Clerk
Rita Lencioni, Assistant to the County Manager
Madelyn Shipman, Legal Counsel

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

96-646 WORK CARD PERMIT APPEAL - MICHELLE MUNDY

This appeal was considered on MONDAY, JULY 8, 1996, prior to the Caucus meeting, the Board having convened, with Chairman Bradhurst absent and Vice Chairman Sims presiding, to consider the appeal of MICHELLE MUNDY of the Sheriff's denial of her work permit application for a security guard at VANGUARD SECURITY SYSTEMS.

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

On motion by Commissioner Mouliot, seconded by Commissioner Shaw, which motion duly carried, Vice Chairman Sims ordered that the denial by the Sheriff to MICHELLE MUNDY for a work card to work at VANGUARD SECURITY SYSTEMS be overturned and the work permit GRANTED.

AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Bradhurst ordered that the agenda for the July 9, 1996 meeting be approved.

PUBLIC COMMENTS

There was no response to the call for public comments.

MINUTES

On motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, Chairman Bradhurst ordered that the minutes of the regular meeting of May 28, 1996 be approved.

96-647 AGREEMENT - SPECIAL ASSESSMENT DISTRICT NO. 21 (COLD SPRINGS) - WASTEWATER TREATMENT PLANT - RENO PARK WATER COMPANY -

UTILITY

Commissioner Sims disclosed that his employer is conducting title work for the SAD 21 project, and, as a salaried employee of the company, he has no conflict of interest with regard to this issue.

John Collins, Chief Sanitary Engineer, reviewed background information and answered questions of the Board.

Following discussion, upon recommendation of John Collins, Chief Sanitary Engineer, through David Roundtree, Acting Public Works Director, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the Agreement between Washoe County and Reno Park Water company concerning assurances regarding Washoe County's responsibilities in the event that the wastewater treatment plant has an adverse impact on Reno Park water quality be approved and Chairman Bradhurst be authorized to execute.

96-648 OPTION TO PURCHASE REAL ESTATE - COLD SPRINGS 2000 - UTILITY

John Collins, Chief Sanitary Engineer, reviewed background information regarding this item and answered questions of the Board.

Following discussion, upon recommendation of John Collins, Chief Sanitary Engineer, through David Roundtree, Acting Public Works Director, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the Option to Purchase Real Estate between Cold Springs 2000 (Seller) and Washoe County (Purchaser), and the Memorandum of Option to Purchase Real Estate be approved and Chairman Bradhurst be authorized to execute. It was further ordered that the Chief Sanitary Engineer be directed to record the Memorandum of Option to Purchase Real Estate with the County Recorder within five days of this approval.

96-649 RESOLUTION - SPECIAL ASSESSMENT DISTRICT NO. 21 - (COLD SPRINGS SEWER AREA) - ESTABLISHING THE RATE OF INTEREST PAYABLE ON DEFERRED INSTALLMENTS OF ASSESSMENTS

John Collins, Chief Sanitary Engineer, reviewed background information regarding this item.

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

A RESOLUTION CONCERNING WASHOE COUNTY, NEVADA SPECIAL ASSESSMENT DISTRICT NO. 21 (COLD SPRINGS SEWER AREA); ESTABLISHING THE RATE OF INTEREST PAYABLE ON DEFERRED INSTALLMENTS OF ASSESSMENTS IN SUCH DISTRICT; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN BY THE COUNTY CONCERNING SUCH DISTRICT; AND PROVIDING THE EFFECTIVE DATE HEREOF.

WHEREAS, Washoe County, Nevada (the "County") is organized and operating pursuant to the provisions of Chapter 517, Statutes of Nevada 1983, as amended, and the general laws of the State of Nevada; and

WHEREAS, the Board of County Commissioners of the County (the "Board") has heretofore, pursuant to the requisite preliminary proceedings, created the Washoe County, Nevada Special Assessment District No. 21 (Cold Springs Sewer Area) (the "District") for the purpose of acquiring, constructing, improving and equipping sewer facilities (the "Project") and has provided that the entire cost and expense of the Project shall be paid by special assessments, according to benefits, levied against the benefited lots, tracts and parcels of land in the District; and

WHEREAS, the Board has by an ordinance (the "Assessment Ordinance") heretofore passed and adopted levied assessments in the amount of \$5,500,000 against the assessable lots, tracts and parcels of land benefited by the Project; and

WHEREAS, the Assessment Ordinance provided that said unpaid assessments shall be payable in thirty-eight (38) substantially equal semiannual installments of principal and interest, with interest in all cases on the unpaid and deferred installments of principal from the effective date of the Assessment Ordinance at rate or rates which shall not exceed by more than one percent (1%) the highest rate of interest on the Bonds (as hereinafter defined) (the effective rate on which shall not exceed by more than three

percent (3%) the "Index of Twenty Bonds" most recently published in The Bond Buyer before the negotiated offer for the sale of the Bonds was accepted); and

WHEREAS, the Board on June 25, 1996 adopted an ordinance (the "Bond Ordinance") authorizing the issuance and sale of the Washoe County, Nevada Special Assessment District No. 21 (Cold Springs Sewer Area) Local Improvement Bonds, Series July 1, 1996 (the "Bonds") at the interest rate and other terms set forth in the Certificate of the Assistant County Manager (as defined therein), and the highest interest rate on the Bonds, as authorized and provided by such ordinance and Certificate, is 6.1% per annum.

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

Section 1. All actions, proceedings, matters and things heretofore taken, had and done by the County and the officers of the County (not inconsistent with the provisions of this resolution) concerning the District including, but not limited to, the improvement and acquisition of the Project, the performing of all prerequisites to the levying of special assessments, the fixing of the assessment lien against the property in the District, and the issuance and sale of the bonds for the District, are ratified, approved and confirmed.

Section 2. The Board has determined and does hereby determine that the interest rate on the unpaid and deferred installments of assessments for the District shall be 7.10% per annum from the effective date of the Assessment Ordinance.

Section 3. The County Clerk is hereby directed to deliver to the County Treasurer of the County a notice that such unpaid and deferred installments of assessments for the District shall bear interest at such rate, including in such a notice a request that the County Treasurer include in the mailed or published notice made pursuant to NRS271.415(5) a notice of such interest rate payable on such installments. The County Treasurer hereby is authorized, empowered and directed, and it shall be his or her duty, to receive, collect and enforce the payment of all assessments made and levied for the Project, the installments thereof, all interest thereon at such rate, and the penalties accrued, at the time and in the manner specified in the Assessment Ordinance, and to cause such moneys to be deposited into the Bond Fund created by the Bond Ordinance (except as otherwise provided in the Bond Ordinance).

Section 4. The officers of the County are directed to take all action necessary to effectuate the provisions of this resolution.

Section 5. All bylaws, orders and resolutions, or parts thereof, in conflict with this resolution are repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any bylaw, order, or resolution or part thereof, heretofore repealed.

Section 6. If any section, paragraph, clause or provision of this resolution shall be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution.

Section 7. This resolution shall be in full force and effect from and after its adoption.

96-650 RESOLUTION - CALLING AN ELECTION FOR 1996 PUBLIC SAFETY BONDS

This item was continued from June 25, 1996 [Item No. 96-627].

Jennifer Stern, Bond Counsel, presented and discussed four alternatives for wording of the public safety bond question proposed to be placed on the ballot at the general election on Tuesday, November 5, 1996. The Board discussed the various alternatives and Commissioners Bradhurst, Bond, and Shaw stated that they support Alternative No. 1, Commissioner Mouliot advised that he favored Alternative No. 2, and Commissioner Sims stated that he felt Alternative No. 4 was the most appropriate because it more clearly states the County's intent relative to the debt retirement of the bonds. The Board then reviewed the Resolution and made suggestions for various language changes that they felt would provide better clarification of the issues. Ms. Stern, Jerry McKnight, Finance Division, and Chief Deputy Dave Kieckbusch, Sheriff's Office, provided further comments and responded to

questions of the Board.

Judi Bailey, County Clerk, read the Resolution title into the record.

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, with Commissioner Sims voting "no," it was ordered that the following Resolution containing the requested language changes and including Alternative No. 1 language for the bond question, be adopted and Chairman Bradhurst be authorized to execute:

RESOLUTION DESIGNATED AS THE "1996 PUBLIC SAFETY BOND ELECTION RESOLUTION"; DECLARING THE NECESSITY OF INCURRING A BONDED INDEBTEDNESS ON BEHALF OF THE COUNTY; STATING THE PURPOSE THEREOF; DETERMINING THE MAXIMUM AMOUNT OF BONDS TO BE ISSUED; CALLING A BOND ELECTION TO BE HELD IN CONJUNCTION WITH THE GENERAL ELECTION ON TUESDAY, NOVEMBER 5, 1996, FOR THE SUBMISSION OF THE QUESTION OF ISSUING THE COUNTY'S GENERAL OBLIGATION BONDS; PRESCRIBING THE NOTICE OF ELECTION AND OTHER DETAILS IN CONNECTION WITH THE ELECTION; RATIFYING ACTION PREVIOUSLY TAKEN RELATING THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF.[resolution set out in full in the permanent minutes]

* * * * *

Commissioner Sims stated that he is not against the bond issue, but does not support the motion because he feels Alternative No. 4 represents a more complete bond question because it clearly explains the County's intent to use its best efforts to find a source of payment for the bonds other than an increase in property tax rate, should the existing bond payment tax rate be insufficient to pay the bonds.

96-651 SALE OF COUNTY PROPERTY - FRIENDLY CAPITOL PARTNERS - EXTENSION OF DUE DILIGENCE PERIOD

John Frank, Broker representing Friendly Capitol Partners, stated that they are requesting a 45-day extension of the due diligence period to August 15th because there are issues relative to sewer service that need to be resolved. He explained that they were under the impression that septic tanks would be allowed and have found that this is not the case; that sewer service is not available on the subject parcel or in close proximity, and they need additional time to determine the hard costs for sewer service; and that John Collins of the Utility Division indicated at yesterday's caucus that some kind of cost basis for excavation and hook-up could be provided in approximately two weeks. He stated that another issue of concern is the possibility that the Woods or Montreux projects would not be completed and sewer service for the project would be contingent upon being able to hook-up to those sewers. Mr. Frank then responded to questions of the Board.

A discussion commenced relative to earnest money and other issues regarding the sale. Chairman Bradhurst noted that it is the responsibility of Friendly Capitol Partners to determine sewer costs, although the developer can request information from staff in this regard. Upon inquiry, Legal Counsel Shipman advised that the competing offer on the property contained a 120-day due diligence period.

Commissioner Sims noted that the terms of the transaction required a deposit into escrow of \$20,000 to be made within five days of acceptance, and asked if this was done. Mr. Frank advised that the check was issued but was not deposited pending the completion of the due diligence period. A discussion commenced relative to the escrow deposit money and Mr. Frank stated that apparently the money should have been deposited within five days of the May 28th acceptance date, but this was not done because of his misunderstanding that the check was to be issued, but would be held until the due diligence period had expired. Chairman Bradhurst suggested that, if the Board takes action to extend the due diligence period, the extension be granted to August 13, 1996 and the matter be placed on the Board's agenda for that date.

Following further discussion, on motion by Commissioner Sims, seconded by Commissioner Shaw, which motion duly carried, Chairman Bradhurst ordered that the required \$20,000 be deposited into escrow by July 12, 1996; and that the due diligence period for Friendly Capitol Partners be extended to August 13, 1996, contingent upon the \$20,000 deposit being made as directed.

96-652 "OVERFILLING" OF DEPUTY SHERIFF POSITIONS (FIVE) - DETENTION BUREAU - FINANCE

Gary Goelitz, Finance Division, reviewed background information and responded to questions of the Board. He advised that one recommendation contained in the Liebert and Associates report regarding the level of staffing within the Detention Bureau was to strongly consider an overfilling concept to reduce overtime; that, historically, there is an approximate 5% turnover within the Detention Bureau which would require an overfill of approximately five positions before each Academy in August and January so those people would be ready to fill positions when they become vacant. A discussion commenced relative to costs and savings and Richard Kirkland, Sheriff, provided additional information and answered questions of the Board.

Upon recommendation of Gary Goelitz, Finance Division, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bradhurst ordered that the "overfilling" of up to five Deputy Sheriff positions within the Detention Bureau be approved.

It was noted that the Sheriff's Department views the "overfill" positions as an important tool in controlling overtime costs within the Detention Bureau and is willing to fund the cost for the five "overfill" positions of approximately \$100,000 with 1995-96 carryover and other cost savings; and that if this "overfill" concept is successful, the Finance Division will consider funding the five "overfill" positions for FY 1997-98 through normal expenditure appropriations for the Sheriff's Department.

96-653 COPS UNIVERSAL GRANT - FIVE DEPUTY SHERIFF POSITIONS FOR PATROL BUREAU - POSITION RECLASSIFICATION AND ELIMINATION - FINANCE

Gary Goelitz, Finance Division, presented and reviewed additional documentation provided in response to questions raised at yesterday's caucus meeting regarding the additional cost in FY 1996/97 to fund ten Deputy Sheriff positions at this time, response times for priority one calls, and typical patrol staffing. Mr. Goelitz then responded to questions of the Board.

Sheriff Richard Kirkland provided additional information and answered questions of the Commission. A discussion was held relative to funding issues of the COPS Grant and Sheriff Kirkland advised that he would prefer that the Board approve the ten deputies at this time, noting that hiring of the second five could not occur until after the January Academy.

Following further discussion, on motion by Commissioner Mouliot, seconded by Commissioner Bond, which motion duly carried, Chairman Bradhurst ordered that the hiring of ten Deputy Sheriffs for the Patrol Bureau of the Sheriff's Department as part of the COPS Universal Grant, with the understanding that the final five deputies would enter the January Academy, be approved. It was further ordered that the reclassification of four Deputy Sheriff positions to four Investigative Assistants, and the elimination of a Clerk Typist II position, be approved; and that staff be directed to work with the City of Reno to address the level of service the County receives from Reno Dispatch.

Chairman Bradhurst noted the special circumstances related to the Board's action to front load the COPS Universal Grant money at this time in order to provide as much assistance to the Sheriff as possible to address the needs of the community.

96-654 ADVERTISE FOR CONSTRUCTION BIDS - PLEASANT VALLEY PARK

Karen Mullen, Parks Department, was present to respond to questions of the Board.

Upon recommendation of Gene Sullivan, Director, Department of Parks and Recreation, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bradhurst ordered that the Public Works Department be authorized to advertise for bids for construction of Pleasant Valley Park.

It was noted that construction of the Pleasant Valley Park has been recommended by the Mt. Rose/Geiger Grade Citizens Advisory Board and the Washoe County Park Commission; that the Park will be a joint use facility with the School District and the County splitting 50/50 all maintenance costs; and that this item was approved as part of the 96/97 Park Construction Tax budget and estimated construction cost of \$143,966 will be expended out of account No. 90033-7878.

96-655 OLD HUFFAKER SCHOOL BUILDING RENOVATION - PARKS

Karen Mullen, Parks Department, introduced Huffaker School Restoration Project Committee members Robert Marshall, Chairman; Louie Capurro; and Lorne Johns, Historian.

Chairman Bradhurst expressed the Board's appreciation for the efforts of the Committee. Mr. Marshall provided information relative to the various donations that were made for the renovation project, presented a drawing of the school that was prepared by Mr. Johns, and thanked the Board for their support of the project.

Upon recommendation of Gene Sullivan, Director, Parks and Recreation Department, on motion by Commissioner Sims, seconded by Commissioner Bond, which motion duly carried, Chairman Bradhurst ordered that Q & D Construction, Inc. be authorized to continue as general contractor to complete the renovation of the Old Huffaker School Building in the amount of \$43,788.

It was noted that Q & D Construction, Inc. has acted as the general contractor since the beginning of the project in 1990, donating labor and materials; and that this action is taken pursuant to NRS 332.115 which addresses contracts not adapted to award by competitive bidding.

96-656 BILL NO. 1134 - ORDINANCE NO. 959 - AMENDING WCC CHAPTER 110 (DEVELOPMENT CODE) - REGULATION OF USES, DEVELOPMENT STANDARDS, PROCEDURES AND GENERAL PROVISIONS

7:00 p.m. This was the time set in a Notice of Public Hearing, published in the Reno Gazette-Journal on July 2, 1996, to consider the second reading and adoption of Bill No. 1134. Proof was made that due and legal notice had been given.

Michael Harper, Director, Department of Development Review, reviewed the amended articles of the Development Code contained in the proposed Ordinance and responded to questions of the Board.

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

Jeanne Johnson, County resident, referred to the discussion that took place during the Planning Commission meeting regarding the placing of a "safety net" by requiring that other permits and licenses for a group care facility be applied for before applying with the County, and noted that this language is not contained in the proposed Ordinance. She stated that several citizens living in her neighborhood have expressed concern about abuse of the elderly and want this type of control in place when group care homes go into a neighborhood, noting that the situation has improved over the last few years.

Mr. Harper advised that the language being referred to was inadvertently left out of the Ordinance presented today, but was included in the Ordinance submitted at the first reading; that the language was adopted by the Planning Commission and states that prior to the issuance of the business license, the County would require that the applicant show evidence that they obtained all other State and local licenses.

Chairman Bradhurst noted that the copy of the Ordinance attached to the agenda backup contains the subject paragraph in Exhibit E, Section 119.322.10 (n). Legal Counsel Shipman stated that since the Ordinance was published by title and the Ordinance submitted at the first reading contained the proper language and was available to the public, it is her opinion that the Ordinance can be adopted.

Commissioner Sims thanked Ms. Johnson for bringing this matter forward.

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

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Bradhurst ordered that Ordinance No. 959, Bill No. 1134, (containing language submitted for the first reading) entitled "AN ORDINANCE AMENDING THE WASHOE COUNTY CODE TO MODIFY ARTICLE 302 ALLOWED USES TO DELETE THE REQUIREMENT OF A SPECIAL USE PERMIT FOR A RESIDENTIAL GROUP HOME, TO MODIFY ARTICLE 304 USE CLASSIFICATION SYSTEM TO MORE CLEARLY DEFINE THE NUMBER OF PERSONS PERMITTED IN A RESIDENTIAL GROUP HOME AND TO MODIFY ARTICLE 322 GROUP CARE FACILITIES TO PROVIDE FOR STANDARDS THAT MUST BE MET TO ALLOW THE ESTABLISHMENT OF A

RESIDENTIAL GROUP HOME; TO MODIFY ARTICLE 906 FEES TO DELETE THE SECTION ADDRESSING SIMULTANEOUS APPLICATIONS; TO MODIFY ARTICLE 912 ESTABLISHMENT OF COMMISSIONS AND BOARDS TO ADD A HEARING EXAMINER FOR HEARING OF AND FINAL ACTION ON VARIANCES, ELIMINATE ARTICLE 802 ADMINISTRATIVE WAIVERS, MODIFY ARTICLE 804 VARIANCES TO INCLUDE REFERENCES TO HEARING EXAMINERS AND MODIFY ARTICLES 308 HOME OCCUPATIONS, 312 FABRICATED HOUSING, 324 ANTENNAS, 406 BUILDING PLACEMENT STANDARDS, 414 NOISE AND LIGHTING STANDARDS, 800 PROCEDURES; TITLE AND CONTENTS AND 908 ISSUANCE OF PERMITS AND LICENSES TO DELETE REFERENCES TO ADMINISTRATIVE WAIVERS; TO MODIFY ARTICLE 912 ESTABLISHMENT OF COMMISSIONS AND BOARDS TO CHANGE THE LENGTH OF TERMS FOR BOARD OF ADJUSTMENT MEMBERS TO FOUR YEARS AND THE QUALIFICATIONS TO BE MEMBER TO REQUIRE RESIDENCY IN THE UNINCORPORATED PORTION OF THE COUNTY AND WITHIN CERTAIN COUNTY COMMISSION DISTRICTS AND TO MODIFY ARTICLE 916 ESTABLISHMENT OF COMMITTEES TO CHANGE THE COMPOSITION OF THE PARCEL MAP REVIEW COMMITTEE AND ALLOW THE PLANNING COMMISSION AND BOARD OF ADJUSTMENT TO APPOINT NON-MEMBERS TO THE DESIGN REVIEW COMMITTEE, " be approved, adopted, and published in accordance with NRS 244.100.

96-657 COMPREHENSIVE PLAN AMENDMENT - POPULATION ELEMENT - CASE NO. CPA96-POP-1

7:00 p.m. This was the time set in a Notice of Public Hearing, published in the Reno Gazette-Journal on June 28, 1996 to consider the recommendation of the Washoe County Planning Commission to amend the Population Element, being part of the Washoe County Comprehensive Plan, to update the population, employment, and income data to coincide with the figures reported in the Washoe County Consensus Forecast, 1995-2015.

Proof was made that due and legal notice had been given.

Dean Deiderich, Comprehensive Planning, presented additional documentation, reviewed the Consensus Forecast for 1995-2015, and answered questions of the Board.

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

Based on the findings that:

1. The proposed amendment is in substantial compliance with the policies and action programs of the Comprehensive Plan.
2. The proposed revision to the Washoe County Comprehensive Plan is consistent with the provisions of Nevada Revised Statutes Chapter 278 sections related to the preparation of a population element and with the plans and programs of the Truckee Meadows Regional Plan.
3. The proposed amendment identifies and responds to changed conditions or further studies that have occurred since the plan was adopted by the Washoe County Commission.
4. The Washoe County Planning Commission public hearing, prior to the adoption of the proposed amendment, has been properly noticed in a newspaper of general circulation in the County as prescribed under NRS 278.210(1).
5. The Planning Commission gave reasoned consideration to information contained within the staff report and information received during the public hearing.
6. The Washoe County Commission gave reasoned consideration to information contained within the reports transmitted to the Washoe County Planning Commission and the Washoe County Commission, and information received during the County Commission public hearing.

On motion by Commissioner Bond, seconded by Commissioner Sims, which motion duly carried, Chairman Bradhurst ordered that Comprehensive Plan Amendment Case No. CPA96-POP-1 amending the Population Element, being part of the Washoe County Comprehensive Plan, be approved.

96-658 FISCAL YEAR 1997-2002 CAPITAL IMPROVEMENTS PROGRAM - COMPREHENSIVE PLANNING

7:00 p.m. This was the time set in a Notice of Public Hearing, published in the Reno Gazette-Journal on June 28, 1996 to consider the recommendation of the Washoe County Planning Commission to adopt the Fiscal Year 1997-2002 Capital Improvements Program as consistent with, and furthering in the implementation of the Washoe County Comprehensive Plan. Proof was made that due and legal notice had been given.

Dean Deiderich, Comprehensive Planning, provided additional documentation and reviewed the Fiscal Year 1997-2002 Capital Improvements Program (CIP), and responded to questions of the Board.

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

Following discussion, based on the findings that:

1. The Fiscal Year 1997-2002 Capital Improvements Program is consistent with the Washoe County Comprehensive Plan Elements and Area Plans.
2. The Fiscal Year 1997-2002 Capital Improvements Program identifies necessary facilities and infrastructure in order to provide services to developing areas identified in the County Area Plans [NRS278.160(c)].
3. The Fiscal Year 1997-2002 Capital Improvements Program is consistent with provisions of Nevada Revised Statutes Chapter 278 sections related to the preparation and review of capital improvement plans (NRS 278.0226) and impact fee programs (NRS278B.170).
4. The Fiscal Year 1997-2002 Capital Improvements Program will help to promote the desired pattern for the orderly physical growth of the County and guides development of the County based on the projected population growth, with the least amount of natural resource impairment, and the efficient expenditure of funds for public services. The linkage between the Capital Improvements Program and the Washoe County Development Code, Division Seven - Infrastructure Availability and Financing will further the implementation of the Washoe County Comprehensive Plan.
5. The Planning Commission gave reasoned consideration to information contained within the staff report and information received during the public hearing(s) conducted on this matter.
6. The Fiscal Year 1997-2002 Capital Improvements Program contains a list of preliminary Regional Water Management Agency infrastructure projects which reflects the best available information at the time this CIP was prepared. This list of projects is advisory in nature and will be superseded when the Regional Water Board, the cities of Reno and Sparks, and the Regional Planning Governing Board take final action on either the Regional Water Supply and Quality Study, or the proposed Regional Water Management Plan, and any related CIP.
7. The Washoe County Commission gave reasoned consideration to information contained within the reports transmitted to the Washoe County Planning Commission and the Washoe County Commission, and information received during the County Commission public hearing.

On motion by Commissioner Shaw, seconded by Commissioner Sims, which motion duly carried, Chairman Bradhurst ordered that the Fiscal Year 1997-2002 Capital Improvements Program be approved.

96-659 BILL NO. 1138 - FINAL DEVELOPMENT AGREEMENT - SOUTHWEST POINTE - DEVELOPMENT REVIEW

Michael Harper, Director, Department of Development Review, reviewed background information and advised that several questions were raised at yesterday's caucus regarding this item. He suggested that, as three Commissioners were not on the Board at the time the Preliminary Development Agreement was adopted, staff would review the Development Agreement and the project at the second reading. Robert Sader and Brita Tryggvi were present to respond to questions.

Following discussion, Bill No. 1138 entitled, "AN ORDINANCE PURSUANT TO NEVADA REVISED STATUTES 278.0205 APPROVING THE FINAL

DEVELOPMENT AGREEMENT FOR SOUTHWEST POINTE. THE AGREEMENT FACILITATES THE DEVELOPMENT OF A RESIDENTIAL COMMUNITY WHICH INCLUDES 1,090 HOMESITES WITH COMMON OPEN SPACE, A WATER DELIVERY SYSTEM, TWO GOLF COURSES WITH RELATED RECREATIONAL FACILITIES, A DAY CARE FACILITY, AN EQUESTRIAN CENTER, AND A COMMERCIAL VILLAGE CENTER. THE PROJECT HAS A TOTAL ACREAGE OF + 3,171.6 ACRES AND IS LOCATED NORTH OF MOUNT ROSE HIGHWAY (SR 431) AND WEST OF THOMAS CREEK ROAD. THE PROPERTY IS DESIGNATED LOW DENSITY SUBURBAN (LDS), LOW DENSITY RURAL (LDR), MEDIUM DENSITY RURAL (MDR), HIGH DENSITY RURAL (HDR) AND GENERAL RURAL (GR) IN THE SOUTHWEST TRUCKEE MEADOWS AREA PLAN AND IS SITUATED WITHIN PORTIONS OF SECTIONS 3, 10, 13, 14, 15, 22, 23, 24, 26 AND 27, T18N, R19E, MDM, WASHOE COUNTY, NEVADA (APN: 49-010-04, 49-010-10 AND 41-030-12)," was introduced by Commissioner Bond, the title read to the Board, and legal notice for final action of adoption directed.

96-660 RESOLUTION - LEVYING TAX RATES FOR ALL TAXING ENTITIES IN WASHOE COUNTY

Upon recommendation of Jerry McKnight, Budget Coordinator, Finance Division, on motion by Commissioner Bond, seconded by Commissioner Sims, which motion duly carried, it was ordered that the following Resolution be adopted:

RESOLUTION LEVYING TAX RATES FOR ALL WASHOE COUNTY ENTITIES FOR THE 1996-97 FISCAL YEAR

WHEREAS, the Nevada Tax Commission has certified the combined tax rates for the 1996-97 fiscal year; and

WHEREAS, the Board of County Commissioners is required, pursuant to NRS 361.460, to levy the tax rates for all local government entities in Washoe County for the fiscal period beginning July 1, 1996, and to designate the number of cents of each \$100 of property levied for each fund; and

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

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

BE IT FURTHER RESOLVED, that the tax rates for all local government entities in Washoe County for the fiscal year 1996-97 as certified and levied are shown on the attached Exhibits [placed on file with the Clerk]; and

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

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

96-661 REIMBURSEMENT OF COSTS - LOST DEVELOPMENT APPLICATIONS - DEVELOPMENT REVIEW

Michael Harper, Director, Department of Development Review, advised that discussion was held on this item at yesterday's caucus.

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Bradhurst ordered that the Department of Development Review be authorized to reimburse June cycle applicants for the cost of reproducing applications that were inadvertently disposed of by General Services staff; and that reimbursements be based on invoices submitted by the applicants.

96-662 SECOND QUARTERLY STATUS REPORT (AUDITS ONE AND TWO) - PUBLIC ADMINISTRATOR

Rita Lencioni, Assistant to the County Manager, advised that Phil Moore, Public Administrator, has requested that this item be

postponed.

John Sherman, Management Analyst, referred to Mr. Moore's letter dated July 9, 1996 confirming the withdrawal request of this item, and stated that there seems to be some confusion relative to the agenda item and an element of misinterpretation by the Public Administrator regarding the internal audit. He advised that he feels it is clearly the Public Administrator's responsibility to develop and implement the various policies and procedures of his office, but there are certain responsibilities that the Board has with regard to fiduciary responsibilities through oversight in accounting.

Upon inquiry of Chairman Bradhurst, Mr. Sherman reviewed his memorandum to the Public Administrator dated April 29, 1996 regarding the Board's direction that staff request additional details for inclusion in the quarterly reports based on the audit and implementation of the audit recommendations, and advised that the report submitted by the Public Administrator did not include the information requested.

Chairman Bradhurst stated that he sees no connection with the material dated June 27, 1996 that was provided by the Public Administrator and the detailed Quarterly Report that was requested by the Board; that he believes what the Board is asking for is not unusual and is within the Board's responsibility and authority because of its budgetary responsibilities; and that, as indicated at yesterday's caucus meeting, if Mr. Moore is wondering if the Board has this authority, the District Attorney's office will need to provide some assistance in this regard.

Legal Counsel Shipman advised that there are some gray areas regarding this issue, but the Board does have NRS authority to adopt regulations to establish the form of reporting for the Public Administrator. She discussed various issues relative to this matter and stated that the Public Administrator is also the Public Guardian, which is another fiduciary position over which the Board has authority as it appoints the Public Guardian; and that the Public Guardian responsibilities can be separated out by not appointing the Public Administrator to perform that function.

Chairman Bradhurst stated that at a minimum the Board is requesting a status report; that he feels Mr. Sherman's memorandum to Mr. Moore dated April 29, 1996 is clear and the progress report should be fashioned after said memorandum; and that the Board is asking for nothing more than any other Board throughout the State or Country because of their responsibilities.

On motion by Commissioner Sims, seconded by Commissioner Bond, which motion duly carried, Chairman Bradhurst ordered that the Second Quarterly Status Report (Audits One and Two) be continued to August 13, 1996; and that the Public Administrator follow the recommendations of the April 29, 1996 memorandum from John Sherman. It was further ordered that the District Attorney provide a report regarding the Board's authority relative to the Public Administrator's Office, which report is to be placed on the agenda as a separate item prior to the Second Quarterly Report of the Public Administrator.

Chairman Bradhurst commented that Mr. Moore may have additional matters he wants addressed, and he should work with staff to make sure those matters are also placed on the agenda.

96-663 AWARD OF CONSTRUCTION BID - OLD WASHOE WATER SYSTEM WELL HOUSE NO. 1 - UTILITY DIVISION

This was the time to consider award of construction bid, Notice to Contractors for receipt of sealed proposals having been published in the Reno Gazette-Journal on May 24 and 28, and June 3, 7, and 12, 1996 for construction of Old Washoe Water System Well House No. 1 for the Utility Division of the Public Works Department. Proof was made that due and legal Notice had been given.

The following bids were received:

Contractor	Bid
Landmark Construction	\$113,757.00
Resource Development Company	\$122,900.00
Interstate Utility Constructors	\$128,172.40

Upon recommendation of John Collins, Chief Sanitary Engineer, through David Roundtree, Acting Public Works Director, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the bid for construction of Old Washoe Water System Well House No. 1 be awarded to Landmark Construction, Inc. the lowest responsible, responsive bidder, in the amount of \$113,757.00, and Chairman Bradhurst be authorized to execute the contract documents upon presentation. It was further ordered that the Chief Sanitary Engineer be authorized to issue the Notice to Proceed.

96-664 SOLE SOURCE AWARD - TWO INCH AND LARGER WATER METERS - UTILITY DIVISION

Upon recommendation of the Utility Division with concurrence of the Purchasing and Contracts Administrator, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bradhurst ordered that the purchase of two inch and larger water meters from Metron Technology, Inc., as a sole source provider, with the initial procurement to be for thirty-one different size meters, with a total dollar value of \$110,346.00, be approved

It was noted that an anticipated additional six meters of various sizes will be replaced within the next six months at an additional cost of approximately \$50,000; and that the sole source award and approval will be in effect for the duration of the Utility Division standardization and technological program for water meters, or as long as deemed necessary or desirable by the Utility Division.

96-665 REAPPOINTMENT - SAFETY COMMITTEE

Upon recommendation of Kevin Chadwick, Secretary, Safety Committee, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Bradhurst ordered that Vernon McCarty be reappointed to serve as a member of the County Safety Committee for a two-year term to expire July 31, 1998.

96-666 APPOINTMENTS - EAST WASHOE VALLEY CITIZEN ADVISORY BOARD

On motion by Commissioner Shaw, seconded by Commissioner Sims, which motion duly carried, Chairman Bradhurst ordered that the following appointments be made to the East Washoe Valley Citizen Advisory Board:

Scot Barbour	Term to expire June 30, 1997
Ivo Bergsohn	Term to expire June 30, 1998
Lissa Davis	Term to expire June 30, 1998
Dana Howry	Term to expire June 30, 1998
Ed Telka	Term to expire June 30, 1997

96-667 APPOINTMENT - INCLINE VILLAGE/CRYSTAL BAY CITIZEN ADVISORY BOARD

Chairman Bradhurst advised that he interviewed the ten applicants for appointment to the Incline Village/Crystal Bay Citizen Advisory Board, and recommends Bob Olsen for the position.

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that Bob Olsen be appointed to fill a vacant position as an Incline Village At-Large representative on the Incline Village/Crystal Bay Citizen Advisory Board, with term to expire June 30, 1998.

96-668 REAPPOINTMENTS/APPOINTMENTS - MT. ROSE/GEIGER GRADE CITIZEN ADVISORY BOARD

On motion by Commissioner Sims, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bradhurst ordered that the following be reappointed and appointments be made to the Mt. Rose/Geiger Grade Citizen Advisory Board:

David Kladney - reappointed as the Galena Forest/Southwest Pines representative, with term to expire June 30, 1998.

Calvin S. Taylor, Sr. - appointed to fill the vacancy as the Hidden Valley Homeowners Association representative, and Judith E. Laing as his alternate, with term to expire June 30, 1998.

Cheryl Purvis - appointed to fill the vacant position as the Virginia Foothills area representative, with term to expire June 30, 1998.

96-669 REAPPOINTMENTS - NORTH VALLEYS CITIZEN ADVISORY BOARD

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Bradhurst ordered that David Boily and Michael Jack be reappointed as At-Large representatives to the North Valleys Citizen Advisory Board, with term to expire June 30, 1998.

96-670 REAPPOINTMENT - SOUTHWEST TRUCKEE MEADOWS CITIZEN ADVISORY BOARD

On motion by Commissioner Shaw, seconded by Commissioner Sims, which motion duly carried, Chairman Bradhurst ordered that Janis Rummler be reappointed as the Mt. Rose area representative to the Southwest Truckee Meadows Citizen Advisory Board, with term to expire June 30, 1998.

96-671 REAPPOINTMENTS - SPANISH SPRINGS CITIZEN ADVISORY BOARD

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Bradhurst ordered that Jeanne Dembenski, James Jackson and Elizabeth Younger be reappointed as At-Large representatives to the Spanish Springs Citizen Advisory Board, with terms to expire June 30, 1998.

96-672 REAPPOINTMENTS/APPOINTMENTS - SUN VALLEY CITIZEN ADVISORY BOARD

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Bradhurst ordered that the following reappointments and appointments be made to the Sun Valley Citizen Advisory Board:

Juneil Mathis and Susan Severt - reappointed as At-Large representatives, with terms to expire June 30, 1998.

Darrell L. Alston, Jr. and Marjorie Cutler - appointed to fill two vacant positions as At-Large representatives, with terms to expire June 30, 1997 and June 30, 1998, respectively.

Francis Short - appointed as alternate, with term to expire June 30, 1998.

96-673 REAPPOINTMENTS - VERDI TOWNSHIP CITIZEN ADVISORY BOARD

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Bradhurst ordered that Richard Bulis, Linda Fine, and Barbara Johnson be reappointed as At-Large representatives to the Verdi Township Citizen Advisory Board, with terms to expire June 30, 1998.

96-674 REAPPOINTMENTS - WARM SPRINGS CITIZEN ADVISORY BOARD

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Bradhurst ordered that Deborah Lewis and Angela Mann be reappointed as At-Large representatives to the Warm Springs Citizen Advisory Board, with terms to expire June 30, 1998.

96-675 BILL NO. 1137 - AMENDING WCC CHAPTER 5 - TRAVEL REGULATIONS

Bill No. 1137 entitled, "AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY REVISING THE TRAVEL REGULATIONS CONFORMING CERTAIN

PROVISIONS; RELATING TO CERTAIN LOCAL BUSINESS EXPENSES; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO," was introduced by Commissioner Sims, the title read to the Board, and legal notice for final action of adoption directed.

96-676 RESOLUTION - REFUND OF TAXES - FIRST BAPTIST CHURCH OF INCLINE VILLAGE - APN 030-0750-01

Upon recommendation of James Barnes, Deputy District Attorney, as stated in D.A. Opinion No. 6321, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the following Resolution be adopted and Chairman Bradhurst be authorized to execute on behalf of Washoe County:

RESOLUTION-Directing the County Treasurer to Refund Taxes

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

WHEREAS, First Baptist Church of Incline Village (Taxpayer), made application for the refund of 1995-1996 real property taxes because the Taxpayer's property, APN 130-050-01, was tax exempt after January 18, 1996; and

WHEREAS, First Baptist Church of Incline Village has overpaid taxes for fiscal year 1995-1996 in the amount of \$1,150.67; 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 First Baptist Church of Incline Village a total of \$1,150.67, that amount being the taxes overpaid by First Baptist Church of Incline Village for the tax year 1995-1996 on APN 130-050-01.
2. The Treasurer of Washoe County is further directed to debit the account of each governmental entity which has shared in the excess of the taxes collected in error for its pro rata share of the refund.

96-677 RESOLUTION - REFUND OF TAXES - LUTHERAN CHURCH OF THE GOOD SHEPHERD - FISCAL YEARS 1994-1995 & 1995-1996 - APN 011-152-15

Rita Lencioni, Assistant to the County Manager, responded to questions raised by the Board at yesterday's caucus regarding this item.

Upon recommendation of James Barnes, Deputy District Attorney, as stated in D.A. Opinion No. 6322, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the following Resolution be adopted and Chairman Bradhurst be authorized to execute on behalf of Washoe County:

RESOLUTION-Directing the County Treasurer to Refund Taxes

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

WHEREAS, Lutheran Church of the Good Shepherd (Taxpayer), made application for the refund of 1994-1995 and 1995-1996 real property taxes because the Taxpayer's property, APN 011-152-15, was exempt from taxation; and

WHEREAS, Lutheran Church of the Good Shepherd has overpaid taxes for fiscal years 1994-1995 and 1995-1996 in the amount of \$3,539.28; 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 Lutheran Church of the Good Shepherd a total of \$3,539.28, that amount being the taxes overpaid by Lutheran Church of the Good Shepherd for the tax years 1994-1995 and 1995-1996 on APN 011-152-15.
2. The Treasurer of Washoe County is further directed to debit the account of each governmental entity which has shared in the excess of the taxes collected in error for its pro rata share of the refund.

96-678 CORRECTION OF FACTUAL ERRORS - SECURED AND UNSECURED TAX ROLLS - ASSESSOR

Upon recommendation of Thomas Sokol, Assistant Chief Deputy Assessor, on motion by Commissioner Bond, seconded by Commissioner Shaw, 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 owner, a copy of which is placed on file with the Clerk. It was further ordered that the Order on each roll change directing the Treasurer to correct the error be approved and Chairman Bradhurst be authorized to execute on behalf of the Commission.

Charles Kettering	I.D. No. 2/960-034	1994/1995 Unsecured Roll
Charles Kettering	I.D. No. 2/960-035	1994/1995 Unsecured Roll
Pecabu Corporation	APN No. 08-224-02 [2/130-186]	1996/1997 Secured Roll
Judith McCormick	APN No. 013-013-20 [2/022-019]	1996/1997 Secured Roll
Manke Properties LLC	APN No. 037-030-20 [2/328-041]	1996/1997 Secured Roll

96-679 RESOLUTION - ANNUAL ADMINISTRATIVE FEE - ESTABLISHMENT OF ADMINISTRATION FUND - DEFERRED COMPENSATION PROGRAM - PERSONNEL

Chairman Bradhurst advised that he received a call on his answering machine today from Brigitte Kroll of the Clerk's Office, who had previously indicated concerns about whether the County employees had been fully informed, advising that she attended the meeting that was held on the Deferred Compensation Plan, was satisfied that everyone had been informed, and was happy with the revised language of the resolution.

Upon recommendation of Joanne Ray, Chief of Personnel, on motion by Commissioner Mouliot, seconded by Commissioner Sims, which motion duly carried, it was ordered that the imposition upon Washoe County Deferred Compensation Plan participants of an annual administrative fee not to exceed \$10, be approved. It was further ordered that the following Resolution establishing the Deferred Compensation Administration Fund be adopted and Chairman Bradhurst be authorized to execute on behalf of Washoe County:

RESOLUTION ESTABLISHING THE WASHOE COUNTY DEFERRED COMPENSATION ADMINISTRATION FUND AS A TRUST AND AGENCY FUND

WHEREAS, NRS 354.604 provides that a local government may maintain a trust and agency fund to account for assets held by a governmental unit as a trustee or an agent for persons, private organizations, other governmental units, other funds or any combination of them; and

WHEREAS, the Washoe County Deferred Compensation Advisory Committee (hereinafter "Committee") was established to assist Washoe County in the administration of its deferred compensation program pursuant to NRS 287.440; and

WHEREAS, the Committee has adopted a Resolution Imposing an Annual Administrative Fee for Participants in the Washoe County Deferred Compensation Program, which Resolution imposes an annual administrative fee of not to exceed \$10, for the purposes and uses set forth in such Resolution [Exhibit A, placed on file with the Clerk]; and

WHEREAS, except to compensation for employees who participate in the administration of the deferred compensation program as part of their duties, NRS 287.480 provides that no appropriated money of the County may be spent in connection with the administration of the deferred compensation program; and

WHEREAS, the Board of County Commissioners desires to assist the Committee by establishing a Washoe County Deferred Compensation Administration Fund into which may be deposited money collected from participants as the annual administrative fee;

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

1. That a trust and agency fund is hereby established to be known as the Washoe County Deferred Compensation Administration Fund (hereinafter referred to as the "Fund").
2. The annual administrative fee charged to plan participants in accordance with the Resolution adopted by the Committee, shall be deposited into the Fund by the County's deferred compensation plan provider (currently The Hartford).
3. The Fund shall be subject to all state and local laws and regulations applicable to trust and agency funds. Expenditures from the Fund are authorized in accordance with the provisions of the Resolution [Exhibit A]. In addition to audit requirements as set forth in state law, the Fund shall be subject to the reporting requirements of the Resolution [Exhibit A].

96-680 RENTAL AGREEMENTS - BOOK COPIERS - LAW LIBRARY AND CENTRAL LIBRARY

Rita Lencioni, Assistant to the County Manager, reviewed the memorandum dated July 9, 1996 from John Balentine, Purchasing and Contracts Administrator, that responded to questions raised at yesterday's caucus meeting regarding this item.

Upon recommendation of the Law Library and the Reno Central Library with the concurrence of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Bradhurst ordered that the rental of five Selectec Bookmaster copiers from Sierra Office Concepts in the approximate amount of \$106,191.00 be approved. It was further ordered that the Purchasing and Contracts Administrator be authorized to enter into two, five-year Agreements with Sierra Office Concepts for the book copiers, commencing approximately July 15, 1996 through June 30, 2001.

96-681 RESOLUTION - REAL PROPERTY TRANSFER TAX ADVISORY QUESTION FOR NOVEMBER 1996 GENERAL ELECTION - TAHOE BASIN (INCLINE VILLAGE/CRYSTAL BAY)

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

RESOLUTION - Approving an Advisory Question, Explanation, Arguments for Passage and Arguments Against Passage for the November, 1996 General Election Regarding Whether \$.50 Per \$500 of Value Should be Added to the Real Property Transfer Tax in the Washoe County Portion of the Tahoe Basin To Support Certain Projects in that Area.

WHEREAS, NRS 293.482 provides that a governing body of a county may ask at any general election, the advice of the registered voters within its jurisdiction on any question which it has under consideration; and

WHEREAS, NRS 293.482 further provides that the governing body of a county may ask the advice of the registered voters of part of its territory if the advisory question submitted affects only that part of its territory; and

WHEREAS, a request has been submitted to the Board of County Commissioners of Washoe County to ask the registered voters in the Washoe County portion of the Tahoe Basin whether the real property transfer tax should be increased by \$.50 per \$500 of value for transfers within the Washoe County portion of the Tahoe Basin for the purpose of funding certain projects to benefit this area; and

WHEREAS, the Board has determined that the question shall be presented to the registered voters within the Washoe County portion of the Tahoe Basin at the general election to be held in November of 1996; and

WHEREAS, the District Attorney's Office has reviewed and approved the ballot question, explanation, arguments for passage and arguments against passage as set forth herein:

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

1. That an additional real property transfer tax of \$.50 per \$500 of value or fraction thereof for transfers within the Washoe County portion of the Tahoe Basin would affect only that portion of Washoe County. A map depicting the boundaries of the area in which the question will be asked is attached as Exhibit "A" [placed on file with the Clerk] and incorporated herein by this reference.
2. That the following advisory question, explanation, arguments for passage and arguments against passage are hereby approved and shall appear on the ballots for the registered voters within the Washoe County portion of the Tahoe Basin at the general election to be held in November of 1996.

ADVISORY QUESTION ADDITIONAL REAL PROPERTY TRANSFER TAX FOR WASHOE COUNTY PORTION OF TAHOE BASIN

Should legislation be enacted to authorize Washoe County to impose an additional real property transfer tax on property transfers as provided in NRS 375.020 within the Washoe County portion of the Tahoe Basin which additional tax would be imposed at the rate of \$.50 for each \$500 of value or fraction thereof and upon the same transactions as the real property transfer tax is currently imposed, which tax would be collected by Washoe County for use on air quality projects, water quality projects, and forest health projects in the Washoe County portion of the Tahoe Basin?

EXPLANATION

Pursuant to NRS 375.020 a tax at the rate of 65 cents for each \$500 of value or fraction thereof, is imposed on each deed by which any lands, tenements or other realty is granted, assigned, transferred or otherwise conveyed to, or vested in, another person, if the consideration or value of the interest or property conveyed, exclusive of value of any lien or encumbrance remaining on the interest or property at the time of sale, exceeds \$100. In addition, pursuant to the Local Government Tax Act of 1991, Washoe County imposes an additional real property transfer tax of 10 cents per \$500 of value. The combined total real property transfer tax currently imposed in Washoe County is 75 cents per \$500 of value, or \$1.50 per \$1000.

Should the legislature authorize and Washoe County impose the additional \$.50 per \$500 of value as provided in the question, the total real property transfer tax imposed within the Washoe County portion of the Tahoe Basin would be \$1.25 per \$500 of value, or \$2.50 per \$1000 of value. The real property transfer tax owed on the transfer of a \$100,000 home without liens or encumbrances is \$150 without the additional tax; and the real property transfer tax which would be owed with the additional real property transfer tax on the same \$100,000 home would be \$250.

The tax would be imposed and collected in the manner provided in Chapter 375 of the Nevada Revised Statutes governing transfers of real property.

Money collected from the tax would be used for projects such as air quality projects; water quality projects, including erosion control and stream environmental zone projects; and forest health projects in the Washoe County portion of the Tahoe Basin. This latter group of projects may include, but is not limited to, projects to create fuel profile zones in the forest surrounding portions of the Washoe County portion of the Tahoe Basin, and defensible space projects within that area.

A "Yes" vote on this question would advise the Nevada Legislature that you approve of the imposition of the additional \$.50 for each \$500 of value or fraction thereof of real property transfer tax for transfers of real property within the Washoe County portion of the Tahoe Basin.

A "No" vote on this question means that you do not favor the imposition of an additional \$.50 for each \$500 of value or fraction thereof of real property transfer tax for transfers of real property within the Washoe County portion of the Tahoe Basin.

NOTE: This question is purely advisory in nature and does not place any legal requirement on the governing body or any officer of the political subdivision or the legislative or executive branches of state government.

ARGUMENTS FOR PASSAGE

The Washoe County portion of the Tahoe Basin is unique geographically compared with the balance of Washoe County. Projects to preserve the environment are necessary to protect this unique character. Federal, state and local funding sources for environmental projects are unpredictable. The imposition of the additional \$.50 for each \$500 of value or fraction thereof of real property transfer tax will provide an additional source of funding and will generate money for the purpose of protecting the air quality, water quality and enhancing the forest health of the Washoe County portion of the Tahoe Basin, which will benefit all residents of the area.

ARGUMENTS AGAINST PASSAGE

The attainment and maintenance of environmental thresholds in the Tahoe Basin should be tied to the regulation of growth and development within the Tahoe Basin. The imposition of the additional \$.50 for each \$500 of value or fraction thereof of real property transfer tax will increase the costs of transferring property within the Washoe County portion of the Tahoe Basin. The transfer of property within the Washoe County portion of the Tahoe Basin is not directly linked to growth or development in the region. This additional tax will place a disproportionate burden on those buying and selling homes within this region.

96-682 EXTENSION TIME TO FILE STATEMENT OF USE FOR NATIONAL BOWLING STADIUM LOGOS

Upon recommendation of Maureen Sheppard-Griswold, Deputy District Attorney, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that three letters to the Assistant Commissioner for Trademarks of the United States Patent and Trademark Office, requesting a six month extension of time in which to file the Statement of Use for logos for the National Bowling Stadium, be approved and Chairman Bradhurst be authorized to execute.

96-683 REIMBURSEMENT OF COUNTY RELATED TRAVEL TO NON-COUNTY EMPLOYEE - HEALTH

Rita Lencioni, Assistant to the County Manager, responded to questions raised at yesterday's caucus regarding this item.

Upon recommendation of David Rice, District Health Officer, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bradhurst ordered that reimbursement to Mr. Wei Yang for travel costs to attend a conference in Edmonton, Alberta, Canada on August 17 - 21, 1996 be approved.

It was noted that the Air Quality Management Division and the University of Nevada, Reno, have entered into an agreement where the University receives funds from the District Health Department to support a graduate assistant position; that Mr. Yang, a University of Nevada graduate student, is working with staff on a project to study the health effects of air particulate pollution in the Truckee Meadows; and that there is no fiscal impact to the County as Federal funds from U.S. EPA will be used to reimburse Mr. Yang.

96-684 REVISION OF PRO TEM JUSTICE OF THE PEACE LIST - PERSONNEL

Upon recommendation of Joanne Ray, Chief of Personnel, on motion by Commissioner Mouliot, seconded by Commissioner Bond, which motion duly carried, Chairman Bradhurst ordered that the revision of the pro tem Justice of the Peace list which was last revised on March 26, 1996, to include the addition of Thomas Wright, Esq. and the deletion of James N. Klaber, Esq., be approved.

96-685 NEW CLASSIFICATION - PERSONNEL

Upon recommendation of the Personnel Committee and the Personnel Division, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bradhurst ordered that, in accordance with Section 5.095 of the Washoe County Code, the following new classification be approved:

Supervisor - Licensing & Enforcement, code 0715, grade Y170 (34,798.40 - \$46,259.20) - salary effective July 1, 1996

96-686 WATER RIGHTS DEED - KENNETH BERG - SURPRISE VALLEY RANCHOS SUBDIVISION UNIT 2, PHASE 2

Upon recommendation of John Collins, Chief Sanitary Engineer, through David Roundtree, Acting Public Works Director, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the Water Rights Deed for 36.51 acre-feet of water rights from a portion of Permits 59862 and 59863 between Kenneth Berg as Grantor and Washoe County as Grantee be approved and Chairman Bradhurst be authorized to execute. It was further ordered that the Chief Sanitary Engineer be directed to record the Water Rights Deed with the County Recorder.

96-687 WATER RIGHTS DEED - BRADDOCK AND LOGAN GROUP - PINE TREE RANCH SUBDIVISION, UNIT #4 AND FUTURE DEVELOPMENT

Upon recommendation of John Collins, Chief Sanitary Engineer, through David Roundtree, Acting Public Works Director, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the Water Rights Deed for 12.59 acre-feet of water rights from a portion of 53248 between Braddock and Logan Group, a California general partnership, as Grantor, and Washoe County, as Grantee, be approved and Chairman Bradhurst be authorized to execute. It was further ordered that the Chief Sanitary Engineer be directed to record the Water Rights Deed with the County Recorder.

96-688 WATER RIGHTS DEED - PAVICH & ASSOCIATES, INC. - FUTURE DEVELOPMENT

Upon recommendation of John Collins, Chief Sanitary Engineer, through David Roundtree, Acting Public Works Director, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the Water Rights Deed for 13.83 acre-feet of water rights from a portion of Claim 53 between Pavich & Associates, Inc., a Nevada corporation, as Grantor, and Washoe County, as Grantee, be approved and Chairman Bradhurst be authorized to execute. It was further ordered that the Chief Sanitary Engineer be directed to record the Water Rights Deed with the County Recorder.

COMMISSIONERS' /MANAGER'S COMMENTS

Commissioner Bond stated that when staff has completed its process of obtaining information for her regarding the issue of cellular sites in Washoe County, she would like to have a workshop scheduled regarding this matter.

* * * * *

There being no further business to come before the Board, the meeting adjourned at 8:45 p.m.

STEPHEN T. BRADHURST, Chairman
Washoe County Commission

ATTEST: JUDI BAILEY, County Clerk