

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY 5:15 P.M. SEPTEMBER 10, 1996

PRESENT:

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

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

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

96-898 WORK CARD PERMIT APPEAL - GLENDA SCHMEISING

This appeal was considered on MONDAY, SEPTEMBER 9, 1996, prior to the Caucus meeting, the Board having convened, with Vice Chairman Sims presiding, to consider the appeal of GLENDA SCHMEISING of the Sheriff's denial of his work permit application as a child care giver at BRIGHT BEGINNINGS.

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

On motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Vice Chairman Sims ordered that the appeal of GLENDA SCHMEISING be upheld and her work card permit to work as a child care giver at BRIGHT BEGINNINGS be issued, subject to review in six months and Ms. Schmeising attending classes to receive more training, specifically the course in recognizing and reporting signs of child abuse and the course in early childhood development.

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 September 10, 1996 meeting be approved with the following amendment -- Delete: 14C(4), Request for Refund of Taxes, American Water Heater Group.

PUBLIC COMMENTS

There was no response to the call for public comments.

96-899 KENNEL PERMIT - KAY SKINNER/JACK WRIGHT - RECONSIDERATION

Commissioner Bond advised the Board that applicants Kay Skinner and Jack Wright misunderstood when their kennel permit appeal, scheduled for August 20, 1996, was to be considered. She further explained that extenuating circumstances in which Mr. Wright's

wife passed away has prevented him from returning to the residence where the dogs are housed and stated that she is unsure whether the applicants would be willing to expend the funds to construct necessary kennel facilities.

On motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bradhurst ordered that the request by Kay Skinner and Jack Wright to reconsider their kennel permit application to house ten dogs at 11685 Fir Drive, Reno, Nevada, be approved.

96-900 AWARD OF BID - ROAD MAINTENANCE DE-ICING SALT - BID NO. 1950-97 -ROADS DEPARTMENT

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 July 30, 1996, for Road Maintenance De-Icing Salt for the Washoe County Roads Division of the Public Works Department in-jointure with the City of Reno. Proof was made the due and legal Notice had been given.

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

Huck Salt Co.

Morton International, Inc. submitted a "no-bid" response; and A-1 Industrial Supply, Hughes Rock and Sand, Paiute Pit Aggregates, Rilite Aggregate Co., Good Jim Marketing, Kernite, Division of NCH, Q&D Construction, Inc., Sha-Neva, Inc., Granite Construction Company, Inc., Mining Environmental Service and Reed & Graham, Inc. 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 Bond, which motion duly carried, Chairman Bradhurst ordered that Bid No. 1950-97 for Road Maintenance De-Icing Salt for the Washoe County Roads Division of the Public Works Department be awarded as follows:

Washoe County Roads Division:

BIDDER		
Huck Salt Company		
BID	ITEMS	COST
#1	De-icing Salt Delivered	\$ 31.28/per ton
#1A.	De-icing Salt Total	\$ 57,868.00
#1B.	De-icing Salt F.O.B. (Plant 25 mi. east of Fallon)	\$ 20.00/per ton
#1B.	De-icing Salt F.O.B. (5 mi., at 5033 Austin Hwy.)	\$ 21.28/per ton

City of Reno:

BIDDER		
Huck Salt Company		
BID	ITEMS	COST
#2	De-icing Salt Delivered	\$ 31.28/per ton
#2A.	De-icing Salt Total	\$ 31,280.00
#2B.	De-icing Salt F.O.B. Plant (25 mi. east of Fallon)	\$ 20.00/per ton
#2B.	De-icing Salt F.O.B. (5 mi. at 5033 Austin Hwy.)	\$ 21.28/per ton

It was noted that the award shall be for an approximate one-year period, September 11, 1996 to August 31, 1997 with the provision for a one-year extension; that this material will be purchased on an as-needed basis during the term of the agreement; that the initial procurement for Washoe County is \$57,868.00; and that the initial procurement for the City of Reno is \$31,280.00.

It was further noted that although Huck Salt Co. submitted the only bid with pricing, they have been the awardee of the State of Nevada's bid for de-icing salt the last four years, and the prices submitted to Washoe County are comparable to the pricing given to the State of Nevada on previous bids.

96-901 AWARD OF BID - EPA APPROVED ROAD DE-ICING SAND - BID NO. 1951-97 - PUBLIC WORKS

This was the time to consider award of bid, Notice to Bidders for receipt of sealed bids having been published in the Reno Gazette-Journal on August 5, 1996, for EPA Approved Road De-Icing Sand for the Washoe County Roads Division of the Public Works Department. Proof was made the due and legal Notice had been given.

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

- Cinderlite Trucking Corp.
- Sha-Neva, Inc.
- Granite Construction Company

Gopher Rock submitted a "disqualified" response and Aggregate Transport Systems, Nevada Hydrocarbon, Inc., Paiute Pit Aggregates, Rilite Aggregate Company, All-lite Aggregate, Nevada Organics, Q&D Construction, Inc., Rocky Ridge, Inc., Dayton Sand & Gravel, Nordic Industries, Inc. and Rainbow Rock failed to respond to the invitation to bid.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Bradhurst ordered that Bid No. 1951-97 for EPA Approved Road De-Icing Sand for the Washoe County Roads Division of the Public Works Department be awarded as follows:

Washoe County Roads Division:

BIDDER
Granite Construction Company

BID	ITEMS	COST
#1	EPA Sand Delivered	\$ 7.15/per ton
#1A.	EPA Sand Total	\$ 77,220.00
#1B.	EPA Sand F.O.B. Plant	\$ 4.95/per ton

BIDDER
Sha-Neva, Inc.

BID	ITEMS	COST
#1B.	EPA Sand F.O.B. Plant (With 5% discount \$ 4.465/per ton)	\$ 4.70/per ton

City of Reno:
BIDDER
Sha-Neva, Inc.

BID	ITEMS	COST
#2	EPA Sand Delivered (With 5% discount \$ 7.315/per ton)	\$ 7.70/per ton
#2A.	EPA Sand Total (With 5% discount \$ 36,575.00)	\$ 38,500.00

#2B. EPA Sand F.O.B. Plant \$ 4.70/per ton
(With 5% discount \$ 4.465/per ton)

BIDDER

Granite Construction Co.

BID	ITEMS	COST
#2B.	EPA Sand F.O.B. Plant	\$ 4.95/per ton

It was noted that the award of Bid Item 1.B. to Granite Construction, Inc. and Sha-Neva, Inc. represents the most economical backhaul situation, depending on the close proximity of the awardees plants to the work being done by Washoe County and the City of Reno; that the award shall be for an approximate one-year period, September 11, 1996 to August 31, 1997 with the provision for a one-year extension; that the material will be purchased on an as-needed basis during the term of the agreement; and that the initial procurement for Washoe County is \$77,220.00 and \$36,575.00 for the City of Reno.

96-902 AWARD OF BID - COMPACT VHF SYNTHESIZED FM PORTABLE RADIOS - BID NO. 1955-97 -SHERIFF

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 August 13, 1996, for Compact VHF Synthesized FM Portable Radios for the Sheriff's Department. Proof was made the due and legal Notice had been given.

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

Airtime Communication
Lett Electronic, Inc.
Mountain Top Communications
Silverado Avionics
Bear Communications, Inc.
Communication Consultant of Nevada
Motorola C & E
Radio Sales Company
Telecomm Engineering

Chicago Industrial Trading Company, Ericsson, Inc., Kiesub Corporation and Troxell Communications, Inc. submitted "no-bid" responses and Williams Communications was a "disqualified" bidder.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bradhurst ordered that Bid No. 1955-97 for Compact VHF Synthesized FM Portable Radios on behalf of the Washoe County Sheriff's Department be awarded to the lowest responsive, responsible bidder meeting bid specifications, Silverado Avionics.

It was further ordered that the Board reject options 2 and 3, for month to month rental and lease purchase options as not being cost effective methods of acquisition for the portable radios; and that the Purchasing and Contracts Administrator be authorized to enter into a requirements agreement with Silverado Avionics for the purchase of compact VHF synthesized FM portable radios for the balance of the current fiscal year, with a one-year renewal option.

It was noted that the procurement is for an initial sixty Kenwood TK-250K compact VHF synthesized FM portable radios at a unit cost of \$543.37 for a total expenditure of \$32,602.20 plus \$190.00 for programming software less a 2% discount for payment within 22 days; that this award recommendation is for option #1 the outright purchase of the radios equipped as specified, bid item #1A the spare component price list, and bid item #1B the necessary programming software.

This was the time to consider award of bid, Notice of Bidders for receipt of sealed bids having been published in the Reno Gazette-Journal on August 12, 14, 16, 19, and 21, 1996, for construction of the Thomas Creek Water System Well Booster Station, Tank and Transmission Main on behalf of the Utility Division. Proof was made the due and legal Notice had been given.

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

Engineer's Estimate	\$154,000.00
Mike's Trenching, Inc.	\$166,240.00
Resource Development Company	\$229,005.00

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, Chairman Bradhurst ordered that the bid for construction of the Thomas Creek Water System, Well Booster Station, Tank and Transmission Main on behalf of the Utility Division of the Public Works Department be awarded to the lowest, responsible, responsive bidder, Mike's Trenching, Inc., in the amount of \$166,240.00; that Chairman Bradhurst be authorized to execute the contract documents upon their receipt; and that the Chief Sanitary Engineer be authorized to issue the Notice to Proceed.

96-904 60TH ANNIVERSARY GOLF TOURNAMENT - WASHOE GOLF COURSE - PARKS

Upon recommendation of Gene Sullivan, Director, Parks & Recreation Department, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Bradhurst ordered that the Park's Department 60th Anniversary Washoe Golf Tournament to be held on September 22, 1996, with a fee of \$30.00, be approved; and that the proceeds be utilized for tree planting.

96-905 UNCOLLECTIBLE PERSONAL PROPERTY ACCOUNTS - COMPTROLLER

Upon recommendation of Kathy Garcia, Comptroller, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Bradhurst ordered that deletion of the Uncollectible Personal Property Accounts, as set forth in the agenda memorandum dated August 23, 1996, and placed on file with the Clerk, be approved.

Chairman Bradhurst suggested placing an ad in the newspaper which would list the uncollectable accounts.

96-906 EMPLOYEE COURSE ENROLLMENTS - PERSONNEL

Upon recommendation of Joanne Ray, Chief of Personnel, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bradhurst ordered that the following employees be granted approval to enroll in the following courses and seek reimbursement for expenses upon satisfactory completion with a grade of "B" or better:

1. Engineering: Mimi Fujii-Strickler, Civil Engineering Assistant, course entitled "Geographic Information Systems" being offered at the University of Nevada, Reno.
2. Collections Division: Robin Greco, Collections Analyst, course entitled "Second Year Spanish II," at Truckee Meadows Community College.
3. Senior Services: Len Reidenbaugh, course entitled "Introduction to Refrigeration," at Truckee Meadows Community College.

96-907 CONTRACT CHANGE ORDERS - COURTHOUSE COMPLEX - FINANCE

John MacIntyre, County Manager, reviewed background information contained in a staff report concerning this item dated August 29, 1996 and explained that the change orders are being reviewed by staff; that this subject has become the object of a continuous improvement project; and that it is recommended that Bud Fujii, Director, Department of General Services, be directed to convene a staff team to look at the change order approval process to determine a way to tighten up the process and evaluate the existing change order policy adopted in 1986 by the Board.

David Roundtree, Acting Public Works Director, distributed material to the Board in response to questions raised at yesterday's caucus regarding total construction costs for the Courthouse Complex and the approval of Change Orders to Q & D Construction, Inc. He explained that Change Order No. 9 will be the last Change Order and will complete the project; that the Architect and the County have attempted to recoup some of the additional costs; that changes to the project were made in some cases due to unforeseen circumstances such as omissions or lack of clarity in plans or specifications, review by either the users of the facility or County staff who observed during the construction process that there could be problems or omissions; that the Board can pursue this through negotiation or litigation; that Change Orders 1-7 in the amount of \$449,497.00 have been paid; that Change Order No. 8 in the amount of \$523,452.00 and Change Order No. 9 in a not-to-exceed amount of \$872,706.00 have not been paid.

Following discussion, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, Chairman Bradhurst ordered that Change Orders to Q & D Construction, Inc., contract for work performed on the Courthouse Complex be approved as follows:

Change Orders 1 - 7	\$ 449,497.00
Change Order 8	\$ 523,452.00
Change Order 9	\$ 872,706.00 (not-to-exceed)

It was further ordered that appropriate remuneration be pursued and that Change Order No. 9 not be exceeded in the amount of \$872,706.00.

96-908 SECURITY AGREEMENT - WASHOE COUNTY HIGH SCHOOL INCLINE HIGH SCHOOL - OFF-DUTY DEPUTY SHERIFF

Upon recommendation of Richard Kirkland, Sheriff, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that a Security Agreement between the County of Washoe (Sheriff) and the Washoe County School District (Incline High School), concerning provision of an off-duty Deputy Sheriff to provide security services during home football games, be approved and Chairman Bradhurst be authorized to execute.

96-909 FOURTH AMENDED LEASE AGREEMENT - SUN VALLEY LANDOWNERS' ASSOCIATION - COMMUNITY CENTER - GENERAL SERVICES

Upon recommendation of Bud Fujii, Director, General Services Department, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that a Fourth Amended Lease Agreement between the County of Washoe and the Sun Valley Landowners' Association, concerning the extension of the existing lease of the Association's Community Center Building for nine months (retroactive to April 1, 1996 through December 31, 1996) to facilitate operation of a satellite location of the Senior Nutrition Program currently administered by the Senior Services Center, be approved and Chairman Bradhurst be authorized to execute.

It was noted that effective July 1, 1996, Washoe County, through its Senior Services Center, will reimburse the Association fifty percent (50%) of the total utilities billed to that facility; and that no transfer of funding is required prior to fiscal year end.

96-910 RESIGNATION AND APPOINTMENT - MT. ROSE/GEIGER GRADE CITIZEN ADVISORY BOARD - PLANNING

Upon recommendation of Leslie Roylance, Department of Comprehensive Planning, on motion by Commissioner Sims, seconded by Commissioner Shaw, which motion duly carried, Chairman Bradhurst ordered that the resignation of Dwight Blevins be accepted; and

that the appointment of Christine Aldridge to fill his unexpired position as an at-large representative on the Mt. Rose/Geiger Grade Citizen Advisory Board, be approved with a term to expire June 30, 1997.

Chairman Bradhurst directed that a letter of commendation be drafted for Commissioner Sims' signature and forwarded to Mr. Blevins thanking him for his outstanding service on the Mt. Rose/Geiger Grade CAB and for his service on other Boards within the community.

96-911 RESOLUTION - DIRECTING NOTICE TO WASHOE COUNTY DEBT MANAGEMENT COMMISSION TO HOLD A MEETING TO CONSIDER A PROPOSAL TO ISSUE \$1,600,000 IN GENERAL OBLIGATION SEWER BONDS ADDITIONALLY SECURED BY PLEDGED REVENUES

County Manager, John MacIntyre, answered questions of the Board concerning 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:

RESOLUTION NO. 96-911

A RESOLUTION CONCERNING THE FINANCING OF A SANITARY SEWER PROJECT; DIRECTING THE CLERK TO NOTIFY THE WASHOE COUNTY DEBT MANAGEMENT COMMISSION OF THE COUNTY'S PROPOSAL TO BORROW MONEY AND TO ISSUE GENERAL OBLIGATION SEWER BONDS TO EVIDENCE SUCH BORROWING; PROVIDING CERTAIN DETAILS IN CONNECTION THEREWITH; AND PROVIDING THE EFFECTIVE DATE HEREOF.

WHEREAS, Washoe County, Nevada (the "County") was created as a county pursuant to Section 243.340 of Nevada Revised Statutes ("NRS"), and is authorized to acquire, improve, equip, operate and maintain, within the County a sewerage project, as defined in NRS 244a.0505 (the "Project"); and

WHEREAS, the Board of County Commissioners (the "Board") of the County proposes to issue general obligation (limited tax) sewer bonds of the County additionally secured by pledged revenues (the "Bonds"); and

WHEREAS, the Board pursuant to 350.020(3) (subject to the approval of the proposals to issue general obligations by the Washoe County Debt Management Commission), proposes to adopt and publish a resolution of intent to issue the Bonds additionally secured by pledged revenues of, including, but not limited to, the County's sewer system (the "Pledged Revenues"); and

WHEREAS, the Board anticipates making a determination that the Pledged Revenues will at least equal the amount required in each year for the payment of interest on and principal of the Bonds; and

WHEREAS, the Board proposes to issue the Bonds without an election unless a petition signed by the requisite number of registered voters of the County representing the requisite assessed value of the taxable property of the County is presented to the Board requiring the Board to submit to the qualified electors of the County for their approval or disapproval the following proposal:

GENERAL OBLIGATION SEWER BOND PROPOSAL:

Shall the Board of County Commissioners of Washoe County in the State of Nevada, be authorized to incur a general obligation indebtedness on behalf of the County by the issuance at one time, or from time to time, of the County's general obligation (limited tax) sewer bonds, in one series or more, in the aggregate principal amount of not exceeding \$1,600,000 for the purpose of financing, wholly or in part, the acquisition, improvement and equipment of sewerage projects, including, real property, facilities and equipment for sewerage projects as defined in NRS 244A.0505, the bonds to mature serially commencing not later than five (5) years from the date or respective dates of the bonds and ending not later than thirty (30) years therefrom, to bear interest at a rate or rates not in excess of the statutory maximum rate in effect at the time bonds are sold, to be payable from general (ad valorem) taxes (except to the extent pledged revenues and other moneys are available therefor), and to be issued and sold at par, or below or above par, and otherwise in such manner, upon such terms and conditions, and with such other detail as the Board may determine, including at its option but not necessarily limited to provisions for the redemption of bonds prior to

maturity without or with the payment of a premium? (the "bond Proposal"); and

WHEREAS, Subsection 1 of NRS 350.004 provides, in relevant part, as follows:

"1. Before any proposal to issue general obligation debt ...may be submitted to the electors of a municipality, or before any other formal action may be taken preliminary to the issuance of any general obligation debt, the proposed incurrence. . . must receive the favorable vote of two-thirds of the members of the [debt management] commission of each county in which the municipality is situated ..."; and

WHEREAS, subsection 1 of NRS 350.005 provides, in relevant part, as follows:

"1. The governing body of the municipality proposing to incur general obligation debt . . . shall notify the secretary of each appropriate commission, and shall submit a statement of its proposal in sufficient number of copies for each member of the commission . . ."

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

Section 1. All action, proceedings, matters and things heretofore taken, had and done by the Board, and the officers thereof (not inconsistent with the provisions of this resolution) directed toward the Project and the financing thereof be, and the same hereby is, ratified, approved and confirmed.

Section 2. The County Clerk be, and she hereby is, authorized and directed to notify immediately the Secretary of the Washoe County Debt Management Commission of the County's Proposal, and to submit to said Secretary a statement of the Proposal in sufficient number of copies for each member of the Commission. The County Assistant Manager, Finance Division is authorized to update or amend the County's plan for capital improvements if necessary to reflect the Bonds and the Project to be financed thereby and to file this information as required by NRS 350.0035 to the extent required to comply with NRS 350.0035.

Section 3. In order to permit the County to reimburse itself for prior expenditures relating to the Project with the proceeds of Bonds, the Board hereby determines and declares as follows:

(a) The County reasonably expects to incur expenditures with respect to the Project prior to the issuance of Bonds for financing the Project and to reimburse those expenditures from the issuance of Bonds; and

(b) The maximum principal amount of Bonds expected to be used to reimburse such expenditures is \$1,600,000.

Section 4. All resolutions, or parts thereof, in conflict with the provisions of this resolution, are hereby repealed to the extent only of such inconsistency. This repealer shall not be constructed to revive any resolution, or part thereof, heretofore repealed.

Section 5. If any section, paragraph, clause or other provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or other provision shall not affect any of the remaining provisions of this resolution.

Section 6. This resolution shall become effective and be in force immediately upon its adoption.

It was noted that the Debt Management Commission meeting to consider this resolution is scheduled for September 19, 1996 at 4:00 p.m.

96-912 RESOLUTION - HUD GRANT - HOMEOWNERSHIP ZONE - HUMAN SERVICE COORDINATOR

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:

RESOLUTION--SUPPORTING THE APPLICATION FOR AN ECONOMIC DEVELOPMENT INITIATIVE (EDI) GRANT FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) AND FOR THE CREATION OF A HOMEOWNERSHIP ZONE.

WHEREAS, The Cities of Reno, Sparks, and Washoe County formed the Washoe County HOME Consortium for the purpose of promoting, facilitating and administering affordable housing programs throughout the region; and

WHEREAS, It is the desire of the Cities of Reno, Sparks and Washoe County to develop the capacity for homeownership opportunities to stimulate the local economy and enhance quality of life throughout the region; and

WHEREAS, By combining Economic Development Initiative (EDI) Grants with Section 108 Loan Guarantees communities can reclaim abandoned and deteriorating neighborhoods through the creation of significant new homeownership opportunities, through new construction and rehabilitation of uninhabitable structures, for hardworking low and moderate income families; and

WHEREAS, The City of Reno, as Lead Agency for the Washoe County HOME Consortium, will submit the application and administer activities in the Zone, once designated; now, therefore, be it

RESOLVED, By the Board of Washoe County Commissioners that The Board supports the application for Homeownership Zone Designation and Economic Development Initiative Grant Funds.

96-913 REVISIT/CLARIFY AWARD OF BID - 1996/97 PAVING OF UNPAVED STREETS - WASHOE COUNTY, NEVADA

David Roundtree, Acting Public Works Director, answered questions of the Board concerning FY 1996/97 Infrastructure Preservation Program advising that if the \$10,000,000 bond issue scheduled for December which includes the unpaved roads budget should fail, then the Truckee Meadows overlay program for next year would be reduced by approximately 50%.

Following discussion, on motion by Commissioner Bond, seconded by Commissioner Sims, which motion duly carried, Chairman Bradhurst ordered that the award of bid for the 1996/97 Paving of Selected Unpaved Streets in Washoe County, Nevada be revisited and clarified; and that a change order in lieu of a revised contract to include Alternates 1 and 2, for a total contract amount of \$593,921.75, be authorized.

96-914 CHANGE ORDER - 1996/97 PAVING OF SELECTED UNPAVED STREETS - WASHOE COUNTY, NEVADA, PROJECT FOR PAVING 8/10THS OF MILE OF NORTHERN RED ROCK ROAD - LASSEN COUNTY, CALIFORNIA - ENGINEERING

Dave Roundtree, Acting Public Works Director, reviewed a staff report dated August 29, 1996 concerning this item and answered questions of the Board.

Following discussion, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that a Change Order to the contract with Canyon Creek Construction, Inc., for paving 8/10th of a mile of northern Red Rock Road in Lassen County, California, in the additional amount of \$87,620.00 be approved; that Chairman Bradhurst be authorized to execute the Change Order when presented, both subject to the Interlocal Agreement being executed

96-915 AMENDMENT TO AGREEMENT - TESTING AND INSPECTION SERVICES - HARDING LAWSON ASSOCIATES - 1996/97 PAVING OF SELECTED UNPAVED STREETS - WASHOE COUNTY - ENGINEERING

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that an Amendment to an Agreement for Testing and Inspection Services between the County of Washoe and Harding Lawson Associates for the 1996/97 Paving of Selected Unpaved Streets in Washoe County, Nevada, with the addition of Alternates 1 and 2 and/or Northern Red Rock Road Paving, be approved subject to a Red Rock Road Agreement or Change Order being executed by Chairman Bradhurst.

Assistant District Attorney Madelyn Shipman advised the Board that Rich Kishpaugh, Business Licenses and Code Enforcement, Department of Development Review, has been to Mr. Lau's residence; that no further complaints have been received relating to conditions imposed on Mr. Lau's business license by the Board on January 16, 1996; and that the matter for consideration today is a draft Complaint from the District Attorney's Office directed by the Board at their meeting on May 21, 1996 and a final determination whether or not the Board should proceed with revocation procedures.

Chairman Bradhurst stated that the issue appears to pertain to the number of pallets that should have been removed from public view pursuant to conditions imposed on the business license and the question of whether or not a time frame had been imposed for Mr. Lau to remove the pallets.

Assistant District Attorney Madelyn Shipman advised that the Board did not impose a time frame in their motion on January 16, 1996 as to when the pallets should have been removed; that there was representation made by Mr. Albright to the Board suggesting that it not be until after June to allow Mr. Lau the opportunity to burn or otherwise use the pallets; that normally when a time frame is not specified, the law will presume a "reasonable time"; and that there is the issue of how different individuals may interpret what the time frame should have been and what a "reasonable time" frame should be.

Harold Albright, attorney representing Kelvin Lau, dba Mighty Distributing System of Nevada, Inc., handed out material to the Board containing a transcript of the County Commission meeting concerning this item held on May 21, 1996 and conditions imposed on the business license. He advised that Mr. Lau was under the impression that he had until June to remove the pallets; that he has reduced the number of pallets from 200 to 115 by the beginning of May; and that by May 17, 1996 all of the pallets had been removed from the property. Mr. Albright reminded the Board that the only complainants in this matter have been the Raphels; that reasonableness should prevail; that there has been no attempt by Mr. Lau to frustrate the Raphels; that Mr. Lau was unable to burn the pallets due to a crack in his chimney; and that Mr. Lau has done everything he can to adhere to the conditions imposed on his business license.

John Raphael, neighbor, discussed conditions of the business license stating that prior to the truck picking up the pallets, Mr. Lau also had a delivery the same week; that he has used the forklift three times on the west side when Mr. Raphael was home for lunch; that he still continues to violate fire and building codes; and that although the truck delivery was not made to Mr. Lau's residence, the commercial delivery was made on Markridge Drive which was still a violation.

Kelvin Lau, Business Licensee, stated that he did refuse the truck shipment; that one of the conditions imposed on January 16, 1996 dictated that he was not to receive any deliveries on the west side of the property; that he has strictly adhered to that by unloading materials from his own pickup truck on the east driveway and driving them to his warehouse via forklift on the west side of the property. He stated that he would encourage Mr. Kishpaugh to read the hour meter on the forklift which would substantiate that he has used the equipment less than 16 hours per year; that he has only used the forklift during hours of operation; and that he has never violated the time frame imposed for usage of the forklift.

In response to Chairman Bradhurst's inquiry whether or not the new Home Occupation Ordinance would impact Mr. Lau's business operation, Mr. Lau responded that it will impact him due to the grandfathering principal contained in Section 904 of the ordinance pertaining to non-conformance which would have allowed individuals who had been in compliance with existing laws to continue operation.

Commissioner Shaw stated that Mr. Lau may have made an effort to remove the pallets and that he is not comfortable revoking the license over this particular issue. Commissioner Mouliot stated that he concurs with this; that there have been no legitimate deliveries or noise complaints regarding the forklift; and that the pallets have been removed.

Ms. Shipman stated if the Board elects not to proceed with the Complaint, that this would not constitute a specific decision on revocation because the hearing process was for the purpose of bringing forward evidence to support or not support a revocation of license.

Following discussion, on motion by Commissioner Mouliot, seconded by Commissioner Shaw, which motion duly carried, Chairman Bradhurst ordered that the Board not proceed with the Complaint for Revocation of the Business License of Mighty Distributing System of Nevada, Inc./Kelvin Lau; and that conditions previously imposed on the business license remain in effect.

96-917 CORRECTION OF FACTUAL ERRORS - 1996/97 SECURED TAX ROLL - ASSESSOR

Upon recommendation of Jean Tacchino, Assistant Chief Deputy Assessor, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Bradhurst ordered that the following Roll Change Requests correcting factual errors on tax bills already mailed, be approved for the reasons indicated thereon and mailed to property owners, 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.

United States of America	Parcel No. 082-270-27
Ken & Penny Comer	Parcel No. 084-282-25
Adrienne F. Mellot	Parcel No. 085-770-07
Clayton H. Jr. & Judy A Wright	Parcel No. 125-491-11
Franklin Sparks LLC	APN #03416303
David G. & Kay L. Tockey	APN #01305103

96-918 CORRECTION OF FACTUAL ERRORS - 1995/96 UNSECURED TAX ROLL - ASSESSOR

Upon recommendation of Thomas Sokol, Assistant Chief Deputy Assessor, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Bradhurst ordered that the following Roll Change Request correcting a factual error on a tax bill already mailed, be approved for the reason 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 directing the Treasurer to correct the error be approved and Chairman Bradhurst be authorized to execute on behalf of the Commission.

Econocom U S A	APN 2/191-415
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96-919 REFUND OF TAXES - BRIDGES IN CONSCIOUSNESS

Pursuant to District Attorney Opinion No. 6325, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the following resolution be adopted and that 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, Bridges in Consciousness (Taxpayer), made application for the refund of 1994-1995 and 1995-1996 real property taxes because the Taxpayer's property, APN 035-051-04, was exempt from taxation; and

WHEREAS, Bridges in Consciousness has overpaid taxes for fiscal years 1994-1995 and 1995-1996 in the amount of \$1,070.16; 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 COUNTY COMMISSIONERS OF WASHOE COUNTY AS FOLLOWS:

1. That the Treasurer of Washoe County be and hereby is authorized and directed to refund to Bridges in Consciousness a total of \$1,070.16, that amount being the taxes overpaid by Bridges in Consciousness for the tax years 1994-1995 and 1995-1996 on APN 035-051-04.
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.

96-920 REFUND OF TAXES - BRIDGES IN CONSCIOUSNESS

Pursuant to District Attorney Opinion No. 6324, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the following resolution be adopted and that 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, Bridges in Consciousness (Taxpayer), made application for the refund of 1993-1994, 1994-1995 and 1995-1996 real property taxes because the Taxpayer's property, APN 026-422-14, was exempt from taxation; and

WHEREAS, Bridges in Consciousness has overpaid taxes for fiscal years 1993-1994, 1994-1995 and 1995-1996 in the amount of \$3,370.92; 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 COUNTY COMMISSIONERS OF WASHOE COUNTY AS FOLLOWS:

1. That the Treasurer of Washoe County be and hereby is authorized and directed to refund to Bridges in Consciousness a total of \$3,370.92 that amount being the taxes overpaid by Bridges in Consciousness for the tax years 1993-1994, 1994-1995 and 1995-1996 on APN 026-422-14.
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.

96-921 REFUND OF TAXES - LES AND SANDY SALZ

Pursuant to District Attorney Opinion No. 6323, on motion by Commissioner Sims, seconded by Commissioner Bond, which motion duly carried, it was ordered that the following resolution be adopted and that 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, Les and Sandy Salz (Taxpayer) has made application for the refund of 1994-1995 and 1995-1996 real property taxes because the Taxpayer's property, Apn 086-212-01, was damaged; and

WHEREAS, Les and Sandy Salz have overpaid taxes for fiscal years 1994-1995 and 1995-1996 in the amount of \$2,235.77; 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 Les and Sandy Salz a total of \$2,235.77 , that amount being the taxes overpaid by Les and Sandy Salz for the tax years 1994-1995 and 1995-1996 on APN 086-212-01.
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.

96-922 ORDINANCE NO. 966, BILL NO. 1141 - AMENDING WCC - REVISING OVERTIME PROVISIONS FOR CERTAIN CLASSIFICATIONS

7:00 p.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on August 30, 1996, to consider second reading and adoption of Bill No. 1141. Proof was made that due and legal Notice had been given.

Howard Reynolds, Assistant County Manager, reviewed the proposed ordinance and answered questions of the Board.

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

On motion by Commissioner Bond, seconded by Commissioner Sims, which motion duly carried, Chairman Bradhurst ordered that Ordinance No. 966, Bill No. 1141, entitled, "AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY REVISING OVERTIME PROVISIONS FOR CERTAIN CLASSIFICATIONS; AND OTHER MATTERS PROPERLY RELATING THERETO," be approved, adopted and published in accordance with NRS 244.100.

96-923 COMPREHENSIVE PLAN AMENDMENT CASE NO. CPA96-NV-1 --LIFESTYLE HOMES; COLD SPRINGS VALLEY - COMPREHENSIVE PLANNING

7:00 p.m. This was the time set in a Notice of Public Hearing, published in the Reno Gazette-Journal on August 30, 1996 to consider a request, endorsed by the Washoe County Planning Commission, to amend the North Valleys Area Plan, being a part of the Washoe County Comprehensive Plan, by redesignating portions of Assessor's Parcel Numbers as follows: 87-021-07 from Medium Density Suburban (MDS: max 3 du/ac) to Public/Semi-Public Facility (PSP) and General Rural (GR), and 87-430-04 from Low Density Suburban (LDS: max 1du/lac) and General Rural to Medium Density Suburban (MDS: max 3du/ac), 87-430-06 from Medium Density Suburban (MDS: max 3 du/ac) to General Rural (GR), and 87-430-20 from General Rural (GR) to Medium Density Suburban (MDS: max 3 du/ac). The net change would add 73.5 acres of Public/Semi-Public Facility designated area. The amendment request would NOT result in any additional residential development potential, but would redistribute where approximately 1,119 residences would eventually be constructed in the Cold Springs Hydrographic Basin.

The parcels are approximately two miles northeast of the Bordertown exit off of U.S. 395 North. The parcels are located in the Cold Springs Hydrographic Basin in Section 9 and the N/2, Section 16, T21N, R18E, MDB&M. The parcels are generally designated as "Suburban" on the Truckee Meadows Regional Plan land use diagram, therefore only a conformance review with the Regional Plan will be necessary and not a Regional Plan amendment. In addition, Mud Springs Road, from Reno Park Boulevard north to the future extension of Crystal Canyon Boulevard, would be designated as a two-lane, undivided collector on the Streets and Highways System Map for the North Valley Area Plan. Additional administrative changes are proposed to adopt a revised Public Services and Facilities Map, a revised Development Suitability Map, and a revised Streets and Highways System Plan Map to reflect the changes requested within this application.

The Board will consider if this is an appropriate amendment and is consistent with the goals, policies, and standards of the North

Valleys Area Plan, and if any modifications, revisions, additions, or deletions are necessary. Proof was made that due and legal notice had been given.

Dean Diederich, Department of Comprehensive Planning, reviewed his staff report dated August 23, 1996 concerning the Comprehensive Plan Amendment and discussed various maps depicting adopted and proposed land use plans in Cold Springs.

Mr. Diederich explained that Washoe County and Lifestyle Homes have been working diligently to identify and secure a community sanitary sewer treatment plant in Cold Springs; that approximately 75 acres have been identified in the northern portion of Cold Springs for current and ultimate expansion of the community sewage treatment plant facility; that currently Washoe County has title to approximately 33 acres and options on the remaining land; that the basis of the plan amendment request by the applicant is the desire to relocate the residential development potential from the sewer treatment plant site to other portions of the applicant's property; that the amendment request does not increase the overall number of residential units that could be developed in Cold Springs; and that it respects the current FEMA adopted floodplain which comes through the area and would disallow development in that area. Mr. Diederich then discussed the FEMA mapping process and discussed a spread sheet concerning the potential water demand and water availability in the Cold Springs and Long Valley hydrographic basins advising that Washoe County is in the first year of a five-year investigation to determine the accurate perennial yield in the Cold Springs hydrographic basin; that there is a definite concern about the perennial yield in the basin; and that the USGS is conducting a study regarding the FEMA map as well as a study of the perennial yield in the valley.

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

John Munson, Summit Engineering Corporation, stated that he is in concurrence with staff's recommendation and findings.

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

On motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bradhurst ordered that Comprehensive Plan Amendment Case No. CPA-NV-01 for Lifestyle Homes; Cold Springs Valley, be approved subject to the following findings:

Approval of Applicant's Request:

1. The proposed amendments to the North Valleys Area Plan are in substantial compliance with the policies and action programs of the Comprehensive Plan. The amendments conform to policies POP.1.5, C.2.1, C.2.17, C.2.20, C.3.1, LUT.1.1, LUT.1.2, LUT.1.3, LUT.1.4, LUT.1.14, LUT.1.19, PSF.1.13, PSF.2.4, PSF.5.4, and NV.4.17. These policies and action programs encourage the intensification of land use in and around existing developed areas consistent with adequate resources and infrastructure to support the development potential associated with the land use changes.
2. The proposed amendments to the North Valleys Area Plan will provide for land uses compatible with existing and planned land uses and will not adversely impact the public health, safety or welfare, consistent with policies, C.2.1, C.2.17, C.3.1, PSF.1.13, PSF.2.2, PSF.2.4, PSF.5.4, LUT.1.14, NV.4.1, NV.4.5, NV.4.6 and NV.4.17. These policies and action programs encourage a predominate housing type of single family, detached units while avoiding development constraints such as floodplains and slopes in excess of 15 percent.
3. The proposed amendments to the North Valleys Area Plan will 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.
4. The proposed amendment to the North Valleys Area Plan demonstrates adequate future infrastructure capacity to serve the additional projected demand for the requested land use designation (i.e.: regulatory zone). The application and agency comments describes suitable access to a community water system and community wastewater system in a timeframe reasonable related to future construction of uses allowed by the Low Density Suburban regulatory zone.

5. The administrative change amendments to the North Valleys Area Plan will not adversely affect the implementation of the policies and action programs of the Conservation Element or the Population Element of the Washoe County Comprehensive Plan.
6. The administrative change amendments to the North Valleys Area Plan respond to changed conditions and/or further studies that have occurred since the plan was adopted by the Board of County Commissioners.
7. The administrative change amendments to the North Valleys Area Plan will 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.
8. The proposed amendment to the North Valleys Area Plan is the first amendment to the Plan in 1996, and therefore does not exceed the three permitted amendments as specified in Section 110.820.05 of the Washoe County Development Code.
9. The Washoe County Planning Commission public hearing, prior to the adoption of the proposed amendment to the North Valleys Area Plan and the related changes to the text and maps of the plan has been properly noticed in a newspaper of general circulation in the County as prescribed under NRS 278.210(1).
10. The Washoe County Planning Commission gave reasoned consideration to information contained within the staff report and information received during the public hearing.
11. 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.

96-924 ARTHUR AND JEANNE JOHNSON'S CONCERNS - AGREEMENT - SOUTH MEADOWS PROPERTIES LTD.

John Collins, Chief Sanitary Engineer, distributed material to the Board concerning questions raised at yesterday's caucus regarding concerns raised by Arthur and Jeanne Johnson and an agreement between Washoe County and South Meadows Properties Limited dated July 15, 1992. Mr. Collins explained that the Johnson's do not agree that it was Washoe County's responsibility to construct and finance the "back bone" infrastructure for the project; that this should have been the responsibility of the developer; and that the method of financing, through general obligation water bonds additionally secured by pledged revenues places County taxpayers at risk.

Robert Sader, representing South Meadows Properties Limited, stated that he was the attorney who negotiated the agreement; that whenever there are allegations of impropriety they need to be documented; and that he does not appreciate allegations made by the Johnson's concerning this matter. He explained that the Board is in a position to provide water and sewer facilities at the end of the existing systems of infrastructure; that the types of projects coming forth over the last several years are large projects with big demands and unique circumstances; that the County previously shirked its responsibility to deal with infrastructure issues; that they have now stepped up and assumed the responsibility to deal with land use issues that arise during land use planning; that they are providing infrastructure in a responsible way; that these agreements are very common; and that all of them are unique depending on the particular project.

Chairman Bradhurst stated that if it is determined that there are extraordinary circumstances as to why the Johnson's could not be present tonight, the Board may have to hear this matter again; and that the Johnson's and the STMGID Managing Board should be furnished with a copy of the material prepared by Mr. Collins concerning this matter. Mr. Collins advised that he will contact the Johnson's to inquire why they were not present at the meeting and Chairman Bradhurst recommended drafting a cover letter to the Johnson's for his signature.

c Following discussion, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Bradhurst ordered that receipt of the staff report regarding Arthur and Jeanne Johnson's concerns regarding the Agreement between

Washoe County and South Meadows Properties Limited be acknowledged.

COMMISSIONERS' COMMENTS

Chairman Bradhurst discussed an article regarding the remediation district published in the Sunday newspaper stating that he had contacted the reporter responsible for the article which quoted him incorrectly. He further reminded the Board of the new Courthouse dedication to be held on Saturday, September 14, 1996 at 11:00 a.m.

Commissioner Shaw discussed meetings held with staff concerning the reorganization program and Chairman Bradhurst stated that this information should come back to the Board as soon as possible.

Commissioner Bond stated that she would be desirous of meeting with an individual from the Airport Authority regarding the status of the Stead airport.

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There being no further business to come before the Board, the meeting adjourned at 8:10 p.m.

STEVE BRADHURST, CHAIRMAN
Washoe County Commission

ATTEST: JUDI BAILEY, County Clerk