

TUESDAY 1:30 P.M. JULY 27, 1999

PRESENT:

- Jim Galloway, Chairman
- Ted Short, Vice Chairman
- Pete Sferrazza, Commissioner
- Jim Shaw, Commissioner
- Amy Harvey, County Clerk
- Katy Simon, County Manager
- Maureen Griswold, Legal Counsel

ABSENT:

- Joanne Bond, Commissioner*

The Board met in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 East 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.

* Although Commissioner Bond was on vacation, she did participate via telephone on Item 22C., the appeal by the Golden Valley Homeowner's Association of the Washoe County Planning Commission's conditional approval of the special use permit for the North Valley High School.

99-735 AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Sferrazza, seconded by Commissioner Short, which motion duly carried, Chairman Galloway ordered that the agenda for the July 27, 1999, meeting be approved with the following amendments: Delete Item 10.E.4., award of bid for the Washoe County Jail Forensic Lab Remodel (PWP-WA-1999-952), and Item 11.D, consideration of a recommendation concerning cancellation of an agreement with MEDSchool Associations, North.

PUBLIC COMMENTS

Sam Dehne, Reno citizen, expressed his gratitude to the Board for writing a letter to the Airport Authority requesting that an Environmental Impact Statement be conducted before approving the air cargo expansion. He further stated that he is concerned about the 6 million dollars the Airport Authority is spending to build a ramp for the expansion.

MINUTES

On motion by Commissioner Short, seconded by Commissioner Sferrazza, which motion duly carried, it was ordered that the minutes of the June 15, 1999 meeting, be approved.

99-736 RESOLUTIONS OF APPRECIATION - LYNETTE PREKU AND L.H. "BUCK" METCALF - WASHOE COUNTY PLANNING COMMISSION

On motion by Commissioner Sferrazza, seconded by Commissioner Short, which motion duly carried, it was ordered that the Resolutions expressing appreciation to Lynette Preku and L.H. "Buck" Metcalf for their service on the Washoe County Planning Commission be approved and Chairman Galloway be authorized to execute.

JOINT RESOLUTION OF THE WASHOE COUNTY COMMISSION AND THE WASHOE COUNTY PLANNING COMMISSION EXPRESSING APPRECIATION TO LYNETTE PREKU FOR HER SERVICE

WHEREAS, LYNETTE PREKU has, since her appointment by the Washoe County Commissioners on December 18, 1990, been an active and interested member of the planning movement of Washoe County, serving the County and the North Valleys area with dedication and distinction;

WHEREAS, LYNETTE PREKU has, since her appointment eight and one-half years ago, maintained and manifested a sincere interest in the furtherance of good planning principles, and their application to regional issues as well as the comprehensive planning program of Washoe County;

WHEREAS, COMMISSIONER PREKU served the Washoe County Planning Commission as its Chair, beginning in July of 1993 and ending in July of 1994, receiving the gratitude of her fellow Commissioners and the public in the efficient operation of meetings, setting an example for those who have and will serve after her;

NOW, THEREFORE, BE IT RESOLVED that the Washoe County Commission and the Washoe County Planning Commission do hereby express their deep appreciation to LYNETTE for her extraordinary concern and devotion to the improvement of the community well-being through the development, implementation and administration of a comprehensive planning program; and

BE IT FURTHER RESOLVED that the Washoe County Commission and the Washoe County Planning Commission will miss the contributions of LYNETTE PREKU and extend their best wishes for a happy and prosperous future.

JOINT RESOLUTION OF THE WASHOE COUNTY COMMISSION AND THE WASHOE COUNTY PLANNING COMMISSION EXPRESSING APPRECIATION TO L.H. "BUCK" METCALF FOR HIS SERVICE

WHEREAS, L.H. "BUCK" METCALF has, since his appointment by the Washoe County Commissioners on May 14, 1991, been an active and interested member of the planning movement of Washoe County, serving the County and the North Valleys area with dedication and distinction;

WHEREAS, L.H. "BUCK" METCALF has, since his appointment eight years ago, maintained and manifested a sincere interest in the furtherance of good planning principles, and their application to regional issues as well as the comprehensive planning program of Washoe County;

WHEREAS, COMMISSIONER METCALF served the Washoe County Planning Commission as its Chair, beginning in July of 1994 and ending in July of 1995, receiving the gratitude of his fellow Commissioners and the public in the efficient operation of meetings, setting an example for those who have and will serve after him;

NOW, THEREFORE, BE IT RESOLVED that the Washoe County Commission and the Washoe County Planning Commission do hereby express their deep appreciation to BUCK for his extraordinary concern and devotion to the improvement of the community well-being through the development, implementation and administration of a comprehensive planning program; and

BE IT FURTHER RESOLVED that the Washoe County Commission and the Washoe County Planning Commission will miss the contributions of BUCK METCALF and extend their best wishes for a happy and prosperous future.

99-737 APPEARANCE - MARSHA BERKBIGLER, CHAIRPERSON, BLUE RIBBON ELECTIONS TASK FORCE

Appearing for the Elections Task Force was Chairman Marsha Berkbigler. Members of the Elections Task Force were also present, as well as Dan Burk, Acting Registrar of Voters and Karen Hruby, Facilitator. Ms. Berkbigler went over the following with a power point presentation to the Board: Setting up the Task Force; Process Improvement; What Happened in the 1998 General Election; Voting Equipment and System - Findings & Recommendations; Ballot Production - Findings & Recommendations; Precinct Optimization - Findings & Recommendations; Additional Highlights and Key Accomplishments. She advised the Board that some of the recommendations

from this report were used in this year's Sparks Election; and that Washoe County was the first in the State for certifying their results in the primary election and second in the general election. Ms. Berkbigler requested that the Board of County Commissioners accept and adopt the Election Task Force's Report.

Dan Burk, Acting Registrar of Voters, also responded to questions from the Board.

On motion by Commissioner Sferrazza, seconded by Commissioner Short, which motion duly carried, it was ordered that the Election Task Force Report be accepted; that the recommendations be adopted; and that staff bring back an implementation plan to the Board.

99-738 ACCEPTANCE OF BEQUEST - ESTATE OF ISABELLE HATFIELD - SENIOR SERVICES

Upon recommendation of Karen Mabry, Director, Washoe County Senior Services, on motion by Commissioner Sferrazza, seconded by Commissioner Short, which motion duly carried, it was ordered that the bequest from the Estate of Isabelle Hatfield (\$6,272.50) on behalf of the Washoe County Senior Services Nutrition Program be accepted and the Comptroller directed to establish appropriate revenue and expenditure accounts as follows:

Revenue	Amount \$6,272.50	Account #254400G-58092
Expenditure	Amount \$6,272.50	Account #254400G-7818

99-739 ACCEPTANCE OF GRANT - DIVISION OF AGING SERVICES, REGIONAL TRANSPORTATION COMMISSION AND HUMAN SERVICES CONSORTIUM - SENIOR SERVICES

Upon recommendation of Karen Mabry, Director, Washoe County Senior Services, on motion by Commissioner Sferrazza, seconded by Commissioner Short, which motion duly carried, it was ordered that the grant awards for Fiscal Year 1999-00 from the Division for Aging Services, the Regional Transportation Commission and the Human Services Consortium (totaling \$306,374) be approved and the Comptroller directed to establish specific revenue and expenditure accounts as follows:

REVENUES		
Source Program	Amount	Account
Division for Case Management	\$75,000	255600G-4301
Aging Services Law	\$74,000	254800G-4301
Homemaker	\$30,000	254700G-4301
Adult Day Health	\$70,000	253000G-4301
Consortium Case Management	\$ 9,875	255600G-43016
Legal	\$ 9,875	254800G-43016
Adult Day Health	\$29,624	253000G-43016
RTC Gerlach Transportation	\$ 8,000	254400G-4348
EXPENDITURES		
Division for Case Management	\$75,000	255600G-7000
Aging Services Legal	\$74,000	254800G-7000
Homemakers	\$30,000	254700G-7395
Adult Day Health	\$70,000	253000G-7000
Consortium Case Management	\$ 9,875	255600G-7000
Legal	\$ 9,875	254800G-7000

Adult Day Health	\$29,624	253000G-7000
RTC Gerlach	\$ 8,000	254400G-7394

99-740 ACCEPTANCE OF DONATION FROM TRUCKEE MEADOWS FIRE PROTECTION DISTRICT AND DONATION BY WASHOE COUNTY TO THE AIRPORT AUTHORITY FIRE DEPARTMENT - 1974 CHEVROLET PICKUP

Upon recommendation of John Sherman, Finance Department, on motion by Commissioner Sferrazza, seconded by Commissioner Short, which motion duly carried, it was ordered that the donation from Truckee Meadows Fire Protection District of a 1974 Chevrolet Series 2500 Pickup Truck (VIN #CKY2244211334938) which has a 300-gallon tank, pump, motor, hose reel and emergency lights (value \$1,200) be approved and that same be donated to the Airport Authority of Washoe County Fire Department.

99-741 CHANGE ORDER NO. 1 - MACKAY & SOMPS - TOPOGRAPHICAL MAPPING SERVICES - WATER RESOURCES

Upon recommendation of John Collins, Manager, Utility Services Division, through Ed Schmidt, Director, Water Resources Department, on motion by Commissioner Sferrazza, seconded by Commissioner Short, which motion duly carried, it was ordered that Change Order No. 1 with MacKay & Somps providing additional topographical mapping services in the amount of \$1,475 be approved.

99-742 AWARD OF BID - CAMP WE-CH-ME - PWP-WA-1999-933 - PUBLIC WORKS DEPARTMENT

This was the time to consider award of bid, Notice to Contractors for receipt of sealed bids having been published in the Reno Gazette-Journal on July 7, 1999, for Camp We-Ch-Me demolition and removal of designated buildings, sheds and structures, site garbage and debris on behalf of the Public Works Department. Proof was made that due and legal Notice had been given.

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

Earl E. Games, Inc.	\$35,074
T.W. Construction	\$58,935
Contri Construction	\$63,400

Upon recommendation of Anthony McMillen, Engineering Division, through Dave Roundtree, Public Works Director, on motion by Commissioner Sferrazza, seconded by Commissioner Short, which motion duly carried, it was ordered that the contract for Demolition of Structures at Camp We-Ch-Me be awarded to the low bidder, Earl E. Games, Inc. in the amount of \$35,074, and Chairman Galloway be authorized to execute the contract documents upon presentation.

99-743 AWARD OF BID - GALENA CREEK PARK - PWP-WA-1999-881 - PUBLIC WORKS DEPARTMENT

This was the time to consider award of bid, Notice to Contractors for receipt of sealed bids having been published in the Reno Gazette-Journal on June 30 and July 7, 1999, for Galena Creek Park grading and asphalt paving of the entrance road and parking areas throughout the north picnic areas on behalf of the Public Works Department. Proof was made that due and legal Notice had been given.

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

Marv McQueary Excavating	\$142,682
Atlas Contractors	\$165,665
A & K Earth Movers	\$171,170
Granite Construction	\$179,177

Upon recommendation of Anthony McMillen, Engineering Division, through Dave Roundtree, Public Works Director, on motion by Commissioner Sferrazza, seconded by Commissioner Short, which motion duly carried, it was ordered that the contract for North Entrance Paving at Galena Creek be awarded to the low bidder, Marv McQueary Excavating, Inc., in the amount of \$142,682, and Chairman Galloway be authorized to execute the contract documents upon presentation.

99-744 AWARD OF BID - SUN VALLEY SKATE PARK - PWP-WA-1999- 915 - PUBLIC WORKS DEPARTMENT

This was the time to consider award of bid, Notice to Contractors for receipt of sealed bids having been published in the Reno Gazette-Journal on July 1 and 8, 1999, for the Sun Valley Skate Park, including walkway and miscellaneous improvements on behalf of the Public Works Department. Proof was made that due and legal Notice had been given.

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

	Base Bid	Alternate A
A & K Earth Movers	\$186,681.00	\$86,691.00
Lucky Concrete Inc.	\$191,957.50	\$49,364.00
Rapid Construction	\$187,000.00	\$87,000.00

Upon recommendation of Anthony McMillen, Engineering Division, through Dave Roundtree, Public Works Director, on motion by Commissioner Sferrazza, seconded by Commissioner Short, which motion duly carried, it was ordered that the contract for Sun Valley Skate Park be awarded to the low bidder, Lucky Concrete Inc., for the base bid of \$191,957.50 and Alternate A bid of \$49,364 for a total amount of \$241,321.50, and Chairman Galloway be authorized to execute the contract documents upon presentation.

99-745 INTERLOCAL AGREEMENT - CITY OF RENO, CITY OF SPARKS & REGIONAL TRANSPORTATION COMMISSION - STREET AND HIGHWAY PROGRAMS OF PROJECTS (FUEL TAX)

Upon recommendation of Howard Riedl, Acting Engineering Director, Regional Transportation Commission, on motion by Commissioner Sferrazza, seconded by Commissioner Shaw, which motion duly carried, it was ordered that an Interlocal Cooperative Agreement between the Board of Commissioners of Washoe County, City Council of Reno, City Council of Sparks, and the Regional Transportation Commission, concerning design, construction engineering, or construction/right-of-way of specific projects contained in the Regional Transportation Commission's Street and Highway Programs of Projects (Fuel Tax) for Wedge/De Spain/Mt. Rose Improvements, be approved and Chairman Galloway be authorized to execute on behalf of Washoe County.

99-746 INTERLOCAL AGREEMENT - CITY OF RENO, CITY OF SPARKS & REGIONAL TRANSPORTATION COMMISSION - STREET AND HIGHWAY PROGRAMS OF PROJECTS (REGIONAL ROAD IMPACT FEE)

Upon recommendation of Howard Riedl, Acting Engineering Director, Regional Transportation Commission, on motion by Commissioner Sferrazza, seconded by Commissioner Shaw, which motion duly carried, it was ordered that an Interlocal Cooperative Agreement between the Board of Commissioners of Washoe County, City Council of Reno, City Council of Sparks, and the Regional Transportation Commission, concerning design, construction engineering, or construction/right-of-way of specific projects contained in the Regional Transportation Commission's Street and Highway Programs of Projects (Regional Road Impact Fee) for Geiger Grade/Toll Road Improvements, Phase II which include improvements to Pioneer Parkway (a.k.a. Tahoe Pyramid Link) from South Virginia to approximately 2,200 feet east and a new bridge over Steamboat Creek, be approved and Chairman Galloway be authorized to execute on behalf of Washoe County.

99-747 AGREEMENT - RENO TENNIS CLUB - PARKS DEPARTMENT

Upon recommendation of Gregg Finkler, Parks Operations Superintendent, through Karen Mullen, Parks and Recreation Director, on motion by Commissioner Sferrazza, seconded by Commissioner Shaw, which motion duly carried, it was ordered that a three-year renewal of an ongoing agreement between Washoe County and the Reno Tennis Club, concerning limited priority use for tennis tournaments in exchange for maintenance and improvements to Washoe County's Moana Tennis Courts, be approved and Chairman Galloway

be authorized to execute on behalf of Washoe County.

99-748 AGREEMENT - HAYGROUP - CLASSIFICATION AND COMPENSATION STUDY AND CONTINGENCY TRANSFER - HUMAN RESOURCES

Considerable discussion was held on this item at the Caucus meeting regarding whether the Board could require some or all of the District Court employees to participate in this classification and compensation study. Commissioner Sferrazza stated that at the time the judicial employees were separated from the County employees, there was a Memorandum of Understanding (MOU) between the Board and the District Court Judges, which basically stated that the salaries of the judicial employees would be commensurate with salaries of like positions governed by the County merit personnel system; and he moved that the recommendation to engage the HayGroup to conduct this study be approved to include all employees over whom the Board has constitutional jurisdiction.

Maureen Griswold, Deputy District Attorney, stated that there is a division of employees in the County Clerk's office under Chapter 10 of the Washoe County Code setting the District Court employees apart as judicial employees.

Commissioner Sferrazza requested that the MOU be researched and emphasized that his concern is making sure there is equity in the system, specifically in the County Clerk's office where County employees and Court employees are working side-by-side one another. He further stated that he has done some research and comparison of his own; that he believes there are discrepancies; and that he would like the HayGroup to resolve that issue. Chairman Galloway stated that the MOU would be made a part of the record. He further stated that if it is determined that some positions are overpaid, that does not mean others will be paid more to make up for that.

Chairman Galloway noted that the cost of the study is \$200,000 or \$245,000 if all the judicial employees are included. Ron Keimach, representing the HayGroup, stated that if all the judicial employees are not surveyed and classified, it would not cost the full \$45,000 extra and costs would be pro rated accordingly. Ms. Griswold stated that the contract will need to be amended to reflect that.

Joanne Ray, Human Resources Director, noted that the District Court is proposing to do their own study. Chairman Galloway stated that with a separate study positions might not be compared on the same basis.

Following further discussion, on motion by Commissioner Sferrazza, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the engagement of the HayGroup to conduct a classification and compensation study of all Washoe County employees and at least certain District Court employees, specifically those working in the County Clerk's office, and to train an employee committee on the Point Factor Classification Method, in the amount of \$200,000 plus a pro rated amount for the number of judicial employees actually surveyed, be approved and Chairman Galloway be authorized to execute the amended contract when presented. It was further ordered that a transfer from Contingency (001-1890-7328) to consulting services (001-1091-7105) in an amount yet to be determined for this classification and salary study be authorized.

99-749 FISCAL YEAR 1999-2000 AMENDED FINAL BUDGET

Upon recommendation of John Sherman, Finance Department, on motion by Commissioner Sferrazza, seconded by Commissioner Short, which motion duly carried, it was ordered that the 1999-2000 Fiscal Year Amended Final Budget, be approved and executed by the Board members; and that the Finance Department be directed to transmit the document to the Nevada Department of Taxation.

99-750 APPOINTMENT - BOARD OF EQUALIZATION

On motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, it was ordered that F. Ronald Fox be appointed and James O'Brien be reappointed to the Washoe County Board of Equalization for terms to expire June 30, 2003.

99-751 APPOINTMENT - EXOTIC ANIMAL ADVISORY BOARD

On motion by Commissioner Shaw, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Galloway ordered that David Dehls and Christine Dils be reappointed to the Exotic Animal Advisory Board for terms to expire August 12, 2002, and that Katie Stevens be reappointed as the Washoe County Animal Control Officer designee for a term to expire August 12, 2002.

99-752 APPOINTMENT - PARKS AND RECREATION COMMISSION

On motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, it was ordered that Ellen Arrascada and Toni-Anne Zive Cassas be reappointed to the Parks and Recreation Commission for terms to expire June 30, 2003.

99-753 APPOINTMENT - REGIONAL WATER PLANNING COMMISSION

On motion by Commissioner Sferrazza, seconded by Commissioner Short, which motion duly carried, it was ordered that George Shaw be reappointed as the Washoe County voting member to the Regional Water Planning Commission and Peter Krenkel be reappointed as the alternate voting member to the Regional Water Planning Commission.

99-754 BILL NO. 1251 - AMENDING WCC CHAPTER 55 - SPANISH SPRINGS CONGESTED AREA FOR DOG AND LIVESTOCK CONTROL

Bill No. 1251, entitled, "AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY REMOVING PROPERTY WITHIN THE SPANISH SPRINGS CONGESTED AREA WITH RESPECT TO THE CONTROL OF DOGS, LIVESTOCK AND OTHER MATTERS PROPERLY RELATING THERETO" was introduced by Commissioner Shaw, the title read to the Board and legal notice for final action of adoption directed.

99-755 NEW EMPLOYEE CLASSIFICATION - COUNTY GRANTS ADMINISTRATOR - HUMAN RESOURCES

Upon recommendation of Joanne Ray, Human Resources Director, on motion by Commissioner Shaw, seconded by Commissioner Short, which motion duly carried, Chairman Galloway ordered that the proposed new class specification and salary range for County Grants Administrator (class code 0169), with a salary grade of C280 (\$48,984.00 - \$65,478.40, pre COLA), which is a reclassification of the existing, vacant Human Service Coordinator position, be approved.

99-756 RECLASSIFICATION OF EXISTING POSITIONS - PLANNING MANAGER - COMMUNITY DEVELOPMENT DEPARTMENT

Upon recommendation of Robert Sellman, Community Development Director, on motion by Commissioner Sferrazza, seconded by Commissioner Shaw, which motion duly carried, Chairman Galloway ordered that the reclassification of two existing positions, Assistant Director and Community Coordinator, in the Community Development Department to Planning Manager be approved and salary levels as set forth in the agreement with the Washoe County Employees Association be authorized. It was noted that these reclassifications are due to reorganization within the Department.

99-757 CHANGE INTERMITTENT PART-TIME DISPATCHER TO PERMANENT PART-TIME DISPATCHER - INCLINE VILLAGE SUBSTATION - SHERIFF

Upon recommendation by Richard Kirkland, Sheriff, on motion by Commissioner Sferrazza, seconded by Commissioner Shaw, which motion duly carried, Chairman Galloway ordered that the change in status of an intermittent part-time Dispatcher position at the Incline Village Substation to a permanent part-time position be authorized.

99-758 RECRUITMENT - GOLF COURSE MANAGER - PARKS DEPARTMENT - HUMAN RESOURCES

Upon recommendation of Rosemarie Etsminger, Parks Department, through Karen Mullen, Parks and Recreation Director, on motion by Commissioner Sferrazza, seconded by Commissioner Shaw, which motion duly carried, Chairman Galloway ordered that the Human Resources Department be authorized to begin recruiting for the Golf Course Manager position immediately, with a hire date two to three months earlier than the approved date of January 14, 2000.

99-759 CONDITION COMPLIANCE STATUS REPORT - SHA NEVA - LEMON VALLEY SAND AND GRAVEL PIT - SPECIAL USE PERMIT CASE NO. SPB5-12-89 - COMMUNITY DEVELOPMENT

Ron Kilgore, Department of Community Development, reported on the status of compliance with conditions on the Sha-Neva Lemon Valley sand and gravel operations, Special Use Permit Case No. SPB5-12-89. He stated that there have been complaints regarding noise from the gravel pit operations; that staff has checked the site on five different occasions at random dates and times with a noise meter; and that the noise levels were not found to be in excess of the limits placed on the special use permit.

Mr. Kilgore cited noise readings stating that the highest peak he recorded was 65 Ldn and the average was around 57 decibels.

Chairman Galloway stated that Pauline LaMoya had filled out a request to speak form. Mr. Kilgore noted that Ms. LaMoya lives near the gravel pit and most of the complaints have been made by her. The Chairman asked Ms. LaMoya to come forward. She did not respond.

Pierre Haschef, attorney representing Sha-Neva, stated that they have actually had an acoustical engineer go out to the property and record noise level readings; and that they are in full compliance with the conditions of the special use permit. He further stated that this is the second time he has appeared before the Board because of complaints and the second time that the complainants have not appeared.

Following further discussion, on motion by Commissioner Shaw, seconded by Chairman Galloway, which motion duly carried, it was ordered that the report from staff be accepted.

99-760 STATUS REPORT - RETRAC EIS PROCESS

Katy Simon, County Manager, reported on the status of County participation in the RETRAC EIS (Environmental Impact Statement) Process advising that Washoe County will be invited to be a cooperating agency in the EIS process; that that status does not convey any right of veto or mean that the County is a signatory to the EIS document; and that being a cooperating agency does not convey any responsibility for the document, its content or conclusions. She further stated that it simply means that Washoe County can participate to the level and extent it wishes to and can comment on anything along the way.

Commissioner Sferrazza stated that he had requested that the County Manager have sole discretion to determine the areas of special expertise and in allocating available staff time to this effort and that any proposed additional activity requiring budget allocation must be presented to the Board for approval. He stated that he would like to further add that no County Commissioner shall direct the County Manager or any County staff person to do any work without approval of the Board. He stated that his concern is that individual Board members may direct staff to do things that the County Manager might not be aware of or direct the County Manager to do things the other Board members are not aware of.

Chairman Galloway stated that he believes that was always the intent; that he envisioned that the County Manager would be given some direction at Board meetings; that Ms. Simon would then proceed using her discretion; and if someone wanted her to deviate from what she thought was appropriate, that would come back to the Board for decision.

Commissioner Shaw stated that he agrees with what is being said, but that he has heard that direction has been given to some department heads to start working on this prior to the County being invited to become a cooperating agency; that he does not know if it is rumor or fact; and that if that has already happened he would be very annoyed.

Ms. Simon stated that the only staff activity she is aware of is attending the scoping meetings, which was directed by the Board.

Commissioner Sferrazza stated that he would move that the County Manager be given discretion to determine areas of expertise in allocating available staff time to the RETRAC EIS process; and that any direction to staff or the County Manager with respect to allocation of additional staff time beyond the time she is willing to direct and any expenditure of money would have to be approved by the Board. The motion was seconded by Commissioner Short. Upon call for the vote, the motion carried unanimously and it was so ordered.

99-761 STATUS REPORT - TAHOE BASIN ENVIRONMENTAL IMPROVEMENT PROGRAM - COMMUNITY DEVELOPMENT

Mike Harper, Planning Manager, Department of Community Development, suggested that this item be continued to the first meeting in August so that staff can prepare and present a proposed resolution in support of the "Feinstein" bill (S.1192, Lake Tahoe Restoration Act) and present a complete package to the Board on the Tahoe Basin Environmental Improvement Program. Chairman Galloway stated that would be a good idea because he has several questions about the federal legislation that he has not yet had a chance to discuss with staff.

On motion by Commissioner Sferrazza, seconded by Commissioner Short, which motion duly carried, Chairman Galloway ordered that the status report on the Tahoe Basin Environmental Improvement Program and related federal legislation be continued to Tuesday, August

10, 1999.

99-762 ORDINANCE NO. 1073, BILL NO. 1249 - SPECIAL ASSESSMENT DISTRICT NO. 26 (MATTERHORN DRIVE) - LEVYING ASSESSMENTS

5:00 p.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on July 16, 1999, to consider second reading and adoption of Bill No. 1249. Proof was made that due and legal Notice had been given.

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

On motion by Commissioner Short, seconded by Commissioner Shaw, which motion duly carried, Chairman Galloway ordered that Ordinance No. 1073, Bill No. 1249, entitled, "AN ORDINANCE CONCERNING WASHOE COUNTY, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 26 (MATTERHORN DRIVE); ASSESSING THE COST OF STREET IMPROVEMENTS AGAINST THE ASSESSABLE TRACTS OF LAND BENEFITED BY SAID IMPROVEMENTS; DESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID ASSESSMENTS; PROVIDING PENALTY FOR DELINQUENT PAYMENTS; PRESCRIBING DETAILS IN CONNECTION THEREWITH AND OTHER MATTERS RELATING THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF," be approved, adopted and published in accordance with NRS 244.100.

99-763 ORDINANCE NO. 1074, BILL NO. 1250 - SPECIAL ASSESSMENT DISTRICT NO. 27 (OSAGE ROAD/PLACERVILLE ROAD) - LEVYING ASSESSMENTS

5:00 p.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on July 16, 1999, to consider second reading and adoption of Bill No. 1074. Proof was made that due and legal Notice had been given.

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

On motion by Commissioner Sferrazza, seconded by Commissioner Short, which motion duly carried, Chairman Galloway ordered that Ordinance No. 1074, Bill No. 1250, entitled, "AN ORDINANCE CONCERNING WASHOE COUNTY, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 27 (OSAGE ROAD/PLACERVILLE ROAD); ASSESSING THE COST OF STREET IMPROVEMENTS AGAINST THE ASSESSABLE TRACTS OF LAND BENEFITED BY SAID IMPROVEMENTS; DESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID ASSESSMENTS; PROVIDING PENALTY FOR DELINQUENT PAYMENTS; PRESCRIBING DETAILS IN CONNECTION THEREWITH AND OTHER MATTERS RELATING THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF," be approved, adopted and published in accordance with NRS 244.100.

99-764 HOME OCCUPATION LICENSE CASE NO. HOA5/20/99 - MELINDA STILLWELL - APPEAL

5:00 p.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on July 16, 1999, to consider the appeal by Melinda Stillwell of Case No. HOA5/20/99 of a regulation prohibiting advertising of her home occupation located at 6950 Dolores Lane, which is a 10.602-acre parcel with a general rural designation, situated in portions of Section 4, T20N, R20E (APN 83-440-44), part of the Spanish Springs Planning Area, which concerns a sign on her property advertising the name of her business and showing the address of the property.

Rebecca Tackett, Zoning Enforcement Officer, stated that staff is recommending denial of the appeal because the regulations concerning home occupations specifically prohibit any advertising of home occupation businesses and the intent of that regulation was to ensure that home occupation businesses are basically invisible within a neighborhood and because the applicant/appellant did sign the home occupation zoning regulations and, therefore, was well aware that no advertising was allowed.

Ms. Tackett advised that the applicant considers her sign to be an address sign and not an advertisement; that staff disagrees because the sign clearly displays the name of her business, "Surrounded by Asses;" that the applicant feels the sign is necessary to ensure that emergency crews can locate her property and to ensure delivery of mail and packages; and that staff feels that could be accomplished by only having her street address on the sign. She further stated that in erecting the sign, the applicant failed to meet the regulations for signage and did not obtain the appropriate permits required under the Washoe County Code.

Board members asked several questions and in response Ms. Tackett stated that if the business name was not on the sign and the applicant obtained the proper permits, there would be no problem with this sign.

Chairman Galloway opened the public hearing by calling on those wishing to speak concerning this matter.

Melinda Stillwell, applicant, stated that she has operated a mail order, independent delivery type business from her home for 12 years and the sign in question has been up for at least 12 years, except for the "Surrounded by Asses" part of it; that she has no direct contact with the general public; that the sign is necessary for her to get reliable delivery service from UPS and Federal Express; and that the sign was not intended to advertise her business. She also displayed a satellite photo of her property showing where the sign is, where her home is, and where her nearest neighbors are located. Ms. Stillwell further stated that the homes are not numbered correctly which further adds to delivery problems; and that most of her neighbors did not even know she operated a business out of her home until the notification of this hearing went out. She requested that the Board allow her to retain her sign.

In response to Chairman Galloway, Maureen Griswold, Deputy District Attorney, advised that the ordinance states that there shall be no public advertising which calls attention to the fact that the dwelling is being used for business purposes and the only way the Board could allow the sign would be if they found that the sign was not, in fact, advertising.

Barrett Rivas stated that he designed and constructed the sign for Ms. Stillwell so that she could get her packages delivered; that the packages are addressed to "Surrounded by Asses;" that after the UPS strike, deliveries really fell apart; and that he does not believe "Surrounded by Asses" advertises the business as Ms. Stillwell sells calendars.

Clark Monson, Chairman of the Spanish Springs Citizen Advisory Board, asked if the issue is the sign or appealing the ordinance and stated that if the ordinance is going to be changed, it should be put out to the CAB's. Chairman Galloway stated that an ordinance can not be appealed and this appeal is based on the fact that the applicant does not believe her sign is advertising her business

Kim Monahan, area resident, stated that she drives by subject sign twice a day; that she thinks it is cute; that she did not know there was a home business there; and that there are donkeys there.

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

Commissioner Short suggested a compromise of removing "Surrounded by Asses," making the street address larger, leaving the logo (the picture of the donkey), and putting Ms. Stillwell's name on the sign. Following further discussion, on motion by Commissioner Sferrazza, seconded by Commissioner Shaw, which motion duly carried, Chairman Galloway ordered that the appeal be denied but that Ms. Stillwell be allowed to keep the sign if she removes the name of the business, "Surrounded by Asses," and obtains the proper permit(s).

99-765 SPECIAL USE PERMIT CASE NO. SPW4-13-99 - NORTH VALLEY HIGH SCHOOL - APPEAL (APN 082-473-01)

* - Commissioner Bond actively participated in the following hearing via telephone.

5:00 p.m. This was the time set in a Notice of Public Hearing, mailed to affected property owners on July 15, 1999, to consider the appeal of the Golden Valley Homeowner's Association from the Washoe County Planning Commission's approval of SPW4-13-99 applied for by Steve Williams on behalf of the Washoe County School District to develop and operate a two-story high school that will service up to 2,000 students for grades 9-12 in the North Valleys area, proposed to be built in one phase and includes 265,000 square feet of building space with classrooms, an auditorium, gymnasium, and library; and in addition to the building, the site is proposed to have two baseball fields (one lighted), two softball fields, four basketball courts, six tennis courts, and one lighted multi-purpose sports field to accommodate football, soccer, and track. The 80-acre parcel is designated Low Density Suburban (LDS) and General Rural (GR) in the North Valleys Area Plan, and is located on the south side of Golden Valley Road at the southeast corner of the intersection of Estates and Golden Valley Road in Commission District 3, Section 14, T20N, R19E, MDM, Washoe County, Nevada.

Noting that he has received over 60 "request to speak" forms on this matter, Chairman Galloway established ground rules concerning how the hearing would be conducted and what the Board could and could not consider in making their decision. He then opened the public hearing.

Commissioner Sferrazza advised that some of the Reno City Councilmembers have been looking for an alternatesite for this school, have been trying to put a deal together, and have requested additional time for the School District and the City to work something out. He asked if the Board could continue this hearing to allow them that time.

Robert Sellman, Director, Community Development Department, stated that tonight's consideration is on the adequacy of this particular site and whether it will support the requested use with proper mitigating conditions. Mr. Sellman stated that it would be his opinion that consideration of alternate sites would be a separate discussion reserved exclusively to the School District and that the Board could only continue this hearing if the Washoe County School District agrees to a continuance.

Legal Counsel Maureen Griswold stated that the Washoe County Code provides that the Board must hold a hearing on an appeal within 30 days and agreed that the applicant's consent would be necessary to continue. Chairman Galloway asked for those requesting or supporting a continuance to speak.

Sherrie Doyle, Reno City Councilwoman, stated that the City of Reno would like to have a 30-day continuance so that the entities can continue to work on an alternate site stressing the importance of building the school in the right place as it will be there for 30-40 years.. She stated that there is a site in Stead across from the North Valleys Regional Sports Complex with just a few things that need to be finalized to make it viable. Commissioner Bond asked if there had been any movement by the developers who were originally talking about possible land trades and what will be accomplished if they are given more time. Ms. Doyle responded that they are willing to do the land swap; that some other developers are also involved; that they are working on ideas to come up with the shortfall, if there is one; and that they need the School District to come to the table and negotiate the deal. Commissioner Shaw asked if this is new information to be presented to the School Board. Ms. Doyle stated that it is.

Commissioner Sferrazza asked if the City of Reno is willing to put up funds if that is what it would take to make the Stead site viable. Ms. Doyle stated that the City will if the County agrees to work with the City to see which entity is going to pick up which costs. Chairman Galloway asked if she was saying that money would be forthcoming, possibly, but not definitely, and only if the County also puts up funds. Ms. Doyle responded that was correct and that an agreement needs to be reached as to who is going to provide the infrastructure, which is something that needs to be negotiated with everyone involved, and added that the City could possibly waive certain fees. Ms. Doyle stated that she, Dave Aiazzi, Joanne Bond and staff from the City and the County have been working for the last several months; that they found water and sewer; that Summit Engineering donated a great deal of time and energy to explore the feasibility of the different sites; and that they are now at the point where they have the land option and need to know exactly what the School Board needs or wants to make the Stead site viable.

Neal Cobb, Vice President of the Golden Valley Homeowner's Association, stated that it has always been their intention to find the best possible location for the north valleys high school and offered their cooperation toward that end; that water and sewer were stopping points for many years on other sites; and that they would hope the School District would slow down and review this latest proposal.

Commissioner Bond noted that she has received all of the information and materials on this matter. All of the Board members disclosed that they have had meetings or conversations with various people involved on both sides of this issue.

Paul Holland, Golden Valley resident, asked that the Board and the School District allow common sense to prevail and not get caught up in all the rules and regulations.

Roger Edwards, appellant representing Golden Valley Homeowner's Association, stated that he agrees with what Mr. Cobb stated.

Chairman Galloway then called for comments from those opposed to continuing this matter.

Sarah Chvilicek, Osage Road resident, stated that the School District, the Reno City Council and the Washoe County Commission are holding students hostage to political whim; that some members of the School District, the Commission and the Council have acted reprehensibly; that elected officials serve as role models for the students; that her child just graduated from Hug High and she is acutely aware of high school overcrowding problems; and that the students of the north valleys deserve an expedient decision, whether it's Golden Valley or Stead. She further stated that it is imperative that construction of the school starts on time; that

any deals should be made with honor, justice and equity; that people should not be held hostage to imbalanced land swaps or developer's profits; and that if this is continued, it should only be done with the understanding that a high school in the north valleys will still be built on schedule.

Bernie Anderson, Sparks resident and school teacher, stated that school overcrowding has to be addressed immediately; that the impact on the children is going to be enormous if this school is not built as planned; and that wherever a school is built, there will be impacts upon the local area. He emphasized that the school district is behind the curve because of previous failed bond issues; that when the bond issue was finally passed by the voters, the School District held several hearings as to where this school should be built; and that both of the new high schools for northern Washoe County from that bond issue should be opening this fall and neither is even under construction.

Bryna Oberlander, McQueen Class of '99, stated that the students know more than anyone else how badly this school is needed; that McQueen has high-end math classes, such as Calculus, with 50 students; that students cannot get their questions answered in those classes; that classes are in mobile units; that she had a German class that was held in a faculty dining room where pots and pans were clanking; and that any delay will seriously affect the quality of the education students are receiving, which is very unfair to the students.

Martha Gould, Yes-Yes For Kids Steering Committee, stated that this needs to move forward and move very quickly; that this school needs to be built; that this issue has been "hashed out;" that there have been numerous hearings, at least 40 that she is aware of prior to the election and many hearings since the election, on the location of this school; and that she is adamantly opposed to a continuance.

Audrey Mentzer, Golden Valley resident, stated that she will be a sophomore at Hug High School; that Hug has 10 mobile classrooms already; that most classes have at least 40 students; and this new high school needs to be built.

Jonnie Pullman, Vice President, Washoe County School District Board of Trustees, stated that it is the Trustees' responsibility to weigh the issues for all of the students in Washoe County; that they do operate as a Board; and that she can not represent that the Board would agree to a continuance. She stated that they have worked very diligently to do the very best job they can to get the very best high school for the kids; and that she finds it very interesting that other elected officials have come together and have gone to other elected officials and no one has ever come to her or any other member of the School Board, which is very frustrating. She stated that Stead was also her personal preference for a high school site and she worked very hard to find a site in Stead; that from all the information they received at numerous hearings, a site in Stead was not possible; and that their Board then voted to move forward with the Golden Valley site. Ms. Pullman stated that every time a group comes forward with new and different data, it is never given to the School Board; and that when it finally is and they go back to look at it, things are wrong. She stated that she called Mr. Hawkins and other developers herself; that they have met with everyone they could possibly meet with; that when they got this last bond, they promised the voters they would get a high school as soon as humanly possible; that construction of this school should have started 5 or 6 months ago; and that she does not think her Board would agree to a continuance.

Chairman Galloway asked Ms. Pullman if the permit was granted tonight and then tomorrow someone came to the School Board with another site all ready to go, would the Board look at it in an open-minded, fair manner. Ms. Pullman responded that she definitely would and she believes her fellow Board members would. She also added that people have come to them and have said we have a site and we have all the information, but that never turns out to be the case. She stated that the School District is not unreasonable on this and that they all want the same thing, which is to provide a good education for the kids and spend tax dollars wisely.

Commissioner Sferrazza stated that they never contacted the School Board directly because they were told to go through Superintendent Hager and that he, Ms. Doyle and Dave Aiazzi requested a joint meeting with the Board several times, which never happened. He stated they spent countless hours working on finding an alternate site and that it appears to him that the School Board just voted to go ahead with the Golden Valley site without any reconsideration. Ms. Pullman explained that they voted to continue with the Golden Valley site at a meeting where the alternatives were presented to the School Board; and that they did vote for the Golden Valley site because none of the alternatives met the concerns of the School District concerning timeline and money. She added that when this Golden Valley site was first being considered they knew they had a limited amount of money; that

the School Board invited anybody and everybody to come forward with any money; and that she herself called the Washoe County's Parks Director to discuss BLM land trades and various other deals.

Dr. Jim Hager, Washoe County Schools Superintendent, stated that he would request that the Commission proceed with the hearing and take action. He stated that in November, 1997, there was a decision made that another bond issue would be pursued after the failure of the 1996 bond issue; that in April, 1998, it was decided to have two parts to the bond issue; and that three particular areas were designated for high school sites with an emphasis on assurance that if the voters approved it, two of those high schools would be opened by September, 2001. He further stated that when he became Superintendent in January, 1999, in an effort to express good faith and the District's openness and willingness, he attended a meeting that was jointly sponsored by the City of Reno and Washoe County; and that when he arrived, he discovered not only Commissioners and Council members, but also the press and a whole host of other people, which surprised him. Dr. Hager stated that he raised the question, is this to debate the decision the Board has made or is it to give new information and he was told that it was to take a look at information that was new. Dr. Hager advised that he agreed to do so with the following 5 caveats:

- 1) He first made the point that the District was proceeding with the Golden Valley site;
- 2) He advised that the District and the Board were very concerned that the public trust on the bond expenditures continue to be positive and to change direction would cause concern among those that voted for the bond;
- 3) He stated that the District was very concerned about the delay of construction;
- 4) He made it very clear that the District had no funds for other high school sites and had said they would not use bond money to purchase any other sites in the north valleys; and
- 5) He stated that if there were sites made available for exchange or if gifts were to be received by the District, he would have to have the deed in hand before going back to his Board and suggesting a change.

Dr. Hager stated that they then started discussions on this and have been doing so for 6 1/2 months very, very extensively; that in addition to the Golden Valley site, they identified a site in Stead, the UNR property, Washoe County and BLM land next to the regional park, and a site they call the Smith-Jerome site; that they did have debates as Ms. Doyle said concerning water rights, sewer hook-up costs, etc.; that they heard repeatedly that property was being gifted to the School District; that he even thanked a developer once, who responded to him that he wasn't giving the School District anything; that they did look at every site that was suggested; that they detailed every site out, debated them, crunched numbers, reconciled the differences; that they did that at a series of over 8 different meetings with technical people; that the School Board was kept apprised of all of that; and that at their meeting of June 8, 1999, the School Board was given a complete resume of all the sites and issues; and that the Board reaffirmed that they had not been given any gifts or any additional money. He stated that tonight is the first time he has heard that there is a plan and that there is new money out there or additional gifts; and that he read Mr. Aiazzi's comments in today's newspaper about a new plan that has never been presented to him or anyone else in the School District. Dr. Hager stated that they believe they have addressed all the sites, all the issues, and suggested that the hearing proceed. He stated that he does not have the authority to agree to a continuance of the hearing.

Chairman Galloway stated that the hearing will proceed. He also stated that he wanted the record clear that there is no promise of money from the Board of County Commissioners. The Chairman then requested that staff present their report.

Cheryl Ryan, Planner, Department of Community Development, reviewed background information and stated that the Washoe County Planning Commission approved the project on a 5 to 2 vote; that the project met, and in many cases exceeded, all Code requirements related to design, lighting, building materials, landscaping, parking and grading; and that the appeal by the Golden Valley Homeowners Association is based on traffic issues and related safety concerns. Ms. Ryan also provided additional information that had been requested at Caucus and answered questions of the Board.

Ms. Griswold noted that the Board has been provided a copy of the special use permit standards and the findings that the Board is required to make and that the issues should be limited to those raised in the appeal.

Commissioners Short and Bond asked questions about the bike lane and pedestrian path. Chris Lewis, Regional Transportation Commission, responded concerning the specifics of these paths. Ms. Ryan stated that these paths/lanes were debated quite extensively at the Planning Commission. Mr. Lewis further advised that as other development occurs along Golden Valley Road the

bike lane will be extended accordingly. In response to Commissioner Shaw, Steve Williams of the Washoe County School District, stated that the pedestrian pathway will be within the boundaries of the school district property and, since the Planning Commission approval, the School District has volunteered to continue the pathway westward, but it will have to be within the existing County right-of-way because they do not have any other land for that.

Commissioner Sferrazza noted that entrances are located only on the north side of the property and asked why there are no other access points. Mr. Williams stated that they have been talking to the developers on the south side of the property; that to the west are developed large lot properties and there is no street there; that there will be a pedestrian and bicycle connection on the south side; and that in conjunction with RTC they did look at having access on Spearhead also, but it was determined that would not be the best design.

Commissioner Sferrazza asked why staff is not requiring additional roadways instead of dumping all the traffic on Golden Valley Road and placing the burden on the existing homeowners. Ms. Ryan discussed problems associated with Spearhead Drive and explained why they determined that would not provide good access. Dean Diederich, Planning Manager, stated that there are currently no road connections on the southern boundary of the school site, but there was a condition on the subdivision to be built there for pedestrian/bicycle access. Chairman Galloway asked if there should have been more conditions requiring another street access. Mr. Diederich stated that that issue was debated internally by staff and by the Planning Commission; that they are relying on the expertise of RTC and County Engineering; and that conditions can not be imposed that are not do-able. Ms. Ryan stated that if the concern is emergency access and safety, the plans have been reviewed by both the Sheriff's Department and the Fire Department and neither agency submitted any negative comments. Commissioner Sferrazza stated that he would at least like to see some right-of-way reserved along the south boundary for a future road. Mr. Diederich responded that the problem with that would be what would that road connect to. He also reminded the Board that peak traffic times at a high school are not the same as regular commercial traffic patterns and that Engineering and RTC have determined that the road network can accommodate the traffic.

Chairman Galloway then called on the appellant to present their case.

Roger Edwards, Golden Valley Homeowners Association, stated that many things are still of concern to the residents, but the Planning Commission limited their appeal to only items that could be brought up at their description and that is where they came up with the safety and traffic issues. A lengthy discussion ensued concerning what issues could be raised on appeal and it appeared there had been a misunderstanding of what issues the appellant could have raised. Ms. Griswold advised that the hearing should proceed based on what was said in the appeal and if the matter of what could be appealed becomes an issue at some future point, that will probably be argued in a different forum.

Mr. Edwards reviewed reports and information that had been submitted to the Board and photographs of Golden Valley Road and explained problems and potential bottleneck areas during times when the students are arriving and leaving school and stated that they are very concerned about sporting events at night and having young, inexperienced drivers on these dark roads; and that in the winter, the ditches in the area do not handle the drainage and flooding on the roadways is typical. He further stated that another option is using O'Brien Pass, which is a very dangerous road under good circumstances and that there are numerous safety hazards at the intersection of Spearhead and Golden Valley as the blind hump is so large that one can lose site of a full-size pickup at that location, which is where they are planning to have the pedestrian crosswalks. He discussed a report from the Sheriff's Office stating that Golden Valley Road from O'Brien Pass to the freeway is only 2.5 miles; that there were 356 citations written there during the last 2 years and there have been 37 accidents, 14 of which involved injuries, and if the high school is built there, those numbers will only increase.

Mr. Edwards then discussed the conditions of approval for a special use permit and how the impact on the surrounding neighborhood, environment, etc., must be considered and stated that just because the School District is a public entity should not mean that it does not have to meet the minimum conditions that would be required of any other developer. He cited items from the Solaegui traffic analysis that had been prepared for the School District and stated that they feel the information is misleading and that is why they hired their own traffic engineer. Mr. Edwards stated that a traffic analysis done with models is not adequate for this road; that models don't address issues of livestock on the road, horseback riders, water over the roadway, frequent sudden snowstorms, or the 500 new homesites being built right around the school site; and that the only way to mitigate the traffic

impacts of a high school would be to upgrade the road before the school is built. He stated that they are very concerned about the health and welfare of the residents, the students who will attend this school, and everyone who drives on Golden Valley Road. Mr. Edwards also presented a petition signed by Golden Valley residents opposed to this project.

Commissioner Sferrazza cited numbers he had received concerning the number of students who live in Golden Valley versus the number that will be coming in from other areas, which affects the number of vehicle trips, and asked Mr. Edwards if he knew whether the numbers were correct. Mr. Edwards responded that they probably are as almost all of the students will be coming from outside of Golden Valley.

Ken Anderson, P.E., the appellant's traffic consultant, stated that he is a licensed civil engineer in Nevada and has been practicing in Nevada off and on since 1982; that he reviewed the methodology used by Solaegui Engineers, which was consistent with all other traffic studies conducted for development proposals in Washoe County; that their concern is that high school traffic is not typical as most of the traffic is concentrated in a 20-30 minute time period; and that the report he prepared focuses on that peak period. He further stated that analyzing the traffic in this manner results in a flow rate that will reflect much higher impacts during the concentrated period than when averaging over the whole hour; that during this peak, it will be very difficult to make any left turns onto Golden Valley Road; that if no changes are made to the eastbound ramp at US395, traffic will backup significantly; that there really needs to be a signal at that ramp intersection; that the biggest issue is the overall capacity of the 2-lane section of Golden Valley Road; that there will be bottleneck problems at the point where the road changes from 4 lanes to 2 lanes; and that there are major concerns regarding pedestrians, bikes, etc. Mr. Anderson pointed out that his report also discusses future conditions and the information reinforces the need for Golden Valley Road to be widened to 4 lanes and the future need for a stop light at the school site. Mr. Anderson then answered several questions of Board members emphasizing the need for Golden Valley Road to be 4 lanes all the way to the highway by the time the school opens and comparing his report to the Solaegui report. Chairman Galloway and Mr. Anderson discussed levels of service on all affected streets in detail. Commissioner Bond asked Mr. Anderson if he was aware of any traffic mitigation for school situations such as re-programming school starting times.

Mr. Anderson responded that where he lives they have a high school and an elementary school within one block of each other with class starting times being the same; and that it was impossible to get through there until someone came up with the idea of starting the elementary school 20 minutes later.

Michael Hoctor, retired California Highway Patrol and speaking on behalf of the homeowners' association as a traffic expert, stated that he has identified 4 areas where there are going to be problems such as accidents and backed-up traffic; that those are the freeway ramps, the blind curve between North Hills Boulevard and Marlin, the grade at Spearhead which creates another blind area, and O'Brien Pass; and that without extensive and expensive improvements to these areas, there will be accidents. He elaborated on the problems he foresees because of O'Brien Pass, which is the connection to Sun Valley, stating that the kids will be driving there since all the fast-food lunch places are in Sun Valley and there is nothing that can be done to correct that section of the road to make it more safe.

Gene Hillygus, Golden Valley resident and retired school teacher, stated that high school students will not eat in the school cafeteria and will not bring their lunch; that they will only have 30 to 45 minutes for lunch; that there is only one fast-food restaurant within a mile of this proposed school; and that means these kids will be going over O'Brien Pass to get to Sun Valley for lunch. He stated that he also taught Drivers' Education for 10 years and he knows just how scary the situation can be with so many students driving in Golden Valley.

Chairman Galloway then called on the applicant.

Dr. Hager stated that the School District is at a critical juncture in the process of providing a new high school for the North Valleys if one is to be open on time.

Chairman Galloway asked Mr. Hager to address the suitability of this site for a high school. Dr. Hager stated that they believe they have dealt with the impacts in agreeing to and complying with the Planning Commission's conditions of approval. He requested that the School District's traffic expert be allowed to present his report and respond to the issues raised by the appellants and

requested that the Board ask their own staff and experts, as well as the Regional Transportation Commission staff, to respond to these issues that staff has previously addressed, very extensively.

Paul Solaegui, Solaegui Engineers, Ltd., who prepared the traffic analysis on behalf of the School District, stated that the School District will be making substantial improvements to the street along their property by doubling the width of the road, adding turn lanes, etc.; that the appellant's traffic engineer looked at the worst of the worst 20 minutes of the day; that local policy does not require that type of traffic analysis on any project; and that Mr. Anderson's method does not follow locally accepted criteria or established policy/procedure, and, therefore, should not be considered. Mr. Solaegui stated that right now there are portions of Golden Valley Road north of US395 at level of service "D" which is an existing deficiency; that without improvement that level of service will decline further; and that the Regional Road Impact Fee (RRIF) system established by the Regional Transportation Commission should mitigate those off-site impacts.

Chairman Galloway asked if lowering the level of service is acceptable grounds for approving a project. Dean Diederich, Planning Manager, explained that standard practice and Development Code criteria call for examining both existing conditions and the 20-year forecast; that adoption of the RRIF by the local jurisdictions effectively removed the discussion of what should an individual developer be required to do as off-site improvements either now or in the future; and that projects can be approved, even though the level of service will deteriorate, as long as the applicant is paying their impact fee, which they have to do, because the fees fund those improvements. Mr. Diederich stated what is fundamental in any Washoe County review and approval is that the 20-year scenario has to show maintenance of a level of service "C" and if that cannot be demonstrated, then the project can be delayed or additional conditions can be imposed.

Commissioner Sferrazza clarified that the School District does not pay impact fees. Mr. Diederich confirmed that the School District is exempt from paying the fees, but proportional impacts of schools are included in the overall transit traffic model, which means that their impacts are being paid for by other developers. A lengthy discussion ensued concerning this and whether the project could be approved under these circumstances. Chairman Galloway asked for the applicable statutes or ordinances. Later in the meeting, Mr. Diederich stated that the 3 citations which are important are NRS 278B.160, which states that school district properties are exempt from paying impact fees, 278B.240, which provides that if a school district is required by a local government to construct or dedicate a portion of off-site facilities for which impact fees are imposed, the local government shall reimburse the school district, and 278B.310 which provides the service benefits for those who pay the impact fees.

Clara Lawson, P.E., Washoe County Engineering, responded to Board questions concerning design criteria of Golden Valley Road at the site, displaying a map depicting the right turn lanes and the left turn storage lane, as well as where the students will park.

Mr. Solaegui responded to Chairman Galloway's question regarding how level of service relates to safety stating that level of service is a measure of delay, not necessarily safety. Mr. Solaegui then continued with his report reviewing the accident data and further reviewing the information in his traffic analysis. He also stated that the school district is exceeding the minimum criteria that he had suggested based on traffic counts and patterns concerning the left turn lane and ingress and egress. Mr. Solaegui stated that he would like to see 4 lanes, especially with a school located there; and that he feels there is a mechanism to build it with the impact fee system. He stated that he also suggested signalization at the freeway ramps and that has been included as a condition of approval; that the School District will be providing the pedestrian path and bike lane by the school; and that he has personally reviewed the site distances and determined that the site distances meet the accepted minimums.

Steve Williams, Washoe County School District, summed up the applicant's presentation stating that he is not a traffic expert and has relied heavily on the expertise available through Clara Lawson and the County Engineering staff, Chris Lewis and the Regional Transportation Commission, and Mr. Solaegui; that he would ask that the Board look carefully at what staff has already done; that they have been working for months with County and RTC staff on these traffic concerns to come up with the right solutions; and that the 70+ conditions of approval, which the School District has agreed to, do meet the needs and mitigate the impacts.

Commissioner Sferrazza asked about the number of students from Golden Valley who will attend this school versus the number of students who live in Stead and will be bussed to this school increasing traffic volume. Mr. Williams stated that the number of bus trips has been considered in the traffic analysis and that those students from Stead, Cold Springs, etc., are currently being

bussed to Hug High School, so this will actually be a shorter distance.

Chairman Galloway then began calling on those who had signed up to speak concerning the project.

The following individuals spoke in support of this project: Lori Phay of Silver Knolls, Bernie Anderson, Cheryl Detrick representing Advocates for Education, Golden Valley residents Karen Kinner, Pamela Mentzer, John Bell, Gary Mentzer and Kirk Reames, Harry York and David Howard of the Reno-Sparks Chamber of Commerce, and Holly Erhart of Panther Valley. It was noted that the following Golden Valley residents, who were not able to attend the hearing, submitted letters of support: Jacqui Munson, Robert and Ella Smith, Jack and Michele Johnson, Melissa Bell, and Jeanette Haycock. The statements they made were that this school was promised to the voters when the last school bond was passed and it is time to get it built; that the School District has followed all the rules throughout this process and Washoe County staff, the Regional Transportation Commission and the Washoe County Planning Commission have thoroughly debated all the issues and have approved the project with mitigating conditions, which the School District has agreed to; that when it comes to the traffic issues, the Board should listen to its own engineers; that O'Brien Pass has been an issue in this area for a long time and RTC should do something to correct that situation; that the Golden Valley Homeowners' Association does not represent all of the Golden Valley residents; that Reed, McQueen and Galena High Schools were all built on 2-lane roads, which shows that ensuing development will take care of widening the road and solve the potential traffic problem. Mr. Bell noted that he had previously submitted a petition with over 150 signatures of Golden Valley residents who support having a high school at subject location.

The following residents of Golden Valley spoke in opposition to the project: Paul Holland, Gene Hillygus, Nancy Jackson, Loachia Nelson, Darlene Pond, Peter Lenz, Sonja Dresbach (Washoe County Planning Commission), Terry Shurley, Tom Dinsmore, Barbara Walsh, David Walsh (who was also representing the North Valley Citizen Advisory Board), Steve Rogers, Jody Coli, JoAnn Zebal, Susan Terry, Mark Curry, Clifford Mueller, Ted Lienhard, Fred Pilling, and Sharon Poland; and one resident from Silver Knolls, Dave Kaul, also spoke against this project. It was also noted that the following persons, who were not able to attend the hearing, had submitted letters expressing their opposition: Golden Valley residents Galen Mitchell and Barbara Rummer and Dave Aiazzi, Reno City Councilman. The issues and concerns cited by this group were that Golden Valley Road, as a 2-lane rural road with no sidewalks, curbs, etc., can not handle the traffic volume this school would generate nor would it be safe to drive on with its blind curves and hills and various site distance problems; that O'Brien Pass is just too dangerous for high school kids to drive on; that Golden Valley is a rural, agricultural community where people ride their horses out in the open and horses and other large animals sometimes get loose causing more traffic hazards; that there is a drainage problem which no one seems to be able to correct in the area just up from the high school site that frequently causes flooding on the road; that the residents' quality of life would be affected; that the lights and noise from nighttime sporting events at the high school would be very disruptive; that Citifare buses will be bringing in the underprivileged, which will create other problems; that the high schoolers will be smoking off campus which could cause brush fires; and that it would be impossible to evacuate 2,000 students from this school with only one road. Ms. Dresbach listed some additional mitigating conditions and asked that the Board consider adding those if they do approve this special use permit.

The following people had indicated on the "request to speak" form that they were against the project but did not wish to speak: Robert and Eleanor Lewis, Linda Gillaspay, Reva Walquist, Ursula Trimble, Rick Brown, Philip Marshrey, Bonnie Edwards, Charlotte Heatherly, Connie Pilling, Marcia Berlin, Bill Ewers and Robbie Smith.

Chairman Galloway read the statements some of these people had written on the form. There were approximately 8 individuals who had left the meeting before the Chairman called on them.

Mr. Williams then presented the School District's rebuttal to the issues raised by the citizens stating that this school will operate from 7:30 a.m. to 2:00 p.m., which does not coincide with the other peak traffic times; that it will not open with a full compliment of students as there will not be a senior class the first year resulting in 1200 to 1400 students that year; that Washoe County staff, the Regional Transportation Commission and the Washoe County Planning Commission have objectively studied the project, decided on mitigating conditions and have approved the project; and that the appellant's traffic expert presented good testimony but the methods he used have never been applied to any other local project and it's not right if everyone is not playing by the same rules.

Chris Lewis, Regional Transportation Commission, responded to Board members' questions stating that Golden Valley Road is 4 lanes from the freeway to Beckworth; that they do not have figures on how much traffic spins off onto North Hills Boulevard and Beckworth; that more analysis needs to be done to determine if there is an existing deficiency; that widening Golden Valley Road to 4 lanes from Beckworth to Estates is in their 10-year plan; and that to move it up would depend on how it is ranked by the County in relation to other roads. Mr. Lewis stated that their 10-year plan is based on capacity needs and that O'Brien Pass would be a safety consideration. He also explained that the priority ranking of projects in the County is done by the County, not by RTC.

Chairman Galloway asked several questions concerning level of service and whether RTC considers safety issues. Mr. Lewis stated that level of service is determined by capacity alone, but when they do a project, they look at safety issues and those kinds of improvements at that time.

Chairman Galloway then asked the appellants to rebut. Mr. Anderson stated that a high school is unique with concentrated traffic and it is fair to look at a school differently than other projects. In response to the Chairman, Mr. Anderson stated that if you have more cars, you will have more accidents. He also answered other questions of Board members.

Mr. Edwards stated that all of the experts who have testified tonight have indicated that the level of service is going to deteriorate; that this project is going to be detrimental to the neighborhood and the people that live there; that the conditions of approval will not mitigate the impacts; and that the Golden Valley Homeowners request that this special use permit be denied.

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

A lengthy discussion ensued among Board members concerning safety and the impacts of this project on Golden Valley. Board members also asked questions concerning emergency response times which were answered by Capt. Jim Nadeau of the Sheriff's Office. Commissioners Bond and Shaw stated that they could make the findings required to approve the special use permit. Commissioner Short stated that he does not believe the traffic problems can be mitigated. Commissioner Sferrazza stated that he can not make the findings necessary for approval. Board members agreed that to make Golden Valley Road safer, off-site improvements would be necessary, which can not be required of the School District and for which the County is not prepared to commit funding. Commissioner Shaw suggested that Golden Valley Road and O'Brien Pass be put at the top of the County's list as a priority project and submitted to RTC. Chairman Galloway stated that that still doesn't tell him when the improvements would be made. Board members also discussed whether adding more conditions to further mitigate problems would allow them to make the findings. Ms. Griswold explained that if the permit is denied without prejudice, the School District would not have to wait a year to re-apply.

Commissioner Sferrazza moved to uphold the appeal on the grounds that issuance of the permit would be significantly detrimental to the public health, safety or welfare, injurious to property improvements of adjacent properties, and detrimental to the character of the surrounding area and cited several reasons for making this finding.

Chairman Galloway asked if there was a second to the motion, but there was no response.

Commissioner Bond suggested a continuance in order to give the City of Reno more time to complete their work on the alternate site. Chairman Galloway stated that unless the School District agrees, the Board can not continue the matter. Commissioner Shaw asked if the County has any funds to help pay for widening the road, fixing the drainage/flooding problem, etc. Katy Simon, County Manager, stated that the only funds she is aware of would be in the contingency account.

Chairman Galloway stated that the potential for accidents on Golden Valley Road and O'Brien Pass is just too great and that he would second the motion if Commissioner Sferrazza would modify it to be without prejudice. Commissioner Sferrazza agreed.

On motion by Commissioner Sferrazza, seconded by Chairman Galloway, which motion carried on a 3 to 2 vote with Commissioners Bond and Shaw voting "no," it was ordered that the appeal of the Golden Valley Homeowner's Association of the Washoe County Planning Commission's conditional approval of Special Use Permit Case No. SPW4-13-99 for the Washoe County School District's North Valleys High School in Golden Valley be upheld and the special use permit be denied, without prejudice, based on the finding that issuance

of the permit will be significantly detrimental to public health, safety or welfare, injurious to property improvements of adjacent properties, and detrimental to the character of the surrounding area for the following reasons stated by Commissioner Sferrazza: there is a blind intersection at Spearhead and Golden Valley; there is a signalization problem at the intersection of Highway 395 and Golden Valley and the contribution by the school district would only be 22 percent, which will not remedy the situation; the Board can not legally require impact fees or offsite improvements without paying for them and he does not know where the County would come up with the money at this point in time; the level of service at US395 and Golden Valley intersection is, or will be, at "D"; there is a flood control problem; there are problems with horses and traffic in the area already and additional traffic would only increase the problems; and O'Brien Pass does present insurmountable safety problems.

* * * * *

There being no further business to come before the Board, the meeting adjourned at 1:45 a.m., Wednesday, July 28, 1999.

JIM GALLOWAY, Chairman

Washoe County Commission

ATTEST: AMY HARVEY, County Clerk

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