

TUESDAY 1:30 P.M. NOVEMBER 23, 1999

PRESENT:

- Jim Galloway, Chairman
- Ted Short, Vice Chairman
- Joanne Bond, Commissioner
- Pete Sferrazza, Commissioner
- Betty Jo Vonderheide, Chief Deputy County Clerk
- Amy Harvey, County Clerk (arr. at 6:30 p.m.)
- Katy Singlaub, County Manager
- Madelyn Shipman, Legal Counsel

ABSENT:

- Jim Shaw, Commissioner

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

99-1166 AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Galloway ordered that the agenda for the November 23, 1999 meeting be approved.

PUBLIC COMMENTS

Sam Dehne, Reno citizen, expressed concerns relative to the Reno City Council and advised that a senior citizen who was exercising his right to make public comment at today's City Council meeting was removed from the meeting and arrested; and that he applauds the recent exposure by the Reno Gazette-Journal of the private briefings held by the City Council. He then stated that he disagrees with the statement that the recent trip made by Mayor Griffin was not funded by taxpayer money as it was paid for by the RSCVA.

Jackie Decker, area citizen, reviewed issues relative to the United States Postal Service (USPS) release of its Draft Environmental Assessment (EA), noting that the County Commissioners directed their two appointees to the Airport Authority to require that the USPS do an Environmental Impact Statement (EIS) and she hopes that the Commissioners will stand behind that demand. She then discussed her concerns relative to the Airport's cargo plan as it will greatly increase traffic congestion because a large part of the cargo will be moved by truck.

Judith Snell, area citizen, discussed issues relative to the USPS Environmental Assessment and her concerns regarding the planned increase in cargo carriers by the Airport which will result in increased ground transportation. She presented a publication from the July/August, 1999 issue of Airport Magazine concerning the number of USPS daily commercial flights and the amount of money they spend on air, rail, and ground transportation.

Cathy Brandhorst, area citizen, expressed her concern with the problems she perceives that are happening in the community as a result of the increase of people moving into the area from Mexico. She also noted that there seems to be a problem with some people being notified that foreclosure proceedings have started and they are losing their homes without having any opportunity to

protect their property.

MINUTES

On motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Galloway ordered that the minutes of the regular meeting of November 9, 1999 be approved.

99-1167 FINANCIAL REPORT - GENERAL, HEALTH AND PUBLIC WORKS CONSTRUCTION FUNDS - COMPTROLLER

Upon recommendation of Kathy Garcia, Comptroller, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Galloway ordered that the Financial Report for the three months ended September 30, 1999 for the General Fund, Health Fund and Public Works Construction Fund be accepted.

99-1168 RESOLUTION OF COOPERATION - TRUCKEE MEADOWS FLOOD PROTECTION PROJECT - MANAGER

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

RESOLUTION OF COOPERATION REGARDING THE TRUCKEE MEADOWS FLOOD PROTECTION PROJECT

WHEREAS, the U.S. Army Corps of Engineers is in the process of doing a General Re-evaluation Report (GRR) on the 1988 authorized Truckee Meadows Flood Protection Project; and

WHEREAS, The Washoe County Board of Commissioners in December of 1998 adopted a facilities plan for funding the Flood Protection Project's local match requirement pursuant to NRS 377B; and

WHEREAS, The Truckee Meadows Flood Protection Project is being planned to mitigate future flood-related damages to our community, which totaled an estimated \$600 million in the New Year's Flood of 1997; and

WHEREAS, The District Engineer for the Sacramento District of the U.S. Army Corps of Engineers has approved an expanded public involvement process for the GRR, including a community-based planning and design effort as presented to the District Engineer on August 31, 1999; and

WHEREAS, An Action Plan and Budget for a Community-Based Planning and Design Effort have been approved by the Washoe County Board of Commissioners; and

WHEREAS, A successful community-based planning and design effort will require extensive public participation, open communication, regular sharing of accurate and complete information and a commitment to resolve differences cooperatively, with the goal of meeting the needs of all stakeholders; and

WHEREAS, Effective community-based planning will require cooperation, collaboration and dedication of staff and other resources by the stakeholders and project sponsors, now, therefore, be it

RESOLVED, That the Washoe County Board of Commissioners hereby affirms its commitment to the Truckee Meadows Flood Protection Project; and be it further

RESOLVED, That the Board will dedicate the necessary and appropriate leadership, staff time, expertise and resources to ensure a successful project which meets the needs of this community now and for future generations.

99-1169 RESOLUTION - POPULATION ELEMENT- COMPREHENSIVE PLAN AMENDMENT CPA99-POP-1 - COMMUNITY DEVELOPMENT

Dean Diederich, Planning Manager, Department of Community Development, responded to questions of the Board concerning this item.

Based on the finding of conformance with the Truckee Meadows Regional Plan, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that the following Resolution be adopted and Chairman Galloway be authorized to execute:

RESOLUTION ADOPTING THE AMENDED POPULATION ELEMENT (CPA99-POP-1), A PART OF THE WASHOE COUNTY COMPREHENSIVE PLAN

WHEREAS, Section 278.150 and 278.210, Nevada Revised Statutes, specifies that the Washoe County Planning Commission may prepare, adopt and amend a master (comprehensive) plan for all or any part of the County, subject to County Commission approval;

WHEREAS, The Washoe County Planning Commission has found that the amended POPULATION ELEMENT, a part of the Washoe County Comprehensive Plan, provides a projection of employment and population for unincorporated Washoe County, and the land use targets acreage and residential units needed to accommodate the projected population;

WHEREAS, Section 278.220, Nevada Revised Statutes, specifies that the Board of County Commissioners of Washoe County, Nevada, may adopt and endorse plans for Washoe County, as reported by the Planning Commission, in order to conserve and promote the public health, safety and general welfare;

WHEREAS, A public hearing on the adoption of the Washoe County Comprehensive Plan, including the POPULATION ELEMENT, was first held on May 21, 1991, with the most recent amendment to the POPULATION ELEMENT being held on September 21, 1999, by the Board of County Commissioners of Washoe County, Nevada;

WHEREAS, At the conclusion of the public hearing, the Board of County Commissioners endorsed the amendment to the POPULATION ELEMENT, a part of the Washoe County Comprehensive Plan, pursuant to Section 278.0282, Nevada Revised Statutes, for conformance review with the Truckee Meadows Regional Plan;

WHEREAS, A public hearing for the review of conformance of the Washoe County Comprehensive Plan, including the POPULATION ELEMENT, was first held on October 23, 1991, with the most recent amendment to the POPULATION ELEMENT being held on November 10, 1999, by the Truckee Meadows Regional Planning Commission, at which time the plan was deemed in conformance with the Truckee Meadows Regional Plan; and

WHEREAS, The amendment to the POPULATION ELEMENT, a part of the Washoe County Comprehensive Plan, which is in conformance with the Truckee Meadows Regional Plan, has completed all the necessary requirements for adoption as specified in the Nevada Revised Statutes and Article 820, Amendment of Comprehensive Plan, of the Washoe County Development Code; now, therefore, it is hereby

RESOLVED, BY THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY, NEVADA, That the Board does hereby adopt and endorse the amended POPULATION ELEMENT, a part of the Washoe County Comprehensive Plan, to serve as a guide for the orderly growth and development of Washoe County, Nevada.

99-1170 RESOLUTION - HOUSING ELEMENT - COMPREHENSIVE PLAN AMENDMENT CPA99-H-1-COMMUNITY DEVELOPMENT

Based on the finding of conformance with the Truckee Meadows Regional Plan, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that the following Resolution be adopted and Chairman Galloway be authorized to execute:

RESOLUTION ADOPTING THE HOUSING ELEMENT (CPA99-H-1), A PART OF THE WASHOE COUNTY COMPREHENSIVE PLAN

WHEREAS, Section 278.150 and 278.210, Nevada Revised Statutes, specifies that the Washoe County Planning Commission may

prepare, adopt and amend a master (comprehensive) plan for all or any part of the County, subject to County Commission approval;

WHEREAS, The Washoe County Planning Commission has found that the HOUSING ELEMENT, a part of the Washoe County Comprehensive Plan, provides an inventory of housing conditions, the prospective need for affordable housing, and a plan for maintaining and developing affordable housing based on an estimate of the total population which the natural resources of the county will support on a continuing basis without unreasonable impairment;

WHEREAS, Section 278.220, Nevada Revised Statutes, specifies that the Board of County Commissioners of Washoe County, Nevada, may adopt and endorse plans for Washoe County, as reported by the Planning Commission, in order to conserve and promote the public health, safety and general welfare;

WHEREAS, a public hearing on the adoption of the Washoe County Comprehensive Plan, was first held on May 21, 1991, with the most recent amendment to include the HOUSING ELEMENT being held on September 21, 1999, by the Board of County Commissioners of Washoe County, Nevada;

WHEREAS, At the conclusion of the public hearing, the Board of County Commissioners endorsed the HOUSING ELEMENT, a part of the Washoe County Comprehensive Plan, pursuant to Section 278.0282, Nevada Revised Statutes, for conformance review with the Truckee Meadows Regional Plan;

WHEREAS, A public hearing for the review of conformance of the Washoe County Comprehensive Plan was first held on October 23, 1991, with the most recent amendment for the inclusion of the HOUSING ELEMENT being held on November 10, 1999, by the Truckee Meadows Regional Planning Commission, at which time the plan was deemed in conformance with the Truckee Meadows Regional Plan; and

WHEREAS, The HOUSING ELEMENT, a part of the Washoe County Comprehensive Plan, which is in conformance with the Truckee Meadows Regional Plan, has completed all the necessary requirements for adoption as specified in the Nevada Revised Statutes and Article 820, Amendment of Comprehensive Plan, of the Washoe County Development Code, now, therefore, it is hereby

RESOLVED, BY THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY, NEVADA, That the Board does hereby adopt and endorse the HOUSING ELEMENT, a part of the Washoe County Comprehensive Plan, to serve as a guide for the orderly growth and development of Washoe County, Nevada.

99-1171 BEQUEST FROM ESTATE OF ISABELLE HATFIELD - SENIOR SERVICES NUTRITION PROGRAM

Upon recommendation of Karen Mabry, Director, Senior Services, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Galloway ordered that the additional bequest from the estate of Isabelle Hatfield in the amount of \$3,350 on behalf of the Washoe County Senior Services Nutrition Program be accepted with gratitude. It was further ordered that the Comptroller be directed to make the following account transactions concerning same:

REVENUE ACCOUNT	AMOUNT	EXPENDITURE ACCOUNT	AMOUNT
254400G-58092	\$3,350.00	254400G-7818	\$3,350.00

99-1172 AWARD OF BID - JAIL TEMPERATURE CONTROL MODIFICATION AND CHILLER REPLACEMENT - BID NO. 2209-2000 - FACILITIES MANAGEMENT

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 October 18, 1999, for the Washoe County Jail Temperature Control Modifications and Chiller Replacement for the Facilities Management Division of the General Services 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:

Gardner Engineering, Inc.
Savage & Son, Inc.
J.W. McClenahan Company
Mikennis Mechanical Contractors, Inc.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Galloway ordered that Bid No. 2209-2000 for the Washoe County Jail Temperature Control Modifications and Chiller Replacement for the Facilities Management Division of the General Services Department be awarded to the lowest responsive, responsible bidder, Gardner Engineering, Inc., in the net amount of \$134,110.00; and that the Purchasing and Contracts Administrator be authorized to execute the agreement with Gardner Engineering, Inc. to perform the work.

It was further ordered that Bid Item #2, the extended warranty and service agreement which provides parts and labor warranty for years 2 through 5, and quarterly maintenance for years 1 through 6, be rejected as the County intends to contract this work directly with the chiller manufacturer in an amount not to exceed \$15,000.00. It was noted that Trane would have been the provider for any extended warranty/maintenance on their product with the successful bidder acting as an intermediary and Gardner Engineering has agreed to the County contracting directly with Trane for the extended warranty and maintenance coverage.

99-1173 CORRECTION OF FACTUAL ERRORS ON TAX ROLLS - ASSESSOR

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

Pepes Market	I.D.#2/210-337	1997/1998 Unsecured Roll
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Fleming Properties, Inc.	I.D.#2/050-033	1999/2000 Unsecured Roll
Tri Fox Enterprises	I.D.#2/117-237	1999/2000 Unsecured Roll

99-1174 CONTRACT AUTHORIZATION - GEOTEMPS - WATER SAMPLING - CENTRAL TRUCKEE MEADOWS REMEDIATION DISTRICT - WATER RESOURCES

Cathy Brandhorst, area citizen, commented that she does not understand why additional testing of water needs to be done as they have never had bad water or much trouble with hard water; and it does not seem appropriate to hire employees from a professional personnel service agency and spend money for more contracts and water sampling when there does not seem to be a problem.

Chairman Galloway advised that the project is part of the remediation plan to clean up areas that have known groundwater contamination and to determine how contamination might spread.

Upon recommendation of Leonard Crowe, Water Resources Planning Manager, through Ed Schmidt, Director, Department of Water Resources, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Galloway ordered that the Purchasing Department be authorized to contract with GEOTEMPS, a professional personnel service firm, to provide hydrologist services, billed on an hourly basis, for approximately 3 days per week to assist in water sampling associated with the Central Truckee Meadows Remediation District at a not-to-exceed cost of \$29,000; and that employees of GEOTEMPS be authorized to drive a county vehicle while assigned to this project.

99-1175 REIMBURSEMENT - LIFESTYLE HOMES, INC. - CHANGE OF SANITARY SEWER LINES - RENO PARK ESTATES SUBDIVISION UNIT NO. 2B - WATER RESOURCES

Upon recommendation of John Collins, Manager, Utility Services

Division, through Ed Schmidt, Director, Department of Water Resources, on motion by

Commissioner Bond, seconded by Commissioner Short, which motion duly carried,

Chairman Galloway ordered that the reimbursement to Lifestyle Homes, Inc. for the

change in routing of the sanitary sewer lines to allow service to existing lots located in a

portion of the Reno Park Estates Subdivision Unit No. 2B in a not-to-exceed amount of

\$117,000 be authorized with said reimbursement to be in accordance with the Letter of

Understanding dated November 3, 1999 and upon completion of construction in

accordance with Washoe County letter dated October 27, 1999.

99-1176 AFFIDAVIT OF WAIVER AND CONSENT AND APPORTIONMENT REPORT- SPECIAL ASSESSMENT DISTRICT NO. 21 - COLD SPRINGS RANCH UNIT 7 - WATER RESOURCES

Upon recommendation of John Collins, Manager, Utility Services Division, through Ed Schmidt, Director, Department of Water Resources, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that Affidavit No. 9 of Waiver and Consent and Apportionment Report to redistribute Special Assessment District No. 21 assessments for Cold Springs Ranch Unit 7 be approved and Chairman Galloway be authorized to execute. It was further ordered that the Utility Services Division Manager be directed to record the Affidavit and Apportionment Report with the County Recorder.

99-1177 CHANGE TO PROFESSIONAL SERVICES AGREEMENT - CFA, INC. - SPECIAL ASSESSMENT DISTRICT NO. 23 - SOUTHWEST POINTE - WATER RESOURCES

Upon recommendation of John Collins, Manager, Utility Services Division, through Ed Schmidt, Director, Department of Water Resources, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that the change to the Professional Services Agreement with CFA, Inc. to decrease compensation by \$21,736.56 for non-related Special Assessment District (SAD) No. 23 (Southwest Pointe) work and to increase compensation for SAD No. 23 related work by \$27,548.42 be approved.

99-1178 WATER RIGHTS DEED - WATER SALE AGREEMENT- SIERRA PACIFIC POWER COMPANY - WALTER AND PATRICIA GORHAM PARCEL MAPS - UTILITY SERVICES

Upon recommendation of John Collins, Manager, Utility Services Division, through Ed Schmidt, Director, Department of Water Resources, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that the Water Rights Deed and corresponding Water Sale Agreement for 3.0 acre-feet of surface water rights from a portion of Claim 177 and/or 204 between Sierra Pacific Power Company, as Grantor, and Washoe County, as Grantee, in support of Walter and Patricia Gorham's two parcel maps creating four new parcels, a part of APN 009-132-07, be approved and Chairman Galloway be authorized to execute. It was further ordered that the Utility Services Division Manager be directed to record the Water Rights Deed and Water Sale Agreement with the County Recorder.

99-1179 WATER RIGHTS DEED - WATER SALE AGREEMENT - SIERRA PACIFIC POWER COMPANY - ROSEVIEW ESTATES UNIT 1 - UTILITY SERVICES

Upon recommendation of John Collins, Manager, Utility Services Division, through Ed Schmidt, Director, Department of Water Resources, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that the Water Rights Deed and corresponding Water Sale Agreement for 4.25 acre-feet of surface water rights from a portion of Claim 179, further changed by Application 64339, and 3.73 acre-feet of surface water from a portion of Claim 219, further changed by Application 64729, for a total of 7.98 acre-feet between Sierra Pacific Power Company, as Grantor, and Washoe County, as Grantee, in support of Roseview Estates Unit 1, currently a part of APN 082-473-02 and 082-473-05, be approved and Chairman Galloway be authorized to execute. It was further ordered that the Utility Services Division Manager be directed to record the Water Rights Deed and Water Sale Agreement with the County Recorder.

99-1180 COMPREHENSIVE ANNUAL FINANCIAL REPORT - YEAR ENDING JUNE 30, 1999 - COMPTROLLER

Kathy Garcia, Comptroller, conducted an overhead presentation of the Washoe County Comprehensive Annual Financial Report and responded to questions of the Board. Discussion was held concerning the Water Resources Fund which Ms. Garcia advised has operated at a loss over the last five years. She stated that this is basically due to depreciation expense; and that several years ago the County Commission decided not to fund depreciation expense in this fund primarily because of the need to have a fairly large plant capacity for relatively few customers. Ed Schmidt, Director, Department of Water Resources, responded to questions concerning the Water Resources Fund.

County Manager Singlaub advised that this situation was recognized several months ago and an internal audit study of the Fund has been scheduled. Upon recommendation of Kathy Garcia, Comptroller, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Galloway ordered that the Comprehensive Annual Financial Report for Washoe County for the year ended June 30, 1999 be accepted.

99-1181 PRESENTATION OF MANAGEMENT LETTER - FISCAL YEAR ENDING JUNE 30, 1999 - KAFOURY, ARMSTRONG & COMPANY

Felicia O'Carroll of Kafoury, Armstrong and Company, stated that this year was the first time they have completed the Management letter this early; that the County has made tremendous efforts; and that they went above and beyond complying with last fiscal year's recommendations. She further stated that there were only two recommendations for this fiscal year; that one was the Water Resources Fund which dealt with the part of their system that does not allow them to get an aged accounts receivable listing; and the second was that the County continue in its efforts toward making sure all of their systems, those that are critical on a day-to-day basis, and those that are not critical on a day-to-day basis, are year 2000 compliant.

99-1182 REPORT - RENO SPARKS CONVENTION VISITORS AUTHORITY- BOND ISSUE

Madelyn Shipman, Assistant District Attorney, explained her memo/report to the Board and advised that David Farside and Michael Robinson filed a lawsuit in District Court on November 17, 1999; that Washoe County filed a Motion to Dismiss based upon the Plaintiff's lack of standing to file said lawsuit and a Motion for Summary Judgment; and that a hearing date has been scheduled for December 1, 1999.

John Sherman, Finance Director, stated that delaying the issuance of the bonds could result in higher interest rates.

Commissioner Sferrazza disclosed that he spoke with Michael Robinson and informed him at that time if he did submit a petition with 5% of the registered voters, he would have supported the request to delay this matter and that Mr. Robinson did not submit a petition by the cut-off date of November 17, 1999, so he will not support the request for more time.

David Farside, Sparks resident, stated that he requested this item be placed on the agenda so that the Board could discuss the options available to them; that he disagrees with Ms. Shipman's statement regarding verification of the names on the petition; and that he requests the Board delay the adoption of Bill No. 1258 pending the outcome of their petition filed in District Court.

Michael Robinson, area resident, stated that NRS 350.020 allows for General Obligation Bonds to be put to a vote to the public; and that if the County wants to back these bonds then put this matter on the ballot for the public to vote on this issue.

Ms. Shipman advised the Board of a conversation she had with Attorney Glade Hall [who is representing David Farside & Michael Robinson] earlier today and he informed her that they would be filing in Federal Court, a petition for judgment on the constitutional issue, either today or tomorrow, but she cannot verify whether that was done or not.

Gerry Grow, Sparks resident, stated that he is a former Washoe County Commissioner as well as former Chairman of the RSCVA; that he feels the RSCVA is irresponsible and he does not understand why the County is backing these bonds; that the appointed officials on the RSCVA Board do not care about the people; and that the issuance of these bonds should be put to a vote of the people.

Following further discussion by the Board, Commissioner Bond requested that they move to the next item on the agenda.

99-1183 BILL NO. 1258 - ORDINANCE NO. 1082 - RENO SPARKS CONVENTION VISITORS AUTHORITY - GENERAL OBLIGATION (LIMITED TAX) BONDS

5:00 p.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on November 12, 1999, to consider second reading and adoption of Bill No. 1258 and for the purpose of hearing objections to adoption of the proposed ordinance authorizing the issuance of general obligation (limited tax) convention center bonds and cooperative agreement. Proof was made that due and legal Notice had been given.

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

John Sherman, Finance Director, addressed issues raised at Caucus stating that the maximum annual debt service will be approximately \$12.3 million; and that once the bonds are issued \$4 to \$5- million will be placed in a reserve fund which the RSCVA cannot touch without authorization from this Board. He further addressed concerns from the Board regarding payment of the bonds by the RSCVA and stated that the interest rate would be somewhere between 6 3/4 and 7%.

Commissioner Sferrazza inquired if there was an estimate of the value of the assets of the RSCVA. Tim Smith RSCVA, Finance Department, responded that it is approximately \$85 million.

Commissioner Bond asked Mr. Sherman if the County should wait until the decision of the District Court is received. Mr. Sherman stated that is not necessary.

Commissioner Short asked what assurances does the County have that the RSCVA would not go for the higher interest rate instead of waiting for the ruling from the Court. Mr. Sherman responded that he as well as Mr. Smith is watching this matter, as ultimately the RSCVA Finance Director is the one authorized to consummate the transaction.

Upon inquiry of Commissioner Sferrazza regarding interest rates, Jennifer Stern, Swendseid & Stern, Bond Counsel, advised that the bond resolution addresses the parameters that the statute provides and the RSCVA Finance Director could not exceed those parameters; that additionally there are practical parameters that he would have to deal with; and that they need flexibility in the interest rates, because daily the interest rates are changing. Ms. Stern further addressed the concern of issuing the bonds at a high interest rate noting that the principal amount is a "not to exceed" amount and could be downsized.

Scott Nash, Howarth & Associates, addressed concerns regarding interest rates and payments for these bonds.

Commissioner Sferrazza requested that bond counsel state on the record that section 1108 gives the Board of County Commissioners the authority to bind the Finance Director to a specific coverage or to a specific interest rate. Ms. Stern responded that section 1108 basically says that the cooperative agreement is approved and the bond resolution indicates that; that the County in adopting the ordinance will also approve the cooperative agreement; and that there is some latitude because there can only be such changes as agreed to between the Finance Directors of each entity. She further explained that if the County was to direct their staff to place parameters in the cooperative agreement, that would be binding.

Orland Outland, area resident, expressed his concerns regarding the County backing these bonds as they are actually pledging his property rights and putting his property at risk.

Gerry Grow, Sparks resident, stated that he is not here to deter the issuance of the bonds; that the RSCVA, by being irresponsible, has put itself in this position; that he is concerned about the RSCVA's cash flow; and that the debt service for the RSCVA is greater than the combined debt of the three local governments. He commented that someone needs to get the RSCVA Board under control.

Michael Robinson, area resident, expressed his concern regarding the Attorney General's Opinion, the RSCVA Board, and the RSCVA's combined debt service. He further stated that he and Mr. Farside filed the lawsuit so that a determination could be made regarding the issues that they have with the issuance of these bonds.

David Farside, Sparks resident, stated that he feels the process of General Obligation backed bonds has to be legal, constitutional and fair; that there needs to be inclusiveness, accountability and fiscal responsibility; and that the Courts will decide the legal and the constitutional issues. He then read a prepared statement which addressed concerns for the cost of the RSCVA expansion and their Board and requested that the Board delay adopting the ordinance before them today and wait for the ruling from District Court.

Jackie Decker, area resident, stated that she opposes the issuance of the RSCVA bonds.

There being no one else wishing to speak, Chairman Galloway closed the public hearing. He then asked staff to respond to the questions and issues that were raised.

Mr. Sherman stated that he would suggest an interest rate spread; that it would be universal language; and that it not exceed 7%, with the ability to do some restructuring of the debt itself.

Mr. Smith stated that they are currently working with a \$105 million budget and intend to move forward with that. He further stated that they hope that the litigation will be found in their favor; that the Commissioners approve the ordinance today which would allow them to move forward; and that if the interest rates exceed working models, then it would not be viable as SB477 would not fund the debt service.

Chairman Galloway inquired if the Finance Directors have reached an agreement regarding the interest rate that could be included in the cooperative agreement. Mr. Smith responded that they have.

Chairman Galloway advised that his reason for not supporting this matter to be brought for a vote from the people is because the room-tax revenue is paying for these bonds; that he feels this will not go to the County taxpayers to have to pay the money back; that he feels the parameters placed on this ordinance by the Board of County Commissioners is sufficient regarding the bonds; and that he will support this ordinance subject to the revision of the agreement.

Commissioner Bond stated that she feels more comfortable with the cap of 7% and that she feels there are sufficient restrictions regarding the bonds.

Commissioner Short stated that he read the marketing survey that was provided to him and that maybe the expansion is more than it needs to be, but he will support this ordinance.

Commissioner Sferrazza inquired what would happen if the court ruling is unfavorable. Mr. Sherman responded that the ruling would in effect stop the issuance of the bonds, as it would drive the interest rates way up to where it would not be feasible to issue the bonds.

Commissioner Sferrazza stated his reasons for supporting this ordinance is that he supports non-gambling attractions to the community; that there was a vote from the motels and hotels that pay the room-tax and a compromise was reached; that the legislature approved this tax and this tax is only for this purpose; and that the condition of a 7% maximum cap on the interest rate would amend the cooperative agreement to where he feels safe that this debt would not come back on the taxpayers.

Ms. Stern stated that she has not represented the RSCVA or the County in the negotiations of the cooperative agreement as the District Attorney's Office has been involved in that matter; and she clarified her earlier statement that the bond resolution allowed for the cooperative agreement to be approved by both Boards in substantially the form that has been provided, which allowed latitude for this Board to direct staff with regard to the cooperative agreement.

Commissioner Sferrazza stated that he would like Ms. Stern's opinion on whether Mr. Smith standing up and agreeing to the 7% cap is sufficient enough to bind the RSCVA and this Board. Ms. Stern responded that she has been instructed by the County not to be involved in the cooperative agreement.

Chairman Galloway inquired if Ms. Shipman would comment on this matter. Ms. Shipman responded that just a mere statement by a representative of an agency is not binding, nor could it make a binding contract; that section 1108 says the cooperative agreement is hereby approved in substantially the form presented to the Board, with only such changes as may be approved by the County Finance Director and the RSCVA Finance Director; and in that situation her opinion is the Board could have Mr. Smith and Mr. Sherman stand forward and say that as Finance Directors' they will change the agreement to reflect the amendment of this Board. She further stated that it will not be binding until in fact that has been changed.

Commissioner Sferrazza stated that he would vote to approve this based upon the assurance he received from the RSCVA Executive Director and Tim Smith, RSCVA Finance Director, that they would bring a travel policy and a marketing policy before the RSCVA Board.

John Sherman, Finance Director of Washoe County stated that he has affirmed with Mr. Smith that the weighted average interest rate will be 7% or less. Tim Smith, Vice-President of the RSCVA Finance Department agreed with Mr. Sherman's comments.

On motion by Commissioner Sferrazza, seconded by Commissioner Short, which motion duly carried, Chairman Galloway ordered that Ordinance No. 1082, Bill No. 1258, entitled "AN ORDINANCE CONSENTING AND AGREEING TO BE BOUND BY THE PROVISIONS OF THE AUTHORITY'S RESOLUTION AUTHORIZING THE ISSUANCE OF THE GENERAL OBLIGATION (LIMITED TAX) CONVENTION CENTER BONDS; AUTHORIZING THE EXECUTION OF A COOPERATIVE AGREEMENT BETWEEN THE COUNTY AND THE AUTHORITY RELATING TO THE BONDS; RATIFYING, APPROVING AND CONFIRMING ACTIONS HERETOFORE TAKEN IN THE AUTHORITY'S FINANCING AND IN THE IMPOSITION, COLLECTION AND ASSIGNMENT OF SUCH TAXES AND THE PLEDGE OF SUCH TAXES TO SAID BONDS; PRESCRIBING OTHER DETAILS IN CONNECTION HEREWITH; AND PROVIDING THE EFFECTIVE DATE THEREOF," be approved, adopted and published in accordance with NRS 244.100, subject to the understanding that the cooperative agreement will be amended and signed by the two Finance Directors to reflect that the interest rate on the issuance of bonds approved herein would not exceed 7% on a weighted average over the life of the bonds.

99-1184 AGREEMENT - SHEEHAN-VAN WOERT, BIGOTTI, ARCHITECTS - PUBLIC WORKS

Upon recommendation of David Roundtree, Public Works Director, on motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, it was ordered that the agreement with Sheehan-Van Woert, Bigotti Architects, for the design of the Regional Dispatch and Emergency Operation Center be approved, and Chairman Galloway be authorized to execute the document when presented.

99-1185 AGREEMENT - KENNEDY/JENKS CONSULTANTS - GRIFFITH CANYON/BONEYARD FLAT FLOOD CONTROL PROJECT - WATER RESOURCES

Tom Rice, Sparks resident, expressed his concerns regarding the flood plain and how the impact fees will be distributed. He further stated that Pyramid Highway is the State's problem not the County's; and that the County should take into consideration who benefits from this project before assessing any impact fees.

Scott Donovan, Sparks resident, stated that he appeared before the Board previously on this item at which time he requested that the Board not commit to spending any money towards this project until all issues are resolved; and that residents who will not benefit from this project should not be assessed an impact fee. He expressed his concern regarding the contamination of groundwater in the Spanish Springs area, and requested that the County hold some workshops to inform citizens about this project, prior to spending \$500,000.

Following discussion of the Board, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Galloway ordered that this matter be deferred to December 21, 1999, and that staff be directed to meet with Kennedy/Jenks and come back with a summary amount of the total cost of the design.

99-1186 REQUEST FOR PROPOSAL - RFP # 2198-2000 - FINANCIAL ADVISORY SERVICES - FINANCE

This was the time to consider request for proposals, Notice to Proposers for receipt of sealed proposals having been published in the Reno-Gazette Journal on August 31, 1999, for outside Financial Services Consulting on behalf of the Finance Department. Proof was made that due and legal Notice had been given.

Requests for Proposals were received from the following respondents:

- Fieldman, Rolapp & Associates
- Howarth & Associates
- Hobbs, Ong & Associates/Public Financial Management

It was noted that an evaluation team evaluated the three proposals using the evaluation criteria shown in Attachment A [a copy of which was placed on file with the clerk] and recommended that Hobbs, Ong & Associates/Public Financial Management was especially knowledgeable of Nevada Local Government Finance Laws and could provide the best advise concerning Washoe County's complex debt financing needs.

Based upon the recommendation of the evaluation team, on motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, it was ordered that RFP No. 2198-2000 for outside financial services consulting, on behalf of the Finance Department, be awarded to Hobbs, Ong & Associates/Public Financial Management and Chairman Galloway be authorized to execute the agreement.

99-1187 APPOINTMENT - REGIONAL PLANNING COMMISSION

Commissioner Sferrazza informed the Board that Steve Rogers requested that his name be withdrawn for consideration of appointment to the Commission.

On motion by Commissioner Short, seconded by Commissioner Bond, which motion duly carried, Chairman Galloway ordered that Marge Fransen be appointed as the voting member to the Regional Planning Commission.

On motion by Commissioner Bond, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Galloway ordered that Bob Fink be appointed as the alternate voting member to the Regional Planning Commission.

99-1188 APPOINTMENT - WEST TRUCKEE MEADOWS CITIZENS ADVISORY BOARD

On motion by Chairman Galloway, seconded by Commissioner Bond, which motion duly carried, it was ordered that Rosemary DiGrazia be appointed as the East of McCarran Boulevard representative and Patty Schweitzer be appointed as the at-large representative to the West Truckee Meadows Citizens Advisory Board, with terms to expire June 30, 2001.

99-1189 RESOLUTION - TREASURER AUCTION TAX DELINQUENT LANDS - PUBLIC WORKS

Upon recommendation of Mimi Fujii-Strickler, Civil Engineer Assistant, on motion by Commissioner Sferrazza, seconded by Commissioner Short, which motion duly carried, it was ordered that

1. The Washoe County Treasurer be authorized to auction all tax delinquent lands held in trust, with the exception of those parcels listed on Exhibit A [a copy of which has been placed on file with the clerk];

2. The following Resolution directing the Washoe County Treasurer to give notice of intention to sell the parcels to the indicated governmental units listed in the Resolution.

RESOLUTION of The Board of County Commissioners of the County of Washoe, Nevada, pertaining to disposition of tax delinquent parcels of real property

WHEREAS, pursuant to NRS 361.603, local governments are permitted to acquire tax delinquent properties held in trust by the treasurer of their county by virtue of a deed made pursuant to the provisions of Chapter 361 of NRS; and

WHEREAS, the properties described herein, being tax delinquent, are held in trust by the Washoe County Treasurer, by virtue of deed made pursuant to Chapter 361 of NRS; and

WHEREAS, the Board of County Commissioners of Washoe County hereby determines that the public interest will be best served by the sale of this property to governmental units.

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

- 1. The Washoe County Treasurer is hereby directed to give notice of intention to sell tax delinquent properties described in paragraph 3 herein, to the last known owner or owners of said property, or their heirs or devisees, in the manner provided by law.
- 2. If the owner or owners of the parcels described in paragraph 3 herein, or their heirs or devisees, fail to redeem the property within the time allowed by law, the Washoe County Treasurer shall transfer ownership of said property to the governmental units in a manner prescribed by law.
- 3. Tax delinquent parcels to be sold to governmental units.

a. Washoe County Community Development Open Space:

- APNs
- 016-740-09 Open Space
- 080-730-32 Open Space
- 081-150-02 Open Space
- 087-010-25 Open Space

b. Washoe County Parks Department

- APNs:
- 038-222-02 Open Space
- 038-222-03 Open Space
- 038-230-16 Open Space
- 038-230-17 Open Space
- 038-230-18 Open Space
- 076-251-08 Park Site
- 127-030-14 Park Site

c. City of Reno Housing Authority:

- APNs

99-1190 STATUS REPORT - WOLF RUN GOLF COURSE

Upon recommendation of Ed Schmidt, Director of Water Resources Department, on motion by Commissioner Sferrazza, seconded by Commissioner Short, which motion duly carried, Chairman Galloway ordered that

1) The status report regarding Wolf Run Golf Course water service be accepted and the direction that staff requested be authorized, which is

a) Immediate termination of water service pending Board approval of satisfaction of arrangements for provision of water service; and

b) Set the termination of water service upon the expiration of existing temporary applications for December 31, 1999, while continuing to negotiate if possible.

2) That if staff is satisfied, and has a written agreement that is contingent on Board approval, prior to December 31, 1999, they can then continue the service.

99-1191 BILL NO. 1260 - AMENDING ORDINANCE 851 - SOUTH TRUCKEE MEADOWS GENERAL IMPROVEMENT DISTRICT

Bill No. 1261 entitled "AN ORDINANCE AMENDING THE COMPENSATION SCHEDULE AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO, FOR MEMBERS OF THE LOCAL DISTRICT MANAGING BOARD OF THE SOUTH TRUCKEE MEADOWS GENERAL IMPROVEMENT DISTRICT" was introduced by Commissioner Bond, the title read to the Board and legal notice for final action of adoption directed.

MANAGER'S & COMMISSIONERS COMMENTS

Commissioner Sferrazza stated that he would like to apologize to Rita Lencioni, Assistant to the County Manager, as she advised him, subsequent to a conversation held at yesterday's caucus meeting, that the Board does receive cover sheets for tax refund requests, but does not receive them on the refunds that have clerical errors; and that she advised him that the cover sheets will be provided on all requests from now on. Also, he has received a complaint from a senior citizen about meals on wheels, who received 2 scorched meals and then when she complained about it, they told her they were cutting off her service.

Chairman Galloway stated that they have 2 openings on the Seniors Advisory Committee and they have 3 applicants; that anyone interested in interviewing applicants can contact him and he will make sure they are part of the interview process.

Commissioner Bond stated that she is concerned about the congested area in Spanish Springs; that she has some people out there on a 10-acre parcel who want to be inside the congested area designation as guns are being shot out there; and that 10 acres is not enough room for a gun to be shot and not hit something.

* * * * *

There being no further business to come before the Board, the meeting adjourned at 8:21 p.m.

JIM GALLOWAY, Chairman
Washoe County Commission

ATTEST: AMY HARVEY, County Clerk

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