

WASHOE COUNTY COMMISSION AND RENO CITY COUNCIL

SPECIAL JOINT MEETING

MONDAY

9:00 A.M.

JULY 12, 2004

PRESENT:

Jim Shaw, Washoe County Commissioner, Chairman
Bonnie Weber, Washoe County Commissioner, Vice Chairman
Jim Galloway, Washoe County Commissioner
David Humke, Washoe County Commissioner *
Pete Sferrazza, Washoe County Commissioner

Robert A. Cashell, City of Reno, Mayor
Dave Aiazzi, Reno City Councilmember
Dwight Dortch, Reno City Councilmember
Toni Harsh, Reno City Councilmember
Pierre Hascheff, Reno City Councilmember
Jessica Sferrazza, Reno City Councilmember
Sharon Zadra, Reno City Councilmember

The Washoe County Board of Commissioners and Reno City Council met in joint session in the Reno City Council Chambers, 490 South Center Street, Reno, Nevada, with Mayor Cashell presiding. Also present were Washoe County Clerk Amy Harvey, County Manager Katy Singlaub, Assistant District Attorney Madelyn Shipman, Reno City Clerk Lynnette Jones, Reno City Manager Charles McNeely and Reno City Attorney Patricia Lynch. Following the Pledge of Allegiance to the flag of our Country, the Clerks called the roll for their respective entities; and the Commission and Council conducted the following business.

PUBLIC COMMENT

Al Hesson, Reno resident, criticized President Bush and spoke against the war in Iraq.

Sam Dehne, Reno resident, spoke against the City of Reno purchasing the building at One East First Street.

Guy Felton, Reno resident, criticized the actions of local governments.

AGENDA

On behalf of Washoe County, on motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried with Commissioner

Humke absent, Chairman Shaw ordered that the agenda for the July 12, 2004 special joint meeting be approved.

Chairman Shaw expressed appreciation to the City of Reno for agreeing to hold this meeting and to hold off on introduction of their ordinance to annex property in Cold Springs into the City.

On behalf of the City of Reno, on motion by Councilmember Aiazzi, seconded by Councilmember Hascheff, which motion duly carried, Mayor Cashell ordered that the agenda for the July 12, 2004 special joint meeting be approved.

04-682 DISCUSSION - ANNEXATION OF COLD SPRINGS

Mayor Cashell read the names of several individuals who expressed their written opposition to the City annexing Cold Springs and a card from one individual who was in support.

Joan Liscom, Cold Springs resident, stated there was a meeting on Saturday that was very unsatisfactory and very superficial. She said County and City staff were in attendance, but could not really reassure them they would never be annexed into the City of Reno. She said the residents want to know why such massive amounts of commercial property should be in Cold Springs.

Gary Feero, Horizon Hills resident, spoke against far-flung, massive, annexations by Reno and the dilution of services that creates.

Bernie Clark, area citizen, cited NRS 268.572 stating annexation areas must be adjacent and contiguous, and piecemeal annexations should be avoided. He continued that the statute provides that one-eighth of the boundaries must be contiguous and said he drove out to the area and it is not even close to one-eighth. Mr. Clark pointed out there has already been too much piecemeal annexation with Mt. Rose and Verdi.

9:25 a.m. Commissioner Humke arrived.

Tony Midmore, area resident, stated this is not a logical extension of the City limits at this point in time. It is being rushed just for the benefit of a few landowners. He said the residents do not want the type of development in their area that would be allowed by the City.

Brent Linus, Cold Springs resident, requested that the undeveloped part of Woodland Village be withdrawn from this annexation application. He said it was already a planned and approved subdivision, and he sees no apparent or logical reason to include it.

Pat Fladager, Cold Springs resident, said she has lived in Cold Springs since 1962 when there were only about three homes and some mobile homes out there.

Then came Mr. Lissner and Lifestyle Homes. Now they have smog and are facing the possibility of having to connect to a sewer system with huge costs. She said many of the Cold Springs residents are retired and living on fixed incomes, and there are also a lot of young families just starting out in Cold Springs. Ms. Fladager requested this annexation request be denied so the people who chose to live in the country would not be forced to live under City laws and regulations that would prohibit livestock and other country lifestyles.

Frank Schnick, Cold Springs resident, requested that more fiscal analysis be done, especially concerning the septic tanks and sewers, on this annexation request. He further said that Lifestyle Homes has not been honest with the community.

Janice Boykin, Cold Springs resident, said that water has always been a problem in Cold Springs as there is too much in wet years and too little in dry years. She said the valley is a bowl, and importation of water will cause expensive and negative impacts on the wells and septic tanks of the valley. She said much more study on the impacts need to be done before this annexation request should be considered.

Sam Dehne, Reno resident, stated he was against annexation.

Al Hesson, Reno resident, said if this annexation occurs, police, fire protection and other services would all be diluted to the detriment of all current residents of the City of Reno. He also asked where the water would come from for these annexations.

Bill Thomas, Summit Engineering, representing the property owners requesting annexation, stressed that his clients are exercising their rights by State law. He said there would be no islands created that would result in the annexation of any property owner who does not wish to be annexed. Mr. Thomas said this is necessary to facilitate the planning of their property, which they have been waiting to do for almost four years.

Mayor Cashell noted there were no more comment cards or persons requesting to speak.

John Hester, City of Reno Community Development Director, provided the chronological background of the annexation request. He said the application was originally made in October, 2002; the applicant then asked that the application be put on hold; and it was reactivated on June 8, 2004. The City has a timeframe within which to act, and the plan was to have the public hearing and first reading of the ordinance on July 7th with the idea that the second reading would be held on July 21st. At the July 7th meeting, the Council requested it be postponed so a Citizen Advisory Board meeting could be held. The schedule now is to have the first reading on July 21st and second reading on August 18th.

Mr. Hester then reviewed and responded to the questions asked at the CAB meeting and that have been received by email. He emphasized that the only properties being annexed are the ten properties in the annexation application, and the land use plan would remain the same. As to the question of allowing the citizens to vote on this proposal, Mr. Hester stated requesting annexation is a property owner's right; the City has the responsibility to process the request; and the courts have ruled that outside parties not in the annexation transaction have no standing. He described the different types of annexations under Nevada Revised Statutes, stating this is a 268.670 annexation where 100 percent of the property owners want to annex. He further said existing Cold Springs residents would not be annexed because that would not be consistent with the Regional Plan, it is not in the City's annexation program, and they would not be totally surrounded by City property. Mr. Hester advised that the City of Reno's annexation policy states that the City will not initiate annexation proceedings on any property in an unincorporated island without the consent of the property owner.

As to why the property owners are requesting to be annexed into the City, Mr. Hester said it was because the type of development they wish to pursue is only allowed in the City under the Regional Plan. The question of what would be included in the development was asked; and Mr. Hester said the applicant has said the developer does not know yet. He said Ms. Liscom had asked why such massive amounts of commercial development and responded there is no massive commercial development. He addressed the questions concerning fire and police service. Mr. Hester emphasized that the City has not initiated a planning process for the properties and would not until it was determined whether the annexation occurs.

Commissioner Galloway asked if the Council determines, at the hearing on the ordinance, that this annexation is not in the best interest of the City, could they conclude that they do not want to proceed. Mr. Hester said they could. Commissioner Galloway asked if that would satisfy the requirement of the developer having a fair hearing. Mr. Hester said it would. Commissioner Galloway demonstrated on the map that he felt the City could create an island in the Cold Springs area and then involuntarily annex properties over the people's protest as it has done in the past. Mr. Hester stated the City has changed its annexation policies.

Commissioner Sferrazza asked if the County and the City could enter into a contractual agreement that would prohibit annexation of the people who do not want to be annexed. Mr. Hester stated that would be a policy question for the Council and Commission. Commissioner Sferrazza stated, since there is no municipal services tax for the unincorporated area, the fiscal inequity is increased every time new development occurs in the unincorporated area; and he asked if the City and County could agree to try to get legislation passed that would require new development within the unincorporated County to pay a municipal services tax. Commissioner Sferrazza further asked if the planning could take place in the County to avoid the question of increased density by the City and then allow the annexations to take place after build. Mr. Hester said those would also be policy questions for the Boards.

In response to Chairman Shaw, Mr. Hester demonstrated on the map where the connecting point is that makes these properties contiguous to City property. He stated that contiguous is defined as going over public property owned by a political subdivision of the State and showed the property owned by the County at the north end of the Reno-Stead Airport, which is the point of connection.

Commissioner Weber stated she was very concerned because she represents many folks who are impacted by this, both in Cold Springs and Silver Knolls. She stressed everyone north of Stead is impacted and requested the City look at this seriously. Urban growth is a serious issue for people desiring a rural lifestyle. Mr. Hester responded that annexation does not impact people; all it does is change jurisdiction. He said it is the future planning that comes after annexation that will impact the neighbors.

Councilmember Sferrazza asked if it would be possible for the City to annex just the commercial piece. Mr. Hester demonstrated on the map how the applicants put together the string of properties in order to get to the commercial piece.

Councilmember Dortch asked how this impacts anyone since there are no development proposals. It is only a change in jurisdiction. Commissioner Weber stated the impact is what could happen in the future. She also stated this is not a logical annexation. Councilmember Dortch argued that the County has already approved high density development in the area. He further stated the fiscal analysis indicates it would not be detrimental to the City to approve this annexation request, so he believes the City should seriously consider it.

Councilmember Aiazzi noted the residents have indicated they do not want the type of development the City would allow that the County could not. He asked what kind of development that would be. Mr. Hester said, in the future, based on the Regional Plan, certain commercial, non-residential development would only be allowed in the cities. The Councilmember also asked if the annexation were approved, would this area be a cooperative planning area where both the City and County would work together on planning. Mr. Hester responded that, technically, since the application was filed before the Settlement Agreement, it does not have to follow cooperative planning; but City staff has made the commitment to involve the CAB. He suggested the applicant be asked if he was willing to have a cooperative planning process.

Mayor Cashell asked what negative impacts this annexation would have on the County. Mr. Hester stated it would not reduce property tax revenue, and he thinks it would actually be a fiscal benefit to the County.

In response to Councilmember Zadra, Mr. Hester explained how the State Engineer evaluates water rights. She also asked about other County projects, such as Double Diamond, South Meadows, and Dorostkar that have been annexed by the City.

Adrian Freund, Washoe County Department of Community Development Director, stated one of the reasons given for this annexation request is that it will start the planning process. He said, as a planner, he has always felt one should plan first and then decide what types of development are appropriate in what areas. Mr. Freund stated this application is inconsistent with the Regional Plan as a majority of the property is outside of the Truckee Meadows Service Area (TMSA). He also emphasized that jurisdiction does matter because of the Regional Plan, which allows much higher densities and intensities under the Cities. The Regional Plan does not allow certain types of development to occur in the County, and the reason for that is much of the County is unsuitable for more intense development. He said under the constraints of the Regional Plan, the County could possibly approve three nodes of up to 300,000 square feet of commercial land in Cold Springs. The County could not approve 13.5-million square feet of commercial and industrial land. Mr. Freund stated he got the 13.5-million figure from the fiscal analysis of the annexation request. He said that is a huge amount of commercial and industrial use.

Mr. Freund also responded to the statements that the County has approved very dense developments. He noted that, on the map, Woodland Village may look dense, but it is 2.3 units per acre; and he cautioned that density and clustering should not be confused. He stated, by virtue of the Regional Plan, the County cannot approve development denser than three units per acre.

Mr. Freund referred to the map of the proposed annexation and noted that most of the lands are zoned General Rural or one dwelling unit per 40 acres. He said there are some good reasons for that zoning as much of the lands are undevelopable due to topography, hydrologic problems, being playa or floodplain, etc. Mr. Freund further said the timing of this particular application represents a real concern with the transition process. The application is being revived from October 2002, which pre-dates the Regional Plan Settlement Agreement. He said the transition table would not yet be in effect, so this land would not come into the City as UT40; it would come in as 2.5-acre zoning.

Mr. Freund said the only way the anticipated development could occur is through a Truckee Meadows Service Area amendment. The County has offered to process some comprehensive plan amendments, but the problem is the three units per acre and the limited commercial development the County is able to provide the landowners is not enough to satisfy their needs.

Commissioner Galloway and Mr. Freund discussed clustering and density transfers. Mr. Freund provided the history of the Woodland Village development and said it was developed in a true village style with a town center, some local serving commercial, a connected street pattern, parks and all the characteristics of a good, freestanding satellite community. He also said the applicant has suggested this annexation would provide employment for Cold Springs residents and retail services to reduce long commutes. Mr. Freund said County staff thinks that is appropriate, but that 300,000 square feet would come a lot closer to meeting the purely local needs. The

amount that is being proposed would result in reverse commutes from other parts of the community.

Commissioner Galloway stated the fiscal analysis shows a total of 25-million square feet. Mr. Freund clarified the 13.5-million square feet was the commercial portion.

Councilmember Dortch asked about lot sizes in Woodland Village. Mr. Freund stated the average lot size is approximately 8,000 square feet with the smallest lots being 6,000 square feet. He explained that the overall density is 2.3 units per acre with the undeveloped portion being parks, walking trails, etc.

Commissioner Sferrazza stated he does not support this annexation request, but he also does not support any development in the County less than one-acre lots. Mr. Freund explained the reason clustering makes sense is because it provides the open space people want and infrastructure costs are reduced. He said it is almost impossible to make the funding of low density development on a municipal sewer system work out. By clustering, the length of utility runs, pipes, water and sewer lines are reduced. Commissioner Sferrazza asked if the County received any commitment from the developer when Woodland Village was approved that he would not do exactly what he is trying to do now. He said the developer originally agreed to provide the open space, but he now understands the developer is trying to eliminate the open space. Mr. Freund stated the developer still has some 790 lots to final map in the Woodland Village development; and the County is not aware of any proposal, within the County, to come back and take out the open space. Commissioner Sferrazza said he was referring to the area proposed for annexation. Mr. Freund said he could not speak to that other than there was supposition that if that went into the City, some of the open space might be developed at higher densities.

Commissioner Sferrazza asked if there was any guarantee that a future Commission, or Council, would not approve this exact same development. Mr. Freund said there is no way to bind future boards. The best guarantee is the Regional Plan, but that can also change. Commissioner Sferrazza asked if there would be any way to have a contract between the City and the County that existing residents would not be annexed and that any new development could not occur without the County agreeing. Mr. Freund stated he would defer to Legal Counsel to answer that question.

Councilmember Aiazzi noted the City and the County use different formulas for zoning. He asked if there could be some way to compare apples to apples on this. Mr. Freund stated the problem is the only plan for the area is the County's existing plan.

Councilmember Aiazzi asked Mr. Freund what he feels would be a reasonable amount of space for the commercial use along U.S. 395. Mr. Freund responded his answer would be something less than 13-million, but more than 300,000, square feet. He said he bases that on the lack of activity in the Reno-Stead commercially

zoned area in the last few years. He said there is 4,500 to 5,000 acres of appropriately zoned land there; he demonstrated on the map where the County has some commercial-industrial and some tourist commercial; and he said there has simply been no demand for any of it.

Councilmember Aiazzi stated he understood the rationale for this annexation was to get to the commercial area and asked if the City and the County could come to a legal agreement that the City could annex just that area. Mr. Freund stated he would also defer that question to Legal Counsel.

Councilmember Aiazzi asked if the open space that was required for the density transfer is in County ownership. Mr. Freund stated the parks and trails are, but some of it is still owned by the developer. Mr. Freund said the concern is that if this property is annexed, under the City it could be developed at higher densities, although he does not know that the developer has plans to do so. Councilmember Aiazzi also asked about the development constrained lands and whether those constraints would go away if the property was annexed. Mr. Freund said the development constraints would not go away. It was just that the County was questioning why those properties constrained by topography, steep slopes, or being located in the playa were in the annexation request.

Councilmember Harsh noted there has been a lot of talk about what might be developed, but that is a real unknown because there is no information from the State Engineer about the water situation. Mr. Freund responded that the yield is known for that basin, and it is known that there is no water available in that particular basin above and beyond the development that is already approved. He said water service for future development would have to rely on water importation. Mr. Freund stated this basin and the Warm Springs basin are the two most constrained.

Councilmember Harsh stated this is a snake starting at one point and going way around just to get to where the developer really wants to be. She agreed with Councilmember Aiazzi that there should be a better way to get there. Mr. Freund stated he would not be comfortable saying that it is all about getting down to the freeway because the applicant has, for a number of years, wanted to gain approvals for additional residential development, which the County has expressed an interest in working on, but only at or below the three units per acre threshold.

Mr. Freund said there is no plan that covers the existing community and all of the annexation area. The process has always been to plan first, annex later. The County is going to move ahead and do the area plan update.

Commissioner Humke asked if the point of contiguity actually meets the statutory requirement. Mr. Freund responded that it technically meets the provisions. Commissioner Humke asked if it meets the spirit of the law. Mr. Freund said, at the staff level, they feel the intent of the law was to not have things like highways or railways unreasonably impede an annexation. Commissioner Humke requested a listing of other

high density development approved by the County over the last few years, including who the Board members were at the time.

Marilyn Craig, Deputy City Attorney, stated with respect to the question of the County doing the plan and then the City annexing the land, her concern would be that the City not delegate its authority to the County, but work together with the County. Her concern was raising a legal impediment from the point of view of the landowner. As to the question of the City and County entering into an agreement to not annex, Ms. Craig replied her concern, again, would be impairing the due process rights of the landowner; and, as previously stated, the City has received an annexation application from a landowner and has the responsibility to process that application.

Commissioner Sferrazza stated his question was whether the City and the County could enter into an agreement prohibiting the involuntary annexation of the existing homes. He asked if it would be possible for the development to go forward in the County as it currently exists and the City agree to only annex the as-built. Commissioner Sferrazza also asked several questions about the County implementing a municipal services tax on new homes, or as homes are sold, but grandfathering in existing homes. Mayor Cashell suggested the attorneys research those questions and get back to the Boards.

Councilmember Hascheff said he would like to know if the City and the County could agree to cooperative planning for this area.

Councilmember Sferrazza asked if it was common to annex property without a development plan. She recalled the City recently turning down an annexation request on property that did not have a development plan. Mr. Hester stated that was the Ballardini Ranch. Councilmember Sferrazza asked why staff was recommending approval of Cold Springs, but did not on Ballardini. Mr. Hester stated the properties are not similar at all since there is no freeway through Ballardini.

Commissioner Weber asked if U.S. 395 could be considered as a bridging tool to get from the City of Reno (Stead) to Cold Springs. Mr. Hester stated they did look at that with the attorneys and they do not think so. Mr. Freund agreed. Commissioner Weber asked Mr. Freund to point out on the map where the 13.5-million square feet of commercial/industrial would be. Mr. Freund stated he did not know because there is no development plan, but he would assume it would be near the freeway interchanges.

Commissioner Weber asked if County staff has been working with the Charley's, who would like to keep their ranch as much of a ranch as possible. She also commented that, as far as an employment center, it is a long way out to Cold Springs. Mr. Freund stated he has met with the Charley's a number of times, and at the last meeting he proposed that they offer up a limited amount of property for neighborhood commercial that would be within the Truckee Meadows Service Area. He said it was not clear whether such an amendment would meet their needs.

Councilmember Dortch clarified that the issue of water is the same whether the property is under City or County jurisdiction.

Commissioner Sferrazza asked about the County parcel being used to connect to City property. He asked if the County property would stay in the County and whether the County could legally protest this annexation as a property owner. Mr. Freund stated the County parcel is not part of the annexation request, and it is only being used to meet the contiguous provisions of the statute.

Mr. Thomas stated his clients are following a development plan, which is the Draft Community Management Plan prepared by the property owners and the people who live in Cold Springs. He discussed the difference between the subject property and the Ballardini property. He said their annexation request was made before the plan was put together, so it has a separate standing. The request was supposed to have been considered in light of a study area, but the study area plan was never completed. He said this is about planning for the property, and his clients believe it is necessary to annex the property in order to get the planning process moving forward. Mr. Thomas also said the open space in this plan would be same as the open space if it were left unincorporated. Concerning the fiscal analysis, he said they used three dwelling units per acre for the developable portion of the property; and that part of the property is defined by the North Valleys Area Plan. Mr. Thomas stated, as far as the business park is concerned, there has been some recognition that there is a need to have jobs out there; and 300,000 square feet would equal two grocery stores, which would not be considered an employment center.

Commissioner Weber expressed several concerns and urged that the City consider how many of the residents are opposed to this annexation request. She stated she is trying to use common sense but she does not see this as a logical extension of the city limits.

Councilmember Sferrazza stated Reno already has issues with calls for police service, and she feels the Council has an obligation to take care of the City residents first. She also said single-family residential development does not pay for itself, and much of this property requested for annexation would be single family. She noted Cold Springs is a 25-year build-out and the older infrastructure would be failing by that time. She asked how the City would pay for new infrastructure. Councilmember Sferrazza stated over 50 percent of the area is outside of the Truckee Meadows Service Area, and she would want to see a development plan along with the annexation request, so she would know exactly what they are being asked to approve. She also said the existing residents and their rural lifestyles should be protected.

Councilmember Hascheff stated there is a Regional Plan and a Settlement Agreement that everyone signed off on and must conform to; and, under that Plan, there are restrictions on residential and commercial growth in the unincorporated area. He suggested the idea of the City annexing just the business park portion and working cooperatively with the County on the planning for that. He said it would be good planning to provide employment next to residential areas and that would require

something more than what is allowed under the Regional Plan. Councilmember Hascheff stated he also believed the undeveloped portion of Woodland Village should stay in the County.

Commissioner Galloway stated the City and the County are faced with a property owner who has desires, but they also have a public citizenry with needs and priorities. He said he was certain the existing City residents would not want this and they would view it as sprawl. This would dilute services and divert resources, such as water, which is already needed in other areas. Commissioner Galloway discussed the results of a recent citizen satisfaction survey conducted by the County noting the residents' major concerns are over-development, inappropriate development and lack of water. He stated this project would use a lot of water; and, even if it is imported water, that water could be available to the rest of the community. There are two water importation projects out there that are going to bring water in; but, if more zoning is allowed, that would be that much more water that would not be available for closer-in residential development.

Commissioner Humke said the County does not want the City to approve this annexation application, but he understands the City, as well as the County, has to preserve the due process rights of the property owner. He agreed with Councilmember Hascheff that this does call for a cooperative planning process between the two entities with true communication and cooperation between the staffs. He said it would be incumbent on the County Commission to ensure that County staff participates in good faith in the process.

Councilmember Zadra assured the people their concerns were heard and would be considered. She agreed there should be a development plan associated with the annexation request. She stated if this annexation were to occur, the zoning would be the very same as it is currently allotted for the County. She said she supports the cooperative planning process.

Commissioner Sferrazza thanked the Mayor and Council for allowing the Commissioners to meet with them. He said he would ask that the City deny the annexation, but assuming that does not happen, he would request his questions be answered at some point in the future discussions. Commissioner Sferrazza said, at a minimum, he would request that the application be delayed until a development plan is completed, so everyone knows what is really being requested. He also asked, if the City does annex the property, that they protect the existing homes and preserve the open space, as well as agree not to annex any islands that might be created by this annexation.

Councilmember Aiazzi stated consistency across the board is what everybody needs. He stated the City has more police per capita than the County Sheriff has; there were water issues when the County approved other projects; he would love to go forward with cooperative planning but that was not very successful in Verdi; and the sprawl has already occurred in Cold Springs.

Chairman Shaw stated there needs to be a plan in place for the area first; and then the entities could move forward with cooperative planning and hopefully come up with something that works for all parties, the applicant, the residents, the City and the County.

Mayor Cashell stated 60 percent of the residents of Washoe County have indicated they want government consolidation, and the entities need to work together and solve these problems.

Commissioner Weber thanked the citizens and staff who came out to the meeting on Saturday. She said she wanted to emphasize the point of employment centers. She noted Stead is in Reno, it is zoned industrial, and many Cold Springs residents work in Stead. She also emphasized that everyone at the meeting on Saturday was opposed to this annexation.

DISCUSSION - NON-CONTIGUOUS ANNEXATIONS - GOLD RANCH

In response to Councilmember Dortch, City Attorney Patricia Lynch advised the Boards not discuss this item because it is in litigation. Councilmember Aiazzi stated he was aware of the litigation, but feels this is the opportunity for the Boards to work out an agreement and avoid the litigation. Ms. Lynch reiterated that once a matter goes to litigation, the Boards should not discuss it, especially in the open public forum, because of the possibility they will not reach an agreement.

Al Hesson, area citizen, spoke in opposition to annexation and expressed his concerns about the water situation in the Truckee Meadows.

Mayor Cashell asked if the attorneys could explain the issue or if both sides agreed the Board should not be discussing this item.

Madelyn Shipman, Assistant District Attorney, explained the County has appealed the City's annexation program of allowing non-contiguous annexations. The case is progressing with oral arguments scheduled for September 22 after briefing. She also stated Reno staff has been very helpful in talking to applicants and requesting they hold off on their applications pending the appeal. She stated the County was informed that Gold Ranch wanted to go forward with their non-contiguous annexation application, and what the County was asking is whether the City would be willing to postpone processing their application until after a decision by the Court, which should come shortly after September 22.

Marilyn Craig, Deputy City Attorney, stated they have advised the Council not to proceed with non-contiguous annexations at this time. She said it was her understanding that Gold Ranch was being postponed.

Councilmember Aiazzi stated without cooperative planning on some of these issues, the attorneys and judges are controlling the planning. He said a non-contiguous annexation may be the solution to the Cold Springs situation, but it has been taken out of the Boards' hands by the lawsuit.

Commissioner Weber said it is important that the Board members work together, as the policy makers, and not give everything to staff.

Ms. Shipman stated this item was on the agenda because the Gold Ranch annexation application came forward on the City's schedule, but she has just been informed that it is no longer on the schedule.

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There being no further business to come before the Board and Council, the meeting adjourned at 12:10 p.m.

ATTEST:

JAMES M. SHAW, Chairman
Washoe County Commission

AMY HARVEY, County Clerk
and Clerk of the Board of
County Commissioners

ATTEST:

ROBERT A. CASHELL, Mayor
City of Reno

LYNNETTE R. JONES, City Clerk
City of Reno