

**BOARD OF COUNTY COMMISSIONERS
WASHOE COUNTY, NEVADA**

TUESDAY

10:00 A.M.

OCTOBER 28, 2014

PRESENT:

David Humke, Chairman
Bonnie Weber, Vice Chairperson*
Marsha Berkbigler, Commissioner
Kitty Jung, Commissioner
Vaughn Hartung, Commissioner (Via Telephone)

Nancy Parent, County Clerk
John Slaughter, County Manager
Paul Lipparelli, Legal Counsel

The Washoe County Board of Commissioners convened at 10:05 a.m. 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:

Chairman Humke explained Commissioner Weber's absence was due to her attendance at a Regional Transportation Commission (RTC) event.

14-0908 AGENDA ITEM 3 – PUBLIC COMMENT

Agenda Subject: "Public Comment. Comment heard under this item will be limited to three minutes per person and may pertain to matters both on and off the Commission agenda. The Commission will also hear public comment during individual action items, with comment limited to three minutes per person. Comments are to be made to the Commission as a whole."

Stuart Mackie stated his concerns about the Truckee River Operating Agreement (TROA) and the Truckee Meadows Water Authority (TMWA). He said TMWA should be regulated by the Public Utilities Commission (PUC). He thought the Board was creating an illegal enterprise and not allowing fair hearings for people who owned water rights. He said only the State had the power to transfer water.

James Kozera expressed frustration that he could not vote for any City of Reno offices as a resident of Cold Springs.

Alex Fuller provided some handouts, which were placed on file with the Clerk. He asked the Board to reconsider the decision regarding the Request for Proposal (RFP) for office supplies, which was made during a previous Board meeting. He said staff recommendation was to award the RFP to multiple vendors; however, the Board

chose to award the highest and least experienced bidder, It's My Community Store. He said the decision would cost County taxpayers more than \$30,000. He talked about Office Depot/Max's long relationship with the County and said the company employed more than 80 County residents.

10:14 a.m. Commissioner Hartung's telephone connection was lost during Mr. Fuller's comments.

Sam Dehne wondered why the *Reno Gazette Journal* (RGJ) did not have to comply with the Open Meeting Law. He said he filed a complaint against RGJ with the Attorney General's office.

14-0909 AGENDA ITEM 4 – ANNOUNCEMENTS

Agenda Subject: “Commissioners’/Manager’s announcements, reports/updates from County Commission members concerning various boards/commissions they may be a member of or liaison to. Requests for information, topics for future agendas and any ideas and suggestions for greater efficiency, cost effectiveness and innovation in County government. (No discussion among Commissioners will take place on this item.)”

Commissioner Jung said she would be meeting with the Mayors of both Reno and Sparks regarding the Community Assistance Center Transitional Governing Board. She announced she was appointed as Chairperson to the District Board of Health and said the Health District would be partnering with area hospitals to identify goals and create a strategic plan based on the health of the community. She said obesity was the primary focus, but they were also looking at tobacco usage. She said the Open Space and Regional Parks Commission meeting was cancelled because of Election Day and the Truckee Meadows Water Authority (TMWA) Board was going to create an informational campaign about drought.

Commissioner Berkbigler reported the Tahoe Regional Planning Agency (TRPA) was working on the completion of the stateline-to-stateline bike trail. She said the Tahoe Transportation District was working on a location for the bike trail in Crystal Bay and would be doing some fund raising for it. She said the TRPA would also be discussing the Martis Creek growth plan because a California development was being proposed that would impact the visual beauty of Lake Tahoe and affect traffic in Crystal Bay and Incline Village.

10:25 a.m. Commissioner Hartung returned to the meeting via telephone.

Commissioner Hartung said he wanted to remind everyone that the Truckee Meadows Water Authority (TMWA) was owned by three entities. He said the Board was reviewing plans for water conservation in the future and planning for anticipated growth.

10:27 a.m. Commissioner Hartung's telephone connection was lost.

Chairman Humke said the Investment Committee met and reported County investments were strong. He said the Nevada Association of Counties (NACO) would be meeting on Nevada Day, which would be the 150th anniversary of the State. He reported Elko County Commissioner Grant Gerber passed away and suggested the Board adjourn the meeting in his memory. He stated the Regional Transportation Commission (RTC) would be receiving the Federal Tiger Grant and he thanked Senator Reed, Senator Heller and Congressman Amodei for their service to the State. He said the Reno-Sparks Convention and Visitors Authority (RSCVA) Board met and reviewed the President and CEO services, which were continued. He said the Washoe County Stadium Authority had not met yet.

John Slaughter, County Manager, announced a Nevada Sings event would be held at 10:00 a.m. on Thursday, October 30th. He said County employees, staff, Commissioners and the public were invited to meet in Chambers to participate in the celebration of Nevada's sesquicentennial (150th year). The State was hoping to set a record for the most people in the United States to sing their state song at once.

Nancy Parent, County Clerk, noted there were technical difficulties with Commissioner Hartung's telephone connection and said he would monitor the meeting and call in when he had something to say.

Chairman Humke asked the County Manager to review Mr. Kozera's concerns regarding issues with voting and Mr. Fuller's concerns regarding the office supply contract. He asked for a report back to the Commission on both issues.

Commissioner Berkbigler reported Assemblyman Pete Livermore passed away and she asked for a moment of silence, which was observed.

14-0910 AGENDA ITEM 5

Agenda Subject: "Introduction of new Washoe County Employees."

Chairman Humke invited 11 new Washoe County employees to come forward and introduce themselves to the Board:

Darcy Chappel, Social Services Department; Dianna Karlicek, Environmental Health; Candice Prosser, Juvenile Services; Virginia McDonald, Health Department; Elizabet Munoz, Health Department; Tania Ewing, Community Services; Jackie Ivanchich, Manager's Office; Jennifer McCauley, Clerk's Office; Jonathan Lujan, Clerk's Office; Janet Caviezel, Sheriff's Office; Joyce Garrett, Comptroller's Office.

Commissioner Berkbigler thanked John Slaughter, County Manager, for bringing the new employees forward so they could meet the Board.

There was no public comment on this item.

14-0911 AGENDA ITEM 6

Agenda Subject: “Presentation of Excellence in Public Service Certificates honoring the following Washoe County employees who have completed essential employee development courses--Human Resources.

John Slaughter, County Manager, recognized the following employees for successful completion of the Excellence in Public Service Certificate Programs administered by the Human Resources Department:

Essentials of Personal Effectiveness

Steve Gresko, Criminalist

Drema Smith, Deputy Clerk III

There was no public comment on this item.

14-0912 AGENDA ITEM 7 - PROCLAMATION

Agenda Subject: “Proclamation--October as Breast Cancer Awareness Month. Requested by Commissioner Berkbigler.”

Commissioner Berkbigler read and presented the Proclamation to Niki Patin, Executive Director of Susan G. Komen Foundation of Northern Nevada.

Ms. Patin thanked the Board for their support. She said the Foundation just completed their 16th annual Race for the Cure. She said one woman in eight would be diagnosed with breast cancer and 75 percent of the funds collected by the Foundation stayed in northern Nevada to fund local programs.

There was no public comment on this item.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried with Commissioner Hartung and Commissioner Weber absent, it was ordered that Agenda Item 7 be adopted.

14-0913 AGENDA ITEM 8 – PROCLAMATION

Agenda Subject: “Proclamation--November 2014 as Family Caregivers Month. (Senior Services.)”

Commissioner Jung read and presented the Proclamation to Dr. Larry Weiss, Director of the Center for Healthy Aging; Barry Gold, Director of Governmental Relations for the American Association of Retired Persons (AARP); and, Grady Tarbutton, Senior Services Director.

Commissioner Jung reported there was discussion at a recent Continuum of Care meeting about the issue of inadequate respite for caregivers and how that affected the health of those being cared for. She said the issue would be part of the legislative agenda for the next session.

Mr. Tarbutton thought it was important to recognize the contributions that caregivers made to their families and to the community. He wanted to remind caregivers that Senior Services was a good place to start with questions about aging. He said Senior Services had an aging/disability resource center and could help caregivers with access to services, information about group homes and assisted living facilities. He said they could also provide information about Medicare, Medicaid and Veterans benefits. He said some case managers went into homes to provide assistance and he talked about the Daybreak Program, which provided essential care to people who were severely disabled.

Dr. Weiss said the Center for Healthy Aging provided critical training to caregivers around the State. He reported more than 40 percent of caregivers died before the person they were caring for.

Mr. Gold thanked the Board for the Proclamation and said caregivers performed complex medical tasks with little or no training, so it was important to support them.

In response to the call for public comment, Sam Dehne said he was a caregiver for many years and performed concerts for seniors and Veterans.

On motion by Commissioner Jung, seconded by Commissioner Berkbigler, which motion duly carried with Commissioners Hartung and Weber absent, it was ordered that Agenda Item 8 be adopted.

14-0914 AGENDA ITEM 9 – RESOLUTION

Agenda Subject: “Resolution--Celebrating Tahoe Fund for the Nevada Stateline to Stateline Bikeway Project. Requested by Commissioner Berkbigler.”

Commissioner Berkbigler read and presented the Resolution to former County Manager, Katy Simon and Amy Berry, CEO of the Tahoe Fund. She said it was important to reduce traffic at Lake Tahoe by increasing bike access.

Ms. Berry explained the Tahoe Fund was created to inspire the private community to work together with public agencies to make great projects happen. She said County dollars were going to help fund the most spectacular three miles of bike path in the County and that the groundbreaking would take place in May.

There was no public comment on this item.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried with Commissioners Weber and Hartung absent, it was ordered that Agenda Item 9 be adopted.

14-0915 AGENDA ITEM 10 – RESOLUTION

Agenda Subject: “Resolution--Supporting Wild Horse and Burro Protection in Northern Nevada. Requested by Chairman Humke.”

John Slaughter, County Manager, said there was a request to remove this agenda item and move it to a future agenda.

There was no public comment or action taken on this item.

14-0916 AGENDA ITEM 11 – RESOLUTION

Agenda Subject: “Resolution--In support of Ending Veteran Homelessness. Requested by Chairman Humke.”

Chairman Humke read and presented the Resolution to Robin Mason, US Air Force Veteran.

Mr. Mason thanked the Board and said it was a momentous event because, through collaboration with Reno and Sparks, Washoe County was on track to reduce Veteran homelessness to zero by 2016.

11:06 a.m. Commissioner Hartung returned to the meeting by telephone.

In response to the call for public comment, Sam Dehne spoke about his military service. He said corporations should not receive any Federal money until all Veterans had food and shelter.

On motion by Commissioner Berbigler, seconded by Commissioner Jung, which motion duly carried with Commissioner Weber absent, it was ordered that Agenda Item 11 be adopted.

11:10 a.m. Commissioner Hartung’s telephone connection was lost.

14-0917 AGENDA ITEM 12 – RESOLUTION

Agenda Subject: “Resolution--In support of Prescription Drug Take Back. Requested by Chairman Humke.”

Chairman Humke read and presented the Resolution to Undersheriff Tim Kuzanek, Reserve Lieutenant Deputy Teresa Aquila and Reserve Sergeant Carlos Bonilla. He said he witnessed Reserve Lieutenant Deputy Aquila collecting prescription

drugs at a Raley's Supermarket and he thought it was a great service, which kept drugs out of the wrong hands and out of the disposal system.

Deputy Aquila commented it was a great program. She thought the Sheriff's Office did an exceptional job and she thanked the Board for the Resolution.

Undersheriff Kuzanek said that the men and women of the Sheriff's Office Reserves were dedicated individuals who did an outstanding job in every program that they were involved in. He explained the volunteers helped the Sheriff's Office to accomplish things that would otherwise be challenging because of limited resources. He said their commitment to doing things right was appreciated and he thanked them.

11:15 a.m. Commissioner Hartung joined the meeting by telephone.

There was no public comment on this item.

On motion by Chairman Humke, seconded by Commissioner Jung, which motion duly carried with Commissioner Weber absent, it was ordered that Agenda Item 12 be adopted.

14-0918 AGENDA ITEM 13 – RESOLUTION

Agenda Subject: "Resolution--Recognition of Reno Mayor Robert A. Cashell Sr. and Council Members Dwight Dortch and Sharon Zadra. Requested by Commissioner Weber."

On the call for public comment, William T. Steward said he wanted to impress upon City and County leaders how important it was to work together.

Sam Dehne wondered why the City of Reno did not recognize Chairman Humke and Commissioner Weber for their service.

Stuart Mackie spoke to the Board about his concerns regarding Truckee Meadows Water Authority (TMWA) and Nevada Revised Statute Chapter 239.

Later in the meeting, after hearing the Truckee Meadows Fire Protection District agenda, the Board returned to this agenda item with Commissioner Weber present.

Commissioner Weber read and presented the Resolution to Reno City Councilwoman Sharon Zadra. She explained Reno Councilman Dwight Dortch and Reno Mayor Robert A. Cashell Sr. were unable to attend the presentation.

Ms. Zadra said it was her honor to accept the Resolution on behalf of Mayor Cashell and Councilman Dortch. She said she was blessed to work in the Region and that County staff recognized the spirit of working together. She said big and

challenging changes would be coming, but she was confident good living conditions would continue with team effort. She thanked the Board.

On motion by Commissioner Berkbigler, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 13 be adopted.

CONSENT ITEMS – 14A THROUGH 14I

On the call for public comment, Sam Dehne talked about the cancellation of future Board meetings and asked if there would be any more meetings before the end of the year. He thanked Chairman Humke and Commissioner Weber for their service.

John Slaughter, County Manager, stated the remaining meetings for 2014 would be on November 12th and December 9th.

14-0919 AGENDA ITEM 14A

Agenda Subject: “Cancel November 11, November 18, November 25, December 16 and December 23, 2014 County Commission meetings.”

There was no public comment on this item.

On motion by Commissioner Jung, seconded by Commissioner Berkbigler, which motion duly carried with Commissioner Weber absent, it was ordered that Agenda Item 14A be approved.

14-0920 AGENDA ITEM 14B

Agenda Subject: “Approve a reclassification request of a vacant Office Support Specialist, pay grade H, to an Administrative Assistant I, pay grade K (Manager’s Office); a vacant Custodial Worker, pay grade B, to an Administrative Secretary Supervisor, pay grade K (Community Services Department); and a Water Rights Manager, pay grade P, to a Water Management Planner Coordinator, pay grade P (Community Services Department), as evaluated by the Job Evaluation Committee. Net annual cost [estimated at \$44,157]--Human Resources. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Jung, seconded by Commissioner Berkbigler, which motion duly carried with Commissioner Weber absent, it was ordered that Agenda Item 14B be approved.

14-0921 AGENDA ITEM 14C(1) - ASSESSOR

Agenda Subject: “Approve roll change requests, pursuant to NRS 361.768 and NRS 361.765, for errors discovered for the 2012/2013, 2013/2014, 2014/2015 secured tax

roll and authorize Chairman to execute the changes described in Exhibit A and direct the Washoe County Treasurer to correct the error(s). [cumulative amount of decrease \$43,904.92]. (Parcels are in various Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Jung, seconded by Commissioner Berkbigler, which motion duly carried with Commissioner Weber absent, it was ordered that Agenda Item 14C(1) be approved, authorized and directed.

14-0922 AGENDA ITEM 14C(2) - ASSESSOR

Agenda Subject: “Approve roll change requests for errors discovered for the 2014/15, 2013/14, 2012/13, and 2011/12 unsecured tax rolls and authorize Chairman to execute the Order and further direct the Washoe County Treasurer to correct the error(s) and notify the taxpayer if an adjustment to the tax bill is necessary [cumulative amount of reduction \$25,233.39]. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Jung, seconded by Commissioner Berkbigler, which motion duly carried with Commissioner Weber absent, it was ordered that Agenda Item 14C(2) be approved, authorized and directed.

14-0923 AGENDA ITEM 14D(1) – COMMUNITY SERVICES

Agenda Subject: “Request that the Chair appoint, and the Board of County Commissioners approve the appointment of, Mr. Clay Thomas to the Washoe County Board of Adjustment representing District 3 for a term beginning on appointment and ending June 30, 2017, or until such time as a successor is appointed. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Jung, seconded by Commissioner Berkbigler, which motion duly carried with Commissioner Weber absent, it was ordered that Mr. Clay Thomas (District 2) be appointed to the Washoe County Board of Adjustment representing District 3 for a term beginning on appointment and ending on June 30, 2017, or until such time as a successor is appointed.

14-0924 AGENDA ITEM 14D(2) – COMMUNITY SERVICES

Agenda Subject: “Approve Interlocal Agreement Regarding Regional Road Impact Fees Pursuant to NRS Chapter 277 and Chapter 278B between Washoe County, the Cities of Reno and Sparks and the Regional Transportation Commission for the

continuation of the Regional Road Impact Fee Program. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Jung, seconded by Commissioner Berkgigler, which motion duly carried with Commissioner Weber absent, it was ordered that Agenda Item 14D(2) be approved. The Interlocal Agreement for same is attached hereto and made a part of the minutes thereof.

14-0925 AGENDA ITEM 14D(3) – COMMUNITY SERVICES

Agenda Subject: “Approve a Revocable License Agreement between New Cingular Wireless PCS, LLC, a Delaware Limited Liability Company (“Licensee”), and Washoe County (“Licensor”) to allow New Cingular Wireless PCS, LLC to occupy a small portion of the property at 625 Mt. Rose Highway, for the purposes of locating, equipping and providing cellular connectivity equipment and services for area residents for an initial ten year term commencing upon certificate of occupancy. (Commission District 1.)”

There was no public comment on this item.

On motion by Commissioner Jung, seconded by Commissioner Berkgigler, which motion duly carried with Commissioner Weber absent, it was ordered that Agenda Item 14D(3) be approved.

14-0926 AGENDA ITEM 14E(1) – MANAGER

Agenda Subject: “Acknowledge Receipt of Reno Justice Court Minimum Accounting Standards Audit Report from the Internal Audit Division. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Jung, seconded by Commissioner Berkgigler, which motion duly carried with Commissioner Weber absent, it was ordered that Agenda Item 14E(1) be acknowledged.

14-0927 AGENDA ITEM 14E(2) – MANAGER

Agenda Subject: “Approve 2014 Department of Homeland Security (DHS) Sate Homeland Security Program (SHSP) grant passed through the State of Nevada, Division of Emergency Management [\$75,000] for a Continuity of Operations and Continuity of Government project; no match required; [\$10,589] for non-County travel for attendance to Planning and Training events; retroactive from September

1, 2014 through March 31, 2016; and direct the Comptroller's Office to make the appropriate budget adjustments. (All Commission Districts.)"

There was no public comment on this item.

On motion by Commissioner Jung, seconded by Commissioner Berkgigler, which motion duly carried with Commissioner Weber absent, it was ordered that Agenda Item 14E(2) be approved and directed.

14-0928 AGENDA ITEM 14F(1) – SENIOR SERVICES

Agenda Subject: "Authorize the purchase of coffee and associated supplies for Department of Senior Services morning coffee service at all Senior Centers [not to exceed \$15,000] for fiscal year 2014/2015. (All Commission Districts.)"

There was no public comment on this item.

On motion by Commissioner Jung, seconded by Commissioner Berkgigler, which motion duly carried with Commissioner Weber absent, it was ordered that Agenda Item 14F(1) be authorized.

14-0929 AGENDA ITEM 14F(2) – SENIOR SERVICES

Agenda Subject: "Accept the resignation of Donna Clontz from one of the two Senior Services Advisory Board District 1 Member appointments; appoint Dr. Larry Weiss to the vacancy created by the resignation, and appoint Ms. Clontz to the Advisory Board Alternate Membership vacancy created by Dr. Weiss' appointment, for the balance of the terms of both positions through September 30, 2017. (All Commission Districts.)"

There was no public comment on this item.

On motion by Commissioner Jung, seconded by Commissioner Berkgigler, which motion duly carried with Commissioner Weber absent, it was ordered to accept the resignation of Donna Clontz from one of the two Senior Services Advisory Board District 1 member appointments; appoint Dr. Larry Weiss to the vacancy created by the resignation and appoint Ms. Clontz to the Advisory Board Alternate Membership vacancy created by Dr. Weiss' appointment, for the balance of the terms of both positions through September 30, 2017.

14-0930 AGENDA ITEM 14G(1) - SHERIFF

Agenda Subject: "Approve a grant award from the State of Nevada, Department of Public Safety, Office of Criminal Justice Assistance (OCJA) 2014 Paul Coverdell Forensic Science Improvement (FSI) grant [\$18,000, no County match required] to provide travel and training for staff; grant period is retroactive to 10/1/14 through

9/30/15; and authorize Comptroller's Office to make necessary budget adjustments. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Jung, seconded by Commissioner Berkgigler, which motion duly carried with Commissioner Weber absent, it was ordered that Agenda Item 14G(1) be approved and authorized.

14-0931 AGENDA ITEM 14G(2) - SHERIFF

Agenda Subject: “Approve the Joining Forces 2015 grant from the Nevada Office of Traffic Safety (OTS) to cover overtime costs related to conducting Traffic Enforcement Checkpoints and events and for limited travel expenses, [\$99,000, no cash match required; 25% in-kind match required]. Grant term is retroactive to 10/1/14 through 9/30/15; and direct Comptroller's Office to make the necessary budget adjustments. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Jung, seconded by Commissioner Berkgigler, which motion duly carried with Commissioner Weber absent, it was ordered that Agenda Item 14G(2) be approved and directed.

14-0932 AGENDA ITEM 14H – SENIOR SERVICES

Agenda Subject: “Accept cash donations [\$2,074.08] for the period of July 1, 2014 through September 30, 2014 for the first quarter of FY 14/15; and direct the Comptroller's Office to make the appropriate budget adjustments. (All Commission Districts.)”

Commissioner Jung said the donations were going to the Senior Services revenue fund and though many of them were anonymous, she noted there was one from United Way and another one made in memory of Bernie Minogue.

There was no public comment on this item.

On motion by Commissioner Jung, seconded by Commissioner Berkgigler, which motion duly carried with Commissioner Weber absent, it was ordered that Agenda Item 14H be accepted and directed.

14-0933 AGENDA ITEM 14I – SOCIAL SERVICES

Agenda Subject: “Accept cash donations [\$1,912.26] for the period of July 1, 2014 through September 30, 2014; and direct the Comptroller's Office to make the appropriate budget adjustments. (All Commission Districts.)”

There was no public comment on this item.

Commissioner Jung explained this donation would go to the Kid's Cottage emergency fund for their emergency shelters and to families who were clients of the Department of Social Services. The program also allowed jurors to donate their fees to Child Protective Services, which amounted to \$1,552.26 in the previous quarter. She thanked the jurors for their generosity.

On motion by Commissioner Jung, seconded by Commissioner Berkbigler, which motion duly carried with Commissioner Weber absent, it was ordered that Agenda Item 14I be accepted and directed.

BLOCK VOTE – AGENDA ITEMS 18, 19, 20, 21, 22 & 23

14-0934 AGENDA ITEM 18 - COMPTROLLER

Agenda Subject: “Recommendation to approve the removal of uncollectible accounts receivable [totaling \$977,792.56]. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried with Commissioner Weber absent, it was ordered that Agenda Item 18 be approved.

14-0935 AGENDA ITEM 19 – HUMAN RESOURCES

Agenda Subject: “Recommendation to approve a settlement agreement dismissing Supreme Court Case no. 66249 and Second Judicial District Court case number CV13-02479, both brought by the Washoe County Sheriff's Supervisory Deputies Association (WCSSDA) and Washoe County Sheriff's Deputy Association (WCSDA), by amending the collective bargaining agreements between the County and Associations to provide a .75% wage increase to employees represented by the WCSSDA and WCSDA effective January 1, 2015, and a one-time payment of \$1,250 for current employees represented by the WCSSDA and WCSDA and covered by the WCSSDA and WCSDA collective bargaining agreements who were so employed and represented on July 1, 2011 – payment to be made on or before December 1, 2014. The fiscal impact associated with this action is estimated at \$313,200 for the .75% wage increase and \$442,500 for the one-time payment of \$1,250 for a total fiscal impact of \$755,700. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried with Commissioner Weber absent, it was ordered that Agenda Item 19 be approved.

14-0936 AGENDA ITEM 20 – SOCIAL SERVICES

Agenda Subject: “Recommendation to approve a 2013 Continuum of Care Grant from the United States Department of Housing and Urban Development (HUD) [\$112,787; cash match up to \$52,704] retroactive to August 1, 2014 through July 31, 2015 to provide housing and supportive services to homeless individuals; authorize the Subgrant agreement for Continuum of Care services between Washoe County and Volunteers of America-Greater Sacramento and Northern Nevada, Inc., [not to exceed \$165,491]; approve resolution necessary for same; and direct the Comptroller’s Office to make the appropriate budget adjustments (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried with Commissioner Weber absent, it was ordered that Agenda Item 20 be approved. The Resolution for same is attached hereto and made a part of the minutes thereof.

14-0937 AGENDA ITEM 21 – COMPTROLLER/MANAGER

Agenda Subject: “Recommendation to approve the May 14, 2014 recommended revisions to the Washoe County Evacuation Policy and Procedures and rename the policy to the Washoe County Emergency Action Plan Policy. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried with Commissioner Weber absent, it was ordered that Agenda Item 21 be approved.

14-0938 AGENDA ITEM 22 - MANAGER

Agenda Subject: “Recommendation to approve a 2014 Department of Homeland Security (DHS) State Homeland Security Program (SHSP) grant passed through the State of Nevada, Division of Emergency Management [\$112,500] for sustainment to a school crisis planning project; no match required; [\$21,950] for non-County travel for attendance to Planning and Training events; retroactive from September 1, 2014 through March 31, 2016; and direct the Comptroller’s Office to make the appropriate budget adjustments. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Berkgigler, seconded by Commissioner Jung, which motion duly carried with Commissioner Weber absent, it was ordered that Agenda Item 22 be approved and directed.

14-0939 AGENDA ITEM 23 - MANAGER

Agenda Subject: “Recommendation to approve a 2014 Department of Homeland Security (DHS) State Homeland Security Program (SHSP) grant passed through the State of Nevada, Division of Emergency Management [\$155,000] for a Public Information/Public Warning Project; no match required; [\$34,520] for non-County travel for attendance to Planning and Training events; retroactive from September 1, 2014 through March 31, 2016; and direct the Comptroller’s Office to make the appropriate budget adjustments. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Berkgigler, seconded by Commissioner Jung, which motion duly carried with Commissioner Weber absent, it was ordered that Agenda Item 23 be approved and directed.

11:33 a.m. The Board of County Commissioners adjourned and convened as the Board of Fire Commissioners for the Truckee Meadows Fire Protection District (TMFPD) and the Sierra Fire Protection District (SFPD).

12:12 p.m.* Commissioner Weber arrived during the Fire Board meeting.

1:30 p.m. The Board of Fire Commissioners adjourned and reconvened as the Board of County Commissioners with all members present.

14-0940 AGENDA ITEM 16

Agenda Subject: “Recommendation to adopt a Resolution declaring the intent of Washoe County, Truckee Meadows Fire Protection District and Sierra Fire Protection District to withdraw all use of the property commonly known as the Boomtown Fire Station, APN 038-120-10, including of all improvements, and relinquish all rights thereto back to the owner, PNK Development 7 LLC, due to the relocation of the fire station to the new Mogul location at 10201 W. Fourth Street; and other matters properly related thereto. (Commission District 5.)”

Fire Chief Charles Moore said this Resolution formally gave what had been the Verdi Fire Station, including all improvements, back to the PNK Development 7 LLC.

Commissioner Hartung asked if the District was walking away from things that could be used elsewhere. Chief Moore said all of the reusable equipment was transferred to the new station.

There was no public comment on this item.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 16 be adopted. The Resolution for same is attached hereto and made a part of the minutes thereof.

1:35 p.m. The Board recessed.

2:39 p.m. The Board reconvened with Commissioner Hartung absent.

14-0941 AGENDA ITEM 17 – HEALTH DISTRICT

Agenda Subject: “Presentation on Enterovirus D68 and Ebola Preparedness Activities.”

Kevin Dick, District Health Officer, provided some handouts which were placed on file with the Clerk. He talked about the national outbreak of the Enterovirus D68. He said the virus was confirmed in 47 states and in the District of Columbia, but had not been confirmed in Nevada. He explained treatment for the Enterovirus was the same as for other viruses, and that lab results usually came back after patients were already in recovery.

Mr. Dick also spoke about the Ebola Virus, stating the Health District was actively working with hospitals, health care facilities, emergency medical service (EMS) agencies and law enforcement to prepare for any suspected Ebola cases. He said there was one person in the community whose travel activity put them at risk of contracting the disease. That individual was participating in an active monitoring program and was not showing any symptoms.

He reported the Centers for Disease Control and Prevention (CDC) announced they were going to begin screening all passengers who were traveling from west African countries where Ebola outbreaks occurred and that incoming flights from those countries would be limited to arrival at five designated airports. He said passengers would provide information about their travel plans during the twenty-one day incubation period and the Health District would be alerted about any individuals who would be traveling to Washoe County so they could be monitored for symptoms.

Mr. Dick said the Health District had set up a command structure in order to manage any outbreaks that might occur and said the Governor established a State task force. He thought people should compare the risk of contracting the Ebola virus to the risk of contracting influenza because there were only four confirmed cases of Ebola in the Country, but every year tens of thousands of deaths occurred from the flu. He said flu symptoms could be confused with those of Ebola, so it was important for people to get a flu shot to avoid the greater risk and to help alleviate potential strains on the health care system.

Chairman Humke said several states instituted their own form of quarantine. He asked Mr. Dick if he thought the Nevada Department of Health and Human Services (DHHS) would recommend a similar process to the Governor. Mr. Dick said he did not know if a quarantine process would be recommended. He said the Health District was working closely with the State and the consensus was that active monitoring was the appropriate approach to take with the one case they had, due to the individual's cooperative nature. He said quarantine was one option to consider and he had discussed the idea with Judge Hardy.

Chairman Humke asked if Mr. Dick received a legal opinion there was statutory authorization to control a person's movement if it was necessary. Mr. Dick said, under State Law, the State Health Officer could issue an order providing for 72-hour isolation and could petition the court to extend that time.

Chairman Humke asked if there were people from northern Nevada who were traveling to western Africa to offer their medical services and Mr. Dick replied he was unaware of any. He said the Health District communicated with the University of Reno (UNR), the National Judicial College (NJC) and the School District regarding protocols and procedures and he thought there was good information being provided by the CDC as people arrived from affected countries.

Commissioner Berkbigler was curious why the CDC was taking a position that was drastically different from the military's. She wanted to know why military personnel were required to be quarantined for 21 days upon their return from affected African countries. Mr. Dick said he did not know the answer to that, but he thought it sent mixed messages. He said the Health District tried to be consistent in the way it communicated the risks. He explained the risk of transmission occurred when a person who was exposed to the Ebola virus became symptomatic. He thought it was important for people to know that a person who was just beginning to have symptoms was not as contagious as a person whose symptoms were more severe.

Commissioner Berkbigler said she appreciated that the Health District was taking a lead position on the issue and thought citizens should know the District was being proactive. She asked whether Nevada was still one of the few states without a confirmed case of the Enterovirus, and Mr. Dick confirmed that was true.

Mr. Dick said he wanted to commend the Health District's regional partners for working together to shape protocols for dealing with contagious diseases.

Chairman Humke asked Mr. Dick to come back to the Board from time to time to report on the situation.

John Slaughter, County Manager, said the Sheriff's Office and the Regional Emergency Medical Services Authority (REMSA) would be coming to the Board at a later date to provide updates on preparedness activities.

There was no public comment on or action taken on this item.

2:57 p.m. Commissioner Hartung returned to the meeting by telephone.

14-0942 AGENDA ITEM 24 - MANAGER

Agenda Subject: “Recommendation to appoint two individuals as regular members to serve on the Washoe County Board of Equalization with terms to expire June 30, 2018; and appointment of an individual as an alternate member with term to expire June 30, 2015. (All Commission Districts.)”

John Slaughter, County Manager, noted there were several individuals who submitted applications to fill the positions, which were listed on the second page of the staff report.

Commissioner Berkbigler wondered if it would be appropriate to select representatives from Districts 4 and 5, since the other Districts were already represented.

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, it was ordered that Mr. James Ainsworth (District 5) be appointed to the Washoe County Board of Equalization with a term to expire June 30, 2018.

On motion by Commissioner Hartung, seconded by Chairman Humke, which motion duly carried, it was ordered that Benjamin Green (District 4) be appointed to the Washoe County Board of Equalization with a term to expire June 30, 2018.

On motion by Commissioner Berkbigler, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Eugenia Larmore (District 2) be appointed as an alternate member with a term to expire June 30, 2015.

14-0943 AGENDA ITEM 25 – COMMUNITY SERVICES

Agenda Subject: “Presentation, discussion and possible direction to staff concerning business licenses issued for special events, outdoor community events, or outdoor festivals. (All Commission Districts.)”

John Slaughter, County Manager, explained Agenda Items 25 and 26 were related and recommended they be heard by the Board simultaneously.

Kevin Schiller, Assistant County Manager, said the two agenda items were in response to previous Board discussions regarding customer service and the new regional license and permit process, contracted through Accela, Inc. He said there were

some things to look forward to in the coming year which would create efficiencies and make the process better for customers.

Bob Webb, Community Services Department (CSD) Planning Manager, provided a PowerPoint presentation, which was placed on file with the Clerk. He said the presentation focused on customer service in the business license process and he thought the highlighted improvements would affect other services offered by CSD as well.

The highlighted improvements included encouraging customers to call ahead to make appointments so staff could be prepared and asking staff to be proactive by engaging customers in conversations, acknowledging them as they waited for service and calling for backup as needed. He said the new information counter was designed to invite the public to check in so staff could appropriately direct customers. He talked about efforts to cross-train employees to provide for better coverage and said CSD would soon be accepting utility payments, which would provide another opportunity for cross-training. He explained the new regional license and permit program would allow for the electronic review of applications and for the sharing of information between departments. He said the new process would allow customers to check on the status of their applications and potentially complete the process online.

Commissioner Weber asked why applicants who needed approval from other departments had to walk their applications around themselves. Mr. Webb said the current process was paper-based and it was his hope that the new electronic process, which would take effect in January of 2016, would solve the problem. He thought some business license applicants preferred to have control over their paperwork, especially when inspections were part of the process.

Commissioner Weber thought many constituents would not agree with that concept. She said she had been through the business license process twice and she felt it was poor customer service to require business license applicants to walk their paperwork to all the different departments for approval. She thought the paperwork should be making its way through the system another way, even if staff had to physically walk it around.

Chairman Humke wondered if there was a difference between the preferences of those who were familiar with the process and those who might be new or rarely used the system.

Mr. Webb agreed with Commissioner Weber that there were customers who did not like walking their paperwork around to the different departments. He said it was a top priority to enable electronic review. He said they could look at short-term solutions, but said that the County, along with Reno and Sparks, was excited about having a common approach to the business license process in the future.

Bill Whitney, Planning and Development Director, said he was looking forward to the new automated system, but thought a short-term solution might be to give business license applicants an identifier, perhaps in the form of a colored piece of paper,

that would indicate a person was a business license applicant. He said CSD continued working with employees at the customer service counter to improve service.

Commissioner Weber thought there was a need to be more proactive and did not think it was appropriate to wait until 2016 to improve the process. She said the public did not understand why the County did not already have a regional system in place and she wanted the County to take immediate steps to make the process a positive experience. She suggested improvements on how customers could be treated by staff and thought it was possible to speed up the business license process through email communications between departments.

Mr. Whitney said with Board direction he would look at other ways to improve the process to make it quicker and easier for customers. He thought changes could be made at the customer service counter and he would consider a process that would allow for staff to walk the paperwork around, although he thought that would require more resources and take longer. He maintained the fastest way to get the paperwork through the system would be for people to do it themselves.

Commissioner Weber said it did not make sense to her that there was not an online application that people could complete and send in. She thought staff should contact repeat business license customers to remind them it was time to complete a new application. She thought there should be a process allowing people to complete applications for Reno and Sparks at the County.

Mr. Slaughter said he thought it was important to look at the process from the customer's perspective and offer options so people could choose to either allow staff to walk their paperwork through the steps or do it themselves.

Mr. Webb stated that Reno, Sparks and Washoe County had been using the same business license application form since 2010, so all business license customers in the region completed the same form. He explained if someone wanted to open a business in more than one jurisdiction, they could start the multi-jurisdictional process in either the City or the County. He said CSD was working with Acella, Inc., to create a common customer database, so customers could log in to saved profile information and pre-fill most of the application online.

Commissioner Jung said CSD might not have the resources or enough staff to make recommended improvements and she thought the issue could be addressed at the Strategic Planning Meeting in January. She said providing excellent customer service was a top priority and it was important for public servants to remember that. She said the County had been in survival mode and it was time to refocus priorities. She agreed with Commissioner Weber that the County should not wait until 2016 to improve the process.

Commissioner Hartung thought it was important to have some compassion because the Department had been understaffed. He agreed with Commissioner Weber

that an online process should automatically funnel applications to other departments for approvals in order to streamline the process. He said it might be helpful for customers who came to the office in person to take a number so they would know when their turn was coming. He thought customers should understand it was a process that took time and they would be required to wait for their turn.

Chairman Humke stated this was not an action item, and asked if the Board had provided sufficient direction to staff. Mr. Whitney confirmed that it had.

Mr. Webb mentioned, in addition to the customer service issue, the purpose of discussion for Agenda Items 25 and 26 included a review of suggested improvements to the special event licensure process and a report on the status of the regional licensure program. He said PowerPoint presentations were attached to the Staff Reports for both items.

In regards to the special event licensure, Mr. Webb said recommendations were made for streamlining the process and, if deemed appropriate by the Board, the Department would move forward with those changes and come back to the Board with suggested changes to the Business License Ordinance.

In regards to the regional licensure program, Mr. Webb said the Department was looking for affirmation that they were on the right course, particularly with respect to the Shared Services Elected Officials Committee's (SSEOC) goal of supporting economic development. He said, in the short-term, they were working with Acella, inc., to develop the regional program and they were looking forward to reaching a long-term goal of developing regional polices and processes, which might involve making Code changes so that regional Codes mirrored each other.

Chairman Humke approved of Mr. Webb's statements.

Commissioner Hartung asked how staff dealt with special events licensure for competing events. He wanted to know if there was a standing policy not to allow competing events at regional facilities. He thought there should be clear cut policies regarding the issue.

Mr. Webb said that any event that was held on State or Federal lands, or lands managed by the County Parks Division, did not require special event licensure. He agreed the Board may want to consider those issues for very large events that required Board approval, but for smaller events, the Board might consider providing direction to staff to assist in the evaluation of criteria for license approval.

Chairman Humke said he thought discussion on the two items was meant as direction to staff and that no action was required. Mr. Slaughter agreed with Chairman Humke's statement and thought staff had a good understanding of the Board's direction on both matters.

There was no public comment or action taken on this item.

14-0944 AGENDA ITEM 26 – COMMUNITY SERVICES

Agenda Subject: “Presentation, discussion and possible direction to staff on actions and initiatives to realize a regional licensure program. (All Commission Districts.)”

See Agenda Item 25 for discussion on this item.

There was no public comment or action taken on this item.

14-0945 AGENDA ITEM 27 – COMMUNITY SERVICES

Agenda Subject: “Discussion and possible approval of Addendum to the Interlocal Agreement Governing the Consolidation of the Washoe County Department of Water Resources Water Utility into the Truckee Meadows Water Authority dated January 29, 2010. (All Commission Districts.)”

Dave Solaro, Public Works Director, explained this agenda item represented the culmination of many years of hard work by County staff and the Truckee Meadows Water Authority (TMWA) in an effort to consolidate the water utilities. He said the consolidation process began in 2007 and in 2010 the Interlocal Agreement was approved. He said the purpose of the agenda item was to ask for Board approval of an addendum to the agreement, which detailed the schedule of assets and liabilities to be kept or transferred and disclosures regarding the County water system to TMWA. He said some of the guiding principles that were set forth by staff included assurances there would not be any adverse financial impacts on any customer group, that employees would be treated fairly, that all efforts would be made to limit impacts to employment and that the merger was financially feasible for both organizations. He said staff succeeded in those efforts. He thanked the Board for their direction and support.

In response to the call for public comment, Stuart Mackie talked about \$100 million bonds and the Public Utilities Commission (PUC). He thought someone would be making a lot of money off of his water.

Chairman Humke asked if regulation of TMWA by the PUC was precluded by Nevada Revised Statute (NRS).

Paul Lipparelli, Legal Counsel, said that when the Joint Powers Authority was formed to operate the water, the question of PUC regulation was asked and answered. The lawyers involved for all the entities, including the Attorney General’s office, determined the Joint Powers Authority enjoyed the same exemption from PUC regulation that any other city or county-owned water utility would enjoy. He said people who were aggrieved or concerned about the operations of the water utility had the ability to get public records, to appear and make public comments, and could raise any questions

they had about operations. He said TMWA was a public entity, so their operations were constantly subject to scrutiny by citizens.

Chairman Humke asked if the City Councils of Reno and Sparks and the County Commission, who were working together as the TMWA Board, agreed to those legal opinions.

Mr. Lipparelli replied in the affirmative. He said the Statutes in the Public Utilities Chapter were analyzed by all the lawyers. He said the Bond Council, the underwriters for Sierra Pacific Resources and everyone involved in the transaction also scrutinized the transaction and agreed the PUC did not have jurisdiction.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 27 be approved. The Interlocal Agreement for same is attached hereto and made a part of the minutes thereof.

14-0946 AGENDA ITEM 28 – DISTRICT ATTORNEY

Agenda Subject: “Recommendation to approve a Resolution of the Washoe County Board of County Commissioners approving the consolidation of the Washoe County Water Utility with the Truckee Meadows Water Authority on or about December 31, 2014, authorizing actions necessary to effectuate the merger and the closing of various transactions necessary for the merger, stating the intent of County to suspend the application of certain ordinances related to the County’s operation of a water utility following the merger, authorizing County officials to make edits and corrections to the agreements and related documents involving the merger, authorizing County officials to make accounting and budget entries and changes necessary in the Water Resources fund and other County funds that are deemed necessary due to the merger and providing other matters relating thereto. (All Commission Districts.)”

Paul Lipparelli, Legal Counsel, said he worked with a team of County officials who were negotiating and drafting the agreements. He said the purpose of this Resolution was to make sure there were authorized individuals to act on behalf of the County for closing purposes. He said it would not be possible for the Board to convene several times during the closing period to get the Chairman’s authorization or signature. The Resolution recognized there were many transactions involved in the merger and it would make clear who was authorized to act on behalf of the County. He said the Resolution also recognized there might be some minor omissions or small mistakes left to resolve and it authorized the correction of minor issues, provided they did not change the scope or intent of the merger agreement. Mr. Lipparelli further explained the Code was full of references to the water utility and its various officials, powers and obligations and though an attempt was made to identify all related Ordinances to ensure they were either already repealed or in the process, the Resolution clearly stated the Board’s intent in the event that any were missed.

Commissioner Hartung asked Mr. Lipparelli if the Board would be required to authorize a specific person or persons in the motion.

Mr. Lipparelli said the Resolution contained several references to the various officials who were authorized, but primarily they were the County Manager and the Board Chairman.

Chairman Humke said the merger was envisioned for a long time and it was logical to effect the merger on December 31st. He thought the Resolution was self-defining and indicated that whatever official was needed to sign a document, they were authorized upon approval of the motion, including the County Finance Officer, Legal Officers and the County Treasurer.

Mr. Lipparelli agreed with Chairman Humke's statement. He added a caveat to the plan for a December 31st closing date, saying there were some public finance aspects to the transaction that might intervene and cause delays, but the target date was December 31st, 2014.

Commissioner Berkgigler asked Mr. Lipparelli to verify there were not any legal issues with regard to assigning the authority to sign documents to individuals who were not members of the County Commission.

Mr. Lipparelli verified Commissioner Berkgigler's statement. He said the Interlocal Agreement and the addendum were very specific and contained extensive schedules and exhibits that listed all the water rights, legal parcels, equipment, assets and liabilities that were being transferred, so the Resolution was meant to fill in the spaces that the Interlocal Agreement and addendum might have missed. He said it was very common, even in private sector mergers, because it was not possible to foresee every single detail in a transaction as complicated as this.

In response to the call for public comment, Stuart Mackie talked about Nevada Revised Statute Chapter 239 and said the PUC should take a look at the Interlocal Agreement because he thought there was a lot wrong with it.

On motion by Commissioner Hartung, seconded by Commissioner Berkgigler, which motion duly carried, it was ordered that Agenda Item 28 be approved and authorized. The Resolution for same is attached hereto and made a part of the minutes thereof.

14-0947 AGENDA ITEM 29 – COMMUNITY SERVICES

Agenda Subject: "Introduction and first reading of an Ordinance amending Chapter 40 of the Washoe County Code (water and sewage) by revising provisions of the code to rename and restructure the department, and delete reference to the Water Planning Commission based on the consolidation of the Washoe County Water Utility with the Truckee Meadows Water Authority; and other matters

properly related thereto; and, if introduced, set a public hearing for second reading and possible adoption for November 12, 2014, with the Ordinance to become effective concurrent with the effective date of the Washoe County Water Utility and Truckee Meadows Water Authority merger. (All Commission Districts.)”

Nancy Parent, County Clerk, read the title for Bill No. 1727.

There was no public comment on this item.

Bill No. 1727, entitled, "AN ORDINANCE AMENDING CHAPTER 40 OF THE WASHOE COUNTY CODE (WATER AND SEWAGE) BY REVISING PROVISIONS OF THE CODE TO RENAME AND RESTRUCTURE THE DEPARTMENT, AND DELETE REFERENCE TO THE WATER PLANNING COMMISSION BASED ON THE CONSOLIDATION OF THE WASHOE COUNTY WATER UTILITY WITH THE TRUCKEE MEADOWS WATER AUTHORITY; AND OTHER MATTERS PROPERLY RELATED THERETO," was introduced by Commissioner Berkbigler, and legal notice for final action of adoption was directed.

14-0948 AGENDA ITEM 30 – COMMUNITY SERVICES

Agenda Subject: “Introduction and first reading of an Ordinance repealing Ordinance 1470, Washoe County Requirements and Schedule of Rates and Charges for Water Service within certain areas of Washoe County; and other matters properly related thereto; and, if introduced, set a public hearing for second reading and possible adoption for November 12, 2014, with the Ordinance to become effective concurrent with the effective date of the Washoe County Water Utility and Truckee Meadows Water Authority merger. (All Commission Districts.)

Nancy Parent, County Clerk, read the title for Bill No. 1728.

There was no public comment on this item.

Bill No. 1728, entitled, "AN ORDINANCE REPEALING ORDINANCE 1470, WASHOE COUNTY REQUIREMENTS AND SCHEDULE OF RATES AND CHARGES FOR WATER SERVICE WITHIN CERTAIN AREAS OF WASHOE COUNTY; AND OTHER MATTERS PROPERLY RELATED THERETO," was introduced by Commissioner Berkbigler, and legal notice for final action of adoption was directed.

14-0949 AGENDA ITEM 31 – COMMUNITY SERVICES

Agenda Subject: “Introduction and first reading of an Ordinance adopting the Washoe County Requirements and Schedule of Rates, Tolls, and Charges for the Golden Valley Artificial Recharge Program; providing for Rates, Payments, Procedures and their Enforcement relating to conditions of service; exemptions;

appeal procedures; and other matters properly related thereto; and, if introduced, set a public hearing for second reading and possible adoption for November 12, 2014, with the Ordinance to become effective concurrent with the effective date of the Washoe County Water Utility and Truckee Meadows Water Authority merger. (All Commission Districts.)”

Nancy Parent, County Clerk, read the title for Bill No. 1729.

There was no public comment on this item.

Bill No. 1729, entitled, "**AN ORDINANCE ADOPTING WASHOE COUNTY REQUIREMENTS AND SCHEDULE OF RATES, TOLLS, AND CHARGES FOR THE GOLDEN VALLEY ARTIFICIAL RECHARGE PROGRAM; PROVIDING FOR RATES, PAYMENTS, PROCEDURES AND THEIR ENFORCEMENT RELATING TO CONDITIONS OF SERVICE; EXEMPTIONS; APPEAL PROCEDURES,**" was introduced by Commissioner Berkbigler, and legal notice for final action of adoption was directed.

14-0950 AGENDA ITEM 32 – MANAGER/SOCIAL SERVICES

Agenda Subject: “Update on the Community Assistance Center to include a request from the City of Reno for an additional [\$90,000] to fund the winter overflow shelter; a presentation on the Crossroads program by the Department of Social Services; and possible direction to staff on related matters. Requested by Chairman Humke. (All Commission Districts.)”

Kevin Schiller, Assistant County Manager, explained that Reno’s request for money to fund the winter overflow at the Community Assistance Center was reduced to \$48,000 because the bid received from Catholic Charities was for that amount. He provided some history about the Crossroads Program and explained the program was developed after a review of the Social Services General Assistance Program indicated a need to reduce costs. He said the Crossroads Program provided for better client outcomes and lowered costs by reducing the need for emergency medical care, emergency transportation, incarceration, and by reducing the rate of recidivism.

Chairman Humke said he was proud of the cooperation between Social Services, the Sheriff’s Office and other State and private entities, such as Catholic Charities, for the work they were doing for the common good. He knew people were grateful for a chance at sobriety, for opportunities to work and for a place to live.

Ken Retterath, Interim Director of Social Services, recognized Catholic Charities partnership in the Crossroads Program and acknowledged that the program was operated in their facilities. He discussed the hard data in the staff report, which was collected from a group of 100 Crossroads clients. The data reflected a 12-month look-back at the number of times individuals were hospitalized, transported by Regional Emergency Medical Services (REMSA) and how many days they spent in jail. He said

the reported costs represented a significant burden to the community. He noted that chronic users of the system also negatively impacted the availability of services for others. He thought it was important to keep in mind the numbers in the staff report represented real people who were struggling for many different reasons.

Mr. Retterath said the Crossroads Program was designed after a new model and with the goal of providing housing first and then wrapping services around individuals to help them break the cycle of homelessness. He talked about the many services that were provided by Social Services, the Sheriff's Office and by volunteers from outside agencies. He said, since the program's inception, it served almost 400 individuals and most of them were struggling with addiction issues. He said the individuals who lived at Crossroads took great care of the buildings; they cooked, cleaned and took care of the grounds as they would their own homes, and they even looked forward to planting flowers in spring.

Mr. Retterath explained the program's "Token Economy" system, which allowed everyone in the program to be accountable by taking part in chores and earning points that could be used, in lieu of money, to pay rent or purchase items. He spoke about the program's ability to serve as an emergency shelter to vulnerable people who might be confused; allowing them a place to stay until Social Services could arrange wrap-around services to meet their needs. He talked about where Crossroads clients came from, and said though many of them were referred by the jails and through other services, some came of their own accord because they heard good things about the program.

Mr. Retterath showed the Board a two-year comparison of the top five users of the system and noted substantial improvements in the number of jail days, REMSA trips and medical costs. He said the program was successful in assisting people to obtain disability benefits and drivers licenses and even enroll in college courses. He said more than 50 percent of Crossroads clients stayed six months or longer and that they really wanted to be there so they could have a chance at turning their lives around.

Mr. Retterath showed a video featuring the clients of the Crossroads program, a copy of which was placed on file with the Clerk. A few Crossroads clients came forward to talk about their experiences with the program.

Scott said he came to the program about three years ago in order to get out of a problem and into a solution. He said he learned to persevere and not give up. He said it was not easy to change his life, but with the help of the people at Crossroads he was staying out of jail and living a better life, which he was grateful for.

Mike said he wanted to thank the Board and the people who supported him through the program. He said he had been in the program for three years. Prior to that, he had been institutionalized for 25 years and spent five years on the streets. He said he was successful because of his persistence and willingness to change his life, but said he had to learn how to live by getting out of his own way and listening to the people at Crossroads. He said he did not have to look over his shoulder anymore and instead, was able to look

forward. He said if not for Crossroads he would be dead or in prison and he was grateful for the program.

Morgan said she was sent to Crossroads via the court system and at first she was not open or receptive to the program. She said she understood that she was no longer the person she was when she was lost in her addiction and, with the support of Crossroads staff, she was reconnecting with the person she was born to be. She thanked the Board for supporting the program and said it would be a dream to see it grow throughout the State.

Chairman Humke said Sheriff's Deputy Shawn Marston had a big heart and asked him to come forward to speak to the Board.

Deputy Marston said working with the Crossroads program was some of the most rewarding police work he had done. He said Crossroads offered a lot of programs for the mentally ill and that none of it could have happened without Mr. Schiller's vision. He said when the program began the average age of the clients was in the late 40s, but that the average age was coming down and he was happy to see it. He said he and Specialty Court Judge Pearson were looking at a young offender program in Las Vegas and he was looking forward to reaching out to a younger population.

Chairman Humke said Crossroads housing was very clean and looked brand new.

Commissioner Weber said it was obvious the Crossroads program worked. She wondered how more funding could be made available to the program so it could help more people.

Mr. Retterath said they were always looking for funding, but the biggest need was to find places to provide housing. He said when they looked at the cost breakdown, they figured out that it costs the community approximately \$200 per day to provide services, such as REMSA transport and incarceration costs, etc., to individuals who could be served by the Crossroads program for about \$19 per day.

Commissioner Weber asked Mr. Retterath if he had any ideas that the Board could ponder as they looked toward the next budget cycle.

Mr. Schiller said when they found buildings for housing they came before the Board for help in expanding the program. He thought it was important for the public to know the program was started during the economic downturn and resulted in increased services to the County, while making taxpayer money stretch further. He thought the challenge was to try and continue to do things differently and use dollars wisely. He talked about working with regional partners to continue to provide supportive housing and positively impact the downtown corridor.

Chairman Humke wanted more specific information about where the program might go in the future and wondered what the ratio of females to males was. He asked if there were any plans to house families. Mr. Retterath was not sure if family units needed the same kind of program, but they were considering how they could help other populations. Chairman Humke thought some generous citizens might be wondering how they could help and Mr. Retterath said they worked very closely with Catholic Charities who handled the donations for them.

Chairman Humke remarked that he did not think it was hard to offer support to the program given the result. Mr. Retterath replied he could not thank the Board enough and said it was one of the most rewarding things he had been involved with during his career.

Commissioner Hartung noted the program saved area hospitals and REMSA a tremendous amount of money and asked Mr. Schiller if those entities were participating in the program in any way. Mr. Schiller said they collaborated where they could and explained they cooperated by jointly funding a triage center, which was meant to reduce emergency room traffic. Commissioner Hartung thought it should go deeper than that because the people who were in the program were not using the triage center. He said the goal was to get people back into society so they could be accountable for themselves. Chairman Humke thought a lot of the Crossroads clients were referred to the program through Justice Court. Commissioner Hartung said he understood that, but he was wondering how they could get more participation from the other entities that were directly affected. He said the program was saving them a lot of money and if that could be effectively demonstrated to them, they might be more inclined to participate.

Commissioner Berkbigler said it was a wonderful program and she extended congratulations to the three individuals who came forward to address the Board for their accomplishments.

Mr. Schiller said he was very proud of the County and the staff who worked so hard on the program.

Chairman Humke asked about the staff recommendation and Mr. Schiller reminded the Board that the monetary request for support of the overflow shelter was lowered to \$48,000. He said the County historically participated in funding the overflow shelter and that was the only action requested for this agenda item.

Commissioner Berkbigler thought it was important to do a better job of letting the public know the County was a major player in supporting the homeless and she supported giving the money to the shelter.

Chairman Humke pondered the idea of withholding the money from Reno and saving it for a possible expansion of the Crossroads Program instead. He inquired as to whether the Crossroads Program resulted in a reduction of client flow into the ReStart Nevada program (on Record Street). Commissioner Berkbigler thought the homelessness

problem was significant in the community and the City might need the money to set up the overflow shelter. She said she was concerned about the possibility of winter snow and did not want people to be left out on the streets. She said she agreed with Chairman Humke about looking for ways to expand the Crossroads Program.

Chairman Humke said he remembered that the County previously used some old commercial buildings, which were closed up because of flood control issues, for overflow shelters. He said that was an example of using resources the County already had. Commissioner Weber said she thought Reno was depending on the County to provide the money for the overflow shelter. She wondered, since Reno reduced its monetary need from \$90,000 to \$48,000, if the remaining dollars could be used for the Crossroads Program. She agreed with Commissioner Berkbigler's comments about making sure the public knew the County was supporting Reno's homeless shelter and had a great program of its own.

Commissioner Jung agreed that Reno needed the money and said \$48,000 was much less than the County spent on overflow shelters in past years. She said she could not bear the thought of someone dying from the cold because the County did not fund the shelter; however, she was not sure that giving any remaining money to the Crossroads Program necessarily represented the best use of those funds. She said she thought Crossroads was a wonderful and innovative program. She commended the individuals who spoke about their experiences, for their willingness to participate in the program and for being part of the solution.

Commissioner Hartung was in support of funding the overflow shelter, but wondered where the money was going to come from. Mr. Slaughter replied that with Board direction the money would be found and they could move forward. He said as a last resort they could use the Contingency Fund.

Commissioner Weber shared her thoughts about the number of people who she witnessed walking around on 4th Street. She said it was important to know those people had a place to go.

Chairman Humke said the three people who spoke to the Board about their experiences at Crossroads were clean, sober, working, participating in treatment, maintaining their own households and perhaps would be independent taxpayers one day. He thought that was the kind of program his constituents wanted to see and said they were on the right track.

Mr. Schiller said there was an indigent fund that could be utilized to offset costs and said the County would be working with Catholic Charities on a strategic plan. He informed the Board that the Request for Proposal (RFP) for the Community Assistance Center would no longer exclude the winter overflow.

Commissioner Berkbigler made a motion to acknowledge the update on the Community Assistance Center and the presentation on the Crossroads program and to

approve the request from the City of Reno for \$48,000 to fund the winter overflow shelter, which was seconded by Commissioner Jung.

Commissioner Hartung inquired if the money would be given directly to Reno or to Catholic Charities and if the Board had any oversight. Mr. Schiller replied the money would go to Reno for disbursement to Catholic Charities and said the Transitional Governance Board had some oversight of the process. Chairman Humke said Commissioner Jung had a seat on that Board and would be a part of that oversight. Commissioner Hartung was satisfied with that answer.

There was no public comment on this item.

On call for the question, the motion passed on a 5 to 0 vote.

5:21 p.m. Commissioner Weber left the meeting.

14-0951 AGENDA ITEM 33 - MANAGER

Agenda Subject: “Update and discussion regarding the 2014 Nevada Legislative Interim Committees and Studies, legislation or legislative issues proposed by legislators, or by other entities permitted by the Nevada State Legislature to submit bill draft requests, or such legislative issues as may be deemed by the Chair or the Board to be of critical significance to Washoe County for the 2015 Legislative Session. (All Commission Districts.)”

Al Rogers, Management Services Director, said there had not been substantive change in the legislative process during the interim period, but he wanted to give a brief update and introduce the new Government Affairs Manager, Liane Lee. He said he was very excited to have her on the team.

Ms. Lee said her duties and responsibilities were similar to what the County Manager did in his previous position. She talked about her work history and said she was excited to work with the Board, the County Manager and Department Directors to advocate for local government in the upcoming legislative session. She explained there were several meetings going on during the interim session, including the Interim Finance Commission and the Economic Forum, which she would monitor. She said she already identified 250 Bill Draft Requests (BDR)’s that might have an impact on the County regarding issues such as child welfare, animal services, fire services and items related to taxes and campaigns.

There was no public comment or action taken on this item.

14-0952 AGENDA ITEM 34 – HUMAN RESOURCES

Agenda Subject: “Performance evaluation for the Washoe County Manager, including (but not limited to) discussion of goals and results of County Manager;

consider and possibly take action regarding current compensation and approve corresponding changes to existing [or] approve new employee agreement. (All Commission Districts.)

John Slaughter, County Manager, explained the staff report had several items attached to it, including the introduction, the current employment agreement, a list of 2013-2014 results, proposed 2014-2015 goals, the legally required notice of evaluation and the performance feedback survey results. He said the survey was broken out into several topic areas including leadership, communication, community relations, intergovernmental relations, Board of County Commissioner relations and an overall evaluation where participants had the ability to provide ratings and comments.

Commissioner Berkbigler noted Mr. Slaughter's contract was set to expire on June 30th, 2015. She thought the expiration date would coincide with the end date of the legislative session and did not think that would be a good time to terminate his contract. She proposed a contract with a two or four year term instead.

Commissioner Hartung thought Mr. Slaughter was doing a phenomenal job and he was pleased with the decisions that brought Kevin Schiller and Joey Orduna Hastings on as Assistant County Managers. He suggested changing the term of Mr. Slaughter's contract to four years.

5:34 p.m. Commissioner Weber returned to the meeting.

Commissioner Jung agreed with Commissioner Hartung and said she was glad that Commissioner Berkbigler brought up the issue regarding the contract termination date because it had never been considered before. She said she supported a long-term contract for Mr. Slaughter. She thought Mr. Slaughter had done a terrific job of standing up a new management system and working out some of the bugs. She said she was also pleased with the decision to bring Ms. Orduna Hastings over from the District Court and she was very happy with Kevin Schiller's performance as well. She commended Mr. Slaughter for putting Al Rogers in his new position as Management Services Director because she thought he was doing a great job. She said she was pleased with Nancy Leuenhagen, Community Relations Manager, and thought the entire Management team really pulled together. She said Mr. Slaughter exceeded her expectations.

Commissioner Weber said she believed Mr. Slaughter was a great County Manager and understood the needs of the community. She appreciated his legislative experience and thought it would be beneficial during the next legislative session. She said he was the right person at the right time and had a great team. She thought he was very receptive and everyone responded well to him.

Chairman Humke said he had lots of positive feedback from County employees as well as from elected officials, department heads, business people and others in the community regarding the Board's selection of Mr. Slaughter for County Manager.

He said Mr. Slaughter had his own style and great values, was doing everything right and would work well with the new Commissioners who would be coming to the Board.

Commissioner Hartung commended Mr. Slaughter's ability to work with the County's regional partners in a seamless manner. He appreciated what was done to keep those relationships viable and the lines of communications open and constant.

Commissioner Hartung made a motion to extend Mr. Slaughter's contract to four years. Commissioner Berkgigler seconded that motion and added a request for Commissioner Hartung to amend the motion to remove the compensatory time language from the contract. Commissioner Hartung agreed to amend the motion to that effect and said he also wanted to give Mr. Slaughter the ability to change when he would like to schedule his evaluation. The seconder agreed.

Commissioner Jung asked for procedural clarification. She inquired if the Board was accepting Mr. Slaughter's performance review with changes to the contract including the removal of the compensatory time language and extension of the contract. She mentioned there was no discussion about merit. She said she wanted the public to understand the County allowed an increase of up to five percent when staff received an outstanding evaluation and the Board wanted to extend that same benefit to non-represented employees. She stated her support of a five percent merit increase for Mr. Slaughter and asked if an amendment to the motion could be made to include that.

Commissioner Hartung said he was happy to amend the motion as stated by Commissioner Jung and the seconder agreed.

Mr. Slaughter said he thought his position was all about bringing together the right individuals and putting trust in his team to work toward making Washoe County the best place to live. He said he was humbled by his position and the opportunity to work with the Board and staff to represent the County. He said he took to heart all the comments that were made and knew there were some things that could be improved upon. He said he would continue to seek those things out and thanked the Board for their confidence.

Chairman Humke restated the details of the motion. He said the motion included a four-year extension, an amendment to the contract regarding compensatory time, and a five percent merit increase.

Commissioner Weber asked if Mr. Slaughter would continue to have the ability to come back to the Board to ask for wage increases and Commissioner Hartung said he wondered the same thing. Chairman Humke pointed to the contract language on Page 3, Section 4(B) regarding salary and said it provided the opportunity for that. He asked Paul Lipparelli, Legal Counsel, if that was a correct statement. Mr. Lipparelli agreed with Chairman Humke.

Nancy Parent, County Clerk, noted the motion included that the Manager could change the date of his evaluation. Chairman Humke said he thought there was discussion about when the annual review would take place but did not think the Board wanted to directly quantify that. Mr. Slaughter said he thought there was some flexibility in the contract under existing terms and that he and the Chair of the Board could discuss when the evaluation would take place and make adjustments. Commissioner Hartung said his intent was to give the Manager the flexibility to move the timing for his evaluation around. Chairman Humke thought the discussion cleared up the general intent of the motion.

Mr. Lipparelli explained the agenda item allowed for the changes the Board made in its motion and that under those terms the Board would effectively be approving a new employment agreement, which the Chairman and the Manager could sign. He said the term of the original employment agreement began on November 12th, 2013 and it contemplated the annual evaluation to occur on that date in paragraph B of Section 9 of the contract. He said if the Board wanted to change that date, it would have to be included in the motion, or it would remain as stated in the contract.

Chairman Humke said he understood that an indefinite reference in the motion would not assist in affecting a change unless the Board made a direct change to the contract. Mr. Lipparelli said the language in the existing contract, which would be amended for the salary change and contract duration, would also contain the November 12th language unless it was changed in the motion. His suggestion was to tie it to some other moment during the year, perhaps a season or a budget adoption.

Commissioner Hartung asked if the Board could revise the language to say “within 30 days of the anniversary date” so the review could be either before or after that date. Mr. Lipparelli was not sure why the November 12th date was unsatisfactory, but said Commissioner Hartung’s suggestion would work and would allow for the review to take place sometime between October 12th and December 12th. Chairman Humke recollected that Commissioner Hartung thought an evaluation scheduled on or around an election was not a great time.

Commissioner Hartung reiterated his intent was to give the Manager some flexibility because election time could be a busy time. Chairman Humke asked if Commissioner Hartung wanted to amend his motion to allow for the evaluation date to take place within 30 days of the contract anniversary date and Commissioner Hartung affirmed that statement. The seconder agreed.

There was no public comment on this item.

On call for the question, the motion passed on a 5 to 0 vote.

5:57 p.m. The Board recessed.

6:13 p.m. The Board reconvened with Commissioner Hartung absent.

PUBLIC HEARINGS

14-0953 AGENDA ITEM 35 – COMMUNITY SERVICES

Agenda Subject: “Second reading and adoption of an Ordinance amending Chapter 40 of the Washoe County Code (Water and Sewage) by authorizing the Truckee Meadows Water Authority to participate in the Water and Sanitary Sewer Financial Assistance Program by allowing eligible residential property owners to obtain a loan funded by and to connect to the Truckee Meadows Water Authority’s retail water service facilities, revising the dollar threshold for County Commission loan approval and other matters properly related thereto. (Bill No. 1726). (All Commission Districts.)”

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.

Nancy Parent, County Clerk, read the title for Ordinance No. 1726, Bill No. 1545.

On motion by Commissioner Berkbigler, seconded by Commissioner Weber, which motion duly carried, with Commissioner Hartung absent, Chairman Humke ordered that Ordinance No. 1545, Bill No. 1726, entitled, " **AN ORDINANCE AMENDING CHAPTER 40 OF THE WASHOE COUNTY CODE (WATER AND SEWAGE) BY AUTHORIZING THE TRUCKEE MEADOWS WATER AUTHORITY TO PARTICIPATE IN THE WATER AND SANITARY SEWER FINANCIAL ASSISTANCE PROGRAM BY ALLOWING ELIGIBLE RESIDENTIAL PROPERTY OWNERS TO OBTAIN A LOAN FUNDED BY AND TO CONNECT TO THE TRUCKEE MEADOWS WATER AUTHORITY’S RETAIL WATER SERVICE FACILITIES, REVISING THE DOLLAR THRESHOLD FOR COUNTY COMMISSION LOAN APPROVAL AND OTHER MATTERS PROPERLY RELATED THERETO. (BILL NO. 1726),**" be adopted, approved and published in accordance with NRS 244.100.

14-0954 AGENDA ITEM 36 – COMMUNITY SERVICES

Agenda Subject: “Amendment of Conditions Case Number AC14-007 (Reno Christian Fellowship) – Approve Amendment of Conditions Case Number AC14-007 regarding Special Use Permit Case No. SPB6-18-84 to amend with conditions as identified in Exhibit A to the staff report, approved Special Use Permit Case Number SPB6-18-84 to increase the maximum number of children in attendance at any one time from 30 to 120; to align the Special Use Permit with the provisions of the child care license issued by Washoe County Department of Social Services to include a change of facility type from “Preschool” to “Child Daycare”; and to expand the hours of operation to 7:00 a.m. to 6:00 p.m. (Commission District 2.)”

The Chairman opened the public hearing by calling on anyone wishing to speak for or against Amendment of Conditions Case Number AC14-007 (Reno Christian Fellowship).

Grace Sannazzaro, Planner, provided a presentation, which was placed on file with the Clerk. She said this agenda item was in regards to a preschool operated by Reno Christian Fellowship on Zolezzi Lane in south Reno. She said they had been operating a preschool for 30 years and were asking for an amendment to their special use permit so it would match their license from Social Services. The amendment would include an increase in the number of children, the expansion of their hours of operation and a change to the type of facility, from preschool to child daycare. She said they had been operating that way for many years and were just trying to make things consistent.

There was no response to the call for public comment.

On motion by Commissioner Berkbigler, seconded by Commissioner Weber, which motion duly carried with Commissioner Hartung absent, it was ordered that the Amendment of Conditions Case Number AC14-007 (Reno Christian Fellowship) be approved based on the findings in the staff report.

14-0955 AGENDA ITEM 37 – COMMUNITY SERVICES

Agenda Subject: “Public Hearing: Appeal Case Number AX14-004 (Crossbow Court Neighborhood Center) – To consider an appeal of the Washoe County Board of Adjustment’s decision to deny Special Use Permit Case Number SB14-013 (Crossbow Court Neighborhood Center), requesting to construct a ±12,000 square foot Neighborhood Commercial Center comprised of two separate ±6,000 square foot buildings on two contiguous parcels, to be located at the northeast corner of Crossbow Court and Arrowcreek Parkway. Possible action to confirm the denial, or reverse the denial and directly grant the requested special use permit with or without modifications. (Commission District 2.)”

The Chairman opened the public hearing by calling on anyone wishing to speak for or against Appeal Case Number AX14-004 (Crossbow Court Neighborhood Center).

Sandra Monsalve, Senior Planner, explained Helvetica CTV Crossbow, LLC was requesting reversal of the Board of Adjustments decision to deny Special Use Permit Case SB14-013 to construct a neighborhood commercial center on two contiguous parcels at the corner of Crossbow Court and Arrowcreek Parkway. The applicant requested an appeal because they felt the Board of Adjustment did not consider their proposals for traffic impact mitigation measures, a redesign of the property, a reduction in hours and the Conditions of Approval, which were specified in Exhibit A of the staff report.

Ms. Monsalve provided a presentation to the Board, which was placed on file with the Clerk. She said the parcels totaled approximately 1.8 acres in the Southwest Truckee Meadows Planning Area and were zoned Low Density Suburban (LDS). A vicinity map showed the project site in relation to Hunsberger Elementary School, Sage Ridge School and U.S. Forest Service land.

Ms. Monsalve described the proposed shopping center would be directly across from Hunsberger Elementary School and would consist of two buildings with four to five tenants at full lease. She said the driveway into the center would be a “right-turn in only” and there would be a second driveway, which would be an “exit only”. She said the applicant agreed to limit the use of the northern building, designated as building 2 on the project site plan map, to non-retail uses, such as daycare, office space, and veterinary services. She showed proposed elevations for the buildings and said the applicant proposed extensive site improvements to include landscaping, building design and lighting to comply with dark sky standards. She said if the project went forward the applicant would be required to go before the Design Review Committee to review lighting, signage, landscaping, irrigation design, features and colors. The applicant also proposed to record CC&R’s for the center, which would provide guidelines related to site maintenance, signage, lighting, hours of operation and overall appearance.

Ms. Monsalve talked about the history of the project proposal explaining that it went before the South Truckee Meadows/Washoe Valley Citizens Advisory Board (CAB) meeting on July 10th, 2014, where it was denied. Subsequently, the proposal went to the Board of Adjustment where it was again denied by unanimous vote. The majority of concerns were related to traffic, hours of operation, the proximity to schools, noise, lighting impacts, types of businesses, view impacts and overall sustainability. She said, since the Board of Adjustment meeting on September 21st, the applicant attended the Arrowcreek Homeowner’s Association (HOA) meeting, where the project received favorable support. She said she had been asked to identify other areas that had elementary schools near commercial neighborhood centers and she showed some examples in Incline Village and Woodland Village.

Ms. Monsalve said the recommendation in the staff report was for the Board to either confirm the denial of the Special Use Permit (SUP) or reverse it based on its review of the record and additional evidence. She explained that if the Board chose to reverse the denial, the Conditions of Approval, listed in Exhibit A of the staff report would become an effective part of the SUP. She mentioned there was a petition opposing the SUP attached to the staff report and said she received some additional correspondence from community members who were opposed to the project. Copies of the correspondence were placed on file with the Clerk.

Commissioner Berkbigler described another example of an area that had a school which backed up to a commercial center. She said Hunter Lake Elementary School was situated directly behind a Raley’s supermarket.

Ms. Monsalve said Mike Boster, School Planner, asked her to reiterate his concerns about school police and safe routes. She said if the project was approved, the School District (WCSD) would request the developer to work with school police, the Safe Routes to School Program and the Transportation Department on how best to manage traffic flows in and out of the center.

Chairman Humke said the WCSD had not commented about land-use projects in the past. He noted that in Mr. Boster's letter he seemed confident strategies could be mitigated for some of the project's shortcomings. He asked Ms. Monsalve if the mention of the school police was in reference to traffic safety or if there were other matters that were being referred to. Ms. Monsalve said the concern was about traffic matters and child safety. Commissioner Weber said some legislation had passed requiring School Districts to be involved in planning issues and she thought that was why the WCSD was participating at a different level. Chairman Humke thought their participation was positive and would help with planning.

Ken Krater, representative of the applicants for the Crossbow Neighborhood Commercial Center, came forward to address the Board. He said the center would be comprised of two 6,000 square foot buildings for a total of 12,000 square feet, which was smaller than the typical neighborhood commercial center. He explained it was a permitted use within the LDS Zoning District with a Special Use Permit. He said he knew change was difficult for well-established single-family residential neighborhoods, but said it would be a good project. He said the impacts were mitigated with good design, with work that had been done with respect to traffic impacts and with the restrictions on land use that were being proposed with the appeal.

Mr. Krater said the application was reviewed by individuals with substantial expertise and he felt confident in the traffic mitigations which were being proposed. He said he met with the Principal of Hunsberger Elementary and MJ Cloud, who was in charge of safe route to school plans, and he felt the project would not be detrimental to public health nor injurious to the property or the character of the area. He knew it was an emotional issue for many people, but said it would be well received once it was built. He said many people were concerned about having too much retail in the area, which was why they proposed limiting the uses in the northerly building to non-retail uses, such as daycare, veterinary services and offices. He said if there were homes on the property, people would be backing up onto Crossbow Court, so commercial use made more sense because access to the property could be better controlled. He said CC&R's would be recorded on the project, which would govern the lighting, signs, architecture and landscaping. He said he knew the neighbors had concerns, but he was confident that he was presenting a project that would be a good fit for the neighborhood. He said people who were opposed would see it was a good project and would go to the center for a cup of coffee.

Chairman Humke asked Mr. Krater to talk a little more about the transportation plan. He specifically wanted to know about the concerns of the school police and how safety issues would be mitigated.

Mr. Krater said he spent a significant amount of time with Hunsberger School Principal, Jenny Ricci, and MJ Cloud looking at the traffic flow in and out of the school. Ms. Ricci told him that some people parked along the side of Crossbow Court, which increased congestion, so the project would include the placement of no parking signs, the painting of red curbs and lane striping to mitigate those issues. He said there were also concerns about traffic movements at the driveway across from the school, so it made sense to make the first driveway a “right-in only” so that no one would be crossing against the traffic trying to go to the school. He said the center’s exit would be at the north driveway, which was 150 feet from the school driveway.

Chairman Humke wanted to know what the population was at the school and if many children took the bus. Mr. Krater said most of the 800 students either took the bus or were driven to school and very few of them walked. He said there were a lot of parents picking up or dropping off their children during a 30 to 45 minute period, twice a day. He pointed out that most of the retail uses in the center would not open up until 10 o’clock, except perhaps a coffee shop and he thought many of the parents who took their kids to school would go to the coffee shop. He said other types of retail uses would likely open after school was already in session. Chairman Humke asked if there might be an impact on the afternoon school rush and Mr. Krater said that rush would typically occur before peak retail hours.

Commissioner Berkbigler noted that competition for parking was among the concerns that people had. She said it appeared there was significant parking for the center and that the buildings were set back on the property. Mr. Krater confirmed her statement and said the owner of the property agreed to allow parking in their lot during special events at the school, so he thought his clients had been very accommodating.

Chairman Humke noted that Sage Ridge School was private and did not have access to the busing program. He wondered about the population at that school. Mr. Krater said he thought the school had between 400 and 600 students. Chairman Humke asked if the two schools had the same schedules and wondered if Mr. Krater discussed the project with anyone from Sage Ridge School. Mr. Krater replied he did not know about the schedules, but he did have conversations with the Principal at Sage Ridge as well as with two Board members.

On call for public comment, Bill Kockenmeister addressed the Board about his concerns. He took issue with Mr. Krater’s comment about residential housing being more dangerous than a commercial center with respect to traffic. He did not think the Board had heard sufficient evidence to make the finding that the project would not be detrimental to public health and safety or to the character of the neighborhood. He said there were over 130 signatures of individuals who opposed commercial development in the area and the project had no support from the surrounding community.

Leona Kockenmeister argued against the comparison made to other areas with commercial areas near schools because those areas were in the midst of many roadways, whereas the project on Crossbow Court was not easily accessible and on a

dead-end road. She showed a hand-drawn map regarding issues with traffic coming from Sage Ridge School. She thought the project would create traffic problems and would not benefit the neighborhood.

Marylyn Parmelee said she lived directly across from Hunsberger Elementary School and that she and her husband moved there for the peace and quiet. She said area philosophy was about participating in nature and she thought the commercial center was in direct conflict with that. She was concerned about increased traffic, lighting and noise.

Charles Parmelee said he had concerns about traffic and he did not think business would want to move into that area because it was not a good location. He would not like to see the buildings go in and then sit empty.

Donna F. Perez stated her opposition to the proposed project for safety reasons. She said the development was not needed by the people who lived in the area. She said she would not open a business in that location and expect it to be successful because the only clientele would be Arrowcreek residents. She urged the Board not to reverse the Board of Adjustment's decision.

Steven B. Perez said it took 40 to 45 minutes for parents to get in and out of the area to pick up their kids from the schools and the proposed center would put many more cars in the area. He said he attended the Arrowcreek HOA and only heard negative comments from residents, so he did not understand how the developer could say they received favorable support. He hoped the Board would uphold the Board of Adjustment's decision.

Howard Buchler said he was involved in circulating the petition against the development and most of the individuals who signed it were concerned for the residential integrity of the neighborhood. He said people were also concerned for the safety of the children in the area. He thought the only way to mitigate the impact to the community was for the Board to deny the developer's request.

Elizabeth Buchler said the increased traffic would create safety issues and she hoped the Board would not allow the project to go forward.

Rosie Mann was concerned about safety issues and thought there might be an increased risk of crime.

Chairman Humke asked Ms. Monsalve if Crossbow Court was a dead-end street and she confirmed that it was. He wondered if there was a plan for that street to go through to somewhere and Ms. Monsalve said she did not know. He noted the land to the east of the proposed center was Forest Service land and wondered if it was subject to land withdrawal.

Bill Whitney, Planning and Development Director, said the Forest Service land in question had been vacant for a very long time and there were no plans for it. He said it was subject to a potential withdrawal through federal legislation, but what would happen to it if it came out of Forest Service ownership was unclear. Chairman Humke wondered if it was reasonable to assume that land could be developed someday and Mr. Whitney said that could happen, which was why they gave the area the designation of LDS, like the areas around it.

Chairman Humke said an additional street in the area might help to provide for better ingress and egress for the schools. Mr. Whitney said if Crossbow Court went further north it would most likely connect to a residential street. Chairman Humke said he was thinking about an additional street on the back side of the school instead of continuing Crossbow Court north. Ms. Monsalve said it made sense to her, but there was no one from engineering to ask about that idea and there were no conditions received which indicated the developer would be required to connect Crossbow Court to a collector street.

Chairman Humke disclosed he met with Mr. Krater on several occasions. He said he also attended the South Truckee Meadows/Washoe Valley CAB meeting and the Board of Adjustment meeting.

Commissioner Berkbigler said she knew the area really well and asked if the lighting had to comply with dark skies lighting requirements. Ms. Monsalve affirmed that and said the lighting would be down-shielded and could not exceed 12 feet in height if they were within 100 feet of any residentially zoned parcels. Commissioner Berkbigler asked if there could only be two houses on the parcels if they were used for residential purposes and Ms. Monsalve said yes, the zoning would allow for one house on each parcel.

Commissioner Berkbigler said there were a number of schools throughout the community that backed up to or were next to major developments and she did not believe that was a major traffic concern.

Commissioner Jung pointed out that all of the schools in her District were near commercial areas. She said she agreed with a comment that was made about the center resulting in reduced vehicular trips and, as Chair of the District Board of Health, she found that critical. She asked about viewsheds in the County and wanted to know if people owned their views. Ms. Monsalve replied there might be different requirements in Lake Tahoe because of the Tahoe Regional Planning Agency (TRPA), but Washoe County did not have viewsheds. Commissioner Jung asked about the allowed use for the property and Ms. Monsalve explained the parcels were zoned as Low Density Suburban (LDS), which was a designation intended to create and preserve areas for single-family detached homes. She said commercial uses were allowed when they served the needs of the residents and matched the character of the neighborhood. She said the pattern of development desired by the community, as stated in the area plan's character statement, was to encourage and promote a mix of quality commercial services tailored to the

growing needs of the local residents. Commissioner Jung said she thought the proposed project fit the character statement. In response to an issue brought up during public comment, Commissioner Jung said the Board could not make a finding based on whether or not they thought a commercial business would be successful.

Commissioner Weber disclosed that she had conversations with Mr. Krater, but they had not discussed the project in question. She said she did not think safety was an issue, but thought it would be a good idea to postpone the item to see if there was some way to improve access in and out of the area.

Commissioner Berkbigler asked Chairman Humke if his suggestion was to add a driveway off of Arrowcreek Parkway, behind the development, to allow access that way rather than from Crossbow Court. Chairman Humke replied that could be a possibility. Commissioner Berkbigler wondered if it would be possible for the developer to put the driveway behind the development to ease the concern about traffic at the school. She said she thought there were some workable solutions that could help resolve some of the issues that people had. She agreed with Commissioner Weber's suggestion to pull the item from the agenda so the developer could work Mr. Whitney and engineering staff to resolve homeowners concerns. She said she was a proponent of economic development and felt that growth was positive for the community.

Commissioner Jung stated she never met with the developers on the project and said the Board took the position of endorsing economic development as a top priority.

Mr. Whitney said if the Board continued the item, they would have 60 days to bring it back for consideration and he asked legal counsel to confirm that.

Paul Lipparelli, Legal Counsel, said the County Code gave the Board 60 days to hold a hearing from the time of the filing of an appeal and he thought, in order to continue the item to a different day, they might need the concurrence of the appellant. He suggested the Board continue their discussion while he conferred with Greg Salter, Deputy District Attorney, about the issue.

Mr. Krater drew the Board's attention to an area on one of the maps which showed the project site and some white boxes, which were part of a utility structure that included above-ground vaults for Nevada Bell, AT&T and Charter Communications. He said they looked carefully at the possibility of putting in a driveway off of Arrowcreek Parkway and they could not because of all of the utilities there. He explained that was also one of the detriments of having single-family homes on those parcels. He said 70 percent of the traffic generated from the site would be from pass-by trips, which were cars that were already on the roadway, so the project would generate very few new trips on the road.

Mr. Lipparelli said he was glad he conferred with Mr. Salter, because he pointed out there was a 60-day time period for the setting of the hearing from the date of

the filing of the appeal, and there would be another 60 day period from the time of the appeal hearing for a decision to be made, so the Board could delay a decision on the appeal for as much as 60 days.

Chairman Humke said that would put the decision deadline at December 28th, 2014. He asked Mr. Kockenmeister if he had anything else to say. Mr. Kockenmeister commented he did not see how it would be possible for there to be less traffic as a result of the commercial development. Chairman Humke said he thought the point was that if some traffic went to the new development rather than driving further to the Raley's center, there might be a slight decrease in traffic.

Chairman Humke pointed out that the only street going in or out of the Saddle Creek area was Thomas Creek Road, so he did not think the people who lived in that area would take Thomas Creek Road over to Crossbow Court to go to the small community shopping center. He thought they would likely go to the Raley's instead. He thought looking at the map of the area helped him to understand the point the people of the neighborhood were making.

Commissioner Berkbigler asked Chairman Humke if he attended the Arrowcreek HOA meeting where there was no opposition to the project. Chairman Humke replied he was not there, but saw accounts of the meeting in an email. He said he only attended the Board of Adjustment and the CAB meetings.

Commissioner Berkbigler said she thought the Board should support the reversal of the denial by the Board of Adjustment. She said she did not think the project would have as negative an impact as the homeowners thought it would. She made a motion to reverse the denial and grant the SUP based on the conditions that were included in Exhibit A of the staff report, but she wanted the developer and the owner of the property to take another look at attempting to resolve remaining concerns with the homeowners. She asked Mr. Lipparelli if she could add that language to her motion.

Mr. Lipparelli said he was concerned about the motion because the appeal would effectively be granted and the SUP would be issuable, but it would be difficult to know whether the developer would have achieved success in satisfying the condition. He said if the Board had conditions or wished to modify the decision, that was within the Board's authority under the Development Code and, as earlier discussed, they could take up to 60 days to make a final decision.

Commissioner Berkbigler said she thought Mr. Lipparelli was stating that her motion to ask the developer to work one more time with staff and the homeowners to resolve remaining concerns could not stand because it could not be enforced. She concluded from his statement that if the motion was made to reverse the denial, the Board would have to do it with the conditions as included in attachment A, or add some new conditions. She asked Mr. Lipparelli if that was an accurate statement.

Mr. Lipparelli said the decision could either be overturned and the SUP granted, or the decision could be sustained and the SUP denied, or modifications to the conditions that were proposed by staff could include additional modifications to the application that were within the usual findings for special use permits.

Commissioner Berkbigler asked if she could add requirements to Attachment A that staff and the developer must meet with the homeowners to try to resolve outstanding problems with ingress and egress as well as any other concerns they may have.

Mr. Lipparelli said the motion could include a requirement to meet and attempt to resolve concerns, but it would be difficult to know when that would be achieved and what the result of success or failure would be. He said either the SUP would be granted or not and he was worried about adding a condition that was so indefinite that no one could be certain how it would be satisfied.

Commissioner Berkbigler said she would remove that language from her motion and would just ask the Board to approve a reversal of the denial of decision of the Board of Adjustment and that the SUP be granted subject to the conditions in Exhibit A of the staff report. The motion was seconded by Commissioner Jung.

Commissioner Weber said she would support the motion.

Chairman Humke regretted he could not support the motion. He said he did not recall any previous discussions about the fact that the utility boxes prevented the installation of another road and he doubted the Forest Service would respond to a request for a road on their land within 60 days.

On call for the question, the motion passed on a 3 to 1 vote, with Commissioner Hartung absent and Chairman Humke voting “no”.

14-0956 AGENDA ITEM 38 – COMMUNITY SERVICES

Agenda Subject: “Public hearing and possible adoption of Regulatory Zone Amendment Case Number RZA14-005 (Reno SOI Rollback, North Valleys) – To affirm the findings of fact of the Washoe County Planning Commission, approve the proposed amendment and adopt the North Valleys Regulatory Zone map, as included at Exhibit A to the staff report, amending the Regulatory Zone designation of 152 parcels on ±88.08 acres from Mixed Use as designated by the City of Reno to Medium Density Suburban (MDS) and Parks and Recreation (PR), and direct the Director of the Planning and Development Division to sign and certify the amended North Valleys Regulatory Zone map. (APNs: 82-650-01, 02, 03, 04, 05, 06, 12, 14, 15, 16, 17, 18, 19, 20, 22, 23; 82-660-01, 02, 03, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 19, 23, 26; 82-262-01, 02, 08, 09, 10, 11, 12, 13, 14, 15, 16, 19, 20, 21, 22, 23, 24; 82-263-02, 08, 09, 10, 15, 17, 22, 26, 39, 42, 43, 45, 46, 50, 51, 52, 54, 55, 56; 82-270-26, 36, 37, 38; 570-241-01, 02, 03, 04, 05, 06; 570-242-01, 02, 03, 04, 05, 06, 07, 08, 09,

10, 11, 12, 13, 14; 570-243-01, 02, 03, 04, 05, 06, 07; 570-251-01, 02, 03, 04; 570-252-01, 02, 03, 04, 05, 06, 07, 08, 09; 570-253-01, 02, 03, 04; 570-261-01, 02, 03, 04, 05; 570-262-01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11; 570-263-01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17; 570-281-01). (Commission District 5.)”

The Chairman opened the public hearing by calling on anyone wishing to speak for or against Regulatory Zone Amendment Case Number RZA14-005 (Reno SOI Rollback, North Valleys).

Trevor Lloyd, Senior Planner, submitted a presentation, which was placed on file with the Clerk. He said the location of the Regulatory Zone Amendment was at the southern terminus of Lemmon Drive in the Grand View Terrace area and incorporated roughly 152 lots over 88 acres. He said the request was brought before the Board to restore the parcels to the Regulatory Zones of Medium Density Suburban (MDS) and Parks and Recreation (PR).

Commissioner Weber stated her support for the request.

There was no public comment.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried with Commissioner Hartung absent, it was ordered that the findings of the Planning Commission be affirmed and that Regulatory Zone Amendment Case Number RZA14-005 (Reno SOI Rollback, North Valleys) be approved.

14-0957 AGENDA ITEM 39 – COMMUNITY SERVICES

Agenda Subject: “Public hearing to affirm the findings of the Planning Commission and adopt Master Plan Amendment Case Number MPA14-002 (Village Green Commerce Center Specific Plan) – To amend Appendix D, Village Green Commerce Center Specific Plan, within the Spanish Springs Area Plan to (1) remove Assessor’s Parcel Number 534-561-09 (located at 365 Calle De La Plata) from the Specific Plan and modify the maps, buffering and other development standards and phasing of the remaining properties; and (2) re-designate the Master Plan category of APN 534-561-09 from Industrial (I) to Rural Residential (RR); and (3) make the appropriate changes on all Spanish Springs Area Plan maps related thereto. To reflect changes requested and to maintain currency of general area plan data, administrative changes to the Spanish Springs Area Plan and the Village Green Commerce Center Specific Plan are proposed. These administrative changes include a revised map series with updated parcel base and updated applicable text, and other matters properly relating thereto without prejudice to the final dispensation of the proposed amendments. The subject property is located at 365 Calle De La Plata, (Spanish Springs), and is within Portions of SE ¼ Section 23, & NE ¼ Section 26, T21N, R20E, MDM, Washoe County, NV. (APN: 534-561-09); and if approved, authorize the Chair to sign a Resolution to adopt the amendments to the Spanish Springs Area Plan after a determination of conformance with the Truckee Meadows

Regional Plan by the Truckee Meadows Regional Planning Commission. (Commission District 4.)”

The Chairman opened the public hearing by calling on anyone wishing to speak for or against Master Plan Amendment Case Number MPA14-002 (Village Green Commerce Center Specific Plan).

Sandra Monsalve, Senior Planner, said the request was to remove a parcel from the Village Green Commerce Center Specific Plan and to amend Appendix D in the Spanish Springs Area Plan to re-designate the parcel from Industrial (I) to Rural Residential (RR). She said there was a home on the property, which was legal non-conforming, and the owner/applicant wished to remove the parcel from the Village Green Commerce Center Specific plan and maintain the home as a residence. The change would allow a future buyer to obtain a residential loan on the property. She explained the request went before the Spanish Springs Citizen Advisory Board (CAB), where it was discussed and accepted. The request was also unanimously supported by the Planning Commission. She said if the amendment was adopted, it would go on to the Regional Planning Commission for conformance review and then back to the Chair for signature on the Resolution.

Ms. Monsalve asked if she could also speak about Agenda Item 40, which was a related item. Paul Lipparelli, Legal Counsel, said it would be fine to discuss both items as long as the two agenda items had individual motions.

Ms. Monsalve said Agenda Item 40 concerned a Regulatory Zone Amendment for the same parcel in the above discussion. The request was to change the parcel’s designation from Industrial to Medium Density Rural. The change would allow for the parcel to be subdivided in the future; however, Ms. Monsalve was not aware of an intention to do so. She said the purpose of the request was to make the residence on the property legal so that it conformed to the Development Code. She said the justification for the findings from the Planning Commission were in Exhibit B and on pages 3 through 5 of the staff report. She explained the Regulatory Zone Amendment could not be approved until the Master Plan Amendment was adopted and the new Regulatory Zone would not go into effect until the Master Plan Amendment was found to be in conformance with Regional Planning and the Chair signed the Resolution.

Commissioner Berkbigler asked Ms. Monsalve if the property in question would have Industrial parcels all around it. Ms. Monsalve affirmed it would.

There was no public comment.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried with Commissioner Hartung absent, it was ordered that the findings of the Planning Commission be affirmed and that Master Plan Amendment Case Number MPA14-002 (Village Green Commerce Center Specific Plan) be adopted. The Resolution for same is attached hereto and made a part of the minutes thereof.

14-0958 AGENDA ITEM 40 – COMMUNITY SERVICES

Agenda Subject: “Public hearing to affirm the findings of the Planning Commission, and adopt Regulatory Zone Amendment Case Number RZA14-003 (Village Green Commerce Center Specific Plan) - To amend the Regulatory Zone map and zoning designation within the Spanish Springs planning area. The amendment request will re-designate Assessor's Parcel Number 534-561-09 from the Industrial (I) regulatory zone to the Medium Density Rural (MDR) regulatory zone on a ±10.45 acre property. The subject property is located 365 Calle De La Plata, and is within Portions of SE ¼ Section 23, & NE ¼ Section 26, T21N, R20E, MDM, Washoe County, NV. (APN: 534-561-09). To reflect changes and to maintain currency of planning area data, administrative changes are proposed. These administrative changes include a revised map series with updated parcel base and updated applicable text, and other matters properly relating thereto without prejudice to the final dispensation of the proposed amendments. (Commission District 4.)

The Chairman opened the public hearing by calling on anyone wishing to speak for or against Regulatory Zone Amendment Case Number RZA14-003 (Village Green Commerce Center Specific Plan).

See Agenda Item 39 for discussion on this item.

There was no public comment.

On motion by Commissioner Berkbigler, seconded by Chairman Humke, which motion duly carried with Commissioner Hartung absent, it was ordered that the findings of the Planning Commission be affirmed and that Regulatory Zone Amendment Case Number RZA14-003 (Village Green Commerce Center Specific Plan) be adopted.

14-0959 AGENDA ITEM 41 – CLOSED SESSION

Agenda Subject: “Possible Closed Session for the purpose of discussing labor negotiations with Washoe County, Truckee Meadows Fire Protection District and/or Sierra Fire Protection District per NRS 288.220.”

There was no closed session.

14-0960 AGENDA ITEM 43 – PUBLIC COMMENT

Agenda Subject: “Public Comment. Comment heard under this item will be limited to three minutes per person and may pertain to matters both on and off the Commission agenda. The Commission will also hear public comment during individual action items, with comment limited to three minutes per person. Comments are to be made to the Commission as a whole.”

In response to the call for public comment, Garth Elliott expressed his frustration with the voting machines in Sun Valley and talked about cancer screenings.

* * * * *

8:08 p.m. In memory of Elko County Commissioner Grant Weber and there being no further business to discuss, on motion by Chairman Humke, seconded by Commissioner Weber, which motion duly carried with Commissioner Hartung absent, the meeting was adjourned.

Chairman
Washoe County Commission

ATTEST:

NANCY PARENT, County Clerk and
Clerk of the Board of County Commissioners

*Minutes Prepared by:
Cathy Smith, Deputy County Clerk*

**INTERLOCAL AGREEMENT REGARDING REGIONAL ROAD IMPACT FEES
PURSUANT TO NRS CHAPTER 277 AND CHAPTER 278B.**

This Interlocal Contract Regarding Regional Road Impact Fees (“Agreement”) is made and entered into the _____ day of _____, 2014, by and between the Board of County Commissioners of Washoe County, Nevada (“County”) the City Council of Reno (“Reno”) the City Council of Sparks (“Sparks,” and together with the County and Reno, the “local jurisdictions”) and the Regional Transportation Commission of Washoe County (“RTC”):

RECITALS

WHEREAS, the County, Sparks, and Reno are political subdivisions of the State of Nevada and are public agencies under NRS 277.100 and local governments under NRS 278B.070;

WHEREAS, if local governments have established a capital improvements advisory committee, designated collector and arterial streets and roads in their master plans, and approved land use assumptions in their service areas, they may impose an impact fee within the a service area to pay, among other costs, the cost of constructing capital improvements or facility expansions, including, without limitation, arterial and collector streets and roads (“Regional Road Projects”) necessitated by and attributable to new development under NRS 278B.160 when they adopt a capital improvements plan;

WHEREAS, the County, Sparks, and Reno have established a policy that new development shall bear its proportionate share of the cost of Regional Road Projects;

WHEREAS, the RTC has determined that it is a political subdivision and thus a public agency within NRS 277.100 and is authorized to enter into interlocal contracts pursuant to NRS 277.180;

WHEREAS, the RTC is designated a metropolitan planning organization and has conducted a region-wide transportation study which reveals that new development will increase the demand for region-wide road capacity and that prior studies indicate that revenue generated by new development, without impact fees, will be inadequate to fund the new road capacity to accommodate the new development;

WHEREAS, the objective of the County, Reno, Sparks, and the RTC is to use their powers to efficiently and reasonably provide for Regional Road Projects on a region-wide basis by cooperating in performance of governmental services, activities and undertaking regarding Regional Road Projects which any of the public agencies by entering into an interlocal contract pursuant to NRS 277.180 is authorized to perform;

14-0924

WHEREAS, pursuant to this Agreement, the County, Reno, and Sparks, and RTC desire to transfer administrative duties to one another with respect to Regional Road Projects;

WHEREAS, the parties had previously entered into an Interlocal Cooperative Agreement with respect to street impact fees which expired on November 28, 2005 ("Previous Agreement").

NOW, THEREFORE, in light of the foregoing Recitals, and the promises and commitments made herein, and for other good and value consideration, the sufficiency of which is hereby acknowledged, it is agreed:

A. Sparks and Reno will:

1. After establishing a capital improvements advisory committee, designating collector and arterial streets and roads in their master plans, approving land use assumptions, and approving a capital improvements plan and proposed impact fee for each service unit, adopt an ordinance requiring all impact fees collected must deposited in an interest-bearing account.
2. Impose and collect an impact fee within their jurisdictions.
3. With respect to Reno only, impose and collect an impact fee within its sphere of influence where it has adopted and certified its master plans for the sphere of influence.
4. Transmit the collected impact fees quarterly to the RTC.
5. Transfer to the RTC the administration of their Regional Road Projects identified in their approved Capital Improvement Plan.
6. Execute offset agreements between the RTC, the local jurisdiction, and one or more developers, which will define the conditions under which RTC and the local jurisdiction agree to own a Regional Road Project built in whole or in part by a developer, after construction and/or dedication and acceptance.
7. Accept dedication of Regional Road Projects constructed in whole or in part by RTC or by a developer in accordance with an offset agreement.
8. Maintain the Regional Road Projects offered for dedication as accepted by Sparks and Reno respectively.

B. The County will:

1. After establishing a capital improvements advisory committee, designating collector and arterial streets and roads in its master plan, approving land use assumptions, and approving a capital improvements plan and proposed impact fee for each service unit, adopt an ordinance requiring all impact fees collected must deposited in an interest-bearing account.
2. Impose and collect an impact fee within its jurisdiction.
3. With respect to development within Reno's sphere of influence only, transfer the responsibility of the collection of the imposed impact fee to Reno within Reno's sphere of influence where Reno has adopted and certified its master plan for the sphere of influence.

4. Transmit the collected impact fees quarterly to the RTC.
5. Transfer to the RTC the administration of its Regional Road Projects identified in its approved Capital Improvement Plan.
6. Execute offset agreements between the RTC, the local jurisdiction, and one or more developers, which will define the conditions under which RTC and the local jurisdiction agree to own a Regional Road Project built in whole or in part by a developer, after construction and/or dedication and acceptance.
7. Accept dedication of Regional Road Projects constructed in whole or in part by RTC or by a developer in accordance with an offset agreement.
8. Maintain the Regional Road Projects offered for dedication as accepted by the County.

C. The RTC will:

1. Administer a region-wide impact fee program regarding collector and arterial streets and roads in accordance with NRS Chapter 278B.
2. Submit the region-wide program to RTC Board of Commissioners for approval.
3. Conduct transportation, independent fee studies, and reviews as necessary and report the results of those studies no less than every two years to the local jurisdictions and the RTC Board of Commissioners.
4. Accept collected impact fees from the local jurisdictions and place them in an interest bearing account and provide for their expenditures as allowed by NRS Chapter 278B and the RTC Board of Commissioners.
5. Consult with the local jurisdictions.
6. Dedicate to the County, Reno, and Sparks any and all property acquired pursuant to the Contract lying within their respective jurisdictions.
7. Execute offset agreements between the RTC, the local jurisdiction, and one or more developers, which will define the conditions under which RTC and the local jurisdiction agree to own a Regional Road Project built in whole or in part by a developer, after construction and/or dedication and acceptance. Hold harmless, indemnify, and defend the County, Sparks, and Reno with respect its administration of the region-wide program including but not limited to the crediting, refunding, and reimbursement of impact fees pursuant to NRS Chapter 278B.

D. Extension of Previous Agreement:

The Previous Agreement shall be deemed to have been extended and to have the subject matter thereof from and including November 28, 2005, through the date when the last party executes this Contract.

E. Termination of Contract:

1. The County, Sparks, and Reno each have authority to terminate its participation in this Contract effective six months after such terminating local jurisdiction gives notice to all other parties in this Contract.

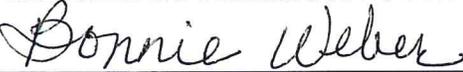
2. The initial term of this Contract shall expire ten years from the date the last party executes this Contract, and shall thereafter automatically renew for successive one (1) year terms unless terminated by any party upon six months' prior written notice to all other parties.

3. The parties may terminate this Contract by mutual agreement among all parties.

APPROVED AS TO LEGALITY AND FORM

BY: 
RTC LEGAL COUNSEL

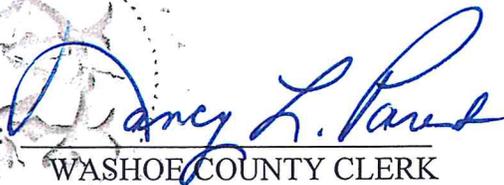
REGIONAL TRANSPORTATION COMMISSION OF WASHOE COUNTY

BY: 
BONNIE WEBER, CHAIRMAN

BOARD OF COMMISSIONERS, WASHOE COUNTY, NEVADA

BY: 
CHAIRMAN

ATTEST: APPROVED AS TO FORM:


BY: 
WASHOE COUNTY CLERK

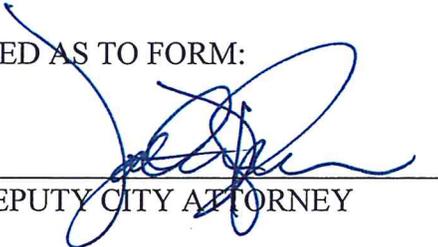
BY: 
ATTORNEY

CITY COUNCIL OF RENO, NEVADA

BY: 
MAYOR ROBERT A. CASHELL, SR.

APPROVED AS TO FORM:

BY: 
RENO CITY CLERK

BY: 
DEPUTY CITY ATTORNEY



CITY COUNCIL OF SPARKS, NEVADA

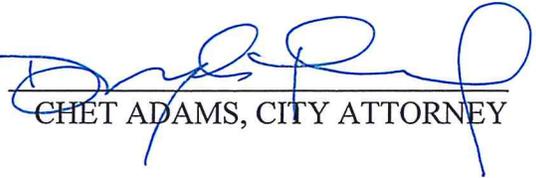
BY: 
MAYOR

ATTEST:

APPROVED AS TO FORM:

BY: 
SPARKS CITY CLERK



BY: 
CHET ADAMS, CITY ATTORNEY

RESOLUTION ON SUBGRANT OF
Continuum of Care Program Grant

WHEREAS, Washoe County through its Social Services Department been awarded the 2013 Continuum of Care Program Grant Agreement from the U.S. Department of Housing and Urban Development, Office of Community Planning and Development in the amount of \$112,787.00 in support of rental assistance and supportive services to qualified residents; and

WHEREAS, grant program requirements stipulate the County must match grant funds utilized for housing assistance with no less than twenty-five percent (25%) of funds or in-kind contributions from other sources for supportive services, the County will fund up to fifty percent (50%) to ensure successful outcomes; and

WHEREAS, NRS 244.1505 allows the Board of County Commissioners of Washoe County to make a grant of public money for any purpose which will provide a substantial benefit to the inhabitants of Washoe County; and

WHEREAS, Washoe County desires to pass through these grant funds and grant assurances as listed below for the amounts and uses stated below.

THEREFORE, BE IT RESOLVED, that the Washoe County Board of Commissioners hereby grants to the nonprofit organization listed below, as a pass through of the amount and for the uses shown below, finding that said amount and uses will provide a substantial benefit to the inhabitants of Washoe County, and the Board authorizes the Purchasing and Contracts Manager to sign a subgrant with the entity listed below, which subgrant, herein incorporated by reference, will set forth the maximum amount as listed below to be expended under the subgrant, the use and purposes of the subgrant as described, and the conditions, limitations and the grant assurances of the subgrant.

14-0936

Volunteers of America of Greater Sacramento and Northern Nevada, Inc. \$165,491.00

Rental assistance maximum	\$105,408.00
Supportive services maximum	\$ 52,704.00
Administrative expenses maximum	\$ 7,379.00

ADOPTED this 28th day of October, 2014.

David Humke, Chairman
Washoe County Commission

ATTEST:

Nancy L. Parv
Washoe County Clerk



RESOLUTION BY:
WASHOE COUNTY
TRUCKEE MEADOWS FIRE PROTECTION DISTRICT
SIERRA FIRE PROTECTION DISTRICT

A RESOLUTION DECLARING THE INTENT OF WASHOE COUNTY, TRUCKEE MEADOWS FIRE PROTECTION DISTRICT AND SIERRA FIRE PROTECTION DISTRICT TO WITHDRAW ALL USE OF THE PROPERTY COMMONLY KNOWN AS THE BOOMTOWN FIRE STATION, APN 038-120-10, INCLUDING OF ALL IMPROVEMENTS, AND RELINQUISH ALL RIGHTS THERETO BACK TO THE OWNER,, PNK DEVELOPMENT 7 LLC;
AND ALL OTHER MATTERS PROPERLY RELATED THERETO.

WHEREAS, Sierra Fire Protection District, the Truckee Meadows Fire Protection District, and at times Washoe County, have utilized a certain parcel of real property in Washoe County located at 100 Garson Road across from the Boomtown casino, known as Assessor's Parcel Number 038-120-10 ("Garson Parcel"); and

WHEREAS, decades ago the Nevada Division of Forestry and then the Sierra Fire Protection District followed in use by the Truckee Meadows Fire Protection District and Washoe County, obtained verbal commitments of use and improvement of the Garson Parcel for a fire station and storage from a previous parcel owner, and subsequent parcel owner(s) continued the verbal arrangement; and

WHEREAS, the fire station and other improvements located on the Garson parcel have seriously aged, and due to the completion of the new Truckee Meadows Fire Protection District's Station #35, known as the Mogul station, located at 10201 W. Fourth St., Reno, NV 89523, the station operation at the Garson Parcel has been relocated to the Mogul station, making the station at the Garson Parcel unnecessary and a burden upon the public interest to maintain; and

WHEREAS, Nevada Revised Statutes 474.470(7) and 244.290(1) authorize disposal of land when the governing bodies determine that the land or improvements are no longer needed and that disposal is in the best interest of the public, by formally adopting a Resolution so stating; and

WHEREAS, the cooperation of the Garson Parcel owners over the many years in support of the provision of fire and emergency medical services from that location has been critical to the West Reno and Verdi communities for decades and is deeply appreciated.

14-0940

NOW, THEREFORE, be it so resolved by the governing boards of the Truckee Meadows Fire Protection District, the Sierra Fire Protection District, and Washoe County as follows:

1. Said governing boards do hereby find and declare that further use of the Garson Parcel and improvements is no longer needed and that it is in the best interests of the public to withdraw all use thereof and relinquish all rights thereto back to the Garson Parcel property owner, PNK Development 7 LLC, and further hereby declare their intent to do so by this Resolution.
2. Said governing boards further declare their immense gratitude and appreciation to the Garson Parcel owners over the years for their support and for the use of this parcel.
3. This action is hereby made without any payment or compensation from or to the Truckee Meadows Fire Protection District, the Sierra Fire Protection District and Washoe County.
4. This action relinquishes the Garson Parcel and its improvements back to the owner "as is where is".

ADOPTED this 28th day of October, 2014 by the following vote:

AYES: Humke, Weber, Berkbigler, Jung, Hartung

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

TRUCKEE MEADOWS FIRE PROTECTION DISTRICT
SIERRA FIRE PROTECTION DISTRICT
WASHOE COUNTY

David Humke, Chair

ATTEST:



Nancy Parent, Clerk

Nancy Parent, Clerk

**ADDENDUM TO INTERLOCAL AGREEMENT
GOVERNING THE CONSOLIDATION OF THE WASHOE COUNTY
DEPARTMENT OF WATER RESOURCES WATER UTILITY INTO THE
TRUCKEE MEADOWS WATER AUTHORITY**

This Addendum ("Addendum") to the Interlocal Agreement Governing the Consolidation of the Washoe County Department of Water Resources Water Utility into the Truckee Meadows Water Authority dated January 29, 2010, between WASHOE COUNTY, NEVADA, a political subdivision of the State of Nevada ("County"), and TRUCKEE MEADOWS WATER AUTHORITY ("TMWA"), a Joint Powers Authority entity created pursuant to a cooperative agreement among the cities of Reno, Nevada, Sparks, Nevada and Washoe County, Nevada, pursuant to N.R.S. Chapter 277, each a "Party" and collectively "Parties."

RECITALS

A. County and TMWA entered into that certain Interlocal Agreement Governing the Consolidation of the Washoe County Department of Water Resources Water Utility into the Truckee Meadows Water Authority dated January 29, 2010 (the "Merger Agreement"), which provides for the merger of the DWR Water Utility into TMWA.

B. This Addendum is prepared pursuant to Section 5.2 of the Merger Agreement, which provides that the Parties shall prepare an Addendum to the Merger Agreement which shall set forth Schedules identifying Transferred Assets, Excluded Assets, Assumed Liabilities and Excluded Liabilities, and which will include disclosures, if any, required under Article VI, allocation of liabilities between the parties, and provisions with respect to the mitigation or cure of conditions, if any, identified by the parties during due diligence.

NOW THEREFORE, in consideration of the premises and covenants and conditions set forth in the Merger Agreement and this Addendum, and for other good and valuable consideration, the receipt and sufficiency of which are acknowledged, the Parties agree as follows:

1. **Capitalized and Conflicting Terms; Continued Effect; Captions.** Capitalized terms not otherwise defined in this Addendum shall have the meanings ascribed to them in the Merger Agreement. To the extent the provisions of this Amendment conflict with any of the terms and conditions of the Merger Agreement the provisions of this Amendment shall control. The parties acknowledge and agree that, except as specifically modified hereby, each of the terms and conditions of the Merger Agreement shall remain in full force and effect and are enforceable in accordance with its respective terms. This Addendum is intended to be an integral part of the Merger Agreement, binding upon the Parties, effective upon the effective date of this Addendum (the "Addendum Effective Date"), which shall be the date last executed by a Party.

14-0945

2. **Schedules.** Attached hereto and incorporated herein by reference are the following schedules (the “Schedules”), in accordance with Section 5.2 of the Merger Agreement, which shall be deemed incorporated into and part of the Merger Agreement as if originally set forth therein:

- (a) Schedule 3.5A: Water Resource Commitment Liability
- (b) Schedule 5.3(a): Water Utility Facilities
- (c) Schedule 5.3(b)(1): Fee Title Real Property
- (d) Schedule 5.3(b)(2): Easements and ROW
- (e) Schedule 5.3(b)(3): Leases, Licenses, Permits
- (f) Schedule 5.3(c): Water Utility Water Resources
- (g) Schedule 5.3(d): Designated Funds
- (h) Schedule 5.3(f): Cash and Near Cash Assets
- (i) Schedule 5.3(i): Equipment and Rolling Stock
- (j) Schedule 5.4: Excluded Assets
- (k) Schedule 5.5: Assumed Contracts
- (l) Schedule 5.6 (f): Assumed Liabilities
- (m) Schedule 5.7 (c): Excluded Liabilities
- (n) Schedule 6.1(a): County Disclosures Regarding Real Property
- (o) Schedule 6.1(b): County Disclosures Regarding Water Resources
- (p) Schedule 6.1(c): County Disclosures Regarding Utility Water Facilities
- (q) Schedule 6.1(d): County Disclosures Regarding Other Assets
- (r) Schedule 6.1(e): County Disclosures Regarding Assumed Contracts
- (s) Schedule 6.1(f): County Disclosures Regarding Regulatory Compliance
- (t) Schedule 6.1(g): County Disclosures Regarding Environmental Claims
- (u) Schedule 6.1(h): County Disclosures Regarding Litigation
- (v) Schedule 6.1(i): County Disclosures Regarding Other Liabilities
- (w) Schedule 6.4: Priority Material Conditions Remaining to Be Cured

3. **Representations and Warranties of County.** County makes the following representations and warranties to TMWA, which shall be true and known by the managers of the County and the Water Utility as of the Effective Date of this Addendum and as of the Closing Date. TMWA agrees that County shall not have breached these representations and warranties if, prior to the Closing Date, it discovers a Material omission or misstatement in these representations and warranties or Schedules and immediately discloses same to TMWA in writing and takes appropriate steps to mitigate the consequences of such omission or misstatement. County shall have a

continuing duty to review and revise the Schedules, and such Schedules shall be current as of the date of the Closing Memorandum and of the Closing Date.

3.1. Ownership of Assets; Good Title. At the Closing, County shall convey to TMWA good and marketable title to all of the Transferred Assets, subject to no liens, mortgages, pledges, security interests, rights of third parties, encumbrances or other charges of any kind, except as expressly disclosed in this Addendum or in writing to TMWA and as approved in writing by TMWA in the Closing Memo.

3.2 Real Property. County has no actual knowledge that title to the Real Property is defective and believes that the Real Property is free and clear of all liens, mortgages, pledges, security interests, rights of third parties, encumbrances or other charges of any kind that may materially interfere with or otherwise impair TMWA's ability to operate and maintain the Water Utility as it is currently being operated on the Effective Date of this Addendum. COUNTY believes that it has a valid and enforceable right to assign and transfer the Real Property to TMWA. County agrees to use commercially reasonable efforts to resolve any restriction or limitation for County to transfer or assign real property. The Real Property represents all interests in real property necessary to operate and maintain the Water Utility as it is currently being operated on the Effective Date of this Addendum, except as disclosed in Schedule 6.1(a). County has not disposed of, nor taken any steps to dispose of, the Real Property and is not under any commitment to dispose of it, in whole or in part.

3.3. Water Rights. The Water Utility Water Resources set forth on Schedule 5.3(c) represent all of the: 1) water rights owned by County which are necessary to operate the Water Utility; 2) water rights owned by County which are leased to third parties ("Leased Water Rights"); 3) banked water rights held in trust for third parties; and 4) dedicated or otherwise committed water rights to support existing and/or future unbuilt but approved development within County's service area. County shall deliver and transfer to TMWA on the Closing Date, with the same quality of title reflected in the form of deed originally accepted by County for such Water Utility Water Resources, all right, title and interest in the Water Utility Water Resources in accordance with the Closing Memorandum or other transferring agreements related hereto. As soon as reasonably practical, and using best commercially available efforts, County shall assign all right, title and interest in the Leased Water Rights to TMWA in the form of an assignment. All Water Utility Water Resources conveyed pursuant to the Merger Agreement are in an "AS IS, WHERE AS" condition and are sufficient to support the Water Utility as it is currently being operated on the Effective Date of this Addendum. County makes no warranties and representations as to any defect in the condition of title received by County of any Water Utility Water Resources.

3.4. Condition and Location of Facilities and Infrastructure. All of the Water Utility Facilities are conveyed in an “AS IS, WHERE IS” condition, together with all applicable warranties currently in force and effect, and County makes no warranties of merchantability fitness, or fitness for a particular purpose with regard thereto. No person other than County owns any of the Water Utility Facilities except as disclosed in Schedule 6.1(c).

3.5 County’s Resource Commitments Liabilities Schedule. Schedule 3.5A fairly and accurately reflects, in reasonable detail, all obligations of County to provide, sell, transfer, convey or make available Water Utility Water Resources to any person arising out of, occurring, or incurred as a direct or indirect result of County’s ownership or operation of the Water Utility. There are no obligations, or other agreements by County with respect to the provision, transfer, conveyance or sale of Water Utility Water Resources (excluding banking agreements and Will Serve Commitments for which water rights have been dedicated to and accepted by the County) except as disclosed on Schedule 3.5A.

3.6. Liabilities. As of the Effective Date of this Addendum, the Managers of the County and Water Utility have no actual knowledge of any Water Utility Liabilities with respect to the operation of the Water Utility or any of the Transferred Assets except for recurring expenses due in the ordinary course of operating the Water Utility and not yet delinquent, except as disclosed in Schedules 6.1(a) through 6.1(i). The Managers of the County and Water Utility have no actual knowledge of any Liabilities against, relating to, or materially adversely affecting the operation of the Water Utility or any of the Transferred Assets arising out of, occurring, or incurred as a direct or indirect result of County’s ownership or operation of the Water Utility or Transferred Assets, regardless of when such Liabilities arise, occur, or are incurred, except as disclosed in Schedules 6.1(a) through 6.1(i). Except for the Liabilities expressly disclosed by County in any Exhibit or Schedule attached to this Addendum, to the best of its knowledge there are no unknown or undisclosed Liabilities that do or could affect or have a detrimental impact on the Transferred Assets or TMWA’s conduct and operation of the Water Utility after the Closing Date or which would or could create any financial obligation or liability of TMWA at any time (“Unknown Liabilities”). Except for indemnified claims, to the extent Unknown Liabilities in excess of Three Million Dollars (\$3,000,000) are asserted against TMWA before the expiration of six (6) years following the Closing Date, the Parties may pursue such remedies permitted by law and the Parties shall cooperate with each other in the defense of any such action and will use commercially reasonable efforts and will cooperate with each other to facilitate resolution of any such claims. The term “Liability” or “Liabilities” shall mean any liability, duty, obligation or indebtedness of any kind, character or description, whether known or unknown, absolute or contingent, accrued or unaccrued, liquidated or unliquidated, joint or several, due or to become due, vested or unvested, asserted or unasserted, executory, determined, determinable or otherwise, and whether or

not the same is required to be accrued on the financial statements of such Person and regardless of when asserted.

3.7 Material Contracts. Schedule 5.5 sets forth all material contracts and agreements necessary to operate the Water Utility as it is being operated as of the Effective Date of this Addendum or related to present or executory obligations of the Water Utility within the scope of the business of the Water Utility. These agreements and contracts are in good-standing, and except as shown in Schedule 6.1(e), the Managers of the County and Water Utility have no knowledge of any actual or threatened defaults by any party under these contracts or agreements, or of actual or threatened claims arising from or under these contracts or agreements. County has obtained, or will obtain prior to the Closing Date, any consents or amendments required for the assignment by County and assumption by TMWA of such contracts and agreements, and such contracts and agreements shall be in good-standing as of the Closing Date unless previously terminated according to their terms. All contracts between Washoe County and South Truckee Meadows General Improvement District shall terminate on the Closing, and all contracts between Washoe County and TMWA for wholesale water service shall terminate on the Closing.

3.8. Compliance With Law; Suits and Proceedings. The Managers of the County and Water Utility have no knowledge of a violation of any federal, state or local law, ordinance or regulation related to the Transferred Assets or the ownership or operation of the Water Utility, and all operations of the Water Utility, including collection of connection and wholesale fees, were in compliance with applicable law. Except as disclosed in Schedule 6.1(h), there are no actions, suits, proceedings, investigations or claims pending or, to the knowledge of County, threatened against County with respect to the Transferred Assets and/or the operation of the Water Utility, at law or in equity, before or by any federal, state, municipal or any other governmental court, department, commission, agency or instrumentality, domestic or foreign; nor to the knowledge of County is there any basis for any such claim, suit, proceeding or investigation.

3.9. Environmental Matters. The Managers of the County and the Water Utility have not received and are not aware of any written or verbal notice from any governmental agency or entity that County, the operation of the Water Utility, use of the Real Property and any of the Transferred Assets are in violation of any environmental laws, and, County has no actual knowledge that there are any releases of Hazardous Materials on or about the Real Property that would form the basis of any environmental violations or claims.

3.10. Completeness of Disclosure. No representation or warranty by County in this Addendum nor any information or documents furnished or to be furnished by County to TMWA is false or misleading, contains or will contain any untrue statement of a material fact, or omits or will omit to state a material fact required to be stated herein or therein or necessary to make any statement

herein or therein not misleading. There is no fact not disclosed to TMWA (nor any fact known to the Managers of the County and Water Utility) on the date hereof that adversely affects or in the future is likely to adversely affect the Transferred Assets, the Real Property or the operation of the Water Utility in any material respect. All of the schedules attached to this Addendum and/or delivered to TMWA pursuant to this Addendum are true, complete and correct in all respects and accurately reflect the information set forth therein, as of the Effective Date of this Addendum, and shall be true, complete and correct as of the Closing Date.

4. Restructure of Washoe County Obligations. In furtherance of the provisions set forth in Section 3.1.2, 4.1.3, 4.1.5 and 4.1.7 of the Merger Agreement, the parties agree to the following: a) TMWA will not assume any of the Washoe County Obligations; b) on or before the Closing Date the Washoe County Obligations will be restructured such that: i) the County will retain all Washoe County Obligations and debt associated with non-water utility services and will restructure the pledged revenues to pay those obligations to exclude Water Utility Water Revenues; ii) TMWA will enter new agreements with the Nevada Department of Environmental Protection ("NDEP") pursuant to which TMWA will agree to pay, following the Closing Date, the balance (approximately \$9,109,436.74) due to NDEP under the 2005 Longley Lane Bond in the Safe Drinking Water SRF ("SRF Bond") issued by the County, and NDEP will release County from any post-Closing obligations on such debt; iii) TMWA will issue new debt and escrow sufficient funds to facilitate the defeasance of the General Obligation (Limited Tax) Water and Sewer Bonds (Additionally Secured by Pledged Revenues) Series 2005 ("2005 GO Bond") issued by Washoe County, in the approximate amount of \$26,100,000; and iv) County will escrow \$652,500 which funds will be used to pay for the interest payment due January 2015 on the 2005 GO Bond.

5. Treasury Balance True Up Procedures. County will use commercially reasonable efforts to pay all outstanding accounts payable of the Water Utility on or before the Closing Date. On or before the Closing Date, County and TMWA will work cooperatively to determine the audited balance of the Water Utility cash assets as of December 31, 2014 (such assets referred to as "Treasury Funds" for purposes of this paragraph 5). During the three month period following the Closing Date (such period referred to as the "Reconciliation Period"):

- i) County will retain the Treasury Funds, it being the intention of the Parties that the Treasury Funds be transferred to TMWA upon completion of the reconciliation intended to occur during the Reconciliation Period. Notwithstanding the foregoing, the County will work cooperatively with TMWA and expedite the earlier transfer of such amounts of the Treasury Funds as reasonably requested by TMWA and available from time to time during the Reconciliation Period;
- ii) County will continue to collect accounts receivable, interest receivables and other receivables of the Water Utility, and will use commercially reasonable efforts to collect and liquidate receivables for addition to the

- Treasury Funds. Any such amounts collected by the County during the Reconciliation Period will be added to the Treasury Funds;
- iii) County will pay from the Treasury Funds any remaining undisputed accounts payable, interest due on the SRF Bond and 2005 GO Bond, and other undisputed outstanding accrued liabilities of the Water Utility which were not paid prior to the Closing Date which is expected to be December 31, 2014.

TMWA and County shall work cooperatively to reconcile the balance of the Treasury Funds by the expiration of the Reconciliation Period. On or before the end of the Reconciliation Period, County will transfer all of the reconciled Treasury Funds to TMWA and upon such transfer, TMWA will assume any remaining unpaid accounts payable of the Water Utility and any accrued employee benefits of those former County employees that are hired by TMWA in connection with the Merger. Unless otherwise requested by TMWA, County will retain all accounts receivable and other receivables of the Water Utility and will continue to use commercially reasonable efforts to collect such receivables after the Closing; however, any such receivables collected by County after the Reconciliation Period shall be retained or written off by County.

6. Longley Lane Treatment Plant. A separate legal parcel shall be created for the Longley Lane Treatment Facility (such new parcel referred to as the “Treatment Plant Parcel”) from a portion of the parcel described as APN 021-456-18. The parties will cooperate in good faith to secure approvals of appropriate governmental entities prior to the Closing Date through a boundary line adjustment, parcel map or record of survey to create the Treatment Plant Parcel, which parcel shall include mutually agreeable access rights across County property to Longley Lane. County will convey fee title to the Treatment Plant Parcel to TMWA on the Closing Date or as soon thereafter as practicable upon receipt of all necessary governmental approvals to create the Treatment Plant Parcel. TMWA agrees the County will retain the balance of APN 021-456-18 not comprising the Treatment Plant Parcel. To the extent such approvals are not created prior to the Closing Date, parties will cooperate to secure such approvals as soon as commercially practicable after the Closing Date and the County will enter a lease with TMWA on the Closing Date pursuant to which the property will be leased by TMWA at a rate of \$1/year until such approvals are secured.

7. Developer Agreements. To mitigate potential Material Conditions with respect to written agreements between County and developers involving the terms and conditions of providing new water service, (collectively and as defined below, such agreements referred to as “Developer Agreements”), the Developer Agreements shall be Excluded Assets and Excluded Liabilities under the Merger Agreement and will not be assumed by TMWA. Prior to the Closing Date, TMWA will use commercially reasonable efforts to enter new agreements (“New TMWA/Developer Agreements”) with certain developer entities setting forth the terms and conditions of rights and obligations with respect to new or modified water service from TMWA to such projects which remain under development. The New TMWA/Developer Agreements shall include a provision that they supersede the Developer Agreements, to the extent possible. In the

event TMWA is unable to enter New TMWA/Developer Agreements, TMWA agrees to provide the connection fee credits, water system capacity reservations, and/or resource credits to certain developers as set forth in Exhibit C to Schedule 6.1(c) reduced by any amounts of such credits utilized by the developer between the date of this Addendum and the Closing Date. As used herein, the term “Developer Agreements” shall include, without limitation, the following: i) Water Service Contribution Agreement with Pioneer Parkway Holding Company, dated December 14, 2004 (Curti Ranch); ii) Water Service Contribution Agreement with South Reno Investors, LLC dated December 21, 2004 (Mountaingate); iii) Water Service Contribution Agreement with McCauley Ranch Estates, LLC and Syncon Homes dated December 13, 2005 (McCauley Ranch); iv) Water Service Contribution Agreement with Reynen & Bardis (Catron Ranch), LLC dated January 10, 2006 (Golden Hills); v) Bella Vista Ranch Water Facilities Agreement with Centex Homes dated February 28, 2006 (Bella Vista); vi) Water Service Contribution Agreement with McCaffery Fine Homes, Ltd., Palisades Land Investors, LLC and Palisades Land Investors Phase I, LLC dated March 27, 2007 (The Palisades); vii) Line Extension Agreement with Ted Brown dated July 2, 2004 (Western Skies Drive); viii) Contribution Agreement with North Springs Estates, Ltd., Sierra Vista Properties, Inc., and Hawco Investment and Development Company, Inc. dated October 17, 1996; ix) Water Rights and Water Facilities Dedication Agreement with Galena Water Enterprises, LLC dated November 26, 2002; x) Agreement dated July 15, 1992 with South Meadows Properties Limited Partnership; and xi) Water Service Contribution Agreement with Nevada Tri Partners, LLC dated December 15, 1999.

8. Retiree Health Benefits

The Parties agree that TMWA shall provide a retiree health benefit (Other Post Employment Benefits, or “OPEB”) to those County Water Utility employees that are hired by TMWA as part of the Merger (“County Transferred Employees”) which benefit shall be comparable to the OPEB currently offered by the County. TMWA will not assume any liability with respect to County OPEB funding or retiree benefits; however, TMWA will agree to fund the County Transferred Employees OPEB obligations following the Closing Date as determined by an actuarial valuation of the annual required contribution. County will transfer cash assets from the Washoe County, Nevada OPEB Trust Fund to a Section 115 OPEB Trust to be formed by TMWA on or before the Closing Date, in order to fund a portion of that OPEB obligation. The process for transfer and the amount of cash to be transferred from the Washoe County, Nevada OPEB Trust Fund will be based on the following: 1) TMWA’s OPEB obligation will be determined by an actuary calculating the Actuarial Accrued Liability of the County Transferred Employees using the County’s premium allocation included either in the County’s Public Retiree Health Benefit Plan or the State of Nevada Employees Benefit Plan, depending on the individual employee transferred, and the TMWA health benefit costs; and 2) The cash assets to be transferred from the Washoe County, Nevada OPEB Trust Fund to the TMWA Section 115 OPEB Trust will be equal to the Funded Ratio (which is calculated by dividing the County’s OPEB Actuarial Accrued Liability into the Actuarial Value of the Washoe County OPEB Trust Plan Assets, as reported in the County’s FYE 6/30/14 Comprehensive Annual Financial Report) times the Actuarial

Accrued Liability of the County employees transferred to TMWA, as determined in subsection 1 above. The TMWA General Manager and County Manager will agree on the exact amount to be transferred prior to the Closing Date.

9. Indemnification

(a) County shall indemnify, defend and hold TMWA harmless from and against any and all loss, cost, damage, Liability, claim, action, cause of action, or expense (including, without limitation, reasonable attorneys' fees and costs) incurred by TMWA, and shall reimburse TMWA for all actual losses, arising out of or in connection with (i) the breach or default by County of its obligations under the Merger Agreement, this Addendum or any other agreement entered into by TMWA and County pursuant to this Merger Agreement; (ii) any misrepresentation or breach of warranty in connection with any representations or warranties of County set forth in the Merger Agreement, this Addendum, or any other agreement entered into by County and TMWA pursuant to the Merger Agreement; (iii) the ownership and/or operation of the Water Utility and/or the Transferred Assets by County incurred or arising prior to the Closing Date; (iv) failure to maintain or produce documents required under applicable law in connection with the SRF Bond; and/or (v) the Excluded Liabilities. This indemnity shall survive the Closing Date.

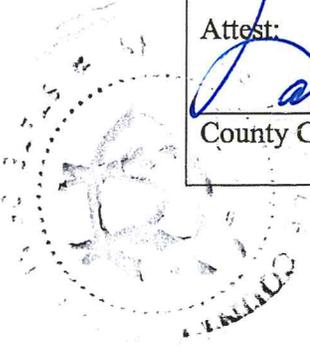
(b) TMWA shall indemnify, defend and hold County harmless from and against any and all loss, cost, damage, Liability, claim, action, cause of action, or expense (including, without limitation, reasonable attorneys' fees and costs) incurred by County and arising out of or in connection with (i) the breach or default by TMWA of any of its obligations under the Merger Agreement, this Addendum or any other agreement entered into by TMWA and County pursuant to the Merger Agreement; (ii) any misrepresentation or breach of warranty in connection with any representations or warranties of TMWA set forth in the Merger Agreement, this Addendum or any other agreement entered into by TMWA and County pursuant to the Merger Agreement; (iii) the operation of the Water Utility and ownership of the Transferred Assets after the Closing Date; and/or (iv) the Assumed Contracts. This indemnity shall survive the Closing Date.

10. Post-Closing Cooperation. Each Party agrees that it shall, at any time and from time to time after the Closing Date, upon the request of any other party, do, execute, acknowledge and deliver, or will cause to be done, executed, acknowledged and delivered, all such further acts, deeds, assignments, transfers, conveyances, powers of attorney and assurances as may be reasonably requested by the other party, including reasonable efforts to secure third party approvals if necessary, to effectuate the intent and purpose of the Merger Agreement and the purchase and sale of the Transferred Assets, or which, in TMWA's reasonable opinion, may be reasonably necessary or advisable to confirm TMWA's title to or interest in or to enable it to deal with and dispose of, any of the Transferred Assets. After the Closing, and to the extent of any inadvertent omission in any of the Schedules attached hereto, County shall transfer and convey to TMWA, such property, equipment, funds, easements, or rights of way, mutually agreed by the parties as being inadvertently omitted from the Schedules set forth herein and reasonably

necessary for the operation of the Water Utility in a manner consistent with such operations by County as of the Closing Date.

IN WITNESS WHEREOF, the parties have caused this Addendum to be executed effective as of the date written above.

<p>COUNTY OF WASHOE</p> <p>By: <u><i>David Humke</i></u> David Humke, Chairman</p> <p>Dated: <u>October 28</u>, 2014</p> <p>Attest: <u><i>Nancy L. Paust</i></u> County Clerk</p>	<p>TRUCKEE MEADOWS WATER AUTHORITY</p> <p>By: <u><i>Mike Carrigan</i></u> Mike Carrigan, Chairman</p> <p>Dated: <u>OCT 15th</u>, 2014</p>
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RESOLUTION

A RESOLUTION OF THE WASHOE COUNTY BOARD OF COUNTY COMMISSIONERS APPROVING THE CONSOLIDATION OF THE WASHOE COUNTY WATER UTILITY WITH THE TRUCKEE MEADOWS WATER AUTHORITY ON OR ABOUT DECEMBER 31, 2014, AUTHORIZING ACTIONS NECESSARY TO EFFECTUATE THE MERGER AND THE CLOSING OF VARIOUS TRANSACTIONS NECESSARY FOR THE MERGER, STATING THE INTENT OF COUNTY TO SUSPEND THE APPLICATION OF CERTAIN ORDINANCES RELATED TO THE COUNTY'S OPERATION OF A WATER UTILITY FOLLOWING THE MERGER, AUTHORIZING COUNTY OFFICIALS TO MAKE EDITS AND CORRECTIONS TO THE AGREEMENTS AND RELATED DOCUMENTS INVOLVING THE MERGER, AUTHORIZING COUNTY OFFICIALS TO MAKE ACCOUNTING AND BUDGET ENTRIES AND CHANGES NECESSARY IN THE WATER RESOURCES FUND AND OTHER COUNTY FUNDS THAT ARE DEEMED NECESSARY DUE TO THE MERGER, AND PROVIDING OTHER MATTERS RELATING THERETO.

WHEREAS, pursuant to directives in the Western Regional Water Commission Act, codified as Chapter 531, Statutes of Nevada 2007, the Truckee Meadows Water Authority ("TMWA") and Washoe County Department of Water Resources (now known as Washoe County Community Services Department) studied consolidation of their water utility functions and the feasibility and potential benefits of consolidation;

WHEREAS, these studies demonstrated that consolidating the Washoe County water utility ("County Water Utility") into TMWA by defeasing and or restructuring Washoe County's utility debt would be financially feasible within a reasonable time-frame and beneficial to the community and the water customers;

WHEREAS, on August 14, 2009 the Western Regional Water Commission reviewed the results of studies presented by staffs of TMWA and County Water Utility and recommended to the governing boards of TMWA and Washoe County that the consolidation be pursued;

WHEREAS, TMWA and Washoe County determined that consolidation of the County Water Utility into TMWA can have significant benefits for the community to advance the

14-0946

establishment of an integrated water resources management system, including but not limited to long term savings, more efficient resource use, better stewardship of water resources, more efficient use of facilities and facility planning, expanding the benefits of drought storage to all Truckee Meadows customers, and more predictable and efficient customer services;

WHEREAS, TMWA and Washoe County determined that if appropriately implemented, consolidation of the County Water Utility into TMWA can be achieved within the framework of the rate structures previously planned by the separate agencies and presented to the respective governing boards, and that consolidation will have little near-term rate consequences and will have long-term rate benefits for the customers of both entities;

WHEREAS, following approval in a duly noticed public meeting, on or about January 29, 2010, the County and TMWA entered into that certain Interlocal Agreement Governing the Merger of the Washoe County Department of Water Resources Water Utility Into the Truckee Meadows Water Authority (“County Merger Agreement”) pursuant to which the parties agreed to consolidate the County Water Utility into TMWA;

WHEREAS, an Addendum to the County Merger Agreement (“ILA Addendum”) as contemplated by and in accordance with the County Merger Agreement, contains, among other things, more detailed schedules of the County Water Utility assets and liabilities to be transferred to TMWA at the closing;

WHEREAS, the County and TMWA have completed due diligence and have satisfied or are in a position to satisfy prior to the anticipated closing date, all material conditions and necessary conditions stated in the County Merger Agreement and the ILA Addendum to permit the parties to proceed to consummate the merger as contemplated by the County Merger Agreement with a targeted closing date on or about December 31, 2014;

WHEREAS, pursuant to direction by their respective governing boards, and in furtherance of directives in the Western Regional Water Commission Act, TMWA and South Truckee Meadows General Improvement District (“STMGID”) undertook studies to determine whether some form of consolidation of their water services functions would be feasible and whether such consolidation would create net benefits for the Truckee Meadows community;

WHEREAS, studies demonstrated that merging STMGID into TMWA would be feasible, and that, in combination with the merger of the County Water Utility into TMWA, would be desirable;

WHEREAS, TMWA and STMGID determined that merger of STMGID into TMWA can have significant benefits for the community to advance the establishment of an integrated water resources management system, including but not limited to more efficient resource use, better stewardship of water resources, more efficient use of facilities and facility planning, and more predictable and efficient customer services;

WHEREAS, TMWA and STMGID determined that if appropriately implemented, merger of STMGID into TMWA can be achieved within the framework of the rate structures previously planned by the separate agencies and presented to the respective governing boards, and that merger will have little near-term rate consequences and will have long-term rate benefits for the customers of both entities;

WHEREAS, after approval at duly noticed public meetings, on or about December 11, 2013, STMGID and TMWA entered into that certain Interlocal Agreement Governing the Merger of the South Truckee Meadows General Improvement District Into the Truckee Meadows Water Authority (“STMGID Merger Agreement”) pursuant to which the parties agreed to merge STMGID into TMWA;

WHEREAS, STMGID and TMWA have completed due diligence and have satisfied or are in a position to satisfy prior to the anticipated closing date, all material conditions and necessary conditions stated in the STMGID Merger Agreement to permit the parties to proceed to consummate the merger with a targeted closing date concurrent with the closing on the STMGID Merger Agreement, on or about December 31, 2014; and

WHEREAS, certain ordinances have been enacted in accordance with needs of Washoe County's operation of the County Water Utility which ordinances will not be necessary after the closing of the merger,

NOW THEREFORE, be it resolved by the Board of Commissioners of Washoe County as follows:

1. It is in the best interests of County Water Utility, its customers and Washoe County to proceed with, the implementation and consummation of the merger of the County Water Utility into TMWA on the terms of and in accordance with the County Merger Agreement and the ILA Addendum on or about December 31, 2014 and county officials are directed to proceed accordingly.
2. It is in the best interests of County Water Utility, its customers and Washoe County for TMWA and STMGID to proceed with, the implementation and consummation of the merger of the STMGID water utility functions into TMWA on the terms of and in accordance with the STMGID Merger Agreement on or about December 31, 2014 and county officials are directed to proceed accordingly.
3. The Washoe County Manager is directed to use reasonable efforts to consummate and close on the merger of the County Water Utility and STMGID into TMWA (collectively the "Mergers") on or about December 31, 2014.

4. The Chairman of the Board of County Commissioners, the County Manager, the County Treasurer and Washoe County finance and legal officers are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution and consummate the transactions contemplated by the County Merger Agreement, the ILA Addendum and STMGID Merger Agreement, including without limiting the generality of the foregoing, the preparation and signing of all necessary documents, legal proceedings and other items necessary or desirable to consummate the Mergers. The documents and instruments which may be signed include, without limitation: checks, drafts, wire transfers, transfer documents, deeds, trust documents, closing memoranda, reconveyances, assignments, terminations or notices. The County Manager is authorized to make edits and corrections to the County Merger Agreement and the ILA Addendum and the exhibits and schedules attached thereto provided such changes are consistent with and in furtherance of the purpose and intent of the County Merger Agreement and the ILA Addendum.

5. The County Manager and any person the County Manager may specifically designate, is authorized and directed to take all action necessary or appropriate to make accounting and budget entries and changes necessary in the Water Resources Fund and other County funds that are made necessary due to the merger.

6. If due to the closing of the Mergers which are the subject of this resolution and if in the judgment of the Washoe County District Attorney any Washoe County ordinance relating to the County Water Utility becomes inconsistent with the Mergers or is made vague, ambiguous or unfair in its application, such an ordinance shall be suspended and of no force or effect until repealing or modifying ordinances can be prepared and adopted.

7. All actions, proceedings, matters and things heretofore taken, had and done by

Washoe County and its officers and appointed agents not inconsistent with the provisions of this resolution are ratified and approved.

[Business Impact Note: The Board of County Commissioners hereby finds that this resolution does not impose a direct and significant economic burden upon a business, nor does it directly restrict the formation, operation or expansion of a business.]

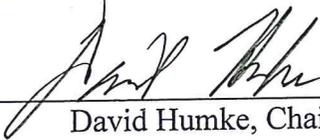
ADOPTED this 28th day of October, 2014, by the following vote:

AYES: Humke, Heber, Berkbigler, Jung, Hartung

NAYS: None

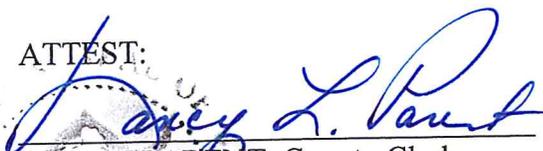
ABSENT: None

ABSTAIN: None



David Humke, Chairman

ATTEST:



NANCY PARENT, County Clerk





WASHOE COUNTY COMMISSION

1001 E. 9th Street
P.O. Box 11130
Reno, Nevada 89520
(775) 328-2005

**RESOLUTION
ADOPTING THE AMENDMENT TO THE SPANISH SPRINGS AREA PLAN
(MPA14-002, VILLAGE GREEN COMMERCE CENTER), A PART OF THE WASHOE COUNTY
MASTER PLAN**

WHEREAS,

- A. Applicant STN 365 Calle Group, LLC applied to the Washoe County Planning Commission for adoption of amendments to the Spanish Springs Area Plan, Appendix D, Village Green Commerce Center Specific Plan, removing Assessor's Parcel Number 534-561-09 (located at 365 Calle De La Plata) from the Specific Plan; modify the maps, buffering and other development standards and phasing of the remaining properties; re-designate the Master Plan category of APN 534-561-09 from Industrial (I) to Rural Residential (RR); and make the appropriate changes on all Spanish Springs Area Plan maps related thereto as set forth in Exhibit hereto;
- B. On September 16, 2014, the Washoe County Planning Commission held a duly noticed public hearing and determined that it had given reasoned consideration to the information it had received regarding the proposed Master Plan amendment and unanimously approved the request for adoption; and in connection therewith made the following findings as required by Spanish Springs Area Plan Policies SS.17.1 (a),(b), (c) and 17.2 (a) through (h), and Washoe County Code 110.812.15:
1. The amendment will further implement and preserve the Vision and Character Statement;
 2. The amendment conforms to all applicable policies of the Spanish Springs Area Plan and the Washoe County Master Plan, and
 3. The amendment will not conflict with the public's health, safety or welfare.
 4. A feasibility study has been conducted, commissioned and paid for by the applicant, relative to municipal water, sewer and storm water that clearly identifies the improvements likely to be required to support the intensification, and those improvements have been determined to be in substantial compliance with all applicable existing facilities and resource plans for Spanish Springs; by the Department of Water Resources. The Department of Water Resources will establish and maintain the standards and methodologies for these feasibility studies;

14-0957

5. A traffic analysis has been conducted that clearly identifies the impact to the adopted level of service within the unincorporated Spanish Springs Hydrographic Basin and the improvements likely to be required to maintain/achieve the adopted level of service. This finding may be waived by the Department of Public Works for projects that are determined to have minimal impacts. The Department of Public Works may request any information it deems necessary to make this determination;
6. For residential land use intensifications the potential increase in residential units will not exceed Washoe County's policy growth level for the Spanish Springs Area Plan, as established in Policy SS 1.2;
7. If the proposed intensification will result in a drop below the established policy level of service for transportation (as established by the Regional Transportation Commission and Washoe County) within the Spanish Springs Hydrographic Basin, the necessary improvements required to maintain the established level of service are scheduled in either the Washoe County Capital Improvements Program or Regional Transportation Improvement Program within three years of approval of the intensification. For impacts to regional roads, this finding may be waived by the Washoe County Planning Commission upon written request from the Regional Transportation Commission;
8. If roadways impacted by the proposed intensification are currently operating below adopted levels of service, the intensification will not require infrastructure improvements beyond those articulated in Washoe County and Regional transportation plans AND the necessary improvements are scheduled in either the Washoe County Capital Improvements Program or Regional Transportation Improvement Program within three years of approval of the intensification;
9. Washoe County will work to ensure that the long range plans of facilities providers for transportation, water resources, schools and parks reflect the policy growth level established in Policy SS.1.2;
10. If the proposed intensification results in existing facilities exceeding design capacity and compromises the Washoe County School District's ability to implement the neighborhood school philosophy for elementary facilities, then there must be a current capital improvement plan or rezoning plan in place that would enable the District to absorb the additional enrollment. This finding may be waived by the Washoe County Planning Commission

upon request of the Washoe County Board of Trustees;

11. The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan;
 12. The proposed amendment will provide for land uses land uses which are compatible with (existing or planned) adjacent land uses, and will not adversely impact the public health, safety or welfare;
 13. The proposed amendment responds to changed conditions or further studies that have occurred since the plan was adopted by the Board of County Commissioners, and the requested amendment represents a more desirable utilization of land;
 14. There are or are planned to be adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed Master Plan designation;
 15. The proposed amendment will promote the desired pattern for the orderly physical growth of the County and guides development of the County based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services, and
 16. The proposed amendment will not affect the location, purpose and mission of any military installation.
- C. The adopted master plan amendments were referred to this Board pursuant to NRS 278.220 and WCC 110.820.30 to affirm, reverse, or modify the findings of the Planning Commission and adopt such parts thereof as may practicably be applied to the development of the county;
- D. This Board held a duly noticed public hearing on October 28, 2014 to consider adopting the Master Plan Amendments and desires to adopt them as specified in Attachment A to this Resolution; and
- E. Under NRS 278.0282, before this adoption can become effective, this Board must submit the proposed amendment to the Regional Planning Commission and receive a final determination that the proposed amendment conforms to the Comprehensive Regional Plan;

NOW THEREFORE BE IT RESOLVED,

1. That this Board of County Commissioners affirms the findings of the Planning Commission and hereby ADOPTS the amendments to the Spanish Springs Area Plan MPA 14-002 (Village Green Commerce Center), as provided in the maps, and revised Appendix D attached hereto. (Exhibit B)

2. This Resolution shall forthwith be filed with the Regional Planning Commission as an application for processing and a determination under NRS 278.0282 and the rules of the Regional Planning Governing Board. All decisions to seek reconsideration, appeal or judicial review must be referred to this Board for a decision. If a final determination is received from the Regional Planning Commission or Regional Planning Governing Board or a court of competent jurisdiction that these Master Plan Amendments conform to the Comprehensive Regional Plan, this Resolution shall, without further review or action by the Board, be executed by the Board Chairman and immediately filed with the County Clerk under NRS 278.0235 as a final action and the Director of the Planning and Development Division shall take all actions necessary to implement it. Otherwise, this Resolution shall have no effect.

ADOPTED on October 28, 2014, to be effective only as stated above.

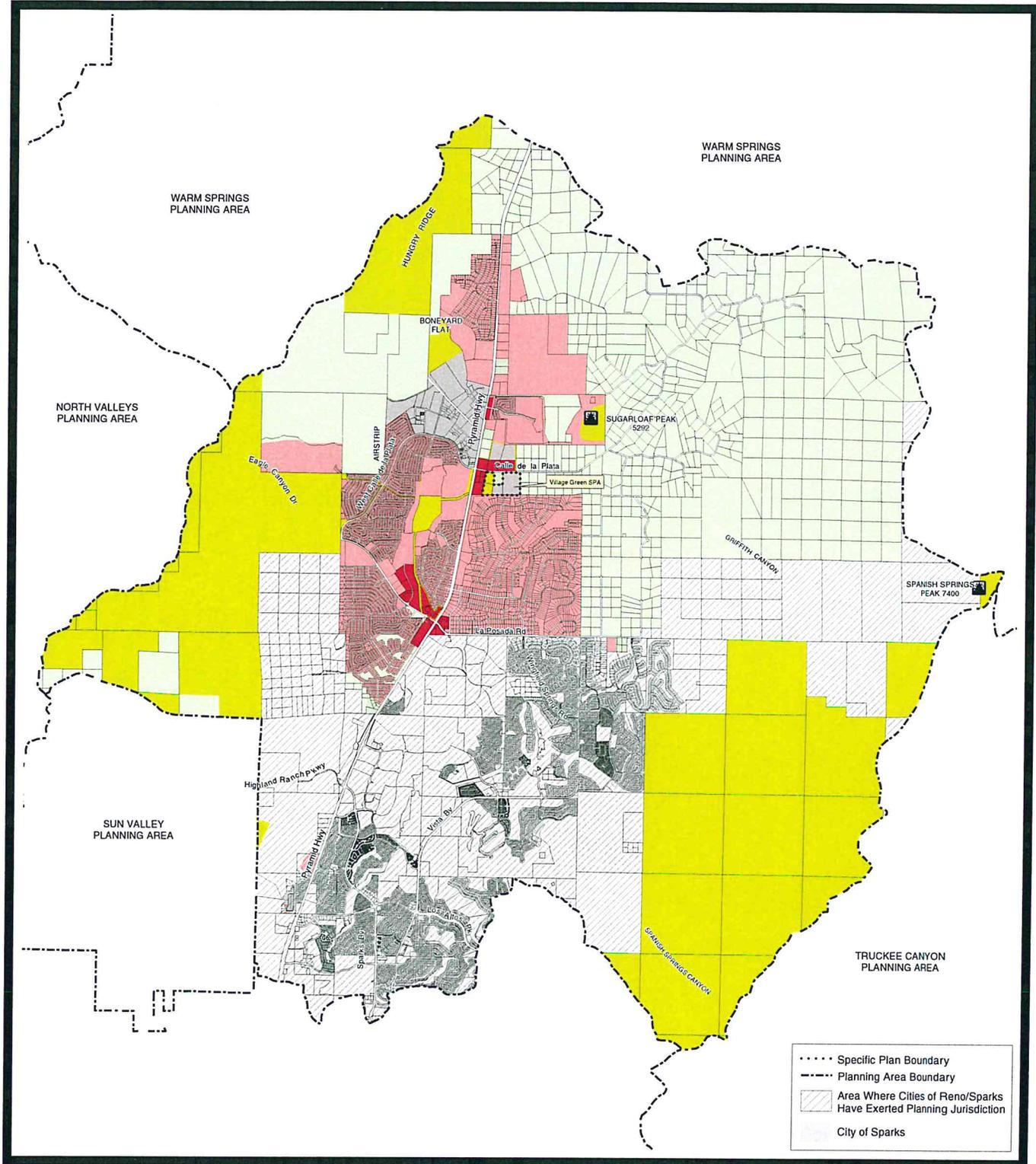
WASHOE COUNTY BOARD OF COUNTY COMMISSIONERS

By: Marsha Berkgigler
Marsha Berkgigler, Chair

February 9, 2015
Date Signed

ATTEST:

Nancy L. Parent
Nancy Parent, County Clerk



SPANISH SPRINGS MASTER PLAN MAP

- RURAL
- RURAL RESIDENTIAL
- SUBURBAN RESIDENTIAL
- URBAN RESIDENTIAL
- COMMERCIAL
- INDUSTRIAL
- OPEN SPACE

SOURCE : Planning and Development Division

PC Date: November 13, 2014
 BCG Date: December 9, 2014
 RPC Conformance Date: January 28, 2015

NOTE: THE SCALE AND CONFIGURATION OF ALL INFORMATION SHOWN HEREON ARE APPROXIMATE ONLY AND ARE NOT INTENDED AS A GUIDE FOR DESIGN OR SURVEY WORK. REPRODUCTION IS NOT PERMITTED WITHOUT PRIOR WRITTEN PERMISSION FROM THE WASHOE COUNTY COMMUNITY SERVICES DEPARTMENT.

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CERTIFICATION: THIS DOCUMENT HAS BEEN REVIEWED AND APPROVED AS AN ACCURATE REPRESENTATION OF THE ADOPTED MASTER PLAN MAPS OF WASHOE COUNTY, NEVADA, BY THE WASHOE COUNTY COMMUNITY SERVICES DEPARTMENT.

DATE: _____ DIRECTOR: _____

**Community Services
 Department**

**WASHOE COUNTY
 NEVADA**

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 Reno, Nevada 89520 (775) 328-3600