

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

TUESDAY

10:00 A.M.

AUGUST 25, 2015

PRESENT:

**Marsha Berkbigler, Chair**  
**Kitty Jung, Vice Chair**  
**Vaughn Hartung, Commissioner\***  
**Jeanne Herman, Commissioner**  
**Bob Lucey, Commissioner**

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

The Washoe County Board of Commissioners convened at 10:00 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:

**15-0732      AGENDA ITEM 3 Public Comment.**

The following individuals spoke in support of hunting and recreational shooting on Peavine Mountain: Peewee Henson, Jeff Rodgers, Spencer Van Winkle, Ted Williams and Ronald Williams. The individuals agreed they were more than willing to share the mountain with the bicyclists and hikers but wanted the same respect for their recreational activities. The biggest concerns expressed included the erosion of the trails from bike tires, garbage being left behind and the lack of designated shooting areas. It was suggested to designate areas for shooting with signs to address safety concerns. There was a suggestion to reduce or eliminate safety risks by restricting other recreational activities during the two or three week hunting season in November. The individuals were willing to comply with any guidelines as long as they were still permitted to exercise their hunting and shooting rights.

George Newell questioned whether the Board had seen the contract for the Warm Springs Specific Plan (WSSP). He stated it had been 13 months since a formal request was made for the refund of money that was placed on deposit with the County for the WSSP infrastructure. He stated in the terms of the said contract, if the money was not used within a specific number of years, it would be refunded. He admitted he did not want to file a lawsuit against the County to get his money back, but he felt he was left with no other choice. He indicated he spent \$70, 000 researching how to have the Specific Plan Area (SPA) dissolved. He expressed his frustrations about the difficulty of getting his money refunded and thought it was unfair that he had to continue to fight to get this issue resolved. He pleaded with the Board to reconsider the issue and help him get his money back. He mentioned criminal charges could be brought forward.

Nick Tscheekar and Camille Glanzmann represented the Community Foundation of Western Nevada, a local nonprofit organization, which specialized in charitable giving. Mr. Tscheekar spoke of the Youth Network Initiative and indicated the program was a collaborative effort which addressed the needs of youth who were homeless or aging out of foster care. He said they had been conducting the Youth Network Initiative since 2014 and the project was focused on determining the barriers to services and on bringing all of the service providers together so there was a more comprehensive understanding of what the needs were. The initiative started with two public meetings at which it was determined the main need was not necessarily for more resources, but for the education about how to find available resources. He explained the Eddy House was a walk-in resource center where troubled youth, ages 12 to 21, could receive a variety of services including information regarding how to obtain a General Education Development (GED) certificate and acquire identification. There was also a registered nurse available when needed. Ms. Glanzmann stated that youth might not know where to go to get services, but they were not lacking in technology, such as smart phones, the internet and the use of library computers. She stated their website, [www.renoyouthnetwork.com](http://www.renoyouthnetwork.com), was created to address how and where to locate needed resources. She encouraged the Board to view the website and use the site as a resource for youth that were struggling, homeless or aging out of the foster care program. She noted anyone could contact the Community Foundation of Western Nevada with questions regarding the program.

Jan Lockard spoke regarding her concerns about Ventana Parkway, which was the only roadway access for nearly 400 houses. She noted she was unable to find an Ordinance or County Code regarding the width of bike lanes and said after the road was repaved, the bike lanes increased in size by nearly 40 percent. She commented she did not understand the justification for the increase since there had not been an increase in the number of traffic accidents and it was not supported by County Code, Ordinance or any current statistics. She said there was a recent Home Owners Association (HOA) meeting where the HOA Board members and most attendees were appalled at the width of the bike lanes. She explained that most of Ventana Parkway was straight with a continuous walking path on one side which was maintained by the HOA. She stated the speed limit was 25 miles per hour (mph) for a one-mile stretch, which she thought was too slow. She noted a traffic study was performed in 2006 which indicated the average speed on the road was approximately 30 mph, which closely matched her recommendation. She stated if compliance was the goal, then 30 mph was more reasonable. She also stated the County did not have the resources to patrol the street. Her written comments were placed on file with the Clerk.

Kathrine Snedigar spoke about the expansion of bike lanes, which left less room for trucks with trailers. She noted the people in bike lanes rode the line closest to the cars, which caused large vehicles to change lanes to avoid them. She asked what the bicyclist's responsibilities were and said she believed the bike lanes were dangerous.

Garth Elliott spoke regarding the General Improvement District (GID) issue. He stated he had been on the Sun Valley General Improvement District (SVGID) for five years and looked forward to serving a few more years. He said he was contacted by someone from Incline Village who was very concerned about what had happened with the Incline Village General Improvement District (IVGID). Mr. Elliott emphasized SVGID practices were "squeaky" clean.

He said they scrutinize every penny that was spent and every contract that was formed. He personally went by all construction sites to assess the work.

Sam Dehne spoke regarding the various festivities that happened in Reno yearly. He stated his two favorite festivities were Burning Man and Street Vibrations.

Sharon Spencer spoke in support of Citizen Advisory Boards (CABs), which she thought were the most important and closest entities to the people. She spoke for the IVGID citizens, who felt they had been disenfranchised and were not represented properly. She spoke against the wall art in the Commission Chambers. She said she supported Katherine Snedigar, Garth Elliott and Kim Robinson from the Truckee Meadows Regional Planning Agency (TMRPA).

**15-0733      AGENDA ITEM 4 Announcements/Reports.**

John Slaughter, County Manager, announced Agenda Item 5G3 was inadvertently carried forward from the August 11, 2015 meeting where it was approved, so the item would be removed from the agenda. He stated there was a request from Chair Berkbigler for Agenda Item 9 to be held at 3:00 p.m. Lastly, he had a request from Chair Berkbigler to read a note sent from Caleb Cage, Chief Emergency Management Homeland Security Advisor for Governor Brian Sandoval. The note stated on August 14th, Aaron Kenneston, Emergency Manager, and his small team, became the second Emergency Management Program in the nation to be 100 percent compliant with the national accreditation program.

Commissioner Herman spoke about the progress the Lemmon Valley Flood Project was making in cooperation with the Children's Cabinet and Social Services. She stated the Community Services Department was clearing the roads and ditches but she still received calls about areas that were missed. She said this was the first year of the new vendor permitting process for Burning Man, but there were concerns about some conflicting information which was given to the vendors. She hoped the new process would go smoothly. She indicated that Cold Springs still did not have wireless service available, but Dish Network said they could install the necessary equipment in one day. She was appointed to the Nevada Association of Counties (NACo) Rural Action Caucus and the NACo Agriculture and Rural Affairs Steering Committee. She added that Governor Sandoval appointed her to the State Land Use Planning Advisory Council.

Commissioner Hartung stated he recently attended the funeral for Officer Carl Howell. He said it was an honor to pay his final respects to such a courageous man. He emphasized the dangers of law enforcement jobs and said they put themselves in harm's way daily. He commented that the Wild West Motorsports Park short course event was a great success and he looked forward to attending the event in the future. He received an email from staff regarding the status of the revised codes for new development and landscaping standards and stated he should have information to bring to the Board soon. He noted he had conversations with the Sheriff's Office regarding signage in designated shooting areas on Peavine Mountain and he was very concerned with the issues there. He thought it was important to the County to look at this area as a multi-use facility and stated the Sheriff had some good ideas about how to

make recreation on the mountain work for everyone with the proper signage. He liked the idea of having the Nevada Department of Wildlife (NDOW) inform people in the area of future events and hunting seasons. He noted hunting and shooting had always been done on Peavine Mountain and said he understood that some people wanted to utilize the area for other types of recreation. He thought there could be a viable solution and all the recreational groups could work together so everyone could equally enjoy the space.

Commissioner Jung referred to an article in the *Reno News and Review* regarding government transparency. She requested staff look into various ways to improve the transparency of the County's information online.

Commissioner Jung requested an update regarding when signs would be posted on Peavine Mountain. She emphasized if the rules were enforced in all recreational areas, it would encourage people to obey them. She requested staff to inform the Board who was responsible for enforcement. She agreed with previous comments that suggested the mountain should be closed to multi-use during the hunting season for safety reasons. Although the County could not mandate how the Nevada Division of Forestry (NDF) or Bureau of Land Management (BLM) enforced the rules, the County could provide information about the places to avoid during certain times of the year.

Commissioner Jung referred to the flooding issues in Lemmon Valley and requested staff to report why the Flood Project was not taking care of the people. She understood the Flood Project had money and was currently working on three projects, but she was not aware of any future projects. She said everyone in the County would be expected to pay a flood tax soon. She requested information regarding the Flood Project's plans to reimburse the County for the flood responses the County had funded over the years. She agreed reimbursement might not be an option, but at least going forward the Flood Project should be held accountable.

Commissioner Jung mentioned she had a very successful Neighborhood Watch meeting in her neighborhood where 15 people attended. The Reno Police Department sent Officer Tim Broadway to facilitate. She said the old northwest in the University District had seen a rise in home burglaries. She noted that Officer Broadway would be leaving for his third deployment soon to Kuwait to deal with the Islamic State (ISIS). She encouraged the other Commissioners to help start Neighborhood Watch programs in their communities

Commissioner Lucey requested staff to address the Peavine Mountain issue with the Sheriff's Office and the NDOW. He noted that this was always a popular hunting spot, so the need to ensure safety was important. He stated he and Assistant County Manager Kevin Schiller had the opportunity to participate in the National Clean Energy Summit in Las Vegas. They had some very important meetings and met with people who were doing some innovative projects concerning renewable energy. He met the Director of the Nevada Office of Energy, Paul Thomsen, who was located in Carson City, and said he would like to set up a time for Mr. Thomsen to give a presentation to the Board. He indicated there were funds within the State for renewable energy projects for Counties that made energy efficient purchases to promote self-reliance. Another benefit of renewable energy was the improvement of the County's air quality. He stated County Manager John Slaughter, Communications and Engagement Manager Nancy

Leuenhagen and Commissioner Lucey recently attended the Economic Development Authority of Western Nevada (EDAWN) press conference and the event for Angie's Artisan Treats, who was relocating their west coast manufacturing plant to south Reno. As a County, it was import to continue to nurture and help the new businesses flourish in the community. He announced that Judge Egan Walker was appointed to the Board of Directors for the National Council of Juvenile and Family Court Judges, which was a huge honor.

Chair Berkbigler received a letter from Senator Harry Reid that was placed on file with the Clerk, (See Agenda Item 5F5). The letter expressed his gratitude to the Truckee Meadows Water Authority (TMWA) for stepping up with their generous offer to bridge a very difficult problem that would have prevented the final implementation of the Truckee River Operating Agreement (TROA). The sale of water rights to complete the obligations of the City and the County to provide 6,700 acre feet of water rights was the necessary step to finally trigger the dismissal of lawsuits and commence the implementation of the TROA by the end of the year. She mentioned the FireShowsWest Conference and Exposition was scheduled to occur at the Reno-Sparks Convention Center in October. She said Firemen from all over the United States would be present and she encouraged people to attend the event. She requested a Proclamation declaring September as Hunger Action Month on behalf of the Food Bank of Northern Nevada to be added to an agenda in September. She stated that she and Assistant County Manager Joey Orduna Hastings had the honor of recently attending the Lake Tahoe Summit, which was held on the Nevada side of South Lake Tahoe. Senator Dean Heller hosted the Summit and Senator Dianne Feinstein, along with numerous Congressmen from northern California and Nevada, was in attendance. She stated there was good information about what was going on to save Lake Tahoe and to clear up the water. She added there were two pieces of legislation before Congress which would bring in more money to protect the Lake.

After some discussion, the Board decided to pull Agenda Item 15 from the agenda. The Board directed staff to immediately notify Scenic Nevada of the change, to post a notice of the change on the Chamber doors and to the main page of the County website. Chair Berkbigler stated the reason the item was pulled was due to Commissioner Hartung's inability to participate in the public hearing. Since Commissioner Hartung's District would be directly affected by the Ordinance, the Board thought he needed to be present.

Legal Counsel Paul Lipparelli stated the Chair could order the removal of an item at her discretion.

Chair Berkbigler requested Agenda Item 15 be removed from the agenda and rescheduled to the first meeting in September to provide Commissioner Hartung the ability to be present.

**CONSENT ITEMS** (5A through 5G3)

**15-0734** **5A** Approve roll change requests, pursuant to NRS 361.765 and/or NRS 361.768, for errors discovered for the 2013/2014 and 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 \$1,591.94]. Assessor. (Parcels are in various Commission Districts.)

- 15-0735** **5B** Authorize the creation of two (2) Pre-Trial Services Officer I/II positions [Job class #60001160] for the Specialty Court Division of the Second Judicial District Court at an [estimated total annual cost of \$151,689.62,] including benefits; and direct the Comptroller's Office to make the appropriate budget adjustments. The funds identified to support these positions will come from repurposed professional service funds from the Administrative Office of the Courts and fees collected from Adult Drug Court in Internal Order 20215. District Court. (All Commission Districts.)
- 15-0736** **5C** Approve the Collective Bargaining Agreements with the Washoe County District Attorney Investigator's Association (WCDAIA) for the Non-Supervisory and Supervisory bargaining units for the period July 1, 2015 through June 30, 2016; ratify same: a 3% Cost of Living Adjustment in base wage effective July 1, 2015; increase from 5% to 10% the differential to base hourly rate of pay in half-day increments for days employees are assigned to conduct training; and approve same for the Chief Investigator (DA). FY 15/16 fiscal impact is estimated at [\$43,006.] Human Resources. (All Commission Districts.)
- 15-0737** **5D** Approve acceptance of 2015 State of Nevada, Department of Public Safety, Office of Traffic Safety project funding [\$4,977, 20% in-kind match required, \$995.40] to be used to purchase 14 Preliminary Breath Test devices (PBTs) for the retroactive grant period of 8/11/2015 through 9/30/15, and direct Comptroller's Office to make the necessary budget adjustments. Sheriff. (All Commission Districts.)
- 15-0738** **5E** Acknowledge Receipt of the Report of Sale- July 23, 2015 Delinquent Special Assessment Sale-Sale Cancelled as All Delinquencies paid. Treasurer. (Commission District 5.)
- 15-0739** **5F1** Approve a Water Rights Deed transferring 26.826 acre-feet of Thomas Creek water rights from Washoe County to South Reno Land Investors, LLC, A Nevada Limited Liability Company. (Commission District 2.)
- 15-0740** **5F2** Adopt a Resolution Accepting Real Property for Use as a Public Street (A portion of 2nd Parcel Map for Spanish Springs Associates Limited Partnership and Mystic Mountain, LLC, Parcel Map No. 5124, Ingenuity Avenue), APN 538-010-06 (totaling 57,062 square feet), for use as a public street right-of-way; and if approved, direct the Clerk's Office to record the Resolution. (Commission District 4.)
- 15-0741** **5F3** Approve Change Orders 1, 2 and 3 for the Central Incline Village Phase II Water Quality Improvement Project [\$101,570.36], funded by Nevada Tahoe

Bond Act and U.S. Forest Service Southern Nevada Public Lands Management Act, Washoe County. (Commission District 1.)

**15-0742**      **5F4** Approve the SR 28 Corridor Operations and Maintenance Interlocal Agreement between Washoe County, Tahoe Transportation District, Nevada Department of Transportation, Nevada Division of State Parks, Nevada Division of State Lands, Nevada Department of Public Safety-Highway Patrol, Incline Village General Improvement District, Carson City Parks & Recreation Department, Douglas County Parks & Recreation Department and Tahoe Regional Planning Agency, retroactive to August 1, 2015. (Commission District 1.)

**15-0743**      **5F5** Approve the Agreement Regarding Satisfaction of the Obligation of the City of Reno, City of Sparks and Washoe County pursuant to Section 1.E.4 of the Truckee River Operating Agreement (TROA) to provide 6,700 acre-feet of water rights, between Washoe County, the City of Reno, the City of Sparks, and the Pyramid Lake Paiute Tribe. (All Commission Districts.)

Chair Berkbigler read a letter from Senator Harry Reid, which was placed on file with the Clerk.

**15-0744**      **5G1** Approve (retroactive to July 1, 2015) Grant Program Contract FY 2015-2016 for Silver State Fair Housing Council (SSFHC) in the amount of [\$10,000;] approve Resolution necessary for same, and direct Comptroller's Office to make the appropriate budget adjustments. (All Commission Districts.)

**15-0745**      **5G2** Acknowledge Receipt of the Washoe County District Attorney's Office Audit Report from the Internal Audit Division. (All Commission Districts.)

There was no public comment on the Consent Agenda Items listed above.

On motion by Commissioner Lucey, seconded by Commissioner Herman, which motion duly carried, it was ordered that the Consent Agenda Items 5A through 5G3 be approved with the exception of 5G3, which was pulled. Any and all Resolutions or Interlocal Agreements pertinent to Consent Agenda Items 5A through 5G2 are attached hereto and made a part of the minutes thereof.

**11:07 a.m.**      Commissioner Hartung left.

**BLOCK VOTE (AGENDA ITEMS 7, 8, 10, 11 AND 12)**

**15-0746**      **AGENDA ITEM 7** Recommendation to approve the purchase of three (3) Williamsen-Godwin dump truck bodies equipped with hydraulics and tarping systems; three (3) Henke HXC-2000 V-Box spreaders; and three (3) Henke reversible snow plows from Enoven Truck Body & Equipment, 2904 Duluth St., West Sacramento, CA [in the amount of \$310,452] utilizing State of Nevada Bid

No. 8351 pursuant to the joinder provision of NRS 332.195. Community Services. (All Commission Districts.)

On motion by Commissioner Jung, seconded by Commissioner Lucey, which motion duly carried with Commissioner Hartung absent, it was ordered that Agenda Item 7 be approved.

**15-0747**      **AGENDA ITEM 8** Recommendation to approve the independent contract agreement for services between Quest Counseling and Consulting and Washoe County through the Second Judicial District Court and the Department of Juvenile Services with a retroactive contract term of July 1, 2015 through June 30, 2018 and an [estimated total value of \$275,000] and, if approved, authorize Purchasing and Contracts Administrator to sign. Juvenile Services. (All Commission Districts.)

On motion by Commissioner Jung, seconded by Commissioner Lucey, which motion duly carried with Commissioner Hartung absent, it was ordered that Agenda Item 8 be approved and authorized.

**15-0748**      **AGENDA ITEM 10** Recommendation to approve sole source purchase, retrofit and installation of ninety-one (91) 24VDC motor operated electric high security detention door locks from Southern Folger Detention Equipment Company, 4634 S. Presa Street, San Antonio TX, utilizing GSA Schedule 084 pricing per quote #GSA2015-070 in the amount of [\$294,124.04.] Sheriff. (All Commission Districts.)

On motion by Commissioner Jung, seconded by Commissioner Lucey, which motion duly carried with Commissioner Hartung absent, it was ordered that Agenda Item 10 be approved.

**15-0749**      **AGENDA ITEM 11** Recommendation to approve Community Development Block Grant from the Nevada Governor's Office of Economic Development in the amount of [\$152,454 (match \$110,041 cash and in-kind)] Rural Senior Ambassador Program, grant period retroactive from July 1, 2015 through December 31, 2016 and if accepted, authorize Chairman to execute grant documents; authorize the creation of 1.0 FTE fully benefited Volunteer Coordinator pending affirmation by the Job Evaluation Committee (JEC) at the August 26, 2015 meeting; and direct the Comptroller's Office to make the appropriate budget adjustments. Senior Services. (All Commission Districts.)

On motion by Commissioner Jung, seconded by Commissioner Lucey, which motion duly carried with Commissioner Hartung absent, it was ordered that Agenda Item 11 be approved, authorized and directed.

**15-0750**      **AGENDA ITEM 12** Discussion and possible approval of a resolution proposing to consolidate Truckee Meadows Fire Protection District with Sierra Fire

Protection District and to hold a hearing to determine whether consolidation is feasible and in the best interests of the County and Districts. Truckee Meadows Fire. (All Commission Districts.)

On motion by Commissioner Jung, seconded by Commissioner Lucey, which motion duly carried with Commissioner Hartung absent, it was ordered that Agenda Item 12 be approved. The Resolution for same is attached hereto and made a part of the minutes thereof.

**11:17 a.m.** Commissioner Hartung returned.

**15-0751** **AGENDA ITEM 6** Department presentation by Washoe County Sheriff, Chuck Allen. Including the Sheriff's Office mission, organizational structure, accomplishments and goals. Sheriff. (All Commission Districts.)

Sheriff Chuck Allen reviewed a PowerPoint presentation about the Sheriff's Office. He shared the Mission Statement and the Mantra, which was "Commitment to Community". He explained the structure of the Sheriff's Office, which included the Detention Bureau, the Administration Bureau, the Operations Bureau and the Forensic Science Division. He noted there were 423 commissioned employees, 291 civilian employees and more than 1,000 trained volunteers who assisted in many different safety practices. He noted he had a Detective Volunteer who primarily worked on "cold cases" and had put in 1,600 volunteer hours in the past year. There were currently nine members of the Sheriff's Office Volunteer Reserve Program and with active recruitment he hoped to see that number grow to at least 60 members by the end of his first term as Sheriff. Community engagement was an area that made him very proud to serve as Sheriff because he saw all the great work that was done in the community throughout the year. He pointed out a photo of the Sheriff's Office Regional Aviation Unit (RAVEN) helicopter, which showcased the ability to assist the Bureau of Land Management (BLM) and US Forest Service with fire threats in the area. The Sheriff's Office was very active in working with the Salvation Army to provide children with school supplies and backpacks. He was very proud that he and his staff had been able to continue to participate in many community engagement events. He acknowledged John Spencer, Undersheriff, whose primary responsibilities included overseeing the daily operations of the three bureaus and the crime division. One of the biggest priorities they focused on was the dispatch center, because it was where the community called for help. He confirmed that it was important to him to provide the highest level of service, so he was meeting with the County Manager's staff and the City of Reno to find viable solutions to create a better communications center. Sheriff Allen spoke of the three bureaus noting the Detention Bureau, led by Chief Deputy Anthony Miranda, was the largest with more than 20,000 bookings in the 2014-2015 fiscal year. The Operations Bureau, led by Chief Deputy Sherman Boxx, was the next largest bureau with more than 1,100 pounds of drugs seized and 64,000 calls for service. The Administration Bureau, led by Chief Deputy Pedersen, processed more than 10,000 civil issues and issued more than 5,000 Concealed Carry Weapon (CCW) permits. He was proud to announce there would be an academy graduation in December. The Forensic Science Division, led by Director Kerri Heward, processed 6,500 pieces of evidence and completed 640 DNA investigations last year. Facility maintenance continued to be a challenge for the Sheriff's Office. Parking lot safety was an issue and they were trying to keep it well lit for the employees while they made their way to and from work. He stated there were also

maintenance issues that were put off because of budgetary constraints, but were now a priority and would be addressed. He stated some of the future concerns included the replacement of radios to keep up with technology, a larger hanger for the RAVEN helicopter, a larger infirmary at the jail, and vehicle replacement. He said the Regional Public Safety Training Center (RPSTC) was a responsibility of the Sheriff's Office. For the past several years it had been run without a director, which resulted in salary savings. Moving forward, he wanted other entities to come to the facility to conduct law enforcement or fire related classes to help generate some income. In closing, he stated he was very humbled, honored, excited, privileged and proud to be serving as Sheriff. He said each and every person contributed to the betterment of the community and he thanked all of the Sheriff's Office employees.

Commissioner Jung acknowledged he was doing remarkably well coming in his important role as an elected official.

Commissioner Hartung commended Sheriff Allen and the staff for being accommodating and for the timeliness of responses to issues. He was so impressed that the response time was not a matter of hours, but a matter of minutes. He said he spoke with Undersheriff Spencer about issues that needed to be addressed right away. He thanked Sheriff Allen for how much the Sheriff's Office did with minimal staff.

Sheriff Allen stated he was listening to the comments and concerns and they could not be fixed overnight. He and his staff would be meeting to work on the Peavine Mountain issues to create the highest level of security and safety for everyone.

Commissioner Lucey said he thought Sheriff Allen and his Office exemplified all the areas of the Board's Strategic Plan. He shared that the Sheriff and his staff were always responsive to any issues he had and work as a unified team. He thanked the Sheriff for all the hard work. He said he had the opportunity to interacted with some California Highway Patrol Mounted Police who shared they loved to work with the Washoe County Sheriff's Office. He thought a compliment like that was truly a sign of the quality of service that was put forth every day.

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

**15-0752**      **AGENDA ITEM 13** Recommendation to approve initiating proceedings to amend the Washoe County Code (Chapter 60 – Fire Code) to adopt a new Section 5601.1.6 within the International Fire Code Chapter 56: Explosives, of Washoe County Code Chapter 60, containing provisions that amend the 2012 Edition of the International Fire Code, effective July 1, 2015; and direct the County Clerk to submit the request to the District Attorney for preparation of a proposed ordinance, pursuant to Washoe County Code Section 2.030 and 2.040. Truckee Meadows Fire. (All Commission Districts.)

Truckee Meadow Fire Protection District (TMFPD) Fire Marshall Amy Ray stated in 2013, the Board chose to not approve the amendment of the Fire Code banning exploding targets within the County. She stated recently they were asked to bring back the issue

of the exploding targets for review and to establish safety regulations. She said this agenda item was to request permission from the Board to propose new ordinance language for the exploding target issue.

Commissioner Herman said several constituents called her with their concerns about prohibiting the exploding targets. She said they felt like another right was being taken away from them.

Fire Marshall Ray stated they considered allowing residents who owned private property, or owners of licensed shooting ranges, to apply for permits through the TMFPD. She said they were looking for language which would allow the targets, but would add some restrictions and regulations to comply with the Fire Code.

When asked how dangerous the exploding targets really were, Fire Marshall Ray explained the binary targets were sold in two pieces; they were not regulated because they were sold separately, but once the two pieces were mixed together they were considered an explosive by the Federal Bureau of Investigation (FBI) and the Bureau of Alcohol, Tobacco and Firearms (ATF). There had been documented fires started and injuries by the exploding targets. She confirmed they could be dangerous. She noted the manufacturing, sale and use of the exploding targets had been banned in Reno, Sparks, Carson City and Lyon County, but to date they were still allowed in the County. She said once the proposed language was ready, there would be a public hearing so people could come forward with their concerns and suggestions.

Commissioner Lucey said, in the County and surrounding area, fireworks had been illegal as long as he could remember. He said whether something was lit with a lighter or something shot with a gun or rifle, it was considered an explosive and could start fires. He stated there needed to be some fiscal responsibility, because if an explosive started a forest fire it would cause economic harm to the County. He thought they needed to be consistent with the law regarding fireworks and not allow the exploding targets.

On the call for public comment, Mitch Gerlinger stated binary exploding targets were not volatile. He said they were reactive and it took a high velocity rifle round to set them off. He claimed they could be shot with a pistol or shotgun and would not explode. He explained when they exploded, the flash of white was not smoke, it was carbon dioxide and water. He said it was nearly impossible to set something on fire with the binary targets, but rifle rounds were very capable of setting fires. He stated he went with the bomb squad to an explosives range where they set off about 20 explosions. He stated they only had to put out one fire that day and that was when they exploded two blocks of C4 with hundred gallon propane tanks on top of them. He thought people needed to use common sense when doing any type of shooting. He mentioned he did not know where the information came from about the ban on the sale and use of the binary targets in Sparks because he called Scheels and found they had the Tannerite binary targets for sale.

On motion by Commissioner Jung, seconded by Commissioner Lucey, which motion duly carried, it was ordered that Agenda Item 13 be approved and directed.

**15-0753**      **AGENDA ITEM 14** Public Hearing and possible action 1) To consider an application by Southwest Gas Corporation for a non-exclusive franchise agreement to provide natural and other gas service to portions of Washoe County, including any objections on the matter; 2) If determined to be in the best interests of the residents of Washoe County, to approve a Franchise Agreement between Southwest Gas Corporation and the County of Washoe, retroactive to May 1, 2015, effective through April 30, 2040, fixing the terms and prescribing the conditions pursuant to which the franchise is to be granted, the character or kinds of service to be rendered, the maximum rates to be charged for the service, and such other matters as may be properly connected therewith; 3) If the Franchise Agreement is approved, to adopt a Resolution Authorizing and Approving the Issuance of a Non-Exclusive Franchise to Southwest Gas Corporation to Supply Natural Gas to Portions of Washoe County, Nevada; and 4) If the Franchise Agreement is approved, to approve an associated Agreement to Pay Annually to Washoe County 2% of the franchisee's Net Profits under the franchise for the Benefit of the County School District Fund of Washoe County, State of Nevada. Community Services. (All Commission Districts.)

The Chair 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.

There was no public comment on this item.

On motion by Commissioner Lucey, seconded by Commissioner Jung, which motion duly carried, it was ordered to approve Agenda Item 14. The Resolution for same is attached hereto and made a part of the minutes thereof.

**15-0754**      **AGENDA ITEM 16** 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.

**11:46 a.m.**      On motion by Commissioner Lucey, seconded by Commissioner Herman, which motion duly carried, it was ordered that the meeting recess to a closed session for the purpose of discussing negotiations with Employee Organizations per NRS 288.220.

**3:00 p.m.**      The Board reconvened with Commissioner Hartung absent.

**15-0755**      **AGENDA ITEM 9** Discussion and possible direction to staff on powers and duties of general improvement districts in Washoe County possibly including discussion of formation, operation, governance, compliance with laws, merger and dissolution of general improvement districts. Manager. (All Commission Districts.)

Legal Counsel Paul Lipparelli explained the Board packet included a memorandum that outlined some of the laws and history in Nevada that pertained to General Improvement Districts (GIDs). As stated in the memorandum, there were two different structures

a GID could choose from at the time it was established. He explained the first structure was to be governed by the Board of County Commissioners and the other structure was for the Board to appoint Trustees to a GID, which was the structure that the majority of GIDs in the County used. He stated the GIDs had the same laws to uphold as any other government entity. GIDs were required to report to the Debt Management Commission to ensure they did not incur debt they could not manage with their revenue. He said, despite several efforts made over the years, the independence of GIDs from County Governments had remained in place and County Boards of Commissioners had limited ability to control what the GIDs did. He explained the one exception was a law that was passed in the mid 60's called the Special District Law, that required GIDs formed after that date to have what was called service plans. He noted they were similar to a master plan and described what the GID was formed to do, what capital improvement projects it would do, how it would operate, how it would meet operational needs and how it would manage its finances. He stated the Board was given the authority to ensure that the service plans were being followed. Not all GIDs in the County had a service plan. Absent that ability to oversee the following of a service plan, the Board was limited to making sure the Debt Management Commission rules were followed and that the financial performance of GIDs were sound. He indicated there was one last exception though, under the provision of Nevada Revised Statute (NRS), Chapter 318, which was the GID law, if the Board was presented with a petition by a significant number of residents or property owners within the GID boundary which indicated the GID was not being properly managed, or if the Board received such a notice from the Department of Taxation, then it would be required to have a hearing about the alleged problems or issues of mismanagement. He said they had four options: adopt an Ordinance that would set itself up as the Board of Trustees of the District; it could adopt an Ordinance providing for the merger, consolidation or dissolution of the District; it could file a petition in the District Court in which the District was located for the appointment of a receiver to manage the District; or it could determine by Resolution that the management and organization was going to remain unchanged. He stated the responsibility of the Board would be triggered by 20 percent of the qualified electors of the District or upon receiving of notice by the Department of Taxation. He said once a GID was properly formed and in operation the Board had the very limited role of overseeing or controlling the business affairs of the GID. He stated the GIDs were required to submit budgets to the State Department of Taxation and to hold public hearings for the consideration of the budget. He indicated the employees and officials of the District were authorized to spend the money only in the way in which the budget contemplated, there were statutes in place to prevent more spending than was appropriated. He noted each of the GIDs were subject to audits.

Chair Berkbigler asked how the GIDs increased fees to cover items that were needed. Mr. Lipparelli stated the GIDs had the power to impose rates, tolls, charges and fees. Public hearings had to be held to impose any changes which would provide the public the opportunity to participate in decisions.

Chair Berkbigler asked if a GID held a hearing for a new trash contract, could they use the funds for anything else in their District. Mr. Lipparelli stated he was not sure. He admitted some areas were above his expertise and stated there were a number of regulations and protocols regarding the accounting of the public entities. He stated he would research the issue and bring more information back to the Board regarding this question.

Chair Berkbigler questioned whether a GID that wanted to provide additional services, such as wireless service, would have the authority to do it and, if so, who would approve the transaction. Mr. Lipparelli stated any service a GID provided had to be approved. Initially, when a GID was formed it was usually formed through an Ordinance that granted certain powers to the GID. Recently, the Sun Valley General Improvement District (SVGID) was authorized to provide recreational services, so it asked and was given that authority by the County through an Ordinance. An amendment to the initial Ordinance was the action that was needed to make changes to the services GIDs provided.

Commissioner Lucey asked Mr. Lipparelli at what point could a GID decide it was not necessary to provide the services in an area and how could a GID be dissolved. Mr. Lipparelli said the people who lived in a GID could initiate a petition for a merger or dissolution, but the decision would be made by the Board of Trustees of the GID. A County could initiate a merger or dissolution, but it could not be done over the objection of the majority of the people in the District or the Board of Trustees. In the case of the South Truckee Meadows General Improvement District (STMGID), the dissolution was part of an overall merger with the Truckee Meadows Water Authority (TMWA). The Board of Trustees of the GID adopted a Resolution, which agreed to the dissolution of the GID, so there were no objections.

The following individuals spoke regarding issues and complaints about the Incline Village General Improvement District (IVGID): Steven Kroll, Jan Ellis, Frank Wright, Limark Newman, Dick Warren, Judith Miller, Linda Newman, Gayle Holderer, Arnold Landau, Thomas Whalen, Bea Epstein, Mary McKenna, Michael Abel, Margaret Martini, Mark Alexander, Lyn Karol, Russ Berry and Aaron Katz. The biggest concerns expressed included recreation fees, the lack of access to beaches that were supposed to be private beaches for home owners, the lack of internal controls, large consultant fees paid but no information regarding what they were consulting about, alleged corruption, a distorted accounting system, unapproved debt incurred and the residents who were still paying on bonds that were paid off. The residents were unhappy and concerned about the practices of the IVGID. They wanted action to be taken to solve the mentioned problems. Several of the individuals provided written statements that were placed on file with the Clerk.

The following individuals spoke regarding the outstanding job the IVGID had been doing: Pete Todoroff, Donald Epstein, Tim Callicrate and Tom Bruno. These individuals stated there was a smear campaign going on that was unfounded and they encouraged local residents to seek further information regarding the IVGID to become better educated about what they offered to the community. The individuals indicated the finances of the IVGID were in great shape and had adequate reserves. In reference to the beach access, one individual noted he was given a packet showing what he did and did not own when he purchased the property and he thought any person making a property purchase was given the same packet. They stated the information given to residents was clear and concise about ownership benefits. It was stated that the General Manager had only been there one year and was doing a wonderful job. They admitted the Trustees had made some mistakes in the past. Mr. Todoroff submitted a handout that was placed on file with the Clerk.

Katherine Snedigar stated she had a problem with the Palomino Valley General Improvement District (PVGID), because the only thing they did was road maintenance and they did a very bad job of it. She said the roads in Warm Springs had ditches 12 inches deep with no shoulders. She claimed the PVGID did not adhere to standard accounting practices and she wanted to know how they got away with that.

Sharon Spencer stated she was present because she sympathized with the people who complained about IVGID. She said she understood how horrible it would be to be taxed without representation, to lose a franchise and to feel as if the middle class was footing the bill for the enjoyment of the affluent class. She remarked she could counter each of the points made by legal counsel by searching the internet on her phone and she emphasized to Mr. Lipparelli that she was well-versed about Nevada laws. She noted the PVGID minutes were inaccurate and did not reflect the truth. She stated she had the same problem in the Citizen Advisory Board (CAB). She noted that it was not this Board that set up the GIDs but she thought the responsibility rested on the current Board to fix the problems.

Chair Berkbigler thanked everyone for coming out and stated perhaps there was nothing that could be done immediately, but she ensured citizens there would be further discussions regarding the issues brought forward.

Chair Berkbigler close the public hearing.

**15-0756**      **AGENDA ITEM 18** Public Comment

Assemblyman Randy Kirner talked about the medical marijuana facilities. He said five out of the six of the medical marijuana facilities allowed per County were located in his District and he wanted to encourage the Board to develop codes for proximity. He noted there were no facilities in Spanish Springs. He said he worked with the owner of the Mount Rose establishment to get it moved but they wanted to move it to “The ‘Lodge” building on Mount Rose Highway and he did not know if that was a safe place. He said these issues needed to be addressed.

Katherine Snedigar wondered where the authority came from for the County to write a development code and impose it upon her and her property. She said they did not have the authority to come on to her property and tell her anything. She also noted that she would appreciate staff using the proper language about Warm Springs, because it was not a residential neighborhood, but considered as non-producing agriculture properties. She voiced her frustration that she paid for fire services but did not have a 7 to 8 minute response time.

Aaron Katz stated there were two things he did not get to say earlier. He said part of the materials he provided, which were placed on file with the Clerk, were copies of Ordinances that the Board passed which gave IVGID their power. Included was also a transcript of the proceedings in 1965 when the Board gave IVGID the power of recreation. He referred to one of the Ordinances provided, Bill Number 227, wherein IVGID received the power to provide electricity with a condition that stated if they were going to provide facilities they needed to transfer them to another organization that was subject to Public Utilities Commission's

oversight. He said IVGID refused to do this. He referred to another document provided, which was a recreation testimony from IVGID, that stated if the power was granted they would not use it like they were currently. They were only going to manage public parks and beaches, and everything else, including the golf courses, recreational centers and Diamond Peak, would all be privately owned, operated and financed. He thought they lied to the Board. He indicated the Board needed to take the things that IVGID lied about away from them otherwise they would continue to lie to get what they wanted.

Margaret Martini wanted to explain ownership in the IVGID area. She stated the property owners did not own the facilities, except perhaps the beaches and yet the properties were being held hostage for the payment of the bonds. The bonds were not issued against IVGID, they were issued against the properties. She indicated if IVGID were to go bankrupt, the property owners would be held personally liable for the bonds. She encouraged the Board to review the issue. She stated IVGID was operating above the law.

**15-0757      AGENDA ITEM 19 Commissioners/Manager’s announcements**

Chair Berkbigler reminded people that item number 15 which was set for 6 p.m. was cancelled and would be rescheduled to the first meeting in September.

\*       \*       \*       \*       \*       \*       \*       \*       \*       \*

**4:52 p.m.**      There being no further business to discuss, on motion by Commissioner Jung, seconded by Commissioner Herman, which motion duly carried, the meeting was adjourned.

\_\_\_\_\_  
**MARSHA BERKBIGLER**, Chair  
Washoe County Commission

ATTEST:

\_\_\_\_\_  
**NANCY PARENT**, County Clerk and  
Clerk of the Board of County Commissioners

*Minutes Prepared by:  
Doni Gassaway, Deputy County Clerk*

APN: 538-010-06

*When recorded return to:  
Washoe County Engineering & Capital Projects Division  
PO Box 11130  
Reno, NV 89520*

**DOC # 4506782**

08/26/2015 11:50:13 AM  
Requested By  
WASHOE COUNTY CLERK  
Washoe County Recorder  
Lawrence R. Burtness - Recorder  
Fee: \$0.00 RPTT: \$0.00  
Page 1 of 6



**RESOLUTION ACCEPTING REAL PROPERTY**  
**FOR USE AS A PUBLIC STREET**  
**(A Portion of 2<sup>ND</sup> Parcel Map for Spanish Springs Associates Limited Partnership and Mystic Mountain, LLC, Parcel Map No. 5124)**

The 2<sup>nd</sup> Parcel Map for Spanish Springs Associates Limited Partnership and Mystic Mountain, LLC, Parcel Map No. 5124, Section 14, Township 21 North, Range 20 East, MDM, Document No. 4344409 recorded April 15, 2014, (Ingenuity Avenue) as described and shown on Exhibit "A" (a copy is attached and is incorporated by reference).

WHEREAS, it is a function of the County of Washoe to operate and maintain public streets; and

WHEREAS, the right of way for Ingenuity Avenue, was offered for dedication by 2<sup>nd</sup> Parcel Map for Spanish Springs Associates Limited Partnership and Mystic Mountain, LLC, Parcel Map No. 5124, Document No. 4344409 recorded on April 15, 2014; and

WHEREAS, said offer of dedication was rejected by the Director of Planning and Development Division because said road was not constructed to Washoe County standards; and

WHEREAS, NRS 278.390 specifically provides that if at the time a final map is approved any streets are rejected the offer of dedication shall be deemed to remain open and the governing body may by resolution at any later date, and without further action by the property owner, rescind its action and accept the street for public use; and

115-07140

WHEREAS, portion of said street has been recently constructed and now meets current County standards; and

WHEREAS, said street is necessary for public access; and

WHEREAS, the Washoe County Board of Commissioners finds that it is in the best interest of the public to accept said street.

NOW, THEREFORE, BE IT RESOLVED, by the Washoe County Board of Commissioners, pursuant to NRS 278.390, that the real property shown on 2<sup>nd</sup> Parcel Map for Spanish Springs Associates Limited Partnership and Mystic Mountain, LLC, Parcel Map No. 5124 (as described and shown on Exhibit "A", a copy is attached and is incorporated by reference) is hereby accepted.

WASHOE COUNTY BOARD OF COMMISSIONERS

*Marsha Berkbigler*  
Chair, Marsha Berkbigler  
Washoe County Commission

8/25/15, 2015  
Dated

15-67410

SEAL OF WASHOE COUNTY  
ATTEST:  
*Nancy L. Parent*  
NANCY PARENT  
Washoe County Clerk



CUMULATIVE INDEXES  
 SHOULD BE EXAMINED  
 FOR ANY SUBSEQUENT  
 CHANGES TO THIS MAP

2nd PARCEL MAP  
 FOR  
 SPANISH SPRINGS ASSOCIATED LIMITED PARTNERSHIP  
 AND MISTIC MOUNTAIN, LLC  
 SITUATE WITHIN SECTIONS 11, 14 AND 23,  
 TOWNSHIP 10 N, RANGE 10 W, COUNTY OF  
 BOND, PARCEL 10 OF PARCEL MAP 4813  
 MADISON COUNTY, MISSOURI

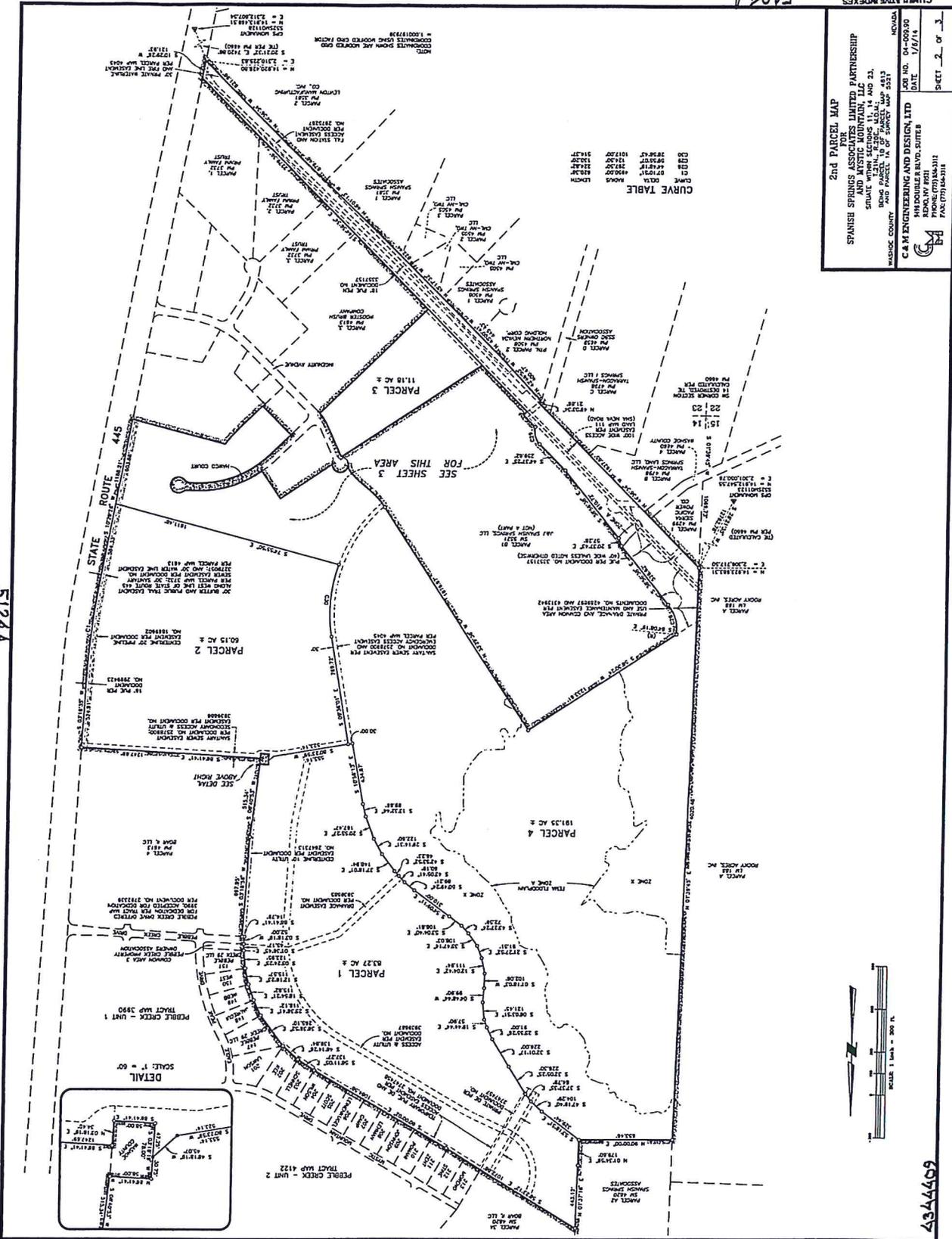
JOB NO. 04-009-00  
 DATE 1/27/14  
 C & M ENGINEERING AND DESIGN, LTD  
 1800 DOUGLAS BLVD., SUITE B  
 PHOENIX, ARIZONA 85016  
 PHONE: (602) 944-1311  
 FAX: (602) 944-1311

SHEET 2 OF 3

5124A

Parcel Map 5124A

15-0740



5124A

CUMULATIVE INDEXES  
 SHOULD BE EXAMINED  
 FOR ANY SUBSEQUENT  
 CHANGES TO THIS MAP

43447609

CUMULATIVE INDEXES SHOULD BE EXAMINED FOR ANY SUBSEQUENT CHANGES TO THIS MAP

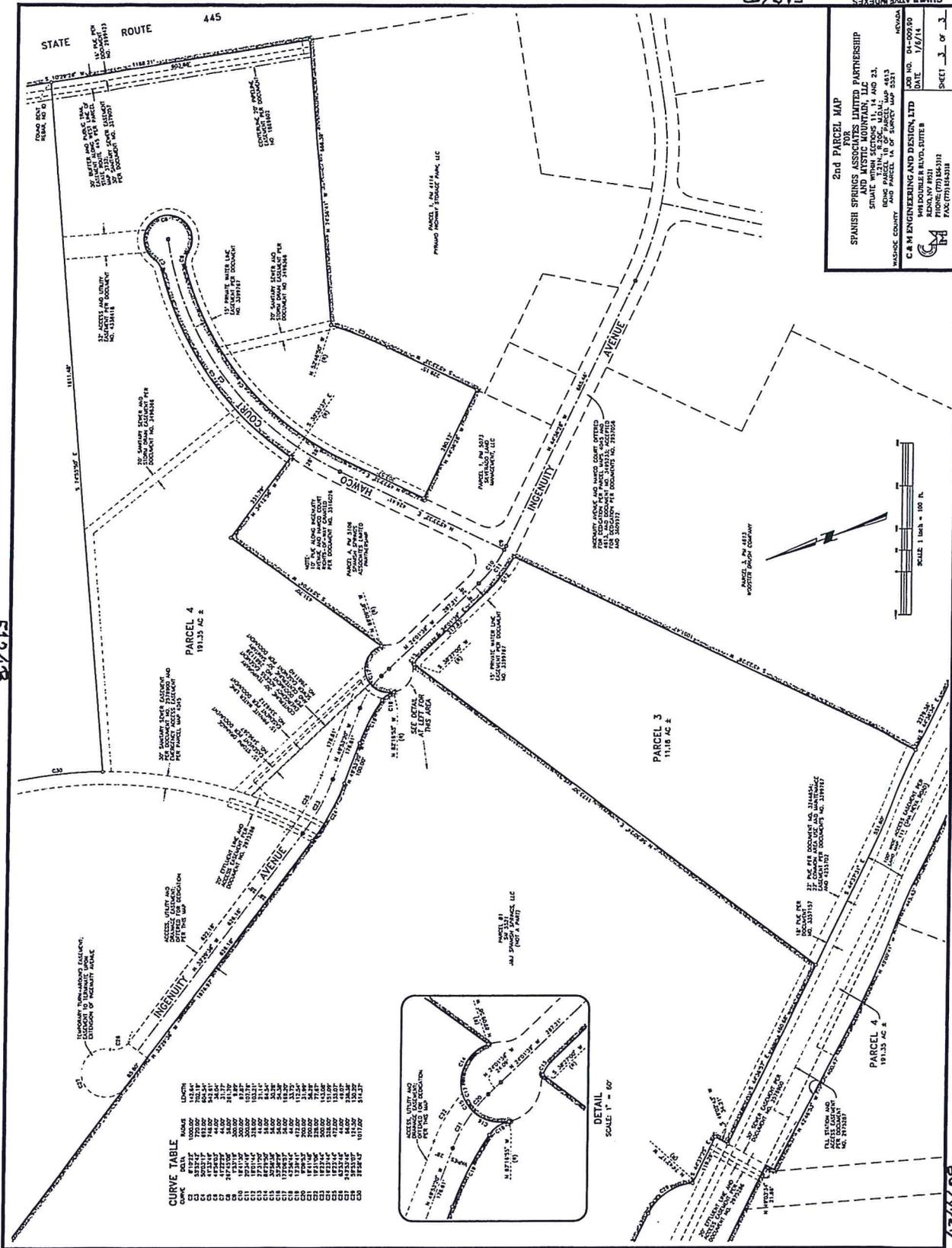
51243

**2nd PARCEL MAP**  
 SPANISH SPRINGS ASSOCIATES LIMITED PARTNERSHIP  
 AND MISTIC MOUNTAIN, LLC  
 STATE PLANS, SECTIONS 13, 14, 15 AND 21,  
 T31N, R20E, A3E, A4E, A5E, A6E, A7E,  
 PARCEL 1A OF SURVEY MAP 0313  
 HAWAII COUNTY, HAWAII

C & M ENGINEERING AND DESIGN, LTD  
 1001 W. KALANANAKU AVENUE, SUITE B  
 HONOLULU, HAWAII 96813  
 PHONE: (708) 543-3111  
 FAX: (708) 543-3111

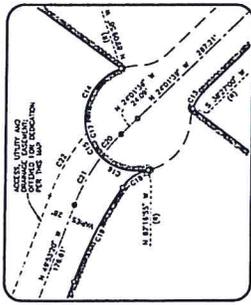
PROJECT NO. 000000  
 DATE 1/6/11  
 SHEET 3 OF 3

Parcel Map 51243



**CURVE TABLE**

MARK	STATION	LENGTH
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C2	1911.32	1911.32
C3	1911.32	1911.32
C4	1911.32	1911.32
C5	1911.32	1911.32
C6	1911.32	1911.32
C7	1911.32	1911.32
C8	1911.32	1911.32
C9	1911.32	1911.32
C10	1911.32	1911.32
C11	1911.32	1911.32
C12	1911.32	1911.32
C13	1911.32	1911.32
C14	1911.32	1911.32
C15	1911.32	1911.32
C16	1911.32	1911.32
C17	1911.32	1911.32
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C42	1911.32	1911.32
C43	1911.32	1911.32
C44	1911.32	1911.32
C45	1911.32	1911.32
C46	1911.32	1911.32
C47	1911.32	1911.32
C48	1911.32	1911.32
C49	1911.32	1911.32
C50	1911.32	1911.32



51243

15-0740

CUMULATIVE INDEXES SHOULD BE EXAMINED FOR ANY SUBSEQUENT CHANGES TO THIS MAP

434409



## WASHOE COUNTY RECORDER

OFFICE OF THE COUNTY RECORDER  
LAWRENCE R. BURTNES, RECORDER

1001 E. NINTH STREET  
POST OFFICE BOX 11130  
RENO, NEVADA 89520-0027  
PHONE (775) 328-3661  
FAX (775) 325-8010

### LEGIBILITY NOTICE

The Washoe County Recorder's Office has determined that the attached document may not be suitable for recording by the method used by the Recorder to preserve the Recorder's records. The customer was advised that copies reproduced from the recorded document would not be legible. However, the customer demanded that the document be recorded without delay as the parties rights may be adversely affected because of a delay in recording. Therefore, pursuant to NRS 247.120 (3), the County Recorder accepted the document conditionally, based on the undersigned's representation (1) that a suitable copy will be submitted at a later date (2) it is impossible or impracticable to submit a more suitable copy.

By my signing below, I acknowledge that I have been advised that once the document has been microfilmed it may not reproduce a legible copy.

*Catherine Smith*

Signature

*August 26, 2015*

Date

*Catherine Smith*

Printed Name

15-0740

**SR 28 Corridor**  
**Operations and Maintenance**  
**Interlocal Agreement**

**Tahoe Transportation District**  
and  
**Nevada Department of Transportation**  
and  
**Nevada Division of State Parks**  
and  
**Nevada Division of State Lands**  
and  
**Nevada Department of Public Safety-Highway Patrol**  
and  
**Washoe County Community Services Department**  
and  
**Incline Village General Improvement District**  
and  
**Carson City Parks & Recreation Department**  
and  
**Douglas County Parks & Recreation Department**  
and  
**Tahoe Regional Planning Agency**

This Interlocal Agreement (this "Agreement") is dated and effective August 1, 2015, by and between the Tahoe Transportation District ("TTD"); the Nevada Department of Transportation ("NDOT"); the Nevada Division of State Parks ("NDSP"); the Nevada Division of State Lands ("NDSL"); the Nevada Department of Public Safety-Highway Patrol ("NHP"); Washoe County and its Community Services Department ("Washoe County"); the Incline Village General Improvement District ("IVGID"); Carson City and its Parks & Recreation Department ("Carson City"); the Douglas County and its Parks & Recreation Department ("Douglas County"); and the Tahoe Regional Planning Agency ("TRPA"). Collectively, these agencies and organizations will hereinafter be referred to as the "Parties."

15-0742

**WITNESSETH:**

**WHEREAS**, the Parties are public agencies under Nevada Revised Statutes ("NRS") 277.100 and authorized to enter into cooperative agreement in accordance with NRS 277.080 to 277.110;

**WHEREAS**, NRS 277.180 authorizes any one or more public agencies to contract with any one or more other public agencies to perform any governmental service, activity or undertaking which any of the public agencies entering into the agreement is authorized by law to perform;

**WHEREAS**, the Parties recognize the need to combine the operations and maintenance approach for projects in the SR 28 corridor: the SR 28 Corridor Project, the NV Stateline to

Stateline Bikeway Project, and other individual projects (as combined, the "Corridor Project"), in the area shown in Exhibit A;

**WHEREAS**, combining the operations and maintenance approach for these projects will allow the Parties to engage in more effective and efficient efforts across jurisdictional boundaries and achieve the safety, environmental and transportation goals of the projects;

**WHEREAS**, some of the Parties entered into a Interlocal Agreement on May 11, 2007, to create a working group to develop agreements regarding planning, design and construction and management, operation and maintenance responsibilities for the bikeway;

**WHEREAS**, some of the Parties entered into the Nevada State Route 28 Corridor Management Plan Project Charter in June 2012, in which they agreed to develop the SR 28 Corridor Management Plan;

**WHEREAS**, the Corridor Management Plan was developed to define the vision, goals and objectives for the corridor and to provide a coordinated management strategy to guide the Parties, and was approved by the TTD Board of Directors on October 11, 2013;

**WHEREAS**, some of the Parties entered into a Federal Lands Access Program ("FLAP") Project Memorandum of Agreement in December 2014 to set forth responsibilities regarding development and construction of Phase 1 of the Corridor Project in order to obligate FLAP funding;

**WHEREAS**, TTD has been successful in securing approximately \$23.9 million federal, state and local funding for the Corridor Project;

**WHEREAS**, The Parties each have unique roles, jurisdictions, missions, and goals, but there needs to be a coordinated approach to the operations and maintenance of existing and future facilities within the SR 28 corridor;

**WHEREAS**, an operations and maintenance agreement is required in order to receive FLAP and other funding for construction;

**WHEREAS**, this Agreement describes the operations and maintenance responsibilities for the projects identified in Exhibit B, and will be amended in the future to set forth operations and maintenance responsibilities for future projects; and

**WHEREAS**, the Parties now desire to create a Corridor Management Team (the "CMT") comprised of representatives from each of the Parties to develop specific operating procedures and maintenance plans related to the implementation of the Corridor Project.

**NOW, THEREFORE**, in consideration of the promises and mutual covenants herein contained, it is agreed as follows:

15-0742

## ARTICLE I – DUTIES AND RESPONSIBILITIES

1. The Parties will perform the operations and maintenance responsibilities described in Exhibit B for the projects described therein. Exhibit B shall be amended in the future to include operations and maintenance responsibilities for future projects.
2. The Parties will continue to provide planning information, meeting space and other support as needed (and within their respective budgets) for the Parties to attain their goal of a collaborative approach to planning, constructing, operating and maintaining facilities and services within the SR 28 corridor.
3. The CMT is hereby established to assist in implementing the Corridor Project. The Parties agree to provide one staff member to serve as a CMT representative, to attend bi-annual meetings, and to make recommendations to upper level staff and their governing boards regarding CMT activities.
4. At its first meeting, the CMT shall determine processes for reaching consensus and effective and efficient decision-making.
5. The CMT will work to:
  - a. Fulfill the operations and maintenance responsibilities set forth in this Agreement;
  - b. Amend this Agreement as necessary with regards to operations and maintenance responsibilities for future projects;
  - c. Assist in prioritizing the development and construction of projects;
  - d. Form partnerships to complete development and construction of projects,
  - e. Assist in submitting federal, state and local grant applications to fund projects ;
  - f. Assess continued challenges within the SR 28 corridor and look for opportunities to address those challenges; and
  - g. Provide recommendations to their governing bodies on how best to address those challenges;
  - h. Prioritize the need for capital infrastructure maintenance funding for projects;
  - i. Prepare a cumulative budget for capital maintenance funding in the SR 28 corridor and determine the appropriate Parties to submit grants and funding requests, including any requests to the Tahoe Fund; and
  - j. Identify and prioritize the need for grants and funding requests for future projects.
6. The CMT will provide recommendations to the TTD Board of Directors on any matter requiring action by the TTD Board of Directors in connection with the Corridor Management Plan.
7. TTD will continue to assist in developing and seeking funding sources for the implementation of the Corridor Project.
8. TRPA, in its role as the Tahoe Metropolitan Planning Organization, will continue to assist the Parties in providing long range multi-modal transportation planning information and survey and user monitoring information, including incorporating bikeway segments into monitoring protocol, as appropriate.
9. This approach does not preclude the Parties from individually performing their duties and responsibilities in the SR 28 corridor.

15-0742

## ARTICLE II - GENERAL PROVISIONS

1. This Agreement may only be terminated upon mutual written agreement of all of the Parties.
2. The Parties with operations and maintenance responsibilities described in Exhibit B may assign, transfer or delegate those responsibilities to other Parties upon written agreement of the Parties that will assume those responsibilities and written notice to all of the other Parties. Otherwise, none of the Parties shall assign, transfer or delegate any rights, obligations or duties under this Agreement without the prior written consent of all of the other Parties.
3. The Parties may agree to assume operations and maintenance responsibilities in addition to those described in Exhibit B upon written notice to all of the other Parties. Otherwise, this Agreement shall not be modified, extended or amended without the prior written consent of all of the Parties.
4. The Parties agree to work cooperatively to avoid and resolve conflicts at the lowest level possible. The Parties share the following principles in the resolution of conflicts:
  - The efficient delivery of an effective, cost efficient quality project or program is the primary goal of all partnering agencies.
  - The Parties will focus on their common goals rather than differences.
  - Win/Win solutions to conflicts will be sought.
  - Differences of opinion are acceptable but are sought to be limited.
  - Timely, open and honest communication is the key to avoiding and resolving conflicts.
5. Decisions are to be made and conflicts are to be resolved at the lowest possible level. If disagreements arise and cannot be resolved at the staff level, the Parties will follow the following process:
  - **TTD:** TTD staff elevates unresolved conflicts to the TTD District Manager.
  - **NDOT:** NDOT staff elevates unresolved conflicts to the NDOT District II Manager and then to the Director.
  - **NDSP:** NDSP Park Supervisor elevates unresolved conflicts to the NDSP Administrator.
  - **NDSL:** NDSL staff elevates unresolved conflicts to the NDSL Administrator.
  - **NHP:** NHP staff elevates unresolved conflicts to the NHP Chief.
  - **Washoe County:** Washoe County Community Services Department staff elevates unresolved conflicts to the Washoe Community Services Department Director and then to County Manager.
  - **IVGID:** IVGID Public Works staff elevates unresolved conflicts to the Public Works Department Director and then to IVGID General Manager.
  - **Carson City:** Carson City staff elevates unresolved conflicts to the Carson City Parks & Recreation Director and then to City Manager.
  - **Douglas County:** Douglas County staff elevates unresolved conflicts to the Douglas County Community Services Department Director and then to County Manager.
  - **TRPA:** TRPA staff elevates unresolved conflicts with recommendations to the Executive Director.

If a solution is reached, the Parties will work to implement the solution. If a solution is not reached, it may cause delay in implementing solution(s), vendor contract(s),

15-0742

program(s), construction contract(s) schedule(s) and/or jeopardize the timely use of available funding. All decisions and agreements regarding conflict resolution shall be documented fully and copies must be kept in the project files for all Parties.

6. All notices or other communications required or permitted to be given under this Agreement shall be in writing and shall be deemed to have been duly given if delivered personally in hand, by facsimile or email with simultaneous regular mailing by certified mail with return receipt requested and postage prepaid on the date posted, and addressed to the other party at the addresses set forth below:

TTD: Carl Hasty, District Manager  
Tahoe Transportation District  
cc: George Fink, Transit System Program Manager  
P.O. Box 499  
Zephyr Cove, NV 89448  
128 Market Street, Suite 3-F  
Stateline, NV 89449  
Phone Number: (775) 589-5500  
Fax: (775) 589-5283  
E-mail: [chasty@tahoetransportation.org](mailto:chasty@tahoetransportation.org);  
[gfink@tahoetransportation.org](mailto:gfink@tahoetransportation.org)

NDOT: Rudy Malfabon, Director  
Nevada Department of Transportation District 2  
cc: Thor Dyson, District Engineer  
310 Galletti Way  
Sparks, NV 89431  
Phone Number: (775) 834-8300  
Fax: (775) 834-8390  
E-mail: [rmalfabon@dot.state.nv.us](mailto:rmalfabon@dot.state.nv.us)  
[tdyson@dot.state.nv.us](mailto:tdyson@dot.state.nv.us)

NDSP: Eric Johnson, Administrator  
Nevada Division of State Parks  
cc: Bob Mergell, Deputy Administrator  
Jay Howard, Park Supervisor  
901 S. Stewart Street Suite 5005  
Carson City, NV 89701-5248  
Phone Number: (775) 684-2770  
Fax: (775) 684-2777  
E-mail: [emjohnson@parks.nv.gov](mailto:emjohnson@parks.nv.gov)  
[rmergell@parks.nv.gov](mailto:rmergell@parks.nv.gov)  
[jayattahoe@gmail.com](mailto:jayattahoe@gmail.com)

15-0170

NDSL: Charles Donohue, Administrator  
Nevada Division of State Lands  
cc: Elizabeth Harrison, Management Analyst  
901 S. Stewart Street Suite 5003  
Carson City, NV 89701-5246  
Phone Number: (775)684-2720  
Fax: (775)684-2721  
E-mail: [cdonohue@lands.nv.gov](mailto:cdonohue@lands.nv.gov)  
[eharrison@lands.nv.gov](mailto:eharrison@lands.nv.gov)

NHP: Colonel Dennis S. Osborn, Chief  
Nevada Highway Patrol  
cc: Chris Greb, Sargent (Tahoe)  
Rob Stepien, Deputy Commander Personnel  
625 Mt. Rose Hwy  
Incline Village, NV 89451-9111  
Phone Number: (775) 831-2404  
Fax: (775) 831-1709  
E-mail: [dosborn@dps.state.nv.us](mailto:dosborn@dps.state.nv.us)  
[cgreb@dps.state.nv.us](mailto:cgreb@dps.state.nv.us)  
[rstepien@dps.state.nv.us](mailto:rstepien@dps.state.nv.us)

Washoe County: John Slaughter, County Manager  
Washoe County Community Services Department  
cc: Dave Solaro, Director  
Cheryl Surface, Parks Planner/Tahoe Team Coordinator  
Adam Searcy, Roads Division Manager  
PO Box 113000  
Reno, NV 89520  
Phone Number (775) 328-2019  
E-mail: [jslaughter@washoecounty.us](mailto:jslaughter@washoecounty.us)  
[dsolaro@washoecounty.us](mailto:dsolaro@washoecounty.us)  
[csurface@washoecounty.us](mailto:csurface@washoecounty.us)  
[asearcy@washoecounty.us](mailto:asearcy@washoecounty.us)

IVGID: Steven Pinkerton, General Manger  
IVGID - Public Works Department  
cc: Joe Pomroy, Public Works Director  
Brad Johnson, Engineer  
1220 Sweetwater Road  
Incline Village, NV 89451  
Phone Number (775) 832-1269  
Fax: (775) 832-1260  
E-mail: [steven\\_pinkerton@ivgid.org](mailto:steven_pinkerton@ivgid.org)  
[joe\\_pomroy@ivgid.org](mailto:joe_pomroy@ivgid.org)  
[brad\\_johnson@ivgid.org](mailto:brad_johnson@ivgid.org)

15-0742-

Carson City: Nick Marano, City Manager  
Carson City Parks & Recreation Department  
cc: Roger Moellendorf, Director  
Ann Bollinger, Open Space Administrator  
3303 Butti Way Building #9  
Carson City, NV 89701  
Phone Number (775) 887-2262  
Fax: (775) 887-2145  
E-mail: [nmarano@carson.org](mailto:nmarano@carson.org)  
[rmoellendorf@carson.org](mailto:rmoellendorf@carson.org)  
[abollinger@carson.org](mailto:abollinger@carson.org)

Douglas County: Jim Nichols, County Manager  
Douglas County Community Services Department  
cc: Scott Morgan, Director  
1325 Waterloo Lane  
Gardnerville, NV 89410  
Phone Number: (775)782-9828  
Fax: (775)782-5799  
E-mail: [lwerner@co.douglas.nv.us](mailto:lwerner@co.douglas.nv.us); [smorgan@co.douglas.nv.us](mailto:smorgan@co.douglas.nv.us)

TRPA: Joanne S. Marchetta, Executive Director  
Tahoe Regional Planning Agency  
cc: Nick Haven, Transportation Planning Manager  
Brian Judge, Principal Environmental Specialist  
P.O. Box 5310  
Stateline, NV 89449  
128 Market Street  
Stateline, NV 89449  
Phone Number: (775)588-4547  
Fax: (775)588-4527  
E-mail: [jmarchetta@trpa.org](mailto:jmarchetta@trpa.org)  
[nhaven@trpa.org](mailto:nhaven@trpa.org); [bjudge@trpa.org](mailto:bjudge@trpa.org)

7. This instrument in no way restricts the Parties from participating in similar activities with other public or private agencies, organizations, and individuals.
8. The Parties their respective agencies, organizations and offices will handle their own activities and utilize their own resources, including the expenditure of their own funds, in pursuing these objectives unless otherwise agreed. Each party will carry out its separate activities in a coordinated and mutually beneficial manner.
9. This Agreement is not intended to, and does not create, any right, benefit, or trust responsibility, substantive or procedural, enforceable at law or equity, by a party against the United States, the Parties, their agencies, officers, or any other persons.
10. Each party agrees to keep and maintain under generally accepted accounting principles full, true and complete records and documents (written, electronic, computer related or

15-0742

otherwise) pertaining to this Agreement and present, at any reasonable time, such information for inspection, examination, review, audit and copying at any office where such records and documentation are maintained.

11. The Parties are associated with each other only for the purposes and to the extent set forth in this Agreement. Each party is and shall be a public agency separate and distinct from the other party and shall have the right to supervise, manage, operate, control and direct performance of the details incident to its duties under this Agreement. Nothing contained in this Agreement shall be deemed or construed to create a partnership or joint venture, to create relationships of an employer-employee or principal-agent, or to otherwise create any liability for one agency whatsoever with respect to the indebtedness, liabilities, and obligations of the other agency or any other party.
12. Pursuant to NRS Chapter 239, information or documents may be open to public inspection and copying. The Parties will have the duty to disclose unless a particular record is confidential by law or a common law balancing of interests. Each party shall keep confidential all information, in whatever form, produced, prepared, observed, or received by that party to the extent that such information is confidential by law or otherwise required by this Agreement.
13. This Agreement and the rights and obligations of the Parties shall be governed by, and construed according to, the laws of the State of Nevada. The Parties consent to the exclusive jurisdiction of the First Judicial District Court, Carson City, Nevada, for the enforcement of this agreement.
14. This Agreement constitutes the entire agreement of the Parties and is intended as a complete and exclusive statement of the promises, representations, negotiations, discussions, and other agreements that may have been made in connection with the subject matter hereof. Unless an integrated attachment to this Agreement specifically displays a mutual intent to amend a particular part of this Agreement, general conflicts in language between any such attachment and this Agreement shall be construed consistent with the terms of this Agreement. Unless otherwise expressly authorized by the terms of this Agreement, no modification or amendment to this Agreement shall be binding upon the Parties unless the same is in writing and signed by the respective Parties hereto.
15. The Parties do not intend by any of the provisions of this Agreement to create in the public or any member thereof a third party beneficiary status hereunder, or to authorize anyone not a party to this Agreement to maintain a suit for personal injuries or property damage pursuant to the terms or provisions of this Agreement.
16. The illegality or invalidity of any provision or portion of this Agreement shall not affect the validity of the remainder of the Agreement and this Agreement shall be construed as if such provision did not exist. The unenforceability of such provision or provisions shall not be held to render any other provision or provisions of this Agreement unenforceable.

15-0192

IN WITNESS WHEREOF, the Parties have executed this Agreement in counterparts on the dates written below.

**Tahoe Transportation District**

\_\_\_\_\_  
Carl Hasty, District Manager

**Nevada Department of Transportation**

\_\_\_\_\_  
Rudy Malfabon, Director

**Nevada Division of State Parks**

\_\_\_\_\_  
Eric M. Johnson, Administrator

**Nevada Division of State Lands**

\_\_\_\_\_  
Charles Donohue, Administrator

**Nevada Department of Public Safety-Highway Patrol**

\_\_\_\_\_  
Dennis Osborn, Chief

**Washoe County**

*Marsha Berkbigler*  
\_\_\_\_\_  
Marsha Berkbigler, Chair  
Board of County Commissioners

ATTEST: *Nancy L. ...*  
\_\_\_\_\_  
County Clerk



15-8742  
ehq-s

**Incline Village General Improvement District**  
Reviewed as to Form:

By \_\_\_\_\_  
Steven J. Pinkerton, General Manager

By \_\_\_\_\_  
T. Scott Brooke, General Counsel

**Agreed to:**

By \_\_\_\_\_  
Jim Smith, Chairman  
Board of Trustees

By \_\_\_\_\_  
Secretary

**Carson City**

ATTEST: \_\_\_\_\_  
Clerk-recorder

\_\_\_\_\_  
Robert L. Crowell, Mayor  
Of Carson City

**Douglas County**

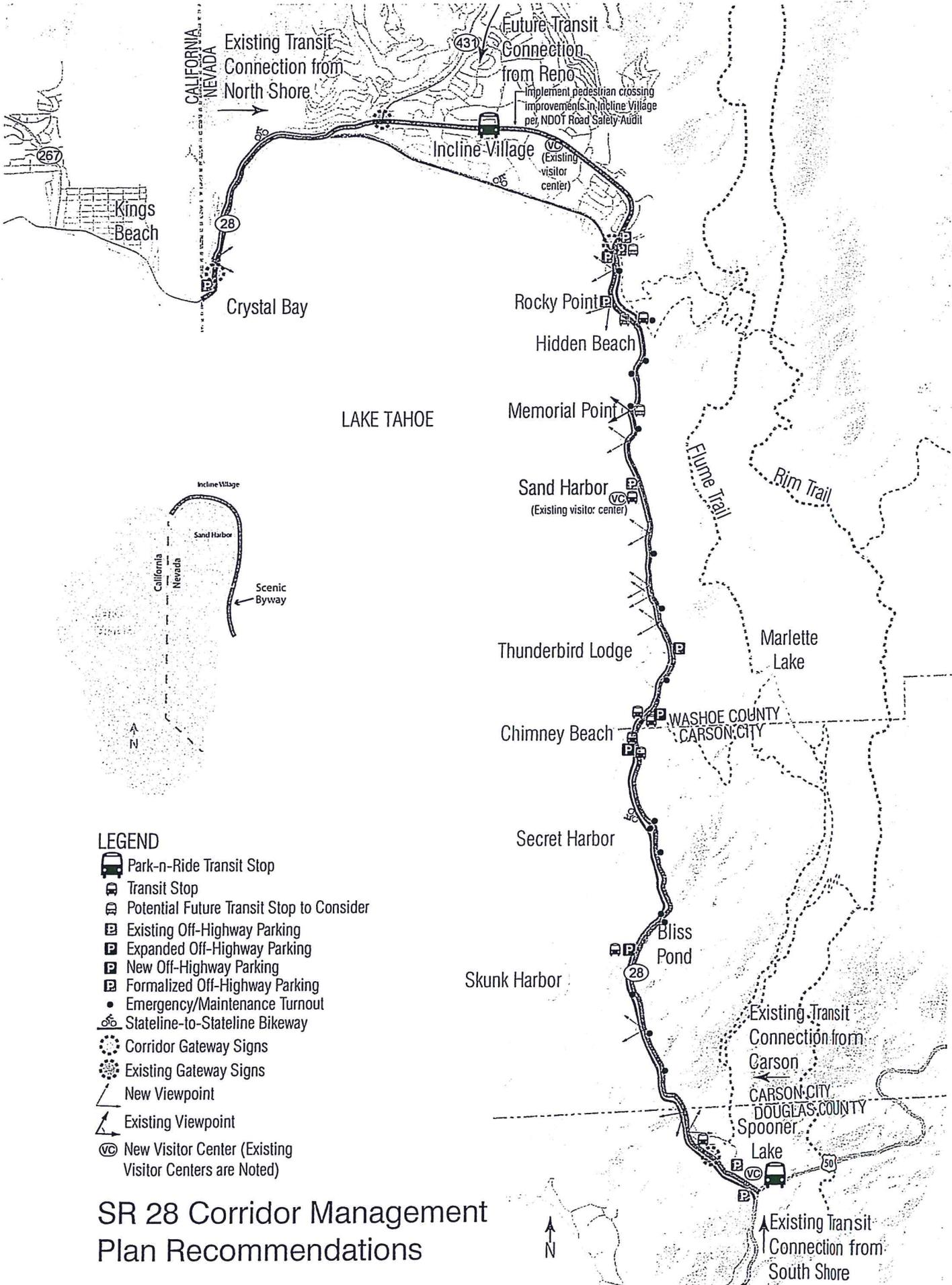
ATTEST: \_\_\_\_\_  
County Clerk

\_\_\_\_\_  
Doug N. Johnson, Chairman  
Board of County Commissioners

**Tahoe Regional Planning Agency**

\_\_\_\_\_  
Joanne S. Marchetta, Executive Director

15-0742



**LEGEND**

- Park-n-Ride Transit Stop
- Transit Stop
- Potential Future Transit Stop to Consider
- Existing Off-Highway Parking
- Expanded Off-Highway Parking
- New Off-Highway Parking
- Formalized Off-Highway Parking
- Emergency/Maintenance Turnout
- Stateline-to-Stateline Bikeway
- Corridor Gateway Signs
- Existing Gateway Signs
- New Viewpoint
- Existing Viewpoint
- New Visitor Center (Existing Visitor Centers are Noted)

**SR 28 Corridor Management Plan Recommendations**

15-5142

**Exhibit B**

**Operations and Maintenance Responsibilities**

**I. Incline Village to Sand Harbor**

**A. Tahoe Transportation District**

1. TTD will continue applying for federal, state and local funding for transit services within the SR 28 corridor. Currently, 60% of the total cost of the service comes from federal funding with a required match of 40% of the total cost of the service coming from state or local sources. Transit service is critical to meet the peak-season ridership demand in the SR 28 corridor from approximately June 15 until Labor Day.
2. TTD will operate and maintain the busses, bus shelters or benches and bus information signs for the transit service as long as federal, state and local funding is available.
3. TTD will continue seeking annual agreement with Washoe County School District for intercept lots in Incline Village and will assist in the planning efforts to provide permanent intercept lots in Incline Village and near the intersection of SR 28 and US Highway 50.
4. TTD will be responsible for the management of the grants, fee collection and fiscal compliance for the transit service.
5. TTD will provide any routine survey information on transit services or visitor experience to the Parties.

**B. Nevada Department of Transportation**

1. NDOT will operate and maintain all improvements within the SR 28 right-of-way and other property owned by NDOT, with the exception of the expanded parking near Ponderosa Ranch Road and the bikeway.

**C. Washoe County**

1. Washoe County will sweep the expanded parking near Ponderosa Ranch Road once at the beginning of each summer season.
2. Washoe County will sweep the bikeway twice each summer season (once at the beginning of the season and again during peak summer season) from Sweetwater Drive to Sand Harbor.
3. Washoe County will pump the water quality vaults located at the expanded parking near Ponderosa Ranch Road.
4. Washoe County will maintain the parking lot signs at the expanded parking near Ponderosa Ranch Road.

15-0142

5. Washoe County will provide dog waste bags for NDSP to stock at the expanded parking near Ponderosa Ranch Road.
6. Washoe County will operate and maintain 1-2 dumpsters at the expanded parking near Ponderosa Ranch Road from May 1<sup>st</sup> to Oct 15<sup>th</sup> of each year. The 2<sup>nd</sup> dumpster may only be needed during peak season July 1<sup>st</sup> - Labor Day. The dumpster(s) will be bear proof.
7. Washoe County will operate and maintain 1-2 ADA portable toilets at the expanded parking near Ponderosa Ranch Road from May 1<sup>st</sup> to Oct. 15<sup>th</sup> of each year. The 2<sup>nd</sup> portable toilet may only be necessary during peak season July 1<sup>st</sup> - Labor Day.
8. With the exception of the duties expressly assumed by NDSP, Washoe County will manage all routine maintenance of the expanded parking near Ponderosa Ranch Road and the bikeway from Sweetwater Drive to the southern boundary of Rocky Point Subdivision, i.e. the last subdivision in Incline Village prior to entering Lake Tahoe Nevada State Park. Funding for routine maintenance will be provided through programs such as parking meter revenues.
9. Washoe County will manage capital infrastructure maintenance for the expanded parking near Ponderosa Ranch Road and the bikeway from Sweetwater Drive to the southern boundary of Rocky Point Subdivision, i.e. the last subdivision in Incline Village prior to entering Lake Tahoe Nevada State Park. Funding for capital infrastructure maintenance will be provided through programs such as the Tahoe Fund endowment and parking meter revenues.

#### **D. Nevada Division of State Parks**

1. NDSP will allow transit access to Sand Harbor. Transit access is currently allowed through the south entrance gate. NDSP is responsible for operation and maintenance of the entrance gate.
2. NDSP will operate and maintain the parking area near Rocky Point and Hidden Beach.
3. NDSP will provide litter patrol at the expanded parking near Ponderosa Ranch Road and along the bikeway from Sweetwater Drive to Sand Harbor.
4. NDSP will stock dog waste bags provided by Washoe County at the expanded parking near Ponderosa Ranch Road.
5. If NDSP requests that a sign be installed on the bikeway at the expanded parking near Ponderosa Ranch Road to indicate whether or not Sand Harbor beaches are full, then NDSP will operate the sign in the same way that it currently operates its sign on the highway for motorist parking.
6. With the exception of the duties expressly assumed by Washoe County, NDSP will manage all routine maintenance of the parking lots and bikeway within Lake Tahoe Nevada State Park. Funding for routine maintenance will be provided through programs such as parking meter revenues.

150142

7. NDSP will manage capital infrastructure maintenance for the parking lots and bikeway within Lake Tahoe Nevada State Park. Funding for capital infrastructure maintenance will be provided through programs such as the Tahoe Fund endowment and parking meter revenues.

**E. Nevada Highway Patrol**

1. NHP will continue to assist in enforcement of the “No Parking Zones” and illegal shoulder parking along SR 28, within its Lake Tahoe operating procedures, and provide feedback to the CMT on the effectiveness of implemented Corridor Project solutions such as expanded “No Parking Zones.”

**II. Sand Harbor to Secret Harbor**

[To be determined]

**III. Secret Harbor to US 50 Spooner Lake**

[To be determined]

**IV. Crystal Bay to Incline Village**

[To be determined]

15-07140

**RESOLUTION** – Authorizing the Grant of Public Money to a Nonprofit Organization Created for Religious, Charitable or Educational Purposes

WHEREAS, NRS 244.1505 provides that a Board of County Commissioners may expend money for any purpose which will provide a substantial benefit to the inhabitants of the County and that a board may make a grant of money to a nonprofit organization created for religious, charitable or educational purposes to be expended for a selected purpose; and

WHEREAS, the Board of Commissioners of Washoe County has determined that \$10,000 in funding is needed to assist in providing services to encourage fair housing standards; now, therefore, be it

RESOLVED, by the Board of Commissioners of Washoe County that:

1. The Board hereby grants to Silver State Fair Housing Council, a nonprofit organization created for religious, charitable or educational purposes, a grant for fiscal year 2015-2016 in the amount of \$10,000 (Community Support).
2. The Board finds that in making this grant a substantial benefit will be provided to the inhabitants of the County by providing informational materials and education to increase community awareness of housing discrimination, Fair Housing Act protections, and fair housing rights and responsibilities.
3. The maximum amount to be expended from the grant and the conditions and limitations upon the grant are as set forth in the Grant Program Contract, which is attached hereto and incorporated herein by reference.

15-0744

Adopted this 25th Day of August 2015



ATTEST:

*Nancy L. Parent*  
County Clerk

*Marsha Berkbigler*  
Marsha Berkbigler, Chair  
Washoe County Commission

## RESOLUTION

### **PROPOSING TO CONSOLIDATE TRUCKEE MEADOWS FIRE PROTECTION DISTRICT WITH SIERRA FIRE PROTECTION DISTRICT AND TO HOLD A HEARING TO DETERMINE WHETHER CONSOLIDATION IS FEASIBLE AND IN THE BEST INTERESTS OF THE COUNTY AND DISTRICTS.**

\*\*\*\*\*

WHEREAS, recently enacted legislation, AB 333 allows a board of county commissioners of a county with a population of less than 700,000 to consolidate two or more fire protection districts organized pursuant to NRS 474.460 provided (a) each district is contiguous to at least one other district subject to the consolidation, and (b) the territory of each district is located entirely within the county, and (c) the rates of the taxes levied by the board of county commissioners pursuant to NRS 474.510 and 474.515, respectively, are equal in each district at the time of consolidation; and,

WHEREAS, AB 333 provides that consolidation may be initiated by the adoption of a resolution proposing the consolidation of two or more fire protection districts; and

WHEREAS, following the adoption of a resolution proposing the consolidation of two or more fire protection districts the board of county commissioners is required to conduct a hearing to determine whether consolidation of two or more fire protection districts is feasible and in the best interests of the county and districts; and,

WHEREAS, if a board of county commissioners determines that consolidation is feasible and in the best interests of the county and fire protection districts, the board of county commissioners must adopt an ordinance creating a consolidated fire protection district that includes all of the area of the fire protection districts, and includes the name and identifies the boundaries of the consolidated fire protection district; and,

WHEREAS, the population of Washoe County is less than 700,000, the boundaries of the Truckee Meadows Fire Protection District and Sierra Fire Protection District, both organized pursuant to NRS 474.460, are located entirely within Washoe County, are contiguous to each other, and the rates of taxes levied by the Washoe County Board of Commissioners are equal in both fire protection districts; and,

WHEREAS, the Washoe County Board of Commissioners desires to propose the consolidation of the Truckee Meadows Fire Protection District and the Sierra Fire Protection District into one district which will include all of the area of both fire protection districts and be named "Truckee Meadows Fire Protection District"; to have the Truckee Meadows Fire Protection District assume all duties, debts, obligations, liabilities, revenues, expenditures and assets of the Sierra Fire Protection District; to dissolve the Board of Fire Commissioners for the

15-0750

Sierra Fire Protection District and take all other actions necessary and proper to finalize consolidation of the Sierra Fire Protection District with the Truckee Meadows Fire Protection District and cease all operations and activities of the Sierra Fire Protection District on or around June 30, 2016; and,

WHEREAS, prior to effectuating the consolidation of the Districts, the Washoe County Board of Commissioners desires to conduct a hearing to determine whether consolidation of the Truckee Meadows Fire Protection District and Sierra Fire Protection District is feasible and in the best interests of Washoe County and the aforementioned Districts,

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

1. The Washoe County Board of Commissioners hereby proposes to consolidate the Truckee Meadows Fire Protection District with the Sierra Fire Protection District and therefore directs that a hearing be held before the Washoe County Board of Commissioners on September 22, 2015 to determine whether consolidation of the Truckee Meadows Fire Protection District and Sierra Fire Protection Districts is feasible and in the best interests of Washoe County and the aforementioned Districts, and, if so, to adopt an ordinance which complies with the requirements of AB 333 and Chapter 474 of the Nevada Revised Statutes, and direct staff to take such other and further actions as are necessary to consolidate the aforementioned Districts on or around June 30, 2016.

ADOPTED this 25th day of August, 2015.

AYES: Berkbigler, Jung, Lucey, Herman  
NAYS: none  
ABSENT: Hartung  
ABSTAIN: none

Marsha Berkbigler  
Marsha Berkbigler, Chair  
Washoe County Board of Commissioners

ATTEST:  
Nancy L. Parent  
Nancy Parent  
Washoe County Clerk

15-0750

**RESOLUTION**

**A RESOLUTION AUTHORIZING AND APPROVING THE ISSUANCE OF A  
NON-EXCLUSIVE FRANCHISE TO SOUTHWEST GAS CORPORATION TO  
SUPPLY NATURAL AND OTHER GAS TO PORTIONS OF WASHOE  
COUNTY, NEVADA**

**BE IT RESOLVED** that Southwest Gas Corporation, a California corporation, qualified to do business in the State of Nevada as a public utility, did on the 28<sup>th</sup> day of April, 2015, file its application for a non-exclusive franchise to permit it to supply natural and other gas to a certain portion of Washoe County, Nevada, more particularly described in Exhibit "A" attached hereto.

**WHEREAS**, upon receipt of said application, the Board of County Commissioners of Washoe County, State of Nevada, caused a notice of said application and a notice of hearing upon said application to be published in the Reno Gazette Journal, a newspaper of general circulation in Washoe County, Nevada, setting said hearing upon which said application on June 9, 2015, and at the same time caused a notice to be posted in the following places located within Washoe County, Nevada, to-wit: Washoe County Courthouse, 75 Court Street, Reno, Nevada; Washoe County Complex, 1001 East 9<sup>th</sup> Street, Reno, Nevada; City of Sparks, 431 E. Prater Way, Sparks, Nevada; and the Washoe County Main Library, 350 South Center Street, Reno, Nevada.

**WHEREAS**, on the \_\_\_\_\_ day of \_\_\_\_\_, 2015, the matter was heard by the Board of County Commissioners of Washoe County, Nevada.

**WHEREAS**, the Board of County Commissioners of Washoe County, Nevada, is satisfied that all of the legal requirements as required by the Nevada Revised Statutes have been complied with, that proper notice has been given upon said application, and that no were filed to the granting of said application and/or any objections were duly heard and taken into account.

**WHEREAS**, the granting of said application would be in the public interest and in the best interests of the residents of Washoe County.

**NOW THEREFORE**, the Board of County Commissioners of Washoe County, Nevada does hereby approve the granting of said application and does hereby authorize a non-exclusive franchise upon the terms and conditions as contained the in the Nevada Revised Statutes and as are more fully set forth in the that certain Non-Exclusive Franchise attached hereto.

15-0753

**IT IS FURTHER ORDERED**, that the granting of said franchise shall be conditioned upon Southwest Gas Corporation executing and delivering to the County Recorder within ten (10) days after the date hereof, an agreement to pay annually, on the first Monday of July of each year, to the County Treasurer of Washoe County, Nevada, for the benefit of the County School District Fund, two percent (2%) of the net profits made by the Southwest Gas Corporation in the operation of its gas lines within Washoe County, Nevada as described above in lieu of all general business fees which would be imposed for Southwest Gas Corporation by the Board of County Commissioners of Washoe County, Nevada during the term of such franchise.

The motion to adopt the above resolution was made by County Commissioner Lucy Jung and seconded by County Commissioner \_\_\_\_\_ and the vote of said motion is as follows:

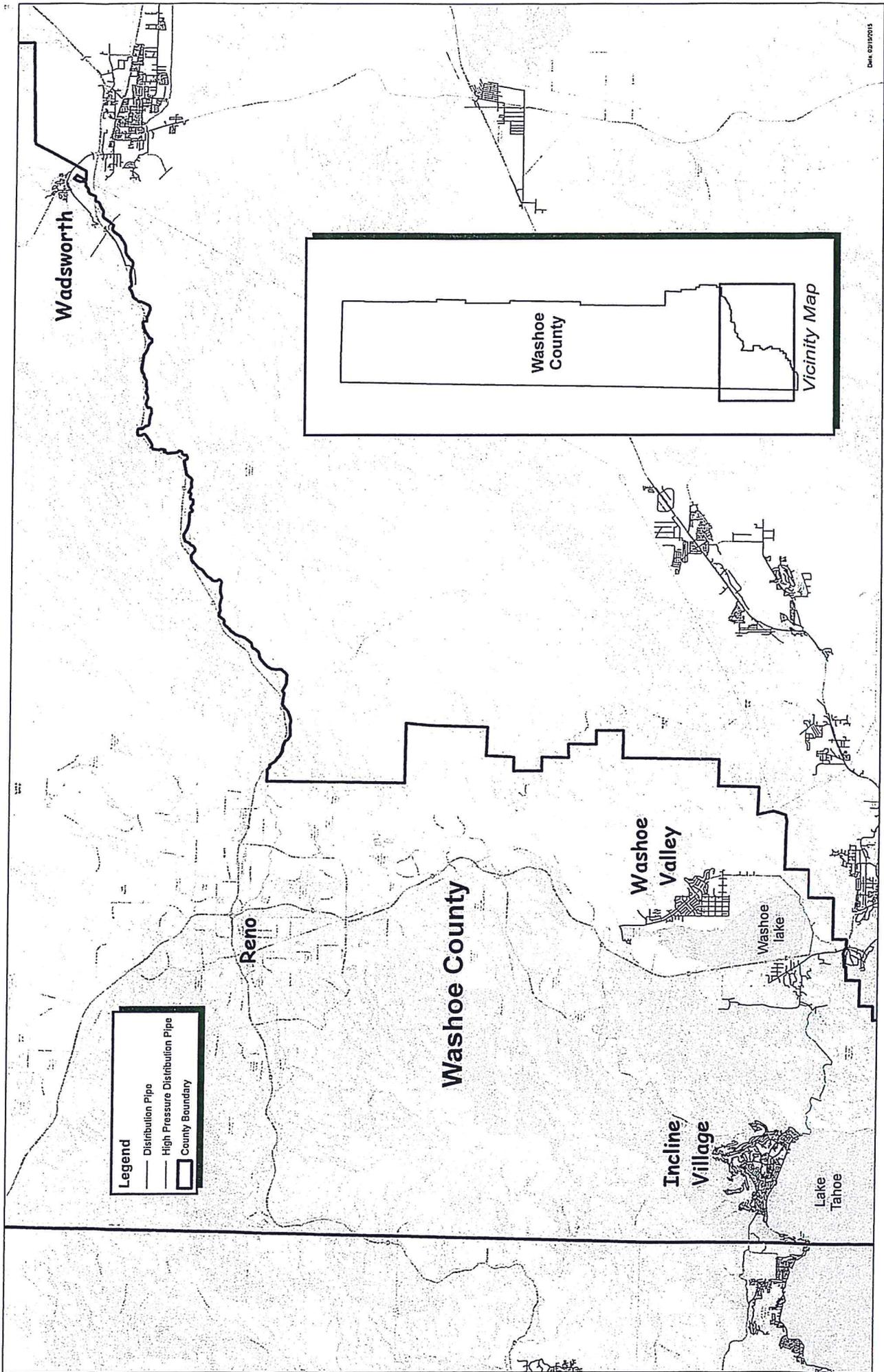
AYES: Berkbigler, Jung, Hartung, Lucey, Herman  
NAYS: none  
ABSENT: none  
ABSTAIN: none

DATED this 25<sup>th</sup> day of August, 2015.

Marsha Berkbigler  
Marsha Berkbigler, Chair  
Washoe County Commission

 ATTEST  
Wendy L. Paul  
Washoe County Clerk

15-0753



15-0155