



# WASHOE COUNTY

"Dedicated To Excellence in Public Service"

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Risk Mgt. De  
HR N/A  
Comptroller CH

## STAFF REPORT

BOARD MEETING DATE: **October 25, 2016**

**DATE:** October 3, 2016

**TO:** Board of County Commissioners

**FROM:** Clara Lawson, P.E., PTOE, Licensed Engineer  
Community Services Department, 328-3603, [clawson@washoecounty.us](mailto:clawson@washoecounty.us)

**THROUGH:** Dwayne Smith, P.E., Division Director, Engineering and Capital Projects,  
Community Services Department, 328-2043, [desmith@washoecounty.us](mailto:desmith@washoecounty.us)

**SUBJECT:** Approve six separate CCFEA Amendments (RRIF Credit Extension) to Regional Road Impact Fee Capital Contribution Front Ending Agreements between Washoe County, the Regional Transportation Commission, and the CCFEA Account/Credit Holder; and, approve nine separate CCFEA Amendments (RRIF Credit Extension) to Regional Road Impact Fee Capital Contribution Front Ending Agreements, including assigning all interest to the City of Reno, between Washoe County, the City of Reno, the Regional Transportation Commission, and the CCFEA Account/Credit Holder, all for the extension of credit expiration dates. (All Commission Districts.)

### SUMMARY

At their April 26, 2016 meeting, the Regional Transportation Commission (RTC) Board approved Amendment No. 1 of the 5th Edition of the Regional Road Impact Fee (RRIF) General Administrative Manual (GAM) for the extension of the expiration date of existing Capital Contribution Front Ending Agreement (CCFEA) credits by 10 years beyond current expiration dates. All three local jurisdictions participating in the RRIF program subsequently approved Amendment No. 1 of the RRIF GAM.

Following the process approved in Amendment No. 1, RTC staff made notification to the various credit holders of the offer to extend CCFEA credits through legal notices in the Reno Gazette Journal, public postings at RTC and the local jurisdictions, notices on the RTC website and RTC RRIF automation program which manages use of the CCFEA Credits, and individual letters sent to credit holders' addresses on file. Attachment A includes a list of credit holders who have requested the extension of their credits in the unincorporated County. Attachment B is the CCFEA amendments. In alignment with the actions of the RTC Board and under the terms of Amendment No. 1 to the GAM, it is recommended the Board of County Commissioners (Board) approve Amendments to CCFEA for the extension of credit expiration dates.

For those nine CCFEA amendments which now include the City of Reno as signatory, the CCFEA's identify the transfer of interest in the RRIF credits from Washoe County to

AGENDA ITEM # 7.G.1.

the City of Reno. This is because the properties for which the credits were generated were within Washoe County and were subsequently annexed into the City of Reno.

Strategic Objective supported by this item: Stewardship of Our Community.

### **PREVIOUS ACTION**

On April 26, 2016 the Board approved a resolution Amending the Regional Road Impact Fee System General Administrative Manual, 5<sup>th</sup> Edition with the First Amendment to Regional Road Impact Fee System General Administrative manual as authorized within Washoe County Development Code, Article 706 Impact Fees Section 110.706.05 (d) Adoption and Amendment of the Regional Road Impact Fee System General Administrative Manual. This amendment allowed for extension of the expiration date of existing CCFEA Credits by 10 years beyond current expiration dates.

On January 27, 2015, the Board adopted a resolution amending the Regional Road Impact Fee System General Administrative Manual (GAM) 5<sup>th</sup> Edition dated September 19, 2014 and Amendment #1.

On January 13, 2015, the Board held an introduction and first reading of an ordinance to amend Washoe County Code, Chapter 110, Development Code, article 706 (Impact Fees) at Section 110.706.05 Regional Road Impact Fee and set a public hearing for second reading and possible adoption of the ordinance for January 27, 2015 at 6:00 p.m.

On January 13, 2015, the Board held an introduction and first reading of an ordinance to adopt regional road impact fees for unincorporated Washoe County, as described in the Regional Road Capital Improvement Plan and Impact Fee Methodology dated September 19, 2014 and as provided for in NRS 278B.160 and Washoe County Code Section 110.706.05; and set a public hearing for second reading and possible adoption of the ordinance for January 27, 2015 at 6:00 p.m.

On January 13, 2015, the Board approved the land use assumptions and adopted the Regional Road Impact Fee Capital Improvements Plan as required by NRS 278B.190 and NRS 278B.210.

On January 6, 2015, the Planning Commission adopted a resolution and recommended approval of proposed amendments to Washoe County Code, Chapter 110, at Article 706, Impact Fees (DCA 14-013).

On January 6, 2015, the Capital Improvements Advisory Committee affirmed that the Regional Road Impact Fee Land Use Assumptions are in conformance with the Washoe County Master Plan and reviewed the Regional Road Capital Improvements Plan and provided comments to be presented to the Board.

On November 13, 2014, the Planning Commission acknowledged receipt of the "Regional Road Impact Fee Program, 5<sup>th</sup> Edition Update".

On November 12, 2014, the Board adopted a resolution establishing the Washoe County Planning Commission as the Washoe County Capital Improvements Advisory Committee for the Regional Road Impact Fee Program as authorized within NRS 278B.150.

On November 12, 2014, the Board adopted a resolution authorizing the initiation of amendments to the Development Code, Chapter 110 of County Code, at Article 706, Impact Fees.

On October 28, 2014, the Board approved an Interlocal Agreement Regarding Regional Road Impact Fees Pursuant to NRS Chapter 277 and Chapter 278B between Washoe County, the Cities of Reno and Sparks and the Regional Transportation Commission (RTC) for the continuation of the Regional Road Impact Fee Program.

### **BACKGROUND**

The Regional Road Impact Fee (RRIF) was created as a funding mechanism for roadway capacity improvement projects which are directly related to new development. Nevada Revised Statutes (NRS) 278B allows the imposition of such a fee. An impact fee is defined as a charge imposed by a local government on new development to finance the costs of a capital improvement or facility expansion necessitated by and attributable to the new development. The RRIF has been in effect since February 1996.

In accordance with the provisions of the Interlocal Cooperative Agreement entered into by the RTC, Washoe County, the City of Reno, and the City of Sparks, the RTC is responsible for initiating periodic reviews of the RRIF program and proposing modifications to the participating governments. The review process is undertaken by the RTC in conjunction with the RRIF Technical Advisory Committee (RRIF TAC), which includes local government technical experts, development representatives from the private sector, and members of the local planning commissions.

### **FISCAL IMPACT**

There is no fiscal impact to the County budget associated with this recommendation. The extension of Credits may result in a reduction in fee revenue to the RTC.

### **RECOMMENDATION**

It is recommended the Board of County Commissioners approve six separate CCFEA Amendments (RRIF Credit Extension) to Regional Road Impact Fee Capital Contribution Front Ending Agreements between Washoe County, the Regional Transportation Commission, and the CCFEA Account/Credit Holder; and, approve nine separate CCFEA Amendments (RRIF Credit Extension) to Regional Road Impact Fee Capital Contribution Front Ending Agreements, including assigning all interest to the City of Reno, between Washoe County, the City of Reno, the Regional Transportation Commission, and the CCFEA Account/Credit Holder, all for the extension of credit expiration dates.

### **POSSIBLE MOTION**

Should the Board agree with the recommendation, a possible motion would be: "Move to approve six separate CCFEA Amendments (RRIF Credit Extension) to Regional Road Impact Fee Capital Contribution Front Ending Agreements between Washoe County, the Regional Transportation Commission, and the CCFEA Account/Credit Holder; and, approve nine separate CCFEA Amendments (RRIF Credit Extension) to Regional Road Impact Fee Capital Contribution Front Ending Agreements, including assigning all interest to the City of Reno, between Washoe County, the City of Reno, the Regional Transportation Commission, and the CCFEA Account/Credit Holder, all for the extension of credit expiration dates."

**Attachment A**  
**CCFEA Amendments for**  
**RRIF Credit Expiration Date Extensions**

<b>CCFEA Account/Credit Holder</b>
<b>Allen Maddox/Tonya Clements</b>
<b>Chris Mitchell</b>
<b>Damonte Ranch Commerce Center</b>
<b>Di Loreto Homes of Nevada</b>
<b>J &amp; J Spanish Springs, LLC</b>
<b>Lennar Reno, LLC</b>
<b>Lewis Operating Corp/LN Damonte Ranch Town Center/Lewis Land Co</b>
<b>Lewis Operating Corp/Pioneer Pkwy Holding Co/Lewis Land Co</b>
<b>Nell J. Redfield Foundation</b>
<b>Nevada Tri-Partners, LLC</b>
<b>Prologis Development Services Inc.</b>
<b>South Meadows Properties, LP</b>
<b>Spanish Springs Associates LP</b>
<b>Washoe County</b>

**CCFEA AMENDMENT  
(RRIF CREDIT EXTENSION)**

This CCFEA Amendment (the "Amendment") is made this \_\_\_\_\_ day of \_\_\_\_\_, 2016, between the Regional Transportation Commission of Washoe County ("RTC"), City of Reno (the "Local Government"), Washoe County (the "County") and Allen Maddox & Tonya Clements (the "Holder," and collectively with the RTC and Local Government, the "Parties").

**RECITALS**

- A. RTC, the County, and HOLDER/HOLDER'S PREDECESSOR IN INTEREST are parties to a Capital Contribution Front Ending Agreement(s) (the "CCFEA") as listed in Table 1(a), whereby, among other things, the HOLDER/HOLDER'S PREDECESSOR IN INTEREST was issued Regional Road Impact Fee Credits ("RRIF Credits").
- B. The HOLDER is the successor in interest to HOLDER'S PREDECESSOR IN INTEREST and holds RRIF Credits issued under the CCFEA as listed in Table 1(a).
- C. After certain of the CCFEAs referenced in Table 1(a) were entered into between the County, RTC and the HOLDER/HOLDER'S PREDECESSOR IN INTEREST, the Local Government annexed that area of the County where the Development of Record is located, such that the Development of Record is now wholly located within the borders of the Local Government (the "Annexation").
- D. Pursuant to the Regional Road Impact Fee General Administrative Manual (the "RRIF GAM") in effect as of the date of the CCFEA, the Holder's RRIF Credits expire twenty (20) years from the date of their issuance or agreement, as it applies to the specific CCFEA Account.
- E. As of May 9, 2016, RTC and Local Government have entered into an amendment to the RRIF GAM (the "GAM Amendment"), pursuant to which, holders of RRIF Credits may exchange their RRIF Credits for new credits with an extended expiration date (the "RRIF Extension Credits").
- F. The Holder wishes to exchange its RRIF Credits for RRIF Extension Credits pursuant to the GAM Amendment and this Amendment.
- G. Pursuant the CCFEA and the GAM Amendment, in order to extend the expiration date of the RRIF Credits, the Parties must amend the CCFEA.

Now therefore, in consideration of the foregoing recitals and other good and valuable consideration, the Parties hereby agree to amend the CCFEA as follows:

1. Conversion and Extension. The balance of the credits remaining as of the date of this amendment in the CCFEA Accounts listed in Table 1(a) are hereby cancelled and extinguished in exchange for the issuance of an equal number of RRIF Extension Credits. The RRIF Extension Credits shall be identical in all respects to the extinguished RRIF Credits, except that expiration date of the RRIF Extension Credits shall be extended for a period of ten (10) years, by amending and restating section 3.6 of the CCFEA in its entirety as follows:

3.6. Expiration of Credits. All credits issued under this CCFEA shall expire exactly thirty (30) years after the date of issuance or agreement, as it applies to the specific CCFEA Account.

2. Consent to RRIF Automation Program. The Holder hereby consents to the processing of the Holder's RRIF Extension Credits pursuant to the RRIF Automation Program as administered by RTC. To the extent the Holder is not already a participant in the RRIF Automation Program, this Amendment shall not become effective unless and until the Holder surrenders all existing credit books or other evidence of ownership of RRIF Credits.
3. Designation of Notice Party. The Holder designates the following individual to act on the Holder's behalf for purposes of the RRIF Automation Program:

Allen Maddox & Tonya Clements  
 PO Box 70577  
 Reno, NV 89570  
[danmcgill@prodigy.net](mailto:danmcgill@prodigy.net)  
 775-852-4466

4. Ratification of CCFEA. Except to the extent amended by this Amendment, the CCFEA shall continue to exist in full force and effect between the Parties.
5. Assignment of Rights Under CCFEA. County hereby grants, transfers, assigns and delegates to the Local Government all of its right, title and interest and obligations of County under each CCFEA listed in Table 1 hereto, and Local Government accepts such assignment and delegation above, assumes each CCFEA, and agrees to observe and perform all of the other covenants, agreements and obligations to be observed and/or performed by the Local Government under the CCFEA from and after the date hereof.

TABLE 1(a)

CCFEA Acct. No.	CCFEA No.	Developer of Record	Development of Record	Existing Expiration Date	New Expiration Date
5332-T13	5332	Nevada Tri-Partners	Damonte Ranch	6/28/2024	6/28/2034

In Witness Whereof, the parties have executed this Amendment on the \_\_\_\_ day of \_\_\_\_\_, 2016.

**REGIONAL TRANSPORTATION COMMISSION  
A Special Purpose Unit of Government**

**APPROVED AS TO  
LEGAL FORM:**

By: *Neoma Jardon*  
Neoma Jardon, RTC Chairman

*Dale E. Ferguson*  
Dale Ferguson, RTE Legal Counsel

STATE OF NEVADA

COUNTY OF WASHOE

The above-instrument was acknowledged before me this 16<sup>th</sup> day of September, 2016, by Neoma Jardon, Chairman of the Regional Transportation Commission.

*Denise Thompson*  
Notary Public



**APPROVED AS TO LEGAL FORM:**

**CITY OF RENO  
a Municipal Corporation**

By: \_\_\_\_\_

By: \_\_\_\_\_

The above-instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2016 by \_\_\_\_\_.

Attest by City/County Clerk: \_\_\_\_\_

**WASHOE COUNTY**

By: \_\_\_\_\_

**Washoe County Commission Chair**

Date: \_\_\_\_\_

Attest: \_\_\_\_\_

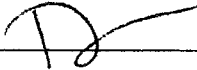
**Washoe County Clerk**

Date: \_\_\_\_\_

\_\_\_\_\_

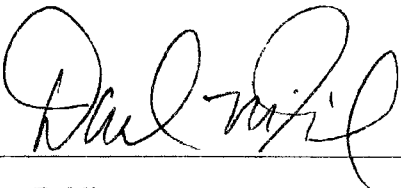


**CREDIT HOLDER:**

By:   
Tonya Clements


STATE OF NEVADA       )  
                                  ) ss  
COUNTY OF WASHOE    )

The above instrument was acknowledged before me this 8<sup>th</sup> day of August, 2016 by TONYA CLEMENTS.



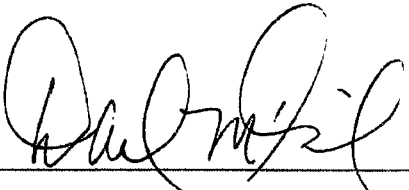


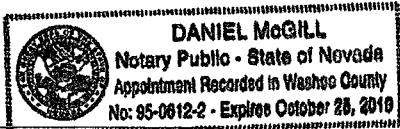
Notary Public

By:   
C. B. Maddox as Attorney-In-Fact for Allen Maddox

STATE OF NEVADA       )  
                                  ) ss  
COUNTY OF WASHOE    )

The above instrument was acknowledged before me this 8<sup>th</sup> day of August, 2016 by C. B. MADDOX as Attorney-In-Fact for ALLEN MADDOX.





Notary Public

**CCFEA AMENDMENT  
(RRIF CREDIT EXTENSION)**

This CCFEA Amendment (the "Amendment") is made this \_\_\_\_\_ day of \_\_\_\_\_, 2016, between the Regional Transportation Commission of Washoe County ("RTC"), Washoe County (the "Local Government"), and the Chris Mitchell (the "Holder," and collectively with the RTC and Local Government, the "Parties").

**R E C I T A L S**

- A. RTC, Local Government, and HOLDER/HOLDER'S PREDECESSOR IN INTEREST are parties to a Capital Contribution Front Ending Agreement(s) (the "CCFEA") as listed in the Table 1, whereby, among other things, the HOLDER/HOLDER'S PREDECESSOR IN INTEREST was issued Regional Road Impact Fee Credits ("RRIF Credits").
- B. The HOLDER is the successor in interest to HOLDER'S PREDECESSOR IN INTEREST and holds RRIF Credits issued under the CCFEA as listed in Table 1.
- C. Pursuant to the Regional Road Impact Fee General Administrative Manual (the "RRIF GAM") in effect as of the date of the CCFEA, the Holder's RRIF Credits expire twenty (20) years from the date of their issuance or agreement, as it applies to the specific CCFEA Account.
- D. As of May 9, 2016, RTC and Local Government have entered into an amendment to the RRIF GAM (the "GAM Amendment"), pursuant to which, holders of RRIF Credits may exchange their RRIF Credits for new credits with an extended expiration date (the "RRIF Extension Credits").
- E. The Holder wishes to exchange its RRIF Credits for RRIF Extension Credits pursuant to the GAM Amendment and this Amendment.
- F. Pursuant the CCFEA and the GAM Amendment, in order to extend the expiration date of the RRIF Credits, the Parties must amend the CCFEA.

Now therefore, in consideration of the foregoing recitals and other good and valuable consideration, the Parties hereby agree to amend the CCFEA as follows:

1. Conversion and Extension. The balance of the credits remaining as of the date of this amendment in the CCFEA Accounts listed in Table 1 are hereby cancelled and extinguished in exchange for the issuance of an equal number of RRIF Extension Credits. The RRIF Extension Credits shall be identical in all respects to the extinguished RRIF Credits, except that expiration date of the RRIF Extension Credits shall be extended for a period of ten (10) years, by amending and restating section 3.6 of the CCFEA in its entirety as follows:

3.6. Expiration of Credits. All credits issued under this CCFEA shall expire exactly thirty (30) years after the date of issuance or agreement, as it applies to the specific CCFEA Account.

2. Consent to RRIF Automation Program. The Holder hereby consents to the processing of the Holder's RRIF Extension Credits pursuant to the RRIF Automation Program as administered by RTC. To the extent the Holder is not already a participant in the RRIF Automation Program, this Amendment shall not become effective unless and until the Holder surrenders all existing credit books or other evidence of ownership of RRIF Credits.
3. Designation of Notice Party. The Holder designates the following individual to act on the Holder's behalf for purposes of the RRIF Automation Program:

Chris Mitchell  
2760 Camino Diablo  
Walnut Creek, CA 94597  
cmitchell@rmairrigation.com  
925-939-3985

4. Ratification of CCFEA. Except to the extent amended by this Amendment, the CCFEA shall continue to exist in full force and effect between the Parties.

TABLE 1

CCFEA Acct. No.	CCFEA No.	Developer of Record	Development of Record	Existing Expiration Date	New Expiration Date
520041-T1-T1-T1-T2	520041	Hamilton Homes	Pebble Creek Subdivision	3/27/2027	3/27/2037

In Witness Whereof, the parties have executed this Amendment on the \_\_\_\_ day of \_\_\_\_\_, 2016.

**REGIONAL TRANSPORTATION  
COMMISSION  
A Special Purpose Unit of Government**

**APPROVED AS TO LEGAL FORM:**

By: *Neoma Jardon*  
Neoma Jardon, RTC Chairman

*Dale E. Ferguson*  
Dale Ferguson, RTC Legal Counsel

STATE OF NEVADA COUNTY  
OF WASHOE

The above-instrument was acknowledged before me this 19th day of August, 2016,  
by Neoma Jardon, Chairman of the Regional Transportation Commission.

*Lee Anne Olivas*  
Notary Public



**APPROVED AS TO LEGAL FORM:**

**WASHOE COUNTY  
a Political Subdivision of the State of Nevada**

By: \_\_\_\_\_

By: \_\_\_\_\_

The above-instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2016  
by \_\_\_\_\_.

Attest by City/County Clerk: \_\_\_\_\_

**CREDIT HOLDER:**

By: Chris [Signature]

STATE OF ~~NEVADA~~ CALIFORNIA  
COUNTY OF ~~WASHOE~~ CONTRA COSTA

The above-instrument was acknowledged before me this 17 day of August 2016  
by CHRISTOPHER MITCHELL.

[Signature]  
Notary Public

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

**CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )  
County of CONTRA COSTA )

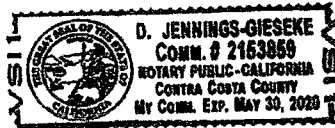
On AUGUST 17, 2016 before me, DOROTHY C. JENNINGS-GIESEKE, NOTARY PUBLIC  
Date Here Insert Name and Title of the Officer

personally appeared CHRISTOPHER MITCHELL  
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Handwritten Signature]  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_ Document Date: \_\_\_\_\_  
Number of Pages: \_\_\_\_\_ Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_  
 Corporate Officer -- Title(s): \_\_\_\_\_  
 Partner --  Limited  General  
 Individual  Attorney in Fact  
 Trustee  Guardian or Conservator  
 Other: \_\_\_\_\_  
Signer Is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_  
 Corporate Officer -- Title(s): \_\_\_\_\_  
 Partner --  Limited  General  
 Individual  Attorney in Fact  
 Trustee  Guardian or Conservator  
 Other: \_\_\_\_\_  
Signer Is Representing: \_\_\_\_\_

**CCFEA AMENDMENT  
(RRIF CREDIT EXTENSION)**

This CCFEA Amendment (the "Amendment") is made this \_\_\_\_\_ day of \_\_\_\_\_, 2016, between the Regional Transportation Commission of Washoe County ("RTC"), City of Reno (the "Local Government"), Washoe County (the "County") and Damonte Ranch Commerce Center (the "Holder," and collectively with the RTC and Local Government, the "Parties").

**RECITALS**

- A. RTC, the County, and HOLDER/HOLDER'S PREDECESSOR IN INTEREST are parties to a Capital Contribution Front Ending Agreement(s) (the "CCFEA") as listed in Tables 1(a), whereby, among other things, the HOLDER/HOLDER'S PREDECESSOR IN INTEREST was issued Regional Road Impact Fee Credits ("RRIF Credits").
- B. The HOLDER is the successor in interest to HOLDER'S PREDECESSOR IN INTEREST and holds RRIF Credits issued under the CCFEA as listed in Table 1(a).
- C. After certain of the CCFEAs referenced in Table 1(a) were entered into between the County, RTC and the HOLDER/HOLDER'S PREDECESSOR IN INTEREST, the Local Government annexed that area of the County where the Development of Record is located, such that the Development of Record is now wholly located within the borders of the Local Government (the "Annexation").
- D. Pursuant to the Regional Road Impact Fee General Administrative Manual (the "RRIF GAM") in effect as of the date of the CCFEA, the Holder's RRIF Credits expire twenty (20) years from the date of their issuance or agreement, as it applies to the specific CCFEA Account.
- E. As of May 9, 2016, RTC and Local Government have entered into an amendment to the RRIF GAM (the "GAM Amendment"), pursuant to which, holders of RRIF Credits may exchange their RRIF Credits for new credits with an extended expiration date (the "RRIF Extension Credits").
- F. The Holder wishes to exchange its RRIF Credits for RRIF Extension Credits pursuant to the GAM Amendment and this Amendment.
- G. Pursuant the CCFEA and the GAM Amendment, in order to extend the expiration date of the RRIF Credits, the Parties must amend the CCFEA.

Now therefore, in consideration of the foregoing recitals and other good and valuable consideration, the Parties hereby agree to amend the CCFEA as follows:

1. Conversion and Extension. The balance of the credits remaining as of the date of this amendment in the CCFEA Accounts listed in Table 1(a) are hereby cancelled and extinguished in exchange for the issuance of an equal number of RRIF Extension Credits. The RRIF Extension Credits shall be identical in all respects to the extinguished RRIF Credits, except that expiration date of the RRIF Extension Credits shall be extended for a period of ten (10) years, by amending and restating section 3.6 of the CCFEA in its entirety as follows:

3.6. Expiration of Credits. All credits issued under this CCFEA shall expire exactly thirty (30) years after the date of issuance or agreement, as it applies to the specific CCFEA Account.

2. Consent to RRIF Automation Program. The Holder hereby consents to the processing of the Holder's RRIF Extension Credits pursuant to the RRIF Automation Program as administered by RTC. To the extent the Holder is not already a participant in the RRIF Automation Program, this Amendment shall not become effective unless and until the Holder surrenders all existing credit books or other evidence of ownership of RRIF Credits.
3. Designation of Notice Party. The Holder designates the following individual to act on the Holder's behalf for purposes of the RRIF Automation Program:

Damonte Ranch Commerce Center  
 985 Damonte Ranch Pkwy #310  
 Reno, NV 89521  
[perry@diloretoreno.com](mailto:perry@diloretoreno.com)  
 775-359-3000

4. Ratification of CCFEA. Except to the extent amended by this Amendment, the CCFEA shall continue to exist in full force and effect between the Parties.
5. Assignment of Rights Under CCFEA. County hereby grants, transfers, assigns and delegates to the Local Government all of its right, title and interest and obligations of County under each CCFEA listed in Table 1 hereto, and Local Government accepts such assignment and delegation above, assumes each CCFEA, and agrees to observe and perform all of the other covenants, agreements and obligations to be observed and/or performed by the Local Government under the CCFEA from and after the date hereof.

TABLE 1(a)

CCFEA Acct. No.	CCFEA No.	Developer of Record	Development of Record	Existing Expiration Date	New Expiration Date
5305-T4	5305	Nevada Tri-Partners, LLC	Damonte Ranch Phase 4	7/16/2024	7/16/2034



In Witness Whereof, the parties have executed this Amendment on the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

**REGIONAL TRANSPORTATION COMMISSION  
A Special Purpose Unit of Government**

**APPROVED AS TO  
LEGAL FORM:**

By: *[Signature]*  
Neoma Jardon, RTC Chairman

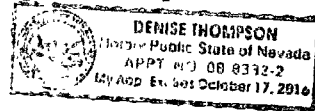
*Dale E. Ferguson*  
Dale Ferguson, RTC Legal Counsel

STATE OF NEVADA

COUNTY OF WASHOE

The above-instrument was acknowledged before me this 16<sup>th</sup> day of September, 2016, by Neoma Jardon, Chairman of the Regional Transportation Commission.

*[Signature]*  
Notary Public



**APPROVED AS TO LEGAL FORM:**

**CITY OF RENO  
a Municipal Corporation**

By: \_\_\_\_\_

By: \_\_\_\_\_

The above-instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2016 by \_\_\_\_\_.

Attest by City/County Clerk: \_\_\_\_\_

\_\_\_\_\_

**WASHOE COUNTY**

By: \_\_\_\_\_  
Washoe County Commission Chair

Date: \_\_\_\_\_

Attest: \_\_\_\_\_  
Washoe County Clerk

Date: \_\_\_\_\_

\_\_\_\_\_