

Sun Valley General Improvement District Board Meeting Minutes of August 22, 2019

Board Members Present:

Sandra Ainsworth Chair

Susan Severt Vice Chair
Garth Elliott Secretary
Carmen Ortiz Treasurer
Joseph Barstow Trustee

Board Members Not Present:

Staff Present:

Jon Combs SVGID, General Manager Chris Melton SVGID, Public Works Director

Erin Dowling SVGID, Customer Service Supervisor Jennifer Merritt SVGID, Administrative Assistant

Maddy Shipman SVGID, Legal Counsel

Other Members Present:

Linda Elliott Audience Mike Rider Audience Glenda Walls Audience

Terry Daly Battle Born BMX

Michael Drinkwater Truckee Meadows Water Reclamation Facility

The meeting of the Sun Valley General Improvement District was called to order by Chairperson Ainsworth at 6:00 pm in the Sun Valley District Administrative Building, 5000 Sun Valley Blvd., Sun Valley, NV.

Item# 1. Roll call and determination of a quorum.

Board members present; Chairperson Ainsworth, Vice Chair Severt, Secretary Elliott, Treasurer Ortiz, and Trustee Barstow. A quorum was present.

Item# 2. Pledge of Allegiance.

Led by Ms. Dowling

Item# 3. Public comments for items not on the agenda.

None

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Item# 4. Motion to approve the agenda.

Trustee Barstow made a motion to approve the agenda. Secretary Elliott seconded the motion. The motion carried unanimously.

Item# 5. Certify posting of the agenda.

Ms. Merritt certified posting of the agenda.

Item# 6. Trustee/Manager's announcements, request for information, and statements relating to items not on the agenda.

Mr. Combs announced the Family Classic Car Show is scheduled for Saturday, August 24, 2019 9am to 3pm. The Intergovernmental Agreement for the use of the Residential Construction Tax Funds for the purchase of the Gepford Park playground equipment will be considered by the Washoe County Commissioners on Tuesday, August 27, 2019. He also announced the District office will be closed Monday, September 2, 2019 in observance of Labor Day.

Item# 7. Discussion and action to approve accounts payable for August 22, 2019.

Treasurer Ortiz gave a brief report of the accounts payable, customer refunds and payroll checks for August 22, 2019.

Treasurer Ortiz made a motion to approve the accounts payable for August 22, 2019 in the total amount of \$295,591.24. Secretary Elliott seconded the motion. After discussion the motion carried unanimously.

There were no public comments.

Item# 8. Discussion and action to approve Board Meeting Minutes of August 08, 2019.

Treasurer Ortiz made a motion to approve the Board Meeting Minutes of August 08, 2019 as submitted. Vice Chair Severt seconded the motion. The motion carried unanimously.

There were no public comments.

Item# 9. Presentation by Michael Drinkwater with City of Sparks Truckee Meadows Water Reclamation Facility regarding existing and future Capital Improvement Projects.

Michael Drinkwater, Manager of Truckee Meadows Water Reclamation Facility gave a brief update regarding Truckee Meadows Water Reclamation Facility (TMWRF) regular business activities and capital improvement projects. He was proud to report that TMWRF in 2018 had zero violations; the total nitrogen waste level allocation is the limiting factor, TMWRF has a 500 pound daily limit. In calendar year 2018 TMWRF daily waste level measured at 443 pounds per day. He reported there was one minor incident February 14, 2019 due to the heavy rain; the area received approximately 2" inches of rain in one day and TMWRF received approximately 70M gallons of water, due to the rain. Due to the unforeseen increase in water, there was a small bacterial violation. The technical violation did not impact anyone because the reuse system was turned off at the time.

Mr. Drinkwater reported TMWRF is now within its 2020 fiscal operational budget. The TMWRF approved its 2020 budget of \$22.5M for operations and capital improvement projects; 20% less than last year's approved budget. There are multiple capital improvement projects that are taking place at various priority levels. TMWRF continues on upgrading the original electrical panels and heating/boiling system in efforts to have them work more efficiently. TMWRF continues to find alternate processes to treat inorganic and organic nitrogen's. TMWRF has partnered with University of Nevada Reno for pilot test with treating

dissolvable organic nitrogen's. This pilot test is encouraging and TMWRF is seeing approximately a 45% reduction in organic nitrogen's. This will assist TMWRF with future growth and continuing to stay in compliance with state regulations.

Mr. Drinkwater stated TMWRF's current flow is 32M gallons per day, this is a slight increase; TMWRF is still receiving infiltration due to the wet winter and the City of Sparks is receiving an increase with their flow contributed to new growth. The Sun Valley flow is currently at 1.25M gallons per day; this is moderate in comparison to prior years. TMWRF is currently performing a study of the TMWRF Facility Plant to identify the plants constraints, expected requirements needed to adjust for new growth. (Note: 1M gallons is equivalent to 5,700 homes; wastewater flow). When planning for the growth the City of Sparks and the Sun Valley General Improvement District Agreement is always taken into consideration and accounted for when looking at future capacity limits; Sun Valley General Improvement District's full capacity is 2.01M gallons.

Mr. Drinkwater reported the new TRI Center will be purchasing effluent from TMWRF in the future. As part of that agreement, TRI Center would be responsible for the cost of installation for the entire infrastructure; construction to begin in early 2020 with first water delivery in 2022. This will be beneficial with continuing to meet discharge compliance requirements with the return flow back to the Truckee River.

Mr. Drinkwater reported TMWRF is experiencing the same as other governmental agencies with replacing retired staffing members. TMWRF just had three employees with 30 years of service retire; this is a big loss because of the years of knowledge and experience that is lost. TMWRF is hiring qualified individuals for replacements. It will take time to gain that experience back.

Additional discussion ensued regarding capital improvement projects and the delivery of effluent to the new TRI Center. The Board of Trustees thanked Mr. Drinkwater for his report.

There were no public comments.

Item# 10. Discussion and possible action regarding request by Terry Daly with Battle Born BMX to amend (retroactively) Lease Agreement Fees and Water Bill Payments.

Chairperson Ainsworth recused herself from participating with the discussion and action regarding the Battle Born BMX request. Per NRS 281A.420 1(C); she has three family members involved with the Battle Born BMX program. Those family members are not compensated for their involvement, their continued involvement could be impacted by any action taken by the Board. She is recusing herself per NRS 281A.420 3(c); to satisfy the public concern of her independence of judgement as a board member that would be effected by her commitment in a private capacity to her family members.

Mr. Combs reported the District and Terry Daly with Battle Born BMX entered into a Lease Agreement for the BMX Track on March 28, 2019. In the Agreement it specifies that Ms. Daly, Track Operator will pay the District an annual onetime rider fee of \$10 per rider (local members), \$5 per rider (non-local members) and no charge for strider/balance riders. The pricing was reduced from the District's approved Athletic Fees of \$15 per player for all league activities. This was originally offered to the previous Track Operator to help get the BMX program going. Staff honored this discount and continued with the rider fee with Ms. Daly. The District does not charge for any other programs that the Track Operator charges for such as practices, one-time trial riders, concessions or any other BMX training clinics. The Lease Agreement states the Track Operator is responsible for all utilities (water and power) for the track operations. Mr. Combs stated there was a District error on the initial water bill; Ms. Daly was charged for the \$30 setup fee and \$0.57 for sewer. These charges

have been waived and credited back to her account. The maintenance of the track and equipment by the District was waived by Ms. Daly as an option in the Agreement in lieu of paying the required \$500 deposit. By Ms. Daly waiving the deposit, the Track Operator assumed the responsibility for all clean up and all maintenance inside the fenced BMX Track, as well as the parking area after each event.

Mr. Combs provided a copy of the signed Lease Agreement and a Rider Report based on the supplied moto/race sheets provided by the Track Operator through June 2019. Per the Lease Agreement the Track Operator is required to pay the District a deposit of Rider Fees based on the rider count through June. District staff tallied all the moto/race sheets and deducted all duplicate riders, trial riders and strider/balance riders to come up with the total deposit owed to the District; the total thru June 2019 is \$1,560.00. Staff accepted a partial deposit payment of \$500 on August 14, 2019 leaving a balance of \$1,060 owed to the District.

Terry Dally, Track Operator for Battle Born BMX requested for consideration an amendment to the signed Lease Agreement to change the Rider Fee to \$1 per rider. Ms. Daly reported her main expenses for the track operations is USA BMX Sanction Fees, utilities, rent and trophies. The price of trophies has increased since the beginning of the year. She claims the cost of trophies has become her biggest expense; making it difficult to pay the District's required Rider Fees. Ms. Daly has found another trophy supplier in the interim and they charge \$6.50 per trophy without engraving. In efforts to keep expenses down, she prints her own stickers to be placed on the trophies in place of the engraving. She also pays USA BMX \$25 plus \$1 per rider for every race as part of her Sanction Fees. She does not have to pay USA BMX the \$1 per rider for strider/balance bike riders or one day trial riders. Ms. Daly reported she has four youth who have been approved for a free membership per the Lease Agreement; in addition she waives the race fees for those riders. She also waives race fees for youth riders if their parents are a volunteer at the track as a form of appreciation. She stated the fees are waived because she wants to give the youth the opportunity to participate in the BMX Program and keep them active with making good decisions for themselves.

Ms. Daly reported she had difficulties getting the Non-Profit transferred into her name earlier in the year; the State recently transferred ownership. Aside of the non-profit, both previous Track Operators had significant financial backing from sponsors to help with the program. She doesn't have that support as of today and considers herself a shy person when it comes to asking for sponsorships. She stated any profits from the concessions have been applied to the track and equipment for repairs and maintenance; she stated additional repairs are needed to the ram, if not replaced completely. She was under the impression that when she assumed the role as Track Operator that she was going to take over the Battle Born BMX checking account and cary over any balance in the account, this never happened. She also was given sweatshirts to sell to help raise funds for the track, but all the sweat shirts were small children sizes that make it difficult sell. She also claims that she had to purchase her own computer to be used for signups; again she thought the computer belonged to the track and not to the previous Track Operator.

Ms. Daly gave a brief update of her BMX Beginners Program and its progress. This program was a huge success they held their first race that had 14 moto's, all of which were new beginner riders. The community has been very welcoming of Ms. Daly and the BMX Program and she is hearing positive input from the program and the track is drama free. Ms. Daly reported she performs regular cleanup maintenance at the park, including removal of debris from other park users that are not associated with the BMX Program. She supplies the portable restroom with toilet paper on an ongoing basis because it is missing less than 24 hours after the restroom is serviced. The provided portable restroom is used by the

general public and the BMX patrons don't like to use it because it is over used by the public. She provides her own portable restroom inside the track and has it serviced once a month. She requested for any assistance the Board is able to offer including reducing the Rider Fee to \$1 per rider.

Mr. Combs stated the funds collected from the BMX Program help support the District's maintenance and amenity expenses for the BMX Track. The District provides a portable restroom for the BMX Track that is also shared with Cal Ripken and the general public. The District provides a dumpster for the BMX Track that is also shared with Cal Ripken and Community Services Agency. The District also sprays for weeds around the exterior of the BMX Track. These services alone cost the District \$2,300 annually just for the BMX Program, this is a third of what the District pays for the remainder of the park. He stated staff recommends the Board keep in place the signed contract, as written and signed by Ms. Daly with no waiving of fees, utilities or maintenance. Staff is also recommending that the Board set a time of when the balance of the past due amount of \$1,060 is to be paid.

Treasure Ortiz stated the BMX Program is a great asset to the community. She thinks it will be difficult for the Board to make a greater exception to the District's approved player fees considering the BMX League is already receiving discount of the fees. She understands Ms. Daly's concern with having to pay for sewer when she doesn't receive sewer services; but Treasurer Ortiz acknowledged staff crediting the \$30.57 charges back to Ms. Daly.

Trustee Barstow stated Ms. Daly was aware of the requirements within the Lease Agreement prior to signing. He understands the first time a rider races is not profitable for Ms. Daly, however he is confident Ms. Daly has returning riders that she is making money from.

Vice Chair Severt stated she is disappointed that Ms. Daly did not address her concerns with the District sooner. It took staff to send her a notice of breach of contract with notice of closure of the track. She has great concerns of changing the Lease Agreement at this time, this is the same Lease Agreement used with previous track operators with the concession of lowering the fee compared to other league fees. She also has concerns how the District is going to recover the outstanding dues from the BMX Program. The District also has a commitment to the entire community to maintain the park. She apologizes for the billing error for the setup fee and the sewer charges, but staff recognized the error and credited Ms. Daly for those fees. The District has already provided a discount to Ms. Daly and Ms. Daly should look at cost cutting opportunities for herself prior to discussing a new Lease Agreement.

Secretary Elliott commended Ms. Daly for assuming the role as the BMX Track Operator and providing an activity to our community to enjoy. He stated the issues that Ms. Daly is having is enlightening and believes they will continue and wanted to know if there was anything the District can do to stop gap them and prevent them from occurring in the future. He also stated that he concurs with Vice Chair Severt's comments and recommendations regarding the future of the BMX Program.

Audience member Ms. Walls commented both her children and grandchildren participated with the BMX Program growing up. During that time the Track Operator never complained about the operation responsibilities; she hopes that Ms. Daly didn't agree to something more than what she is able to do. She had suggested for Ms. Daly to consider an alternate incentive in place of trophies, including purchasing and/or accepting donated used trophies

and repurposing them.

Audience member Mr. Rider stated the District has been helpful in the past when Cal Ripken was in a similar situation and needed assistance. It is important to provide programs for the youth of our community and inquired if there is a way to implement stop gap as suggested by Secretary Elliott. He would hate to lose a Track Operator and eventually lose the BMX Program. He would be happy to share some contacts to Ms. Daly to reach out for sponsorship.

After further discussion Treasurer Ortiz made a motion for Ms. Daly to make an additional partial payment of \$500.00 by October, 2019; followed by paying the remainder outstanding balance of \$560.00, plus any new rider fees, in December 2019. Vice Chair Severt seconded the motion. The motion carried by the following;

Yeas: Treasurer Ortiz, Secretary Elliott and Vice Chair Severt

Nay: Trustee Barstow

Treasurer Ortiz left the meeting at 7:10 pm for a personal matter.

Item# 11. Discussion and possible direction to staff regarding request by Terry Daly with Battle Born BMX to construct a Pump Track adjacent to the BMX leased property for public use.

Ms. Daly requested for consideration the construction of a Pump Track adjacent to the BMX Track on the outside of the fence line near the Skate Park. Battle Born BMX has already secured dirt materials from the Falcon Ridge development site if approved. The dirt is clay consistency that holds up during inclement weather including flooding. Battle Born BMX would also be responsible for maintaining the Pump Track. She stated statistics show there is an increase in BMX memberships when there is a Pump Track next to a BMX Track. It also gives riders something to practice on when the BMX Track is closed. She stated she is aware of the BMX course located at the Sun Valley Regional Park, but she does not think that course is rider friendly; it is an advance rider course.

Trustee Barstow stated he is concerned with adding any additional duties to Ms. Daly when the Board just discussed her Lease Agreement and how she is not meeting the requirements for the BMX Track.

Secretary Elliott inquired how management feels about relocating clay material to the park. Sun Valley already has a big problem with clay material used on the unpaved streets and he is concerned the clay will make a mess of the Sun Valley Park.

Mr. Combs responded the detention basin is governed by the Nevada Division of Water Resources and they would have to approve the construction of the Pump Track and type of material used; the approval process takes a long time. The detention basin fills up with water then is slowly released through a controlled gate that releases the water down Sun Valley Boulevard. His concern is the erosion of the dirt being delivered downstream creating a bigger problem with culverts that Washoe County maintains. He suggested Ms. Daly focus on the existing BMX Track before the District considers any other BMX additions at the park.

Vice Chair Severt stated she has concerns with the liability of offering a Pump Track for the general public similar to the Skate Park. She also stated the detention basin is required to have a specific capacity related to holding water during inclement weather. The detention basin is a vital piece for flood control for Sun Valley and the City of Sparks.

Mr. Melton has had several conversations with the Nevada Division of Water Resources regarding use of the detention basin. Nevada Division of Water Resources is not in favor of adding any other additional full time structures or filling of the basin.

Ms. Daly suggested an alternative site; the dirt area located between the baseball field and the BMX Track west of the basin. She thanked the Board and staff for their time, Ms. Daly had to leave the meeting to attend the BMX practice.

There was no Board motion or direction.

There were no public comments.

Item# 12. Review and possible action to adopt a policy regarding naming of parks and/or recreation facilities and memorial benches.

Mr. Combs provided a draft policy and procedure for naming and renaming of the Sun Valley recreational areas and facilities and a draft park/facility/bench application for consideration. The purpose of the policy is to establish a set of standard procedures and guidelines for the naming and renaming of parks, recreational areas and facilities owned and operated by the District. The Board of Trustees will rely on the General Manager and/or Public Works Director for input and recommendation for the naming of parks, recreational areas and facilities. The policy provides objectives and what shall be considered for a qualified parks, recreational areas and facility name. He stated there is a section for naming alternative amenities, park benches. Park benches will be determined by Sun Valley General Improvement District to keep with uniformity throughout the parks, recreational areas and facilities. Each bench would include a 3x5 engraved plaque. The cost of the bench and replacement plaque is to be determined by the Board. He stated the policy has suggested exclusions for naming, they include: naming of associations with tobacco, alcohol, religious organizations, political candidates or association(s) and adjudicated felons are prohibited.

Mr. Combs reported the policy can be approved by the Board and put into practice, but the policy would have to be formally adopted as part of the District's Tariff Rule 28 regarding Recreation. This would allow for the District to consider any public requests, such as Patricia Lancaster's family.

Ms. Shipman stated she recommended including some exclusions to filter out any inappropriate requests. Policies are a work in progress and can be modified as needed. She recommends working with the draft policy to see what amendments are needed prior to adopting as a formal policy within the District's Tariff.

Chairperson Ainsworth stated she reviewed the policy and it captures everything the Board requested. She has concerns regarding the exclusion of adjudicated felons. This can become a problem if someone wants to honor a family member but that member had a felony charge over 20 years ago and since then cleared their name or have learned from their wrong doings.

Vice Chair Severt inquired what the cost of the bench and plaque would be and if the applicant will be paying a portion or all of the expense. She is also concerned with the adjudicated felons. She suggests removing that from the exclusion and those would be considered on a case by case basis. Someone can learn from their mistakes and go on with their life doing good things for the community.

Mr. Combs responded he spoke with the City of Sparks and the cost of the proposed bench with the plaque costs \$700. City of Sparks is using portions of their Residential Construction Tax Funds for the purchase of their benches. As a reminder their Bench Replacement Program consists of replacement of approximately 20 benches per year. City of Sparks charges the applicant \$150 per bench, this mostly covers the cost of labor for installation. The District would most likely be adding benches more than replacing benches.

Vice Chair Severt suggested the cost of the bench and plaque engraving be the full responsibility of the applicant.

After further discussion Trustee Barstow made a motion to accept the policy as provided with the following changes; cost of the bench and plaque are the responsibility of the applicant and the removal of adjudicated felons under exclusions and brought back to the Board of Trustees for formal adoption during the next tariff hearing. Vice Chair Severt seconded the motion. The motion carried unanimously.

There were no public comments.

Item# 13. Review and possible action to approve amendments to Personnel Policy 9.3.1 "Process of Performance Evaluations" to include the adopted Evaluation Process for employee performance appraisals.

Mr. Combs provided a copy of the District's Personnel Policy 9.3.1 Evaluation Process for employee performance appraisals amending it to include the appendix that was adopted in 2005 and revised in 2010. The appendix states, "During June of each year, the Sun Valley General Improvement District Board will determine the percentage calculations on which raises are to be based. Evaluation scores are set by the Manager/Supervisor that determines the individual employees raises based on the employee evaluation score."

Secretary Elliott stated he has never heard of a multiplier or of other agencies using a multiplier when it comes to employee raises. He is not in favor of it because it has been abused in the past by prior management/supervisor used it as a form of punishment towards certain individuals.

Vice Chair Severt made a motion to approve amendments to the District's Personnel Policy 9.3.1 "Process of Performance Evaluations" as submitted. Chairperson Ainsworth seconded the motion. The motion carried by the following:

Yeas: Trustee Barstow, Vice Chair Severt and Chairperson Ainsworth

Nay: Secretary Elliott

There were no public comments.

Item# 14. Legal report by Maddy Shipman.

None

Item# 15. Field report by Chris Melton.

Mr. Melton reported on the following items;

• The new No Smoking/Vaping signs have been installed at all the parks. The new signs were a calibration with all governmental agencies within Washoe County. The implementation of the new signs was covered by multiple news media outlets. At this time the enforcement of the No Smoking/Vaping rule will be by the peers/patrons

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- within the parks until there is a greater need for patrol enforcement by the sheriff and police departments.
- The Sun Valley Pool closed on August 11th for the season. The Aquatic Supervisor will give a pool season report at a future meeting.

Item# 16. Office report by Erin Dowling.

Ms. Dowling reported on the following items;

- The District's Civic Pay will be performing maintenance to the District's online payment portal; this feature will be temporary out of order from 9pm tonight until 2am tomorrow morning. A free Civic Pay Pad will be in the District's front lobby on a trial period.
- Staff has been performing its annual process related to the closing of the fiscal year.
 Staff is taking this opportunity to review each of the processes and determine if any modifications are needed to help close and/or clean up utility billing modules.
- The District office will be closed Monday, September 2, 2019 in observance of Labor Day.
- Staff has received confirmation from Washoe County Human Services regarding their participation with the upcoming Veterans Celebration. Staff will begin planning for the event that is scheduled for Saturday, November 9, 2019.
- She stated the District had a great recreation season. A recreation report will be provided at a future meeting.

Item# 17. Manager's report by Jon Combs.

Mr. Combs reported on the following items;

- He was proud to report Community Services Agency would like to continue their lease on a month to month basis until they secure their grant funding to continue operating the Head Start Program.
- Due to the NACO Conference there will be a schedule conflict with the September 26nd board meeting.
- The District's auditor will be onsite next week to complete the 2018/2019 fiscal year audit.

Item# 18. Public Comments.

Mr. Rider commented Cal Ripken appreciates the new Smoke/Vape Free signs. Cal Ripken had already initiated this in its own baseball rules; the signs will help with enforcement of the rule. He spoke with the Cal Ripken Board regarding the potential naming of the Community Park baseball field and they are in support of naming it after Trustee Lancaster. He also reported fall ball practice just started and the prep league will begin its regular maintenance at the baseball field. There is still concern of over watering on the baseball field

Item# 19. Board Comments.

Trustee Barstow commented he is not against continuing having a BMX Program; he voted against the Board's decision because he is concerned the District will not receive the balance of the rider fees owed to the District, per the Lease Agreement.

Vice Chair Severt commented the new Smoke/Vape Free signs received good media coverage. She also stated the other governmental agencies were impressed how easily the District Board was able to adopt the signs without any public complaints.

Secretary Elliott commented on the recent events that took place in Sun Valley, he is curious what the motivation/dispute was that lead to three individuals getting injured August 22, 2019 SVGID Minutes

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followed by two of them passing away. He commented he has noticed a lot of new fences being installed throughout the community. He hopes the District can start focusing on cleaning properties within the Sun Valley community and helping those that need assistance instead of focusing on cleaning up the open spaces.

Chairperson Ainsworth commented the recent dispute was between neighbors that allegedly had gang relations. She reported Highland Ranch Parkway will be closed August 24, 2019 for road repairs. She commented Battle Born BMX is receiving donations, but she is not sure how those funds are being used. She also commented prior president of Cal Ripken has been convicted of a felony for misuse of funds.

Item# 20. Future Agenda Items.

Mr. Combs reported the following items will be on the next agenda;

- Update from Fred Schmidt regarding Truckee Meadows Water Authority Standing Advisory Committee activities
- Approval of District's fall newsletter
- New development progress report
- Request to cancel the September 26, 2019 Board meeting due to the NACO Conference schedule conflict
- Discussion and possible action regarding Patricia Lancaster tribute request
- Possible update by Washoe County Sheriff's Department regarding abandoned vehicles
- Presentation by Washoe County Health Department recognizing the District for adopting Smoke/Vape Free Parks

Vice Chair Severt requested a presentation by Family Resource Center and Desert Skies Middle School with action for the District to provide a letter of resolution in of support for RTC to provide bus transportation to the north of Sun Valley near the new middle school.

Item# 21. Adjournment.

Trustee Barstow made a motion to adjourn at 8:02 pm. Chairperson Ainsworth seconded the motion. The motion carried unanimously.

Approved by the SVGID Board of Trustees on September 12, 2019.

Minutes Prepared by: Jennifer Merritt, Administrative Assistant