

CARSON CITY BOARD OF SUPERVISORS
Minutes of the April 6, 2000, Meeting
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A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, April 6, 2000, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 8:30 a.m.

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| PRESENT: | Ray Masayko Kay Bennett Robin Williamson Jon Plank Pete Livermore | Mayor Supervisor, Ward 4 Supervisor, Ward 1 Supervisor, Ward 2 Supervisor, Ward 3 |
| STAFF PRESENT: | John Berkich Alan Glover Noel Waters Rod Banister Al Kramer Gary Kulikowski Walter Sullivan William Naylor Judie Fisher Cheryl Adams Mark Forsberg Larry Nair Don Davis Vern Krahn Katherine McLaughlin Justine Chambers | City Manager Clerk-Recorder District Attorney Sheriff Treasurer Internal Auditor Community Development Director Information Services Director Personnel Manager Acting Purchasing Director Chief Deputy District Attorney Facilities Superintendent Fleet Manager Parks Planner Recording Secretary Purchasing Tech |

(B.O.S. 4/6/00 Tape 1-0001)

NOTE: Unless otherwise indicated, each item was introduced by staff's reading/outlining/clarifying the Board Action Request and/or supporting documentation. Staff members present for each Department are listed under that Department's heading. Any other individuals who spoke are listed immediately following the item heading. A tape recording of these proceedings is on file in the Clerk-Recorder's office. This tape is available for review and inspection during normal business hours.

CALL TO ORDER, ROLL CALL, INVOCATION, AND PLEDGE OF ALLEGIANCE - Mayor Masayko convened the meeting at 8:30 a.m. Roll call was taken. The entire Board was present constituting a quorum. Rev. Al Tilstra of the Seventh Day Adventist Church gave the Invocation. Mayor Masayko lead the Pledge of Allegiance.

CITIZEN COMMENTS (1-0025) - None.

1. APPROVAL OF MINUTES FOR 1/20, 2/3 and 2/17/00 (1-0027) - Supervisor Plank indicated that he had reviewed the Minutes and the corrections which were furnished this morning to the January 20, February 3, and February 17, 2000, Minutes and moved to approve those Board of Supervisor Minutes as corrected this morning. Supervisors Williamson and Bennett seconded the motion. Supervisor Livermore commented on the promptness of the Minutes. Motion carried 5-0.

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2. AGENDA MODIFICATIONS (1-0062) - Discussion is continuing on Item 9 relating to the Special Use Permit for Costco. It is scheduled to be heard this afternoon unless negotiations successfully resolve the issues.

LIQUOR AND ENTERTAINMENT BOARD (1-0068) - Mayor Masayko recessed the Board of Supervisors and convened the Liquor and Entertainment Board. The entire Board was present including Sheriff Banister, constituting a quorum.

3. TREASURER - Al Kramer - **ACTION ON THE CHANGE OF LIQUOR LICENSE MANAGER FOR LONGS DRUG STORE #146 TO ORLO D. JONES, SENIOR VICE PRESIDENT OF PROPERTIES (1-0072)** - Applicant's Attorney Michael Alonzo introduced Mr. Jones. He indicated that Mr. Jones holds the gaming license for the other stores in Nevada as well as liquor licenses at several of those stores. The former General Manager had retired. Mayor Masayko briefly explained the Code requirement mandating the appearance of the individual holding the liquor license. He also wished the former general manager well in his retirement. Mr. Jones indicated the seriousness with which the firm considers having the liquor license and briefly described its employee training program on the sale of liquor. He acknowledged that the license is a privilege. Member Banister noted the favorable Sheriff's Investigative Report. Member Bennett stressed the seriousness and importance the Board placed on the license and its responsibilities. She urged Mr. Jones to look carefully at the company policy and to relay the Board's concerns to the individual to whom he delegates the responsibility. Mr. Jones responded by explaining the company policy which pays the managers and assistant managers based upon the profitability of the store. These individuals are quite aware of the impact fines paid for violations has on the store's profit and their pocketbooks. He felt that this made them more concerned than the corporate officers about the training given to the employees. An individual within his Department is responsible for the licensing and making sure any changes in the liquor laws are brought to the store managers' attentions. The employees are required to sign-off when they receive the training. Punitive action against the employees who sell liquor to minors was described. Member Bennett complimented him on the new store and the value it plays in the community. Member Williamson also welcomed him to the community and moved to approve the change of liquor license manager for Longs Drug Store No. 146 to Orlo D. Jones, Senior Vice President of Properties, under CCMC 4.13.120, fiscal impact is \$75 investigative fee. Member Livermore seconded the motion. Motion carried 6-0.

BOARD OF SUPERVISORS (1-0210) - There being no other matters for consideration as the Liquor and Entertainment Board, Chairperson Masayko adjourned the Liquor and Entertainment Board and immediately reconvened the meeting as the Board of Supervisors. The entire Board was present constituting a quorum.

4. CONSENT AGENDA (1-0212)

A. TREASURER

i. ACTION ON PARTIAL REMOVAL OF 1999-2000 REAL PROPERTY TAXES DUE TO DONATION OF VETERAN EXEMPTION TO THE VETERAN'S HOME ON FIVE PARCELS

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i.i. ACTION ON PARTIAL REMOVAL AND REFUND OF 1999-2000 REAL PROPERTY TAXES ON PARCELS #9-217-02 AND #9-217-03 DUE TO STATE OF NEVADA ACQUISITION OF PROPERTIES

B. PERSONNEL MANAGER - ACTION TO APPROVE REVISED CARSON CITY RULES AND REGULATIONS

C. COMMUNITY DEVELOPMENT DEPARTMENT

i. ACTION ON H-99/00-17 - A REQUEST FROM AARON COVINGTON AND MARY WORKS, PROPERTY OWNERS AND APPLICANTS, FOR HISTORICAL TAX DEFERMENT ON PROPERTY LOCATED AT 312 NORTH MOUNTAIN STREET, APN 3-191-01

ii. ACTION ON MR-99/00-1 - TO AMEND THE BOARD OF SUPERVISORS MARCH 16, 2000, MOTION REGARDING A MERGER AND RESUBDIVISION MAP APPLICATION FROM LANDMARK HOMES AND DEVELOPMENT, INC., TO ADJUST THE LOT WIDTHS OF LOTS 2 THROUGH 8 OF NORTHRIDGE PHASE 3, IN ORDER TO ELIMINATE TWO 45 FOOT WIDE LOTS AND MAKE THE MINIMUM LOT WIDTH 50 FEET, ON PROPERTY ZONED SINGLE FAMILY 6,000 (SF6000), LOCATED AT RIDGECREST DRIVE BY CORRECTING THE APNS LISTED IN THE ORIGINAL MOTION

D. DEVELOPMENT SERVICES

i. ACTION ON RENEWAL OF EXISTING LEASE BETWEEN CARSON CITY AND MB BROADCASTING CORPORATION (DBA KPTL) FOR AREA OF APPROXIMATELY 6.47 ACRES LOCATED WITHIN CITY PROPERTIES BOUNDED BY EDMONDS DRIVE, BUTTI WAY, AND FIFTH STREET FOR THE OPERATION OF A RADIO BROADCASTING STATION AND/OR TRANSMITTER TOWER

ii. ACTION ON AN ADDITIONAL EXPENDITURE PERTAINING TO A DEVELOPMENT AGREEMENT, PASSED BY THE BOARD OF SUPERVISORS ON JULY 1, 1999, BETWEEN CARSON CITY AND CARSON CITY (WINNIE) LLC REGARDING ASSESSOR'S PARCEL NO. 1-091-09 LOCATED AT 1980 NORTH CARSON STREET, CARSON CITY, NEVADA, FOR SEWER MAIN REPLACEMENT

E. FINANCE DIRECTOR - ACTION ON RATIFICATION OF THE EXPENDITURE APPROVAL LISTINGS FOR THE MONTH OF FEBRUARY 2000

F. PURCHASING DEPARTMENT

i. ACTION ON CONTRACT NO. 9899-290 - 1998-99 ASPHALT MAINTENANCE CONTRACT, REQUEST FOR FINAL PAYMENT

ii. ACTION ON CONTRACT NO. 9900-069 - CARSON RIVER PARK PHASE I IMPROVEMENTS, REQUEST FOR FINAL PAYMENT

iii. ACTION ON CONTRACT NO. 9899-208 - GRAVES LANE EXTENSION, REQUEST FOR FINAL PAYMENT

iv. ACTION ON CONTRACT NO. 9900-212 - REQUEST TO CONTRACT WITH CARL'S BLUEPRINTING BY JOINDER BID WITH STATE PUBLIC WORKS BOARD TO PROVIDE BLUEPRINTING AND COPYING SERVICES

v. ACTION ON CONTRACT NO. 9798-045 - PUBLIC SAFETY BUILDING INSPECTION AND TESTING SERVICES, AMENDMENT NO. 2, REQUEST FOR CONTRACT APPROVAL

vi. ACTION ON CONTRACT NO. 9495-228 - PUBLIC SAFETY COMPLEX GEOTECHNICAL AND ENVIRONMENTAL ASSESSMENT SERVICES, AMENDMENT NO. 3, REQUEST FOR CONTRACT APPROVAL

vii. ACTION ON CONTRACT NO. 9900-025 - CITY HALL CONDENSING UNIT REPLACEMENT, REQUEST FOR FINAL PAYMENT

viii. ACTION ON CONTRACT NO. 9900-211 - DISPOSAL AND SALE OF SURPLUS PROPERTY

ix. ACTION ON CONTRACT NO. 9900-223 - COMPUTER AIDED DISPATCH SYSTEM CONSULTING SERVICES, REQUEST FOR CONTRACT APPROVAL

x. ACTION ON CONTRACT NO. 9900-042 - COMBINED SHERIFF AND FIRE DISPATCH FACILITY, REQUEST FOR ADDITIONAL CONTINGENCY AND AUTHORITY TO

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EXPEND THE ADDITIONAL CONTINGENCY THIS FISCAL YEAR - Supervisor Bennett pulled Contract 9900-025 for discussion. Mr. Berkich pulled the MB Broadcasting lease renewal for discussion. Supervisor Williamson moved to approve the 15 items on the Consent Agenda with the exception of the first item under Development Services, action on renewal of an existing lease between Carson City and MB Broadcasting Corporation, and under the Purchasing Department, Action on Contract No. 9900-025. Supervisor Plank seconded the motion. Motion carried 5-0.

D. i. (1-0230) Deputy City Manager Dan St. John gave the Board a revised contract which added an escalation clause to the agreement at the top of Page 2. He read it into the record. Mayor Masayko noted the contract had been signed by the broadcasting company representative. Supervisor Livermore moved that the Board of Supervisors approve the lease between Carson City and MB Broadcasting Corporation, doing business as KPTL, for an area of approximately 6.47 acres located within City properties bounded by Edmonds Drive, Butti Way, and Fifth Street for the operation of a radio broadcasting station and/or transmitter tower and collect the annual rent of \$5,676; fiscal impact is \$5,676 per year of miscellaneous income and that the approval is on the modified lease agreement containing on Page 2 in Paragraph 3, "whereas a four percent annual increase potential is available if the lessor so chooses to do so". Supervisor Williamson seconded the motion. Motion carried 5-0.

F. vii. (1-0322) Discussion between Supervisor Bennett and Facilities Superintendent Nair explained Supervisor Bennett's intent to vote against approval of the funding, that the contract was for final payment to the vendor for a condensing unit, Mr. Nair's responsibility for maintaining the HVAC equipment at City Hall, and the reasons the HVAC system at City Hall did not provide adequate heating and cooling. Supervisor Bennett encouraged Mr. Nair to discuss the funding needs if additional equipment is required. Purchasing Tech Chambers explained the payment request. Supervisor Williamson moved to approve the Request for Final Payment made on Contract No. 9900-025 as submitted by the Purchasing Department to Gardner Engineering, Inc., 270 East Parr Boulevard, Reno, Nevada 89512, for a final payment amount of \$5,165.80 and accept the Contract Summary as presented; fiscal impact - September 2, 1999, \$51,658 base bid plus \$4,000 contingency for a total of \$55,658; funding source is the Facilities Maintenance Capital Improvements Budget as provided for in fiscal year 9900. Supervisor Livermore seconded the motion. Motion carried 4-1 with Supervisor Bennett voting against the motion.

5. BOARD OF SUPERVISORS

A. NON-ACTION ITEMS - INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (1-0415) - Mayor Masayko noted the demise of Churchill County Commission Chairman James Regan and extended condolences to his family. He also congratulated CATF on its new camera and its improved transmission. He commended the Regional Transportation Commission and the Parks and Recreation Commission on their meeting on the freeway multi-use trail. He then reported on meetings/ceremonies with: NDOT Director Tom Stephens including potential dates for a ribbon-cutting ceremony for the freeway; Sunrise and Bowers residents; the National Association of Federal Retired

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Employees; the FFA; the Re-Elect America Tour; the Advisory Committee on Participatory Democracy; Chief Deputy District Attorney Mark Forsberg regarding a federal court matter; and Dan St. John's farewell luncheon. Supervisor Livermore reported on his Hospital activities including its need to increase its fees; Health Smart, its needs assessment report which is available at the City and Hospital libraries as well as at its office and the City Hall, and the effectiveness of its flu shot clinics; GROW; the Carson Mental Health Coalition; and contact from the public regarding the multi-use trail, Fuji Park and a landscaping issue in his area. Supervisor Bennett recognized the landscaping and beauty of the downtown area created by Redevelopment. Cultural activities which have occurred in that area were also noted. She then reported on meetings with/regarding: the Library Board of Trustees; Health Smart and its wellness fair scheduled for June 10 and 11; the Subconservancy District; the public transit service; Nevada Tahoe Conservation District; TRPA; and the Abbey Group. Supervisor Williamson reported on meetings with/regarding: Senator Mark Amodei on mental health issues; GROW; Redevelopment Authority Citizens Committee including Dan Mooney's offer to assist the Committee in developing its vision and mission statements; Western Nevada Home Consortium; State Transportation Board; Charter Committee; the Re-elect America luncheon; the consultants on the Public Safety Master Plan; One Vision, One Region; Conservation District; and Dan St. John's farewell luncheon. She thanked the volunteers who serve on the City's committees/commissions for dedicating their time and talents for the betterment of the community. She questioned the construction activities near K-Mart which is using a "pile driver" and whether something could be done to make it more "liveable" for the surrounding neighbors. She announced the Comstock Soccer Shootout scheduled for April 15 and 16th. She also complimented the Parks Department on its efforts to beautify the downtown area and urged the public to take a walking tour of the downtown area. Supervisor Plank thanked Mayor Masayko for attending the Sunrise/Bowers area meeting. He reported on meetings with the public and various Federal, State, and local employees on the freeway and the Parks and Recreation and Regional Transportation Commission joint meeting on the freeway's multi-use path. He emphasized FHWA Representative John Price's comments indicating that the inclusion of the trail is a federally funded mandate. He then reported on meetings with/regarding: the Senior Citizens Advisory Council; the Sonoma Street extension; Re-elect America; Abbey and Associates; Chuck Saulisberry regarding the Black Rock Desert; the FFA convention; Animal Control Department and Purchasing; and Mr. St. John's farewell luncheon. He announced the annual Parks and Recreation Commission park tour and the regular Regional Transportation Commission meeting. He also expressed his shock at learning of Churchill County Commission Chairperson Regan's demise and described his recent meeting with him.

B. STAFF COMMENTS AND STATUS REPORT (1-1365) - Deputy City Manager Dan St. John thanked the Board and Mr. Berkich for having had the opportunity to work for the City. His optimism regarding the City staff members and their abilities was expressed. He acknowledged the experience and working relationships/partnerships formulated by the freeway, storm drainage, and other projects on which the City is working. He complimented the Board on its foresight and efforts to make the community a model for others.

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BREAK: A recess was declared at 10 a.m. The entire Board was present when Mayor Masayko reconvened the meeting at 10:15 a.m., constituting a quorum.

6. DEVELOPMENT SERVICES - Deputy City Manager Dan St. John

A. ACTION ON A RESOLUTION OF SUPPORT FOR THE SCOPE OF WORK FOR PHASE II OF THE CARSON FREEWAY FROM US 50 EAST TO US 50 SOUTH (SPOONER INTERCHANGE) (1-1514) - NDOT Project Manager Jim Gallegos, PBS&J Consultant Jim Dotson - Mr. St. John's introduction indicated that NDOT may not be prepared to move forward with the design for the multi-use trail until it is clarified within the resolution. A revised resolution was distributed to the Board and Clerk and highlighted by Mr. St. John. (A copy is in the file.) Discussion pointed out the need to be flexible within the resolution to allow the design to include features which may or may not be constructed in the future. Both parties also need to be cognizant of the fact that funding for some of these items has yet to be determined. The importance of continuing to move the project forward was stressed due to funding competition from other areas. Some of the features may require the City to reconsider its Master Plan. An example of the features included the Robinson extension. This extension is now felt to be unnecessary due to the realignment of the Fifth Street interchange. It may be difficult to accomplish due to the wetlands and topography and may not be cost effective. Mr. St. John then explained that discussions are occurring with the Pinion Plaza property owners concerning a second access/egress which would route the traffic north rather than south as originally proposed with the Robinson Street extension. He then explained the reasons for suggesting that the bicycle master plan be modified to eliminate the freeway crossing at the Edmonds Sports Complex. He suggested that the multi-use path be part of the Lompa Street and the drainage crossings. Otherwise, the interconnectivity of the bicycle paths would occur only at the freeway grade separations and intersections except for the one requested at the Colorado Street cul-de-sac. Board comments stressed the need to have Phase II of the freeway commence without a break from Phase I due to the impact traffic from Phase I will have on residential neighborhoods. This impact is not found with the other major freeway projects in the State. Supervisor Livermore stressed the need to consider the impact on Edmonds Drive and the need to address its carrying capacity and design. He also suggested that "reasonable accommodations" be better designed to provide equestrian facilities in the southern portion of the freeway. He then urged the Board to take a position on the direction in which this phase of the freeway should be constructed, i.e., north to south or south to north. Justification for this recommendation was provided. Clarification indicated that the document reflected the presentations made to the public including the Spooener interchange value engineering comments. Supervisor Williamson then assured the public that number 14 of the document included using sound walls to mitigate noise from the freeway. NDOT is to be responsible for the sound walls as they are in Phase I.

Mr. Gallegos noted that the timetable had been distributed to the Clerk and Board. (A copy is in the file.) He highlighted the timetable. He assured Supervisor Livermore that the plan is to construct Phase II from north to south as construction from south to north would place even more traffic in residential areas. He also noted the need to resolve the multi-use trail

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issue(s). The schedule matches the funding and was felt to be reasonable and doable. Funding for construction of the project has yet to be determined. Some funding for engineering is available. Justification for making Colorado a cul-de-sac was explained. Supervisor Bennett expressed her feeling that Alternate B regarding the bike and pedestrian facilities was assertive enough. Although she understood Mr. Gallegos' position, this matter is a policy issue which will be determined by the State Transportation Board. FHWA's policy statement mandates the inclusion of these facilities in new construction projects. The community expects it to be included within the project the same as appropriate drainage, overpasses, interchanges, etc., are included. She urged the Board to modify the resolution to include the trail. Funding had previously been identified as being available within TEA-21, "CMAC", and another unnamed Federal source. Supervisor Plank supported her recommendation and suggested that the Board plagiarize the Federal policy's terminology. Mr. Gallegos indicated that the purpose of the resolution is to clarify the commitments. Leaving the multi-use trail in the project without a clear understanding of the costs, scope, and feasibility of its ability to be developed will put the project in disagreement later in the development phase. His comments emphasized the need to resolve the funding issues before moving forward with the trail. Value engineering should occur on the trail either now or as a part of the design. Mayor Masayko noted that this issue will be resolved when the NDOT Board of Transportation convenes in 33 days. He suggested that this issue be held until after that meeting occurs and that the resolution be amended at that time, if necessary. Mr. Gallegos explained the reasons for feeling that the previously acquired right-of-way may not be adequate to provide the space necessary for the trail. This shortage is creating a significant impact on the ability to design the project. Supervisor Bennett pointed out the need to determine the appropriate location for the multi-use trail in order to comply with the FHWA mandate. For this reason she urged the Board to be respectful in the assertive language contained within the resolution which would provide latitude for all parties. Mayor Masayko noted that the right-of-way had been secured many years ago and had not included space for the trail. This requirement is addressing a new territory. Future right-of-way acquisitions will include this required space. Supervisor Williamson revised Alternate B to read: "Since bike and pedestrian facilities are important to the citizens and visitors of Carson City, funding for the multi-use path within Phase 2 project shall be identified. Once funding is secured, the City and NDOT will pursue construction...." Mr. St. John agreed that this language is the City's desired language. He then stressed the need to work cooperatively which could allow the use of both the freeway right-of-way and Edmonds to meet the engineering needs for the project. He did not feel that all of the feasibilities had been explored. Supervisor Bennett suggested an amendment to have it read: "Once funding is secured, the City and NDOT will pursue construction of the path or alternatives, which both parties believe could be done...." Mayor Masayko felt that there was adequate flexibility within the agreement to allow the project to move forward either in the freeway right-of-way or on City streets once the funding has been identified. Mr. St. John cited the acknowledgement indicating that the path could be outside the freeway. Supervisor Plank iterated the need for the City to work with NDOT as a partner in the development of alternatives, if necessary. Mr. Gallegos then described the design process which keeps the project moving and within

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reasonable cost limits. Funding is determined later in the process. Clarification indicated that there should be adequate funding for design through 2001 and 2002 as well as for the remaining right-of-way. Additional right-of-way, a substantial increase in the footprint, changes in the traffic impact including new traffic patterns within the City, etc., would require the Department to revisit the Environmental Impact Study. Supervisor Livermore expressed his feelings regarding the importance of having the freeway as it had taken precedence over the other multi-transportation issues. He urged the Board to be cognizant of the need to maintain the funding cycle. Mayor Masayko pointed out the change in funding level which causes designs to be developed and moves it closer to the short range funding program. Mr. Gallegos pointed out that some funding had been provided in the short range plan last year for this project. Mayor Masayko also felt that the Board's message had been that, with a small amount of wordsmithing within the resolution, the Board trusted that the unanswered questions would be resolved by working together on the issues. The resolution may be amended once these issues are resolved. The Board/City wants and needs the project and is not attempting to delay it.

(1-2773) Mr. Gallegos then explained that the equestrian facilities would be part of the multi-use crossings in the southern portion of the project. Horses will not be prohibited from using these crossings. He also explained that the Department was opposed to using the multi-use trail as a park and its designation as a linear park as this designation restricts the Department's use of the right-of-way. Mayor Masayko felt that the term was now "restoration area" rather than linear park. Supervisor Plank also pointed out that the City does not want a "rain forest". Public comments were solicited but none given.

Supervisor Williamson moved to adopt Resolution No. 2000-R-15 in support of the scope of work for Phase II of the Carson City freeway from US 50 East to US 50 South, Spooner Interchange, with the following amendment on 12, Alternate B, the word "while" will be changed to "since" and its line 3 after "Phase 2 project" the words "has not been" will be changed to "shall be" identified. Supervisor Bennett seconded the motion. Following a request for an amendment, Supervisor Williamson amended the next line of the resolution to restore "once" rather than the if and when which had been discussed. Supervisor Bennett concurred. Mayor Masayko indicated the document under discussion related to the one which was distributed during the meeting. The motion was voted and carried 5-0.

Mayor Masayko noted the need to continue the partnership based on trust and encouraged NDOT to move forward unless things have changed.

Supervisor Bennett acknowledged that last night's joint meeting of the Parks and Recreation Commission and Regional Transportation Commission had been long and difficult for NDOT's staff. She wished to publicly recognize where their "hearts were" and expressed her sincere appreciation for their commitment, dedication, and patience with the City in the past and in the future. The argument is not with the NDOT staff but the policy makers. She thanked him, NDOT Assistant Director Susan Martinovich, and FHWA Representative John Price for attending the meeting, caring, and willingness to help the community.

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Mr. Gallegos thanked Mr. St. John for his partnership with NDOT on the project. He expected to see him at the ribbon cutting ceremony.

B. PRESENTATION ON PROCESS SELECTION WORKSHOP FOR WASTEWATER RECLAMATION PLAN (1-2931) - Deferred to the next Board meeting.

C. UPDATE ON CARSON CITY'S WATER QUALITY AND CORROSION CONTROL PROGRAM (1-2931) - Deferred to the next Board meeting.

REDEVELOPMENT AUTHORITY - Mayor Masayko then recessed the Board of Supervisors session and passed the gavel to Redevelopment Authority Chair Robin Williamson. Chair Williamson immediately convened the Redevelopment Authority. For Minutes of the Redevelopment Authority, see its folder. Following adjournment of the Redevelopment Authority, Mayor Masayko reconvened the Board of Supervisors session. The entire Board was present constituting a quorum.

8. REDEVELOPMENT DIRECTOR - Rob Joiner

A. ACTION TO APPROVE A SETTLEMENT AGREEMENT BETWEEN CARSON CITY, A CONSOLIDATED MUNICIPALITY AND A POLITICAL SUBDIVISION OF THE STATE OF NEVADA, AND THE CARSON CITY REDEVELOPMENT AUTHORITY, A POLITICAL SUBDIVISION OF THE STATE OF NEVADA, AND CLAM CORPORATION, A NEVADA CORPORATION (2-0505) - Supervisor Williamson moved to approve the settlement agreement between Carson City, a consolidated municipality and a political subdivision of the State of Nevada, and the CLAM Corporation, a Nevada corporation. Supervisors Plank and Bennett seconded the motion. Motion carried 5-0.

B. ACTION REGARDING A RESOLUTION APPROVING AN INTERLOCAL GOVERNMENT AGREEMENT BETWEEN THE CARSON CITY REDEVELOPMENT AUTHORITY AND THE CARSON CITY CONVENTION AND VISITOR'S BUREAU WHEREBY THE CARSON CITY CONVENTION AND VISITOR'S BUREAU SHALL MANAGE AND OPERATE THE "GHOST WALK" IN OCTOBER 2000 AND THE "WILD WEST TOUR" IN MAY 2001, AND OTHER MATTERS PROPERLY RELATED THERETO (2-0528) - Supervisor Williamson moved that the Board of Supervisors adopt Resolution No. 2000-R-16, A RESOLUTION APPROVING AN INTERLOCAL GOVERNMENT AGREEMENT BETWEEN THE CARSON CITY AND THE CARSON CITY CONVENTION AND VISITOR'S BUREAU WHEREBY THE CARSON CITY CONVENTION AND VISITOR'S BUREAU SHALL MANAGE AND OPERATE THE "GHOST WALK" IN OCTOBER 2000 AND THE "WILD WEST TOUR" IN MAY 2001, AND OTHER MATTERS PROPERLY RELATED THERETO, for a fiscal impact of \$17,500 from the Redevelopment Authority Budget. Supervisors Bennett and Plank seconded the motion. Motion carried 5-0.

C. ACTION REGARDING A REQUEST FROM BEVERLY BUTLER TO WAIVE A PORTION OF INCENTIVE PAYBACK ON PROPERTY LOCATED AT 602 NORTH CURRY STREET, APN 3-285-04 (2-0548) - Supervisor Williamson moved that the Board of Supervisors approve the request from Beverly Butler to waive a portion of the incentive payback on property located at 602 North Curry Street Assessor's Parcel Number 3-285-04, including the six conditions that were found by the citizens advisory committee. Supervisor Bennett seconded the motion. Motion carried 5-0.

D. ACTION REGARDING A RECOMMENDATION BY THE REDEVELOPMENT AUTHORITY CITIZENS COMMITTEE TO FUND MANAGEMENT, PROMOTION AND ENTERTAINMENT FOR

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EVENTS AT TELEGRAPH SQUARE AND THIRD AND CARSON STREETS PLUS FUNDING OF A MATCHING GRANT TO DEVELOP A NEEDS ASSESSMENT AND FORMULATE A CULTURAL PLAN SPECIFIC TO CARSON CITY, TOTALING \$40,850 (2-0566) - Supervisor Williamson moved that the Board of Supervisors approve the recommendation by the Redevelopment Authority Citizens Committee to fund management, promotion and entertainment for events at Telegraph Square and Third and Carson Streets plus funding of a matching grant to develop a needs assessment and formulate a cultural plan specific to Carson City, totaling \$22,850, funding source is the Redevelopment Authority Revolving Fund. Supervisor Bennett seconded the motion. Motion carried 5-0.

E. ACTION TO DETERMINE IF THE PROPOSED ORDINANCE AMENDING TITLE 10 (VEHICLES AND TRAFFIC), CHAPTERS 10.04 (DEFINITIONS) AND 10.26 (MISCELLANEOUS RULES), REGARDING SKATEBOARD, ROLLER SKATES, IN-LINE SKATES, OR SIMILAR DEVICES, IMPOSES A DIRECT AND SIGNIFICANT ECONOMIC BURDEN UPON A BUSINESS OR DIRECTLY RESTRICTS THE FORMATION, OPERATION OR EXPANSION OF A BUSINESS (2-0584) - Comments were solicited but none given. Supervisor Williamson moved that the Board of Supervisors approve the finding that the proposed ordinance amendment to Title 10, Vehicles and Traffic, Chapters 10.04, Definitions, and 10.26, Miscellaneous Rules, regarding skateboard, roller skates, in-line skates or similar devices, does not impose a direct and significant economic burden upon a business or directly restrict the formation, operation or expansion of a business; no fiscal impact. Supervisors Bennett and Plank seconded the motion. Motion carried 5-0.

F. ORDINANCE - FIRST READING - ACTION REGARDING A RECOMMENDATION TO THE BOARD OF SUPERVISORS TO AMEND CARSON CITY MUNICIPAL CODE (CCMC) TITLE 10 (VEHICLES AND TRAFFIC), CHAPTER 10.26 (MISCELLANEOUS RULES), SPECIFICALLY BY ADDING "SKATEBOARD, ROLLER SKATES, IN-LINE SKATES, OR SIMILAR DEVICES" TO SECTION 10.26.300(1) AND (2) (SIDEWALK RIDING); AND BY ADDING THE WORD "STREET" TO SECTION 10.26.300(1); AND BY ADDING THE WORDS "STREET OR HIGHWAY" TO SECTION 10.26.300(2); AND BY ADDING SECTION 10.04.565 (SKATEBOARD, ROLLER SKATES, AND IN-LINE SKATES) TO CHAPTER 10.04 (DEFINITIONS); AND OTHER MATTERS PROPERLY RELATED THERETO (2-0605) - Supervisor Williamson moved that the Board of Supervisors introduce on first reading Bill No. 113, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE (CCMC) TITLE 10 (VEHICLES AND TRAFFIC), CHAPTER 10.26 (MISCELLANEOUS RULES), SPECIFICALLY BY ADDING "SKATEBOARD, ROLLER SKATES, IN-LINE SKATES, OR SIMILAR DEVICES" TO SECTION 10.26.300(1) AND (2) (SIDEWALK RIDING); AND BY ADDING THE WORD "STREET" TO SECTION 10.26.300(1); AND BY ADDING THE WORDS "STREET OR HIGHWAY" TO SECTION 10.26.300(2); AND BY ADDING SECTION 10.04.565 (SKATEBOARD, ROLLER SKATES, AND IN-LINE SKATES) TO CHAPTER 10.04 (DEFINITIONS); AND OTHER MATTERS PROPERLY RELATED THERETO; no fiscal impact. Supervisor Plank seconded the motion. Motion carried 5-0.

BREAK: A lunch recess was declared at 12:20 p.m. The entire Board was present when Mayor Masayko reconvened the session at 1:35 p.m., constituting a quorum.

9. COMMUNITY DEVELOPMENT DIRECTOR - Walter Sullivan

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A. ACTION ON U-99/00-26 - AN APPEAL OF THE PLANNING COMMISSION'S DECISION TO APPROVE A SPECIAL USE PERMIT APPLICATION REQUEST FROM COSTCO WHOLESALE COMPANY (PROPERTY OWNERS: CARSON CITY AND THE U.S. FOREST SERVICE) TO ALLOW A STORE EXCEEDING 50,000 SQUARE FEET AND TO INCLUDE A WAREHOUSE SALES FACILITY, A VEHICLE FUELING FACILITY (FOR MEMBERS OF THE STORE ONLY), AND A TIRE INSTALLATION CENTER, ON PROPERTY ZONED GENERAL COMMERCIAL (GC), LOCATED AT OLD CLEAR CREEK ROAD, APN'S 9-302-03 AND 9-302-05 (2-0634) - Deputy District Attorney Neil Rombardo explained that he had been in negotiations with the Appellants' attorney Rick Elmore and that they jointly requested a continuance to the April 20 Board meeting. Appellant Gene Lepire indicated that the continuance would be "fine". Mayor Masayko indicated the item would be rescheduled for the April 20th meeting unless a settlement is reached before that. No formal action was taken.

B. ORDINANCE - SECOND READING - ACTION ON BILL NO. 112 - AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE (CCMC) TITLE 18 (ZONING), CHAPTER 18.03 (DEFINITIONS), SPECIFICALLY BY ADDING SECTION 18.03.438 (PANEL VAN) TO THE LIST OF DEFINITIONS; AND CHAPTER 18.05 (PROVISIONS APPLYING TO ALL USE DISTRICTS), SECTION 18.05.023 (GENERAL REQUIREMENTS), SPECIFICALLY SUBSECTIONS 18.05.023(11C) AND 18.05.023(12) BY REMOVING THE WORD "SINGLE" WHEN REFERRING TO A PANEL VAN; AND SECTION 18.05.045 (HOME OCCUPATION), SPECIFICALLY SUBSECTION 18.05.045(13), BY REMOVING THE WORD "SINGLE" WHEN REFERRING TO A PANEL VAN; AND OTHER MATTERS PROPERLY RELATED THERETO (1-0656) - Mr. Sullivan explained his contact with private utility companies indicated that the ordinance would not create a problem for their emergency response personnel. Supervisor Plank moved that the Board of Supervisors approve M-99/00-6, Bill No. 112, Ordinance No. 2000-12, on second reading, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE (CCMC) TITLE 18 (ZONING), CHAPTER 18.03 (DEFINITIONS), SPECIFICALLY BY ADDING SECTION 18.03.438 (PANEL VAN) TO THE LIST OF DEFINITIONS; AND CHAPTER 18.05 (PROVISIONS APPLYING TO ALL USE DISTRICTS), SECTION 18.05.023 (GENERAL REQUIREMENTS), SPECIFICALLY SUBSECTIONS 18.05.023(11C) AND 18.05.023(12) BY REMOVING THE WORD "SINGLE" WHEN REFERRING TO A PANEL VAN; AND SECTION 18.05.045 (HOME OCCUPATION), SPECIFICALLY SUBSECTION 18.05.045(13), BY REMOVING THE WORD "SINGLE" WHEN REFERRING TO A PANEL VAN; AND OTHER MATTERS PROPERLY RELATED THERETO, fiscal impact is zero. Supervisor Williamson seconded the motion. Motion carried 5-0.

10. DISTRICT ATTORNEY - Chief Deputy District Attorney Mark Forsberg - ORDINANCES - FIRST READING

A. ACTION ON AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE CHAPTER 10.22 (RECKLESS DRIVING--PERSONS UNDER THE INFLUENCE OF LIQUOR, DRUGS) AMENDING SECTION 10.22.020 PERSONS DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR, OR CONTROLLED SUBSTANCES: UNLAWFUL ACTS; AFFIRMATIVE DEFENSE; AMENDING SECTION 10.22.021 VIOLATION OF SECTION 10.22.020 - PENALTIES; AMENDING SECTION 10.22.022 VIOLATION OF SECTION 10.22.020 - TREATMENT FOR ALCOHOLISM OR DRUG ABUSE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO (2-075) - Mayor Masayko disclosed his contact with Clerk-Recorder Glover regarding the modifications. The ordinance will allow the City to retain the fines. Mr. Forsberg agreed that the modifications would not add additional laws to the books. They merely bring the City Code into conformity with the State Statutes which he limned. Discussion

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indicated that offenders who receive services from mental health facilities within the community under a court order may create an unfunded mandate upon the facility who provides the treatment as the law does not indicate that the treatment is paid prior to release. Mr. Forsberg felt that the court normally requires the offender to pay for the services. The ordinance copies the Statute. Reasons the Courts may not force the payment upon indigent offenders were discussed. The fines are collected by the City and placed in the General Fund. The Board could designate a portion of the General Fund for these services. The social issues related to the sentence and its costs upon the community were noted. Discussion also indicated a desire to have the Code periodically reviewed to make ordinance changes when the Statutes are revised. Mr. Forsberg expressed an intent to be cognizant of these changes in the future. Discussion also indicated that the fiscal impact requirements could be considered prior to the second reading, if necessary. Supervisor Bennett moved that the Board introduce on first reading Bill No. 114, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE CHAPTER 10.22, RECKLESS DRIVING--PERSONS UNDER THE INFLUENCE OF LIQUOR, DRUGS, AMENDING SECTION 10.22.020 PERSONS DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR, OR CONTROLLED SUBSTANCES: UNLAWFUL ACTS; AFFIRMATIVE DEFENSE; AMENDING SECTION 10.22.021 VIOLATION OF SECTION 10.22.020 - PENALTIES; AMENDING SECTION 10.22.022 VIOLATION OF SECTION 10.22.020 - TREATMENT FOR ALCOHOLISM OR DRUG ABUSE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Williamson seconded the motion. Motion carried 5-0.

B. ACTION ON AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE CHAPTER (CCMC) 10 VEHICLES AND TRAFFIC, CHAPTER 10.04 DEFINITIONS, SECTION 10.04.425 PREMISES TO WHICH THE PUBLIC HAS ACCESS, BY CHANGING THE DEFINITION OF "PREMISES TO WHICH THE PUBLIC HAS ACCESS" AND ADDING TWO NEW SUBSECTIONS (2) AND (3), WHICH DEFINE WHAT THE ABOVE-STATEMENT TERM INCLUDES AND WHAT IT DOES NOT INCLUDE AND OTHER MATTERS PROPERLY RELATED THERETO (2-1039) - Supervisor Bennett moved to introduce on first reading Bill No. 115, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE CHAPTER (CCMC) 10 VEHICLES AND TRAFFIC, CHAPTER 10.04 DEFINITIONS, SECTION 10.04.425 PREMISES TO WHICH THE PUBLIC HAS ACCESS, BY CHANGING THE DEFINITION OF "PREMISES TO WHICH THE PUBLIC HAS ACCESS" AND ADDING TWO NEW SUBSECTIONS (2) AND (3), WHICH DEFINE WHAT THE ABOVE-STATEMENT TERM INCLUDES AND WHAT IT DOES NOT INCLUDE AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Livermore seconded the motion. Discussion ensued on the purpose of redefining "premises". The motion was voted and carried 5-0.

There being no other matters for consideration by the Board, Supervisor Livermore moved to adjourn. Supervisor Bennett seconded the motion. Motion carried unanimously. Mayor Masayko adjourned the Board of Supervisors at 2:05 p.m.

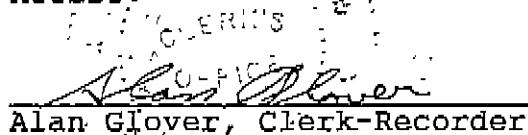
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ARE SO APPROVED ON April 15, 2000.


Ray Masayko

ATTEST:


Alan Glover, Clerk-Recorder