

CARSON CITY BOARD OF SUPERVISORS
Minutes of the October 21, 1999, Meeting
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A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, October 21, 1999, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 8:30 a.m.

PRESENT:	Ray Masayko	Mayor
	Kay Bennett	Supervisor, Ward 4
	Robin Williamson	Supervisor, Ward 1
	Jon Plank	Supervisor, Ward 2
	Pete Livermore	Supervisor, Ward 3
STAFF PRESENT:	John Berkich	City Manager
	Alan Glover	Clerk-Recorder
	Al Kramer	Treasurer
	Sally Edwards	Library Director
	Cheryl Adams	Deputy Purchasing Director
	Melanie Bruketta	Deputy District Attorney
	Fred Schoenfeldt	Sergeant
	Katherine McLaughlin	Recording Secretary
	Justine Chambers	Purchasing Tech.
	(B.O.S. 10/21/99 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. Louie Locke of the Fountainhead Foursquare Church gave the Invocation. Mayor Masayko lead the Pledge of Allegiance.

CITIZEN COMMENTS (1-0028) - Betty Larson complimented the Fire Department on its speedy and professional response to her 911 call. Mayor Masayko thanked her for her recognition.

1. APPROVAL OF MINUTES - 7/15/99 (1-0049) - Supervisor Plank moved to approve the Carson City Board of Supervisors Minutes of the July 15, 1999, meeting. Supervisor Livermore seconded the motion. Motion carried 5-0.

2. AGENDA MODIFICATIONS (1-0063) - Development Services' item, No. 13, had been pulled.

3. SPECIAL PRESENTATIONS - ACTION ON A RESOLUTION COMMENDING JOHN SPARBELL (1-0075) - Library Director Sally Edwards introduced Mr. Sparbell. Mayor Masayko explained the the purpose of the recognition and read the resolution into the record. Supervisor Livermore moved that the Board of Supervisors adopt Resolution No. 1999-R-49, A RESOLUTION COMMENDING JOHN SPARBELL. Supervisor Williamson seconded the motion. Motion carried 4-0. Mr. Sparbell noted his normal presentations to the Board. He felt honored to be recognized for his service and described his retirement plans. He felt that Karen Denio was an excellent choice for a replacement and indicated that he would remain an active library supporter. Ms. Edwards then introduced her other current and former Board members who were present.

LIQUOR AND ENTERTAINMENT BOARD (1-0169) - Mayor Masayko recessed the Board of Supervisors session and convened the Liquor and Entertainment Board. The entire Board was present including Sheriff's Representative Fred Schoenfeldt, constituting a quorum.

4. TREASURER - Al Kramer

A. ACTION ON A BEER AND WINE LICENSE FOR PAMELA J. ANDERSON, DOING BUSINESS AS STRAW HAT PIZZA, LOCATED AT 135 CLEARVIEW DRIVE NO. 127 (1-0170) - Ms. Anderson assured the Board that she would adhere to the liquor laws and that her employees would be appropriately trained in them. Member Schoenfeldt noted the favorable Sheriff's investigative report. Member Plank moved to approve a beer and wine license for Pamela J. Anderson, doing business as Straw Hat Pizza, located at 135 Clearview Drive No. 127, pursuant to CCMC 4.13, fiscal impact is \$500 new fee and \$150 per quarter. Member Livermore seconded the motion. Board comments congratulated her on the decision to expand her Carson City business and welcomed her to the Clearview neighborhood. Ms. Anderson felt that she would be able to open on Nevada Day. The motion was voted and carried 6-0.

B. ACTION ON THE REINSTATEMENT AND TRANSFER OF A FULL BAR LIQUOR LICENSE FOR BRIAN AND ARDELLA SHAW, DOING BUSINESS AS CAFE DEL RIO LOCATED AT 302 SOUTH CARSON STREET (1-0240) - Mr. Shaw indicated he would uphold the liquor laws. Member Schoenfeldt noted the favorable Sheriff's investigative report. Mr. Shaw indicated he would open on October 26th for lunch and November 9th for dinner. Member Williamson moved to approve the reinstatement and transfer of a full bar liquor license for Brian and Ardella Shaw, doing business as Cafe Del Rio, located at 302 South Carson Street, pursuant to CCMC 4.13.135; fiscal impact is \$100 reactivation fee, and \$200 per quarter. Member Plank seconded the motion. Board comments welcomed him back to Carson Street and wished him success at the new location. The motion was voted and carried 6-0.

C. ACTION ON A REQUEST FOR AN ASSEMBLY PERMIT WITH WAIVER OF THE \$25 APPLICATION FEE AND THE \$300 LICENSE FEE FOR THE NEVADA DAY COMMITTEE, LTD. (1-0302) - Mr. Kramer indicated that the plans are well underway for the Nevada Day activities. Attempts are being made to keep the parade entries at 200 but it is felt that a more realistic number will be 250. Member Plank moved to approve the request for an assembly permit with a waiver of the \$25 application fee and the \$300 license fee for the Nevada Day Committee, Ltd., pursuant to CCMC 4.28.030 and 4.28.050. Member Williamson seconded the motion. Motion carried 6-0. Chairperson Masayko announced that the parade will be on Saturday.

D. ACTION TO REVOKE ALL DELINQUENT LIQUOR LICENSES FOR NON-PAYMENT OF THE QUARTERLY FEE (1-0360) - All of the delinquent licenses had been brought current or were surrendered, therefore, no action was required.

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

5. CONSENT AGENDA (1-0374)

A. DEVELOPMENT SERVICES

i. ACTION ON DEDICATION OF A TURNAROUND EASEMENT FROM KUHLMAN FAMILY TRUST AT THE NORTHERN TERMINUS OF IMPROVED SIGSTROM DRIVE. A 30 FOOT BY 26 FOOT PORTION OF THE NORTHERN DRIVEWAY OF APN 8-814-01 LOCATED AT 5221 SIGSTROM DRIVE

ii. ACTION ON DEDICATION OF A PUBLIC UTILITY EASEMENT FROM KUHLMAN FAMILY TRUST FOR A PORTION OF THE WESTERN STRIP OF LAND 7.5 FEET WIDE LOCATED ON APN 8-814-01 AT 5221 SIGSTROM DRIVE FOR THE INSTALLATION AND MAINTENANCE OF PUBLIC UTILITIES AND APPURTENANCES

iii. ACTION ON TWO DEVELOPMENT AGREEMENT RELEASE AND CANCELLATIONS FOR CARSON CARBURETOR LOCATED AT 3488 CENTENNIAL PARK DRIVE (APN 8-384-35) FOR THE STREET IMPROVEMENTS ON ARROWHEAD DRIVE/MILLS ROAD

B. ASSESSOR - ACTION TO DELETE SIX PARCELS FROM THE 1999/2000 TAX ROLL

PER NRS 361.765

C. PURCHASING DIRECTOR

- i. ACTION ON CONTRACT NO. 9900-084 - VEHICLE EQUIPMENT AND REPLACEMENT PROGRAM, TRUCKS AND TRAILERS, AWARD**
- ii. ACTION ON CONTRACT NO. 9899-077 - IBM PERSONAL COMPUTERS AND PERIPHERALS AND HP PRINTERS AND COMMUNICATIONS EQUIPMENT**
- iii. ACTION ON CONTRACT NO. 9900-95 - REQUEST FOR CONTRACT APPROVAL TO PURCHASE SELF-CONTAINED BREATHING APPARATUSES AND RELATED EQUIPMENT FOR THE FIRE DEPARTMENT**
- iv. ACTION ON CONTRACT NO. 9900-094 - REQUEST TO CONTRACT WITH MACHABEE OFFICE ENVIRONMENTS BY JOINDER BID WITH STATE OF NEVADA PURCHASING DIVISION TO PURCHASE OFFICE FURNITURE**
- v. ACTION ON CONTRACT NO. 9900-096 - REQUEST TO CONTRACT WITH TNT AUCTION BY JOINDER BID WITH STATE OF NEVADA TO PROVIDE AUCTION SERVICES**
- vi. ACTION ON CONTRACT NO. 9697-201 - REQUEST APPROVAL FOR A CONTRACT AMENDMENT NO. 2, PUBLIC SAFETY COMPLEX CONSTRUCTION MANAGEMENT**
- vii. ACTION ON CONTRACT NO. 9900-099 - REQUEST FOR CONTRACT APPROVAL FOR GEOTECHNICAL INVESTIGATION FOR CARSON CITY FREEWAY PHASE 1A UTILITY RELOCATION AND BOX CULVERT DESIGN**
- viii. ACTION ON CONTRACT NO. 9900-093 - CORROSION CONTROL PROGRAM FOR POTABLE WATER** - None of the items were pulled for discussion. Supervisor Plank moved to approve all 12 items as presented on the Consent Agenda. Supervisor Williamson seconded the motion. Motion carried 5-0.

6. BOARD OF SUPERVISORS

A. ACTION TO SET THE DATE FOR GOAL SETTING SESSION IN NOVEMBER (1-0390) - Consensus set November 19th in the Sierra Room as the date for the goal setting session. (No formal action was taken.)

B. PRESENTATION BY HEALTH SMART (1-0430) - Executive Director Kathy Loomis explained her program, its mission, goals, and health care activities including its health care assessment survey, future plans, and fundraisers. Participation/membership was solicited. Discussion explained her advisory board's senior representation, the efforts to involve youths in the program, how the program had been conceived, and the Hospital's support of the program. Board comments complimented Ms. Loomis on the program. Mayor Masayko introduced and welcomed two High School students who were attending the meeting as a requirement of their Government Leadership class. He encouraged them to take an active role in the Health Smart program due to its need for junior participation.

C. NON-ACTION ITEMS - INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (1-0860) - Mayor Masayko wished Supervisor Williamson a belated happy birthday. Supervisor Plank reported on the Parks and Recreation Commission meeting regarding the Highway 50/Mills Park parking problem; the Regional Transportation Commission meeting; the status of the Graves Lane extension; the groundbreaking ceremony for the Carson River Park improvements; the improvements which had been made to the Rifle and Pistol Range and at the Bowman Range; the Senior Center Advisory Board meeting; and his plans to have a meeting on the Clear Creek Job Corps Center and to attend the Western Nevada Development District meeting. Supervisor Williamson reported on a meeting with Gardeners Reclaiming Our Waysides President Mary Fischer on freeway landscaping; a luncheon with Karen Cavanaugh and Mr. Berkich regarding the golf course; the Carson-Tahoe Hospital Auxiliary luncheon; the Downtown Mainstreet meeting; the status of the Telegraph Square project; the Christmas Tree lighting program; the Carson River park groundbreaking ceremony and solicited applications for the Carson River Advisory Committee openings; a kick-off meeting of the Mentoring 2000 Project; a tour of the Carson River flash flood plain in Carson City and Douglas County; a tour of the Edmonds

Sports Complex; and the Carson High Girls Soccer activities. She also announced the Ghost Walk activities, her town hall meeting, and the volunteer appreciation dinner. Supervisor Bennett reported on an American Hospital Association seminar; the Regional Transportation Commission meeting; the Subconservancy meeting; the establishment of an integrated watershed coordination committee and its plan to have a coalition meeting; the Economic Development Steering Committee meeting; the Public Transit Advisory Committee meeting; a tour of the Leviathan mine and Douglas County Commissioner's support of the proposal to add the mine to the superfund list; her TRPA activities and plans to testify in Sacramento on TRPA issues; and a future meeting with Pam Wilcox of State Public Lands regarding stream restoration. Supervisor Livermore reported on the Convention and Visitors Bureau meeting; the Carson River Park groundbreaking ceremony; the Youth Sports Association meeting; the Edmonds Sports Complex improvements; Carson-Tahoe Hospital meetings/activities and solicited applications for the Douglas County liaison board; and a Community Council on Youth meeting regarding public transit services. Mayor Masayko reported the NACO conference and the Airport Authority meeting. He announced NACO's new slate of officers and that the NACO November 2000 conference would be in Fallon, the November 2001 conference would be in Ely, and the 2002 conference would be Douglas County. He had offered to assist Douglas County if the conference is held in the Valley, however, if it is at the Lake, the offer may not be needed. He then reported on the Governor's appreciation luncheon for new industrial businesses; public concerns about the feral horses, which are not mustangs, on Arrowhead and plans for a meeting with the State on this issue; and the status of the Laxalt Building chimes project. Discussion noted the community support for this project. (1-2285) Supervisor Bennett reminded the Board of the Street Department's rodeo scheduled for next week.

D. STAFF COMMENTS AND STATUS REPORTS (1-2220) - Mr. Berkich explained the Board's invitation to ride on the Wells Fargo stagecoach during the Nevada Day Parade. He then reported on the Solid Waste Association of North America luncheon and displayed its magazine which featured Deputy Health Director Ken Arnold and Environmental Control Officers Deborah Wiggins and Darren Selby on the cover. It also contained an article on Carson City's programs. He complimented Ms. Wiggins on her efforts to bring the convention to Reno. Board comments complimented staff on their achievements.

BREAK: A ten minute recess was declared at 10:40 a.m. The entire Board was present when Mayor Masayko reconvened the meeting at 10:50 a.m., constituting a quorum.

REDEVELOPMENT AUTHORITY (1-2305) - Mayor Masayko then recessed the Board of Supervisors session and immediately passed the gavel to Redevelopment Authority Chairperson Williamson. For Minutes of the Redevelopment Authority, see its folder.

BOARD OF SUPERVISORS (1-2749) - Following adjournment of the Redevelopment Authority, Mayor Masayko reconvened the Board of Supervisors session. A quorum was present as noted.

7. REDEVELOPMENT DIRECTOR - Job Joiner - DISCUSSION AND ACTION ON A REDEVELOPMENT AUTHORITY/BOARD OF SUPERVISORS RESOLUTION TO RE-ESTABLISH THE CARSON CITY REDEVELOPMENT DISTRICT INCENTIVES PROGRAM AND CITIZENS ADVISORY COMMITTEE (1-2755) - Supervisor Williamson moved to adopt Resolution No. 1999-R-50, A RESOLUTION TO RE-ESTABLISH THE CARSON CITY REDEVELOPMENT DISTRICT INCENTIVES PROGRAM AND CITIZENS ADVISORY COMMITTEE. Supervisor Livermore seconded the motion. Motion carried 5-0.

8. COMMUNITY DEVELOPMENT DIRECTOR - Senior Planner Juan Guzman - ORDINANCE - FIRST READING - ACTION ON Z-99/00-1 - AN ORDINANCE EFFECTING A CHANGE OF LAND USE ON APPROXIMATELY 6,074 SQUARE FEET OF LAND FROM MULTI-FAMILY APARTMENT (MFA) TO RETAIL COMMERCIAL (RC) ON PROPERTY LOCATED AT 129 EAST LONG STREET, ASSESSOR'S PARCEL NUMBER 2-131-03 (1-2785) - Board comments encouraged staff to color the map so that the different zoning districts could be visualized. Mr. Guzman described the surrounding zoning. The master plan indicates the parcel is retail commercial. Supervisor Plank and Mayor Masayko disclosed their discussion

with Ms. Orcutt and feelings that there is no conflict of interest as they do not have a personal interest in the property. Mayor Masayko suggested staff work with the applicants due to the problems encountered in attempting to answer the technical questions. Mr. Guzman indicated that one staff member normally is assigned the role of advocating the applicant's position while another reviews it. Virginia Orcutt felt the complete report was satisfactory, however, the findings were difficult for her to make. Comments noted the reason for her application. Supervisor Plank moved that the Board of Supervisors approve Z-99/00-1 and introduce Bill No. 129 on first reading, AN ORDINANCE EFFECTING A CHANGE OF LAND USE ON APPROXIMATELY 6,074 SQUARE FEET OF LAND FROM MULTI-FAMILY APARTMENT, MFA, TO RETAIL COMMERCIAL, RC, ON PROPERTY LOCATED AT 129 EAST LONG STREET, ASSESSOR'S PARCEL NUMBER 2-131-03; there is no fiscal impact. Supervisor Williamson seconded the motion. Motion carried 5-0.

9. FINANCE DIRECTOR - David Heath

A. ORDINANCE - SECOND READING - ACTION ON BILL NO. 128 - AN ORDINANCE REPEALING ORDINANCE NUMBER 1992-16 AND 1994-20, THE AMENDMENT TO 1992-16 (CAPITAL PROJECTS FUND ESTABLISHED PURSUANT TO NRS 354.604) IN THEIR ENTIRETY AND OTHER MATTERS PROPERLY RELATED THERETO (1-3075) - Supervisor Livermore moved to adopt on second reading Bill No. 128, Ordinance No. 1999-29, AN ORDINANCE REPEALING ORDINANCE NUMBER 1992-16 AND 1994-20, THE AMENDMENT TO 1992-16 (CAPITAL PROJECTS FUND ESTABLISHED PURSUANT TO NRS 354.604) IN THEIR ENTIRETY AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Plank seconded the motion. Motion carried 5-0.

B. ACTION TO APPROVE REVISED BUDGET SCHEDULE (1-3139) - Mayor Masayko announced that the Board had established November 19th for its goal setting date. The timeline had been developed at the budget workshop held in August. Board comments indicated that the schedule may be refined if problems are encountered. More detailed schedules will be provided as the deadlines are reached. **Supervisor Livermore moved that the Board of Supervisors approve the revised budget scheduled as presented. Supervisor Bennett seconded the motion.** Discussion indicated that budget hearings will still be required during Legislative sessions. Departments without changes will not be required to make a presentation the second year. Any Departments which the Board wishes to review will be asked to make presentations. The Board will be provided two year budget documents the first year. No final decisions will be made on the second year's budget. The fact that the second year is a Legislative year has no bearing on the presentations. Mr. Heath felt that five year plans will be presented annually. Mayor Masayko requested that the information include the previous two years as well as forecasts for the coming two years with the current year in the middle. Once the program gets "rolling", the projections for five years will be added. Supervisor Bennett felt that the proposed process will provide better financial planning and reduce the workload during Legislative sessions. Mr. Berkich indicated that this is a benefit of the program but not the motivating force. The program should streamline the process. Mayor Masayko felt that the benefits would occur annually without regard for the Legislative impacts. He felt that the number of presentations could be reduced even more during Legislative sessions if so desired by the Board. Supervisor Bennett cautioned the Board that the current budget process had been successful in establishing credibility between the Board of Supervisors and the community as it is conducted in an open forum, albeit, exhaustive process. The Board allocation of the people's money is the most important undertaking performed. She respected the need to look at financial planning but the Board should not lose the prospective of why it is done. **The motion to approve the revised budget schedule was voted and carried 5-0.**

10. ENVIRONMENTAL HEALTH - Health Director Daren Winkelman

A. STATUS REPORT ON THE CARSON CITY SANITARY LANDFILL (1-3573) - Mayor Masayko encouraged staff to include within the comprehensive study the alternatives and their cost effectiveness. This should determine a date in the 9 to 18 year range when, based on cost effectiveness, the landfill is closed. Mr. Winkelman indicated that the contract does not require this. SECOR will be conduct a "performance based bid

packet". He expressed a willingness to develop a report on the cost to continue operating the landfill versus the transfer station. He felt that continuing the current operation was most cost effective. Mayor Masayko indicated that this is true to a point which then becomes more costly to perform. This is the date which should be determined. Finance Director Heath explained the cost estimates provided by the current landfill operator which indicated a transfer station would cost \$1 million over the current operations. The Elko and Winnemucca operations were used to indicate that the current operational costs are valid. Although staff is not anxious to bring the operation in-house, efforts are being made to find the best deal for the City. Justification for considering alternatives and for WMI's current operation were noted. Supervisor Williamson requested annual review requirements be included in the contract. Mr. Winkelman described the current review process which determines the usage. This program will be continued under the performance based process and may be done on a quarterly basis. Mr. Berkich agreed to provide an executive summary of the life cycle costs analysis as requested by Mayor Masayko. Mayor Masayko reiterated his cost analysis request. Mr. Berkich also pointed out that the current contract with WMI includes a commitment to provide space at the Lockwood facility without any indication of the cost. Mr. Winkelman reminded the Board of staff's commitment to provide funding for the closure on a pay-as-you-go basis to avoid a large fee increase when the closure occurs. Additional comments were solicited but none given. No action was taken or required on the status report.

B. ACTION ON APPEAL OF THE STAFF DECISION TO DENY THE USE OF AN INDIVIDUAL SEWAGE DISPOSAL SYSTEM PER CCMC 12.05.0201(3) FOR THE PROPOSED PICK-N-PULL DISMANTLING YARD LOCATED ON HIGHWAY 50 EAST (2-0228) - Senior Planner Juan Guzman, City Manager John Berkich, Lumos and Associates Representative Glen Martel, Development Services Manager Mahmood Azad, Kathy Branchurst - Discussion between the Board and Mr. Winkelman explained the lot size required by the Code for septic systems; the Lyon County services in the vicinity; reasons for bring the issue to the Board at this time; the purpose of master plans and zoning designations; areas where "wrecking yards" are allowed; the number of applications received by Community Development for industrial or commercial uses outside the service area and reasons one had failed to materialize; the health issues; the groundwater contaminated areas of the community; the process which expands City services into outlying areas; and the different Code requirements for residential and commercial developments. Supervisor Plank expressed his concern about allowing a commercial developer to have a septic system when residents have been forced to connect to the City system. Board comments emphasized that the policy issue is not related to Pick-N-Pull but rather the need to open the area for development.

(2-0705) Mr. Martel introduced Pick-N-Pull Representative Dick Mills and Lumos and Associates Head Planner Carol Dotson. Mr. Martel highlighted the issues which had been discussed by the Board and staff. He agreed that the area will ultimately be sewerred, however, the timing for it is unknown. Yesterday he had been informed by the State that the holding tank/vault process may be possible. His client had purportedly indicated to him that extending the sewer line was not an alternative. He was willing to consider the vault. Mr. Martel then described Pick-N-Pull's Sparks facility storm water and sewer treatment processes. Its well at that site had not been contaminated. He encouraged the Board to send a signal that the community is ready to develop the area. Discussion between the Board and Mr. Martel reiterated Pick-N-Pull's willingness to use a vault and proceed with the project. Mr. Martel acknowledged the vault's maintenance and operating costs. Mayor Masayko disclosed that he and Mr. Berkich had had a briefing with Mr. Martel on the project. Mr. Martel explained the commitment to participate in the sewerline extension to the tune of \$50,000. If the figure is \$100,000, the applicant wanted to study the impact on the project before a commitment is made. He also explained the State's request that the City be very specific in its reasons for denying the septic system. Supervisor Plank expressed his support for the concept which would have all of the properties share the cost of extending the line. Justification for the State's concerns related to the vault were discussed. Supervisor Bennett voiced her concerns about the property owner's agenda in refusing to extending the sewer line and the negative feedback which the Board might receive if it grants special concessions to a developer. Discussion indicated that Pick-N-Pull is both the applicant and purchaser of the property. Reasons for selecting the site were delineated. Mr. Winkelman explained that if another alternative is desired, the ordinance would have to be modified. Mr. Martel iterated the reasons for bringing the issue to the Board and the need for flexibility in the Code.

(2-0985) Mr. Azad described the location of Wells 33 and 40 and his public health concerns with them if the septic system is approved. The Health and Utilities Departments are currently assessing groundwater in the north central area which is currently at risk. It may be the next mandatory sewer connection area. He requested that the Utilities Department be directed to work with Pick-N-Pull to develop a method which would allow the sewerline extension.

Ms. Branhurst expressed her confusion over the issues and questioned who had authority over them. She also questioned whether the firm could afford to install the necessary system which would meet the requirements. Mayor Masayko directed staff to meet with her after the meeting and respond to her questions.

Supervisor Livermore acknowledged Mr. Azad's comments and expressed the hope that the Board would direct his Department to work with the development community and eliminate all septic tanks from the community.

Supervisor Bennett moved that the Board of Supervisors deny an appeal from Lumos and Associates for an individual sewage disposal system per CCMC 12.05.020(3) for the proposed Pick-N-Pull dismantling yard located on Highway 50 East and direct the City Manager to have his staff begin to prepare the appropriate ordinances and modifications to the Master Plan to look at the further, appropriate development of that general industrial area. Supervisor Williamson seconded the motion. Supervisor Plank requested clarification of the motion and Mayor Masayko indicated he could not support the motion as stated. Supervisor Bennett then expressed her feeling that the motion should be made in two parts and withdrew her motion. Supervisor Williamson concurred.

Supervisor Bennett then moved to deny an appeal from Lumos and Associates for an individual sewage disposal system per CCMC 12.05.020(3) for the Proposed Pick-N-Pull dismantling yard located on Highway 50 East. Supervisor Williamson seconded the motion. Mayor Masayko expressed his feeling that there should be some alternatives. He could not vote for denial due to his feeling that there are some conditions which the applicant is willing to meet and make it a win-win for the community. Denial would send the wrong message to the property owners and future developers in that area which is that Carson City is not interested in extending the infrastructure to that area. All septics are temporary particularly in this area. Any grant offered for a septic installation should expire when the sewerline is within \$100,000 of reaching the area. This could be made part of an agreement. He hoped that the application had started staff discussions on alternatives which will allow this type of use for that area. The City is not in a vacuum. This area is adjacent to Moundhouse. Moundhouse will do whatever it wants regardless of Carson City's decisions/actions. The Board should not put itself in a vacuum nor write ordinances and regulations so tight and stringent as to keep staff from considering alternatives or negotiating non-hazardous options which will accomodate both parties. Supervisor Williamson felt that history indicates that the Board had sent a strong statement by prohibiting commercial development with septics due to the problems associated with this service. Once pollution occurs, it is difficult to cleanup even though everyone is very sorry. She also had a concern with Lyon County allowing commercial development. She acknowledged that there had been a moratorium of several years standing on property in Moundhouse. Lyon County had finally conceded to property owners and had lifted this moratorium due to the lack of finances for extending sewage into this area. Discussion with Lyon County indicated the hope to establish a regional sewage system within two years. This may be something the City should consider "piggy-backing" on as pollution occurs over/under the border which will contaminate the City's water table. She hoped that a vote to deny the appeal will send the developer back to work with staff an alternate compromise. This would advise the property owners that if they wish to develop their property that they must provide a financial plan which the City and Lyon County may be able to assist. The onerous should be on the property owner for development of their property and their property rights rather than the City and its resources to enhance the value of their property. Supervisor Plank expressed his concern with the second portion of the original motion and the item as agendized. He suggested that if the motion is denied that the Board give staff direction to return with a variety of alternatives. He could not violate a City ordinance by voting against staff's recommendation. **The motion to uphold staff's denial was voted and carried 4-1 with Mayor Masayko voting Naye.**

Mayor Masayko felt that direction had been provided to staff although he was unsure what alternatives may be

acceptable. Items which should be considered in their development is the feeling that the area is correctly zoned and should be productive for commercial and industrial purposes. If there is a way to capture the waste without installing a septic system and potential groundwater contamination with as much protection as is possible, it could be the alternative for this situation and not violate the Code. Supervisor Livermore indicated his concern with the proposal had been due to private property rights and the property owner's ability to develop it to his personal benefit. The utility is publicly owned. He did not feel that he could have taken any other action than he had even if a privately owned utility had made a similar statement as Mr. Azad's. He was also concerned about the definition of "temporary". He hoped that Environmental Health, the Utility Department, and the property owners can define temporary and return with alternatives to allow development. He had always supported private property rights. It had been a difficult issue for him. Mayor Masayko expressed the feeling that the door was open for the applicant. He hoped that the applicant would continue to work with staff.

Supervisor Bennett expressed her desire to discuss during the strategic planning session whether that area of the community is "ripe" for development. If it is agreed that the area is ready, then appropriate direction should be provided to staff to develop appropriate ordinance amendments, etc., to encourage commercial development. It is a gorgeous place for good projects.

BREAK: A lunch recess was declared at 1 p.m. The entire Board was present when Mayor Masayko reconvened the meeting at 1:55 p.m., constituting a quorum.

11. AIRPORT AUTHORITY - Representative Steve Tackes - ACTION ON EXTENSION OF APPOINTMENT OF DAVID CORRAO TO THE BALANCE OF HIS FOUR YEAR TERM (2-1302) - Deputy District Attorney Melanie Bruketta - Board discussion with Mr. Tackes explained Mr. Corrao's appointment, the term restrictions, reasons the request had not been made by the Authority, reasons for Mr. Corrao's absence, Mr. Corrao's service on the Authority, the expiration date if the term is extended and impact the change would have on the staggered terms. The opening had not been advertised. Supervisor Bennett indicated that two individuals had contacted her about the vacancy. Mr. Corrao is a pilot representative. The industrial and FBO positions will open in October. Reappointment to the Authority is not allowed by the Statutes. Clarification indicated the request was to extend Mr. Corrao's term for 2-1/2 more years which will allow him to serve a full four year term. Ms. Bruketta supported Mr. Tackes' request to allow Mr. Corrao to serve the remaining portion of his four year term. Supervisor Livermore explained his opposition to this proposal as he felt that the position should have been opened to allow others to apply. He acknowledged the service which Mr. Corrao had and would provided. He felt that the process would establish a bad precedence. Supervisor Williamson responded by expressing the feeling that there had been open competition for the position 1-1/2 years ago. In 2-1/2 years the position will be open for others. She did not personally know Mr. Corrao. She was concerned about changing the Authority's composition when it is in the middle of developing a new master plan. Mr. Tackes indicated that this process is approximately one-third of the way completed. Public hearings are part of the remaining process. Mayor Masayko indicated that this had been one of the reasons for selecting the consultant over the other applicants. There should be one, if not two, additional public hearings above that mandated in the Code. Public comments were solicited but none given. Supervisor Plank moved that the Board of Supervisors approve the extension of appointment of David Corrao to the Carson City Airport Authority so that his term of appointment is extended to a full four years, expiring on January 7, 2002, which will maintain the vacancy of the pilot-at-large. Supervisor Williamson seconded the motion. Mayor Masayko indicated that the motion clearly established the termination date for his appointment although it conflicted with an indicated expiration date of October. Supervisor Livermore noted his position and intent to vote against the motion. He felt that he would have supported the motion if there had been, for example, three candidates and the Airport Authority had endorsed his appointment. Mayor Masayko explained that the Board of Supervisors makes the appointments as the Airport Authority does not interview or recommend the individuals. The motion to appoint Mr. Corrao to a term which will expire on January 7, 2002 was voted and carried 3-2 with Supervisors Livermore and Bennett voting Naye.

12. FIRE DEPARTMENT - Fire Chief Louis Buckley - ACTION ON CONTRACT NO. 9899-218 - FIRE DEPARTMENT TELESTAFF ACQUISITION - REQUEST FOR CONTRACT TERMINATION (2-1635) -

Purchasing Tech Justine Chambers - Discussion between the Board and Chief Buckley noted the seriousness of the request and justification for a decision to terminate the contract. The contractor cannot perform as advertised and would not be able to do so until the program is radically changed. This is an effort the contractor is not willing to consider. Staff will seek reimbursement for all payments made to date based on the contractor's inability to perform. Mayor Masayko complimented Chief Buckley and his staff on their willingness to admit the program would not work and to halt the work. A written letter had been sent to the contractor five days ago indicating the Board would consider the issue today. The contractor did not have a representative present. Supervisor Livermore moved to accept the Fire Department's recommendation on Contract No. 9899-218 to terminate this contract for cause in accordance with Article 9 of the subject contract due to failure of the contractor, Principal Decisions Systems International, to perform to the terms and conditions of this contract. Supervisor Bennett seconded the motion. Following a request for an amendment, Supervisor Livermore amended his motion to include and pursue the return to Carson City the excess of \$12,000 which had already been paid. Supervisor Bennett concurred. The motion was voted and carried 5-0.

(2-1859) Board comments relayed to Chief Buckley Mrs. Larson's comments concerning its professionalism and response to her emergency and directed him to relay the comments to the Emergency Medical Service staff. Chief Buckley explained another incident. Mayor Masayko acknowledged that the service was timely and professional and that the community often failed to recognize this service.

13. DEVELOPMENT SERVICES - DISCUSSION AND ACTION ON INTERLOCAL COOPERATIVE AGREEMENT WITH THE NEVADA DEPARTMENT OF TRANSPORTATION RELATIVE FUNDING AND OTHER CONSIDERATIONS FOR CITY DRAINAGE IMPROVEMENTS BENEFITTING THE CARSON CITY FREEWAY (2-1893) - Pulled.

14. PARKS AND RECREATION DIRECTOR - Steve Kastens - ACTION TO APPROVE A TEMPORARY PARKING PLAN FOR U.S. 50 EAST AT MILLS PARK WITH A COMMITMENT FOR FUTURE FUNDING AND TO INCORPORATE A PERMANENT PARKING PLAN AT MILLS PARK INTO THE COMMUNITY CENTER/MILLS PARK MASTER PLAN (2-1904) - Lumos and Associates Representative Carol Dotson - Discussion thanked Ms. Dotson and Mr. Martel for their services which been provided pro bono. Parking needs during special events were noted. NDOT's recognition and willingness to work with the City on a resolution were complimented. Discussion indicated that the bike path relocation is a part of the temporary plan. Once it is moved, however, it will remain and be a part of the permanent plan. Supervisor Williamson expressed her hope that this would be the final intrusion onto the turf in the park. The Commission had not determined the funding source. Mr. Berkich indicated that the financial plan will be developed and returned to the Board for consideration at either a meeting regarding one-shot funding or during the CIP program portion of the next budget cycle. Mayor Masayko suggested that the Convention and Visitors Bureau be approached concerning a partnership program. The bike path is among the first items to be constructed. Few events are scheduled between November 1 and next summer. Funding is \$52,000 for the temporary plan and \$113,000 for the permanent plan, totalling \$165,000. The items completed as part of the temporary plan will be incorporated into the permanent plan. Discussion indicated that it was a "good" price per parking space. The fence will remain but will have pedestrian openings allowing the public to access the park. Comments also indicated that the area could be used for Community Center overflow parking. Funding alternatives are to include RCT and TEA-21 funds as well as other grant opportunities. Supervisor Livermore agreed to agendize the plan for the next Convention and Visitors Bureau meeting. Discussion then explained the landscaping plans and the leeway NDOT will grant the City in finding the funding and constructing the plan. Ms. Dotson then described the entire plan. All of NDOT's concerns and requirements had been addressed. There will be 57 parking spaces. The wheel stops will be included in the final project. Two additional handicapped parking spaces may reduce the number of spaces by two. Supervisor Plank moved to approve a temporary parking plan for US 50 East at Mills Park with a commitment for future funding and to incorporate a permanent parking plan at Mills Park into the Community Center/Mills Park Master Plan as presented. Supervisor Bennett seconded the motion. Following a request for an amendment, Supervisor Plank amended his motion to include and direct staff to develop as a high priority plan the funding which should be done as soon as possible. Supervisor Bennett concurred. Motion carried

5-0.

15. DISTRICT ATTORNEY - Deputy District Attorney Melanie Bruketta - ACTION ON A RESOLUTION OF THE CARSON CITY BOARD OF SUPERVISORS TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE CARSON CITY SCHOOL DISTRICT FOR USE OF SCHOOL DISTRICT FACILITIES IN CASE OF CARSON CITY IMPLEMENTS ITS EMERGENCY PLAN (2-2540) - Mr. Berkich described the program and reasons for developing an agreement as it covers emergency services which are not part of the joint use agreement. Discussion between Mr. Berkich and the Board explained the reasons the City is responsible for all costs incurred by the District for the use. If an incident occurs during school periods, the City would be responsible for only the portion of the facility which is used for an emergency shelter. The decision to use school facilities rather than the Community Center or Fuji Park will be based on the event and its locale. The agreement provides maximum flexibility in the site selection. Supervisor Williamson suggested that the flexibility include Federal buildings. Mayor Masayko felt that this is possible under FEMA programs.

Kathy Branchurst felt that the school would be evacuated and that no children would be using the facility when the City takes it over as a shelter. Mayor Masayko indicated that the agreement provides flexibility and that school could be conducted while the facility is serving as a shelter or it could be closed. The shelter operations were described.

Supervisor Plank noted that the concept is for using the high school although other schools could be used, if necessary. Supervisor Williamson moved to adopt Resolution No. 1999-R-51, A RESOLUTION OF THE CARSON CITY BOARD OF SUPERVISORS TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE CARSON CITY SCHOOL DISTRICT FOR USE OF SCHOOL DISTRICT FACILITIES IN THE CASE OF CARSON CITY IMPLEMENTING ITS EMERGENCY PLAN; no fiscal impact. Supervisor Bennett seconded the motion. Discussion between Supervisor Livermore and Mr. Berkich further explained the reasons a new agreement had been drafted for this purpose rather than using the joint use agreement. Mayor Masayko supported reimbursing the School District for costs incurred. The motion to adopt Resolution No. 1999-R-51 was voted and carried 5-0.

There being no other matters for consideration, Supervisor Williamson moved to adjourn. Supervisor Plank seconded the motion. Motion carried 5-0. Mayor Masayko adjourned the meeting at 3:10 p.m.

The Minutes of the October 21, 1999, Carson City Board of Supervisors meeting

ARE SO APPROVED ON ___January_6___,

2000.

_____/s/_____

Ray Masayko, Mayor

ATTEST:

_____/s/_____
Alan Glover, Clerk-Recorder