

CARSON CITY BOARD OF SUPERVISORS
Minutes of the October 15, 1998, Meeting
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A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, October 15, 1998, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 8:30 a.m.

PRESENT: Ray Masayko Mayor
 Tom Tatro Supervisor, Ward 3
 Greg Smith Supervisor, Ward 1
 Jon Plank Supervisor, Ward 2
 Kay Bennett Supervisor, Ward 4

STAFF PRESENT: John Berkich City Manager
 Alan Glover Clerk-Recorder
 William Naylor Information Services Director
 Paul Lipparelli Chief Deputy District Attorney
 Bill Callahan Undersheriff
 Kyle Menath Assistant Wastewater Superintendent
 Bernie Curtis Chief Deputy Sheriff
 Katherine McLaughlin Recording Secretary
 (B.O.S. 10/15/98 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, INVOCATION, AND PLEDGE OF ALLEGIANCE - Mayor Masayko convened the meeting at 8:30 p.m. Roll call was taken. A quorum of the Board was present although Supervisor Tatro had not yet arrived. Rev. Louie Locke of the Fountainhead Four Square Church gave the Invocation. Mayor Masayko lead the Pledge of Allegiance. (Supervisor Tatro arrived--8:32 a.m. The entire Board was present constituting a quorum.)

CITIZENS COMMENTS (1-0031) - Phil Shultz alleged that the Sheriff's Office refused to patrol his residential area. Eighteen-wheelers are posing a hazard to the residents by using Woodside Drive. A photograph illustrating the problem was given to the Board. Purportedly a truck had been parked on Woodside Drive for 14-1/2 hours before a warning ticket was issued. Truck traffic is particularly heavy at 6 a.m. and 6 p.m.

Carson Subconservancy District General Manager Ed James introduced himself to the Board and commended the Board on the City's Utility Departments and their pro-active programs. He briefly noted his past experience in other areas. He urged to develop a program to protect the City's water rights so that they will be available for use when needed in the future. He expressed a desire to work with the City and its staff to develop such a plan. Mayor Masayko thanked him for coming forward and welcomed him to the community. Supervisor Bennett commended former Utility Director Dorothy Timian-Palmer and the Utility staff for their efforts. Additional comments were solicited but none given.

1. APPROVAL OF MINUTES (1-0109) - None.

LIQUOR AND ENTERTAINMENT BOARD (1-0122) - Mayor Masayko recessed the Board of Supervisors session and immediately reconvened the session as the Liquor and Entertainment Board. The entire Board was present including Sheriff's representative Bill Callahan, constituting a quorum.

2. TREASURER - Al Kramer

A. ACTION ON A REQUEST TO TRANSFER THE PACKAGED LIQUOR LICENSE HELD BY LONGS DRUG STORES TO THEIR NEW LOCATION AT 3240 HIGHWAY 50 EAST (1-0110) - Longs Senior Vice President of Development and Chief Financial Officer Roland Plomgren and Store Manager Kathy Pierson indicated that they understood the Nevada Liquor Law as and would abide by them. Member Callahan noted the favorable Sheriff's Department Report. Member Smith moved to approve the request to transfer the packaged liquor license held by Longs Drug Stores to their new location at 3240 Highway 50 East; fiscal impact is \$25 transfer fee. Member Bennett seconded the motion. Motion carried 6-0. Ms. Pierson announced the October 21 opening date and invited the Board to attend.

B. ACTION ON A BEER AND WINE LICENSE FOR PANITHAN CHOTISIN, DOING BUSINESS AS THAI SPICE KITCHEN, LOCATED AT 1760 ROOP STREET (1-0160) - Panithan Chotisin indicated he would become familiar with Nevada Liquor Laws. He was familiar with California Liquor Laws. He planned to open on October 29. His Health and Fire Department final inspections will be conducted tomorrow. Mr. Kramer indicated that he would be sure that Mr. Chotisin received copies of the Liquor Laws. Mr. Chotisin assured the Board that he would train his employees in those laws. Chairperson Masayko explained that the Liquor License is a privilege in Carson City. Member Smith explained his personal experience with both Nevada and California Liquor Laws and his feeling that California's laws may be more strict. He also encouraged Mr. Chotisin to become familiar with Nevada Liquor Laws. Member Tatro moved that the Liquor and Entertainment Board approve a beer and wine license for Panithan Chotisin, doing business as Thai Spice Kitchen, located at 1760 Roop Street, fiscal impact is \$500 Investigation Fee, \$500 Original New Fee, and \$150 quarterly Fee. Member Smith seconded the motion. Motion carried 6-0.

BOARD OF SUPERVISORS - 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 session as the Board of Supervisors. The entire Board was present constituting a quorum.

3. CONSENT AGENDA (1-0251)

A. INTERNAL AUDITOR - ACTION ON APPROVAL OF THE CHECK DISBURSEMENT REGISTER FOR THE MONTHS OF APRIL 1998 THROUGH MAY 1998

B. UTILITIES DEPARTMENT - ACTION ON A NOTICE OF SATISFACTION OF DEVELOPMENT AGREEMENT FOR LANDMARK HOMES AND DEVELOPMENT, INC., APN 9-775-23, LOCATED AT SOUTHPOINTE PHASE 4 SUBDIVISION, FOR SEWER MAIN PARTICIPATION

C. PURCHASING DIRECTOR

i. ACTION ON CONTRACT NO. 9899-59 - CARSON CITY DOMESTIC WATER METERS, AWARD

ii. ACTION ON CONTRACT NO. 9899-81 - WASTEWATER SCREEN AND INTEGRAL DEWATERING/WASHER COMPACTOR

iii. ACTION ON CONTRACT NO. 9899-91 - VEHICLE REPLACEMENT, 3/4 TON PICKUP, ONE TON DUMP TRUCK AND ONE TON 4-WHEEL DRIVE CAB

iv. ACTION ON CONTRACT NO. 9899-77 - IBM PERSONAL COMPUTERS AND PERIPHERALS AND HP PRINTERS AND COMMUNICATIONS EQUIPMENT

v. ACTION ON CONTRACT NO. 9899-116 - REQUEST FOR LEASE APPROVAL, LIBRARY PARKING LOT LEASE

vi. ACTION ON CONTRACT NO. 9798-26 - CARSON CITY STREET OVERLAY PROJECT APPROVAL OF CHANGE ORDERS NO. 1 AND 2 AND REQUEST TO RETAIN A CONTINGENCY

D. CLERK-RECORDERS - ACTION TO INCREASE PETTY CASH FOR ELECTIONS/MARRIAGES AND RECORDERS - Supervisor Smith pulled Item C. iv, Contract 9899-77, for discussion. Supervisor Tatro moved that the Board approve the Consent Agenda as presented with the exception of deleting an Item for a separate hearing on Contract 9899-77, IBM Personal Computers and Peripherals. Supervisor Plank seconded the motion. Motion carried 5-0.

C. iv. (1-0275) Clarification corrected the Board Action Form to indicate that the Contract No. is 9899-077 and indicated that the City works with the State Purchasing Department. The State's surcharge has in the passed raised the cost above that which the City could get on its own. Mr. Naylor agreed to check the State bids. Discussion also noted that October is Purchasing Month and that Supervisor Smith should submit a request for a proclamation. Supervisor Smith moved that the Board accept the Purchasing and Contracts Department's recommendation and award Contract No. 9899-077 to Bidder No. 1, Comark Government and Education Sales, 444 Scott Drive, Bloomingdale, Illinois 60108, as the lowest responsive and responsible bidder pursuant to the requirements of NRS Chapter 332; purchases shall be made by the Information Services Department as authorized by the Data Processing Committee pursuant to approved budget allocations in Fiscal Year 98-99 and 99-2000; budget allocation is \$200,000; and the funding source is SPAN Capital Outlay, Equipment and Software as provided for in Fiscal Year 98-99 budget. Supervisor Plank seconded the motion. Motion carried 5-0.

4. BOARD OF SUPERVISORS (1-0382)

A. DISCUSSION ON LEGISLATIVE MATTERS - City Manager John Berkich indicated discussions are continuing with the Convention and Visitors Bureau on the room tax problems. He announced the special 253 meeting later today which the City's lobbyist, Mary Walker, planned to attend. Mayor Masayko explained his volunteering City staff to work with NACO on the County-State tax rate cap issue which will remove State mandated items from the cap. A presentation is to be made at the NACO conference in November. He then explained that Carson City is not at the tax cap rate and reasons for the City to be involved with NACO's efforts regarding this issue.

B. NON-ACTION ITEMS - INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (1-0435) - Supervisor Smith reported on the Subconservancy District, Regional Transportation Commission's joint meeting with the Regional Transportation Commission, and commended the Transportation Advisory Committee on its work on the Transportation Master Plan element. He announced that the next RTC meeting on the Plan will be on October 21. Public comments will be considered at that hearing. He then reported on his attendance at the Ormsby Boulevard design meetings and the public concerns about having an intersection at Chaparral Drive. He explained that the Transportation Advisory Committee's financial element of the Transportation Master Plan had been included merely as funding options to accomplish the plan. As of this date RTC had not requested additional funding. Neither had the Transportation Advisory Committee. Discussion explained the locations where the plan could be read and encouraged written comments to be submitted to staff. The plan is the vision plan. The policy establishing how all of the projects will be completed remains to be established. Supervisor Smith then explained his concern about a letter to the editor indicating that the Ormsby Boulevard extension was only being considered due to a "wealthy developer's construction of his personal residence". The extension had been planned for many years. He had made every effort to run a fair, unbiased hearing. Supervisor Plank reported on meeting with NDOT, Federal Highway employees and City staff regarding the MPO status, the Convention and Visitors Bureau meeting and its audit report, the Western Nevada Home Consortium meeting, the Western Nevada Development District meeting, Tri-County Railroad meeting, the RTC workshop and the Ormsby Boulevard extension hearing. (1-0711) Supervisor Bennett suggested staff obtain computerized program which will allow RTC to analyze the neighborhood impact of street extensions. Supervisor Plank urged staff to expand the Pedestrian Element of the Transportation Master Plan. He also announced the locations where copies of the Transportation Master Plan element could be read and offered to loan his September copy to anyone wishing to review it. He then reiterated his statements from earlier meetings sensitizing the Board about the need to develop the parking lot on the west side of the Community Center. Mayor Masayko explained his reasons for missing the Wastewater Treatment Plant's expansion ceremony and the purpose of the expansion project. He then reported on his attendance at a luncheon for the U.S. Conference of Mayors and its donation to the Carson High School Drama Club; his meeting Redevelopment staff, the downtown redevelopment group, and the Convention and Visitors Bureau regarding the downtown events; the Statewide Transportation Technical Advisory Committee meeting and NDOT's solicitation of TEA-21 grant applications; and solicited feedback regarding the potential for having a millennium celebration. Supervisor Tatro indicated he did not have a report. Supervisor Bennett reported on the American Hospital Association meeting, the MPO meeting, her attendance at

the Grand Opening for the Minden Medical Mall, and the Nevada-Tahoe Conservation District's allocation of Tahoe Bond Act funds.

C. STAFF COMMENTS AND STATUS REPORTS (1-1048) - Mr. Berkich and Mr. Kramer announced the Open House for the Northgate Complex, invited the public to participate, and explained the Health Department's plan to hold a fund-raiser for United Way at the Open House.

5. TREASURER - Al Kramer

A. ORDINANCE - FIRST READING - ACTION ON AN ORDINANCE PROVIDING FOR THE ISSUANCE OF THE CARSON CITY, NEVADA GENERAL OBLIGATION (LIMITED TAX) MEDIUM-TERM BUILDING REFUNDING NOTE, SERIES 1998A AND CARSON CITY, NEVADA, GENERAL OBLIGATION (LIMITED TAX) MEDIUM-TERM CIP REFUNDING NOTE, SERIES 1998B; PROVIDING FOR THE FORM, TERMS AND CONDITIONS THEREOF AND COVENANTS RELATING TO THE PAYMENT OF SAID BONDS; ADOPTING THE ORDINANCE AS IF AN EMERGENCY EXISTS; AND PROVIDING OTHER MATTERS RELATING THERETO (1-1075) - Bond Counsellor Jennifer Stern - The necessity to consider the first and second readings as if an emergency existed was explained. The refinancing will reduce the interest rate. Additional funds are not being borrowed. Comments agreed that the Board does not normally consider both readings at one time. Supervisor Tatro moved that the Board adopt Ordinance No. 1998-34, AN ORDINANCE PROVIDING FOR THE ISSUANCE OF THE CARSON CITY, NEVADA GENERAL OBLIGATION (LIMITED TAX) MEDIUM-TERM BUILDING REFUNDING NOTE, SERIES 1998A AND CARSON CITY, NEVADA, GENERAL OBLIGATION (LIMITED TAX) MEDIUM-TERM CIP REFUNDING NOTE, SERIES 1998B; PROVIDING FOR THE FORM, TERMS AND CONDITIONS THEREOF AND COVENANTS RELATING TO THE PAYMENT OF SAID NOTES; ADOPTING THE ORDINANCE AS IF AN EMERGENCY EXISTS; AND PROVIDING OTHER MATTERS RELATING THERETO. Supervisor Smith seconded the motion. Mayor Masayko noted the need to adopt the ordinance unanimously if the ordinance is to be adopted with only one hearing. Supervisor Tatro noted that the Board Action Request indicated the fiscal impact is \$1,360,784. This is actually the amount of the principal. He was unsure of the amount of savings which would be generated by the refinancing. Mr. Kramer indicated that there would be a savings of \$76,723 on one bond and \$12,150 for the other bond. Financial Consultant Scott Nash indicated that the \$88,000 is the total cash savings over the life of the bonds. Additional comments were solicited but none given. The motion to adopt Ordinance 1998-34 was voted and carried 5-0.

B. ORDINANCES - SECOND READING

i. ACTION ON BILL NO. 131 - AN ORDINANCE AUTHORIZING THE ISSUANCE BY THE CITY OF ITS NEGOTIABLE "CARSON CITY, NEVADA, GENERAL OBLIGATION (LIMITED TAX) PARK BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 1998A," FOR THE PURPOSE OF FINANCING THE COST OF ACQUIRING, DEVELOPING, CONSTRUCTING, IMPROVING AND EQUIPPING PROJECTS FOR PARKS, TRAILS AND RECREATIONAL FACILITIES; AUTHORIZING AND DIRECTING THAT THE CITY SHALL EFFECT SUCH PROJECT; RATIFYING ACTION PREVIOUSLY TAKEN TOWARD ISSUING THE PROPOSED BONDS AND EFFECTING THE PURPOSE OF THEIR ISSUANCE; PROVIDING OTHER MATTERS RELATING THERETO (1-1312) - Discussion noted that the interest rate of 4.772 percent was the lowest seen for 20 to 30 years. The Quality of Life Tax Initiative will make the bond payments. Supervisor Tatro moved to adopt that the Board adopt on ordinance on second reading, Bill No. 131, Ordinance 1998-35, AN ORDINANCE AUTHORIZING THE ISSUANCE BY THE CITY OF ITS NEGOTIABLE "CARSON CITY, NEVADA, GENERAL OBLIGATION (LIMITED TAX) PARK BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 1998A," FOR THE PURPOSE OF FINANCING THE COST OF ACQUIRING, DEVELOPING, CONSTRUCTING, IMPROVING AND EQUIPPING PROJECTS FOR PARKS, TRAILS AND RECREATIONAL FACILITIES; AUTHORIZING AND DIRECTING THAT THE CITY SHALL EFFECT SUCH PROJECT; RATIFYING ACTION PREVIOUSLY TAKEN TOWARD ISSUING THE

PROPOSED BONDS AND EFFECTING THE PURPOSE OF THEIR ISSUANCE; PROVIDING OTHER MATTERS RELATING THERETO; fiscal impact is the principal amount of the bonds which is \$4,860,000 and that the interest rate is 4.772 percent. Mayor Masayko seconded the motion. Motion carried 5-0.

ii. **ACTION ON BILL NO. 132 - AN ORDINANCE AUTHORIZING THE ISSUANCE BY THE CITY OF ITS NEGOTIABLE CARSON CITY, NEVADA, GENERAL OBLIGATION (LIMITED TAX) CAPITAL IMPROVEMENT BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 1998B, FOR THE PURPOSE OF FINANCING THE COST OF ACQUIRING, CONSTRUCTING, IMPROVING AND EQUIPPING CERTAIN PUBLIC PROJECTS; AUTHORIZING AND DIRECTING THAT THE CITY SHALL EFFECT SUCH PROJECT; RATIFYING ACTION PREVIOUSLY TAKEN TOWARD ISSUING THE PROPOSED BONDS AND EFFECTING THE PURPOSE OF THEIR ISSUANCE; PROVIDING OTHER MATTERS RELATING THERETO (1-1410)** - The interest rate for this bond is 4.894 percent. Supervisor Tatro moved to adopt an ordinance on second reading, Bill No. 132, Ordinance No. 1998-36, **AN ORDINANCE AUTHORIZING THE ISSUANCE BY THE CITY OF ITS NEGOTIABLE CARSON CITY, NEVADA, GENERAL OBLIGATION (LIMITED TAX) CAPITAL IMPROVEMENT BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 1998B, FOR THE PURPOSE OF FINANCING THE COST OF ACQUIRING, CONSTRUCTING, IMPROVING AND EQUIPPING CERTAIN PUBLIC PROJECTS; AUTHORIZING AND DIRECTING THAT THE CITY SHALL EFFECT SUCH PROJECT; RATIFYING ACTION PREVIOUSLY TAKEN TOWARD ISSUING THE PROPOSED BONDS AND EFFECTING THE PURPOSE OF THEIR ISSUANCE; PROVIDING OTHER MATTERS RELATING THERETO; fiscal impact is the principal amount of \$1 million and the interest rate is 4.894 percent.** Supervisor Plank seconded the motion. Motion carried 5-0.

iv. **ACTION ON BILL NO. 133 - AN ORDINANCE OF THE BOARD OF SUPERVISORS OF CARSON CITY, NEVADA, DESIGNATED BY THE SHORT TITLE "1998 WATER BOND ORDINANCE"; PROVIDING FOR THE ISSUANCE OF ITS REGISTERED, NEGOTIABLE, GENERAL OBLIGATION (LIMITED TAX) WATER BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 1998C; PROVIDING THE FORM, TERMS AND CONDITIONS THEREOF AND COVENANTS RELATING TO THE PAYMENT OF SAID BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF ANNUAL GENERAL (AD VALOREM) TAXES FOR THE PAYMENT OF THE BONDS; ADDITIONALLY SECURING THEIR PAYMENT BY A PLEDGE OF REVENUES DERIVED FROM THE WATER SYSTEM OF WHICH THE FINANCED PROJECT IS A PART; RATIFYING ACTION PREVIOUSLY TAKEN TOWARD THE ISSUANCE OF SAID BONDS AND EFFECTING THE PURPOSE OF THEIR ISSUANCE; AND PROVIDING OTHER MATTERS RELATING THERETO (1-1449)** - Supervisor Tatro moved to adopt on second reading an ordinance, Bill No. 133, Ordinance No. 1998-37, **AN ORDINANCE OF THE BOARD OF SUPERVISORS OF CARSON CITY, NEVADA, DESIGNATED BY THE SHORT TITLE "1998 WATER BOND ORDINANCE"; PROVIDING FOR THE ISSUANCE OF ITS REGISTERED, NEGOTIABLE, GENERAL OBLIGATION (LIMITED TAX) WATER BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 1998C; PROVIDING THE FORM, TERMS AND CONDITIONS THEREOF AND COVENANTS RELATING TO THE PAYMENT OF SAID BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF ANNUAL GENERAL (AD VALOREM) TAXES FOR THE PAYMENT OF THE BONDS; ADDITIONALLY SECURING THEIR PAYMENT BY A PLEDGE OF REVENUES DERIVED FROM THE WATER SYSTEM OF WHICH THE FINANCED PROJECT IS A PART; RATIFYING ACTION PREVIOUSLY TAKEN TOWARD THE ISSUANCE OF SAID BONDS AND EFFECTING THE PURPOSE OF THEIR ISSUANCE; AND PROVIDING OTHER MATTERS RELATING THERETO, the fiscal impact is the principal amount of \$1,700,000 and the interest rate is 4.539 percent.** Supervisor Plank seconded the motion. Motion carried 5-0.

v. **ACTION ON BILL NO. 134 - AN ORDINANCE OF THE BOARD OF SUPERVISORS OF CARSON CITY, NEVADA, DESIGNATED BY THE SHORT TITLE "1998 SEWER BOND ORDINANCE"; PROVIDING FOR THE ISSUANCE OF ITS REGISTERED, NEGOTIABLE,**

GENERAL OBLIGATION (LIMITED TAX) SEWER BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 1998D, IN THE MAXIMUM PRINCIPAL AMOUNT OF \$1,200,000; PROVIDING THE FORM, TERMS AND CONDITIONS THEREOF AND COVENANTS RELATING TO THE PAYMENT OF SAID BOND AND THE HANDLING OF FUNDS; AND RATIFYING ACTION PREVIOUSLY TAKEN TOWARD THE ISSUANCE OF SAID BONDS; PROVIDING OTHER MATTERS RELATING THERETO (1-1489) - Supervisor Tatro moved that the Board adopt an ordinance on second reading, Bill No. 134, Ordinance No. 1998-38, AN ORDINANCE OF THE BOARD OF SUPERVISORS OF CARSON CITY, NEVADA, DESIGNATED BY THE SHORT TITLE "1998 SEWER BOND ORDINANCE"; PROVIDING FOR THE ISSUANCE OF ITS REGISTERED, NEGOTIABLE, GENERAL OBLIGATION (LIMITED TAX) SEWER BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 1998D, IN THE MAXIMUM PRINCIPAL AMOUNT OF \$1,200,000; PROVIDING THE FORM, TERMS AND CONDITIONS THEREOF AND COVENANTS RELATING TO THE PAYMENT OF SAID BOND AND THE HANDLING OF FUNDS; AND RATIFYING ACTION PREVIOUSLY TAKEN TOWARD THE ISSUANCE OF SAID BONDS; PROVIDING OTHER MATTERS RELATING THERETO; fiscal impact - fiscal amount is not to exceed \$1,200,000 at a interest rate of 4.856 percent. Supervisor Plank seconded the motion. Motion carried 5-0.

vi. ACTION ON BILL NO. 139 - AN ORDINANCE DESIGNATED AS THE "1998A REFUNDING BOND AMENDMENT ORDINANCE"; AMENDING THE 1998 VARIOUS PURPOSE REFUNDING BOND ORDINANCE PREVIOUSLY ADOPTED BY THE BOARD ON MARCH 19, 1998, BY CHANGING THE DATED DATE AND THE FIRST INTEREST PAYMENT DATE OF THE CARSON CITY, NEVADA, GENERAL OBLIGATION (LIMITED TAX) VARIOUS PURPOSE REFUNDING BONDS, SERIES 1998A; PROVIDING OTHER DETAILS IN CONNECTION THEREWITH; AND PROVIDING THE EFFECTIVE DATE HEREOF (1-1528) - Mr. Kramer's introduction indicated the amount to be financed was \$3,270,000, that the interest rate is 4.15897 percent, and the refunding would create a savings of \$149,000. Supervisor Tatro moved to adopt an ordinance on second reading, Bill No. 139, Ordinance No. 1998-39, AN ORDINANCE DESIGNATED AS THE "1998A REFUNDING BOND AMENDMENT ORDINANCE"; AMENDING THE 1998 VARIOUS PURPOSE REFUNDING BOND ORDINANCE PREVIOUSLY ADOPTED BY THE BOARD ON MARCH 19, 1998, BY CHANGING THE DATED DATE AND THE FIRST INTEREST PAYMENT DATE OF THE CARSON CITY, NEVADA, GENERAL OBLIGATION (LIMITED TAX) VARIOUS PURPOSE REFUNDING BONDS, SERIES 1998A; PROVIDING OTHER DETAILS IN CONNECTION THEREWITH; AND PROVIDING THE EFFECTIVE DATE HEREOF; the principal amount is \$3,270,000; the interest rate is 4.15897 percent; and the amount of the savings by the refinancing is approximately \$149,000 present value. Supervisor Plank seconded the motion. Motion carried 5-0.

Mr. Kramer indicated that none of the bonds will cause an increase in the City's ad valorem rate as they will be repaid from revenue streams which had already been identified and noted the low interest rates.

AGENDA MODIFICATIONS (1-1585) - Mayor Masayko indicated that the Status Report on Transit under Heading 8. City Manager had been deferred.

BREAK: A 15 minute recess was declared at 10:10 a.m. A quorum of the Board was present when Mayor Masayko reconvened the meeting at 10:25 a.m. although Supervisor Bennett was absent.

7. AIRPORT AUTHORITY - ACTION ON REVISED AIRPORT LEASE BETWEEN CARSON CITY AIRPORT AUTHORITY AND CRYSTAL BAY AVIATION (1-1610) - Airport Authority Representative Steve Tackes - Supervisor Smith thanked the Airport Authority and Mr. Tackes for reconsidering the issues which had been discussed at the previous Board meeting and moved to approve a lease agreement between Carson City Airport Authority and Crystal Bay Aviation. Supervisors Tatro and Plank seconded the motion. Motion carried 4-0-1-0. Mr. Lipparelli explained Supervisor Bennett's absence and that she had not voted.

8. CITY MANAGER - John Berkich

B. STATUS REPORT ON TRANSIT (1-1638) - Deferred.

A. STATUS REPORT ON THE CONSTRUCTION OF THE PUBLIC SAFETY COMPLEX (1-1664) - Vanier Representative Gordon Graham, Capital Projects Advisory Committee Chairperson Gary Sheerin - The project's completion date is being maintained, however, the jail may not be ready on the November date due to delivery problems. The Courthouse is proceeding on scheduled. Reasons the change orders are beginning to come forward were noted. A thorough review is being conducted of those items to justify the payment. Next month's report should be at the 95 percent completion ratio which will allow closure on the financial issues. A pre-punch walk through is to be conducted shortly. Other municipalities have expressed a desire to or have visited the site. The term "substantial completion" was explained. Discussion noted the need to develop a plan for the Sheriff's Administrative Building and reasons it was not considered a part of the Complex. The budget session had established the Dispatch Center as a priority and funding had been provided to develop a plan for the Sheriff's Administrative Building. The need for and funding of the Detox Center was also noted. No formal action was taken or required on this Item.

6. COMMUNITY DEVELOPMENT DIRECTOR - Walter Sullivan

A. DISCUSSION AND POSSIBLE ACTION REGARDING RECONSIDERATION OF AB-96/97-4, AN ABANDONMENT REQUEST FROM RAMOS FAMILY TRUST AND CARSON VALLEY OIL COMPANY TO ABANDON AN EIGHT FOOT WIDE BY 160.4 FOOT LONG PORTION OF PUBLIC RIGHT-OF-WAY. LOCATED ON THE NORTH SIDE OF EIGHTH STREET, BETWEEN STEWART AND FALL STREETS, ADJACENT TO APN 4-069-02 (FORMERLY 4-069-01) TO REVIEW REQUIRING REASONABLE CONSIDERATION FOR SAID PUBLIC RIGHT-OF-WAY (1-2102) - Senior Planner Juan Guzman - Discussion indicated that there is a sidewalk along the north side of the street. The right-of-way had not been dedicated which is the crux of the controversy. Board policy has been to abandon such right-of-way without assessing a fee. The Board could revise this policy as had been indicated by discussions at previous Board meetings. Discussion noted the correlation between this item and the following two items. Supervisor Tatro felt that there had been a request to continue the next item due to the research which is being conducted which has not been completed. Mayor Masayko felt there was a significant difference between this item and the following item. Supervisor Bennett felt that the question is whether the City should charge for land obtained under a Federal Judge's decree. The Board had not established a clear policy over the years regarding this issue. She felt that the Board should develop a policy and hold onto it.

Supervisor Tatro disclosed his wife's employment at Northern Nevada Title and indicated that Northern Nevada Title would be making a presentation later. Supervisor Tatro had discussed his wife's employment with Northern Nevada Title, her function on the Northern Nevada Title Company Board of Directors and for the Henry C. Thomas trust with Mr. Lipparelli. Mr Lipparelli had advised him that as long as he could be fair, objective and impartial, he could participate in the discussion and action. He felt that he could do this and would, therefore, participate. He did not feel that the City should be reconsidering the abandonments. The Board had previously acted in good faith on the abandonments and made a decision on the compensation issue. Based upon those decisions, people had made investments. If the information which Mr. Hall may provide had been available at the time that the decision was made, it would have been wrong for the Board to have taken the action it did. This action had not been made based on false or misleading information. Since that time a need has been created by Clark Russell's letter to reopen the investigation. Mr. Russell had been charged for his abandonment even though the circumstances had been similar. Supervisor Tatro felt that Mr. Russell had made a similar business decision based on the fact that he knew he would have to pay for the right-of-way. Mr. Russell then pointed out that the City had made a mistake and needed to conduct additional research and improve the abandonment process. This has occurred. Procedures have now been developed for consideration whenever an abandonment is requested. He urged the Board to move forward with the new policy. He did not feel that government should go back and reconsider deals previously made. He urged the Board to make such a statement and go forward. City staff should

bring the issue forward as part of its job. The Board of Supervisors should be certain that its acts are fair and reasonable. Forcing the applicants to pay for the right-of-way at this point is wrong.

(1-2563) Supervisor Plank felt that the Board had been consistent when considering the abandonment of the area between the sidewalk and curb. The problem is with abandonment of entire streets as indicated in the two cases under discussion--one ten years ago and one recently which was not totally abandoned. Research can only be done to a point. If and when new information is discovered, he supported waiting until the research is completed as it could impact the decision.

Supervisor Bennett felt that this is the problem with the policy--the need to determine what is good, what is public benefit, what is beneficial, etc. A policy regarding abandonments should clearly indicate the cost factor. This would remove the Board from the judgmental requirements. She disagreed with Supervisor Tatro's comments due to her feeling that the Board was obligated as a duty to reconsider issues where there is an apparent and clear indication that the decision had been made due to the lack of appropriate information. She was always available and willing to reconsider decisions in such circumstances. The question was forcing the Board to develop a policy on abandonments.

Supervisor Tatro clarified his remarks by indicating that he had not meant to "never" reconsider an issue. His comments were to mean that in a case where a business decision had been entered into on behalf of the City in good faith and with the best knowledge available, it is not appropriate after closing the deal to go back and ask for money. Only if information was withheld or a negligent act occurred should reconsideration be undertaken.

Supervisor Plank provided an analogy to illustrate his reasons for feeling that if all the information is not available at this time, the issue should not be reconsidered for either request. He also indicated that he understood Supervisor Tatro's point. Supervisor Bennett then indicated her desire to enter onto the record her discomfort with both the decisions the Board had made on this item and the following item. She indicated that she had not been comfortable with the original concept and decision. She would have to go back and reflect on the reasons for her vote.

Supervisor Smith expressed his desire to hear from Northern Nevada Title. He felt that the abandonment process which the Board had accepted was being applied to the abandonment requests as it should be. If there is additional information which may modify, change or have bearing on the abandonment process, he wished to know it before he attempted to use the policy. Although he was unsure of the amount of time required to complete the research, he hoped that it could occur before the next Board meeting.

Mayor Masayko felt that Supervisor Tatro's comments were related to separate issues. The decision to abandon the property without remuneration had been based on information that it could not be required. He suggested that the Board, if desired, ask for \$1. He wanted the record to be as clear as is possible and the playing field as level as possible. He welcomed information regarding how the City had been established originally and the circumstances of that 320 acres. Each applicant's advocate will represent his/her view. The City had spent a great deal of money to have Mr. Hall, BLM, and other sources provide what was felt to have been solid ground. From those discussions, a policy had been developed for the future which will level the playing field. He was comfortable with that process. Past practices does not "get it" in his opinion. It only compounds the "sins of the past". The approach should provide for consistency and as fair treatment as is possible. He did not wish to go back and redo deals. He wished to establish a policy for the future which has occurred. This will allow future requests for the other side of Tenth Street to be considered. Applicants for those abandonments were present today. He then requested consideration of the eight foot from a 66 foot right-of-way. His problems are with the staff's position that such applications should be approved without discussion and that other individuals had not been notified of their ability to request the same treatment. This still leaves 50 feet to be considered. A Board policy should be developed concerning this eight foot strip. This issue is also connected with the following item. The need for a policy which clearly establishes the thinking process was reiterated. This will eliminate any potential differences in information, emotions, arguments, etc. His comfort with a policy indicated that any abandonments within the 320 acres must be offered for consideration. The report clearly indicates a past history of sometimes requiring \$1

and other times giving the property away even though the situations were exactly the same. If a policy is developed granting eight foot abandonments, he was willing to reconsider this abandonment request. The value could be developed as part of the policy. People who have not come forward and requested the abandonment should also be considered in the policy. The Board had developed a process under which the staff could provide the information and the Board would use due diligence in making the findings. Previous Board's procedures had been included in that process. He requested better documentation which is easier to read. This will keep the Board out of trouble. He then requested the following Item be discussed with this matter.

Carson Valley Oil Operations Manager Dennis Moothart expressed a willingness to wait until the following issue had been discussed.

B. DISCUSSION AND POSSIBLE ACTION REGARDING RECONSIDERATION OF AB-96/97-5, AN ABANDONMENT REQUEST FROM DWIGHT C. MILLARD AND HENRY C. THOMAS TO ABANDON AN APPROXIMATELY 170 FOOT LONG BY EIGHT FOOT WIDE PORTION OF THE RIGHT-OF-WAY LOCATED ON THE SOUTH SIDE OF EIGHTH STREET BETWEEN SOUTH CARSON STREET AND PLAZA STREET ADJACENT TO APN 4-051-06 (FORMERLY 4-051-01); A 170 FOOT LONG BY EIGHT FOOT WIDE PORTION OF THE RIGHT-OF-WAY LOCATED ON THE NORTH SIDE OF NINTH STREET BETWEEN SOUTH CARSON STREET AND PLAZA STREET ADJACENT TO APN 4-051-06 (FORMERLY 4-051-01 AND 02), AND A 186 FOOT LONG BY 66 FOOT WIDE PORTION OF THE RIGHT-OF-WAY LOCATED ON SOUTH PLAZA STREET BETWEEN EIGHTH STREET AND NINTH STREET ADJACENT TO APN 4-051-06 (FORMERLY APN'S 4-052-02 AND 4-051-01) IN CARSON CITY, NEVADA, TO REVIEW REQUIRING REASONABLE CONSIDERATION FOR SAID PUBLIC RIGHTS-OF-WAY (1-3010) - Mayor Masayko indicated that this matter had been considered by the Board in March 1997. At that time he had disclosed his relationship with the Thomas Family--Hank and Susan Thomas had served as volunteers on his election campaign. Mayor Masayko did not have a financial interest in the outcome of the issue. At that time he had elected to abstain and would abstain this time for the same reasons. He, as he had previously, felt that he would be fair and could continue to serve as the presiding officer. Ethics Commission decisions regarding positions taken in Southern Nevada indicates the requirements for disclosures/abstentions are changing. (1-3065) Mayor Masayko explained a personal telephone conversation he had had with Mr. Thomas that indicated that the sale of the property to Mr. Millard had included a condition that the street abandonment be approved. This returns the area to its position in 1997.

(1-3025) Supervisor Plank disclosed his social/personal relationship with Dwight Millard. He did not have a financial interest in any of Mr. Millard's businesses. He would not abstain from voting.

Supervisor Tatro amended his disclosure to indicate that he had not previously stated that he did not have a financial interest in the decision. His wife is an employee of Northern Nevada Title Company and is compensated for her work by the firm. Her compensation is not tied to the Board's decision. He did not feel that the decision would change the income stream for his household.

Supervisor Bennett disclosed her personal relationship with Dwight Millard and Edd Ferguson and her business relationship with Northern Nevada Title Company in her capacity as the President of the Silver Springs Airport. She indicated that These relationships will have no bearing on the outcome of this issue and are not related to this issue.

(1-3115) Mr. Sullivan introduced the item. (1-3159) Dwight Millard agreed that the Board had entered into a contract. It is difficult to go back and redo it. He was cognizant of the issues. Staff had done an excellent job of bringing the sides back to the table to explain what occurred. He noted the different times he had been before the Board advocating the abandonment of the eight foot strip behind sidewalks for the entire City as it would create a revenue stream for Redevelopment. The Board has "sort of" established a policy which Supervisor Bennett had asked to be "pretty easy to go through". Mr. Millard expressed his intent to advocate that the process for abandonments of 10th Street, 9th Street, Plaza Street, 8th Street, and Division Street would all be unique. Their

uniqueness would be same as is required for all Redevelopment considerations. The Board must decide during the budget process whether to build a firehouse or a park. This is why the Board is paid to make decisions. Abandonments are not any easier than that. You must consider whatever is placed before you. He did not like the word "precedent" but the Board has always indicated that if something is done for one it will establish a precedence for others. He did not believe this. It could be a precedence when the circumstances are identical but not when new information becomes available. Regarding his agreement with the Board, he felt that the Board had made its decision based on the information that had been available. The Board had adequate staff who does very well in presenting the best data possible. This had occurred. It is not for him to come to the Board and advise the Board of how the City had acquired the property unless he disagreed with the Board and he is attempting to change the Board's mind. The Board had made its decision based upon the information that was available at that time. Therefore, he requested the Board continue the matter until the November 5th meeting so that additional information could be provided. He then explained his request for information which Mr. Kiernan would provide.

(1-3275) Northern Nevada Title Representative Jim Kiernan explained the request from his clients to determine whether the City has the right to charge for the abandonment based upon the Statutes. He also explained that his firm underwrites insurance for titles to street abandonments. Such street abandonments include both the eight foot strip and wider sections. His underwriter is also interested in the outcome of his investigation as well as the insurance company located in New York. As of result of this interest he had been instructed to continue the research to determine whether the streets had been truly dedicated to the City. He felt that the Judge had not deeded the streets, alleyways, and parkways to the City. This area had been acquired by Statutes from the Legislature. The research had become more and more intriguing. The original maps are available. One is at the State Archives. Many of the others may be in Salt Lake City. Reasons for this location were noted. He felt that Mr. Hall had done an admirable job as far as he had gone but had not gone far enough. He also felt that staff had provide the information which was available at the time of the presentation(s). Their opinions expressed at that time had been based upon that information. He requested another 30 to 60 days to complete his research. His current research tends to lead him to believe that the original owners of the lots and blocks which were purchased from Judge Wright had in fact paid for the streets and the alleys and the park sites. The Legislature for the State of Nevada had some 60 days after passing the conformity act which was required by the Federal statutes, which is rather peculiar, came along and said that the City could have the streets. He is researching why and how, if the landowner paid for the street, the State could then come along and, in essence, do a taking to acquire them. He also questioned whether they had, in fact, acquired the fee or an easement.

Supervisor Bennett felt that this information would be very, very helpful and expressed her appreciation for his efforts. Mr. Kiernan then explained the reason for his concerns is that it would require his firm to represent the property owners if the abandonment process is determined to be flawed as well as the complaints from individuals regarding the need to have paid when payment should not have been required. His research will be available to any interested individuals including those wishing to take the issue to court. He planned to make the information available to staff as well. He also did not wish to be paying additional taxes to reimburse individuals but if necessary was willing to reimburse four or five individuals/groups rather than allowing the process to compound to the point where there are hundreds of individuals/groups demanding reimbursement. He then reiterated his request that the matter be continued for 30 to 60 days. Mayor Masayko expressed his feeling that Mr. Kiernan's research would have to be made available to staff as the City now has a policy that is based on Mr. Hall's research. If Mr. Kiernan wishes to change the Board's mind on that policy, he would have to be the advocate for that change. Mr. Kiernan then referenced an abandonment which had been accomplished for a lumber company in 1954. "In that case the City's position had been that the streets and alleyways had, in fact, never been dedicated for public use, that had never been opened or used in that manner that is recognized as such by Carson City." This case goes on to indicate that the City does not own the streets or alleyways in such cases either. Mayor Masayko indicated that he could show Mr. Kiernan an abandonment which indicates just the opposite. He hoped that the Board was headed down a path which will establish a process. He agreed with Mr. Millard that the abandonments would be considered on special circumstances and special issues but there must be a process which will help make clear findings and discusses the uniqueness of each request. It will allow the development of a policy-decision and establish a record so that future researchers can understand the thought process involved as well as individuals in court cases can determine the basis for the decisions. The Board was willing to listen to his information.

Supervisor Tatro then indicated that the foregoing comments required him to revisit his disclosure as the process could create a potential financial impact on Northern Nevada Title. Mr. Kiernan indicated that the financial impact would be against the underwriter. His impact would be minimal.

Supervisor Bennett noted her discussion with Mr. Kiernan which had purportedly occurred yesterday. She asked him to include in his research the term "acquired as a result of Federal decree" and its difference to "dedication". Mr. Kiernan agreed. If the land had, in fact, been dedicated, which is the streets, alleys, and parks, it is presumed that the fee title to those went to the City. You dedicate it and it comes to the City who accepts the dedication. This opens it to the public for utilities and today's vehicular traffic. The ownership of the land, the raw ownership of the land, may in fact lie with the developer but it is no longer taxed and it becomes a right-of-way. This could be splitting hairs as to whether a right-of-way is a fee. The Nevada courts have said that it is a limited fee because its use is limited to the reason it was given as a right-of-way. The Legislature decided that the streets and alleys would certainly be open for public highways. The question then is does highway denote that it is in fact the State highway which means that virtually every street in town that lies within that 320 acres is a State highway. These issues need to be decided. The main question for the Board is were they dedicated and what constitutes a dedication. Supervisor Bennett indicated that this is opposed to acquired. Mr. Kiernan did not feel that this is the question. How the City acquired the property whether by deed or by Legislative action is not the real question. The real question is were the streets dedicated. Were the streets, alleys, and parks dedicated. That relates to the new statutes under the NRS, which if he read them correctly, indicates that if they were in fact dedicated regardless of whether it is by public dedication or by a private dedication, if they are in fact dedicated you cannot charge. Mr. Sullivan agreed. Supervisor Bennett indicated that this is the question. Mr. Kiernan indicated that this is the crux of his research.

(2-0030) Mr. Lipparelli clarified the record regarding the Board's comments indicating that its approval of an abandonment request constituted a contract between the Board/City and the individual requesting the abandonment by stating that this is no so. When a person comes to the Board as an applicant for an abandonment, special use permit, subdivision approval, or a license, the person is not engaging the City or the Board in a contract. The result of the decision may have the same appearance as a contract or be the moral equivalent of a contract in the minds of some people because it expresses the intent of the Board to grant its approval to the request. In a legal sense, however, it is not a contract and it is important to keep that distinction in mind in these discussions. Mayor Masayko iterated for the applicants that this is the basis for Mr. Lipparelli's advice to Community Development to bring this matter back to the Board because the Board had not in fact entered into a binding contract with the action of approval.

Supervisor Smith pointed out the need to reach a conclusion but felt that the deadline was not based on a financial concern demanding that a decision be made today. He then suggested that the issue be reconsidered at the second meeting in November. Discussion indicated a desire for closure of the issue. Mayor Masayko requested that the final information be condensed adequately to indicate the decision points which will be required. Supervisor Bennett compared the issue to those considered by TRPA due to its complexity and ramifications. She strongly suggested that Mr. Hall and other experts be present when the final discussion occurs. Mayor Masayko requested their input in writing prior to the meeting.

Mr. Moothart questioned Mr. Lipparelli about his comments. Mr. Lipparelli reiterated his comments that the abandonments are not contracts even if they are recorded. This does not mean that either party could back out of the process at any time. Mr. Lipparelli clarified that the abandonment is not a contract in the sense that it is not the meeting of minds of two people who have free will to make a bargain with one another. The City, when it is approving an abandonment request, is acting under whatever authority it has under State law to relinquish whatever rights it had in a particular right-of-way. Its decision in doing that does not constitute a contract in the same sense that all other contracts between people, cities, or groups are. Mr. Moothart then questioned the point where he would own the right-of-way. Mr. Lipparelli responded by explaining that under State law when the order of abandonment is recorded, the title is conveyed from the City to the person who submitted the abandonment request to the Board. Mr. Moothart explained his assumption that when the Board approves the abandonment and it is recorded, it is a done deal. Mayor Masayko noted this is Mr. Millard's point. Mr. Moothart felt that Mr.

Lipparelli's comments indicated that this may not be true. As it was once recorded, it now must be unrecorded. Mayor Masayko indicated that there may be an additional condition on the transfer. This point had not yet been reached. The Board could also decide that a business deal had been made. There should be additional conditions placed upon it, however, the Board chooses not to do so. Mr. Lipparelli attempted to further explain the reasons the abandonment is not a contract. The Statutes enable the City to issue contracts. Other Statutes provide additional powers which are constituted as contracts. Examples of which were provided. The power to approve an abandonment is not a contract any more than the City's power to approve a subdivision constitutes a contract between the City and the developer. This issue is important when consideration is being made regarding the remedies for any alleged breach of those powers. Mayor Masayko then noted that it is not enforceable as a matter of contract law. Mr. Moothart noted that its enforcement may be through everyone's right to a day in court.

Supervisor Smith then moved that the Board of Supervisors defer action on the reconsideration of abandonment number AB 96/97-4 and abandonment number 96/97-5 until the second meeting in November which is the 19. Supervisor Plank seconded the motion. Mayor Masayko reiterated his comments that an oral hearing should not be provided. Written comments from both sides were to be presented. All comments should relate to the 320 acres. Mr. Hall should also be given an opportunity to respond to Mr. Kiernan's comments. Those comments should also be "boiled down" to decision points for the Board. Following a request for an amendment, Supervisor Smith amended his motion to allow staff to bring the matter back at a different time if the information is not complete. He also noted that this is the important part of the process. He did not want it back if it is not complete. Supervisor Tatro seconded the motion. The motion as amended was voted and carried 4-0-1 with Mayor Masayko abstaining.

C. ACTION ON S-94/95-1(F-10) - DISCUSSION AND POSSIBLE ACTION REGARDING A FINAL SUBDIVISION MAP REQUEST FROM STANTON PARK DEVELOPMENT, INC., CALLING FOR THE APPROVAL OF PHASE 10 OF THE MOUNTAIN PARK SUBDIVISION AT NORTHRIDGE, CONSISTING OF 48 SINGLE FAMILY LOTS RANGING IN SIZE FROM A MINIMUM OF 4,892 SQUARE FEET UP TO 6,472 SQUARE FEET, AND A REMAINDER, LOCATED EAST OF LONE MOUNTAIN, NORTH OF MARK TWAIN SCHOOL, WEST OF LOMPA LANE, A PORTION OF APN 2-101-68 (1-0208) - Dwight Millard - Mr. Sullivan's introduction included an explanation of the status the two outstanding issues--park improvements and the surety bond for the infrastructure improvements, such as streets, sidewalks, curbs, and gutters. The final map will not be recorded until the surety bond is in place. Mr. Millard explained the reasons for the delay in obtaining the bond. The surety bond will be in place prior to recordation. He also pointed out that the subdivision, if approved, could be developed if the final map is not recorded. The final map is recorded as a guarantee to the buyer that the infrastructure requirements are in place. He felt that the surety bond should, therefore, not be required. (Supervisor Smith left the meeting during this discussion--12:05 p.m. A quorum was still present.) Mayor Masayko explained his disagreement with Mr. Millard's concept as the infrastructures will be turned over to the City when dedicated. If the developer fails to put them in, the public will be forced to make the improvements. Discussion indicated that Mr. Millard and Mayor Masayko needed to discuss their points further. Discussion between Mr. Lipparelli and Mr. Sullivan explained the recordation process and assured the Board that Community Development would not present the final map for recording until all of the conditions have been met. Supervisor Tatro moved that the Board of Supervisors approve S-94/95-1 F-10, a final subdivision map request from Stanton Park Development, Inc., calling for the approval of 48 single family lots ranging in size from a minimum of 4,892 square feet up to 6,472 square feet, and the remainder located east of Lone Mountain, north of Mark Twain School, west of Lompa Lane, a portion of APN 2-101-68, based on the original findings and conditions of approval to be fulfilled as the subdivision is developed and direct the City Engineer to sign the map only at the point that the surety is in place and transfer it to Community Development Director for recordation. Supervisor Plank seconded the motion. Motion carried 4-0.

BREAK: There being no other matters until 6 p.m., a recess was declared at 12:10 p.m. Mayor Masayko reconvened the session at 6:05 p.m. Roll call was taken. A quorum of the Board was present although Supervisor Tatro was absent. Roll call for the Carson-Tahoe Hospital Board of Trustees indicated Vice Chairperson Pete Livermore, and Trustees Kay Bennett, George Hawes, and Tom Metcalf were present, constituting a quorum.

Trustee Chairperson Saulisberry and Member Chryssos were absent. Roll call was not taken for the Regional Planning Commission. Commissioners present when the gavel dropped were Allan Christianson, William Mally, and Richard Wipfli. Commission Vice Chairperson Alan Rogers arrived at approximately 6:10 p.m. establishing a quorum. Commission Chairperson Verne Horton and Commissioners Roger Sedway and Deborah Uhart were absent. Staff members present included Community Development Director Walter Sullivan, Chief Deputy District Attorney Paul Lipparelli, Public Works Capital Projects Manager Tim Homann, Principal Planner Rob Joiner, and Recording Secretary Katherine McLaughlin. Hospital staff members present included Administrator Steve Smith, Legal Counsellor Mike Pavlakis, Chief Operations Officer Ed Epperson, Chief of Medical Staff Susan R. Pintar and Executive Board Secretary Nora Sorenson.

9. JOINT MEETING WITH THE CARSON-TAHOE BOARD OF TRUSTEES AND THE REGIONAL PLANNING COMMISSION - PRESENTATION OF THE PROPOSED CARSON-TAHOE HOSPITAL'S MASTER PLAN BY STEPHEN SHORT AND ASSOCIATES, ARCHITECTURE AND PLANNING (2-0365) - Vice Chairperson Livermore explained the purpose of the session. Mr. Epperson welcomed the audience and briefly described the program which had developed the master plan including the selection of the consultant. Consultant Steve Short used the overhead projector to display slides highlighting the plan. A copy is included in the packet. (Commissioner Rogers arrived during his presentation. At this point a quorum of the Commission was present.) Mr. Short indicated that the plan is not yet complete. Comments were solicited on it as they will help develop a plan whereby the Hospital can be a community partner and good neighbor. Although the plan included suggested improvements, they had not been prioritized. He then described the current and proposed 2008 site plans for the Hospital, the Rehabilitation Center, and the Minden facility. Discussion between Mr. Short and Supervisor Smith indicated that Minnesota Street north of Williams had not yet been abandoned. Mr. Short explained his reasons for his recommended program and an alternative plan for this area which expands Treadway Park.

(2-1165) Mr. Short responded to Isabel Young's questions concerning the plans for geriatric services and expansion of radiology services. The maps were used to illustrate the locations of these services. Ms. Young felt that the facilities were too small. Discussion also indicated that approximately one-half of the current services at the Hospital were for Medicare patients. Mr. Short described in more detail the expansion plans at the Rehab Center of the Senior Center. Mr. Epperson explained the dialysis services currently provided by two private facilities in Carson City. He did not feel that an additional service would be provided by the Hospital. Mr. Short then explained for Commissioner Rogers the reasons the Hospital had not included these services and their recruitment program in its master plan. His expansion plans for the Minden facility had not included a hospital. Reasons for this decision were noted. His signage program included both the inside and outside of the Hospital. Commissioner Rogers voiced his support for the proposed Treadway Park plans and encouraged the Hospital to implement it as a short range, priority project. Mr. Short described an alternative plan which would not create an impact on the park. He also agreed that it could be a good short-range project. Vice Chairperson Livermore also supported the concept due to the re-aligned entrance it created for the Hospital. Mr. Short explained the present traffic and parking on William Street. If the parking is removed, it may be possible to utilize William Street as an access route now.

(1-1462) Mike Drews described the historical area and the parking problems currently found throughout the Historic District. Removal of the on-street parking on William may add to this problem. Mr. Drews then explained the 4-5 story facility proposed for cancer treatment and its impact on the Adams House and other historical buildings in the vicinity. He suggested that the cancer center be located in the center of the Hospital complex. This would eliminate some of the buffering requirements. Mr. Short described the reasons the proposed site had been selected. He agreed that there would be problem with the "scale" of the two buildings. He suggested that the Adams House be relocated to Washington. He agreed to reconsider the cancer treatment site if so desired. Trustee Metcalf further expanded on the reasons for the cancer treatment's proposed location and potential plans to "step the building back". Mr. Short explained these plans in more detail.

(1-1545) Evelyn Shewan pointed out the impact a 4-5 story parking garage would have on the residential

neighborhood to the north. Mr. Short explained that the Hospital owns the property directly to the north of the proposed garage. He then described the landscaping plans and the difference in height between a 4-5 story building and 4-5 story garage. He indicated that its architectural design would consider the neighborhood also. It will not look like the Reno or a casino structure.

Supervisor Bennett suggested that the plan include a drop-off for public transit and an internal shuttle to transport individuals to and from the garage and other facilities. Mr. Short indicated that these were management decisions. Reasons for the garage's proposed location were noted. Additional treatments for the garage were described which will reduce its visual impact.

Robin Williamson commended the Hospital on the solarium plans. She also indicated the Hospital Auxiliary's interest in helping the Hospital develop and fund it.

Supervisor Smith explained the Board's awareness of the work that the Hospital had done to provide adequate parking and be a good neighbor in spite of the growth and facility demands placed upon it. He supported the plan and its efforts to mitigate the parking impact on the neighborhood. He thanked the Hospital for this undertaking. Mr. Short agreed by indicating that a hospital quickly becomes a bad neighbor by failing to provide adequate parking. Vice Chairperson Livermore noted the Hospital's aggressive efforts to acquire and provide additional parking. Mr. Short used a drawing of the current site to explain the adjacent properties which the had been acquired and properties which he suggested that the Hospital acquire.

Ms. Young suggested that the parking garage include the ability to add two additional floors so that future expansion could occur. Mr. Short indicated that this would be a Board decision which will be addressed in the future. Reasons it may not be included were noted.

Mr. Sullivan then explained for Supervisor Bennett the status of the "hospital/medical zone". He requested that the plan be submitted to the Major Project Review Committee for its comments.

In response to Vice Chairperson Livermore's request, Mr. Short explained that the master plan approach will provide additional bed capabilities under a 25 bed per unit phasing program, the reasons for not adding more beds at one time, and the total plan for a 158 bed acute care facility and a 20 bed ICU facility. Vice Chairperson Livermore then described the Hospital's current employment and his feeling that it may, after the expansion, employ 1500 or more and be one of the biggest employers in the community. Mr. Sharp was unsure whether the expansion would require 500 new employees but agreed that the Hospital does create a significant impact on the community's economic picture.

(2-2029) Commissioner Wipfli explained the medical zone committee and its analysis of the current medical requirements and its future growth. Mr. Short responded by explaining that hospital's are not generally in the business of constructing and owning medical office buildings. The private sector should be encouraged to do this. Hospital's do provide some facilities for specialized services. He was unaware of any "rule" which would quantify this amount or ratio for a community. He agreed that growth around the hospital campus will occur.

Mr. Short then summarized the plan and indicated that the public comments will be analyzed and used to revise it accordingly. The goal is to have the final plan adopted/accepted by the Hospital before the end of the year. The suggestion that the City also review the plan may impact this timeline. Discussion indicated that the Board of Supervisors will consider the plan only if the Board desires to include it as a master plan element. Mr. Short indicated that the plan should only be accepted as it will be revised annually rather than adopted. Approval implies funding is available which is not possible at this time. Mr. Epperson compared the Fallon facility to the Carson City facility. He also acknowledged Mr. Short's professionalism and knowledge as exhibited in the plan. Mayor Masayko thanked the Planning Commissioners, the Historic Architecture Review Commission members, and the audience for attending and participating. He and Vice Chairperson Livermore urged anyone viewing the meeting on television who wished to do so to either submit written comments to the Hospital Board or attend the next Hospital Board meeting. Mayor Masayko commended the Board on the plan. Discussion commended the

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Hospital Board and Mr. Short on their efforts to maintain the 120 trees which are there now. Mr. Short indicated that only two trees would be removed by the plan. No formal action was required or taken.

PUBLIC COMMENTS (2-2265 - None.

Trustee Hawes moved to adjourn the Hospital Board session. Trustee Bennett seconded the motion. Motion carried 4-0. Vice Chairperson Livermore adjourned the meeting at 7:48 p.m.

PUBLIC SERVICE ANNOUNCEMENTS (1-2272) - Supervisor Bennett announced that the Hospital will be providing free flu shots and urged the public to contact the Hospital for an appointment. Vice Chairperson Livermore indicated that a press release will be provided soon on this program.

There being no other matters for consideration, Supervisor Plank moved to adjourn. Mayor Masayko seconded the motion. Motion carried 5-0. Mayor Masayko adjourned the meeting at 7:50 p.m.

The Minutes of the October 15, 1998, Carson City Board of Supervisors meeting

ON _____ May 6 _____, 1999.

A R E S O A P P R O V E D

_____/s/_____

Ray Masayko, Mayor

ATTEST:

_____/s/_____
Alan Glover, Clerk-Recorder