

CARSON CITY BOARD OF SUPERVISORS
Minutes of the October 1, 1998, Meeting
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A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, October 1, 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
STAFF PRESENT:	John Berkich	City Manager
	Al Kramer	Treasurer
	John Iratcabal	Purchasing Director
	Paul Lipparelli	Chief Deputy District Attorney
	Jerry Mather	Chief Deputy Sheriff
	Katherine McLaughlin	Recording Secretary
	Fran Smith	Recording Secretary
	(B.O.S. 10/1/98 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 CALL, INVOCATION, AND PLEDGE OF ALLEGIANCE - Mayor Masayko convened the meeting at 8:30 a.m. Roll call was taken. A quorum of the Board was present although Supervisor Tatro had not yet arrived and Supervisor Bennett was absent. Pastor Duane Geyer of the Capital Assembly of God gave the Invocation. Mayor Masayko lead the Pledge of Allegiance.

CITIZEN COMMENTS (1-0024) - None.

1. APPROVAL OF MINUTES - June 4, 1998 (1-0028) - Supervisor Plank moved to approve the Minutes as presented for the meeting of June 4, 1998. Supervisor Smith seconded the motion. Motion carried 3-0.

A. SPECIAL PRESENTATIONS

A. PROCLAMATION FOR QUALITY MONTH - OCTOBER 1998 (1-0036) - Mayor Masayko read the Proclamation into the record. No formal action was taken.

B. PROCLAMATION FOR NATIONAL PHYSICAL THERAPY MONTH - OCTOBER 1998 (1-0064) - Mayor Masayko read the Proclamation into the record, introduced Physical Therapist Georgiana Barrett, and presented the Proclamation to her. Ms. Barrett thanked the Board for the Proclamation and explained the pleasure she received from working as a physical therapist to reduce pain and provide rehabilitation for her clients. No formal action was taken.

LIQUOR AND ENTERTAINMENT BOARD (1-0101) - Mayor Masayko recessed the Board of Supervisors session and immediately reconvened the meeting as the Liquor and Entertainment Board. A quorum of the Board was present as Chief Deputy Sheriff Jerry Mather represented the Sheriff. Members Tatro and Bennett were absent.

3. TREASURER - Al Kramer

B. ACTION ON AN ENTERTAINMENT PERMIT WITH WAIVER OF THE APPLICATION AND

PERMIT FEES FOR THE NEVADA DAY COMMITTEE, LTD. (1-0111) - Chairperson Masayko noted that the parade would be on a Saturday and wished the Committee success. Member Smith moved to approve the request for an Entertainment Permit and waive the \$100 application fee and the \$500 permit fee for the Nevada Day Committee; there is no fiscal impact. Member Plank seconded the motion. Motion carried 4-0-0-2.

A. ACTION ON AN ADDITIONAL NATURE OF CATERING LIQUOR TO AN EXISTING FULL BAR LIQUOR LICENSE HELD BY EMPIRE RANCH GOLF COURSE (1-0144) - Dwight Millard explained the application and introduced Food and Beverage Manager Bill Burgess. Mr. Burgess indicated he was familiar with Nevada Liquor Laws and would train his employees appropriately. Member Mather noted the favorable Sheriff's Departmental Report. Member Smith moved to approve the additional nature of catering liquor to the existing full bar liquor license held by Empire Ranch Golf Course; fiscal impact is \$25 application fee, \$100 per quarter catering license fee. Member Plank seconded the motion. Motion carried 4-0-0-2.

Mr. Millard then explained that the Grand Opening would be held around Nevada Day and the conference facilities. He invited the Board to stop by on Nevada Day and tour the facility.

BOARD OF SUPERVISORS (1-0195) - 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. A quorum of the Board was present although Supervisor Tatro had not yet arrived and Supervisor Bennett was absent.

4. CONSENT AGENDA (1-0210)

A. TREASURER - ACTION ON TREASURER REPORT FOR THE MONTH OF AUGUST 1998

B. CITY MANAGER - ACTION ON APPROVAL OF AMENDED LEASE BETWEEN FRANCENE GAIL MERTINS FAMILY TRUST AND CARSON CITY FOR LEASE OF PROPERTY AT 111 WEST TELEGRAPH STREET, SUITE 100 FOR USE BY THE DISTRICT ATTORNEY

C. PURCHASING DIRECTOR

i. ACTION ON CONTRACT NO. 9899-090 - ORMSBY BOULEVARD ENGINEERING SERVICES, REQUEST FOR CONTRACT APPROVAL

ii. ACTION ON CONTRACT NO. 9798-154 - FIRE DEPARTMENT PERSONAL PROTECTIVE CLOTHING, CONTRACT RENEWAL #1

iii. ACTION ON CONTRACT NO. 9899-98 - SURPLUS AND DONATION OF VEHICLES TO THE SCHOOL DISTRICT

iv. ACTION ON CONTRACT NO. 9899-97 - STORM WATER MASTER PLAN, HYDROLOGIC ANALYSIS AGREEMENT

v. ACTION ON CONTRACT NO. 9596-112 - PUBLIC SAFETY COMPLEX FINAL DESIGN, AMENDMENT NO. 2, CORRECTION TO BOARD OF SUPERVISORS' ITEM OF SEPTEMBER 3, 1998

- None of the items were pulled for discussion. Supervisor Plank moved to approve each of the items on the Consent Agenda as presented this morning. Supervisor Smith seconded the motion. Motion carried 3-0.

5. TREASURER - Al Kramer

A. ACTION ON 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 (1-0223) -

Legal Counsellor Jennifer Stern - Discussion explained the outstanding bond indebtedness which is felt to be in a safe range for a consolidated municipality. Standard and Poor/Moody's bond rating for the City, which is higher

than any other community in the State, was cited to support this contention. Supervisor Plank moved to introduce Bill 131 on first reading, 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 \$4,860,000. Supervisor Smith seconded the motion. Motion carried 3-0.

B. ACTION ON 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 (1-0330) - Supervisor Smith moved that the Board of Supervisors introduce on first reading Bill 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, fiscal impact is \$1,000,000. Supervisor Plank seconded the motion. Motion carried 3-0.

C. ACTION ON 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 (1-0370) - Supervisor Smith moved to introduce Bill No. 133 on first reading, 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; fiscal impact is \$1.7 million. Supervisor Plank seconded the motion. Motion carried 3-0.

D. ACTION ON 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 (1-0402) - Supervisor Smith moved to introduce Bill No. 134 on first reading, 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 is \$1.2 million. Supervisor Plank seconded the motion. Motion carried 3-0.

E. ACTION ON 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 (1-431- Supervisor Plank moved to introduce on first reading Bill No. 135, 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, fiscal impact is \$2,165,000. Supervisor Smith seconded the motion. Motion carried 3-0.

Discussion noted that none of the bonds will impact the ad valorem rates. The second readings will occur in two weeks.

6. BOARD OF SUPERVISORS

A. ACTION TO APPOINT A MEMBER OF THE BOARD OF SUPERVISORS TO THE NEVADA TAHOE CONSERVATION DISTRICT (1-0490) - Supervisor Smith moved to appoint Supervisor Kay Bennett to the Nevada Tahoe Conservation District for another two year term. Mayor Masayko seconded the motion. Motion carried 3-0.

B. DISCUSSION ON LEGISLATIVE MATTERS (1-0528) - Mr. Berkich explained the status of the Convention and Visitors Bureau request to revise the room tax collection procedure and indicated that the issue will be discussed in depth later in the agenda. (Supervisor Tatro arrived during his comments--9:08 a.m. A quorum was present although Supervisor Bennett was absent.) Comments noted the deadline for submitting bill drafts to the Legislature. Strategies to do this will be discussed later. It was also noted that neither Reno nor Las Vegas have the collection problem. Staff is still researching the process. Mayor Masayko explained the status of the NACO bills and his reasons for feeling that Carson City should assist with the tax cap issue. Mr. Berkich then explained the status of the Chamber of Commerce's Legislators welcome. This activity is funded by the Chamber and the business community. Reasons the date had not been established for this function were noted. Mayor

Masayko indicated that this item will be on all future agendas and that it will include the possibility of action in the title.

C. NON-ACTION ITEMS - INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (1-0668) - Supervisor Tatro extended a greeting of best wishes from the people of Green Bay and provided an update on the Carson City High School Varsity Soccer Team's winning season. Mayor Masayko explained his appointment to the Legislature's advisory committee to encourage "participatory democracy", its purpose, and proposed activities. He reported on the Mills Park Railroad dedication of its handicapped platform and lighted flag pole, his attendance at the Salsa Y Salsa Festival, and advised the Board of the death of Tunney Robison who had served on the Charter Committee, his letter thanking the members of the Charter Committee for their service to the community, the RSVP Advisory Council meeting, the need to address the Highway 50 parking problem, his meeting with State Museum officials and interested citizens regarding the Caroline Street project, his involvement with the Public Lands Day Activities and the March to Conquer Cancer, and the death of former City Senior Accountant Gary Harding. Supervisor Plank reported on his attendance at a broadcast from Washington, D.C., regarding the new transportation act--TEA-21, the annual parks tour, and the Ormsby Boulevard public hearing, and the announced the next two Home Consortium meetings. Mayor Masayko and Supervisor Smith noted the publicity which had been given to the parks tour. Supervisor Smith commended the media on the report and the staff on the changes it had made. He then reported on Subconservancy District meetings and Churchill County's interest in joining the District and announced the next RTC meeting, the widening of Roop Street from Little Lake to Fairview and the special public hearing on Fifth and Edmonds stop light/demonstration round-about project, which he described. He also noted the deaths of Denise Moran and Bertrand Willman. Discussion ensued on the notification process used for the design hearing on Ormsby Boulevard and the need to improve the process.

D. STAFF COMMENTS AND STATUS REPORTS (1-0972) - Mr. Berkich announced the reopening of the Northgate offices and commended Mr. St. John, Facilities Superintendent Larry Nair and his staff on their efforts. Functions located there were explained. This project had been on schedule and within budget. Open house will be scheduled soon. Mayor Masayko indicated that the parking situation had been addressed.

7. UTILITIES DEPARTMENT - Deputy City Manager Dan St. John - ACTION ON A COOPERATIVE AGREEMENT BETWEEN CARSON CITY AND THE NATURAL RESOURCES CONSERVATION SERVICE, UNITED STATES DEPARTMENT OF AGRICULTURE (1-1010) - This agreement was cited as an example of the City's efforts to work with other agencies. The City's in-kind services were discussed. The City's out-of-pocket expenses were felt to be approximately \$3,000. Supervisor Smith felt that a \$3,000 out-of-pocket expense for a \$40,000 drainage improvement project was a good deal. Supervisor Smith moved to authorize the Mayor to sign a cooperative agreement between Carson City and the Natural Resources Conservation Service, United States Department of Agriculture, to repair damage to the Longview Way/Ash Canyon Creek Drainage Structure which occurred during the January 1997 flood. Supervisor Tatro seconded the motion. Motion carried 4-0.

8. COMMUNITY DEVELOPMENT DIRECTOR - Walter Sullivan

D. ACTION ON S-97/98-3(F-1) - A FINAL SUBDIVISION MAP REQUEST FROM ALEX BERNHARD FOR ROOP STREET SOUTH, A DEVELOPMENT OF 93 MOBILEHOME LOTS WITHIN 18.64 ACRES AND TWO NEIGHBORHOOD COMMERCIAL PARCELS CONTAINING 3.5 AND 4.6 ACRES RESPECTIVELY, LOCATED ON THE EAST SIDE OF ROOP STREET, 320 FEET SOUTH OF LITTLE LANE AND NORTH OF THE LINEAR PARK DITCH AND GOVERNOR'S FIELD, APN 9-071-75 - Senior Planner Juan Guzman - Jack Randall described the project and responded to the Board's questions concerning the berm along Roop Street, which had been eliminated; the landscaping; the impact of the roadway realignment and the linear ditch improvements; the mitigation measures included in the project which should reduce the flooding problems encountered at the mobile home park on the east side of the project; Condition 11 in the staff report regarding the CC&Rs notice of the noise and lighting problems created by Governor's Field activities and the notice regarding this condition on the final map; compliance with the landscaping requirements;

and reasons the fencing requirements were eliminated. Mayor Masayko indicated that any stipulations made during the discussion would be considered as part of the terms and conditions of the project. Public testimony was solicited but none given. Supervisor Plank moved that the Board of Supervisors approve a final subdivision map request from Alex Bernhard for Roop Street South, a development of 93 mobilehome lots within 18.64 acres and two neighborhood commercial parcels containing 3.5 and 4.6 acres respectively, located on the east side of Roop Street, 320 feet south of Little Lane and north of the Linear Park Ditch and Governor's Field, Assessor's Parcel No. 9-071-75, based on three findings and subject to 12 conditions of approval; fiscal impact is zero. Supervisor Tatro seconded the motion and noted the stipulations. Supervisor Plank amended his motion to include the stipulations made during the discussion as part of the conditions. Supervisor Tatro concurred. Motion carried 4-0.

A. PRESENTATION, DISCUSSION AND POSSIBLE ACTION REGARDING THE STREET ABANDONMENT PROCESS (1-1385) (1-2042) - Senior Planner Juan Guzman - Discussion deferred action on this item until the afternoon session.

(1-2045) Mr. Sullivan used overhead slides to illustrate and explain the revised process. Mr. Guzman described the revised program for obtaining utility company signatures. Mayor Masayko suggested that the exhibits provide examples of how to complete the process, including the flow chart, and that an MIA be obtained for street abandonments. This will provide a fair estimate of its value. Mr. Sullivan explained the previous Board policy to require MIAs for property with an estimated value of over \$10,000. Direction relating to this policy was solicited. Staff's research on the streets which had been dedicated as part of the township was explained. There is now a representative map displaying this information at Community Development. The fee for abandonment requests has been \$300 for over ten years. Supervisor Plank suggested a glossary be attached defining dedication, not dedicated, and patented. Board comments commended staff on the report. Supervisor Tatro moved that the Board approve acceptance of the street abandonment process and recommendations by staff including the item in the packet which had further recommendations and the comments which were put on the record including providing any accompanying item packets for abandonments. Supervisor Smith seconded the motion. Motion carried 4-0.

C. ACTION ON H-98/99-8 - A REQUEST FROM FIRST METHODIST CHURCH (PROPERTY OWNER AND APPLICANT) FOR HISTORICAL TAX DEFERMENT ON PROPERTY LOCATED AT 402 NORTH MINNESOTA STREET, CARSON CITY, NEVADA, APN 3-192-09 (1-1465) - Supervisor Tatro moved that the Board approve H-98/99-8, a request from First Methodist Church, property owner and applicant, for historical tax deferment on property located at 403 North Minnesota Street, Carson City, Nevada, Assessor's Parcel Number 3-192-09, based on one finding and subject to five conditions of approval contained in the staff report and based on the HARC's recommendation. Supervisor Plank seconded the motion. Motion carried 4-0.

E. ORDINANCE - SECOND READING - ACTION ON BILL NO. 130 - AN ORDINANCE EFFECTING A CHANGE OF LAND USE ON APPROXIMATELY 3.86 ACRES OF LAND FROM MULTIFAMILY APARTMENT (MFA) TO GENERAL COMMERCIAL (GC) ON PROPERTY LOCATED AT THE SOUTHWEST QUADRANT OF THE INTERSECTION OF HOT SPRINGS ROAD AND NORTH ROOP STREET, CARSON CITY, NEVADA, APN'S 2-103-01 AND 8-128-01, AND OTHER MATTERS PROPERLY RELATED THERETO (1-1515) - Supervisor Tatro moved to adopt Bill No. 130 on second reading, Ordinance No. 1998-33, AN ORDINANCE EFFECTING A CHANGE OF LAND USE ON APPROXIMATELY 3.86 ACRES OF LAND FROM MULTIFAMILY APARTMENT TO GENERAL COMMERCIAL ON PROPERTY LOCATED AT THE SOUTHWEST QUADRANT OF THE INTERSECTION OF HOT SPRINGS ROAD AND NORTH ROOP STREET, CARSON CITY, ASSESSOR'S PARCEL NO. 2-103-01 AND 8-128-01, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Plank seconded the motion. Motion carried 4-0.

B. ACTION ON AB-97/98-6 - AN ABANDONMENT REQUEST FROM THE STATE OF NEVADA TO ABANDON AN APPROXIMATE 66 FOOT WIDE BY 170 FOOT LONG PORTION OF WEST CAROLINE STREET FROM THE WEST RIGHT-OF-WAY LINE OF NORTH CARSON STREET TO THE EAST RIGHT-OF-WAY LINE OF NORTH CURRY STREET ON PROPERTY ZONED

DOWNTOWN COMMERCIAL ADJACENT TO APNS 3-283-03 AND 3-284-01 IN CARSON CITY, NEVADA (1-1578) - Principal Planner and Redevelopment Director Rob Joiner - Mark Palmer reviewed the project with the use of architectural renderings and explained the timeframes and funding. His comments stressed the teamwork which had occurred throughout the project. Mayor Masayko expanded on his comments relating to the teamwork and funding. Board comments noted Dwight Millard's absence and his need to be part of the team. Mr. Joiner explained the revised traffic plan for Curry Street. Mayor Masayko indicated that NDOT is willing to continue allowing the access/egress to Carson Street from the former FIB parking lot. Mr. Joiner described the bus parking and loading area. Mr. Palmer described the curb realignment at the back of the museum.

(1-1982) State Museum Representative Judy Hendrix expressed the State's excitement about the project and its positive image. She also explained the funding problem. Additional funding is being requested from the Legislature. It is a Department priority for this year. Mayor Masayko committed to assisting her with the Legislators. Additional comments were solicited but none given. Supervisor Tatro moved that the Board approve AB-97/98-6, an abandonment request from the State of Nevada to abandon an approximately 66 foot wide by 170 foot long portion of West Caroline Street from the west right-of-way line of North Carson Street to the east right-of-way line of North Curry Street on property zoned Downtown Commercial, adjacent to Assessor's Parcel No. 3-283-03 and 3-284-01, in Carson City based on two findings and subject to five conditions of approval. Supervisor Smith seconded the motion. Motion carried 4-0.

BREAK: Mayor Masayko noted the typographical error on the agenda indicating that the meeting would reconvene at 1:30 a.m. Legal counsel had advised him that the meeting could reconvene at 1:30 p.m. without violating the Open Meeting Law. A recess was declared at 10:30 a.m. A quorum of the Board was present when Mayor Masayko reconvened the meeting at 1:30 p.m. Supervisor Bennett was absent as previously indicated.

REDEVELOPMENT AUTHORITY (1-2650) - Mayor Masayko then recessed the Board of Supervisors session and immediately reconvened the session as the Redevelopment Authority. For Minutes of the Redevelopment Authority, see its folder. Following adjournment of the Redevelopment Authority, Mayor Masayko reconvened the Board of Supervisors session. A quorum was present although Supervisor Bennett was absent as indicated.

9. REDEVELOPMENT DIRECTOR - Rob Joiner - A. ACTION REGARDING AN AGREEMENT BETWEEN CARSON CITY REDEVELOPMENT AUTHORITY AND THE CARSON CITY AREA CHAMBER OF COMMERCE WHEREBY THE CARSON CITY AREA CHAMBER OF COMMERCE SHALL DEVELOP AND INSTITUTE A MARKETING STRATEGY TO IDENTIFY AND RECRUIT SELECTED BUSINESSES TO FILL VACANT STOREFRONTS IN THE DOWNTOWN AREA AND OTHER MATTERS RELATED THERETO; AND B. ACTION REGARDING AN INTERLOCAL AGREEMENT BETWEEN CARSON CITY REDEVELOPMENT AUTHORITY AND THE CARSON CITY CONVENTION AND VISITORS BUREAU WHEREBY THE CARSON CITY CONVENTION AND VISITORS BUREAU SHALL ADMINISTER THE REDEVELOPMENT AUTHORITY DOWNTOWN EVENTS FOR THE REMAINDER OF CALENDAR YEAR 1998 AND OTHER MATTERS RELATED THERETO (1-3168) - Supervisor Tatro moved to ratify the two agreements just approved by the Redevelopment Authority. Supervisor Smith seconded the motion. Motion carried 4-0.

10. CITY MANAGER - John Berkich

A. DISCUSSION AND ACTION ON RESOLUTION TO ESTABLISH POLICY FOR INSERTS IN CARSON CITY WATER AND SEWER UTILITY BILLS (1-3190) - Mr. Berkich's introduction included Bob Lappin's concern about the perception that the Board of Supervisors may be attempting to influence the electorate. His second concern was that the opponents may not be able to use the program and that the process would then present only one side of the issue. Citizens for a Better Library Member Bernie Sease explained the reasons for the request. The concept is to provide factual information and a disclaimer indicating that neither Board nor City government were endorsing the ballot question. Supervisor Plank suggested that the disclaimer also indicate that the Board was not discouraging anyone from voting for the question. Supervisor Tatro suggested

that the resolution include a statement numbered 6 indicating that each insert shall contain a statement that it is not paid for or endorsed by the Carson City Board of Supervisors. He also suggested that the Board analyze the reaction and determine the feasibility of the program before the next election occurs. Comments indicated that this program was feasible. Discussion noted the attempts to obtain public feedback on this concept. Supervisor Smith explained his support for the Library and its concept. He also felt that the concept was a poor public policy decision due to the pitfalls he could perceive arising from the opponents to ballot questions. The majority of the responses from individuals whom he had solicited had opposed the concept. Supervisor Tatro indicated that he had also solicited comments which indicated that it would open the door for future problems. He used the 1996 Open Space ballot question as an example to illustrate this concern as both Board members and City staff had actively supported it. He questioned how the City Manager would have, without bias, been able to determine what was factual in that campaign literature. Another comment he had received was a suggestion to open the utility bills and sell the space for advertising. This would eliminate the need to control the content. Mayor Masayko indicated the process is a low cost method to spread information. He had not received any telephone calls but had received an "e-mail" from Mr. Cuccarro who was concerned about opening the door without proper controls. Mayor Masayko felt that the concept was a trial run. The Board could change the process if it is unacceptable. Future issues could also be addressed. He supported trying the approach. Other concepts could be agendaized and a decision made in the future.

(2-0014) Citizens for a Better Library Member Peggy Twedt explained the Utility Billing's current inserts. The concept is opening the door but only narrowly.

Mr. Lipparelli explained his discussions with Utility Operating Manager Tom Hoffert regarding the type of inserts which would be allowed to be added. The current contractor can only insert two documents into the bill. Who will decide which insert to add? Mr. Lipparelli's discussion with Ms. Twedt indicated that the City insert should have priority, however, it should be possible to provide adequate notice when a City insert will be added and the additions coordinated. The importance of this concern is created when there are more than two sides to an issue. Mayor Masayko felt that this issue could be addressed between elections. Mr. Hoffert then explained the City insertion requirements in October and November which could pose a problem for the future. Mayor Masayko reiterated his feeling that this issue could be addressed before the next election. Supervisor Plank suggested that a procedure be established requiring the submittal of an application similar to the Special Use Permit application. Board approval would be required. This would address the decision-making process. Mr. Berkich felt that the application should be submitted through his office. Mr. Lipparelli noted that the proposed resolution had not included having the Board approve the inserts before the mailing. Supervisor Smith pointed out the need for public policy to address as many concerns and horizons as can be found. The effort appears to be an attempt to "shoe horn" something into a resolution to facilitate one special interest group. This would be perception particularly if the Board withdraws/rewrites the concept after this election. Additional public comments were solicited but none given.

Supervisor Tatro moved to adopt Resolution No. 1998-R-62, A RESOLUTION TO ESTABLISH A POLICY FOR INSERTS IN CARSON CITY WATER AND SEWER UTILITY BILLS, as presented in the staff report with the addition of the following: 6. Each insert shall contain a statement that it is not paid nor endorsed by Carson City Board of Supervisors nor Carson City government; 7. Inserts may only be included in the Utility Bill if no conflict exists with Carson City Utility Department needs in its judgement to provide information to its customers, and 8. This resolution expires on December 31, 1998. Mayor Masayko seconded the motion. Supervisor Tatro indicated that his intent in No. 6 is to state that it is not paid for or endorsed by Carson City Government and that Carson City Board of Supervisors should be removed. No. 7 will give the Utilities Department priority to address its own needs and any constraints that may exist in disseminating the information for anyone else. Generally, the Department has a good planning window for any information which it needs to mail but there could be an instance where this is not possible. In such cases, the Department will still have priority. The Department needs to take care of its business first. No. 8 establishes an expiration date for the resolution. The sunset clause will force the Board to look at it before the next election if it is to happen again. This narrows the Board's intent even more as it indicates the Board's thought that the process is not the ultimate long-term policy. Other things which should be considered is the experience other governmental entities have encountered with the proposal. Mayor Masayko

indicated that Mr. Lipparelli had some information on this matter. Supervisor Tatro pointed out that the process will allow the Board to obtain information about Carson City's process, its residents, and their reaction to having something in its Utility Bills. Supervisor Smith iterated his concern for any group opposing the library ballot question who wishes to include something in the insert and the short amount of time for them to do so. Discussion between Supervisor Smith and Mr. Hoffert explained the next mailing cycle would commence on October 15. Additional discussion on the process indicated that the insert must be approved by the City Manager and presented to the Department on October 5 to meet this cycle deadline. The shortness of this timeframe was reiterated. Mayor Masayko indicated that the public had already had two weeks in which to indicate an intent to do so. Neither he nor the City Manager had received any notice. Supervisor Tatro explained a group called "CAVE" (Citizens Against Virtually Everything) but he did not know if they would submit an insert. Supervisor Plank questioned whether there is space in the bill due to previous comments. Mr. Hoffert indicated that two inserts could be added to the bill. Supervisor Plank felt that the most negative information on the insert would be the increase in the tax bill. Ms. Twedt explained that the insert included information regarding the impact passage of CC-1 would have on a \$100,000 home, which is an additional \$17.50 per year. The recipient could then determine the added cost for his/her home. This is a clearer indication of the financial impact than saying it is a five cent increase in the ad valorem taxes. The increase is against the assessed valuation. There is a difference between the assessed and appraised values. Ms. Twedt reiterated that the five cent increase would increase the taxes on a \$100,000 home by \$17.50. Supervisor Plank pointed out that this would be a subscription for the Consumer Digest. Mr. Sease explained the decision to provide only factual information as truthfully and honestly as possible. This will allow the residents to make the final decision as it is their money and their library. Mayor Masayko also noted that there would be no representations made indicating that the services will be cut, that the Library will cease to operate or reduce the current high quality of the service provided. Mr. Sease indicated that something will have to happen if the funding is not approved but that all efforts will continue to make do with the funds that are available. Additional public comments were solicited but none given.

The motion to adopt Resolution No. 1998-R-62 as amended was voted by roll call with the following result: Plank - Yes; Tatro - Yes; Smith - A quick analogy, I feel like I am stepping off the curb toward the puddle and I don't know whether the puddle is a quarter of an inch deep or two feet deep, so I am opting to walk around it, No; and Mayor Masayko - Since it is only going to last for three months and then will sunset, Yes. The motion carried 3-1.

Mayor Masayko indicated that Library had a chance to do it and that the Board would wait and see what happens. Supervisor Tatro indicated that the discussion clearly expressed the need to revisit the resolution. The process will allow them to go forward while staff gathers additional information so that a long-termed, informed policy can be developed. Next year's Board will have to decide what the long-term policy is. If the Board does not, the program will go away. In the event that between today and Monday, three requests for ballot inserts are submitted, he hoped that the City Manager will say that the two issues related to Question A should be included and not one from Question A and one from Question B. This is another issue which should be addressed if the program is revisited. Mayor Masayko also pointed out that future considerations could be from similar groups or the Utility Department could determine that revenue could be generated from the use. The program will have to be reconsidered at that time. A report from the Department as well as the users should be provided to the Board if and when reconsideration occurs.

B. ACTION TO APPOINT HEARING OFFICER PURSUANT TO CCMC 8.28.160 TO HEAR APPEALS OF DENIALS BY THE SHERIFF OF WORK PERMITS (2-0348) - Mayor Masayko explained that an appellant had requested that a hearing officer be appointed rather than to have the Board listen to his appeal. Mayor Masayko had contacted Justice of the Peace John Tatro who had agreed to serve for this case. His background was noted. Mayor Masayko also indicated that Judge Tatro could be appointed until Judge Tatro decides not to hear any more appeals. Supervisor Tatro moved to appoint Justice of the Peace John Tatro as the hearing officer to hear appeals of denials of work permits by the Sheriff. He then disclosed his relationship to Judge Tatro, that Judge Tatro would not receive any additional compensation for the additional duties, and that Supervisor Tatro did not feel that he had a conflict of interest with the appointment. Mayor Masayko indicated

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that he had asked Judge Tatro if there would be any additional compensation for the duties and had been informed that there would not. He thanked Judge Tatro for taking on the additional duties. Supervisor Smith seconded the motion. Motion carried 4-0.

There being no other matters for consideration, Supervisor Smith moved to adjourn. Mayor Masayko seconded the motion. Motion carried 4-0. Mayor Masayko adjourned the meeting at 3 p.m.

The Minutes of the October 1, 1998, Carson City Board of Supervisors meeting

ARE SO APPROVED ON _____ May 20 _____, 1999.

_____/s/_____
Ray Masayko, Mayor

ATTEST:

_____/s/_____
Alan Glover, Clerk-Recorder