

CARSON CITY BOARD OF SUPERVISORS
Minutes of the September 18, 1997, Meeting
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A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, September 18, 1997, 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
	Rod Banister	Sheriff
	Al Kramer	Treasurer
	Steve Kastens	Parks and Recreation Director
	John Iratcabal	Purchasing Director
	Dorothy Timian-Palmer	Utilities/Public Works Director
	Paul Lipparelli	Chief Deputy District Attorney
	Dave Merrill	Senior Water Engineer
	Katherine McLaughlin	Recording Secretary
	(B.O.S. 9/18/97 Tape 1-0001.5)	

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

CALL TO ORDER, ROLL CALL, INVOCATION, AND PLEDGE OF ALLEGIANCE - Mayor Masayko convened the meeting at 8:30 a.m. Roll call was taken. The entire Board was present constituting a quorum. Rev. Ben Fleming of the Silver Hills Community Church gave the Invocation. Mayor Masayko noted the passing of Comedian Red Skelton and asked the audience to participate with him in the Pledge of Allegiance in memory of Mr. Skelton's wonderful tribute on the Pledge.

CITIZEN COMMENTS - Chamber of Commerce Executive Vice President Larry Osborne invited the public to participate in the "Made in Carson" activities scheduled for September 27 from 8 a.m. to Noon. Its purpose and the activities were described. He thanked the Board for the Proclamation recognizing the importance of manufacturing to Carson City.

1. APPROVAL OF MINUTES - None.

LIQUOR AND ENTERTAINMENT BOARD (1-0061.5) - Mayor Masayko recessed the Board of Supervisors session and immediately reconvened the session as the Liquor and Entertainment Board. The entire Board, including Sheriff Banister, was present, constituting a quorum.

2. TREASURER - Al Kramer

A. ACTION ON AN ENTERTAINMENT PERMIT WITH WAIVER OF THE APPLICATION AND PERMIT FEES FOR THE NEVADA DAY COMMITTEE, LTD. - Nevada Day Committee General Chairperson Ed Blanchard indicated all of the necessary documents had been presented. Discussion indicated parade applications were available and had been mailed. Applications will be accepted until October 11. Member

Banister noted the favorable Sheriff's Departmental Report. Member Smith moved to approve the request for an Entertainment Permit with waiver of the \$100 application fee and the \$500 permit fee for the Nevada Day Committee, pursuant to CCMC 4.28.030 and 4.28.055. Member Tatro seconded the motion. Motion carried 6-0.

B. ACTION ON A FULL BAR LIQUOR LICENSE FOR HENRY H. WONG, PRESIDENT OF CARSON DEPOT, INC., DOING BUSINESS AS CARSON DEPOT RESTAURANT, BAR AND BREWERY (1-0095.5) - Chairperson Masayko noted the favorable Sheriff's Departmental Report. Henry Wong responded to Board questions about the location, his operation plans, and Nevada Liquor Laws. Member Plank moved to approve a full bar liquor license for Henry H. Wong, President of the Carson Depot, Inc., doing business as Carson Depot Restaurant, Bar and Brewery, CCMC 4.13.100, fiscal impact is \$200 per quarter plus \$1,000 New Fee plus a \$500 Investigation Fee. Member Bennett seconded the motion. Motion carried 6-0. Chairperson Masayko wished him success in his new venture.

C. ACTION ON A FULL BAR LIQUOR LICENSE FOR MICHAEL L. WILLIAMS, BOARD OF DIRECTORS MEMBER FOR CARSON CITY MUNICIPAL GOLF CORPORATION (1-0141.5) - Chairperson Masayko noted the favorable Sheriff's Departmental report. General Manager will be Mike Mageehee. Member Plank moved to approve a full bar liquor license for Michael L. Williams, Board of Directors member for Carson City Municipal Golf Corporation, CCMC 4.13.100, fiscal impact is \$200 per quarter plus \$1,000 New Fee plus \$500 Investigation Fee, funding source is the Business License Revenue. Member Smith seconded the motion. Motion carried 6-0. Chairperson Masayko wished them success with their new venture.

BOARD OF SUPERVISORS - There being no other matters for consideration as the Liquor and Entertainment Board, Chairperson Masayko recessed 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

A. TREASURER

- i. ACTION ON A CONTRACT WITH NORWEST BANK FOR REGISTRAR AND PAYING AGENT SERVICES FOR BOND OBLIGATIONS PREVIOUSLY HELD BY FIRST TRUST**
- ii. ACTION ON A CONTRACT WITH U.S. BANK FOR CUSTODIAL SERVICES FOR INVESTMENTS UNDER TREASURER'S CONTROL**
- iii. ACTION ON A CONTRACT FOR GENERAL BANKING AND LOCKBOX SERVICES WITH BANK OF AMERICA**
- iv. ACTION ON A SPECIAL EVENT SHORT-TERM BUSINESS PERMIT WITH WAIVER OF THE \$50 PER DAY PROMOTER FEE FOR MAINSTREET COUNCIL**
- v. ACTION ON A SPECIAL EVENT SHORT-TERM BUSINESS PERMIT WITH WAIVER OF THE \$50 PER DAY PROMOTER FEE FOR NEVADA HISPANIC SERVICES**
- vi. ACTION ON REINSTATEMENT OF REVOKED BUSINESS LICENSES**

B. PURCHASING DIRECTOR

- i. ACTION ON CONTRACT NO. 9697-118 - CARSON CITY SOUTH LIFT STATION RELOCATION, APPROVAL OF CHANGE ORDER NOS. 1 AND 2 AND REQUEST FOR ADDITIONAL CONTINGENCY**
- ii. ACTION ON CONTRACT NO. 9798-40 - JUNIOR SKI PROGRAM - RESORT (AWARD)**
- iii. ACTION ON CONTRACT NO. 9798-41 - JUNIOR SKI PROGRAM - TRANSPORTATION (AWARD)**
- iv. ACTION ON CONTRACT NO. 9798-072 - DISPOSAL OF SURPLUS PROPERTY**
- v. ACTION ON CONTRACT NO. 9798-094 - JOINDER CONTRACT WITH NEVADA STATE PURCHASING TO PURCHASE SLIP IN SANDER UNITS**
- vi. ACTION ON CONTRACT NO. 9798-47 - CEMETERY BACKHOE PURCHASE (AWARD)**

vii. ACTION ON CONTRACT NO. 9798-55 - 1997 SEWER EXTENSION ON GARNET WAY, EMPIRE RANCH ROAD, JOHN STREET/CURRY STREET (AWARD) (1-0184.5) - Treasurer Al Kramer pulled the contract with the Bank of America for discussion. Supervisor Tatro moved to approve the Consent Agenda as presented with the exception of the contract with the Bank of America which will be heard separately. Supervisor Bennett and Smith seconded the motion. Motion carried 5-0.

A. iii. (1-0203.5) - Mr. Kramer distributed and explained a new packet of information to the Board and Clerk. Discussion ensued on a recent theft of Cleveland municipal funds via electronic means/wire transfers. Mr. Kramer assured the Board that there were adequate safeguards in place to prohibit this occurrence in Carson City by explaining the City's process/controls. Supervisor Plank moved to recommend approval of the contract with the Bank of America for general banking and lockbox services, fiscal impact is \$3600 per month, funding source is \$2100 from investment earnings and \$1500 from Utilities. Supervisor Bennett seconded the motion. Motion carried 5-0.

4. TREASURER - Al Kramer - ACTION ON RESOLUTION AUTHORIZING THE FINANCE DIRECTOR TO ARRANGE FOR THE SALE OF THE CARSON CITY GENERAL OBLIGATION (LIMITED TAX) WATER BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES); AND PROVIDING OTHER DETAILS IN CONNECTION THEREWITH (1-0265.5) - Mr. Kramer's introduction explained the procedure for issuance of these bonds. Mayor Masayko opened the public hearing and requested public comments two times. None were made. Public testimony was closed. Mr. Kramer indicated the ordinance would be presented for first reading on October 16. Supervisor Tatro moved that the Board adopt Resolution No. 1997-R-36, A RESOLUTION AUTHORIZING THE FINANCE DIRECTOR TO ARRANGE FOR THE SALE OF THE CARSON CITY GENERAL OBLIGATION (LIMITED TAX) WATER BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES); AND PROVIDING OTHER DETAILS IN CONNECTION THEREWITH, fiscal impact is not to exceed \$1.82 million plus interest. Supervisor Bennett seconded the motion. Motion carried 5-0. Mr. Kramer noted that the bonds would be repaid from water revenues and not with ad valorem monies. Mayor Masayko indicated the funds were for the acquisition of the Silver Saddle water rights.

5. COMMUNITY DEVELOPMENT DIRECTOR - Walter Sullivan

A. ACTION TO REFER BACK TO THE PLANNING COMMISSION AND TO DEFER UNTIL JANUARY 1998 FIRST READING OF AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE, TITLE 18 (ZONING ORDINANCE), BY ADDING CHAPTER 18.40 (COMMERCIAL DESIGN GUIDELINES), ESTABLISHING GUIDELINES AND A PROCESS FOR REVIEWING AND APPROVING DESIGN OF BUILDINGS AND SITES IN COMMERCIAL ZONING DISTRICT, SPECIFICALLY, SECTION 18.40.010 (TITLE AND PURPOSE), SECTION 18.40.020 (DEFINITIONS), SECTION 18.40.030 (APPLICABILITY OF CHAPTER), SECTION 18.40.040 (HEARING EXAMINER), SECTION 18.40.050 (APPLICATIONS FOR PROPOSED WORK), SECTION 18.40.060 (DECISIONS AND FINDINGS ON APPLICATIONS), SECTION 18.40.070 (REQUIREMENTS FOR SIGNIFICANT STRUCTURES AND STRUCTURES OVER FIFTY <50> YEARS OLD), SECTION 18.40.080 (REQUIREMENTS FOR IMPROVEMENTS IN PUBLIC SPACE), SECTION 18.40.090 (APPEALS), AND OTHER MATTERS PROPERLY RELATED THERETO (1-0328.5) - Discussion between the Board and staff noted the need for the workshops. Supervisor Bennett explained her concerns and urged staff to move forward as quickly as possible. She recognized the high standards some of the local builders had put into their projects but felt that some others needed to follow accepted standards as established within the Code. The need for these standards was stressed. The workshops will be open to the public. Both Chamber of Commerce Executive Vice President Larry Osborne and Builders Association Executive Director Gayle Farley urged the Board to conduct the public hearings and allow input into the process. Both expressed a desire to work with the City on the guidelines. Mr. Osborne urged the Board to avoid establishing a mandated deadline for completion of the guidelines and standards. Supervisor Smith moved that the Board of Supervisors defer action on this item, A-97/98-2, and refer this item back to the Regional Planning Commission and that during the interim staff will initiate discussions which will be held with all parties to establish written guidelines and procedures.

Supervisor Plank seconded the motion. Supervisor Smith explained that he had deliberately left out the timeframe for action by the Planning Commission so that flexibility could be granted on the completion date. The intent is to be reasonable and not drag the process out. Supervisor Plank indicated that he had understood this when he made his second. The motion was voted and carried 5-0. (Supervisor Smith then stepped from the room--9:06 a.m. A quorum was still present.)

B. ORDINANCE - FIRST READING

i. ACTION ON Z-97/98-3 - AN ORDINANCE EFFECTING A CHANGE OF LAND USE DISTRICT ON ASSESSOR'S PARCEL NUMBERS 4-201-01, 02, 03, FROM DOWNTOWN COMMERCIAL (DC) TO PUBLIC (P) ON APPROXIMATELY 28,900 SQUARE FEET OF LAND, LOCATED AT 201 NORTH CARSON STREET, APN'S 4-201-01, 02, 03, IN CARSON CITY, NEVADA (1-0525.5) - Supervisor Tatro moved to introduce on first reading Bill No. 154, AN ORDINANCE EFFECTING A CHANGE OF LAND USE DISTRICT ON ASSESSOR'S PARCEL NUMBERS 4-201-01, 02, 03, FROM DOWNTOWN COMMERCIAL (DC) TO PUBLIC (P) ON APPROXIMATELY 28,900 SQUARE FEET OF LAND, LOCATED AT 201 NORTH CARSON STREET, APN'S 4-201-01, 02, 03, IN CARSON CITY, NEVADA. Supervisor Bennett seconded the motion. (Supervisor Smith returned at 9:07 a.m. A quorum was present as noted.) Motion was voted and carried 4-0-1 with Supervisor Smith abstaining.

ii. ACTION ON Z-97/98-5 - AN ORDINANCE EFFECTING A CHANGE OF LAND USE ON APPROXIMATELY 17.1 ACRES FROM CONSERVATION RESERVE (CR) INTO SINGLE FAMILY FIVE ACRE (SF5A) ON PROPERTY LOCATED AT 7111 HIGHWAY 50 WEST, CARSON CITY, NEVADA, ASSESSOR'S PARCEL NUMBER 7-051-58, AND OTHER MATTERS PROPERLY RELATED THERETO (1-0557.5) - Senior Planner Juan Guzman - Discussion between the Board and staff corrected the location to be on West Highway 50 and indicated that the site would have to comply with both the hillside and skyline ordinances. A second access to this remote area will be provided when this area is developed. These issues should not be considered in the deliberations. Mr. Guzman encouraged the Board to restrict the decision making process to the issues related to the current and surrounding uses. The parcel should have been included with the other change of land use applications on contiguous five acre parcels. Supervisor Tatro moved to introduce on first reading Bill No. 155, AN ORDINANCE EFFECTING A CHANGE OF LAND USE ON APPROXIMATELY 17.1 ACRES FROM CONSERVATION RESERVE (CR) INTO SINGLE FAMILY FIVE ACRE (SF5A) ON PROPERTY LOCATED AT 7111 HIGHWAY 50 WEST, CARSON CITY, NEVADA, ASSESSOR'S PARCEL NUMBER 7-051-58, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Bennett seconded the motion. Motion carried 5-0.

iii. ACTION ON A-97/98-5 - AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 18 (ZONING), SPECIFICALLY SECTION 18.06.255 (RETAIL COMMERCIAL ZONING DISTRICT PRIMARY PERMITTED USE) TO INCLUDE BODY PIERCING AND OTHER MATTERS PROPERLY RELATED THERETO (1-0673.5) - Senior Planner Juan Guzman, Health Director Darin Winkelman - Mr. Winkelman explained that the health ordinance regulating tatooning and body piercing had been separated from the zoning issue at the request of a Mr. Nixdorf. That ordinance will be considered at a future meeting. It will include a requirement to obtain a permit for these services as well as enforcement procedures. Public comments were solicited but none given. Supervisor Bennett commended Mr. Nixdorf on his analysis of this issue and work to resolve any potential problems and staff for working with him on the proposal. Supervisor Bennett moved to introduce Bill No. 156 on first reading, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 18 (ZONING), SPECIFICALLY SECTION 18.06.255 (RETAIL COMMERCIAL ZONING DISTRICT PRIMARY PERMITTED USE) TO INCLUDE BODY PIERCING AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Tatro seconded the motion. Motion carried 5-0.

iv. ACTION ON A-97/98-3 - AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 18 (ZONING), SPECIFICALLY, SECTIONS 18.06.247 (NEIGHBORHOOD

BUSINESS CONDITIONAL USES) 18.06.257 (RETAIL COMMERCIAL CONDITIONAL USES) AND 18.06.268 (GENERAL COMMERCIAL CONDITIONAL USES) TO INCLUDE ADULT DAY CARE FACILITY, AND OTHER MATTERS PROPERLY RELATED THERETO, AND v. ACTION ON A-97/98-4 - AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 18 (ZONING), SPECIFICALLY CHAPTER 18.06 (DEFINITIONS) AMENDED TO ADD SECTION 18.03.044, ADULT DAY CARE FACILITY, AND OTHER MATTERS PROPERLY RELATED THERETO (1-0762.5) - Discussion noted the proposed use was not allowed under the current Code and that the ordinance did not include a requirement mandating a set amount of space between facilities. Louise Lightner explained her experience in this field and plans for a facility in Carson City. Mayor Masayko commended her for taking the initiative to bring the matter forward. Ms. Lightner explained that contact by residents supported the proposal and the need for the facility. Supervisor Smith moved to introduce Bill No. 157, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 18 (ZONING), SPECIFICALLY, SECTIONS 18.06.247 (NEIGHBORHOOD BUSINESS CONDITIONAL USES) 18.06.257 (RETAIL COMMERCIAL CONDITIONAL USES) AND 18.06.268 (GENERAL COMMERCIAL CONDITIONAL USES) TO INCLUDE ADULT DAY CARE FACILITY, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Tatro seconded the motion. Motion carried 5-0.

Supervisor Tatro moved to introduce Bill No. 158, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 18 (ZONING), SPECIFICALLY CHAPTER 18.06 (DEFINITIONS) AMENDED TO ADD SECTION 18.03.044, ADULT DAY CARE FACILITY, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Bennett and Plank seconded the motion. Motion carried 5-0.

6. PUBLIC WORKS/UTILITIES DIRECTOR - Deputy Utilities Director Jay Ahrens

A. ORDINANCE - SECOND READING - ACTION ON BILL NO. 152 - AN ORDINANCE ADDING SECTION 2.14.030 (CITY HEALTH OFFICER DUTIES) OF CHAPTER 2.14 OF THE CARSON CITY MUNICIPAL CODE TO DEFINE HIS DUTIES AND OBLIGATIONS TO THE CARSON CITY HEALTH DEPARTMENT (1-0898.5) - Health Officer Darin Winkelman - Supervisor Tatro moved to adopt Ordinance No. 1997-53, Bill No. 152 on second reading, AN ORDINANCE ADDING SECTION 2.14.030 (CITY HEALTH OFFICER DUTIES) OF CHAPTER 2.14 OF THE CARSON CITY MUNICIPAL CODE TO DEFINE HIS DUTIES AND OBLIGATIONS TO THE CARSON CITY HEALTH DEPARTMENT. Supervisor Plank seconded the motion. Motion carried 5-0.

B. ACTION ON A REQUEST FOR APPROVAL OF A SIXTY DAY EXTENSION, FROM JANUARY 31, 1998 TO MARCH 30, 1998, FOR THE WAIVING OF SEWER CONNECTION FEES IN DESIGNATED AREAS WITHIN NEW EMPIRE, DUE TO THE CONTAMINATION OF GROUNDWATER, FOR THOSE INDIVIDUALS WHO MAY QUALIFY FOR ADDITIONAL MONETARY CONNECTION ASSISTANCE UNDER 1997 INCOME LIMITS (1-0925.5) - Pete Bachstadt - The extension request was based on the need for federal tax information to substantiate the applicant's qualification for the low income funding. Supervisor Plank recommended extending the deadline to either April 15 or May 1. All of the CDBG monies used for the program had been spent. A majority of the \$100,000 allocated from the General Fund had also been spent. There is still \$50,000 under the wellhead protection fund which could be used. The program had been successful. The connection fees were waived/absorbed by Water Utilities. The connection fee was used as a matching fund for obtaining the CDBG grants. Staff had been placing door hangers on doors of all the individuals within the district who had not yet connected and was working with those individuals. Mr. Ahrens estimated this number of individuals to be 100. Supervisor Plank commended Mike Garcia on his willingness to work with these individuals. Mr. Ahrens indicated that Mr. Garcia has been working on Saturdays/after work hours to assist the residents. He was unsure of the actual number of hookups, however, felt it was approximately 300.

Mr. Bachstadt urged the Board to allow low income tenants to receive the same funding. He felt that it was unfair to allow some individuals to have the waiver and not others. He felt that some of the units which had received the

waiver had been occupied by tenants. It is a community health problem and everyone should receive the same treatment. The public had paid for the water and sewer utilities. He questioned the penalty if the units are not connected at the end of the mandated connection period. Mr. Berkich explained the criteria approved by the Board for the grant program. Rentals are considered commercial ventures. The owner of such rentals has the ability to recoup the costs. Single family residents do not have this ability. Limited funding was provided. He hoped that by working with the property owners voluntary compliance would occur. Supervisor Plank felt that a tenant occupied home had been connected and that the fees had been waived. He had not been aware of a septic failure at the property. Mr. Ahrens explained that the connection fee had been waived for all properties within the mandatory areas in an amount equal to the fee for one single family home. Commercial properties also received the waiver of the same fee amount--\$2226. Mr. Bachstadt had received the same waiver, however, would be assessed for one-and-a-half connection fees for the other three mobile home units on the parcel. The reasons for the reduced fee for mobile homes were explained. The grant is different. Discussion noted that no action could be taken on Mr. Bachstadt's request as it was not agendaized for consideration/action. Comments also indicated that failure to connect during the mandatory timeframe may result in a citation from the Utility Department and briefly noted the legal process resolution of the citation would require. This was due to the State Health Department's mandated requirement that the sewer extension and connections be made. Staff felt that the present deadline for connecting was January 31, 1999, and that the fee waiver deadline currently is January 31, 1998.

Mr. Bachstadt indicated he was not asking for funding but merely wanted the City to allow him to work at his own pace. He elaborated on his feeling that he as a member of the public owned the sewer system and should not be required to pay to connect to it. Mayor Masayko indicated his point is a matter of philosophy and that the individuals connected to the system are the ones who have paid for the expansion and facilities. Mr. Bachstadt felt that the water bill would increase substantially if connected to the sewer system. This is where the funds were found for the capital improvements. Mr. Ahrens indicated that the sewer mains extended to Mr. Bachstadt's property had been paid for by the connection fees. Mayor Masayko reiterated his comments concerning his philosophy on the use and expansion of facilities.

Supervisor Plank moved to approve a 90 day extension from January 31, 1998, to April 30, 1998, for the waiving of the sewer connection fees in the designated areas within New Empire due to the contamination of the groundwater for those individuals who may qualify for additional monetary connection assistance under the 1997 income limits; fiscal impact is none; funding source is none. Supervisor Tatro seconded the motion. Motion carried 5-0.

Supervisor Smith expressed his willingness to consider Mr. Bachstadt's philosophy. He understood the program and its criteria. Reconsideration could assist with educating the public and others about the program. The process would be open for other public comments on the program.

C. ACTION ON A DEVELOPMENT AGREEMENT RELEASE AND CANCELLATION FOR MILLS PARK CENTER, LLC, APNS 2-442-004 AND 2-442-05, LOCATED AT 1410 AND 1442 EAST WILLIAMS STREET FOR WATER MAIN REPLACEMENT (1-1432.5) - All of the requirements included in the Development Agreement have been completed. Board discussion indicated that future Development Agreement Releases should be placed on the Consent Agenda. Mayor Masayko noted the commercial business owners/operators concerns when the water had been turned off. He urged staff to work with these individuals in the future to the best of our ability. Mr. Ahrens noted that this would be difficult as the contractor had been hired by the developer but that he would attempt to do so. Revisions to the "shut down policy" were noted. Highway 50 is a special circumstance as there are no "shut off valves" on the line. City policy restricts line closures except in the case of an emergency. Mayor Masayko suggested that all criteria including additional fees and shut down restrictions be made known to the contractor/developer when the permit is requested. Supervisor Tatro moved to approve the cancellation of the Development Agreement between Carson City and Mills Park Center, LLC, regarding participation in the Water Main Replacement at 1441 and 1442 East William Street, APNs 2-442-04 and 2-442-05, and authorize the Mayor to sign the Formal Release and Cancellation. Supervisor Smith seconded the motion. Motion carried 5-0.

BREAK: A ten minute recess was declared at 10:11 a.m. The entire Board was present when the meeting was reconvened at 10:21 a.m., constituting a quorum.

9. BOARD OF SUPERVISORS - NON-ACTION ITEMS

B. STAFF COMMENTS AND STATUS REPORTS (1-1575.5) - Mr. Berkich described the status of the golf course under the Corporation's operation and the downturn in play. The gross revenue figures, however, are up due to the increase in fees and the gross generated at the pro shop and restaurant. Labor costs had been reduced substantially in spite of the increase in the number of employees for these functions. Regular monthly financial reports should be available soon. Mayor Masayko indicated that the financial reports as well as the audit reports should be made public due to the need to have the Corporation be responsive to the public. Mr. Lipparelli indicated he had been contacted by an individual indicating that BLM was holding Carson City's procedure up as an example on how to do the process and a Clark County course as an example on how not to do it. Mr. Berkich then reported on his recent attendance at the International City/County Managers Association meeting in Vancouver and its transportation system. Tapes are available from the seminar.

7. PERSONNEL - Judie Fisher - ACTION ON APPOINTMENT OF FOUR VACANCIES TO THE AIRPORT AUTHORITY (1-1778.5) - Applicants (1-1810.5) Wendall Alcorn, (1-1928.5) Robert Talley, (1-2172.5) Steve Melsheimer, and David Corrao were interviewed. Mayor Masayko thanked each for applying. The Airport Authority had reviewed the applications. Authority Member Steve Tackes was present. Mr. Lipparelli explained the restrictions on the citizen-at-large appointees. These individuals are not required to be Carson City residents. Other categories require the individuals to own a business in Carson City. Ms. Fisher distributed "Bill" Newton Freeman's letter to the Board and Clerk. The packet included letters from Messrs. Robert Blank and Ray Graber. The citizen-at-large's appointee will complete George Week's term which terminates in 10/99. Authority Member Wallace's position fulfills the requirement for the citizen-at-large to have a plane located at the airport. Discussion indicated Mr. Corrao has a hangar, however, it is for his personal use and not for business use. He does not meet the requirements for an FBO nor an industrial manufacturer. Mr. Graber is a partner in Eagle Valley Fuel which qualifies him as an FBO at the airport. Supervisor Smith moved to appoint Ray Graber as the representative from the Fixed Base Operator category to the Airport Authority and the correlating term which goes along with the category. Supervisor Plank seconded the motion. Motion carried 5-0.

Supervisor Plank moved to appoint Tim Homann, Deputy Director of Public Works, to fill the City Official vacancy on the Carson City Airport Authority, whose term begins in October 1997. Mayor Masayko thanked Supervisor Plank for contacting and discussing the appointment with Mr. Homann. Supervisor Plank explained his contact with Mr. Homann. Supervisor Smith seconded the motion. Motion carried 5-0.

Discussion ensued on the applications for the industrial category. Supervisor Smith moved that the Board of Supervisors appoint Steve Melsheimer to the industrial category of the Airport Authority and the correlating term that goes along with it. Supervisor Plank seconded the motion. Motion carried 5-0. Mayor Masayko indicated his personal knowledge of Mr. Blank and expressed the Board's appreciation of his willingness to step forward and volunteer to serve. This category has been difficult to fill in the past.

Discussion then noted the caliber of the applicants for the citizen-at-large. The Board then listed his/her number one candidate for this position and reasons for selecting that individual. Supervisor Tatro moved that the Board appoint Wendall Alcorn to the Carson City Airport Authority for the Citizen-at-Large seat for a four year term. Supervisor Bennett seconded the motion. Following a request for an amendment, Supervisor Tatro corrected his motion to be for a term ending in October 1999. Supervisor Bennett seconded the motion. Motion carried 5-0. Mayor Masayko reiterated his comments commending the applicants for applying and welcoming the new appointees. The appointments had been a difficult decisions to make. Ms. Fisher thanked the news media for its assistance in advertising the vacancies. Mayor Masayko elaborated on the media coverage and thanked them for their support.

8. CITY MANAGER - Deputy Utilities Director Jay Ahrens

A. ACTION ON A RESOLUTION TO ADOPT A POLICY TO BE USED BY CITY DEPARTMENTS FOR THE RELEASE OF SECURITIES POSTED BY DEVELOPERS TO SECURE THE CONSTRUCTION OF MANDATORY IMPROVEMENTS TO PROPERTY (1-3295.5) - Mr. Ahrens explained the revisions to the partial release plan which been included in the packet. The revision was distributed to the Board and Clerk. Discussion between the Board and Mr. Ahrens indicated that extra amenities would have to be included within the motion approving the project as a condition of or requirement on the project. Mr. Lipparelli pointed out that the ordinance revision, which is the following item, indicates that the securities will be based only on Code requirements. The ordinance does not require any security to meet any stipulations not a part of the Code. Mr. Lipparelli did not feel that the discussions with the developers had included the stipulations in the security requirements. He suggested that if the Board wished to do this, the ordinance be amended at a future meeting to permit requiring security for the stipulations or to modify the Code to mandate the amenities. Supervisor Bennett felt that many of the local developers had been voluntarily going a step beyond the Code and by doing so had been protecting the citizens' interest. Discussion indicated that the Code requirements include screening, landscaping, fencing, etc., and that bonding could be required for these items. Supervisor Bennett voiced her concern about the need to codify all the different amenities as it could become a burdensome enforcement problem. She felt certain that there should be another method by which the Board could require such amenities and the security for same without modifying the Code in the interest of protecting the public's interest. Supervisor Tatro felt that this issue should be addressed during a future meeting. Mr. Lipparelli then explained the use of an engineer's estimate to establish the security amount and that such amenities may not be included in the engineer's estimate. Items included under the ordinance were described. Security(ies) could be required for another amenities if those amenities are the basis on which the project had received approval. An ordinance enabling staff to mandate security(ies) for such amenities should be considered at a future meeting. Builders Association Executive Director Gayle Farley indicated the Association had worked with the staff on the resolution and supported the proposal. Supervisor Smith moved to adopt Resolution No. 1997-R-37, A RESOLUTION TO ADOPT A POLICY TO BE USED BY CITY DEPARTMENTS FOR THE RELEASE OF SECURITIES POSTED BY DEVELOPERS TO SECURE THE CONSTRUCTION OF MANDATORY IMPROVEMENTS TO PROPERTY and that the Resolution is to include the new information regarding the partial release of securities which had been distributed during the meeting. Supervisor Tatro seconded the motion. Motion carried 5-0.

B. ORDINANCE - SECOND READING - ACTION ON BILL NO. 153 - AN ORDINANCE AMENDING CHAPTER 17.28 OF THE CARSON CITY MUNICIPAL CODE TO ADD PROVISIONS FOR THE USE OF VARIOUS FINANCIAL INSTRUMENTS AND MEANS AS SECURITY FOR MANDATORY IMPROVEMENTS TO PROPERTY AND OTHER MATTERS PROPERLY RELATED THERETO (2-0225.5) - Mr. Lipparelli indicated the changes authorized during the first reading had been incorporated within the ordinance. Supervisor Bennett moved to adopt Ordinance No. 1997-54 on second reading, AN ORDINANCE AMENDING CHAPTER 17.28 OF THE CARSON CITY MUNICIPAL CODE TO ADD PROVISIONS FOR THE USE OF VARIOUS FINANCIAL INSTRUMENTS AND MEANS AS SECURITY FOR MANDATORY IMPROVEMENTS TO PROPERTY AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Plank seconded the motion. Motion carried 5-0.

9. A. INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (2-0262.5) - Supervisor Tatro reported on the Convention and Visitors Bureau goal setting workshop. The pros and cons of having the Bureau actively participate in the development of better hotel amenities were explored. These issues included the perceived conflict of interest between the individuals serving on the Bureau's board and recruitment procedures which are attempting to develop "better hotels". Supervisor Bennett did not have a report. Supervisor Smith announced the Subconservancy's workshop scheduled on September 19 at 7 a.m. in the Sierra Room and invited the public to attend. The Regional Transportation Commission meeting will be held on September 24 at 1:30 p.m. at the Capitol Conference Room. Supervisor Plank reported on the Parks and Recreation meetings and announced George Chapman's resignation. He then reported on the Northern Nevada Railway Foundation and its fundraising activities. The Senior Citizens Center meeting had been postponed until next week. Mayor Masayko

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indicated NACO's annual convention would be held next week in Elko and that he, Supervisor Smith, and Mr. Berkich would be attending it. He announced that NACO's annual convention for 1998 or 99 would be in Carson City. He felt certain that information from the convention would be brought back and shared with the other Board members. He then reported on TRIAD and expressed the Committee's pleasure at having had the Fire Department join the program. The need for funding was noted and will be the Committee's first challenge. TRIAD programs were described. Supervisor Bennett felt that some of the program should be under the "healthy community program". Mayor Masayko felt that the Hospital had not been actively participating and invited it to participate. Supervisor Bennett requested additional information so that she could discuss it with the Hospital Board/Administrator. Mayor Masayko agreed to furnish the information.

There being no other matters for consideration, Supervisor Tatro moved to adjourn. Mayor Masayko seconded the motion. Motion carried unanimously and Mayor Masayko adjourned the meeting at 12:25 p.m.

The Minutes of the September 18, 1997, Carson City Board of Supervisors meeting

ARE SO APPROVED ON__January_8__,

1998.

/s/

Ray Masayko, Mayor

ATTEST:

/s/
Alan Glover, Clerk-Recorder