

the proclamation to her.

D. ACTION ON A PROCLAMATION FOR "CARSON TAHOE HOSPITAL WOMEN AND CHILDREN'S CENTER WEEKEND", OCTOBER 17-19, 1997 (1-0155.5) - Supervisor Bennett encouraged the Board to visit the Center, read the Proclamation into the record and moved to accept same. Supervisors Smith and Tatro seconded the motion. Motion carried 5-0. Mayor Masayko announced the ceremony scheduled for October 17 at the Center.

OTHER MATTERS (1-0205.5) - Supervisor Tatro reminded the Board that October is also "National Purchasing Month". He then explained the reasons Purchasing Director Iratcabal had not presented/requested a proclamation and requested a moment of silence and concern for Mr. Iratcabal. Mayor Masayko directed Mr. Berkich to include the proclamation on the next agenda.

3. CONSENT AGENDA (1-0228.5)

A. TREASURER

- i. ACTION ON TREASURER'S REPORT FOR THE MONTH OF AUGUST 1997**
- ii. ACTION ON REINSTATEMENT OF REVOKED BUSINESS LICENSES**
- iii. ACTION ON A SPECIAL EVENT SHORT-TERM BUSINESS PERMIT WITH WAIVER OF THE \$50 PER DAY PROMOTER FEE FOR SEELIGER SCHOOL PTA**
- iv. ACTION ON A SPECIAL EVENT SHORT-TERM BUSINESS PERMIT WITH WAIVER OF THE \$50 PER DAY PROMOTER FEE FOR THE CARSON CITY HIGH SCHOOL PTA**
- v. ACTION ON A SPECIAL EVENT SHORT-TERM BUSINESS PERMIT WITH WAIVER OF THE \$50 PER DAY PROMOTER FEE FOR THE BUILDER'S ASSOCIATION OF WESTERN NEVADA**

B. PURCHASING DIRECTOR

- i. ACTION ON CONTRACT NO. 9798-005 - REQUEST FOR CONTRACT APPROVAL - SLUDGE DEWATERING CENTRIFUGES**
- ii. ACTION ON CONTRACT NO. 9697-231 - LAKEVIEW WATER TANK INTERIOR RECOATING (APPROVAL OF CHANGE ORDER NO. 3 AND REQUEST FOR FINAL PAYMENT)**
- iii. ACTION ON CONTRACT NO. 9798-65 - LED TRAFFIC SIGNAL MODULE/KITS (AWARD)**
- iv. ACTION ON CONTRACT NO. 9798-87 - 1997 EXTENSION PROJECT - GREGG STREET (AWARD)**
- v. ACTION ON CONTRACT NO. 9697-228 - ASH CANYON ROAD CONSTRUCTION (APPROVAL OF CHANGE ORDERS AND REQUEST FOR FINAL PAYMENT)**
- vi. ACTION ON CONTRACT NO. 9798-108 - REQUEST FOR CONTRACT APPROVAL - BUILDING PERMITS FIELD SYSTEM PURCHASE**
- v. ACTION ON CONTRACT NO. 9798-26 - 1997-98 STREET OVERLAY PROJECT (AWARD)**
- viii. ACTION ON CONTRACT NO. 9798-95 - MINNESOTA STREET STORM DRAIN PROJECT (AWARD)**

C. UTILITIES AND PUBLIC WORKS DIRECTOR

- i. ACTION ON A DEVELOPMENT AGREEMENT RELEASE AND CANCELLATION FOR SILVER OAK DEVELOPMENT COMPANY, A LIMITED PARTNERSHIP, FOR SEWER MAIN PARTICIPATION LOCATED ADJACENT TO WEST COLLEGE PARKWAY**
- ii. ACTION ON A DEVELOPMENT AGREEMENT RELEASE AND CANCELLATION FOR GRANITE CONSTRUCTION COMPANY, APN 8-521-68, LOCATED AT 5855 SHEEP DRIVE FOR SEWER MAIN PARTICIPATION** - Mayor Masayko indicated Contract 9798-95 had been removed from the Agenda. None of the other items were pulled. Supervisor Tatro moved that the Board approve the Consent Agenda as presented with deletion of Contract 9798-95, Minnesota Street Storm Drain Project, and that all of the other items were to remain. Supervisor Plank seconded the motion. Motion carried 5-0.

4. SHERIFF - Rod Banister - ORDINANCE - SECOND READING - ACTION ON BILL NO. 151 - AN ORDINANCE REPLACING EXISTING CHAPTER 8.28 GOVERNING WORK PERMITS TO COMPLY WITH STATE LAW; ADDS LOCKSMITHS AND SAFE MECHANICS TO WORK PERMIT REQUIREMENTS; DELETES THE WORK PERMIT REQUIREMENTS FOR PERSONS WHO SERVE ALCOHOLIC BEVERAGES ON PREMISES WHEREIN OR WHEREON GAMING IS DONE; PROHIBITS EMPLOYERS FROM ALLOWING PERSONS TO WORK WITHOUT PERMITS; PROLONGS EXPIRATION OF MOST WORK PERMITS FROM 1 YEAR TO 3 YEARS; REQUIRES FINGERPRINTING EVERY 6 YEARS; CHANGES PERMIT FEE FROM FIXED AMOUNT TO SERVICE CHARGE; ADDS SERVICE CHARGE FOR CHILD CARE WORKERS; SETS FORTH GROUNDS FOR DENIAL OR REVOCATION OF WORK PERMITS; ALLOWS FOR SUSPENSION, LIMITATION OR CONDITIONING OF WORK PERMIT; PROVIDES FOR HEARING OFFICER ON APPEALS; GOVERNS CARRYING OF WORK PERMIT; PROHIBITS CARRYING OF CONCEALED WEAPON EXCEPT AS ALLOWED BY LAW; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO (1-0262.5) - Discussion noted the extensive packet of information provided to the Board. The proposed ordinance will be easier to enforce and is easier to understand. Supervisor Tatro explained that the licensing of childcare workers is mandated by Statute. Mayor Masayko also indicated that the City fees would be waived for the childcare workers. The CII and FBI fees could not be waived. Sheriff Banister commended Former Undersheriff Barney Diehl for his work on this ordinance. Mayor Masayko also noted Former Undersheriff Diehl's dedication and efforts at the Sheriff's Department. Discussion indicated adult daycare services had not been discussed/considered. Sheriff Banister felt that it would be good idea to also license these care providers. Sheriff Banister was encouraged to modify the ordinance for this inclusion. Supervisor Smith moved that the Board of Supervisors adopt Ordinance No. 1997-55, Bill No. 151, on second reading, AN ORDINANCE REPLACING EXISTING CHAPTER 8.28 GOVERNING WORK PERMITS TO COMPLY WITH STATE LAW; ADDS LOCKSMITHS AND SAFE MECHANICS TO WORK PERMIT REQUIREMENTS; DELETES THE WORK PERMIT REQUIREMENTS FOR PERSONS WHO SERVE ALCOHOLIC BEVERAGES ON PREMISES WHEREIN OR WHEREON GAMING IS DONE; PROHIBITS EMPLOYERS FROM ALLOWING PERSONS TO WORK WITHOUT PERMITS; PROLONGS EXPIRATION OF MOST WORK PERMITS FROM 1 YEAR TO 3 YEARS; REQUIRES FINGERPRINTING EVERY 6 YEARS; CHANGES PERMIT FEE FROM FIXED AMOUNT TO SERVICE CHARGE; ADDS SERVICE CHARGE FOR CHILD CARE WORKERS; SETS FORTH GROUNDS FOR DENIAL OR REVOCATION OF WORK PERMITS; ALLOWS FOR SUSPENSION, LIMITATION OR CONDITIONING OF WORK PERMIT; PROVIDES FOR HEARING OFFICER ON APPEALS; GOVERNS CARRYING OF WORK PERMIT; PROHIBITS CARRYING OF CONCEALED WEAPON EXCEPT AS ALLOWED BY LAW; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Bennett seconded the motion. Motion carried 5-0.

5. COMMUNITY DEVELOPMENT DIRECTOR - Walter Sullivan

A. ACTION REGARDING THE ACCEPTANCE OF DEDICATION OF ASSESSOR'S PARCEL NO. 8-541-68 FROM STANTON PARK DEVELOPMENT COMPANY TO CARSON CITY FOR A .38 ACRE PARCEL OF LAND FOR OPEN SPACE PURPOSES LOCATED AT THE NORTHEAST PORTION OF THE CARSON RIVER IMMEDIATELY SOUTH OF MORGAN MILL ROAD, SUBJECT TO ONE CONDITION OF APPROVAL (1-0353.5) - The Planning Commission had conditioned the dedication to mandate that the dedication be signed by Stanton Park. This condition has been met, therefore, Mr. Sullivan recommended removal of the condition. The parcel had been overlooked in the River deed transfers approved previously by the Board. Reasons for using the dedication process rather than parcel map amendments were noted. Supervisor Bennett moved that the Board of Supervisors accept the dedication of Assessor's Parcel No. 8-541-68 from Stanton Park Development Company to Carson City for a .38 acre parcel of land for open space purposes, located at the northeast portion of the Carson River immediately south of Morgan Mill Road, subject to one condition of approval. Supervisor Plank seconded the motion. Motion carried 5-0.

B. ORDINANCES - SECOND READING

i. ACTION ON 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 (1-0412.5) - Supervisor Tatro moved to adopt on second reading Bill No. 154, Ordinance 1997-56, 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. Motion carried 5-0.

ii. ACTION ON 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 (1-0438.5) - Supervisor Bennett moved that the Board of Supervisors adopt Ordinance No. 1997-57, Bill No. 155 on second reading, 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 Tatro seconded the motion. Motion carried 5-0.

iii. ACTION ON BILL NO. 156 - 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 (1-0475.5) - Supervisor Bennett moved that the Board of Supervisors adopt Ordinance No. 1997-58, Bill No. 156 on second 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 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 (1-0497.5) - Supervisor Tatro moved to adopt on second reading Bill No. 157, Ordinance No. 1997-59, 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 Plank seconded the motion. Motion carried 5-0.

v. ACTION ON 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 (1-0526.5) - Supervisor Plank moved that the Board of Supervisors adopt on second reading Bill No. 158, Ordinance No. 1997-60, 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 Tatro seconded the motion. Motion carried 5-0.

6. PUBLIC WORKS/UTILITIES DIRECTOR - Dorothy Timian-Palmer

A. ACTION ON POLICY LIMITING MANDATORY SEWER CONNECTION GRANTS IN THE NEW EMPIRE AND SOUTHEAST CARSON CITY AREAS TO OWNER OCCUPIED HOMES AND THE WAIVER OF THE SEWER CONNECTION FEES UP TO A MAXIMUM OF \$2,226 FOR ANY PARCEL REQUIRED TO CONNECT TO CITY SEWER WITHIN THE MANDATORY SEWER CONNECTION AREAS OF NEW EMPIRE AND SOUTHEAST CARSON CITY (1-0554.5) - Discussion between the Board and staff explained the waiver of the equivalent resident connection (ERC) fee, which equates to \$2,226 per parcel. Commercial parcels received the same \$2,226 fee waiver. The mobile homes formula equates to two mobile homes for each one ERC. Apartments and mobile home use water during the winter at approximately one-half the ratio used by single family residences. This is the reason for allowing them the two for one equation. There had been \$325,000 available originally for grants. There was approximately \$62,000 available for such grants on the date when the Board Action Request had been submitted. There are approximately 100 homes in the New Empire area to be connected to the sewerline. Approximately 40 of these homes will be eligible for a grant. The cost is averaging \$3,000 per connection. This means that there will be a \$63,000 shortage, however, the on-going wellhead protection commitment will provide another \$25,000 for this program next year. Southeast Carson will soon be required to connect. It is estimated that there are 600 homes in that area and that 200 of them will need assistance. Due to the demand for funding, the policy had been developed restricting the recipients to owner occupied residences. CDBG had indicated that if the City develops a policy allowing grants to those property owners who rent to low income tenants, the City must be responsible for verifying that this occurs for three to four years. Due to the lack of funding, this program had not been implemented. The New Empire area must all be connected by the end of March. Any unused funds will be made available to the Southeast Carson area residents. Once Southeast Carson is connected, other areas of the City will be connected and the program extended to low income residents in those areas. Clarification indicated that multi-family apartments and mobile home rental units had received the same two-for-one ERC fee consideration to the \$2,226 figure as well as the waiver for the permit fees and lab testing fees, which all the residences had received.

(1-0727.5) Pete Bachstadt expressed his feeling that there had been such a compelling need to abate the nitrate problem that it should not have taken since 1983 to get it done. He felt that his sewer should have been grandfathered in particularly as his water had been. CDBG grants had, in his opinion, paid to extend the sewer to his area. The home owners will recover the connection costs through the increased property value. His tenants meet the low income requirements. He then explained his involvement with getting the street dedicated, which still had not been completed. Problems he had encountered with staff and in trying to get funding for the area were noted. He questioned whether the tenants would be eligible for the funds if he transferred the titles to them. Mayor Masayko noted that Mr. Bachstadt was entitled to one ERC or \$2,226. He had received this. If the unit is owner occupied, that individual is eligible to apply for the grants. Mr. Bachstadt then explained that there are five units on the parcel. This use had been grandfathered as a non-conforming use. He had acquired the property in 1983 and the State and City had been breaking the law by allowing the perpetuation of a "nuisance". He felt that it should be incumbent upon the Utility Department to extend the sewerlines to other areas and eliminate his problem. He felt that the business cards on the Utility Department counter clearly indicated there are more than 20 individuals who are establishing the City policy which could be an overkill. He understood Ms. Timian-Palmer's attempts to enforce the policy fairly, however, felt that he was being forced "into a crack" and "was not happy about it". He then cited a court case supporting his contention that he was being denied the ability to enjoy his property. Mayor Masayko thanked him for bringing the issue forward. He explained that the Board is the policy makers for the Utilities and other City Departments. The Department carries out that policy. The Board is the correct place to take policy concerns.

Discussion ensued between the Board and Ms. Timian-Palmer on the connection waiver. Each property in the area had received the \$2,226 waiver regardless of the number of units or its use of the lot. Mr. Bachstadt has five units on the parcel--a house and four mobile homes. One had received the \$2,226 waiver. The four mobile home units would have to pay \$4,452 based on the two-for-one ERC policy. Mr. Bachstadt would also have to pay for the private property improvements. Supervisor Smith noted his respect for Mr. Bachstadt even though Mr. Bachstadt

would not like his motion. **Supervisor Smith then moved that the Board of Supervisors maintain the current policy of providing mandatory sewer connection grants in the New Empire and Southeast Carson City areas for owner occupied homes. Supervisor Bennett seconded the motion. Motion carried 5-0.**

Supervisor Smith then moved that the Board of Supervisors maintain the waiver of the sewer connection fees up to a maximum of \$2,226 for any parcel required to connect to City sewer within the mandatory sewer connection areas of New Empire and Southeast Carson City. Supervisor Tatro seconded the motion. Supervisor Plank indicated that the program had been fairer than he had originally thought and questioned the cost to waive the fees per unit. He then noted that if the landlord could not afford to "eat it", the rent could be increased by \$5 a month to recover the cost in two years. Therefore, he had less of a problem with the proposal than he had had originally. Mayor Masayko noted that the cost was not an insurmountable cost of \$1,000 per unit issue. **The motion to maintain the current sewer connection waiver program was voted and carried 5-0.** Mayor Masayko reiterated his comments thanking Mr. Bachstadt for bringing the issue to the Board for consideration. Mr. Bachstadt felt that the next time around the decision may be different.

B. ACTION ON A JOINT FUNDING AGREEMENT BETWEEN CARSON CITY AND THE U.S. GEOLOGICAL SURVEY (1-0985.5) - Discussion indicated the need to continue the data collection for one more year after the proposed agreement expires. Board comments indicated that this item should have been on the Consent Agenda. Supervisor Plank moved to approve and authorize the Mayor to sign the Joint Funding Agreement, NV9800100, between Carson City and the U.S. Geological Survey in the amount of \$60,500 for continued work on the Eagle Valley Recharge Study. Supervisor Tatro seconded the motion. Supervisor Plank continued his motion to include the fiscal impact of \$60,500, funding source is \$55,800 - 520 U.S.G.S. Stream Monitoring and \$4,700 from an Augmentation required from the Power Line Item Savings for a total of \$60,500. Supervisor Tatro continued his second. Motion carried 5-0.

C. ACTION ON AN AGREEMENT BETWEEN CARSON CITY AND LISA MCGILVRAY FOR THE PURCHASE OF A PORTION OF PROPERTY LOCATED AT 3801 SHERMAN LANE (APN 8-641-22) FOR USE IN THE EXTENSION OF GRAVES LANE (1-1051.5) - Deputy District Attorney Paul Lipparelli - Discussion corrected the fiscal impact to be \$2,300 for the property and \$2,896 for relocation of certain personal property and fixtures, for a total of \$5,196. Supervisors Smith and Plank indicated that Ms. McGilvray had been very cooperative and complemented Mr. Brotzman on his efforts to deal with the residents professionally and fairly. Discussion between the Board and Mr. Sullivan indicated that if the City acquires the property for a right-of-way, relocation of sheds and other out-buildings would be allowed without requiring a variance. The acquisition may force the property to become a non-conforming use. Staff will work with the property owners and attempt to comply with the setback requirements as much as possible. Another individual with a similar problem had been brought to his attention. Mr. Sullivan asked that any similar individuals also be brought to his attention. Supervisor Tatro moved to approve an agreement between Carson City and Lisa McGilvray for the purchase of a portion of property located at 3801 Sherman Lane, Assessor's Parcel Number 8-641-22, for the use in the extension of Graves Lane, fiscal impact is \$5,196, funding source is the RTC Construction Account. Supervisors Smith and Plank seconded the motion. Motion carried 5-0.

D. ORDINANCES - FIRST READING

i. ACTION ON AN ORDINANCE AMENDING SECTION 12.01.030 (SCHEDULE OF WATER CONNECTION CHARGES, LATERAL AND METER BOX SETS, AND METER SET FEES) OF THE CARSON CITY MUNICIPAL CODE TO INCREASE CONNECTION CHARGES AND OTHER MATTERS PROPERLY RELATED THERETO (1-1166.5) - (Supervisor Bennett stepped from the dais. A quorum was still present.) Discussion indicated for the record that staff had worked with the Builders Association and that the Association "supported" the proposed increase. Public comments were solicited but none given. Supervisor Tatro moved to introduce on first reading Bill No. 159, AN ORDINANCE AMENDING SECTION 12.01.030 (SCHEDULE OF WATER CONNECTION CHARGES, LATERAL AND METER BOX SETS, AND

METER SET FEES) OF THE CARSON CITY MUNICIPAL CODE AND OTHER MATTERS PROPERLY RELATED THERETO, with the change in the Ordinance on Page 1, Line 40, to say \$3,334 and that the fiscal impact is the Water Connection Fee increase of ten percent from \$3,031 to \$3,334. Supervisor Plank seconded the motion. Motion carried 4-0-1 with Supervisor Bennett absent.

ii. **ACTION ON AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND CHARLES AND CARROL M. TIMMERMAN REGARDING ASSESSOR'S PARCEL NO. 9-112-06 LOCATED AT 3301 SOUTH CARSON STREET, CARSON CITY, NEVADA, FOR WATER MAIN PARTICIPATION (1-1227.5)** - Supervisor Bennett returned to the dais during Ms. Timian-Palmer's introduction. (A quorum was present as noted.) Mayor Masayko suggested a policy allowing staff to administratively handle any development agreements under \$5,000. Ms. Timian-Palmer suggested placing them on the Consent Agenda. Supervisor Tatro explained the need to have two hearings on the agreements which is the reason they are not placed on the Consent Agenda; however, the U.S.G.S agreement and, particularly, the property acquisition should have been on the Consent Agenda. Supervisor Smith cautioned against having the meetings appear too efficient as it may create the perception that there are "outside/back door" agreements occurring. It may be necessary to pull some items from the Consent Agenda just to allow an explanation/dialogue so that people will understand the process. Mayor Masayko indicated he understood the concern and would proceed accordingly. Supervisor Tatro moved that the Board introduce Bill No. 160 on first reading, **AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND CHARLES AND CARROL M. TIMMERMAN REGARDING ASSESSOR'S PARCEL NO. 9-112-06 LOCATED AT 3301 SOUTH CARSON STREET, CARSON CITY, NEVADA, FOR WATER MAIN PARTICIPATION**, fiscal impact is \$2,046.80, funding source is 520 Participation. Supervisor Bennett seconded the motion. Motion carried 5-0.

BREAK: A 15 minute recess was declared at 9:50 a.m. The meeting was reconvened at 10:05 a.m. The entire Board was present constituting a quorum.

7. **CITY MANAGER - ACTION TO APPROVE THE FISCAL YEAR 97/98 EQUIPMENT ACQUISITION PLAN FOR CARSON ACCESS TELEVISION FOUNDATION (1-1331.5)** - Executive Director Tish Sammon - Ms. Sammon described the equipment and its use. Discussion explored the technology changes which will be occurring in the next two or three years. Some of this equipment was included in the acquisition plan. Reasons the cameras did not include a red light indicating which one is running were explained. It is very costly to add this feature to the present cameras. Ms. Sammon suggested monitors be placed in front of the Board as it could be done at a lower cost. This will provide the Board with the ability to know when he/she is being filmed. Mayor Masayko explained a third alternative which would place two monitors in the room. These monitors could also be used to show tapes. He felt that it was not necessary to know which camera is working. Ms. Sammon also pointed out that if there were two monitors, one facing the Board and one facing the audience, any displays facing the Board could be seen by both the audience present and the television audience. She also indicated that, although this equipment was not in the plan, it could be added. Supervisor Smith supported Mayor Masayko's alternative. Supervisor Plank felt the monitor for the Board would be a detraction. The public monitor, however, could be beneficial. Mayor Masayko suggested the monitors be added to the 97/98 program. The Board did not feel that the monitor for it was warranted at this time. Supervisor Bennett commended Ms. Sammon on the plan and her organizational concepts and fiduciary management. Ms. Sammon then explained the funding sources for the equipment. Supervisor Smith and Ms. Sammon emphasized that the funds could only be used for this purpose. Mayor Masayko commended CAT-10 and Ms. Sammon on its progress, its professionalism, and the improved program standards. Supervisor Smith moved to approve the Carson Access Television Foundation's proposed equipment plan for Fiscal Year 97/98 in the amount of \$47,000, funding source is the TCI donations account. Supervisor Plank seconded the motion. Motion carried 5-0.

8. BOARD OF SUPERVISORS

A. SUPERVISOR BENNETT - ACTION ON APPROVAL OF A RESOLUTION OF SUPPORT

FOR THE STATE ROUTE 28 CORRIDOR MANAGEMENT PLAN (1-1718.5) - Special Projects Engineer Jay Aldean, Craig Hartman - Supervisor Bennett indicated for the record that the key issues had been included in the plan. They were the roadside parking and its associated safety problems, the visual impacts of the roadway and opportunities to enhance the visitor experience, unregulated trail use and soil erosion affecting the lake water quality, high levels of beach use with some conflicts between the different user groups, forest health management requiring salvage logging and ecosystem management in areas affected by insect kill, and various opportunities for enhanced recreational and interpretive facilities. Her comments emphasized the need to establish a process which would allow a cooperative effort to be undertaken between the different governmental agencies and private enterprises at the Lake. This effort was undertaken in an attempt to dissuade the continuing legal battles which had been occurring. The plan is a direct result of the partnership which had developed. The plan provides a "road map" for addressing the complex problems. She thanked the Tahoe naturalists who had participated in the plan. The importance of saving Carson City's unique portion of the Lake was stressed. The plan will open the doors for additional grants/funding and may eventually allow the highway to be declared an All American Scenic Byway. Mr. Aldean explained his involvement with TEAM Tahoe and the Highway 28 NDOT program/study. He explained the feeling that the individuals who are using Highway 28, and, specifically, those who park along the roadway were creating the majority of the erosion problems found along it. NDOT's efforts to involve as many public agencies and private citizens as possible were commended. Mr. Hartman indicated his support and encouraged the Board to endorse the Resolution of Support. He agreed that there were several items within the plan which "we" don't like but as it included public involvement and notations by NDOT Director Tom Stevens for additional parking, he was willing to allow the program to move forward. Clarification indicated that he did not represent the Tahoe Naturalists. He purported to represent only himself as a member of the public. Mayor Masayko explained his hope that the naturalists' interest had been involved with the program and that the Board would not hear later that they had been excluded. Supervisor Bennett then reported on the shuttle ridership. A lot had been learned from the program. Its educational program had been beneficial and addressed the environmental needs. She was unsure of the program which would be developed next year. Hopefully, additional parking areas will be in the design process or acceptance by this time next year. She reiterated her appreciation of the cooperation received from the beach users and their willingness to participate in the solution. She then requested the Board accept Resolution No. 1997-R-38, A RESOLUTION SUPPORTING THE EAST SHORE DRIVE NATIONAL SCENIC BYWAY CORRIDOR MANAGEMENT PLAN. (During her motion, Supervisor Smith stepped from the room--10:37 a.m. A quorum was still present.) Supervisor Plank seconded the motion. Mayor Masayko indicated that he would accept her request as a motion. Supervisor Tatro explained his concern about accepting a resolution referencing a document which he had only received this morning. (The Clerk did not have a copy.) He then referenced pages 32-38 which indicates that there will be trails and roads opened to Marlette Lake, however, the explanation appeared to have the road move away from Marlette Lake. Mr. Hartman also indicated his concern with this section. Supervisor Bennett indicated she would obtain a clarification for him about those pages. Mayor Masayko indicated that the Resolution only accepted the Plan in concept and does not approve the Plan. Issues which need to be clarified will be addressed. The motion to adopt Resolution 1997-R-38 was voted and carried 4-0-1 with Supervisor Smith absent.

9. DISTRICT ATTORNEY - Deputy District Attorney Paul Lipparelli

A. ACTION ON A RESOLUTION APPOINTING THE NEVADA ATTORNEY GENERAL TO ASSIST THE CARSON CITY DISTRICT ATTORNEY REVIEW AND, IF APPROPRIATE, ACT IN A CASE IN WHICH THE DISTRICT ATTORNEY HAS A CONFLICT OF INTEREST (1-2115.5) - During Mr. Lipparelli's introduction, Supervisor Smith returned--10:45 a.m. (A quorum was present as indicated.) Supervisor Tatro moved to adopt Resolution No. 1997-R-39, A RESOLUTION APPOINTING THE NEVADA ATTORNEY GENERAL TO ASSIST THE CARSON CITY DISTRICT ATTORNEY REVIEW AND, IF APPROPRIATE, ACT IN A CASE IN WHICH THE DISTRICT ATTORNEY HAS A CONFLICT OF INTEREST. Supervisor Plank seconded the motion. Supervisor Smith indicated he would abstain as he had not been present during the entire discussion. The motion to adopt Resolution No. 1997-R-39 was voted and carried 4-0-1 with Supervisor Smith abstaining.

8. B. NON-ACTION ITEMS - INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (1-2168.5) - Supervisor Smith noted the relocation of the BLM offices to a site along the Carson River and questioned whether the public river access roadway had been closed. He asked Mr. Berkich to contact BLM District Manager John Singlaub about this citizen's concern. He then reported on his attendance at the Nevada Association of Counties meeting in Elko. He felt that Carson City is becoming more in tune with the issues related to Washoe and Clark Counties than the other Counties with smaller populations. Mayor Masayko indicated that he would coordinate with Supervisor Smith on the distribution of materials from that conference to the other Board members. Supervisor Plank reported on the status of the consolidated housing plan and that the Senior Citizens Center had served its 100,000 meal and celebrated its 25th anniversary. He had suggested the Center explore the potential of providing meals to the Juvenile Facility and the Jail. The Acute Care facility had considered having the Center provide its meals, however, the dietary needs of some of clientele prohibited the use. He then reported on the Nevada Railway Foundation's fundraising efforts. A pamphlet was distributed to the Board which may be developed for this purpose. Shelly Aldean had developed the pamphlet. The Board was asked to critique the pamphlet. He and Ms. Aldean will meet with Jeff Ackerman of The Nevada Appeal to discuss the possibility of having a special publication which could become an ongoing fundraiser for the foundation. He felt that unless funding begins to come into the foundation, serious contributions will not be given. The need for the pamphlet to include a solicitation for funding was noted. The pamphlet will be strategically placed throughout the community. Comments indicated the need to have a "web site". Mayor Masayko supported his comments about the funding raising activities. He indicated that the Board would be considering a request from Clark Russell to reconsider his purchase of Ninth Street and its related policy issues. He then reported on the NACO conference and the CDBG Council meeting which had been held during the conference. He indicated he would be distributing pamphlets about the critical issues facing Nevada Counties to the Board members. He briefly noted the various issues. He felt that these issues will be the basis for NACO's legislation during the next session. A 20 page document explaining the impact of various legislation on the cities/counties had also been distributed at the NACO meeting. A copy of it will also be given to the other Board members. The 1998 NACO meeting has been scheduled for mid-November in Carson City. He had been elected as the Third Vice President of NACO. He urged the Board to support the NACO activities next year. Supervisor Tatro reported on the "Made In Carson" activities, the kick-off of the State Employees' United Way campaign, and his role in this campaign. He urged everyone to support the various non-profit organizations through United Way. He then reported on the recent RTC meeting and its decision to not extend landscaping along the Goni Road extension. Supervisor Bennett and Supervisor Tatro discussed the curbing and sidewalk plans for Goni. Supervisor Bennett suggested the funding which would have been used for this landscaping be used to landscape Graves Lane. Supervisor Tatro explained the funding shortage for Goni. Supervisor Bennett urged him to include landscaping in the final design for Graves Lane. Supervisor Tatro felt that there was "a great deal of landscaping in that project" as well as irrigation plans. Discussion indicated that Goni is estimated to be completed by the middle of October. The next RTC meeting had been scheduled for October 15 at 1:30 p.m. He then noted that Friday would be his eighth anniversary on the Board and the incredible number of changes which had occurred during his tenure. He felt that his having been involved in those changes had been a privilege. Supervisor Bennett reminded the Board about how the "Blue Line" had come into existence. She had recently toured Ft. Lauderdale and brought back material on its efforts to revitalize its waterfront and downtown areas. Its similarities to Carson City were noted. She encouraged the Board to review the material and consider its organizational structure. She suggested a similar document be considered for Carson City as it could assist in recruiting investors. A citizen committee conducts citizen patrols and has resulted in a reduction in criminal activities. This could be used as another community tool. The social civil groups are considered an integral part of the City governmental process and its education program. She felt it was a good partnership and an example which should be considered as Carson City continues to grow. She then explained the status of the Cottonwood Care facility. Things are looking much, much better. It is felt that, when the State conducts its next inspection, the Medicare certification will be reinstated. The Board had been invited to attend the Women and Children's Center Opening Ceremony. She thanked the Board for the Resolution of support. She then reported on the status of the Hospital's search for an Internal Auditor and described the reasons for needing such a position on the Hospital staff.

C. STAFF COMMENTS AND STATUS REPORTS (1-2898.5) - City Manager Berkich reported on

the "Made in Carson" tour. He commended Community Development Director Sullivan, Environmental Control Manager Arnold, and Treasurer Kramer on their informational booth at it exhibit hall. He then reported on the Prison Hill cleanup effort and its barbeque; the dedication of the Silver Saddle ranch; WNCC and the Center for Excellence's team training program; the Center's second annual commitment to quality programs which he urged the Board to attend; the Walkable Communities Workshop which Sue Newberry had conducted; the teleconference on Mainstreet, and the relocation of Purchasing to the former Street's Building at the Corporate Yard. A picture commemorating the Silver Saddle dedication will be hung at the City Hall. Supervisor Tatro's role in the Walkable Communities program was commended.

Video tapes of the Walkable Communities Workshop were available and the Board was urged to viewed them. Mr. Berkich indicated he would be meeting with Purchasing staff to develop a program to insure that the Department continues to function in Purchasing Director Iratcabal's absence. He then announced the annual auction and barbeque for the Boys and Girls Club on Saturday and indicated that tickets were available.

9. B. CLOSED SESSION - ACTION TO RECESS INTO CLOSED SESSION PURSUANT TO NRS 288.220 TO MEET WITH MANAGEMENT REPRESENTATIVES (1-3021.5) - Supervisor Smith moved to recess into Closed Session pursuant to NRS 288.220 to meet with management representatives. Supervisor Bennett seconded the motion. Mayor Masayko recessed the Open Session at 11:24 a.m. The Open Session was reconvened at 12:45 p.m. (During the Closed Session both Supervisors Smith and Tatro left the meeting. A quorum was still present.)

(1-3040.5) There being no other matters for consideration, Supervisor Bennett moved to adjourn. Supervisor Plank seconded the motion. Motion carried unanimously and Mayor Masayko adjourned the meeting at 12:46 p.m.

The Minutes of the October 2, 1997, Carson City Board of Supervisors meeting

1998. ARE SO APPROVED ON__January_8__,

/s/

Ray Masayko, Mayor

ATTEST:

/s/
Alan Glover, Clerk-Recorder