



**BOARD OF SUPERVISORS (1-0165.5)** - There being no other matters for consideration as the Liquor and Entertainment Board, Chairperson Masayko adjourned the Liquor and Entertainment Board and immediately reconvened the session as the Board of Supervisors. The entire Board was present, constituting a quorum.

**3. CONSENT AGENDA**

**A. TREASURER**

**i. ACTION ON REINSTATEMENT OF REVOKED BUSINESS LICENSES**

**ii. ACTION ON ENTERTAINMENT PERMIT FOR A CIRCUS ON JUNE 25-26, 1997, WITH WAIVER OF THE \$25 LICENSE FEE, \$100 APPLICATION FEE, AND \$100 PERMIT FEE FOR CARSON SERTOMA CLUB**

**iii. ACTION ON A SPECIAL EVENT SHORT-TERM PERMIT FOR SEPTEMBER 13-14, 1997, FOR CARSON STATION HOTEL/CASINO**

**iv. ACTION ON AN OUTDOOR CONCERT AND ENTERTAINMENT PERMIT FOR SEPTEMBER 19, 1997, FOR CARSON STATION HOTEL/CASINO**

**B. CITY MANAGER - ACTION ON RESOLUTION FOR APPOINTMENT OF FEDERAL EMERGENCY MANAGEMENT DESIGNATION OF APPLICANT'S AGENT FOR CARSON CITY**

**C. INTERNAL AUDITOR - ACTION ON APPROVAL OF CHECK DISBURSEMENT REGISTER FOR THE MONTH OF FEBRUARY 1997**

**D. PERSONNEL MANAGER - ACTION TO APPROVE REVISIONS TO THE CARSON CITY AFFIRMATIVE ACTION PLAN**

**E. PURCHASING DIRECTOR**

**i. ACTION ON CONTRACT NO. 9697-164 - UTILITIES DEPARTMENT CONTINUOUS PRE-PRINTED FORMS**

**ii. ACTION ON CONTRACT NO. 9697-217 - PURCHASE OF DUMP TRUCK JOINDER CONTRACT WITH STATE OF NEVADA PURCHASING**

**iii. ACTION ON CONTRACT NO. 9697-216 - EMERGENCY REPAIR TO FIRE TRUCK, CONTRACT APPROVAL**

**iv. ACTION ON CONTRACT NO. 9697-218 - WOODWASTE AND FLOOD DEBRIS PROCESSING**

**v. ACTION ON CONTRACT NO. 9697-125 - TEST WELL DRILLING AND PRODUCTION WELL INSTALLATION, CHANGE ORDER NO. 1**

**vi. ACTION ON CONTRACT NO. 9697-222 - REQUEST FOR EXCEPTION, PUBLIC SAFETY COMPLEX BID DOCUMENT REPRODUCTIONS (1-0168.5)** - Supervisor Bennett pulled Contract 9697-216 for discussion. Supervisor Tatro moved that the Board approve the Consent Agenda as presented with inclusion of Resolution No. 1997-R-12, A RESOLUTION FOR APPOINTMENT OF FEDERAL EMERGENCY MANAGEMENT DESIGNATION OF APPLICANT'S AGENT FOR CARSON CITY, and with the deletion of Contract 9697-216, Emergency Repair for the Fire Truck, which shall be heard separately. Supervisor Plank seconded the motion. Motion carried 5-0.

**E. iii. (1-0202.5)** Supervisor Bennett read the reasons for entering the contract as an emergency into the record. She felt that it was possible that the engine would not have had to have been rebuilt if the funding had been allocated when requested originally. She also indicated that she wanted staff to be on notice that she was aware of the contract and was not happy about it. Supervisor Smith moved to accept the Purchasing Department's recommendation on Contract No. 9697-216 and authorize the payment by claim to Smith Detroit Diesel-Allison, P. O. Box 27527, Salt Lake City, Utah 84127, for a not to exceed cost of \$16,692.65; funding source is the Public Works Vehicle Repair and Maintenance budget as provided for in Fiscal Year 9697. Supervisor Tatro seconded the motion. Motion carried 5-0.

**4. TREASURER - Al Kramer**

**A. ORDINANCES - FIRST READING**

i. **ACTION ON AN ORDINANCE DESIGNATED BY THE SHORT TITLE "1997 SEWER REFUNDING BOND ORDINANCE"; PROVIDING FOR THE ISSUANCE BY CARSON CITY, NEVADA OF ITS NEGOTIABLE, GENERAL OBLIGATION (LIMITED TAX) SEWER REFUNDING BONDS, SERIES 1997; STATING THE PURPOSES FOR WHICH THE BONDS ARE TO BE ISSUED; PROVIDING THE FORM, TERMS AND CONDITIONS OF THE BONDS, THE USE OF THEIR PROCEEDS AND PROVIDING FOR THE SALE THEREOF; PROVIDING FOR THE LEVY AND COLLECTION OF ANNUAL GENERAL (AD VALOREM) TAXES FOR THE PAYMENT OF THE BONDS; PROVIDING OTHER DETAILS CONCERNING THE BONDS; RATIFYING ACTION PREVIOUSLY TAKEN TOWARD THE ISSUANCE OF THE BONDS; AND PROVIDING THE EFFECTIVE DATE HEREOF (1-0245.5)** - Discussion among the Board, Mr. Kramer, and Bond Counsellor Kendra Follett noted that some of the outstanding bonds could not be refunded at this time. The issues which were to be considered could be. Supervisor Smith moved that the Board of Supervisors introduce Bill No. 121 on first reading, **AN ORDINANCE DESIGNATED BY THE SHORT TITLE "1997 SEWER REFUNDING BOND ORDINANCE"; PROVIDING FOR THE ISSUANCE BY CARSON CITY, NEVADA OF ITS NEGOTIABLE, GENERAL OBLIGATION SEWER REFUNDING BONDS, SERIES 1997; STATING THE PURPOSES FOR WHICH THE BONDS ARE TO BE ISSUED; PROVIDING THE FORM, TERMS AND CONDITIONS OF THE BONDS, THE USE OF THEIR PROCEEDS AND PROVIDING FOR THE SALE THEREOF; PROVIDING FOR THE LEVY AND COLLECTION OF ANNUAL GENERAL (AD VALOREM) TAXES FOR THE PAYMENT OF THE BONDS; PROVIDING OTHER DETAILS CONCERNING THE BONDS; RATIFYING ACTION PREVIOUSLY TAKEN TOWARD THE ISSUANCE OF THE BONDS; AND PROVIDING THE EFFECTIVE DATE HEREOF.** Supervisor Tatro seconded the motion. Motion carried 5-0.

ii. **ACTION ON AN ORDINANCE OF THE BOARD OF SUPERVISORS OF CARSON CITY, NEVADA DESIGNATED BY THE SHORT TITLE "1997 REFUNDING WATER BOND ORDINANCE"; PROVIDING FOR THE ISSUANCE OF ITS REGISTERED, NEGOTIABLE, GENERAL OBLIGATION (LIMITED TAX) REFUNDING WATER BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 1997; PROVIDING THE FORM, TERMS, CONDITIONS AND SALE OF THE BONDS AND COVENANTS RELATING TO THE PAYMENT OF SUCH BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF ANNUAL GENERAL (AD VALOREM) TAXES FOR THE PAYMENT OF SUCH BONDS; ADDITIONALLY SECURING THEIR PAYMENT BY A PLEDGE OF REVENUES DERIVED FROM THE WATER SYSTEM OF THE CITY; RATIFYING ACTION PREVIOUSLY TAKEN TOWARD THE ISSUANCE OF SUCH BONDS AND EFFECTING THE PURPOSE OF THEIR ISSUANCE; PROVIDING OTHER MATTERS RELATING THERETO (1-0300.5)** - Supervisor Plank moved to introduce on first reading Bill No. 122, **AN ORDINANCE OF THE BOARD OF SUPERVISORS OF CARSON CITY, NEVADA DESIGNATED BY THE SHORT TITLE "1997 REFUNDING WATER BOND ORDINANCE"; PROVIDING FOR THE ISSUANCE OF ITS REGISTERED, NEGOTIABLE, GENERAL OBLIGATION (LIMITED TAX) REFUNDING WATER BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 1997; PROVIDING THE FORM, TERMS, CONDITIONS AND SALE OF THE BONDS AND COVENANTS RELATING TO THE PAYMENT OF SUCH BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF ANNUAL GENERAL (AD VALOREM) TAXES FOR THE PAYMENT OF SUCH BONDS; ADDITIONALLY SECURING THEIR PAYMENT BY A PLEDGE OF REVENUES DERIVED FROM THE WATER SYSTEM OF THE CITY; RATIFYING ACTION PREVIOUSLY TAKEN TOWARD THE ISSUANCE OF SUCH BONDS AND EFFECTING THE PURPOSE OF THEIR ISSUANCE; AND PROVIDING OTHER MATTERS RELATING THERETO.** Supervisor Tatro seconded the motion. Motion carried 5-0.

iii. **ACTION ON AN ORDINANCE DESIGNATED BY THE SHORT TITLE OF "1997D GOLF COURSE REFUNDING BOND ORDINANCE"; AUTHORIZING THE ISSUANCE OF THE CARSON CITY, NEVADA, GENERAL OBLIGATION (LIMITED TAX) GOLF COURSE REFUNDING BONDS (ADDITIONALLY SECURED BY GROSS PLEDGED REVENUES), SERIES MAY 1, 1997D; SPECIFYING THE FORM, TERMS AND CONDITIONS OF SUCH BONDS; THE METHOD OF PAYING THEM, AND THE SECURITY THEREFOR; PROVIDING FOR THE LEVY AND**

**COLLECTION OF AN ANNUAL (AD VALOREM) TAX FOR THE PAYMENT OF THE BONDS; PROVIDING OTHER COVENANTS, AGREEMENTS AND OTHER DETAILS CONCERNING THE BONDS, THE REFUNDING PROJECT, THE GENERAL TAX PROCEEDS AND THE PAYMENT OF THE BONDS; RATIFYING ACTION PREVIOUSLY TAKEN AND PERTAINING TO THE FOREGOING BY THE CITY AND ITS OFFICERS; AND PROVIDING THE EFFECTIVE DATE HEREOF (1-0328.5)** - Discussion indicated the necessity to refund these bonds in order to transfer the operation to the not-for-profit corporation. Supervisor Bennett moved that the Board of Supervisors introduce on first reading Bill No. 123, AN ORDINANCE DESIGNATED BY THE SHORT TITLE OF "1997D GOLF COURSE REFUNDING BOND ORDINANCE"; AUTHORIZING THE ISSUANCE OF THE CARSON CITY, NEVADA, GENERAL OBLIGATION (LIMITED TAX) GOLF COURSE REFUNDING BONDS (ADDITIONALLY SECURED BY GROSS PLEDGED REVENUES), SERIES MAY 1, 1997D; SPECIFYING THE FORM, TERMS AND CONDITIONS OF SUCH BONDS; THE METHOD OF PAYING THEM, AND THE SECURITY THEREFOR; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL (AD VALOREM) TAX FOR THE PAYMENT OF THE BONDS; PROVIDING OTHER COVENANTS, AGREEMENTS AND OTHER DETAILS CONCERNING THE BONDS, THE REFUNDING PROJECT, THE GENERAL TAX PROCEEDS AND THE PAYMENT OF THE BONDS; RATIFYING ACTION PREVIOUSLY TAKEN AND PERTAINING TO THE FOREGOING BY THE CITY AND ITS OFFICERS; AND PROVIDING THE EFFECTIVE DATE HEREOF. Supervisor Smith seconded the motion. Motion carried 5-0.

**B. ORDINANCE - SECOND READING**

**i. ACTION ON BILL NO. 113 - AN ORDINANCE AUTHORIZING THE ISSUANCE BY THE CITY OF ITS NEGOTIABLE "CARSON CITY, NEVADA, GENERAL OBLIGATION (LIMITED TAX) PUBLIC SAFETY BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES) SERIES MAY 1, 1997A", FOR THE PURPOSE OF FINANCING THE COST OF ACQUIRING, CONSTRUCTING, IMPROVING AND EQUIPPING A BUILDING PROJECT; 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 (1-0364.5)** - Supervisor Smith moved to adopt on second reading Ordinance No. 1997-16, AN ORDINANCE AUTHORIZING THE ISSUANCE BY THE CITY OF ITS NEGOTIABLE "CARSON CITY, NEVADA, GENERAL OBLIGATION (LIMITED TAX) PUBLIC SAFETY BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES) SERIES MAY 1, 1997A", FOR THE PURPOSE OF FINANCING THE COST OF ACQUIRING, CONSTRUCTING, IMPROVING AND EQUIPPING A BUILDING PROJECT; 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 not to exceed 15 million plus interest; funding source is Capital Facilities Fund. Supervisor Bennett seconded the motion. Motion carried 5-0.

**ii. ACTION ON BILL NO. 114 - AN ORDINANCE DESIGNATED BY THE SHORT TITLE "1997 VARIOUS PURPOSE REFUNDING BOND ORDINANCE"; PROVIDING FOR THE ISSUANCE BY CARSON CITY OF ITS NEGOTIABLE, GENERAL OBLIGATION (LIMITED TAX) VARIOUS PURPOSE REFUNDING BONDS, SERIES MAY 1, 1997B; STATING THE PURPOSES FOR WHICH THE BONDS ARE TO BE ISSUED; PROVIDING THE FORM, TERMS AND CONDITIONS OF THE BONDS, THE USE OF THEIR PROCEEDS AND PROVIDING FOR THE SALE THEREOF; PROVIDING FOR THE LEVY AND COLLECTION OF ANNUAL GENERAL (AD VALOREM) TAXES FOR THE PAYMENT OF THE BONDS; PROVIDING OTHER DETAILS CONCERNING THE BONDS; RATIFYING ACTION PREVIOUSLY TAKEN TOWARD THE ISSUANCE OF THE BONDS; AND PROVIDING THE EFFECTIVE DATE HEREOF (1-0405.5)** - Supervisor Bennett moved that the Board of Supervisors adopt Ordinance No. 1997-17, Bill No. 114 on second reading, AN ORDINANCE DESIGNATED BY THE SHORT TITLE "1997 VARIOUS PURPOSE REFUNDING BOND ORDINANCE"; PROVIDING FOR

THE ISSUANCE BY CARSON CITY OF ITS NEGOTIABLE, GENERAL OBLIGATION (LIMITED TAX) VARIOUS PURPOSE REFUNDING BONDS, SERIES MAY 1, 1997B; STATING THE PURPOSES FOR WHICH THE BONDS ARE TO BE ISSUED; PROVIDING THE FORM, TERMS AND CONDITIONS OF THE BONDS, THE USE OF THEIR PROCEEDS AND PROVIDING FOR THE SALE THEREOF; PROVIDING FOR THE LEVY AND COLLECTION OF ANNUAL GENERAL (AD VALOREM) TAXES FOR THE PAYMENT OF THE BONDS; PROVIDING OTHER DETAILS CONCERNING THE BONDS; RATIFYING ACTION PREVIOUSLY TAKEN TOWARD THE ISSUANCE OF THE BONDS; AND PROVIDING THE EFFECTIVE DATE HEREOF; fiscal impact is approximately \$1,575,000 plus interest to refund outstanding Park and Fire bonds. Supervisor Tatro seconded the motion. Motion carried 5-0.

**iii. ACTION ON BILL NO. 115 - AN ORDINANCE DESIGNATED BY THE SHORT TITLE "1997 PARK REFUNDING BOND ORDINANCE"; AUTHORIZING THE ISSUANCE BY THE CITY OF ITS NEGOTIABLE CARSON CITY, NEVADA, GENERAL OBLIGATION (LIMITED TAX) PARK REFUNDING BONDS (ADDITIONALLY SECURED BY GROSS PLEDGED REVENUES), SERIES MAY 1, 1997C FOR THE PURPOSE OF REFUNDING CERTAIN OUTSTANDING BONDS OF THE CITY; PROVIDING THE FORM, TERMS AND CONDITIONS OF THE BONDS, AND OTHER DETAILS IN CONNECTION THEREWITH; PROVIDING FOR THE LEVY AND COLLECTION OF ANNUAL GENERAL (AD VALOREM) TAXES FOR THE PAYMENT THEREOF; ADDITIONALLY SECURING THEIR PAYMENT BY A PLEDGE OF REVENUES DERIVED FROM THE OPERATION OF CERTAIN RECREATIONAL FACILITIES AND BY A PLEDGE OF CERTAIN LICENSE TAXES FIXED AND IMPOSED BY CARSON CITY; PROVIDING OTHER COVENANTS, AGREEMENTS AND OTHER DETAILS AND MAKING OTHER PROVISIONS CONCERNING THE BONDS, SUCH FACILITIES, THE GENERAL TAX PROCEEDS AND THE REVENUES PLEDGED FOR THE PAYMENT OF SUCH PROPOSED SECURITIES; RATIFYING ACTION PREVIOUSLY TAKEN TOWARD ISSUING THE PROPOSED BONDS; PROVIDING OTHER MATTERS RELATING THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF (1-437.5) -** Supervisor Plank moved to adopt Ordinance No. 1997-18, Bill No. 115 on second reading, AN ORDINANCE DESIGNATED BY THE SHORT TITLE "1997 PARK REFUNDING BOND ORDINANCE"; AUTHORIZING THE ISSUANCE BY THE CITY OF ITS NEGOTIABLE CARSON CITY, NEVADA, GENERAL OBLIGATION (LIMITED TAX) PARK REFUNDING BONDS (ADDITIONALLY SECURED BY GROSS PLEDGED REVENUES), SERIES MAY 1, 1997C FOR THE PURPOSE OF REFUNDING CERTAIN OUTSTANDING BONDS OF THE CITY; PROVIDING THE FORM, TERMS AND CONDITIONS OF THE BONDS, AND OTHER DETAILS IN CONNECTION THEREWITH; PROVIDING FOR THE LEVY AND COLLECTION OF ANNUAL GENERAL (AD VALOREM) TAXES FOR THE PAYMENT THEREOF; ADDITIONALLY SECURING THEIR PAYMENT BY A PLEDGE OF REVENUES DERIVED FROM THE OPERATION OF CERTAIN RECREATIONAL FACILITIES AND BY A PLEDGE OF CERTAIN LICENSE TAXES FIXED AND IMPOSED BY CARSON CITY; PROVIDING OTHER COVENANTS, AGREEMENTS AND OTHER DETAILS AND MAKING OTHER PROVISIONS CONCERNING THE BONDS, SUCH FACILITIES, THE GENERAL TAX PROCEEDS AND THE REVENUES PLEDGED FOR THE PAYMENT OF SUCH PROPOSED SECURITIES; RATIFYING ACTION PREVIOUSLY TAKEN TOWARD ISSUING THE PROPOSED BONDS; PROVIDING OTHER MATTERS RELATING THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF; fiscal impact is approximately \$1,428,000 plus interest to refund outstanding Parks bonds; funding source is the same as for the bonds being refunded. Supervisor Smith seconded the motion. Motion carried 5-0.

Mr. Kramer emphasized that the foregoing bonds would not increase the City's ad valorem rate. All of the refunding bonds are current. The proposal may save some interest fees. The Public Safety facility will be paid through the use of funds currently being received by the City. Mayor Masayko also noted that the interest market appears to rising.

**5. PUBLIC WORKS DIRECTOR - Deputy Public Works Director Tim Homann - ORDINANCE - SECOND READING - ACTION ON BILL NO. 120 - AN ORDINANCE APPROVING AMENDMENT NO.**

**1 TO A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND LANDMARK HOMES AND DEVELOPMENT REGARDING STORM DRAINAGE IMPROVEMENTS ON KOONTZ LANE FOR THE SOUTH POINTE SUBDIVISION, CARSON CITY, NEVADA (1-0495.5)** - Mr. Homann felt that the storm drain improvements would be completed by April 18. Koontz Lane will be scheduled for an overlay this summer. The crown will be addressed when the overlay occurs. Supervisor Smith moved that the Board of Supervisors adopt Bill 120 on second reading, Ordinance No. 1997-19, AN ORDINANCE APPROVING AMENDMENT NO. 1 TO A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND LANDMARK HOMES AND DEVELOPMENT REGARDING STORM DRAINAGE IMPROVEMENTS ON KOONTZ LANE FOR THE SOUTH POINTE SUBDIVISION, CARSON CITY, NEVADA; fiscal impact is approximately \$90,000; the funding source is Street Division capital outlay budget. Supervisor Tatro seconded the motion. Motion carried 5-0.

**6. UTILITIES DIRECTOR - Deputy Director Jay Ahrens**

**A. ORDINANCE - FIRST READING - ACTION ON AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND SILVER OAK DEVELOPMENT COMPANY, A LIMITED PARTNERSHIP REGARDING THE SILVER OAK PLANNED UNIT DEVELOPMENT LOCATED ADJACENT TO WEST COLLEGE PARKWAY, CARSON CITY, NEVADA, FOR SEWER MAIN PARTICIPATION (1-0538.5)** - Supervisor Plank moved to introduce Bill No. 124 on first reading, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND SILVER OAK DEVELOPMENT COMPANY, A LIMITED PARTNERSHIP REGARDING THE SILVER OAK PLANNED UNIT DEVELOPMENT, CARSON CITY, NEVADA, FOR SEWER MAIN PARTICIPATION; fiscal impact is \$43,622; funding source is 515 Participation in fiscal year 96-97. Supervisor Tatro seconded the motion. Motion carried 5-0.

**B. ORDINANCE - SECOND READING - ACTION ON BILL NO. 116 - AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND DAVID BARTOSZ CONSTRUCTION REGARDING ASSESSOR'S PARCEL NOS. 3-071-27 AND 3-071-28 LOCATED AT 1004 AND 1006-1008 SOUTH MINNESOTA STREET, CARSON CITY, NEVADA, FOR SEWER MAIN REPLACEMENT (1-0592.5)** - Supervisor Bennett requested Mr. Ahrens check into an algae problem which is occurring at the drainage site for a natural spring in the vicinity of this project. She urged him to underground the system if possible. Supervisor Smith moved to adopt on second reading Ordinance No. 1997-20, Bill No. 116, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND DAVID BARTOSZ CONSTRUCTION REGARDING ASSESSOR'S PARCEL NOS. 3-071-27 AND 3-071-28 LOCATED AT 1004 AND 1006-1008 SOUTH MINNESOTA STREET, CARSON CITY, NEVADA, FOR SEWER MAIN REPLACEMENT; fiscal impact is \$12,181.01 which includes a 15 percent contingency, and funding source is 515 Replacement Account. Supervisor Tatro seconded the motion. Motion carried 5-0.

**7. COMMUNITY DEVELOPMENT DIRECTOR**

**A. PLANNING COMMISSION REVIEW AND APPEAL ITEMS**

**i. ACTION ON U-96/97-36 - AN APPEAL OF A SPECIAL USE PERMIT APPLICATION FROM JOHN STEPHENS TO ALLOW OUTSIDE DISPLAY AND SALES OF APPROXIMATELY 305 USED CARS AT WALMART SIX (6) TIMES A YEAR, ON PROPERTY ZONED GENERAL COMMERCIAL (GC), LOCATED AT 4209 SOUTH CARSON STREET, APN 9-125-07 (PLANNING COMMISSION DENIED 7-0) (1-0650.5)** - Senior Planner Rob Joiner, Applicant's Representative Mark Palmer, Chamber of Commerce Executive Vice President Larry Osborne, Chrysler Dodge Plymouth Representative Jim Cryer, Carson City Toyota Dealer and soon to be Capital Ford Owner Dick Campagni, Michael Hohl Honda Subaru General Manager Ken Jochim, Ron Egt, Tom Stephens - Mr. Palmer used a site layout plan to explain the area where the sale would be located. He felt that there is more than an adequate amount of parking spaces available for the sale. The applicant was purportedly willing to accept staff's

recommendation that the sale be restricted to 125 spaces although he preferred to have a minimum of 200 vehicles.

(1-0805.5) Mr. Osborne supported the Commission's denial even though it normally supports businesses coming to the City. These businesses acquire property, construct a facility, make landscaping improvements, hire employees, etc. The Master Plan allows businesses to sell similar merchandise in the parking lot. He is currently working with the staff on an ordinance allowing this type of sale. The proposed sale does not follow the Master Plan. It will be necessary for City staff to monitor/police the sale during non-business hours. The complaints about the Silver City sale were also explained to support his request that the Board deny the request. The sale may not bring in additional buyers but would involve sales to individuals who would have purchased from one of the established dealers. Auto sales is the City's largest single tax supporter.

(1-0868.5) Mr. Cryer explained his facility and its recent expansion. He was not opposed to additional competition. He, however, opposed having an individual come to town and not play by the same rules as he had. The applicant is not required to landscape, have curbs, or meet many other Code mandates. If the applicant is granted the request, how many will he want next year. Mr. Cryer felt that he should request the same type of sale and not have to invest \$250,000 in infrastructure improvements to meet the Code.

Mr. Campagni explained his sale at Walmart which had been limited 125 vehicles. Since that time he had reconsidered this approach and requested the Board establish a precedence for the future and restrict such sales to those who are committed to the future of the City. This would eliminate having sales on every street corner.

Mr. Jochim questioned who would be responsible for follow-up after the sale. This gypsy atmosphere would create a negative image of the car dealers. Established local dealers are here to stay.

Ron Egt urged the Board to uphold the Commission's recommendation. The Walmart parking lot shrinks daily just from its own customer usage. Other parking lots are open and available for the use. He felt that the taxes and sales would leave Carson City and go to Reno.

Additional public comments were solicited but none given.

(1-0965.5) Mr. Stephens felt that there were conditional permits for similar car sales at the site and that past sales had indicated that the lot could adequately handle 250 or more vehicles as he had requested. He urged the Board to ignore the politics involved with competition. He asked the Board to be fair with him and allow him to conduct business within the City. Purportedly, there had not been any complaints about his sales. He did not damage the other dealers. It is a clean business.

Additional public testimony was solicited but none given. Public testimony was then closed.

Mr. Joiner responded by indicating that the other sales events had been conditioned. Southgate Shopping Center and Glenbrook General Manager Shelly Aldean had not been able to attend the meeting, however, had indicated to Mr. Joiner that another 5,000 square foot store is planned for the shopping center. This store will utilize the parking spaces desired by Mr. Stephens. This will reduce the number of spaces available for a sale.

Supervisor Tatro pointed out Commissioner Rogers' finding concerning the size of the area proposed for the sale. Supervisor Tatro then indicated that a map of the Walmart parking lot clearly indicates that Walmart would have to be 20 times the drawing size in order to meet the Code. Mr. Joiner agreed. Supervisor Tatro pointed out that any previous sales at the site had failed to comply with this Code requirement. He did not see a need to continue to repeat this error. Ordinances are developed to provide predictability on what the impact will be. He indicated that, if Mr. Stephens constructs a facility in Carson City and becomes established here, he wished him the best in his endeavor. He felt certain that Mr. Stephens would find that Carson City dealers do provide quality products and, if he provides a quality product, that Mr. Stephens would fit within this niche. In lieu of the ordinance, the Board could not and should not have ever granted a special use permit. Outside sales events are to be restricted to five percent of the total area and for a related product. The jump from motor oil to cars is not reasonable. He was

prepared to uphold the Planning Commission's recommendation.

Supervisor Smith agreed that this is the issue. He noted that he had written a letter testifying to the fact that Mr. Stephens' operation is clean. There had been two sales in the Silver City parking lot last year which had been professional and well run. The issue is a land use matter. The sale could fit within the area designated by Mr. Palmer, however, the size does not fit within the Code. He agreed with Supervisor Tatro that the Board should not continue to perpetrate a wrong by approving the request. The Planning Commission had also requested that staff analyze the entire outside sales issue. Carson City may, as a result, determine that there should not be any of these sales on any level within its boundary. **Supervisor Smith then moved that the Board of Supervisors uphold the Planning Commission decision to deny U-96/97-36, a special use permit application from John Stephens to allow outside display and sales of approximately 305/225/125, anyone of the three numbers, used cars at Walmart six times a year, although the request today was for four sales events and amended the motion to four times a year, on property zoned General Commercial located at 4209 South Carson Street, Assessor's Parcel Number 9-125-07. Supervisor Tatro seconded the motion.** Mr. Stephens questioned whether the Board was indicating that there would not be any sales events in Carson City. Mayor Masayko indicated that he would comment on this issue after the vote. The motion is a narrow interpretation of the zoning and planning issues which allows only five percent of the area to be used for this purpose. Mr. Stephens again requested a comment on his issue. Mayor Masayko pointed out that continuing a wrong will never make it correct and reiterated his intent to address this issue after the vote. The motion to uphold the Planning Commission denial was then voted by roll call with the following result: Smith - Yes; Plank - Yes; Tatro - Yes; Bennett - Yes; and Mayor Masayko - I will also vote yes but what I am saying in response to Mr. Stephens is that Carson City wants to set the public policy, which if you will, is also exemplified by the planning policy to limit and regulate the type of businesses and the type of sales that occur in our community and to meet the standards that our citizens have indicated to us that they wish this community meet, and I think that as an elected official it is our primary obligation to the residents of Carson City and, while this issue was decided, I think, kind of narrowly on a land use issue, it would be his approach that that type of process be considered as public policy and included in the business license ordinance, if you will, that indicates fairly clearly that Carson City is not, as a matter of policy, going to approve off-site outside sales of used merchandise and that will certainly indicate to individuals, whether it is five percent or one percent of a land use issue, that those type of sales are not business conditions which the residents of Carson City are going to approve, now, we don't want to throw out the baby with the bath water either, certainly, you don't want to stop the church group or Boy Scout group from holding a rummage sale at some parking lot, so you have to be kind of careful how you track this, and also, certainly you don't want it to be so tight that you prevent a one day sale of merchandise from one of the retailers who has the space like Walmart or Kmart or AVCO, we also don't want to reach the point that we absolutely discourage by a matter of policy all off-site sales of new merchandise, we have some work to do and that is my suggestion to put it on the record, I will ask the City Manager and the Treasurer to include these ideas and discussions in the Business License amendment, with that, I cast my vote as Yes. The motion carried 5-0. The Planning Commission recommendation of denial is upheld.

**ii. ACTION ON MPA-96/97-2 - A MASTER PLAN AMENDMENT FROM JOHN UHART (PROPERTY OWNER: ALEX BERNHARD) AND RATIFICATION OF PLANNING COMMISSION RESOLUTION 1997-PC-1 TO AMEND THE MASTER PLAN LAND USE DESIGNATION FROM INDUSTRIAL TO COMMERCIAL ON A PORTION OF A 26.43 ACRE PARCEL ON PROPERTY PRESENTLY ZONED LIMITED INDUSTRIAL, LOCATED ON THE EAST SIDE OF HOT SPRINGS ROAD, 900 FEET SOUTH OF EAST COLLEGE PARKWAY, APN 8-125-35 (PLANNING COMMISSION APPROVED 5-0-2-0 (1-1210.5)); AND iii. ORDINANCE - FIRST READING - ACTION ON Z-96/97-6 - AN ORDINANCE EFFECTING A CHANGE OF LAND USE DISTRICT ON ASSESSOR'S PARCEL NUMBER APN 8-125-35 (PORTION) FROM LIMITED INDUSTRIAL (LI) TO RETAIL COMMERCIAL (RC) ON APPROXIMATELY 10 ACRES OF LAND, LOCATED ON THE EAST SIDE OF HOT SPRINGS ROAD, APPROXIMATELY 900 FEET SOUTH OF EAST COLLEGE PARKWAY IN CARSON CITY, NEVADA, AND OTHER MATTERS PROPERLY RELATED THERETO (1-1210.5) - Senior Planner Juan Guzman, Applicant's representative John Uhart - Discussion**

between Mr. Guzman and Mayor Masayko emphasized that the conceptual plans could not be enforced. The change of land use must be based upon its merits. The applicant had also submitted two special use permit applications for the proposed facility, which the Commission had approved. (Supervisor Smith left the meeting during this discussion--9:48 a.m. A quorum was still present.) If the Board approves the Master Plan Amendment and the Change of Land Use, the permits will become valid and the project can move forward. Mr. Uhart explained the need for the facility. One facility will replace the current convalescent home on Highway 50. Its clientele will be transferred to the new facility. Discussion indicated it may not be necessary for Mr. Uhart to obtain a State Certificate of Need. Additional public comments were solicited but none given. Supervisor Bennett moved that the Board of Supervisors approve a Master Plan Amendment request from John Uhart, property owner Alex Bernhard, and ratify the Planning Commission Resolution 1997-PC-1 to amend the Master Plan Land Use designation from Industrial to Commercial on a portion of a 26.43 acre parcel of property presently zoned Limited Industrial, located on the east side of Hot Springs Road, 900 feet south of East College Parkway, APN 8-125-35. Supervisor Tatro seconded the motion. Motion carried 4-0. Mayor Masayko indicated for the record that Supervisor Smith had left the meeting and would try to return before the meeting adjourned.

Supervisor Bennett moved that the Board of Supervisors introduce on first reading Bill No. 125, AN ORDINANCE EFFECTING A CHANGE OF LAND USE DISTRICT ON ASSESSOR'S PARCEL NUMBER APN 8-125-35, PORTION, FROM LIMITED INDUSTRIAL, LI, TO RETAIL COMMERCIAL, RC, ON APPROXIMATELY 10 ACRES OF LAND, LOCATED ON THE EAST SIDE OF HOT SPRINGS ROAD, APPROXIMATELY 900 FEET SOUTH OF EAST COLLEGE PARKWAY IN CARSON CITY, NEVADA, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Tatro seconded the motion. Motion carried 4-0.

**iv. ACTION ON S-94/95-1C(F2) - A FINAL SUBDIVISION MAP APPLICATION FROM LANDMARK HOMES AND DEVELOPMENT, INC., TO DEVELOP NORTHRIDGE SUBDIVISION PHASE 2 CONSISTING OF 38 LOTS WITHIN 7.81 ACRES ON PROPERTY ZONED SINGLE FAMILY 6000, LOCATED 2,000 FEET WEST OF LOMPA LANE AND NORTH OF NORTHRIDGE DRIVE WITHIN A PORTION OF APN 2-10-164 (1-1445.5) - Senior Planner Guzman -** Discussion explained the reasons fifty percent of the listed lots were under 6,000 square feet and why the map had not been signed by the City engineer and the Utilities Department. Mayor Masayko noted that the Board was only approving one phase of the subdivision which had been approved by a previous Board. Public comments were solicited but none given. Supervisor Plank moved that the Board of Supervisors approve a final subdivision map application from Landmark Homes and Development, Inc., to develop Northridge Subdivision Phase 2 consisting of 38 lots subject to the original conditions of approval and stipulations to be fulfilled as the subdivision develops. Supervisor Bennett seconded the motion. Motion carried 4-0.

**v. ACTION ON S-94/95-1(F9) - A FINAL MAP SUBDIVISION APPLICATION FROM STANTON PARK DEVELOPMENT, INC., TO DEVELOP MOUNTAIN PARK UNIT IX, CONSISTING OF 47 LOTS ON APPROXIMATELY 8.2 ACRES OF LAND ZONED SINGLE FAMILY 6,000 (SF6000), LOCATED APPROXIMATELY 2,000 FEET WEST OF LOMPA LANE AND SOUTH OF NORTHRIDGE DRIVE, A PORTION OF APN 2-101-64 (1-1525.5) - Senior Planner Guzman, Deputy District Attorney Mark Forsberg -** The applicant was not present. Supervisor Tatro moved that the Board of Supervisors continue the Item S-94/95-1(F9), the final map subdivision application from Stanton Park Development. Supervisor Bennett seconded the motion. Motion was voted and carried 4-0.

**B. ORDINANCES - SECOND READING (1-1589.5)**

**i. ACTION ON (1) BILL NO. 117 - AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 18 (ZONING), SPECIFICALLY, SECTION 18.05.109 (USES REQUIRED TO BE WITHIN A STRUCTURE) BY RENUMBERING TO SECTION 18.05.106 (USES REQUIRED TO BE WITHIN A STRUCTURE), AND OTHER MATTERS PROPERLY RELATED THERETO; AND (2) BILL NO. 118 - AN ORDINANCE AMENDING CARSON CITY MUNICIPAL**

**CODE TITLE 18 (ZONING), SPECIFICALLY, SECTION 18.05.110 (FENCES, WALLS AND HEDGES), BY AMENDING SECTION 18.05.110(5), (FENCES, WALLS AND HEDGES)** - Principal Planner Joiner - Supervisor Plank moved to adopt on second reading Bill No. 117, Ordinance No. 1997-21, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 18 (ZONING), SPECIFICALLY, SECTION 18.05.109 (USES REQUIRED TO BE WITHIN A STRUCTURE) BY RENUMBERING TO SECTION 18.05.106 (USES REQUIRED TO BE WITHIN A STRUCTURE), AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Tatro seconded the motion. Motion carried 4-0.

Supervisor Plank moved to adopt on second reading Bill No. 118, Ordinance No. 1997-22, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 18 (ZONING), SPECIFICALLY, SECTION 18.05.110 (FENCES, WALLS AND HEDGES), BY AMENDING SECTION 18.05.110(5), (FENCES, WALLS AND HEDGES). Supervisor Tatro seconded the motion. Motion carried 4-0.

ii. **ACTION ON BILL NO. 119 - AN ORDINANCE EFFECTING A CHANGE OF LAND USE ON APPROXIMATELY ONE ACRE OF LAND FROM GENERAL COMMERCIAL/SINGLE FAMILY ONE ACRE (GC/SF1A) TO MULTIFAMILY APARTMENT (MFA) ON PROPERTY LOCATED AT 4729 OAK STREET, ASSESSOR'S PARCEL NUMBER 9-191-18, AND OTHER MATTERS PROPERLY RELATED THERETO (1-1659.5)** - Senior Planner Guzman - Supervisor Plank moved to adopt on second reading Bill NO. 119, Ordinance No. 1997-23, AN ORDINANCE AN ORDINANCE EFFECTING A CHANGE OF LAND USE ON APPROXIMATELY ONE ACRE OF LAND FROM GENERAL COMMERCIAL/SINGLE FAMILY ONE ACRE (GC/SF1A) TO MULTIFAMILY APARTMENT (MFA) ON PROPERTY LOCATED AT 4729 OAK STREET, ASSESSOR'S PARCEL NUMBER 9-191-18, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Tatro seconded the motion. Motion carried 4-0.

BREAK: A 13 minute recess was declared at 10:10 a.m. A quorum of the Board was present Mayor Masayko reconvened the session at 10:23 a.m. although Supervisor Smith was absent as previously indicated.

**8. PARKS AND RECREATION DIRECTOR - Steve Kastens**

**A. PRESENTATION OF TREE CITY USA AWARD TO CARSON CITY FOR THE THIRD STRAIGHT YEAR; AND, B. ACTION ON SHADE TREE COUNCIL REPORT ON ACHIEVEMENTS, CONCERNS AND FUTURE ACTIVITIES (1-1710.5)** - Pulled.

**C. ACTION ON REQUEST BY CAPITOL GUN CLUB TO BE GRANTED A VARIANCE FROM THE EXISTING POLICY REGARDING RVS AND TENTS IN CITY PARKS FOR THE CARSON CITY TRAP RANGE (1-1715.5)** - Capitol Gun Club President Robert Allgeier, Chamber of Commerce Executive Vice President Larry Osborne - Clarification indicated the variance was being requested for every year when the "Shoshone Indians" have its annual shoot in Carson City commencing in June 1998. Only members of the Gun Club had commented at the Commission meeting. Mr. Osborne indicated his comments would be made as the Chamber representative and not as a Parks and Recreation Commissioner. Mr. Allgeier explained the event and reasons for the request. The variance would be for only this event and none others. Discussion between the Board and Mr. Allgeier repeatedly explored the reasons for requiring camping at the range. The Club was not interested in becoming a commercial facility which is the reason for the restriction to this event. Financial benefits of the proposed shoot were noted. If funding for the sewer and water improvements is not approved, the proposal would still move forward as self-contained units would be allowed to camp at the range. The Parks Department currently has an electrical harness which would provide temporary service. Permanent facilities could be installed later. Discussion explained facilities at other shoots as well as the two locales which were competing against Carson City for the event. The Club had explained the commercial facilities available in the community to the group. If there are more units than can be accommodated at the range, it was understood that these vehicles will use those facilities. Mr. Allgeier also explained the educational programs conducted by his Club.

(1-2155.5) Mr. Osborne noted his vote against the request when considered by the Commission. He applauded the Gun Club's efforts and ability to compete for such events. The Chamber's concern is government competition with the private sector. He urged the Board to uphold the policy and reject the request. The variance would provide the "Shoshones" with free lodging. Once such an offer is made, the door would be opened for other similar activities. If the variance is approved, eventually a request will be made for tax monies to be used to fund the permanent infrastructure improvements. Restricting such infrastructure improvements to one event a year would be a waste of taxpayers' monies. There are adequate commercial facilities available to handle the function.

(1-2265.5) Mr. Allgeier indicated that the users would be charged for the camping privilege and stressed the tourism benefits which would be derived from the event. He felt that between 3 and 400 people would attend the event. Approximately 50 RVs would be allowed to stay at the range.

Supervisor Plank explained his similar concerns about government competition. He pointed out that the proposal is for a week to ten days in June, when all of the RV parks in Carson City will be full as it is vacation time. The participants will be coming specifically to Carson City for a specific period and event. If it is not located in Carson City, they would not be attracted to Carson City. He did not feel that this specific incident would be competition to the RV parks owners of Carson City. It had, however, crossed his mind and had been an original concern. He felt that the greater benefit to the economy of Carson City, as it had been portrayed, is that it will bring a lot of people here for an adequate period of time during which they will have spend some money in other lodging facilities, service stations, restaurants, grocery stores, etc. **Supervisor Plank then moved to grant the Capitol City Gun Club a variance of the existing policy regarding RVs and tents in Carson City's parks for the Shoshone Indian Shooting Event to be first held in late June 1998 at the Carson City Trap Range and subsequent years to accommodate whatever contract the Capitol City Gun Club is able to arrange with the Shoshone Indian Shooting Group. Supervisor Bennett seconded the motion.** Supervisor Bennett then explained her desire to establish a "win-win" situation and acknowledge the investment others had made in the community with their facilities. She suggested that an absolute limit be established on the number of spaces which would be available and include very clear language in the agreement that it would be a one time event for a special time of the year. It would not open the door to allow the camel to stick its nose into the tent. The Board was only creating additional parking spaces for an event but not future camping. To do otherwise would be a disservice to the community and the individuals who are already here. She felt that this action is similar to the action taken on the used car sales. Supervisor Bennett again requested Supervisor Plank amend the motion. **Supervisor Plank indicated he would amend the motion to limit the number of spaces to 50 and make it clear that it was one time once a year event.** Supervisor Bennett continued her second. Mayor Masayko indicated the motion is to grant the Capitol City Gun Club a variance of the existing policy regarding RVs and tents in Carson City Parks for the Shoshone Indian Shooting Event, this event only, to be held in late June 1998, and limit the number of spaces to 50 to be held at the Carson City Gun Club. Supervisor Plank indicated that the motion also included accommodating subsequent years within the contract with the Shoshones. Supervisor Tatro also pointed out the need to understand that there is no commitment for funding. If anyone constructs RV spaces at the range, the funding for this construction must be processed through the normal budgeting procedure. This is a separate process and another issue. He indicated that the other Board members were nodding in agreement, therefore, it did not need to be included in the motion. He then explained his involvement with the current policy. The policy was a valid solution. Although he felt it would be great to have the event in Carson City, he was unsure of how to condition the motion to prohibit additional events requiring RV parking as a part if the event packaging. This parking had been eliminated at Fuji Park Fairgrounds because it was directly in competition with the private sector, which was right across the street. The range is relatively remote, although that is difficult to have in Carson City. The site is not right across the street from a provider who has the same services. He was unsure what kind of fees would be collected and whether this issue had been discussed by the Parks and Recreation Commission. He was also unsure if this use would be subject to room tax. These issues should be analyzed. He did agree with Mr. Osborne that it would appear to be an unreasonable restriction to have a variance for which facilities have been constructed to its use for only one purpose; specifically, if, down the road, the actual painting, paving, hookups, etc., are done. This will be a good sized burden for one event. There will be another show coming in mid-September and, pretty soon, there will be an event in May. I think that you can see how it will grow. It will

make sense if you are running a gun club to say, "we have to utilize the facility in which we have invested", and it will make sense to say, "look community we should bring in another event". Supervisor Bennett the questioned whether the Parks and Recreation Commission should reconsider the policy, specifically, as Mr. Kastens has indicated that there is an opportunity for the community to attract other types of events which need facilities closer to the event. She suggested that the Commission analyze the potential for a public-private partnership. There are a lot of events which could be held at the gun club and Fuji Park which would attract additional people to the community who will need to be close to the facility. Perhaps, the Commission would like to approach the private sector and ask if the private sector wished to put in the facilities on the public property. This would create a "win-win" situation. The private sector could promote and advertise the facility as part of its entire scope of services or "Come to Carson City". The City would be able to collect the room tax and the facility will get a small percentage. She suggested going back and re-analyzing the policy in order to create a "win-win" situation for both the private sector and the City. Supervisor Plank indicated his support for the idea, specifically, if the Board begins to worry about some of Supervisor Tatro's issues regarding additional events. This could be the only way to go when considering multiple events and in an effort to be fair to the private sector. He did not wish to delay acting on his motion today as there is a timeline to bid the event. Mr. Allgeier indicated the deadline was April 18. **The motion to approve the variance as conditioned was voted by roll call with the following result: Plank - Yes; Bennett - Yes; Tatro - No; and Mayor Masayko - Philosophically I was going to vote no but in order to move this, I will go with the majority because of the even number on the Board; I have serious concerns over the competition aspects with people in the community who provide camping spaces, if you will, and I certainly want to make it clear that this vote in favor is also not an endorsement of spending any public money to improve those spots and also to, Supervisor Bennett, your point is well taken, that the public-private partnership sounds good on the surface but, I have learned in the last three months, it is certainly complicated since we are a government to make those kind of things happen, the ideas are great but, we will, I think the idea is good and we will do whatever we need to do to try to make it work, but, with that I will vote yes and let these folks proceed, I think the good of the community is at heart but I still have a lot of reservations regarding the competition issue, Yes. Motion carried 3-1-1 with Supervisor Smith absent. Mr. Allgeier indicated he understood the reservations.**

**9. PERSONNEL MANAGER - Judie Fisher**

**A. ACTION ON APPOINTMENT OF MEMBER TO THE CARSON RIVER ADVISORY COMMITTEE (1-2675.5)** - The Board conducted interviews of the following applicants: Ben Sterling, Patrick Sollberge, and Marion Battaglia. Mayor Masayko thanked each for applying. Following discussion on whether to select an individual now or after the balance of the agenda, Supervisor Tatro moved that the Board appoint Marion Battaglia to the Carson River Advisory Committee for a term to expire in August 2000. Supervisor Plank seconded the motion. Supervisor Tatro then expressed his feeling that there had been three good candidates for the opening and that they would each have done well in the position. Ms. Battaglia had separated herself from the others as she had read the Carson River plan, was familiar with Question 18, had done her homework, had been a resident of Carson City for 45 years, and has been an active part of the community for the majority of that time. He felt that she was an excellent choice. Mayor Masayko agreed with his comments and, while Ms. Battaglia is not a wildlife expert or educated in wildlife, he was certain that, knowing her as he does, she will inform herself on wildlife issues. Supervisor Tatro also pointed out that Ms. Battaglia has the same professional background as Don Quilici whom she would be replacing. This could be appropriate. The motion to appoint Ms. Battaglia was voted and carried 4-0. Mayor Masayko commended her on her appointment and, again, thanked the other applicants for applying. He also encouraged them to keep their applications current and to apply for other positions.

**B. ACTION ON APPOINTMENTS TO THE BOARD OF MASSAGE EXAMINERS (1-3305.5)** - These three positions will expire in April 1999. Discussion indicated that the ordinance will have to be modified to adjust the expiration date. Supervisor Tatro moved that the Board appoint Yolanda Garcia-Tella, Phil Dubois and Kim Paige to the Board of Massage Examiners. Supervisor Bennett seconded the motion. Motion carried 4-0.

## 11. BOARD OF SUPERVISORS

### D. DISCUSSION AND POSSIBLE ACTION ON PROPOSED CHANGES TO THE NRS REGARDING THE APPOINTMENT PROCESS FOR AIRPORT AUTHORITY MEMBERS (1-03419.5) -

Airport Authority Representative Steve Tackes explained a previous request for the Legislature to change the appointment process for the Authority Members to allow the City official to serve two consecutive four year terms. This had been accommodated. At that time he had been queried about the reasons the appointment process had not been changed for the other Members. Difficulties encountered attempting to obtain FBOs to serve on the Authority were noted. Therefore, he had drafted legislation, which the Authority had considered, to modify the terms to allow the other Members to serve consecutive terms as well as to grant the Board the authority to appoint an individual to consecutive terms. He emphasized that it would not be an automatic reappointment process. Supervisor Bennett then explained her reasons for agendizing the issue. Mr. Tackes responded by indicating that the bill draft had not been introduced and could be pulled. He agreed that the Board should have considered the issue before the bill draft was requested.

(2-0016.5) Bob Thomas indicated he had been a former Airport Authority Member and his and Supervisor Bennett's role in establishing the Authority. He was not opposed to having the City appointee serve consecutive terms. The current appointment process provides an appropriate check and balance for the other members. As the Authority has tremendous authority and does, in fact, run the entire Airport, the terms should be restricted and rotated. There are an adequate number of FBOs at the airport to serve on the Authority without creating an appointment problem. This program forces the FBOs to work together. The Airport's success is a direct result of this program. It would take active recruitment to obtain a volunteer, however, he was certain that the FBOs would respond if asked. He agreed that there are personality problems and divergent views about its use between the FBOs. He urged the Board to maintain the status quo as it forces everyone to work together for the good of the community and eliminates the potential for domination by anyone group or thought. Mayor Masayko thanked him for his comments and the history of the restriction. Supervisor Plank also thanked him for his comments due to his original feeling that the term limit should not be restricted.

(2-0181.5) Malcolm Redwine expressed his feeling that the Airport is the largest facility owned by the City. There are eight FBOs and each wanted to serve. He urged the Board to look to other FBOs for appointment. Mike Day explained his interest in serving on the Authority, however, a four year term is not attractive to him. He suggested the term be for one year as there are an adequate number of businesspeople within the community who would like to serve. Additional public comments were requested but none made.

(2-0215.5) Mr. Tackes respected Mr. Thomas' opinion, however, they must agree to disagree on this topic. A pitch should be made to not reappoint the individual when that individual is up for reappointment. The Board needed to have flexibility when making its appointments. The Board should not be forced to make a change for change's sake. His efforts to obtain a manufacturer to serve on the Authority was explained to illustrate the difficult encountered in finding volunteers to serve. An individual who is interested in serving should be attending the meetings on a regular basis. He offered to assist Mr. Thomas in his recruiting. He had not been aware that the four year term was too long. It could pose a problem for volunteers, however, it would take at least that long to process an FAA grant application. The need for continuity to complete this task was explained. He requested the Board approve the bill and establish a Board ordinance or policy if a limitation is appropriate.

Supervisor Bennett explained the difficulty she felt she was in on this issue due to her respect for Messrs. Tackes and Thomas. Fundamentally, she wished to retain the language as written. The legislation means that the FBOs and members of the Airport Authority could not become complacent and "let the other guy do it". They must be involved, take responsibility and attend the meetings. They must know that their time is coming. It was very unfortunate that this has not been happening. The success of the airport depends upon a dynamic interest as it is an ongoing and evolving entity which is a huge, huge asset to the community. It deserves the attention it should get. Supervisor Bennett then moved that the Board of Supervisors retain the language that is in the Airport Authority Chapter 844 in Section 4, Number 3 which says "The City official who is appointed as a member of the board is eligible for reappointment to the board upon the expiration of his term. Each of the other members of the board are

eligible for reappointment to the board four years after the expiration of his term." Supervisor Plank seconded the motion. Mayor Masayko explained his opinion had been persuaded by Mr. Thomas' history, philosophy, and information related to the original intent. He felt that it was "food for thought" for Mr. Tackes and the other Authority members, it is slightly disruptive when every member must be replaced at the end of a four year term as there are no overlapping terms, at least this is his understanding. Mr. Tackes indicated that the terms are staggered. Mayor Masayko indicated this removes his objection and provides a stronger motive for saying, "It is your Airport, Ladies, Gentlemen, FBOs, and Manufacturers. You must participate. We certainly need diversity." Supervisor Plank explained his reasons for feeling that there was a need to not have the flexibility based upon the Board's previous action which required appointment to the Massage Board. He felt that it is possible that this could happen at the Airport. Mr. Thomas had also pointed out that an easy way to handle it would be to let Mr. Smith serve again and again and again. Mayor Masayko agreed that it would make it more challenging, however, the Legislature will be meeting again in two years. We will see how it works out. The motion to retain the current language was voted and carried 3-1 with Supervisor Tatro voting Naye and Supervisor Smith absent. .

Mr. Thomas indicated that he would not oppose having the City representative be one of the Supervisors. Supervisor Bennett supported his recommendation. Mayor Masayko questioned whether there is a Statute prohibiting this appointment. Mr. Thomas then pledged to actively recruit manufacturers to serve on the Authority. Mayor Masayko then thanked all of the volunteers, Authority members, and FBOs for their dedication, professionalism, and hard work to make the airport a point of pride in the community. Mr. Thomas indicated "this is volunteerism at its best".

BREAK: An eight minute recess was declared at 12:10 p.m. When the meeting was reconvened at 12:18 p.m. a quorum was present although Supervisor Smith was absent.

**B. SUPERVISOR PLANK - DISCUSSION AND DIRECTION TO STAFF REGARDING TRAFFIC CONTROL ON BOWERS LANE (2-0402.5)** - Supervisor Plank explained Supervisor Smith's absence, Supervisor Plank's reasons for bring the problem to the Board's attention, and RTC's consideration of the issue. Although staff could not justify a traffic flow restriction, he felt that the Board had a responsibility to the residents to restore the neighborhood to its residential tranquility. The street is being used as a shortcut to the industrial area.

Deputy Public Works Director Tim Homann expressed his appreciation for the procedure utilized by the residents. He then explained for the record the technical findings he must make to justify any mitigation procedures he might implement. The street is being used as a collector which is neither dangerous nor residential in nature. He then used the overhead projector to display an area map of Bowers between Nye and Arrowhead. Bowers had not been identified as a collector in the Streets and Highway Master Plan. It is posted for 25 miles per hour and has no truck signs. It is 26 feet in width and 1300 feet in length with twenty driveways and intersects with August. The traffic volumes were then described. Its peak usage period equates to three vehicles per minute. The speed analysis indicates 85 percent of the traffic is traveling at 35 miles per hours which is ten miles per hour over the posted speed. The classification index indicated 21 percent of the vehicles are trucks which are over 19 feet in length. A copy of the report had been given to the Sheriff's Department who could address the speeding issue. There had not been a reported accident on this street during the last three years. Normal residential vehicle use was described as being between 500 and 800 vehicles a day. Two lane roadways can handle an additional volume than that indicated. Bowers Lane is felt to be operating at a Service Level A. Without any reported accidents he could not recommend any mitigation measures. He agreed that the residents could be experiencing problems attempting to back onto the street. Likewise, the 35 mph traffic flow pattern may not be unreasonable. The school crossing is posted and painted. A long range solution would be to construct the roadway section connecting Arrowhead and Graves Lane. An overhead illustrating this area was explained as well as the reasons for using Bower as a cut-through. This street may not be constructed for two or three years. He then described the drainage problems encountered at Bowers Lane and the plan to develop a drainage facility in the vicinity. A swale or valley gutter could be constructed in Bowers Lane at August which would slow traffic/make it more desirable to use an alternate route. Other options included undulations or a traffic table. Reasons for rejecting these options were

noted. Stop signs could also be installed, however, traffic does not warrant a four-way stop. The Board could direct staff to install the signs based on public testimony. It may not create the desired effect. The residents had suggested barricading Bowers at Arrowhead which will eliminate through traffic. He was willing to conduct such an experiment, however, the Board should be aware of fact that it could create an outcry from other members of the public. Also, drivers may elect to cut through the large empty lot on the southwest corner of Bowers. This would eventually establish a dirt roadway and liability concerns. He recommended fencing this parcel. The barricade may only force the traffic onto other residential streets. School bus and garbage pick-up routes will be impacted and appropriate notices provided. The residents should also be cognizant of the fact that their traffic patterns will have to be modified. The decision is beyond his purview. He was willing to support whatever direction the Board selects.

(2-0845.5) Bob Gilbert felt that a temporary solution was to have been provided by RTC within 30 days of the date the neighborhood had met with the Commission. This had not occurred. He understood the parameters under which Mr. Homann must work. He then used Mr. Homann's statistics to illustrate the reasons the neighborhood felt that something should be done. Residential problems were described including the traffic jams and speed/safety issues. Traffic would only increase as the City continues to grow. The residents wished to prevent an accident before it occurs. The response from staff indicated that precautionary measures could not be implemented first. He thanked the Board for considering the issue and using its authority to over-ride the statistics. He wished to be able to allow the children to play in their front yards and to enjoy his residential neighborhood. He urged the Board to authorize the drainage improvements and to install the barricade. He was willing to fund the public notice advising others that the street had been closed. A street sign should also be posted. The need to use August to access Arrowhead should not be considered as it is a short windy street. He felt that someone had determined that Bowers would be used as an access when Arrowhead was paved. This should not have occurred as Arrowhead goes to Highway 50 and has a signal. Discussion between Supervisor Bennett and Mr. Gilbert indicated that the residents are competing with the peak traffic volumes.

Supervisor Bennett indicated her feeling that it is an accident waiting to happen. She suggested that both Bowers and Sunrise become cul-de-sacs otherwise traffic would merely be displaced. This may create pressure on the City to construct the link between Arrowhead and Graves Lane. Discussion indicated this construction may occur in the spring of 1998 as a part of the Graves Lane extension, however, additional right-of-way is needed for the link which may delay it.

(2-1112.5) Mr. Gilbert reiterated his reasons for feeling that the public would not use Sunrise. He also recommended the barricade be placed at the north end of Bowers.

Supervisor Tatro explained Public Works Director Aldean's commitment to installing the valley drain in Nye Lane. He then explained his original opposition to a proposal to cul-de-sac Kingsley due to the increase in response time required for emergency vehicles. Mr. Gilbert explained the route used by the Fire Department. It would not impede emergency response. Supervisor Tatro suggested that drainage structure be constructed in a fashion which would post signage at both ends of Bowers that the road is closed for construction and through traffic is prohibited. Then the typical construction procedure of expediting the process would not be followed. The road could be closed for a week. This process should be implemented as quickly as possible but actual construction slowed. The ends would be boxed so that through traffic would not be allowed. It would be a inconvenience for the residents. It would allow staff to analyze the new traffic pattern and the negative impacts without creating a permanent fixture. When construction is finalized, the impact of the gutter could then be analyzed. Mr. Gilbert felt that this would involve the assumption that people would be law-abiding and not attempt to traverse the street during "construction". He felt that only 15 percent would be law-abiding and the remaining 85 percent would continue to use the "closed" street. The pros and cons of Supervisor Tatro's suggestion were discussed by Supervisor Tatro and Mr. Gilbert. Supervisor Plank felt that the drainage facility and street closure would take more than a week to complete. Mr. Homann agreed.

(2-1267.5) La Donna Gilbert supported her husband's comments. She felt that the Supervisor Tatro's suggestion would be a temporary fix. The street had originally been a cul-de-sac, therefore, it would not be a new experience

for the residents. She expounded on the negative impacts created by the traffic volume and speed. She also pointed out the impact created by the recreational activities at Centennial Park. The change in traffic patterns would only increase the commute by one minute.

Lucy Kordonowy expressed her feeling that the Board had created the problem when it approve the golf course, Centennial Park, and additional development in the industrial park. She invited the Board to come to the area during the peak use periods and observe it. The residents are cognizant of the problem and are very careful when they must use the street. This is the reason accidents had not occurred. She explained the route she felt the ambulance/Fire Department would use to respond to the area. She, too, felt that Sunrise would not be used as an alternate. She urged the Board to construct the road between Nye and Graves.

(2-1378.5) Kim Good explained the difficulty her children have playing in their yard/going to the park or to friends. She urged the Board to attempt something in the hope that it would work. She felt that the traffic count had been conducted when Centennial Park and the golf course were being used minimally.

Supervisor Plank explained Mrs. Yochum's comments about the traffic problems encountered on East Nye and the use of her yard and the bicycle path as a short-cut. Supervisor Bennett supported installing the barriers on Bowers Lane. The Board had encouraged expansion of the industrial area and had not intended to jeopardize the Bowers Lane residential neighborhood. She suggested the barricade be installed for a 60 to 120 day trial period. She was willing to reconsider the issue if public outcry occurred. During this time the drainage problem should be under construction/resolved. She pointed out the responsibilities drivers have to the residents. The Sunrise residents would also have comments. The problem will not be resolved or lessened until the road between Airport and Nye is constructed. Supervisor Tatro reiterated his suggestion to use the construction period to analyze the impacts. It would allow the Board to develop alternatives if the problem is merely relocated. Supervisor Plank questioned the time it would take to commence construction of the valley gutter and urged the Board to formulate a plan which would immediately address the problem. A three-way stop may provide this relief. Mayor Masayko also expressed his concern about the impact the barricades would create. This alternative should be considered only as the last resort. He supported installation of the three way stop signs immediately. The valley gutters should also be installed. The street should then be allowed to function for a "reasonable amount of law abiding traffic" which a barricade would prohibit. Mr. Gilbert felt that the drainage could slow the traffic down, however, it would create an additional congestion problem. Mayor Masayko felt that this impact could be the incentive necessary to force this traffic onto another street or back on Arrowhead. Mr. Gilbert then described the current congestion which is created by traffic going east on Highway 50. This is the reason traffic is using the bike path. Mayor Masayko pointed out that the Sheriff's Department also needed to patrol the area. Supervisor Bennett noted the area is Single Family One Acre and the negative impacts created upon this lifestyle. She supported installation of the cul-de-sac. Supervisor Plank explained the residents' divergent opinions on how to resolve the situation. Mr. Gilbert felt that the stop sign proposal was not an appropriate type of action. Supervisor Plank moved that the Board of Supervisors direct the Public Works Department to install a cul-de-sac barrier on the north end of Bowers Lane so that it cannot be accessed from Arrowhead. Supervisor Bennett seconded the motion. Mr. Forsberg noted the item had been agendized for discussion and direction but not action. The Open Meeting Law was discussed. Supervisor Plank withdrew his motion and Supervisor Bennett withdrew her second. Supervisor Plank indicated his intent to reagendize the item for the next meeting. Mayor Masayko indicated his opposition to the cul-de-sac. Supervisor Tatro supported his opposition which indicated the vote would have been a 2-2 vote. He then explained the Open Meeting Law and reasons Supervisor Smith's vote in abstentia could not be considered. Mr. Forsberg suggested that Public Works recommend alternatives for the Board to consider at its next meeting. Supervisor Tatro then pointed out that there are two solutions: 1. Do the cul-de-sac; or 2. Temporarily block the street, reopen the street, measure the effectiveness of the drainage structure upon the traffic, and then cul-de-sac the street if the drainage structure does not work. Supervisor Tatro requested Mr. Homann agendize these alternatives for discussion and action at the next meeting. Mr. Gilbert urged the Board to expedite its action as much as possible. Supervisor Bennett suggested the item be agendized for an evening session. Supervisor Plank supported Supervisor Tatro's number two suggestion. Mayor Masayko asked staff to include any additional options. Mr. Homann explained his understanding of the two options provided by Supervisor Tatro. He suggested a third alternative which would be to install temporary stop signs at August. These signs will be removed when

construction occurs. Mayor Masayko requested the valley gutter construction timeframe be included in the report. Mr. Gilbert thanked the Board for its time and consideration.

**E. ACTION TO PRIORITIZE THE BOARD'S GOALS FOR FISCAL YEAR 1997-98 (2-1965.5) (2-2099.5) - Pulled.**

**F. ACTION TO APPROVE THE PROCESS TO BE USED FOR THE DEVELOPMENT OF THE FISCAL YEAR 1997-98 BUDGET (2-1979.5) -** Discussion ensued on the process. Mayor Masayko indicated that the Departments/requests would be grouped together. Supervisor Tatro moved to reuse the existing procedures for budget hearings as have been (previously) used by the City for the Fiscal Year 97-98 budget. Supervisor Bennett seconded the motion and questioned the procedure for finalizing the community support service budget. Mr. Berkich indicated that these budgets will be presented the first evening, May 1, and that on May 12 the Board will act on the requests. The final allocations will be considered by the Board on Monday, May 19. The May 1st meeting will commence at 6 p.m. No action will not be taken on that date. The motion to use the existing budget procedure for Fiscal Year 97-98 was voted and carried 4-0.

**C. ACTION TO APPROVE THE 1997 LEGISLATIVE AGENDA (2-2103.5) -** Discussion ensued on SB 249, Carson City Charter changes. Supervisor Tatro explained his opposition to the Charter changes as proposed by Senator Adler which had not been approved by the Board. These items would have established: a Department of Municipal Courts and appointed an additional municipal judge and police judge, allow the Board to suspend business licenses for just cause, and selection of Supervisors by Ward during the Primary. He urged the Board to oppose the Bill if these changes are still a part of it when considered on Monday afternoon. He also asked the Board to resubmit the resolutions to Senator Adler so that he could amend the Bill. Mayor Masayko and Mr. Berkich felt that Senator Adler would amend the Bill. Supervisor Bennett suggested Mayor Masayko contact him "ASAP" regarding the Board's position on this Bill. Supervisor Tatro moved that the Board direct Mayor Masayko to meet with Senator Adler as early as possible to request that either Senate Bill 249 be amended or withdrawn; if the Bill is amended, that the amendments be as contained in the City's requested Resolutions 1996-R-36, 1996-R-34, and 1996-R-35 and nothing else. Mayor Masayko indicated that the motion would allow Senator Adler to either amend the Bill or withdraw it. Supervisor Bennett seconded the motion. Motion was voted and carried 4-0.

Discussion ensued on the "Lake County" Bill and AB 237. Mayor Masayko requested Mr. Berkich keep the Board posted on a weekly basis about the status of the other Legislative issues which were listed on the sheet. Supervisor Tatro pointed out the need for the Board to take action on how/who should testify on some of those issues. Supervisor Tatro then moved that the Board approve the concepts presented in the Legislative Agenda list Items 2, 3, 4, 6, 7, 9 and 10 and allow the representative for Carson City to indicated at least general support for those items at the Legislature if the need arises. Supervisor Plank seconded the motion. Discussion indicated that the Board had previously taken action or none is required at this time on Items 1, 5, 8, 11, and 12. The motion was voted and carried 4-0.

Mr. Berkich noted that there are other legislative issues which staff will, from time to time, be asked to testify on which the Board may not be aware of or have provided formal action/direction on. Supervisor Bennett requested staff provide reports on such issues and that the Legislative Agenda be agendized for every Board meeting. Reasons for this approach were discussed.

**G. ACTION ON ACQUIRING FURNITURE FOR BOARD MEMBER OFFICES AT THE CITY HALL (2-2495.5) -** Mr. Berkich explained the request. There would be an individual office/work space for each Board member at the new City Hall. The Steelcase furniture line had been selected. Pamphlets displaying this line were available for the Board to analyze. A supplemental request in the amount of \$12,000 had been added to the Board's budget request. The new City Hall concept had not included new furnishings. The City Manager's front office would be furnished with Steelcase furniture. The remainder of the offices will utilize current furnishings. The new items will be acquired by using the TQI funds. Mayor Masayko explained the Board's lack

of TQI funds. He invited the public/media to visit the Board's offices at Northgate and check the need for new furniture. His and Supervisor Bennett's support for the expenditure were noted. Supervisor Bennett moved that the Board of Supervisors approve acquiring the furniture for the Board Members' offices at the City Hall in the amount not to exceed \$12,000. Supervisor Plank seconded the motion. Mr. Berkich urged the Board to delay action until the budget process occurs. He requested support on the type of furniture, specifically, Steelcase or another alternative. Supervisor Bennett withdrew her motion and Supervisor Plank withdrew his second. Supervisor Bennett supported the Steelcase line. Supervisor Tatro explained his recommendation that the funding amount be reduced by 25 percent as he did not propose to and would not use the space designated for his office. He wanted the City to utilize the space to the maximum during his tenure. Mr. Berkich indicated that the funds would be used to provide furniture and space for temporary employees. He had anticipated Supervisor Tatro's comments. Comments by Supervisors Bennett and Plank supported Mr. Berkich's recommendation that the furnishings be from the Steelcase line. Supervisor Bennett moved that the Board of Supervisors pursue the Steelcase line of furniture for the Board members for the City Hall and that the City Manager incorporate the acquisition of those pieces of furniture into the 97-98 budget and return to the Board with that budget and work with the members on the selection of those pieces in an amount not to exceed \$12,000. Supervisor Tatro opposed the motion as he felt that the supplemental request should not be considered until the budget hearings occur. Mr. Berkich explained that Supervisor Bennett's motion would require him to return with the funding request during the budget process. He will include in the budget a description of the items which the funds will acquire. The money will not be obligated nor spent until the 97 budget is approved. Mayor Masayko seconded the motion and indicated that the motion would select the Steelcase line of furniture and for Mr. Berkich to work with the Board Members and bring the cost back to the Board for approval as a supplemental request during the 97-98 budget process. The motion was voted and carried 3-1-1 with Supervisor Tatro voting Naye and Supervisor Smith absent.

**A. NON-ACTION ITEMS - INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (2-3001.5)** - Supervisor Bennett explained the Subconservancy District's decision on the Carson River and its flood control which makes the users responsible for the diversion structures and the District responsible for flood control and levys. This action releases FEMA funding for immediate repair.

**10. DISTRICT ATTORNEY - Deputy District Attorney Mark Forsberg - ACTION APPROVING A RETAINER AGREEMENT BETWEEN CARSON CITY AND THE LAW FIRM OF ROBINSON AND COLE FOR CONSULTATION SERVICES IN AN AMOUNT NOT TO EXCEED \$7500 IN THE CASE OF LANGSON VERSUS CARSON CITY, ET AL., U.S. DISTRICT COURT CASE NO. CVN-97-00034-DWH(RAM), AND OTHER MATTERS PROPERLY RELATED THERETO (2-2890.5)** - Supervisor Bennett supported the selection and moved that the Board of Supervisors approve a retainer agreement between Carson City and the law firm of Robinson and Cole for consultation services in an amount not to exceed \$7500 in the case of Langson versus Carson City, et al., U.S. District Court case number CVN-97-00034-DWH(RAM) and other matters properly related thereto, fiscal impact is \$7500, and the funding source will be the insurance fund. Supervisor Tatro seconded the motion. Motion carried 4-0.

There being no other matters for consideration, Supervisor Plank moved to adjourn. Mayor Masayko seconded the motion. Motion carried 4-0. Mayor Masayko adjourned the meeting at 2:30 p.m.

The Minutes of the April 3, 1997, Carson City Board of Supervisors meeting

1997. ARE SO APPROVED ON \_\_\_\_\_ June 19 \_\_\_\_\_,

\_\_\_\_\_/s/\_\_\_\_\_

Ray Masayko, Mayor

ATTEST:

CARSON CITY BOARD OF SUPERVISORS  
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/s/ \_\_\_\_\_  
Alan Glover, Clerk-Recorder