

CARSON CITY BOARD OF SUPERVISORS
Minutes of the November 7, 1996, Meeting
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A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, November 7, 1996, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 8:30 a.m.

PRESENT:	Marv Teixeira	Mayor
	Greg Smith	Supervisor, Ward 1
	Janice Ayres	Supervisor, Ward 2
	Tom Tatro	Supervisor, Ward 3
	Kay Bennett	Supervisor, Ward 4

STAFF PRESENT:	John Berkich	City Manager
	Alan Glover	Clerk-Recorder
	Rod Banister	Sheriff
	Al Kramer	Treasurer
	Steve Kastens	Parks and Recreation Director
	Judie Fisher	Personnel Manager
	Jay Aldean	Public Works Director
	Basil "Butch" Moreto	Purchasing & Contrs. Director
	Paul Lipparelli	Deputy District Attorney
	John Mayes	Risk Manager
	Rob Joiner	Principal Planner
	Liz Hernandez	Admin. Asst. to City Manager
	Katherine McLaughlin	Recording Secretary
	Tara Hullinger	Associate Planner
(B.O.S. 11/7/96 Tape 1-0001.5)		

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

CALL TO ORDER, INVOCATION, PLEDGE OF ALLEGIANCE, AND ROLL CALL - Mayor Teixeira convened the session at 8:35 a.m. Rev. Al Tilstra of the Seventh Day Adventist Church gave the Invocation. Sheriff Banister led the Pledge of Allegiance. Roll call was taken. The entire Board was present constituting a quorum.

1. ACTION ON APPROVAL OF THE MINUTES - October 3, 1996 (1-0029.5) - Supervisor Ayres moved to approve the Minutes of October 3, 1996, as presented. Supervisor Tatro seconded the motion. Motion carried 5-0.

CITIZEN COMMENTS (1-0035.5) - None.

LIQUOR AND ENTERTAINMENT BOARD - Mayor Teixeira recessed the Board of Supervisors session and immediately convened the Liquor and Entertainment Board. The entire Board was present, including Sheriff Banister, constituting a quorum.

2. TREASURER - Al Kramer

A. ACTION ON A FULL BAR LIQUOR LICENSE FOR PETR DZUREC, DOING BUSINESS AS THE RETREAT LOUNGE (1-0039.5) - Mr. Dzurec indicated he had purchased the establishment two months ago. Member Banister noted the favorable Sheriff's Departmental Report. Member Ayres moved that the

Liquor and Entertainment Board approve the request for a full bar liquor license for Petr Dzurec, doing business as The Retreat Lounge; fiscal impact is \$500 Investigation Fee, \$1,000 Original New, and \$200 Quarterly. Member Smith seconded the motion. Motion carried 6-0.

B. ACTION ON A CHANGE IN LIQUOR LICENSE MANAGERS FOR BOTH ALBERTSON'S STORES LOCATED IN CARSON CITY (1-0058.5) - Albertson's Representative Kevin Stevens briefly explained the request. Member Banister noted the favorable Sheriff's Departmental Report. Member Smith moved to approve the change of liquor license managers for both Albertson's stores located in Carson City; fiscal impact is a \$75 Investigation Fee. Member Ayres seconded the motion. Motion carried 6-0.

BOARD OF SUPERVISORS (1-0078.5) - There being no other matters for consideration by the Liquor and Entertainment Board, Chairperson Teixeira adjourned the Liquor and Entertainment Board and immediately reconvened the session as the Board of Supervisors. The entire Board was present constituting a quorum.

3. CONSENT AGENDA (1-0080.5)

A. HOUSING AUTHORITY - ACTION ON TEMPORARY INCREASE OF HOUSING DOWNPAYMENT ASSISTANCE

B. PURCHASING DIRECTOR

i. ACTION ON CONTRACT NO. 9697-87 - UTILITIES COMPLEX WAREHOUSE/TRUCK BARN ADDITIONS

ii. ACTION ON CONTRACT NO. 9697-103 - LONE MOUNTAIN CEMETERY IRRIGATION SYSTEM

iii. ACTION ON CONTRACT NO. 9697-106 - THEATER LINESETS, CABLING AND PIPING FOR HANGING THEATER CURTAINS AND SCENERY

iv. ACTION ON CONTRACT NO. 9697-107 - PARKS DEPARTMENT AND EAGLE VALLEY LAWN MAINTENANCE EQUIPMENT

v. ACTION ON CONTRACT NO. 9697-109 - MASTER PLANNING SERVICES TO UPDATE THE CARSON CITY MASTER PLAN HOUSING ELEMENT

vi. ACTION ON CONTRACT NO. 9596-208 - 1996 SEWER LINE REPLACEMENT PROGRAM, FINAL PAYMENT

vii. ACTION ON CONTRACT NO. 9596-101 - UTILITY ADDITION BUILDING, SPECIAL TESTING AGREEMENT, AMENDMENT NO. 1

viii. ACTION ON CONTRACT NO. 9697-114 - ZONING MAP UPDATE AGREEMENT

ix. ACTION ON CONTRACT NO. 9697-111 - PRECONSTRUCTION MANAGER FOR THE SAFETY COMPLEX AGREEMENT

x. ACTION ON CONTRACT NO. 9697-98 - STREET DEPARTMENT BACKHOE PURCHASE - Supervisor Bennett pulled Contract 9697-114 for discussion. Supervisor Bennett moved that the Board of Supervisors approve the Consent Agenda as presented with the exception of Contract No. 9697-114 which will be heard separately. Supervisor Tatro seconded the motion. Motion carried 5-0.

B. viii. (1-0105.5) - Associate Planner Tara Hullinger explained the purpose and reasons for the request. Discussion between Ms. Hullinger and the Board indicated staff may do some of the work in-house which will reduce the cost. It will be possible in the future to update any revisions electronically. This will keep the map current. Supervisor Bennett requested a copy of the updated map be kept in the Sierra Room and that a presentation be made before the Board when the update is completed. Supervisor Bennett moved that the Board of Supervisors accept the Purchasing Department's recommendation on Contract No. 9697-114 and authorize the Community Development Department to issue Claim Forms for monthly payments to Gnomom, Inc., 1801 Highway 50 East, Carson City, Nevada, for a not to exceed cost of \$16,170; funding source is Professional Services Master Plan as provided in Fiscal Year 9697 budget. Supervisor Ayres seconded the motion. Motion carried 5-0.

4. TREASURER - Al Kramer - ACTION ON APPROVAL OF A RESOLUTION CONCERNING THE

FINANCING OF A PUBLIC SAFETY BUILDING PROJECT; AUTHORIZING THE CITY CLERK TO NOTIFY THE CARSON CITY DEBT COMMISSION OF A PROPOSAL TO INCUR GENERAL OBLIGATIONS ADDITIONALLY SECURED BY PLEDGED REVENUES; PROVIDING CERTAIN DETAILS IN CONNECTION THEREWITH (1-0169.5) - Discussion indicated the Commission would meet on November 18. The Board would consider the Bond at its November 21st meeting. Supervisor Bennett moved that the Board of Supervisors adopt Resolution No. 1996-R-57, A RESOLUTION CONCERNING THE FINANCING OF A PUBLIC SAFETY BUILDING PROJECT; AUTHORIZING THE CITY CLERK TO NOTIFY THE CARSON CITY DEBT COMMISSION OF A PROPOSAL TO INCUR GENERAL OBLIGATIONS ADDITIONALLY SECURED BY PLEDGED REVENUES; AND PROVIDING CERTAIN DETAILS IN CONNECTION THEREWITH. Supervisor Ayres seconded the motion. Motion carried 5-0.

5. PERSONNEL MANAGER - Judie Fisher - ACTION ON APPOINTMENT TO FILL ONE VACANCY ON THE AIRPORT AUTHORITY (1-0205.5) - Supervisor Tatro declared a potential conflict of interest and left the room--8:50 a.m. (A quorum was still present.) Discussion noted Mr. Kitchen had served in this capacity previously. He will fill the position formerly held by John Kelley. Supervisor Ayres moved to appoint to the one vacancy on the Airport Authority Ron Kitchen who was recommended for the Field Base Operator appointment by the Airport Authority; the term is for four years and will expire in October 2000. Supervisors Bennett and Smith seconded the motion. Motion carried 4-0-1 with Supervisor Tatro abstaining. (Supervisor Tatro returned at 8:52 a.m. The entire Board was present, constituting a quorum.)

6. NEVADA COMMISSION ON ECONOMIC DEVELOPMENT - Administrative Assistant to the City Manager Liz Hernandez and Commission Representative Audrey Allan

A. ACTION ON A RESOLUTION APPROVING CARSON CITY SPONSORSHIP OF NEVADA REVOLVING LOAN FUND FINANCING THROUGH THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FOR THE FOLLOWING PROJECTS: DARRIN AND COLISSA TEETER, DOING BUSINESS AS HOGI YOGI; GENA PEREZ, DOING BUSINESS AS JOE GARLIC'S; FERMIN PEREZ, DOING BUSINESS AS FERMIN'S MEXICAN KITCHEN; AND WILLIAM JAGER, DOING BUSINESS AS SIGMA PRECISION MANUFACTURING, LTD (1-0230.5) - Discussion noted the request was similar to others which had been approved over the years. The loans will be paid directly to the State.

The City will not be liable for any of the loans if the applicant defaults. The City will be required to perform the environmental reviews and must comply with the the "Single Audit Act". Ms. Allan reviewed the applications. Public comments were solicited but none given. Supervisor Ayres moved to adopt Resolution No. 1996-R-58, A RESOLUTION APPROVING CARSON CITY SPONSORSHIP OF NEVADA REVOLVING LOAN FUND FINANCING THROUGH THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR THE FOLLOWING PROJECTS: DARRIN AND COLISSA TEETER, DOING BUSINESS AS HOGI YOGI; GENA PEREZ, DOING BUSINESS AS JOE GARLIC'S; FERMIN PEREZ, DOING BUSINESS AS FERMIN'S MEXICAN KITCHEN; AND WILLIAM JAGER, DOING BUSINESS AS SIGMA PRECISION MANUFACTURING, LIMITED. Supervisor Bennett seconded the motion. Motion carried 5-0.

B. ACTION ON APPROVAL OF AGREEMENT FOR LOCAL ENTITY RESPONSIBILITY FOR NEVADA REVOLVING LOAN FUND FINANCING THROUGH THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FOR THE FOLLOWING PROJECTS: DARRIN AND COLISSA TEETER, DOING BUSINESS AS HOGI YOGI; GENA PEREZ, DOING BUSINESS AS JOE GARLIC'S; FERMIN PEREZ, DOING BUSINESS AS FERMIN'S MEXICAN KITCHEN; AND WILLIAM JAGER, DOING BUSINESS AS SIGMA PRECISION MANUFACTURING, LTD. (1-0328.5) - Supervisor Smith moved that the Board of Supervisors approve the agreement for local entity responsibility for the Nevada Revolving Loan Fund financing through the Community Development Block Grant Program for the following projects: Darrin and Colissa Teeter, doing business as Hogi Yogi; Gena Perez, doing business as Joe Garlic's; Fermin Perez, doing business as Fermin's Mexican Kitchen; and William Jager, doing business as Sigma Precision Manufacturing, and to authorize the Mayor to sign the closing documents and other project related documentation. Supervisor Ayres seconded the motion. Motion carried 5-0. Mayor Teixeira

thanked Ms. Allan for her efforts, cooperation and support.

7. UTILITIES DIRECTOR - Dorothy Timian-Palmer

A. UPDATE REGARDING NEIGHBORHOOD INFORMATIONAL MEETINGS CONCERNING WASTEWATER RECLAMATION PLANT ODOR CONTROL PROJECTS (1-0352.5) -

Ms. Timian-Palmer explained the neighborhood meetings which had been held and briefly described the odor control projects and timetables. It will take six or seven years to eliminate a majority of the odor problem. If the Board wishes to implement a faster program, additional funding will have to be provided. The proposed phased project will not increase the current rates beyond that needed to address inflation. Ms. Timian-Palmer explained steps which had been taken to reduce the odor problem. She felt that the increase in complaints is due to the increase in residential units now surrounding the facility and the residents' expectation of a better quality of life. No formal action was required or taken on this Item. Mayor Teixeira commended her on the public relations program.

B. INFORMATION PRESENTATION TO THE MAYOR AND BOARD OF SUPERVISORS REGARDING THE "TAKE ROOT IN CARSON CITY" PROGRAM; A PROGRAM FOR PLANTING LIVE CHRISTMAS TREES, DONATED BY THE PUBLIC, IN CITY PARKS AND OTHER CITY OWNED LOCATIONS (1-0421.5) -

Environmental Control Manager Ken Arnold - Mr. Arnold distributed pamphlets to the Board and Clerk on the program and on "Caring for Your Living Christmas Tree". He then described the program. Comments noted the cost of living trees and the gift certificate program. Supervisor Bennett encouraged staff to become active in the Neighborhood Beautification Program. The Board and Mr. Berkich commended staff on the pro-active, innovative program. The previous Christmas Tree recycling program will also be in effect after Christmas. Mr. Arnold also briefly described this program and commend Capital Sanitation for its support. No formal action was required or taken on this Item.

C. ACTION ON A SEWER LIFT STATION LEASE AND SEWER LINES EASEMENT AUTHORIZED TO CARSON CITY FROM THE STATE OF NEVADA (1-0539.5) -

Discussion indicated this would start the process of getting the Single Family One Acre parcels in the southeastern portion of the City on the City system. Any new construction/modular homes will be required to connect. Additional subdividing will not be allowed unless the Board changes its policy. Supervisor Ayres moved that the Board of Supervisors approve and authorize the Mayor to sign a Sewer Lift Station Lease and Sewerline Easement Authorized to Carson City from the State of Nevada; fiscal impact is \$250 per year - Sewage Lift Station and \$1573 per year - Sewer Lines Easement; funding source is 510 Sewerline Maintenance. Supervisor Tatro seconded the motion. Motion carried 5-0.

D. ACTION ON A SEWER LIFT STATION EASEMENT AGREEMENT BETWEEN CARSON CITY AND SIERRA PACIFIC (1-0585.5) -

Ms. Timian-Palmer publicly thanked Mayor-Elect Ray Masayko for his assistance in getting the agreement finalized. Supervisor Ayres moved that the Board approve and authorize the Mayor to sign the Sewer Lift Station Easement Agreement between Carson City and Sierra Pacific in the amount of \$10; funding source 510 Sewerline Maintenance. Supervisor Bennett seconded the motion. Motion carried 5-0.

E. ACTION ON AN ADDITIONAL EXPENDITURE FOR SEWER MAIN EXTENSION AND ENGINEERING FEES NOT INCLUDED IN THE DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND STANTON PARK DEVELOPMENT, INC., REGARDING EMPIRE RANCH ESTATES SUBDIVISION LOCATED IN CARSON CITY, NEVADA, SEWER MAIN PARTICIPATION (1-0607.5) -

Supervisor Bennett moved to approve the additional expenditure of \$9700 for sewer main extension and engineering fees not included in the development agreement between Carson City and Stanton Park Development, Inc., regarding Empire Ranch Estates Subdivision, located in Carson City, Nevada, for sewer main participation; Ordinance number 1996-13, adopted May 13, 1996; fiscal impact is \$9700, and the funding source is 515 Participation. Supervisor Ayres seconded the motion. Motion carried 5-0.

8. COMMUNITY DEVELOPMENT DEPARTMENT - Principal Planner Rob Joiner

A. PLANNING COMMISSION REVIEW AND APPEAL MATTERS - ACTION ON V-96/97-6 - AN APPEAL OF A VARIANCE FROM LEO AND ANNETTE MANKINS TO VARY FROM THE MINIMUM REAR AND SIDE YARD SETBACK REQUIREMENTS ON PROPERTY ZONED SINGLE FAMILY ONE ACRE (SF1A), LOCATED AT 2340 AVERY ROAD, APN 8-892-01 - PLANNING COMMISSION DENIED 5-1-0-1 (1-0640.5) - Mr. Joiner distributed and explained to the Board and Clerk alternatives which would meet the setback requirements. Mr. Joiner explained that the retaining wall, which is a part of the building, is not normally required by Code for the project. Mr. Mankins distributed packets of information to the Board and Clerk. Mr. Joiner indicated he had visited the site but not with the applicants. Mr. Mankins explained his drainage problem and reasons for his request including his safety concerns when backing his RV and boat from the street. Discussion noted that the neighbors supported the applicant. Mayor Teixeira noted the investment which the Mankins had in the RV. Supervisor Ayres explained her personal visit to the site. She did not normally oppose staff's recommendations, however, in this instance she felt that the request should be granted due to the safety concerns. Supervisor Bennett expressed her support for the applicants and commended them on their presentation. She acknowledged staff's concerns and the need to follow the ordinances. Deputy District Attorney Lipparelli requested the motion include findings. (1-0868.5) Supervisor Smith moved that the Board of Supervisors approve the request for a variance, Application V-96/97-6, to allow for a rear yard setback to five feet and a side yard setback to five feet on the basis that: 1. The topography of the subject property and the drainage onto the subject property from the parcels immediately north and west of the property create a special circumstance and condition which when considered with applicant's project creates a hardship for the property owner/applicant; 2. The topography of the subject property, the drainage issues and the safety concerns of the applicant do not generally apply to other properties in the immediate areas; 3. The granting of the variance is necessary to do justice to the applicant to create proper drainage through the subject property given the topography of the site and to create the safest design for the improvements in question; 4. The granting of the variance does not materially damage adjacent property owners and, in fact, several have indicated their support; and 5. The variance does not conflict with the purpose of the Single Family One Acre district where accessory uses to the residential use is permitted. Supervisor Bennett seconded the motion. Public comments were solicited but none given. Public Works Director Jay Aldean expressed a desire to meet with the Mankins at the site, explore the drainage issue, and develop its mitigation plan. He requested clarification from the Board that the motion would not approve a drainage plan. Supervisors Smith and Bennett and Mayor Teixeira indicated the motion did not include the final design. Mr. Mankins responded to Mayor Teixeira's question that he understood that the design must meet the engineering and easement requirements required by Public Works. Mr. Aldean also noted that he may request a small drainage easement between the two lots. This easement would be maintained by the Department. Mr. Mankins indicated he understood this would be a five foot easement. Mr. Aldean agreed. Discussion ensued between Mr. Aldean and Supervisor Ayres on the lack of street signs in this area and the subdivision's initial responsibility for installation of same. Deputy Public Works Director Tim Homann indicated he would check into the matter. The motion to approve the variance based on the findings as indicated was voted and carried 5-0.

B. ORDINANCES - FIRST READING

i. ACTION ON Z-96/97-1 - AN ORDINANCE EFFECTING A CHANGE OF LAND USE ON APPROXIMATELY .62 ACRES FROM SINGLE FAMILY ONE ACRE (SF1A) INTO RETAIL COMMERCIAL (RC) ON PROPERTY LOCATED NORTH OF ROVENTINI WAY, SOUTH OF CLEARVIEW DRIVE AND WEST OF COCHISE STREET, ASSESSOR'S PARCEL NUMBER 9-261-03 AND OTHER MATTERS PROPERLY RELATED THERETO (PLANNING COMMISSION APPROVED 6-0-0-1) (1-0934.5) - Senior Planner Juan Guzman, Applicant's Representative Jim Cavilia, Jim McGee, Bob Hamlin, Albert Reese, Bob Bondiett - Discussion noted the Board's previous consideration of this item, which resulted in a tied vote. Mayor Teixeira indicated he had walked the property. The reasons for staff's recommendation and methods of controlling the use if the request is grant were discussed. A bar would not be allowed unless a special use permit is approved. There could be a Seven-11. Neva Dixon and Elizabeth Sweeney

had telephoned their opposition to the request. Their opposition was based on the drainage/flood problems, projected traffic volume, and impact the additional commercial establishments would have on their residential neighborhood. Clarification indicated Mayor Teixeira had been absent when the request was originally considered and the votes had been tied. The Applicant's Representative then requested the full Board consider the request.

(1-1061.5) Mr. Cavilia noted the work done on the Master Plan land use element and encouraged the Board to implement its zoning for the area. It purportedly designates the land use for the entire parcel as commercial. He also urged the Board to treat the small commercial developers the same as the large commercial developers, i.e., Costco. He felt the opposition was primarily "NIMBY". The traffic and drainage issues will be resolved before a building permit is issued. This will include any impacts to Clearview and 395.

(1-1160.5) Mr. McGee indicated that the neighborhood had held a meeting and had expressed a desire to obtain the services of an attorney, however, funding was not available at this time. He then was selected to speak for the neighborhood. He explained the neighborhood's concern about the increase noise, parking, litter, traffic, lack of ability to enforce the Code, and light pollution which would be created by a commercial strip mall and used the Albertson's operation to illustrate reasons for the concern. Reasons for his feeling that the City would not enforce the Building Codes were illustrated in a photograph of a residence adjacent to his property which purportedly failed to comply with setback requirements. (Two copies are included in the file.) All of the concerns would devalue the residential neighborhood and impact its salability. Realtors' letters supporting his contention were presented to the Board and Clerk. He urged the Board to maintain the buffer between the commercial property and residential neighborhood. He then used an article from the Nevada Appeal which indicated landscaped detention basins are being used as a buffer zone to support this request. Mr. Hamlin urged the Board to hold the line and explained his concern about the impact the increased traffic would create. Mr. Reese explained the purchase of four acres south of the proposed site and his reasons for feeling that he would be allowed to develop his commercial property as the community grew. Infrastructure improvements he had made to accomplish this were noted. Eventually the streets will be paved and both commercial and residential development will occur. Discussion indicated a portion of his property is also split zoned. Mr. Bondiott noted his wife's letter of opposition and voiced his opposition to the increased traffic, the lack of paved streets, the size of the proposed building, the lack of knowledge about the tenants, the current flooding problems and the increase drainage problem which would be created by additional development/asphalt, and current traffic problems at Clearview and 395. He indicated he would have opposed the proposed Costco project. He urged the Board to deny the request. He understood that the property owner could still develop his commercial property. Additional public comments were solicited but none given.

(1-1435.5) Mr. Cavilia cited the goals, objectives, and implementation strategies of the newly adopted Master Plan Land Use Element to support his contention that the Code setbacks and landscaping requirements would be met. These requirements were defined. They will would create an 155 foot setback, a six foot masonry wall, and a six foot landscaped buffer. He pointed out that eventually the area will be developed, as had other areas, and then commercial will back up to residential areas.

(1-1479.5) Supervisor Tatro and Mr. Guzman discussed the ordinance amendments necessary to complete implementation of all of the strategies contained in the Master Plan Land Use Element. Mr. Guzman also clarified the zoning adjacent to the subject parcel including Mr. Reese's zoning. Supervisor Tatro then read the realtors' letters and pointed out the differences between their comments and the request. Messrs. Guzman and Joiner explained other areas in the community which have retail commercial and residential zoning abutting each other. Supervisor Bennett explained her concerns about the impact the project would have on the drainage problem already found in the area. She acknowledged that the request was for a zone change, however, could not separate it from the project. Mr. Guzman indicated that the Board would not consider the final project and emphasized that the Board had no way of requiring the project to be as discussed. Supervisor Bennett then expressed her concerns about the amount of buffer which would be provided and the lack of knowledge about the site's ability to retain/mitigate the drainage on site. She felt that she should see the plans to mitigate both the drainage and impacts on the neighborhood. A zone change does not provide this information. Mr. Guzman indicated that the project's drainage could not impact the area. Regional drainage, however, would not be addressed as a part of the project.

Public Works Director Aldean further explained the erosion problems found in the area and the Code requirements mandating drainage improvements. The drainage improvements are considered prior to issuance of the building permit. The detention basin and its function were described. Such basins are found throughout the City, specifically, as part of large parking lots. He agreed that twenty years ago such developments were not mandated, however, today's standards do.

(1-1690.5) Supervisor Smith apologized for failing to meet with the applicants as he had planned. This had not been done intentionally. His research had indicated that the Williams' reputation for their projects was spectacular. He did not feel that it would be any different for this project and that the follow through, intent, and type of clients would be as stated. He would accept their word for this based upon their reputation. He would, however, reiterate his previous statements. He felt the request was an unnecessary further intrusion of commercial development into a residential area. The applicants could certainly build commercial on the front portion of the property. A request to rezone the back portion is unnecessary. It may be necessary when considering maximizing the value of the property. He could appreciate that, however, this is not his job. Supervisor Smith then moved that the Board of Supervisors deny the proposed ordinance amending a change of land use on approximately .62 acres from Single Family One Acre into Retail Commercial on property located north of Roventini Way, south of Clearview Drive, and west of Cochise Street, known as Assessor's Parcel Number 9-126-03, and other matters properly related thereto for the one finding, which he considered to be most important, the fact that the proposal will be detrimental to the immediate vicinity, in particular, the residentially zoned parcels to the west. Supervisor Tatro seconded the motion. Deputy District Attorney Lipparelli reminded the Board of the standards used for making change of land use decisions by reading them into the record. These elements were discussed in the staff report. The finding incorporated in the motion included a finding on the impact on the neighborhood. It did not include any discussion on the goals, objectives, and recommendations of the Master Plan Element nor the impact within the use district. The Board could add these items to the motion or, if comfortable with the motion, make no changes. Supervisors Smith and Tatro felt the motion was appropriate. The motion to deny the ordinance amendment as indicated was voted by roll call with the following result: Mayor Teixeira - You would do that to me, Glover, let me tell you, I am going to qualify a few things here, first of all, I took the time out to meet with the applicant, Mr. Williams, and I will tell you the turning point, of this whole thing for me, is the letter you sent to my office stating the background for which you purchased the property in 1974, I believe that at one time you were zoned to do exactly what you are asking to do now, and I think you had a year, and that lapsed, and so forth, and from that period of time to the present time, people have made, and specifically Mr. McGee, have made their biggest investment of their lives, you know, it is the homes that they own, and that is pretty big home, a pretty nice product, I've never been invited into it, but it looks pretty nice from the outside, a person that does that makes an investment knowing what the lay of the land is, should have known what it is, Mr. Reeves brings up his intention is to develop commercial along the area, you are not being denied property rights, in fact, I will tell you, and I will also tell Mr. McGee, that, in fact, you have .62 acres left, and it is zoned Single Family One Acre, and I think you have every right to build a residence on that property, and I won't be here, but I will guarantee you if those neighbors come back and say, hey, that's one acre, they should be turned down, and you should be able to build a residence there, so I don't want you to ever have a devaluation of land, but I can't, I can't condition my vote based upon that, but I will tell you that is the correct thing to do so that you don't lose any money in the process or any value of which you bought, the property there is elevating in value because of the investments that people like Albertsons, and so forth, in the area, I think that to continue that and to bring it up even more is an intrusion, and it is a loss of value in that area and I am certain that Mr. Reese across the street is going to want to match up, what's good for one is good for the other, but, before I vote yes, I think possibly in the dialogue that took place with Mr. Aldean, I think there might be a window, because I am going to vote along with Mr. Smith, and go with his motion, but I think there is still a possibility for you to even maximize and possibly do something for the neighborhood, the way that property sets, you know, and when I look at your, your map down below here, you don't have any provisions for a, it's called, you know, drainage control on your property, now, possibly, you know, that's not an issue, but I'm just giving you a recommendation, a cause, to set down with your neighborhood, what a great area to put in the drainage and storm control, is that acre or point 2/10's of an acre, that with some landscaping would really make it nice, then they have the buffer, no further residences, and you haven't encroached upon the neighborhood, you might consider that, after a long dissertation, thank you very much, Mr. Glover, for allowing me to go first, I will vote yes - Yes; Supervisors Bennett - Yes; Tatro - Yes; Ayres - Yes; and Smith - Yes. Motion carried 5-0.

ii. **ACTION ON Z-95/96-8 - RECONSIDERATION OF THE BOARD OF SUPERVISORS ACTION TAKEN ON OCTOBER 17, 1996, IN NOT APPROVING THIS ITEM ON A 3-2 VOTE, FOR FIRST READING OF AN ORDINANCE EFFECTING A CHANGE OF LAND USE ON APPROXIMATELY ONE ACRE OF LAND FROM SINGLE FAMILY ONE ACRE (SF1A) TO MULTI-FAMILY APARTMENT (MFA) ON PROPERTY LOCATED AT 4729 OAK STREET, ASSESSOR'S PARCEL NUMBER 9-191-10, AND OTHER MATTERS PROPERLY RELATED THERETO - PLANNING COMMISSION APPROVED 4-2-0-1 - BOARD OF SUPERVISORS DENIED FIRST ORDINANCE READING 3-2 (1-1850.5)** - Senior Planner Juan Guzman - Supervisor Bennett explained her reasons for requesting the Board reconsider its action. Public comments were solicited but none given. Deputy District Attorney Lipparelli explained the action required to reconsider the Item. Supervisor Bennett moved that the Board of Supervisors reconsider the action taken on October 17, 1992, and reconsider Item Z-95/96-8 as a first reading of an ordinance effecting a change of land use on approximately one acre of land from Single Family One Acre, SF1A, to Multi-Family Apartment, MFA, on property located at 4729 Oak Street, Assessor's Parcel No. 9-191-10, and other matters properly related thereto. Supervisor Ayres seconded the motion. Motion was voted by roll call with the following result: Ayes - Bennett, Tatro, Ayres, Smith, and Mayor Teixeira. Nays - None. Motion carried 5-0.

iii. **ACTION ON Z-95/96-8 - AN ORDINANCE EFFECTING A CHANGE OF LAND USE ON APPROXIMATELY ONE ACRE OF LAND FROM SINGLE FAMILY ONE ACRE (SF1A) TO MULTI-FAMILY APARTMENT (MFA) ON PROPERTY LOCATED AT 4729 OAK STREET, ASSESSOR'S PARCEL NUMBER 9-191-10, AND OTHER MATTERS PROPERLY RELATED THERETO (1-1941.5)** - Senior Planner Guzman indicated that the property owners had been noticed. Supervisor Bennett then moved that the Board of Supervisors approve on first reading Bill No. 159, AN ORDINANCE EFFECTING A CHANGE OF LAND USE ON APPROXIMATELY ONE ACRE OF LAND FROM SINGLE FAMILY ONE ACRE (SF1A) TO MULTI-FAMILY APARTMENT (MFA) ON PROPERTY LOCATED AT 4729 OAK STREET, ASSESSOR'S PARCEL NUMBER 9-191-10, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Ayres seconded the motion. Public comments were solicited but none given. The motion was voted by roll call with the following result: Smith - No; Ayres - Yes; Tatro - No; Bennett - Yes; and Mayor Teixeira - Yes. Motion carried 3-2.

C. ORDINANCES - SECOND READING

i. **ACTION ON BILL NO. 156 - AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE, TITLE 18, ZONING; SPECIFICALLY, SECTION 18.06.129, CONDITIONAL USES (MULTI-FAMILY APARTMENT ZONING DISTRICT) AND OTHER MATTERS PROPERLY RELATED THERETO (1-1985.5)** - Principal Planner Rob Joiner - Comments were solicited but none given. Supervisor Ayres moved that the Board adopt on second reading Bill NO. 156, Ordinance No. 1996-54, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE, TITLE 18, ZONING, SPECIFICALLY, SECTION 18.06.129, CONDITIONAL USES (MULTI-FAMILY APARTMENT ZONING DISTRICT) AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Tatro seconded the motion. Motion carried 5-0.

ii. **ACTION ON BILL NO 157 - AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 18 (ZONING), SPECIFICALLY, SECTIONS 18.02.031 (APPLICATION LIMITATIONS) - AMENDED TO REQUIRE WITHDRAWAL OF PREVIOUSLY SUBMITTED CONFLICTING APPLICATIONS FOR THE SAME PARCEL; 18.02.035(1) (PLANNING COMMISSION/BOARD OF SUPERVISORS APPLICATIONS) - AMENDED TO ALLOW APPLICATION SUBMITTAL THE FIRST BUSINESS DAY AFTER THE TWENTIETH OF EACH MONTH; 18.03.035 (ACCESSORY FARM STRUCTURE OR ACCESSORY FARM BUILDING) - AMENDING DEFINITION; 18.03.040 (ACCESSORY USE) - AMENDING DEFINITION; 18.03.047 (ADULT PERFORMERS) ADDING DEFINITION; 18.03.106 (ASSISTED CARE) ADDING**

DEFINITION; 18.03.141 (PRIMARY BUILDING) - AMENDING DEFINITION; 18.03.223 (COMMUNITY/REGIONAL COMMERCIAL) - AMENDING DEFINITION; 18.03.319 (GROUP CARE FACILITY) - AMENDING DEFINITION; 18.03.330 (HOME OCCUPATION) - AMENDING DEFINITION; 18.03.407(A) AND 18.03.408 (LOT DEPTH) - AMENDING DEFINITION; 18.03.408 (MASSAGE THERAPY) - ADDING DEFINITION; 18.03.465 (PREVIOUSLY OWNED CHILDREN'S MERCHANDISE) ADDING DEFINITION; 18.03.484 (RECREATIONAL VEHICLE) - AMENDING DEFINITION; 18.03.485 (RECREATIONAL VEHICLE PARK) - AMENDING DEFINITION; 18.03.555 (SCREENING) - AMENDING DEFINITION; 18.03.573 (SIGHT-OBSCURING FENCE OR WALL) - AMENDING DEFINITION; 18.05.022 (PARKING) ADD FLEA MARKET REQUIREMENT; 18.05.023 (GENERAL REQUIREMENTS) - SCREENING OFF-STREET PARKING AREAS AND ADDING A REQUIREMENT FOR DISPLAY LOTS; 18.05.045 (HOME OCCUPATION) MOVED STANDARDS FROM DEFINITION SECTION TO THIS SECTION AND REMOVED LIMIT ON NUMBER OF HOME OCCUPATIONS PERMITTED; 18.05.047 (LOT DEPTH) - MOVED STANDARDS FROM DEFINITION SECTION TO THIS SECTION; 18.05.090 (ACCESSORY FARM STRUCTURE) MOVED STANDARDS FROM DEFINITION SECTION TO THIS SECTION; 18.05.101 (ACCESSORY USES) MOVED STANDARDS FROM DEFINITION SECTION TO THIS SECTION; 18.05.105 (SATELLITE DISH ANTENNA) - REGULATE THE PLACEMENT OF ANTENNAE; 18.05.109 (TEMPORARY OUTDOOR SALES AND ACTIVITIES) - REGULATES OUTDOOR SALES IN RETAIL COMMERCIAL AND GENERAL COMMERCIAL; 18.05.110 (FENCES, WALLS AND HEDGES) - AMENDING SECTION REGARDING FENCES WITHIN SETBACK AREAS; 18.06.059 (SINGLE FAMILY 6000 CONDITIONAL USES) - AMENDING BED AND BREAKFAST USE; 18.06.069 (MOBILEHOME 6000 DISTRICT CONDITIONAL USES) - ADD TEMPORARY TRACT SALES OFFICE; 18.06.079 (MOBILEHOME 12000 DISTRICT CONDITIONAL USES) - ADD TEMPORARY TRACT SALES OFFICE; 18.06.089 (MOBILEHOME ONE ACRE DISTRICT CONDITIONAL USES) - ADD TEMPORARY TRACT SALES OFFICE; 18.06.129 (MULTI-FAMILY APARTMENT DISTRICT CONDITIONAL USES) - DELETING BED AND BREAKFAST FACILITY; 18.06.209 (RESIDENTIAL OFFICE DISTRICT CONDITIONAL USES) - AMEND BED AND BREAKFAST USE; 18.06.229 (GENERAL OFFICE DISTRICT CONDITIONAL USES) ADD MASSAGE THERAPY; 18.06.247 (NEIGHBORHOOD BUSINESS CONDITIONAL USES) ADD GROUP FACILITY; 18.06.253 (RETAIL COMMERCIAL MINIMUM FRONT, SIDE OR REAR YARD SETBACK) ADD REFERENCE TO ARTERIAL LANDSCAPE REQUIREMENT; 18.06.256 (RETAIL COMMERCIAL DISTRICT ACCESSORY PERMITTED USES) - DELETE MASSAGE THERAPY ACCESSORY TO A FULL-SERVICE BEAUTY AND HAIR SALON; 18.06.261 (GENERAL COMMERCIAL (GC)) ADD SERVICE TO THE OUTDOOR SALES SECTION IN GENERAL COMMERCIAL; 18.06.264 (GENERAL COMMERCIAL MINIMUM FRONT, SIDE OR REAR YARD SETBACK) - ADD REFERENCE TO ARTERIAL LANDSCAPE REQUIREMENT; 18.06.266 (GENERAL COMMERCIAL DISTRICT PRIMARY PERMITTED USES) - DELETE BED AND BREAKFAST FACILITY, DELETE ENAMELING AND PAINT SHOP; DELETE GOLF COURSE, INCLUDING DRIVING RANGE, DELETE TERMITE OR PEST CONTROL BUSINESS, ADD DRY CLEANING OPERATION (SELF-CONTAINED SYSTEMS MEETING CLEAN AIR REQUIREMENTS); 18.06.267 (GENERAL COMMERCIAL DISTRICT ACCESSORY PERMITTED USES) - DELETE ZONE AND ADD DISTRICT; 18.06.268 (GENERAL COMMERCIAL DISTRICT CONDITIONAL USES) - DELETE ZONE, ADD DISTRICT, ADD FLEA MARKET, ADD GOLF COURSE AND/OR DRIVING RANGE, ADD HOME FOR THE AGED, ADD RECREATIONAL VEHICLE PARK; 18.06.275 (TOURIST COMMERCIAL DISTRICT PRIMARY PERMITTED USES) - DELETE RV PARK; 18.06.277 (TOURIST COMMERCIAL DISTRICT CONDITIONAL USES) - ADD RECREATIONAL VEHICLE PARK; 18.06.286 (DOWNTOWN COMMERCIAL ZONING DISTRICT CONDITIONAL USES REQUIRING SPECIAL USE PERMIT) - AMEND BED AND BREAKFAST FACILITY, DELETE PAWN SHOP, DELETE TATTOO PARLOR (BODY PIERCING, ACCESSORY); 18.06.296 (LIMITED INDUSTRIAL DISTRICT PRIMARY PERMITTED USES) - AMEND THE PURPOSE STATEMENT; 18.06.298 (LIMITED INDUSTRIAL DISTRICT CONDITIONAL USES) - ADD FLEA MARKET, ADD GOLF COURSE AND/OR DRIVING RANGE, ADD PAWN SHOP, TATTOO PARLOR (BODY PIERCING, ACCESSORY), AMEND STORAGE; 18.06.305 (GENERAL INDUSTRIAL DISTRICT PRIMARY

PERMITTED USES) - AMEND THE PURPOSE STATEMENT, AMEND AUTOMOBILE BODY REPAIRS, ADD AUTOMOBILE PAWN SHOP, ADD TATTOO PARLOR (BODY PIERCING, ACCESSORY), ADD TERMITE OR PEST CONTROL; 18.06.306 (GENERAL INDUSTRIAL DISTRICT ACCESSORY PERMITTED USES) - ADD STORAGE, OUTSIDE-SCREENED FROM VIEW FROM PUBLIC RIGHTS-OF-WAY WITH SIX (6) FOOT SIGHT-OBSCURING FENCE OR WALL; 18.06.307 (GENERAL INDUSTRIAL DISTRICT CONDITIONAL USES) - AMEND ADULT ENTERTAINMENT FACILITY, ADD FLEA MARKET; 18.06.316 (AIR INDUSTRIAL PARK DISTRICT PRIMARY PERMITTED USES) - ADD MACHINE SHOP (LIMITED TO IN-HOUSE PRODUCTS OR INTERNAL USE); 18.06.323 (CONSERVATION RESERVE DISTRICT CONDITIONAL USES) - ADD RECREATIONAL VEHICLE PARK; 18.06.333 (AGRICULTURAL DISTRICT CONDITIONAL USE) - ADD RECREATIONAL VEHICLE PARK; 18.06.341 (PUBLIC DISTRICT CONDITIONAL USES) - ADD RECREATIONAL VEHICLE PARK; 18.08.010 (MOBILEHOME PARK ORDINANCE PURPOSE AND SCOPE) - AMEND THE PURPOSE STATEMENT, AMEND SECTION NUMBER; 18.08.020 (LOCATION OF MOBILEHOME PARKS) - CLARIFY SPECIAL USE PERMIT REQUIREMENTS WITHIN RETAIL AND GENERAL COMMERCIAL DISTRICTS; 18.24.040 (MAJOR PROJECT REVIEW/SPECIAL PERMIT/FINAL PLAN APPROVAL) - AMEND SECTION NUMBER; 18.32.070 (CHILD CARE FACILITIES PERFORMANCE STANDARDS) - AMEND PARKING REQUIREMENT; 18.32.090 (PENALTY) - AMEND TO REQUIRE SPECIAL USE PERMIT APPROVAL OF CHANGES TO PROPERTY (1-2007.5) - Principal Planner Joiner - Deputy District Attorney Lipparelli explained the requirement that the title of proposed ordinances be read into the record. The proposed title is two single spaced pages long. He held a copy of the title aloft. Mayor Teixeira then asked if anyone wished the title read in its entirety. No one responded. Supervisor Tatro moved that the Board of Supervisors approve Bill No. 157 on second reading, Ordinance No. 1996-55, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 18 (ZONING), with the Sections as listed on the Agenda and in the staff report. Supervisors Smith and Bennett seconded the motion. Motion was voted and carried 5-0.

BREAK: Mayor Teixeira declared a recess at 10:30 a.m. Mayor Teixeira reconvened the meeting at 10:38 a.m. The entire Board was present, constituting a quorum.

9. PUBLIC WORKS DIRECTOR - Jay Aldean

A. ACTION ON CARSON CITY'S SNOW AND ICE CONTROL POLICY AND DISCUSSION ON RELATED SNOW REMOVAL ACTIVITIES (1-2038.5) - Mr. Aldean displayed copies of the notification letters/flyers. The sanding and plowing programs were briefly explained. Supervisor Smith pointed out that the primary routes may in extreme cases be the only streets plowed. Secondary routes and residential streets are plowed after the primary routes are opened. Mr. Aldean agreed by explaining that this is particularly true on the west side. Discussion ensued on the reasons the City plows to the side of the road, the problems this creates for homeowners who plow their driveways, and why the snow is not plowed to the center of the streets. The State, however, plows to the center on its streets. Mr. Aldean had sent a letter to the State requesting the snow on Carson Street between Fifth and Washington be removed to keep from having the Redevelopment sidewalk fence buried or its landscaped medians damaged. He had offered City manpower to assist with this program. Mayor Teixeira noted that this snow had been stored in various parking lots in the past. Virginia Orcutt explained her problems with snow plows which cover the sidewalks at her commercial establishments. Mayor Teixeira suggested she meet with Mr. Aldean after the meeting. Supervisor Smith agreed that this was a problem--the snow plows cover the sidewalks which the property owners throw back into the street. He also suggested that the snow plow drivers be as courteous as possible. He acknowledged that it is a difficult job and commended the staff on its efforts to meet the public demands. Mr. Aldean indicated that the drivers are not told that people are targets. They are encouraged/reminded to be courteous and drive cautiously. He also suggested that the drivers attempt to "spread" the snow and not pile it in the driveways and on the sidewalks. Supervisor Bennett suggested that a coordinated program be established which would provide a list of potential providers who would assist individuals requesting assistance. Deputy Public Works Director Homann indicated that this program had been discussed in the past, however, there are limited resources available for this type of a program. Staff would continue to analyze this

program. Supervisor Bennett directed Mr. Berkich to coordinate this program through his office. Supervisor Ayres suggested Mr. Homann contact R.S.V.P., that it provides a low cost service and would assist with the program or provide the requested service. She also indicated that there are other similar programs available through this office. No formal action was required or taken on this Item.

B. ACTION ON AGREEMENT WITH DEPARTMENT OF MOTOR VEHICLES AND PUBLIC SAFETY RECORDS AND IDENTIFICATION SERVICES FOR ACCESS TO NEVADA CRIMINAL JUSTICE INFORMATION SYSTEM (1-2428.5) - Supervisor Ayres moved to approve the Agreement with the Department of Motor Vehicles and Public Safety Records and Identification Services for access to Nevada Criminal Justice Information System, fiscal impact none. Supervisor Bennett seconded the motion. Supervisor Ayres amended her motion to include authorization for the Mayor to sign the agreement. Supervisor Bennett continued her second. Motion carried 5-0.

C. ORDINANCE - FIRST READING - ACTION ON AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND CURRY STREET CENTER PARTNERSHIP, REGARDING ASSESSOR'S PARCEL NO. 09-031-22 LOCATED AT 2578 SOUTH CURRY STREET, CARSON CITY, NEVADA (1-2465.5) - Michael Anderson - Supervisor Bennett voiced her objection to approving any more development agreements before the full impact of the ones already approved is known. Mr. Aldean explained the delay in presenting a report to the Board. Clarification indicated that staff is not the proponent for the request. The decision would be up to the Board. The applicant would present the proposal and respond to Board questions. Mr. Anderson explained the location and that the property is one-quarter of a mile in both directions away from similar infrastructure improvements. His building construction would commence within a month. Supervisor Bennett reiterated her opposition. Curry Street is becoming as busy as Division Street. The improvements are needed now. Details provided indicate there are some curbs and gutters already installed along Curry Street. This could be the beginning of an implementation program which will result in having all of the curbs and gutters installed. Mr. Anderson felt that it would cost approximately \$17,000 for his portion. His small strip mall development was briefly explained. Supervisor Smith indicated his support for Supervisor Bennett's comments. This had been the reason the Board had deferred action at its last meeting. He was willing to support postponing the requirements but advised Mr. Anderson that the delay may be short-lived. Reasons for his support of the request were given. Supervisor Bennett reiterated her reasons for mandating the improvements at this time and provided examples to support her position. Supervisor Tatro expressed his feeling that her developments had not been required to make the improvements. The developers' themselves had been the ones to make the decision on whether to install or delay the improvements. He felt that the decision to require the improvements should be based on staff's report. He agreed that within approximately two months all of the development agreements would be considered. He, too, advised Mr. Anderson that the delay may be short-lived. In response to his question, Mr. Aldean indicated that staff would have proposed the development agreement if there had been a need to have engineered drainage plans. This is not a factor in Mr. Anderson's request. Supervisor Smith moved that the Board of Supervisors introduce Bill 160 on first reading, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND CURRY STREET CENTER PARTNERSHIP, REGARDING ASSESSOR'S PARCEL NO. 09-031-22 LOCATED AT 2578 SOUTH CURRY STREET, CARSON CITY, NEVADA. Supervisors Ayres and Tatro seconded the motion. Motion was voted by roll call with the following results: Smith - Yes; Ayres - Yes; Tatro - Yes; Bennett - No with a comment, I hope in the future, given the information that we have now, when you come forward with a development agreement that you will also include information about what other development agreements exist in the vicinity of that development so that we are not making decisions in a vacuum; and Mayor Teixeira - Good point, Yes, and to the point, I want to support Supervisor Bennett's comments, her comments are on target, once again we are working in a vacuum without the data and information and I think that will probably happen, well, right after the first of the year, whenever, but I think that it will be appropriate for the Board, the Board that is here then, I don't want to penalize this gentleman like we have penalized someone in the past when they have asked for, you were neutral on the issue, it probably should have been--, we will go on down the road. Motion carried 4-1. Mr. Aldean felt that there is no other development agreement close to this site. Developments around the subject parcel were noted to support his reasons for feeling that the improvements may be delayed for sometime.

10. PARKS AND RECREATION DIRECTOR - Steve Kastens - ACTION ON RENAMING A PORTION OF BENNETT AVENUE, LIVERMORE LANE (1-2845.5) - Discussion noted Mr. Kastens' contact with Mr. Aldean and Fire Marshall Steve Mihelic. Mr. Kastens committed to opposing any action which would develop a street through the Edmonds Sports Complex. There is now funding available to expand this Complex. A thoroughfare would divide the Complex. Both Public Works and the Fire Department were still opposed to having a street with two different names. Mr. Kastens volunteered to canvass the residents east of the Complex about changing the street's name. Supervisor Tatro voiced his opposition to naming a street after a individual who is still living. Examples supporting his opposition were cited. Mayor Teixeira felt secure in stating that such a problem would not arise. Supervisor Smith acknowledged Supervisor Tatro's concerns, however, felt that the risk was acceptable. Mr. Livermore's dedication to the City's parks and recreational programs was pointed out. Supervisor Smith felt that the City should recognize this effort and briefly explained his reasons for supporting the request. He did not feel that it would be necessary to rename the entire eastern portion. He felt that only the portion entering the facility should be renamed in honor of Mr. Livermore. Examples of similar park entrances were cited to support his comments. Supervisor Smith moved to rename the portion of Bennett Avenue as it enters Edmonds Park to be called Livermore Lane pursuant to the recommendation of the Parks and Recreation Commission to honor Pete Livermore for his many years of service to the City of Carson. Mayor Teixeira seconded the motion. Supervisor Bennett expressed her feeling that no-one had more respect for Pete Livermore than she does. She appreciates it and Mr. Livermore lives. She had not died. She questioned whether the entire length of Bennett Avenue would be renamed or just the portion entering the Park. Mayor Teixeira indicated that only the portion entering the Sports Complex would be renamed. Supervisor Bennett then expressed her willingness to accept the motion. Supervisor Ayres pointed out her work with Mr. Livermore on the Commission. She felt he is relentless. They had disagreed on many things, however, she agreed with others that whatever Mr. Livermore did, he always did it with all of his heart and for the good of Carson City. This was something no-one could ever take away from him. She supported Supervisor Smith's comments that it should be done while the individual is still living. She felt that Mr. Livermore would appreciate the recognition. The motion to approve the renaming a portion of Bennett Avenue, Livermore Lane was voted and carried 4-1 with Supervisor Tatro voting Naye.

14. DISTRICT ATTORNEY - Deputy District Attorneys Paul Lipparelli and Mark Forsberg

A. CLOSED SESSION - ACTION TO RECESS INTO CLOSED SESSION PURSUANT TO NRS 288.220 TO MEET WITH MANAGEMENT REPRESENTATIVES (1-3088.5) - Mayor Teixeira explained the need to meet with the Management Representatives. Supervisor Bennett moved that the Board of Supervisors recess into closed session pursuant to NRS 288.220 to meet with management representatives. Mayor Teixeira seconded the motion. Motion carried 5-0. Mayor Teixeira recessed the open session at 11:20 a.m.

B. OPEN SESSION (1-3113.5) - Mayor Teixeira reconvened the Open Session at 11:50 a.m. The entire Board was present, constituting a quorum.

C. ACTION ON APPROVAL OF AGREEMENT BETWEEN CARSON CITY AND THE CARSON CITY EMPLOYEES ASSOCIATION FOR THE PERIOD OF THE FIRST FULL PAY PERIOD FOLLOWING RATIFICATION AND APPROVAL TO JUNE 30, 1999 (1-3115.5) - Mr. Berkich commended Sheriff Banister on his working relationship with his employees. Mayor Teixeira pointed out the working relationship and accord found between the Association and City Management. He expressed his hope that this atmosphere would continue and thanked the participants. Supervisor Smith echoed Mayor Teixeira's comments. Although it may not be a front page story, he felt that it should be. The change from the "Us versus Them" mentality was a welcome change. He, too, commended the participants on their efforts. He hoped that this atmosphere would continue to prevail. He felt it had resulted in a fair and equitable agreement. Supervisor Ayres moved that the Board of Supervisors approve the collective bargaining agreement between Carson City and the Carson City Employees Association for the period beginning July 1, 1996, and ending June 30, 1999, as presented in the packet. Supervisor Tatro seconded the motion.

(1-3230.5) Public comments were solicited. Carson City Employees Association President Laura Cadot supported the Board's comments. She felt that the process had presented a win-win situation for both sides. Her skepticism in the beginning was acknowledged. She commended Mr. Berkich for bringing the process to the team and the Board for its support. It had been a positive experience. Mr. Berkich thanked the employees who had participated for their commitment to the effort and program. The program had worked because it was one team and not two. Additional comments were solicited but none given.

The motion to approve the collective bargaining agreement between Carson City and the Carson City Employees Association for the period beginning July 1, 1996, and ending June 30, 1999, was voted by roll call with the following result: Ayres - Ayres, Tatro, Bennett, Smith, and Mayor Teixeira. Nays - None. Motion carried 5-0.

D. ACTION ON APPROVAL OF AGREEMENT BETWEEN CARSON CITY AND THE CARSON CITY SHERIFF'S SUPERVISORY ASSOCIATION FOR THE PERIOD OF THE FIRST FULL PAY PERIOD FOLLOWING RATIFICATION AND APPROVAL TO JUNE 30, 1999 (1-3282.5) - Mr. Forsberg indicated the same program had been used with this Association and established a similar rapport and win-win situation. Supervisor Ayres moved to approve the collective bargaining agreement between Carson City and the Carson City Sheriff's Supervisory Association for the period beginning July 1, 1996, and ending June 30, 1999, as presented in the packet. Supervisor Tatro seconded the motion. Motion carried 5-0.

BREAK: A five minute recess was declared at 11:58 a.m. Mayor Teixeira reconvened the session at 12:03 p.m. The entire Board was present, constituting a quorum.

11. RISK MANAGEMENT - John Mayes - PRESENTATION OF EMPLOYEES BENEFITS SURVEY AND ITS RESULTS (1-3301.5) - Mayor Teixeira thanked the representatives for allowing the Board to consider the previous items out of turn. Mr. Mayes introduced Willis Corroon Representative Catherine Crispel and briefly explained the purpose of the survey. Ms. Crispel used the overhead projector to present the employee satisfaction survey results. A copy is included in the file. The survey had not questioned the employee's tenure. It was felt that some of the employees did not cover their spouses or children as they are covered under other programs, however, the comments indicated the decision was directly related to the City's failure to contribute toward the dependent coverage premium. There is data indicating how many employees have separate supplemental insurance for their children, however, this information is not included in the report. Ms. Crispel felt that 92 percent of the respondents have dependent coverage under either private insurance or under their spouse's employer. (2-0018.5) The high number of employees who were obtaining the benefit knowledge from other employees clearly indicated a need for education/communication. Ms. Crispel emphasized that the findings which had been made related only to the insurance program and not the Insurance Department or the City's Employee Health/Health Services Manager. These findings emphasized the need to improve the employees satisfaction with the program, the health plan, provider access, and program services. The satisfaction rate for the City's Wellness Program was high and the program appeared to be well accepted by the employees. The findings also pointed the employees' desire for the City to expand its coverage program and the Wellness Program to include exercise and stress management programs. The Committee will consider a long-term disability program. Ms. Crispel indicated this program is limited and somewhat cost prohibitive particularly when the employees' willingness to financially support such a program is considered. The perceptions held by the Committee Members when first becoming involved were found to be valid and emphasized the need to perform a market search/RFP to determine what is available. This process will attempt to address the areas of concern and will be cognizant of the budget. The Insurance Committee's composition was explained by Mr. Mayes. Discussion between Mr. Mayes and Mayor Teixeira explained the selection process which would be followed for the next provider. The Committee's recommendation would be presented to the Board for ratification. Mayor Teixeira commended Ms. Crispel, Mr. Berkich, and the Team on its efforts. Mr. Berkich felt that it was the concept of empowerment which makes the program work. Supervisor Ayres encouraged the Committee to include a strong commitment for administrating the claims in the RFP request. She then explained her problems with the current program which require her to pay her physician and seek reimbursement from the provider. Mr. Mayes indicated that this is the major problem with the current program. Supervisor Bennett encouraged the Committee to include more local providers in the

program. She felt that strong support for and recognition of local physicians and providers should be granted. Residents should not be forced to travel to Reno for anything but limited specialized services. Supervisor Tatro responded by explaining his feeling that the local service providers should not be given a blank check. Competition for the service and a value should be recognized including the recognition of the benefit provided by not having to travel to Reno. His poor experiences with the current provider supported Supervisor Ayres comments. He felt that it should not take five to seven months to get something done. Ms. Crispel explained the closure of the Reno office. She did not feel that an alternate service would be provided. She was attempting to find an alternate provider who is local. The contract with the current provider terminates June 1, 1997, however, if an alternate is found sooner, the contract can be terminated earlier. Discussion explored the termination clause. Mr. Mayes indicated there will be a meeting today at 1 p.m. and agreed to inform Supervisor Bennett of the next meeting. Discussion explained for Mr. Lipparelli the process used to include a physician as a service provider. Mayor Teixeira thanked Mr. Mayes and Ms. Crispel for the report. Mr. Mayes thanked the Board for its support.

12. CLERK-RECORDER - Alan Glover

A. ACTION TO APPROVE THE CANVASS OF THE VOTE OF THE GENERAL ELECTION HELD ON NOVEMBER 5, 1996 (2-0308.5) - Mr. Glover's introduction included accolades to the Election staff and the Election Day Workers. Carson City was the first County to report its results. There were not exceptions to the Canvass. General Election turnout statistics for the last 12 years were given to illustrate the continuing decline in voter response. Voter registration during these years also declined inspite of the various registration efforts/programs. The reasons registrations are cancelled and the problems encountered due to the use of the Carson City Zip Codes for mail to the adjacent rural communities were discussed. If the individual could prove that he/she had registered with the Department of Motor Vehicles, a certificate of error was issued and he/she was allowed to vote. All legal efforts possible are made to allow the individual to vote. The working relationship with DMV has been excellent. Its check list was explained to illustrate that DMV has cooperated and mailed all of the registrations. The individual's failure to complete the form has created the biggest problem. Notification procedures efforts to complete the form were explained. This process is not mandated, however, Mr. Glover's policy is to make several attempts. Mr. Glover then explained the canvass and the reasons the School Bond Canvass requires a separate action. Supervisor Ayres moved that the Board of Supervisors approve the Canvass of the vote of the General Election held on November 5, 1996. Supervisors Smith and Tatro seconded the motion. Motion carried 5-0.

B. ACTION TO APPROVE THE CANVASS OF THE VOTE OF THE CARSON CITY SCHOOL DISTRICT BOND (2-0445.5) - Supervisor Ayres moved that the Board of Supervisors approve the Canvass of the Carson City School District Bond. Supervisor Tatro seconded the motion. Motion carried 5-0.

Mayor Teixeira commended Mr. Glover and his staff on their efforts. Problems encountered in Douglas County and the reasonableness of the time taken to obtain final results for Washoe and Clark Counties were discussed. The term limit results and its impact on the current and newly elected officers may be considered by the Supreme Court. Consensus indicated the restriction will not be retroactive. Mr. Lipparelli explained that the Attorney General's office had issued an opinion on this matter and that he would circulate a copy to the Board. Supervisor Bennett suggested Mayor Teixeira draft a letter to Mr. Glover and his staff commending them on their standards of excellence. Mayor Teixeira pointed out that the service level sometimes is a direct result of the salary. He felt strongly that the two are connected and urged Mr. Glover to maintain this standard.

13. BOARD OF SUPERVISORS (2-0518.5)

A. NON-ACTION ITEMS - INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS - Supervisors Smith, Tatro, and Ayres, and Mayor Teixeira did not have a report. Supervisor Bennett reported on the Tahoe Transportation District and displayed a brochure advertising the "Lake Tahoe Lapper". This transit program was described. She suggested various Commissions/Committees which should be contacted about making presentations advertising the program. She then reported on the status of the Highway 28 designation as a

National Scenic Byway and the TEAM Tahoe grant applications for the Burton-Santini funds. She encouraged the Board to seriously consider its commitments to Lake Tahoe and to actively participate in the Legislative plans. Mayor Teixeira noted this issue should be considered by the new Board and action taken by it. Mr. Berkich distributed copies of the "Carson City Financial Handbook" to the Board and Clerk and briefly described it. Copies could be obtained from his office.

(2-0646.5) Mayor Teixeira commended Supervisor Bennett on her successful campaign and Bobby Carter for his "heads up" campaign. He introduced Mayor-Elect Ray Masayko and commended him on his successful campaign. He commended Pat Quinn-Davis on her outstanding campaign. He invited Mayor-Elect Masayko to meet with him so that the transition could be conducted smoothly and offered to help wherever possible. He then complimented Supervisor Ayres on her dedication and efforts during their tenure on the Board. It was a close campaign. He pointed out her involvement with other programs which had prevented her from actively walking the districts. He felt that the community had been well served by her representation and appreciated her efforts.

B. STATUS REPORT ON THE SKATEBOARD PARK AT MILLS PARK (2-0595.5) - Mr. Berkich indicated that confirmation is still pending on the donations. The recent fund raiser had generated approximately \$1200. Support from the "How to Bounce" store was noted. Supervisor Ayres explained her involvement with the fund raising efforts. She committed to staying involved with the Park even though she would no longer be serving as a Supervisor. Mr. Berkich thanked her for her continuing support.

C. STATUS REPORT ON FORMATION OF THE NON-PROFIT CORPORATION FOR THE MANAGEMENT OF EAGLE VALLEY GOLF COURSE (2-0625.5) - Advertisements soliciting applications for the Board Members have been placed. Mayor Teixeira urged the public to contact Mr. Berkich's office. Meetings are continuing with the employees. Negotiations are continuing to work on extending the Golf Pro's contract. An RFP has been issued for the food and beverage concessionaire.

There being no other matters for consideration, Supervisor Ayres moved to adjourn. Mayor Teixeira seconded the motion. Motion carried 5-0. Mayor Teixeira adjourned the meeting at 12:55 p.m.

The Minutes of the November 7, 1996, Carson City Board of Supervisors meeting

1997. ARE SO APPROVED ON ____January_9____,

_____/s/_____

Ray Masayko, Mayor

ATTEST:

_____/s/_____
Alan Glover, Clerk-Recorder