

CARSON CITY BOARD OF SUPERVISORS
Minutes of the July 18, 1996, Meeting
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A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, July 18, 1996, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 1 p.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
Al Kramer Recorder
Rod Banister Sheriff
Mary Walker Finance Director
Steve Kastens Parks and Recreation Director
Judie Fisher Personnel Director
Dorothy Timian-Palmer Utilities Director
Paul Lipparelli Supv. Deputy District Attorney
Phil Herrington Building Official
Katherine McLaughlin Recording Secretary
(B.O.S. 7/18/96 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 meeting at 1 p.m. Rev. Bill McCord of the First United Methodist Church gave the Invocation. Supervisor Smith lead the Pledge of Allegiance. Roll call was taken. The entire Board was present constituting a quorum.

1. ACTION ON APPROVAL OF MINUTES - Regular Sessions of May 2 and 16, 1996, and Special Session of November 6, 1995 (1-0019.5) - Supervisor Tatro moved to approve. Supervisor Smith seconded the motion. Motion carried 5-0.

2. SPECIAL PRESENTATION - ACTION ON PRESENTATION OF LONGEVITY AWARDS TO CITY EMPLOYEES - (1-0028.5) - Personnel Director Judie Fisher - Longevity awards were presented to: 30 years - Margaret Robinson; 20 years - Stephen Kastens, Dorothy Smith, Steven Mihelic, Tom Kunkle, Terry Anderson, Jeri Mihelic, Edwin Wahl, Bruce Ricker, Joseph Piscitelli, Trent Osmer, Bruce Hawkins, Mildred Senneff, Jonith Moon, Julietta Forbes; and 10 years Annette Mankins, Royal Johnson, Donis Rodarte, and Thomas Case. Mayor Teixeira commended them on their dedication and service.

CITIZEN COMMENTS (1-0128.5) - None.

3. LIQUOR AND ENTERTAINMENT BOARD - Mayor Teixeira recessed the Board of Supervisors session and immediately reconvened the meeting as the Liquor and Entertainment Board. The entire Board was present including Sheriff Banister.

TREASURER - Al Kramer - ACTION ON A SPECIAL ENTERTAINMENT PERMIT WITH WAIVER OF PROMOTER, APPLICATION AND PERMIT FEES FOR CARSON CITY CONVENTION AND

VISITORS BUREAU - Member Tatro moved that the Liquor and Entertainment Board approve the Consent Agenda as presented. Member Ayres seconded the motion. Motion carried 6-0.

4. BOARD OF SUPERVISORS - 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.

CONSENT AGENDA (1-0136.5)

A. TREASURER - ACTION ON TREASURER REPORT FOR THE MONTH OF JUNE 1996
B. PERSONNEL - ACTION ON APPOINTMENT OF MEMBER TO THE CARSON CITY AIRPORT AUTHORITY

C. COMMUNITY DEVELOPMENT DIRECTOR - ACTION ON AB-95/96-6 - A REQUEST FROM JOHN FRANK AND DOUG FENTON TO ABANDON AN APPROXIMATELY 10 FOOT BY 68 FOOT ALLEYWAY LOCATED ON THE NORTH SIDE OF WEST WILLIAM STREET BETWEEN NORTH MINNESOTA AND NORTH DIVISION STREETS, ADJACENT TO APN'S 1-175-02 AND 1-175-03

D. UTILITIES DIRECTOR
i. ACTION ON CHANGE ORDERS NUMBERS 1, 2, 3, 4, AND 5 AND FINAL PAYMENT ON CONTRACT NO. 9495-22, WATER WELL DRILLING AND CONSTRUCTION, EAGLE AND CARSON VALLEY WELL SITES
ii. ACTION ON A JOINT FUNDING AGREEMENT BETWEEN CARSON CITY AND THE U.S. GEOLOGICAL SURVEY - None of the items were pulled for discussion. Supervisor Tatro moved to approve the Consent agenda as presented. Supervisor Bennett seconded the motion. Motion carried 5-0.

5. REDEVELOPMENT AUTHORITY - Mayor Teixeira then recessed the Board of Supervisors session and passed the gavel to Redevelopment Chairperson Tom Tatro. For Minutes of the Redevelopment Authority, see its folder. Following adjournment of the Redevelopment Authority, Chairperson Tatro passed the gavel to Mayor Teixeira who reconvened the Board of Supervisors. A quorum was present as noted.

6. BOARD OF SUPERVISORS (1-0358.5) - PURCHASING DEPARTMENT - ACTION ON CONTRACT NO. 9596-240 - DOWNTOWN BEAUTIFICATION, STREET LIGHTING - Supervisor Tatro moved to ratify the Redevelopment Authority's action on approval of Contract No. 9596-240 with a fiscal impact of \$97,790. Supervisor Bennett seconded the motion. Motion carried 5-0.

7. COMMUNITY DEVELOPMENT DIRECTOR - Walter Sullivan

A. ACTION ON S-95/96-1F - A FINAL SUBDIVISION MAP APPLICATION FROM IRON MOUNTAIN ACQUISITION CO. (RICHARD SCOTT) TO DEVELOP A 12 LOT FINAL MAP KNOWN AS RIVER RIDGE S-95/96-1 ON APPROXIMATELY 7.9 ACRES OF LAND ZONED SINGLE FAMILY 21,000 (SF21000), LOCATED AT THE SOUTHEAST CORNER OF PHEASANT AND LATIGO DRIVE, APN 10-351-24 - Richard Scott, Senior Planner Juan Guzman - Mr. Scott explained the ownership change from one of his companies to another. Discussion indicated this was not an issue of concern to the Board. Supervisor Smith commended Mr. Scott on his landscaping and the project. Supervisor Smith moved that the Board of Supervisors approve a final map S-95/96-1F application from Iron Mountain Acquisition Company to develop a 12 lot subdivision on approximately 7.9 acres of land zoned Single Family 21,000, located at the southeast corner of Pheasant and Latigo Drive, Assessor's Parcel No. 10-351-24, subject to the original findings and conditions of approval as contained within the packet. Supervisor Ayres seconded the motion. Motion carried 5-0.

B. ORDINANCES - SECOND READING
i. ACTION ON BILL NO. 133 - AN ORDINANCE EFFECTING A CHANGE OF LAND USE ON APPROXIMATELY 25,220 SQUARE FEET OF LAND FROM RESIDENTIAL OFFICE (RO) TO

PUBLIC (P) ON PROPERTY LOCATED ON THE SOUTHEAST CORNER OF EAST MUSSER STREET AND NORTH ROOP STREET, ASSESSOR'S PARCEL NUMBERS 4-174-01 AND 05 AND OTHER MATTERS PROPERLY RELATED THERETO (1-0399.5) - Supervisor Tatro moved that the Board of Supervisors approve on second reading Bill No. 133, Ordinance No. 1996-24, AN ORDINANCE EFFECTING A CHANGE OF LAND USE ON APPROXIMATELY 25,220 SQUARE FEET OF LAND FROM RESIDENTIAL OFFICE (RO) TO PUBLIC (P) ON PROPERTY LOCATED ON THE SOUTHEAST CORNER OF EAST MUSSER STREET AND NORTH ROOP STREET, ASSESSOR'S PARCEL NUMBERS 4-174-01 AND 05 AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Ayres seconded the motion. Motion carried 5-0.

ii. **ACTION ON BILL NO. 134 - AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE CHAPTER 18.06 BY ADDING MINI STORAGE/RETAIL/OFFICE COMPLEX AS A CONDITIONAL USE IN CCMC 18.06.247 WITHIN THE NEIGHBORHOOD BUSINESS DISTRICT, AND OTHER MATTERS PROPERLY RELATED THERETO (1-0415.5)** - Supervisor Ayres moved to adopt on second reading Bill No. 134, Ordinance No. 1996-25, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE CHAPTER 18.06 BY ADDING MINI STORAGE/RETAIL/OFFICE COMPLEX AS A CONDITIONAL USE IN CCMC 18.06.247 WITHIN THE NEIGHBORHOOD BUSINESS DISTRICT, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Tatro seconded the motion. Motion carried 5-0.

iii. **ACTION ON BILL NO. 135 - AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE CHAPTER 18.06 BY ADDING REST HOME, CONVALESCENT HOME OR NURSING HOME AS A CONDITIONAL USE IN CCMC 18.06.247 WITHIN THAT NEIGHBORHOOD BUSINESS DISTRICT, AND OTHER MATTERS PROPERLY RELATED THERETO (1-0438.5)** - Supervisor Bennett moved that the Board of Supervisors approve Ordinance 1996-26, Bill No. 135, on second reading, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE CHAPTER 18.06 BY ADDING REST HOME, CONVALESCENT HOME OR NURSING HOME AS A CONDITIONAL USE IN CCMC 18.06.247 WITHIN THAT NEIGHBORHOOD BUSINESS DISTRICT, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Ayres seconded the motion. Motion carried 5-0.

iv. **ACTION ON BILL NO. 136 - AN ORDINANCE AMENDING CHAPTERS 18.03 (DEFINITIONS) AND 18.06 (MULTI-FAMILY APARTMENT) OF THE CARSON CITY MUNICIPAL CODE BY ADDING SECTIONS 18.03.297 FRAIL ELDERLY DEFINITION, 18.03.328 HOME FOR THE AGED DEFINITION, 18.03.070 AMBULATORY, AMENDING 18.03.490 REST HOME, CONVALESCENT HOME, NURSING HOME, HOME FOR THE AGED DEFINITION, AND BY ADDING HOME FOR THE AGED AS A CONDITIONAL USE TO SECTION 18.06.129 AND 18.06.247 AND OTHER MATTERS PROPERLY RELATED THERETO (1-0448.5)** - Supervisor Ayres moved that the Board adopt on second reading Bill No. 136, Ordinance No. 1996-27, AN ORDINANCE AMENDING CHAPTERS 18.03 (DEFINITIONS) AND 18.06 (MULTI-FAMILY APARTMENT) OF THE CARSON CITY MUNICIPAL CODE BY ADDING SECTIONS 18.03.297 FRAIL ELDERLY DEFINITION, 18.03.328 HOME FOR THE AGED DEFINITION, 18.03.070 AMBULATORY, AMENDING 18.03.490 REST HOME, CONVALESCENT HOME, NURSING HOME, HOME FOR THE AGED DEFINITION, AND BY ADDING HOME FOR THE AGED AS A CONDITIONAL USE TO SECTION 18.06.129 AND 18.06.247 AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Bennett seconded the motion. Motion carried 5-0.

v. **ACTION ON BILL NO. 137 - AN ORDINANCE EFFECTING A CHANGE OF LAND USE ON APPROXIMATELY 4.3 ACRES OF LAND FROM SINGLE FAMILY 12,000 (SF12000) TO SINGLE FAMILY TWO ACRE (SF2A) ON PROPERTY LOCATED ON THE SOUTH SIDE OF WEST WINNIE LANE, APPROXIMATELY 600 FEET EAST OF ORMSBY BOULEVARD ASSESSOR'S PARCEL NUMBER 8-073-12 AND 8-073-13, AND OTHER MATTERS PROPERLY RELATED THERETO (1-0477.5)** - Supervisor Bennett moved that the Board of Supervisors adopt Ordinance No. 1996-28, Bill 137, on second reading, AN ORDINANCE EFFECTING A CHANGE OF LAND USE ON

APPROXIMATELY 4.3 ACRES OF LAND FROM SINGLE FAMILY 12,000 (SF12000) TO SINGLE FAMILY TWO ACRE (SF2A) ON PROPERTY LOCATED ON THE SOUTH SIDE OF WEST WINNIE LANE, APPROXIMATELY 600 FEET EAST OF ORMSBY BOULEVARD ASSESSOR'S PARCEL NUMBER 8-073-12 AND 8-073-13, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Smith seconded the motion. Motion carried 5-0.

vi. ACTION ON BILL NO. 138 - AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE, TITLE 18 BY ADDING SECTION 18.03.606 TEMPORARY OUTDOOR SALES AND ACTIVITIES TO CHAPTER 18.03; SECTION 18.03.606 TEMPORARY OUTDOOR SALES AND ACTIVITIES AS A DEFINITION; SECTION 18.05.109 TEMPORARY OUTDOOR SALES AND ACTIVITIES TO CHAPTER 18.05; SECTION 18.06.109 TEMPORARY OUTDOOR SALES AND ACTIVITIES; AMENDING SECTION 18.06.257 CONDITIONAL USES BY ADDING TEMPORARY OUTDOOR SALES AND ACTIVITIES; AMENDING SECTION 18.06.268 CONDITIONAL USES BY ADDING TEMPORARY OUTDOOR SALES AND ACTIVITIES; AMENDING SECTION 18.06.298 CONDITIONAL USES BY ADDING TEMPORARY OUTDOOR SALES AND ACTIVITIES; AND OTHER MATTERS PROPERLY RELATED THERETO (1-0497.5) - Supervisor Tatro moved that the Board adopt on second reading Bill No. 138, Ordinance No. 1996-29, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE, TITLE 18 BY ADDING SECTION 18.03.606 TEMPORARY OUTDOOR SALES AND ACTIVITIES TO CHAPTER 18.03; SECTION 18.03.606 TEMPORARY OUTDOOR SALES AND ACTIVITIES AS A DEFINITION; SECTION 18.05.109 TEMPORARY OUTDOOR SALES AND ACTIVITIES TO CHAPTER 18.05; SECTION 18.06.109 TEMPORARY OUTDOOR SALES AND ACTIVITIES; AMENDING SECTION 18.06.257 CONDITIONAL USES BY ADDING TEMPORARY OUTDOOR SALES AND ACTIVITIES; AMENDING SECTION 18.06.268 CONDITIONAL USES BY ADDING TEMPORARY OUTDOOR SALES AND ACTIVITIES; AMENDING SECTION 18.06.298 CONDITIONAL USES BY ADDING TEMPORARY OUTDOOR SALES AND ACTIVITIES; AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisors Bennett and Ayres seconded the motion. Motion carried 5-0.

vii. ACTION ON BILL NO. 139 - AN ORDINANCE EFFECTING A CHANGE OF LAND USE ON APPROXIMATELY 17,500 SQUARE FEET OF LAND FROM SINGLE FAMILY ONE ACRE (SF1A) TO RETAIL COMMERCIAL (RC) ON PROPERTY LOCATED AT THE EAST SIDE OF U.S. HIGHWAY 395, APPROXIMATELY 450 FEET SOUTH OF ARROWHEAD DRIVE, ASSESSOR'S PARCEL NUMBER 8-053-10, AND OTHER MATTERS PROPERLY RELATED THERETO (1-0535.5) - Supervisor Bennett moved that the Board adopt Ordinance No. 1996-30, Bill No. 139, on second reading, AN ORDINANCE EFFECTING A CHANGE OF LAND USE ON APPROXIMATELY 17,500 SQUARE FEET OF LAND FROM SINGLE FAMILY ONE ACRE (SF1A) TO RETAIL COMMERCIAL (RC) ON PROPERTY LOCATED AT THE EAST SIDE OF U.S. HIGHWAY 395, APPROXIMATELY 450 FEET SOUTH OF ARROWHEAD DRIVE, ASSESSOR'S PARCEL NUMBER 8-053-10, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Ayres seconded the motion. Motion carried 5-0.

7. PUBLIC WORKS DIRECTOR - Jay Aldean

A. ACTION ON A REQUEST TO CHANGE THE NAME OF RIDGEVIEW DRIVE TO WINDRIDGE DRIVE (WITHIN NORTHRIDGE SUBDIVISION AND MOUNTAIN PARK SUBDIVISION) (1-0560.5) - Supervisor Smith moved that the Board approve the renaming of Ridgeview Drive to Windridge Drive. Supervisors Tatro and Bennett seconded the motion. Motion carried 5-0.

B. ORDINANCE - FIRST READING - ACTION ON AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY, H. GENE ALLENSWORTH AND FRANK SNOCKO REGARDING IMPROVEMENTS TO THE DEVELOPMENT OF ASSESSOR'S PARCEL NUMBERS 09-111-07 AND 09-111-21, LOCATED IN CARSON CITY, NEVADA (1-0580.5) - Pulled.

C. ORDINANCES - SECOND READING

i. **ACTION ON BILL NO. 124 - AN ORDINANCE AMENDING CHAPTER 15.05 OF THE CARSON CITY MUNICIPAL CODE (BUILDING AND CONSTRUCTION) ADOPTING THE 1994 EDITION OF THE UNIFORM BUILDING CODE, VOLUMES 1, 2, AND 3 AND RELATED CODES REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, MOVING, REMOVAL, DEMOLITION, CONVERSION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA AND MAINTENANCE OF ALL BUILDINGS OR STRUCTURES IN CARSON CITY; PROVIDING FOR THE ISSUANCE OF PERMIT AND COLLECTIONS OF FEES THEREFOR; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; ADOPTING CERTAIN CHAPTERS OF THE APPENDIX OF THE UNIFORM BUILDING CODE; REPEALING OTHER PROVISIONS OF THE CODE IN CONFLICT WITH THE BUILDING CODE; ADOPTING CERTAIN AMENDMENTS TO THE BUILDING CODE APPLICABLE IN CARSON CITY; AND OTHER MATTERS PROPERLY RELATING THERETO (1-0583.5)** - Building Official Phil Herrington - Supervisor Bennett moved that the Board of Supervisors adopt Ordinance No. 1996-31, Bill No. 124, on second reading, AN ORDINANCE AMENDING CHAPTER 15.05 OF THE CARSON CITY MUNICIPAL CODE (BUILDING AND CONSTRUCTION) ADOPTING THE 1994 EDITION OF THE UNIFORM BUILDING CODE, VOLUMES 1, 2, AND 3 AND RELATED CODES REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, MOVING, REMOVAL, DEMOLITION, CONVERSION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA AND MAINTENANCE OF ALL BUILDINGS OR STRUCTURES IN CARSON CITY; PROVIDING FOR THE ISSUANCE OF PERMIT AND COLLECTIONS OF FEES THEREFOR; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; ADOPTING CERTAIN CHAPTERS OF THE APPENDIX OF THE UNIFORM BUILDING CODE; REPEALING OTHER PROVISIONS OF THE CODE IN CONFLICT WITH THE BUILDING CODE; ADOPTING CERTAIN AMENDMENTS TO THE BUILDING CODE APPLICABLE IN CARSON CITY; AND OTHER MATTERS PROPERLY RELATING THERETO. Supervisor Ayres seconded the motion. Motion carried 5-0.

ii. **ACTION ON BILL NO. 125 - AN ORDINANCE AMENDING CHAPTER 15.09 OF THE CARSON CITY MUNICIPAL CODE CONCERNING THE ADOPTION OF THE 1994 EDITION OF THE UNIFORM PLUMBING CODE AND AMENDMENTS THERETO APPLICABLE IN CARSON CITY; REPEALING ORDINANCE 1993-27 AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH (1-0632.5)** - Mr. Herrington - Supervisor Tatro moved that the Board adopt Bill No. 125 on second reading, Ordinance No. 1996-32, AN ORDINANCE AMENDING CHAPTER 15.09 OF THE CARSON CITY MUNICIPAL CODE CONCERNING THE ADOPTION OF THE 1994 EDITION OF THE UNIFORM PLUMBING CODE AND AMENDMENTS THERETO APPLICABLE IN CARSON CITY; REPEALING ORDINANCE 1993-27 AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH. Supervisor Bennett seconded the motion. Motion carried 5-0.

iii. **ACTION ON BILL NO. 126 - AN ORDINANCE AMENDING CHAPTER 15.16 OF THE CARSON CITY MUNICIPAL CODE CONCERNING THE ADOPTION OF THE 1994 EDITION OF THE UNIFORM MECHANICAL CODE AND AMENDMENTS THERETO APPLICABLE IN CARSON CITY; REPEALING ORDINANCE 1993-28 AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH (1-0647.5)** - Supervisor Tatro moved that the Board adopt Ordinance No. 1996-33, Bill No. 126 on second reading, AN ORDINANCE AMENDING CHAPTER 15.16 OF THE CARSON CITY MUNICIPAL CODE CONCERNING THE ADOPTION OF THE 1994 EDITION OF THE UNIFORM MECHANICAL CODE AND AMENDMENTS THERETO APPLICABLE IN CARSON CITY; REPEALING ORDINANCE 1993-28 AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH. Supervisor Ayres seconded the motion. Motion carried 5-0.

iv. **ACTION ON BILL NO. 127 - AN ORDINANCE AMENDING CHAPTER 15.13 OF THE CARSON CITY MUNICIPAL CODE CONCERNING THE ADOPTION OF THE 1996 EDITION OF THE NATIONAL ELECTRICAL CODE AND AMENDMENTS THERETO APPLICABLE IN CARSON CITY; REPEALING ORDINANCE 1994-18 AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH (1-0662.5)** - Mr. Herrington - Supervisor Bennett

moved that the Board adopt Ordinance 1996-34, Bill No. 127 on second reading, AN ORDINANCE AMENDING CHAPTER 15.13 OF THE CARSON CITY MUNICIPAL CODE CONCERNING THE ADOPTION OF THE 1996 EDITION OF THE NATIONAL ELECTRICAL CODE AND AMENDMENTS THERETO APPLICABLE IN CARSON CITY; REPEALING ORDINANCE 1994-18 AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH. Supervisor Tatro seconded the motion. Motion carried 5-0.

v. ACTION ON BILL NO. 128 - AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND HOT SPRINGS CENTER ASSOCIATES, REGARDING ASSESSOR'S PARCEL NO.S 02-061-14 AND 17 LOCATED AT 2460 NORTHGATE LANE, CARSON CITY, NEVADA - Mr. Aldean's introduction indicated that staff had almost completed the research required to report on the number and areas where development agreements similar to this request had been approved. This report will be provided to both the Board and the Regional Transportation Commission. Supervisor Bennett urged the Board to defer action on these requests until the report is provided. Mr. Aldean agreed that this policy will be reconsidered in the near future, however, the Department felt that these agreements would be considered even if the present policy is modified due to the drainage problems found in these areas. Supervisor Tatro moved that the Board adopt Bill 128 on second reading, Ordinance No. 1996-35, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND HOT SPRINGS CENTER ASSOCIATES, REGARDING ASSESSOR'S PARCEL NO.S 02-061-14 AND 17 LOCATED AT 2460 NORTHGATE LANE, CARSON CITY, NEVADA. Supervisor Ayres seconded the motion. Motion carried 5-0.

vi. ACTION ON BILL NO. 129 - AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND THE HALL FAMILY TRUST, REGARDING ASSESSOR'S PARCEL NO.S 08-541-74, 75, AND 76 LOCATED AT 3130-3198 DEER RUN ROAD, CARSON CITY, NEVADA (1-0730.5) - Discussion noted the City had abandoned a portion of the right-of-way in this area. Supervisor Tatro moved that the Board adopt Bill No. 129 on second reading, Ordinance No. 1996-36, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND THE HALL FAMILY TRUST, REGARDING ASSESSOR'S PARCEL NO.S 08-541-74, 75, AND 76 LOCATED AT 3130-3198 DEER RUN ROAD, CARSON CITY, NEVADA. Supervisor Ayres seconded the motion. Motion carried 4-1 with Supervisor Bennett voting Naye.

vii. ACTION ON BILL NO. 130 - AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND BASALITE BLOCK, REGARDING ASSESSOR'S PARCEL NUMBER 08-401-03 LOCATED AT 2601 CONESTOGA DRIVE, CARSON CITY, NEVADA (1-0752.5) - Supervisor Ayres moved that the Board of Supervisors adopt on second reading Ordinance No. 1996-36, Bill 130, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND BASALITE BLOCK, REGARDING ASSESSOR'S PARCEL NUMBER 08-401-03 LOCATED AT 2601 CONESTOGA DRIVE, CARSON CITY, NEVADA. Supervisor Tatro seconded the motion. Motion carried 4-1 with Supervisor Bennett voting Naye.

viii. ACTION ON BILL NO. 131 - AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND CHEMTREAT, INC., REGARDING ASSESSOR'S PARCEL NO. 08-402-04 LOCATED AT 3001 CONESTOGA DR., CARSON CITY, NEVADA (1-0767.5) - Supervisor Ayres moved that the Board of Supervisors adopt Ordinance No. 1996-38, Bill NO. 131 on second reading, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND CHEMTREAT, INC., REGARDING ASSESSOR'S PARCEL NO. 08-402-04 LOCATED AT 3001 CONESTOGA DR., CARSON CITY, NEVADA. Supervisor Tatro seconded the motion. Motion carried 4-1 with Supervisor Bennett voting Naye.

4. FIRE CHIEF - Louis Buckley and Emergency Medical Services Chief Vincent Pirozzi - ORDINANCE - FIRST READING - AN ORDINANCE AMENDING CHAPTER 5.18 OF THE CARSON CITY

MUNICIPAL CODE (AMBULANCE SERVICES) TO INCREASE THE FEES FOR AMBULANCE SERVICES, AND OTHER MATTERS PROPERLY RELATED THERETO (1-0785.5) -

Discussion explained that the rate increase totalled five percent overall the items even though some were increased by ten percent and the General Fund subsidy. Public comments were solicited but none given. Supervisor Bennett moved that the Board introduce on first reading Bill No. 142, AN ORDINANCE AMENDING CHAPTER 5.18 OF THE CARSON CITY MUNICIPAL CODE (AMBULANCE SERVICES) TO INCREASE THE FEES FOR AMBULANCE SERVICES, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Smith seconded the motion. Supervisor Bennett indicated the increase is related to the Congressional tax shift and expressed her desire that the Medicare/Medicaid rates would support its costs rather than forcing other users to foot the bill. Discussion ensued on the proposed ambulance subscription program. Mr. Pirozzi explained the advertising program which will begin soon. Supervisor Ayres encouraged him to provide copies of the brochure to the Senior Center and volunteered to contact all of the different senior groups. The motion to introduce Bill 142 on first reading was voted and carried 5-0.

15. BOARD OF SUPERVISORS

A. NON-ACTION ITEMS - INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (1-0895.5) - Supervisor Tatro distributed copies of Convention and Visitors Bureau's concierge maps to the Board and Clerk. The items are being distributed through the Reno/Lake Tahoe area advertising Carson City events and services. The map illustrates how to reach Carson City. Funding for these brochures was explained.

(2-0735) Ms. Hernandez indicated that the new Board chairs would be available for testing at the next Board meeting.

(2-2598.5) Supervisor Bennett explained that the Highway 28 Corridor Master Plan contract had been awarded.

BREAK: There being no other items for discussion until after 2:15 p.m., a fifteen minute recess was declared at 2 p.m. When the meeting was reconvened at 2:15 p.m. the entire Board was present, constituting a quorum.

8. PERSONNEL DIRECTOR - Judie Fisher - ACTION ON APPOINTMENT TO THE CARSON CITY GOLF COURSE ADVISORY COMMITTEE (1-0937.5) - Applicant Wes Myers was interviewed by the Board. Michael Becker had been interviewed at a previous meeting. Mayor Teixeira thanked Mr. Myers for applying and indicated that a decision would be made later in the meeting.

(2-2572.5) Discussion ensued on the two applicants and their qualifications. Supervisors Tatro and Ayres and Mayor Teixeira nominated Mr. Becker. Supervisor Bennett nominated Mr. Myers. Supervisor Tatro moved to appoint Mike Becker to the vacancy on the Golf Course Advisory Committee. Supervisor Ayres seconded the motion. Motion carried 4-0.

9. LIBRARY DIRECTOR - Sally Edwards

A. ACTION ON APPOINTMENT OF MS. PEGGY TWEDT TO FOUR YEAR TERM ON THE CARSON CITY LIBRARY BOARD OF TRUSTEES (1-1048.5) - Supervisor Tatro moved that the Board appoint Peggy Twedt to Carson City Library Board of Trustees for a four year term. Supervisor Ayres seconded the motion. Motion carried 5-0. Mayor Teixeira welcomed Ms. Twedt.

B. PRESENTATION OF CARSON CITY LIBRARY BOARD OF TRUSTEES ANNUAL REPORT (1-1085.5) - Library Board of Trustees Chairperson John Sparbell gave a verbal report on the library goals and objectives including its parking lot expansion and landscaping, the restroom remodel, the new entrance for the youth services, the electronic security system, the three new bilingual staff members, expanded Hispanic

services and functions, State grants, its traveling exhibit, private fund raising events and their success, youth activities, increasing demand for the Library's auditorium, and its ever increasing service demands. Efforts are ongoing to complete the landscaping and acquire a permanent lighted exterior sign. The Board is now working on a plan to further expand the present facility. It may be submitted during next year's budget session. The need to increase the current full-time staffing was stressed and supported by the service demands. A property tax over-ride may be submitted to the electorate in 1998. This funding will also provide for a facility in southeast Carson City, additional materials, and increase the staffing level. The volunteers were recognized and commended for their assistance and dedication. These individuals provide approximately two-and-a-half staff positions. Mayor Teixeira thanked the Board and the Library staff for its efforts, dedication, and support. He also welcomed Ms. Twedt. No formal action was taken or required on this item.

10. PARKS AND RECREATION DIRECTOR - Steve Kastens - ACTION ON FINAL DRAFT OF LONE MOUNTAIN CEMETERY HISTORIC GRAVE SITE RECOGNITION AND INTERPRETATION REPORT (1-1315.5) - Cemetery Sexton David Stultz and Cindy Southerland - Board comments commended Ms. Southerland on her efforts. The inventory was not a complete listing of individuals interred at the cemetery. Mr. Kastens gave the Board a "blue binder" which contained photographs of the headstones. (A copy was not given to the Clerk.) Mr. Kastens commended her on the map which illustrated the locations. Ms. Southerland explained her reasons for selecting the period 1860 to 1920. She requested permission to provide copies to the Nevada State Museum, Historical Society, and Richard Moreno from Nevada Magazine. She had included the individuals' community connections in the report. The walking tour guide had been completed to supplement the report. Board comments commended her on her efforts. The walking tour guide may be published if funding can be obtained. Copies could then be provided at the cemetery office. Finance Director Mary Walker also commended her on the report, the guide, and her inclusion of Carson City women in the report. Supervisor Bennett moved to approve the final draft of the Lone Mountain Cemetery historic grave site recognition and interpretation report. Supervisor Ayres seconded the motion. Following a request for an amendment, Supervisor Bennett amended her motion to include with Board of Supervisors permission to distribute the copies of that report as you deemed appropriate. Supervisor Ayres concurred. The motion was voted and carried 5-0.

11. UTILITY DIRECTOR - Dorothy Timian-Palmer

A. ACTION ON DEVELOPMENT OF A SEWER CONNECTION FEE GRANT PROGRAM FOR LOW INCOME (1-1485.5) - Deputy District Attorney Paul Lipparelli, Earl Atchison - Mayor Teixeira urged all to not mix this item with the following issue. Ms. Timian-Palmer indicated that staff's determination of low income levels would utilize Federal guidelines. A sliding scale could be used also. A cap would also have to be established. The program would use the \$25,000 set-aside for ongoing funding for this program. If any CDBG funding is left from the following program, it will be used for this program. Supervisor Ayres indicated her support. Public input was welcomed

Mr. Lipparelli stressed the need for the Board to clearly define the geographical and income lines. He emphasized that the Board commitment to this program should be based on the benefit which the entire community would receive from the program and the health, safety, and welfare concerns which would be created if the ground water becomes contaminated by the effluent. He urged the Board to maintain this line if public funds are used to help private property owners abate their systems.

(1-1690.5) Discussion explained for Earl Atchison that a decision had not been made on whether to provide the grants for tenants/landlords. Ms. Timian-Palmer's investigation of the area indicated that a majority of the parcels are owner occupied. Mr. Atchison suggested a repayment clause be included in the program. Additional comments were solicited but none provided.

Supervisor Ayres moved that the Board of Supervisors direct Carson City Utilities Department to develop a sewer connection fee grant program for low income property owners for Board of Supervisors review and approval. Supervisor Tatro seconded the motion. Supervisor Smith requested Ms. Timian-Palmer consider a reimbursement

program implemented when the property is sold and establishment of a revolving fund program for future funding of other properties. Mayor Teixeira felt that this process would utilize a lien against the property. Additional comments were solicited but none given. The motion to direct staff to develop a sewer connection fee grant program for low income property owners for reconsideration by the Board of Supervisors was voted and carried 5-0.

B. ACTION ON A POLICY OUTLINING A GRANT REBATE PROGRAM FOR PRIVATE PROPERTY IMPROVEMENT COSTS INVOLVING MUNICIPAL SEWER CONNECTION FOR THE NEW EMPIRE AND SOUTHEAST CARSON CITY AREAS (1-1760.5) - Finance Director Mary Walker, Mr. Lipparelli, Mr. Atchison, John Hayes, Shirley Rath, Julie Thiel, Julie Noland, Pete Bachstadt, Nora Chipman, Deputy Utilities Director Jay Ahrens - Staff comments iterated reasons for not rebating any sewer connections fees paid before June 19, 1993, which is the date the mandatory connection program began. Although State law mandates connection if within 400 feet of the sewerline, the City had not enforced this requirement. The June 19, 1993, requirement was based on the groundwater contamination problem which was occurring in the southeast section of the City. Ms. Walker questioned the community benefits which would be acquired prior to that date and whether a public purpose could be established prior to that date. Funding for the Redevelopment District was cited as an example and supported the need for establishing a public purpose prior to allocating general fund monies. Supervisor Smith felt that the June 1993 date had been tied to a letter distributed to the property owners mandating the connection soon. If the owner selected to delay connecting, it be more expensive in the future. Mr. Lipparelli explained the "prohibition against spending public funding on private property" as established in the Constitution. Court interpretation of these provisions have supported allowing the expenditure if public benefit can be provided. He urged the Board to make a finding of public benefit in any motion if the period is expanded. Supervisor Ayres pointed out the previous City correspondence inferring that the cost would be less to connect than to wait. She also felt that individuals who had been longtime residents should benefit from the program rather than new home buyers. She urged that a "fair and equitable" program be established. Supervisor Smith acknowledged her point regarding the letter and feeling by individuals who had connected originally. Mr. Lipparelli explained that the June 1993 date for connection fees was not the issue under consideration. The issue is whether the Board wishes to rebate the cost to make improvements to private property when connecting to the City system as the connections had stopped the groundwater pollution problem on the date of connection.

(1-2091.5) Public comments were solicited. Mr. Atchison explained his representation for Pam Adams. She had received a letter mandating connection to the water system. She decided to do both the water and sewer systems at the same time. He felt that it had been wrong for the City to mandate her connections. Ms. Timian-Palmer explained that the City does not have a mandatory water program. The State could have required the connection if her well went dry. Mr. Atchison felt there were no problems with the well.

(1-2145.5) Mr. Hayes explained that he had contacted the Utility Department when the Brown Street area was discussed originally. His Brown Street tenant's septic tank had failed. He felt that this failure had occurred due to the rise in the groundwater table which would not allow the effluent to be discharged. He felt that he should not have been forced to connect to the City's system. He urged the Board to allow him to connect under the sewer program. Ms. Timian-Palmer indicated that inclusion of Brown Street in the low income grant program was part of staff's request. Mayor Teixeira indicated that Mr. Hayes' property would not meet the program criteria. Ms. Timian-Palmer indicated that the Brown Street area would be the next area mandated for connection. The State had indicated that the CDBG funds could be used to match the \$100,000 General Fund and \$25,000 Water Fund for rebates to individuals who had mandatorily connected in 1993, 1994, 1992, and 1991. There is currently \$76,613.65 left in CDBG funds. Mr. Lipparelli explained that the State is not considering whether the rebate should be allowed or not. The State had only indicated its willingness to allow this use of CDBG funds. Mr. Lipparelli reiterated his request that the Board find that the expenditure of these funds is in the public interest and would create a public benefit. He agreed that there is a public benefit if the connection has not been made. The septic tank would be polluting the groundwater until it is abated. Once it is connected to the City system, the pollution stops. This creates a challenge to prove that it is a public benefit to rebate the private property improvement costs.

(1-2352.5) Ms. Rath explained that she had connected in 1993. She is still paying for it. Ms. Timian-Palmer indicated she had connected in April 1993. Mayor Teixeira pointed out the difficulty in drawing a line as she had missed the cutoff by two months.

Ms. Thiel recommended rebates from 1991 as the New Empire area is included in the mandatory connection area. She felt that the groundwater was contaminated at that time. Discussion indicated 1991 was the date when the area was first sewerred. Ms. Thiel felt that the connection fees should be rebated. The improvement to the property should not be considered. Ms. Timian-Palmer indicated that Ms. Thiel system had not failed. Ms. Thiel agreed and expressed her feeling that all of the systems in the area, if they had not already failed, would soon.

(1-2441.5) Ms. Noland recommended using 1991 due to her feeling that the letter had indicated connection would be mandatory when the system needed to be pumped. She connected at that time. This had made the water safer and had been in compliance with City wishes. She requested rebate of the connection fees.

Mr. Bachstadt felt that the City was not required to furnish anything after a Statute was adopted in 1983. He felt that to do otherwise would be an indication that the original decision had been wrong. He questioned how it could be fair and equitable if a distinguishment is made between rich and poor, tenant and property owner, etc. He felt that low income individuals were not the only ones polluting the groundwater table. He requested the ability to connect his property and develop it the same as the downtown area and that redevelopment should be provided for him as well as the downtown area. He questioned the reasons low income individuals are forced to pay the same tax rate as other individuals. If the public welfare was provided for as mandated in the Charter for the last 40-50 years, the issue would not be considered at this time. The sewer system would be in and everyone would be connected. He felt that the Board was "following the money" as indicated by Rush Limbaugh.

(1-2535.5) Ms. Chipman explained her reasons for connecting to the water and sewer systems. She felt that the hardpan in the area was causing the septic failures. She had moved to the area sometime in the 1960s. The area had been polluted for years and years. Although the letters had not indicated it was mandatory to connect, she felt that the impression was that it would be soon. She felt that they should receive the same consideration given the other homeowners who were being given a rebate. She had not been notified of the meetings or she and her neighbors would have participated. She felt her neighbors were laughing at her as they are not being required to pay the connection fees. She requested reimbursement for them but not the property improvements. She felt that she had connected in 1991 or 1993.

BREAK: An eight minute recess was declared at 3:40 p.m. When the meeting was reconvened at 3:48 p.m.

(1-2765.5) Mayor Teixeira expressed his feeling that some individuals felt that they had been forced to connect even though their system was working. He felt that the Board had been pro-active in addressing the problem. There would always be an equity issue and that drawing the line would be difficult regardless of the issue. The program is available for low income residents. Assistance should be provided to those who were mandated to connect. He understood the points and concerns from those individuals who had connected prior to 1993. He urged the Board to maintain its original position based on the health, safety, and welfare issues and the District Attorney's opinion. He agreed that his heart would like to dictate otherwise. Discussion indicated that there may have been only 37 residential connections between 1991 and 1993 in the New Empire and Southeast Carson areas. Brown Street is not included in these areas. The discussion was related to the private property improvements and not connection fees. Ms. Timian-Palmer felt that it costs an average of \$1900 for the private property improvements. Not all of the 37 residents would qualify for low income. Therefore, it may cost the City approximately \$34,000 for the private property improvement rebate program. The connection fee rebate program had been established at the last meeting and is not part of this discussion. The proposal only addresses the New Empire and Southeast Carson areas. Brown Street is not included and is a separate issue which will be addressed in the future. Mr. Lipparelli explained that as Brown Street is not in the mandatory area at this time, the septic tanks could be repaired even though the City policy is to encourage connection to the City system. The connection fees had already been addressed. This rebate program would be offered based upon receipts showing the cost of improvements performed on private property. Mayor Teixeira suggested a \$1,000 limit. Mr. Lipparelli also

pointed out that if the rebates for private property improvements are granted back to 1991, some recipients may not be the original property owner who had received the connection fee waiver. This may create a legal problem as the individual may also want the connection fee. Mayor Teixeira felt that the two issues should remain separated and cautioned that the equity issue would continue to appear. He urged the Board to maintain its original position on the connection fees. Supervisor Bennett felt that the opposite argument could be made. The City had had a role in encouraging private property owners to connect as early as 1991. She urged the Board to acknowledge this role and compensate in some amount. Ms. Walker cautioned the Board about opening it before the 1993 mandatory letters were mailed. Any rebates between 1991 and 1993 may legally force the same rebate for the entire City. Mr. Berkich explained his request that the Board maintain its original policy and timeframe. Supervisor Ayres acknowledged staff's concerns, however, she felt that the residents could prove their point that it was mandatory that they connect in 1991. She felt that the program would be a good faith effort even if restricted to \$1,000. There are other areas which are facing the same requirements. Discussion indicated that the 1991 letters had been sent only to the New Empire area, however, the other residents were verbally told the same thing that the New Empire residents were told. Letters were not sent before 1991. In 1991 the sewer abatement program began. Mr. Lipparelli pointed out that the City had not been aggressive in requiring connections prior to 1991 even when there were sewerlines in the area. For this reason residents could question the reasons a building permit was issued and suddenly the City is mandating abatement of the septic tank. The Board had inherited this problem and must now make a decision on it. Discussion explained that if the \$76,000 CDBG grant is not used for this problem, it will be used for future purposes. The grant was to help with the two hot zones and their health problems. The letter in June 1993 indicated the residents would be mandated to connect. The grant would help those individuals.

Supervisor Ayres moved that the Board of Supervisors use the funds from the grant for the rebate of \$1,000 to the 37 homes, following discussion on the number, who qualify for the private property improvements. Following a request for an effective date, Supervisor Ayres amended her motion to be effective back to March 1991. Following a request for another amendment, Supervisor Ayres amended her motion to be for the New Empire area. Supervisor Bennett seconded the motion and requested that the window of opportunity to apply be extended for 90 days only. Supervisor Ayres indicated she could not do this. Ms. Timian-Palmer explained staff's notification procedures for the connection fees. This would require the residents to file a claim. Discussion questioned if or who is to be paid if the home is sold. Supervisor Bennett felt that it was not her intent to give the rebate if the home was sold. Supervisor Ayres agreed. The rebate is to be given only if the owner is living in the home. Discussion indicated that either the 1991 HUD income guidelines or the guideline established by CDBG would be used. Supervisor Bennett continued her second. Following Mr. Lipparelli request for a finding of public benefit, Supervisor Ayres amended her motion to include the finding is because it would be a benefit not only to the home owner but to the total community by not polluting the groundwater. Supervisor Bennett continued her second. The motion as amended was voted by roll call with the following result: Ayres - Yes; Bennett - Yes; Smith - I have to explain it, you know, we sat in here a year ago and, I have to agree with the Mayor on this one, we settled on a date and it was not easy and many people had stories that wanted to move that target date and very valid arguments, we decided on June 19, 1993, for the connection fees, I agree with what Mr. Lipparelli said earlier, to now change that to 1991 for the rebate program, makes the other date, I think, highly arbitrary and I think we will be back here again, somebody will be back here again asking that that date be changed, and as soon as you set on October 1991, I know without a doubt that there will be somebody standing in front of us that says in September 1991 I lived on the other side of town and I had a friend on this side of town who told me that he had to put sewer in, so I put, went ahead and did it, it never ends, it never ends, I have a lot of compassion, I feel badly about this decision, this kind of deal stinks, and that is not an intended pun, so no - No; Tatro - I agree with the comments made by Mr. Smith - No; and Mayor Teixeira - I stated my point which is that for the \$1,000 we are rebating to a few people, I guarantee you that the City will pay dearly for that, it is not a good idea regardless of the circumstances, it puts us in a tenuous situation and the next thing that is going to come back is that fact that if we agree to the property development then why are we not addressing the hookup fees, this is going to go on and on, we will be talking out of both sides of our mouth, so I am going to vote no - No. Motion failed on a 2-3 vote.

Clarification indicated that Brown Street is a separate issue and will be considered in the future.

C. ORDINANCES - FIRST READING

i. **ACTION ON AN ORDINANCE AMENDING SECTION 12.05.020 OF THE CARSON CITY MUNICIPAL CODE, CONNECTION TO MUNICIPAL SEWER SYSTEM REQUIRED, TO ALLOW PARCEL LESS THAN THREE ACRES WHEN UTILIZING AN INDIVIDUAL SEWAGE DISPOSAL SYSTEM AND OTHER MATTERS PROPERLY RELATED THERETO (1-3451.5)** - Deputy Utilities Director Jay Ahrens - Supervisor Bennett requested a continuance to allow staff time to analyze concerns which had been raised and the feeling in Lyon County that the recommended system had not worked as indicated.

ii. **ACTION ON AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND JENNIFER M. BACIGALUPI REGARDING ASSESSOR'S PARCEL NOS. 3-181-09, 3-181-10, AND 3-241-07 LOCATED ON NORTH IRIS STREET AND WEST TELEGRAPH STREET, CARSON CITY, NEVADA, FOR SEWER AND WATER MAIN REPLACEMENT (1-3533.5)** - Mr. Ahrens - Discussion explained the reimbursement process. Supervisor Smith moved to introduce Bill 143 on first reading, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND JENNIFER M. BACIGALUPI REGARDING ASSESSOR'S PARCEL NOS. 3-181-09, 3-181-10, AND 3-241-07 LOCATED ON NORTH IRIS STREET AND WEST TELEGRAPH STREET, CARSON CITY, NEVADA, FOR SEWER AND WATER MAIN REPLACEMENT. Supervisor Ayres seconded the motion. Motion carried 5-0.

12. **DISTRICT ATTORNEY** - Deputy District Attorney Paul Lipparelli

A. **ACTION ON A RESOLUTION RECOMMENDING AN AMENDMENT TO THE CARSON CITY CHARTER TO ALLOW THE BOARD OF SUPERVISORS TO ADOPT CITY MASTER PLANS WHICH SERVE AS A PATTERN AND GUIDE FOR THE KIND OF ORDERLY PHYSICAL GROWTH AND DEVELOPMENT OF THE CITY WHICH WILL CAUSE THE LEAST AMOUNT OF NATURAL RESOURCE IMPAIRMENT AND OTHER MATTERS PROPERLY RELATED THERETO (2-0021.5)** - Supervisor Tatro moved that the Board adopt Resolution No. 1996-R-34, A RESOLUTION RECOMMENDING THAT THE NEVADA LEGISLATURE AMEND SECTION 2.220 OF THE CARSON CITY CHARTER TO ALLOW THE BOARD OF SUPERVISORS TO ADOPT CITY MASTER PLANS WHICH SERVE AS A PATTERN AND GUIDE FOR THE KIND OF ORDERLY PHYSICAL GROWTH AND DEVELOPMENT OF THE CITY WHICH WILL CAUSE THE LEAST AMOUNT OF NATURAL RESOURCE IMPAIRMENT AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Ayres seconded the motion. Motion carried 5-0.

D. **ACTION ON A RESOLUTION RECOMMENDING AN AMENDMENT TO THE CARSON CITY CHARTER TO GRANT TO THE BOARD OF SUPERVISORS THE POWER TO SUSPEND, CANCEL OR REVOKE ANY BUSINESS LICENSE FOR JUST CAUSE (2-0055.5)** - Supervisor Tatro moved that the Board adopt Resolution No. 1996-R-35, A RESOLUTION RECOMMENDING THAT THE NEVADA LEGISLATURE AMEND SECTION 2.260 THE CARSON CITY CHARTER TO GRANT TO THE BOARD OF SUPERVISORS THE POWER TO SUSPEND, CANCEL OR REVOKE ANY BUSINESS LICENSE FOR JUST CAUSE. Supervisor Ayres seconded the motion. Motion carried 5-0.

E. **ACTION ON A RESOLUTION RECOMMENDING THAT THE BOARD OF SUPERVISORS RECOMMEND TO THE LEGISLATURE AN AMENDMENT TO THE CARSON CITY CHARTER TO REFLECT THE SECOND JUSTICE OF THE PEACE AND OTHER MATTERS PROPERLY RELATED THERETO (2-0061.5)** - Supervisor Tatro moved that the Board adopt Resolution No. 1996-R-36, A RESOLUTION RECOMMENDING THAT THE NEVADA LEGISLATURE AMEND SECTIONS 4.010 AND 4.030 OF THE CARSON CITY CHARTER TO REFLECT THE SECOND JUSTICE OF THE PEACE AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Ayres seconded the motion. Motion carried 5-0.

B. **ACTION ON A RESOLUTION RECOMMENDING AN AMENDMENT TO THE CARSON**

CITY CHARTER TO PROVIDE FOR A PRIMARY ELECTION OF SUPERVISORS FROM THEIR WARDS (2-0066.5) - Charter Review Committee Chairperson Jim Cavalia explained the recommendation to have primary election of supervisors from the wards. The Committee consensus supported having the electorate reconsider this proposal, however, the Committee could not request the Board take this action. Therefore, the request was made for a Charter amendment. The electorate tie should be resolved. Mayor Teixeira noted that there had only been two individuals from the wards for the last two elections. The timelines for development of the Charter recommendations were felt to impose a hardship on the Committee. Supervisor Smith and Mayor Teixeira explained their opposition to the recommendation. Supervisor Tatro moved that the Board not recommend that the Legislature change the City Charter to change the primary election procedure for the Supervisors. Supervisors Smith and Ayres seconded the motion. Motion carried 5-0. Discussion indicated that the Board setting at the time should consider the issue of taking the question back to the electorate. Supervisor Smith indicated his intent to bring this question forward for the Board's consideration.

C. ACTION ON A RESOLUTION RECOMMENDING AN AMENDMENT TO THE CARSON CITY CHARTER TO INCREASE THE SALARY OF THE MAYOR AND OTHER MATTERS PROPERLY RELATED THERETO (2-0165.5) - Mr. Cavalia explained the reasons for the request. He did not feel that the salary had been compared with other communities. The recommendation had been based on what had been felt to be fair due to the workload. Mayor Teixeira thanked the Committee for its consideration, however, felt that the Legislature would oppose consideration of only one County without granting the same consideration to the remaining Counties. The use of consolidation had granted the City the ability to use either City or County laws to its advantage, however, in this instance it works against Carson City as it is considered a County at the Legislature. He also felt that the Mayor could utilize the expense account to address some of the lobbying costs, etc. He had chosen not to do this. He did not feel that the added value would help acquire the proper individual for the job. He felt that the dedication and service level would be provided by the individual. The City has the weakest form of mayoral government which works. It does not establish one position as being higher than the remaining positions. He supported denial of the request and urged the Board to maintain the present status quo. The expense account/stipend should be left to the other Board members. Chairperson Cavalia indicated, again, that the Charter Committee could not make this recommendation, although it had been considered. Due to the restricted options available to the Committee, the Committee had recommended this course of action. Mayor Teixeira reiterated his appreciation for the Committee's consideration. Mayor Teixeira then passed the gavel to Mayor Pro-Tem Smith and moved that the Board of Supervisors take no action on Item 3, A RESOLUTION RECOMMENDING THAT THE NEVADA LEGISLATURE AMEND CARSON CITY CHARTER TO INCREASE THE SALARY OF THE MAYOR AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Ayres seconded the motion. Motion carried 5-0. Mayor Pro-Tem Smith returned the gavel to Mayor Teixeira.

Chairperson Cavalia then explained the Committee's request that an individual be assigned the task of taking its recommendations to the Legislature. Clerk-Recorder Glover acknowledged the problem and recommended the Board direct the Clerk, District Attorney, City Manager, or someone to handle this task. Mayor Teixeira directed the Clerk to do it due to his familiarity with the process. Discussion indicated that Senator Adler had expressed a willingness to submit the bill drafts. Committee Member Pat Jackson also recommended that the appointments be made earlier to allow the Committee more time to handle its business.

F. ORDINANCES - SECOND READING

i. ACTION ON BILL NO. 132 - AN ORDINANCE AMENDING CHAPTER 10.25 OF THE CARSON CITY MUNICIPAL CODE (SPECIAL RESPONSIBILITIES OF VEHICLE DRIVERS AND OWNERS), REPEALING ALL PORTIONS OF THE CITY ORDINANCES REQUIRING INSURANCE FOR VEHICLES WHICH ARE IN CONFLICT WITH THE STATE STATUTE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO (2-0335.5) - Supervisor Tatro moved to adopt Ordinance 1996-39 on second reading, AN ORDINANCE AMENDING CHAPTER 10.25 OF THE CARSON CITY MUNICIPAL CODE (SPECIAL RESPONSIBILITIES OF VEHICLE DRIVERS AND

OWNERS), REPEALING ALL PORTIONS OF THE CITY ORDINANCES REQUIRING INSURANCE FOR VEHICLES WHICH ARE IN CONFLICT WITH THE STATE STATUTE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Ayres seconded the motion. Motion carried 5-0.

ii. **ACTION ON ORDINANCE NO. 140 - AN ORDINANCE AMENDING TITLE TWO (ADMINISTRATION AND PERSONNEL) OF THE CARSON CITY MUNICIPAL CODE ADDING CHAPTER 2.38, (DEPARTMENT OF ALTERNATIVE SENTENCING), CREATING THE DEPARTMENT OF ALTERNATIVE SENTENCING, PROVIDING FOR THE DUTIES OF THE CHIEF, ESTABLISHING FEES TO BE PAID BY PROBATIONERS AND PROHIBITING THE DISCLOSURE OF CERTAIN INFORMATION AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO (2-0355.5)** - Supervisor Tatro moved that the Board adopt on second reading Ordinance No. 1996-40, AN ORDINANCE AMENDING TITLE TWO (ADMINISTRATION AND PERSONNEL) OF THE CARSON CITY MUNICIPAL CODE ADDING CHAPTER 2.38, (DEPARTMENT OF ALTERNATIVE SENTENCING), CREATING THE DEPARTMENT OF ALTERNATIVE SENTENCING, PROVIDING FOR THE DUTIES OF THE CHIEF, ESTABLISHING FEES TO BE PAID BY PROBATIONERS AND PROHIBITING THE DISCLOSURE OF CERTAIN INFORMATION AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Bennett seconded the motion. Motion carried 5-0.

iii. **ACTION ON BILL NO. 141 - AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE SECTION 2.04.400 (PUBLIC OFFICERS) ADDING CHIEF OF THE DEPARTMENT OF ALTERNATIVE SENTENCING, AND COMMUNITY SERVICE COORDINATOR (2-0365.5)** - Supervisor Tatro moved that the Board adopt Ordinance No. 1996-41 on second reading, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE SECTION 2.04.400 (PUBLIC OFFICERS) ADDING CHIEF OF THE DEPARTMENT OF ALTERNATIVE SENTENCING, AND COMMUNITY SERVICE COORDINATOR. Supervisors Ayres and Bennett seconded the motion. Motion carried 5-0.

13. **CLERK-RECORDER - Alan Glover - ACTION ON ESTABLISHING WAGES FOR ELECTION WORKERS (2-0369.5)** - Discussion noted Mr. Glover's efforts to reduce the total impact by consolidating smaller precincts, the long hours required and the dedication provided by Carson City's election workers. Supervisor Smith moved to set the Election Day Workers wages for the Chairman and Deputies at \$100 per day and for the Workers at \$80 per day, fiscal impact \$28,840 and funding source is the General Fund. Supervisor Ayres seconded the motion. Motion carried 5-0.

14. **CITY MANAGER - John Berkich**

A. **ACTION TO APPROVE AN AGREEMENT FOR THE USE OF CERTAIN FACILITIES AT THE FORMER NORTHERN NEVADA CHILDREN'S HOME WITH THE BOYS AND GIRLS CLUB OF WESTERN NEVADA (2-0425.5)** - Supervisor Ayres moved to approve an agreement for the use of certain facilities at the former Northern Nevada Children's Home with Boys and Girls Club of Western Nevada, fiscal impact is \$10,000 for estimated utility costs from the General Fund Community Support Services, which was approved in the Fiscal Year 1996-97 Budget. Supervisor Bennett seconded the motion. Motion carried 5-0.

B. **ACTION ON A RESOLUTION OF CARSON CITY PURSUANT TO THE RULES AND REGULATIONS OF THE FEDERAL COMMUNICATIONS COMMISSION REGARDING TCI'S BASIC SERVICE TIER RATES AND PROPOSED EQUIPMENT AND INSTALLATION CHARGES IN ITS FRANCHISES WITHIN CARSON CITY AND ESTABLISHING PERMITTED RATES FOR EQUIPMENT AND INSTALLATION AND THE EFFECTIVE DATE OF THOSE RATES (2-0448.5)** - Administrative Assistant to the City Manager Liz Hernandez - Ms. Hernandez explained the reasons for excluding the wire maintenance rates. This is considered the "Portland" manner. The ultimate legal ruling on this issue will be supported by staff. TCI will now consider its rates on an annual basis rather than quarterly. Mayor Teixeira explained his working relationship with the District General Manager Carol Eure. His concerns were related to

corporate decisions and policies. There would be a 52 cent increase in the basic tier rate. The rates will not be reconsidered for another year. Mayor Teixeira then noted his objection to the expanded basic rate and indicated that he would submit written opposition to it to the corporate office with a copy to Ms. Eure. Supervisor Ayres moved that the Board of Supervisors approve Resolution 1996-R-37, A RESOLUTION OF CARSON CITY PURSUANT TO THE RULES AND REGULATIONS OF THE FEDERAL COMMUNICATIONS COMMISSION REGARDING TCI'S BASIC SERVICE TIER RATES AND PROPOSED EQUIPMENT AND INSTALLATION CHARGES IN ITS FRANCHISE WITHIN CARSON CITY AND ESTABLISHING PERMITTED RATES FOR EQUIPMENT AND INSTALLATION AND EFFECTIVE DATE OF THOSE RATES. Following a request for an amendment, Supervisor Ayres amended the motion to include with the exception of the monthly wire rates. Supervisor Bennett seconded the motion. Motion carried 5-0.

15. BOARD OF SUPERVISORS (2-0530.5)

A. ACTION ON CHANGE OF STARTING TIME FOR THE BOARD OF SUPERVISORS' MEETING - Supervisor Tatro explained his objection to the 9 a.m. starting time. He felt that public input had not been limited to the point that it was not considered. If the meeting is scheduled for 9 a.m., the meeting would fill the time allocated regardless of the need. He suggested having noncontroversial items utilized as filler items, leaving the meeting at 1 p.m. and having a carryover date of 1 p.m. on Friday. He felt that this would better control the time for the items and eliminate the gaps which had occurred previously. Supervisor Bennett expressed her feeling that the present procedure shortened the public input and appears to rush the meeting and debate. She felt that the meetings are appropriately controlled, however, there are times when additional debate is required. She objected to dedicating two days to this process. She suggested the meetings commence at 10 a.m. Mayor Teixeira explained the issues he considers in setting the agenda. The present timeline for posting is difficult. He felt that the meetings had been streamlined with the Consent Agenda and that the Board had a reputation for staying on track and on time to the best of its ability. He expressed a willingness to commence at 10 a.m. He recommended that if it is a short agenda, the Board work through the lunch period. This would allow the Board to complete its deliberations and not require a return. He indicated the Supervisor Reports would be agendaized for the morning session. This could be used as a filler. Supervisors Smith and Ayres were against having a two-day meeting. Supervisor Smith moved that the Board of Supervisors change the starting time for the regularly scheduled first and third Thursday meetings of each month beginning with the first meeting in August to 10 a.m. Supervisor Ayres seconded the motion. Motion carried 5-0.

BREAK: There being no other matters for consideration until 6 p.m., Mayor Teixeira declared a recess at 5:05 p.m. When he reconvened the session at 6 p.m., a quorum was present although Supervisor Smith was absent. Regional Planning Commission Members present were: Chairperson Alan Rogers, Commissioners William Mally, Maxine Nietz, Archie Pozzi, and Deborah Uhart. A quorum was present although Commissioners Christianson and Horton were absent. Commissioner-Elect Richard Wipfli was also present. Staff members present included: City Manager Berkich, Community Development Director Walter Sullivan, Public Works Director Aldean, Utilities Director Dorothy Timian-Palmer, Deputy District Attorney Lipparelli, Senior Planner Danforth, and Recording Secretary McLaughlin. Consultant Randy Walter was also present.

16. COMMUNITY DEVELOPMENT DIRECTOR - Walter Sullivan - PLANNING COMMISSION REVIEW AND APPEAL MATTERS

A. ACTION ON A RESOLUTION FIXING THE NUMBER OF RESIDENTIAL BUILDING PERMITS UNDER THE CITY'S GROWTH MANAGEMENT ORDINANCE FOR 1997 AND 1998, ESTIMATING THE NUMBER OF RESIDENTIAL BUILDING PERMITS FOR 1999 AND 2000, ESTABLISHING NUMBERS WITHIN CATEGORIES (PLANNING COMMISSION APPROVED 6-1-0-0) (2-0745.5) - Senior Planner Danforth, Mr. Berkich, Frank Paige, Mr. Lipparelli - Discussion indicated that approximately 40 percent of the permits had been taken even though the year is half over. The same percentages had been used by this time last year. Approximately 70 percent were used in calendar year 1995. Mr. Sullivan felt that 85 percent would be used this year as there are additional subdivisions on line which will pull more than last

year. There is no carry-over and the unused portion would not be available next year. The three percent rate is compounded annually. Restrictions on allotments according to categories were explained. Mr. Sullivan felt that none of the categories had used all of the allotments since 1987. Mrs. Danforth requested direction from the Board as to the type of information needed to by the Board in making its decisions. The Commission has created a Growth Management Sub-Committee to analyze the present growth rate, the resources, and impacts. Its recommendation will be considered in 1997. Mr. Sullivan requested any comments/suggestions be submitted in writing to his Department. Staff will forward them to the Sub-Committee. Demographics were utilized to explain the reasons for this study. Mayor Teixeira then explained his longstanding suggestion that demographic surveys be included in the utility bills. He felt this would provide better tracking of the population trends. Mr. Berkich described the sophistication used by the State Demographer and his ability to verify his data. He utilizes the Post Office for some of his categories. He had discussed Mayor Teixeira's suggestion with the utilities companies, however, they were rather reticent about the proposal. He volunteered to attempt to discuss the issue with the companies again if the Board desired. Mayor Teixeira reiterated his reasons for feeling the survey should be undertaken and Mr. Berkich agreed to do so. Mayor Teixeira felt that there was an incorrect premise that everyone acquiring a new home is new to the area. Although he was unsure of the ratio, he felt that at least 50 percent were relocating from elsewhere in the City/upgrading their present residence. The builders may have a better figure. Mr. Sullivan indicated this is one of the items which needed to be discussed. Mayor Teixeira also felt that the survey should concern response times and noted the delay created by tourists/non-resident traffic. Mr. Sullivan agreed to discuss this issue also. Supervisor Bennett suggested the Board schedule a presentation by the State Demographer. Mrs. Danforth explained that the Growth Management Commission had recommended the resolution containing a three percent growth rate with a total of 604 permits for 1997.

(2-1011.5) Public comments were solicited. Chairperson Rogers explained the consideration given to the number of permits not used over the years as well as the issue of the City's two to two-and-a-half percent growth rate and the School District's five percent growth rate. This is part of the reason for wanting to have workshops to evaluate the Growth Management ordinance in more detail. Also, the growth impacts appear to be different for the various services found in the City. The builders opposed reducing the growth rate as it would impact their businesses and planning. Therefore, the three percent was maintained and the study undertaken. The different resources should be able to provide adequate information to analyze the different impacts and perhaps develop a more equitable formula for everyone's benefit. There had been 38 individuals participate in the first workshop. These individuals represented a wide range different fields in the community. Mayor Teixeira wished the Commission success in this endeavor. He noted the positive track record held by the Commission when such endeavors have been undertaken.

(2-1065.5) Mr. Paige commended the Commission and staff on their approach and willingness to undertake the study. Unless the impact is considered, the situation will only get worse as illustrated by the present traffic problems found throughout the community.

Supervisor Ayres commended the Commission on its dedication and the thoroughness of its efforts. Mr. Lipparelli reminded Chairperson Rogers to convene the Commission before the following item is discussed. At 6:30 p.m. Chairperson Rogers convened the Planning Commission. Roll call was taken. A quorum of the Commission was present although Commissioners Horton and Christianson were absent.

Additional comments on the Growth Management resolution were solicited, however, none were given.

Supervisor Tatro then moved that the Board adopt Resolution No. 1996-R-38, A RESOLUTION FIXING THE NUMBER OF RESIDENTIAL BUILDING PERMITS UNDER THE CITY'S GROWTH MANAGEMENT ORDINANCE FOR 1997 AND 1998, ESTIMATING THE NUMBER OF RESIDENTIAL BUILDING PERMITS FOR 1999 AND 2000, AND ESTABLISHING NUMBERS WITHIN CATEGORIES, the resolution is contained within the staff report and labelled Option I and is based on a three percent growth rate. Commissioner Ayres seconded the motion. Clarification indicated the apartments are still at a two for one ratio. This issue will also be considered by the Committee. The motion to adopt Resolution No. 1996-R-38 as indicated was voted and carried 4-0 with Supervisor Smith absent.

B. ACTION REGARDING ADOPTION OF A MASTER PLAN LAND USE ELEMENT - THE LAND USE ELEMENT OF THE MASTER PLAN INCLUDES BOTH TEXT AND MAP INDICATING LAND USE DESIGNATIONS (PLANNING COMMISSION APPROVED 7-0-0-0) (1-1165.5) - Mr. Sullivan, Richard Meason's attorney Monique Laxalt Urza, Mr. Lipparelli, Principal Planner Rob Joiner, Consultant Randy Walter, Landmark Homes Representative Ron Kipp - Mr. Sullivan explained the Board's direction at the last meeting for written comments be submitted to staff. Staff had not received any comments from anyone. Mayor Teixeira explained that he had discussed his concerns with Mr. Walter and Supervisor Tatro. He felt that there had been a lot of discussions as well as give and take which had occurred in the interim. He felt certain that there would continue to be discussion.

Ms. Urza iterated her reasons for recommending denial of the element based on the City's failure to appropriately notify the impacted property owner(s) and specifically her client. A written letter of objection was presented to the Board and Clerk. Mr. Meason lives in Stagecoach. Comments noted that the item had been in the media for over two years and that there had been approximately 35 different meetings. Ms. Urza explained that the Master Plan would reduce the zoning on Mr. Meason's property from one resident per ten acres to one resident per 40 acres. She then read her letter into the record. (A copy is in the file.) Ms. Urza indicated she would distribute a copy of the case Berman versus Board of Commissioners of Lower Medion to the Board later in the meeting, however, this did not occur.

Chairperson Rogers responded by noting that all notifications had been in compliance with State statutes and with consultation by attorneys. When this issue has been raised in the past, each parcel was individually considered to determine the impact of the Master Plan on those parcels. Meetings were held with the property owners and the majority of the problems were mitigated. There had been no complaints at the last meeting about a failure to work with the individuals. He also stressed that the Master Plan is not a rezone. He felt that the lawsuits cited were rezoning issues and not Master Plan issues. The normal process is for rezoning to be considered after adoption of the Master Plan, if desired. At that time the notifications indicated and procedures outlined must be adhered to. He felt that the effort was an attempt to accomplish a "healthy economy to preserve an environment". This is one of the goals in the Plan. No one area had been targeted for future acquisition. The Plan is an attempt to preserve the quality of life which is what is seen when looking at the mountains.

Mr. Sullivan also indicated that legal notifications were made as required and with consultation from the attorneys. He was surprised and shocked at Mr. Meason's approach as he is working with him currently on a development potential for the property. He had just received responses from the different Departments on the proposal and had planned to meet with Mr. Meason on these replies. He had had a meeting with Mr. Meason some 60 to 75 days ago at Resource Concepts where Mr. Berkich and Utilities Director Timian-Palmer were present. We discussed the Master Plan at that meeting. Principal Planner Joiner had discussed the Master Plan with Mr. Meason before that date. Mr. Joiner had even visited the property and walked it. Mr. Sullivan then explained the differences between the Master Plan map and the Zoning Map. Nevada cases have indicated that the Master Plan and Zoning do not have to match perfectly. Attorney General's Opinion 84-6 allows the present zoning to remain until the City and the Commission consider future rezoning requests. The Master Plan is a flexible guideline for the future. This rezoning will be done in a phased fashion over time. Staff could not address all of them at one time due to the magnitude of the different changes. There is no taking.

Mr. Lipparelli questioned Ms. Urza regarding her position on the noticing. Ms. Urza responded that she could not state whether the City had failed to notify the property owner as required by Statute for Master Plans. She felt that there were constitutional grounds for the objection. She indicated that she may, after adequate time for research, indicate that there has been a failure. She felt certain that there must be direct notification to the property owner of any change in the Master Plan zoning. She then reiterated her request as a minimum that the matter be continued. Mayor Teixeira then indicated that her case had been presented and staff and the Commission had rebutted. He felt that everyone understood the issues and indicated that the Board would continue deliberation on the Plan. He thanked her for her input.

(2-1545.5) Supervisor Tatro recommended having definitions in Chapter I-1 for SPA and SPD and that Chapter IV-2 and Implementation Strategy 1.9.1 should indicate that the SPA process is voluntary. Mr. Joiner indicated that Title 18 indicates the SPA process is voluntary. Mr. Joiner also indicated that Chapter IV-27 and Strategy 9.3.7 had been changed to five years instead of two years for updating the Streets and Highways element. Supervisor Tatro then explained a change to Chapter VI-10 which would allow amendments to the Master Plan more often than once every six months. Chairperson Rogers explained that a formal review would occur every two years. Amendments could be requested at every meeting. Supervisor Tatro explained that his desire is to not hold amendments until the formal review process occurs. Chairperson Rogers and Mr. Sullivan explained that a separate review could occur whenever requested. Changes to the service boundary does not impact the land use designation. Mr. Sullivan agreed that service boundary amendments would not be held semi-annually. They will be reviewed when submitted. Chapter VIII-1 will be expanded to clarify the oversizing which could be required for utilities within a SPA. Supervisor Tatro then questioned the noticing given to property owners who have land designated as SPAs. Mr. Sullivan agreed to hold the SPA portion if so desired. He then explained for the public the terms SPA and SPD. The need to have considered SPA within the Master Plan element was outlined. If so desired, they could each be considered individually by the Commission. Chairperson Rogers iterated his reasons for recommending against holding the SPA/SPDs. He felt that they were good examples of the innovation used in the Master Plan. A lot of time had been dedicated to this area and trying to be sure that they will work. The property owners had been intimately involved in this process. It is a voluntary process. These four individuals had attended all of the meetings. Delaying the process would force them to do additional steps which would be an unnecessary burden for them. When the SPA/SPDs are developed, zoning issues will be addressed. These zoning issues will have to be advertised/noticed. The first few SPA/SPDs will be a test of the process. If it does not work, the Commission/staff/property owners are willing to admit it and adjust the process. Supervisor Bennett pointed out that the SPAs are along the Carson River. The Carson River Advisory Committee and the property owners had dedicated a lot of time and effort on this area. She supported Chairperson Rogers' recommendation and urged the Board to allow the process to remain in the Master Plan element.

Supervisor Ayres explained her contact with staff on the element. She urged the Board to remember the purpose and mission statements which she read from the Master Plan text. The document is dynamic and could be modified as time dictates.

Supervisor Bennett explained her meeting with staff. She then reviewed her revisions to the Master Plan and her reasons for recommending the revisions. A list is included in the file. She also requested an amendment to the Parks and Recreation Open Space on Page IV-3 Goal 8, the development of a system of entryway elements which would create a sense of entry into Carson City and promote the quality of life. This will enable the City to master plan the corridor entryways along the major highways into Carson City. The Transportation Element should include automobiles, bicycles, pedestrians, etc.

Mayor Teixeira urged the Board to adopt the Plan as written. Amendments could be made in the future. It is an innovative and dynamic guideline. He felt that the majority of the document would stand even though some portions may be challenged. Concerns were expressed by both Mayor Teixeira and Supervisor Bennett about the service boundary lines. Mayor Teixeira stressed the importance of having had public input into the process. Only one person was opposing the plan out of the total population of 47,000. He felt that proved that the homework had been done. Communication and mitigation procedures had been utilized. He refused to "nit-pick" the document due to this preparedness. He admitted it is not perfect. It will be amended. He acknowledged the dedication and efforts expended on the plan. It ties into the strategic plan and the vision preference study. Supervisor Bennett reiterated her request that the revisions be made. Mayor Teixeira felt that the Board had previously indicated that an aggregate resource study would be performed. The budget would determine whether the Streets and Highways element could be updated every five years.

Supervisor Bennett then reiterated her request that the Transportation Element include more than streets and highways. It should involve all forms of movement by people. Mr. Sullivan explained that the NRS requires a streets and highways transportation element which is described in Subsection N. Subsection O deals with a transit plan which covers transit lines, rapid transit, street car, motor coach, trolley lines, etc. Subsection P is the

comprehensive transportation plan including rights-of-ways, terminals, grade separation, viaducts, ports, harbor, aviation, and related facilities. Some of Supervisor Bennett's items have been requested. Staff will return during the budget session and make requests for these areas. Mayor Teixeira supported having them added in the future. Supervisor Bennett urged inclusion of the verbage as this would allow future amendment and provide the budget. Next month she will ask the Regional Transportation Commission to establish a committee on transportation to consider these other elements. Commissioner Uhart pointed out that trails/bikepaths/walkways are addressed in several other elements of the plan. Public comments have not been considered on these points. She suggested that these issues be discussed at a future meeting and that the document be adopted as it is written. Supervisor Bennett responded by expressing her opinion that the Commission had had 30 days to consider her comments as she had pointed them out at the last meeting. Mayor Teixeira pointed out that there is no problem with the aggregate recommendation. Mr. Sullivan explained that Streets and Highway, Transportation, and Transit are all separate elements of the Master Plan. They are interrelated to the land use, its goals, and implementation strategies. The proposed plan addresses different aspects of each. He agreed that the Streets and Highways element needed to be reconsidered as it was last studied in 1990. Staff will return during the budget to discuss the Transportation, Transit, and Streets and Highway elements.

(2-2209.5) Mr. Walter felt that these items could be added to the document. The timing for this addition was left to the Board. The Planning Commission and staff have both expressed their intent to discuss it. These were examples of items which needed to be incorporated and the Plan amended accordingly. This is a part of the normal ongoing process. The verbage in the current draft has been reviewed word by word. The proposed revisions have not been considered in detail and the Commission would like to do so before implementation. Chairperson Rogers indicated that the Commission had heard these items before. Supervisor Bennett's request was included in various locations throughout the element. He felt that the four items could be adopted and added to the element knowing that the process would recognize the implementation strategy. Funding will have to be found/allocated for it. He felt that the requests were in harmony and supported their inclusion. Mayor Teixeira reiterated his desire to approve the document and not delay the process while the elements are being drafted. Supervisor Bennett agreed.

(2-2265.5) Mr. Kipp suggested the front cover include a statement that "This Master Plan Land Use Element Text and Map do not change the zoning which exists the day that it is adopted." Mayor Teixeira indicated that this could not legally be done. Mr. Kipp expounded on his reasons for the request. Chairperson Rogers felt that a note indicating this statement could be added to the title page. Mayor Teixeira felt that it would indicate that the elements could not be implemented. This would mean the entire effort was not serious. The Master Plan by itself would not change the zoning but as the Plan is followed, the zoning will eventually change.

(2-2342.5) Ms. Urza then requested that Mr. Meason's property not be included in the Master Plan and that his area be continued. She felt that the Master Plan would impact the property value. The zoning would definitely change the value and, based on Mayor Teixeira's comments on the intent to follow the Plan, this would occur.

Mr. Lipparelli recommended the Commission act on the changes proposed before the Board adopt the Master Plan.

(2-2409.5) Commissioner Nietz moved that the language as presented to the Planning Commission tonight on behalf of Supervisor Bennett be incorporated in the appropriate places in the Draft Land Use Element of the Master Plan. Commissioner Pozzi seconded the motion. Following discussion on whether to include Supervisor Tatro's comments in the motion, Mayor Teixeira indicated there should be two separate motions. Chairperson Rogers pointed out the typographical error in 9.3.7 which should be corrected with the change. The motion to approve the addition to the Draft land Use Element of the Master Plan was voted and carried 5-0-0-2 with Commissioners Christianson and Horton absent.

(2-2430.5) Chairperson Rogers indicated that Supervisor Tatro's changes were: 1. Definitions for SPA and SPD are to be included at the first occurrence; 2. Chapter 4, Page 2, 1.9.1 should indicate that the SPA/SPD process is voluntary; and in 9.3.7 the Master Plan update will occur every five years. Discussion indicated this change had already been made. Chairperson Rogers then indicated that the item on Section 6.1 was a clarification.

Commissioner Nietz moved that the changes to the Draft Land Use Element of the Master Plan as enumerated by Chairperson Rogers be incorporated in the appropriate places. Commissioner Pozzi seconded the motion. Questions were solicited but none made. Motion carried 5-0-0-2 with Commissioners Christianson and Horton were absent.

Mayor Teixeira asked Chairperson Rogers if there were any other changes which should be made this evening based on the testimony given. Chairperson Rogers felt that there were none. The discussion had fairly well covered the topic. He expressed his gratitude for the Board's time and support for the process. It had been a long process with several requests for funding from the Board, which had been provided.

Supervisor Ayres moved that the Board of Supervisors adopt the Master Plan Land Use Element, both text and map, as presented to the Board this evening with the additional language incorporated by Supervisor Bennett and Supervisor Tatro as approved by the Planning Commission this evening. Supervisor Bennett seconded the motion. Comments were solicited but none made. The motion was voted and carried 3-1-0-1 with Supervisor Tatro voting Naye and Supervisor Smith absent.

OTHER MATTERS - Mr. Sullivan presented a commendation certificate to Ms. Dorothy Timian-Palmer in recognition of her dedication and efforts on the Ad Hoc Master Plan Land Use Element Committee. Mr. Sullivan then read a commendation resolution into the record and presented it to Commissioner Nietz, whose term had ended. The resolution commended her on her dedication and service during her tenure on the Commission, thanked her for her assistance over the years, and wished her success in her future endeavors.

There being no other matters for discussion by the Planning Commission, Commissioner Pozzi moved to adjourn. Commissioner Uhart seconded the motion. Motion carried 5-0-0-2 with Commissioners Christianson and Horton absent. Chairperson Rogers adjourned the Planning Commission at 7:40 p.m.

(2-2810.5) There being no other matters for consideration by the Board of Supervisors, Supervisor Tatro moved to adjourn. Supervisor Ayres seconded the motion. Motion carried 4-0. Mayor Teixeira adjourned the meeting at 7:45 p.m.

The Minutes of the Carson City Board of Supervisors July 18, 1996, meeting

1996. ARE SO APPROVED ON ____Sept. 5____,

_____/s/_____

Marv Teixeira, Mayor

ATTEST:

_____/s/_____
Alan Glover, Clerk-Recorder