

CARSON CITY BOARD OF SUPERVISORS
Minutes of the July 20, 1995, Meeting
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A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, July 20, 1995, 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 Treasurer
 Sally Edwards Librarian
 Steve Kastens Parks and Recreation Director
 Judie Fisher Personnel Director
 Basil "Butch" Moreto Purchasing & Contracts Director
 Dorothy Timian-Palmer Utilities Director
 Paul Lipparelli Deputy District Attorney
 Barney Dehl Undersheriff
 Traci Haakinson Deputy Library Dir. - Admin.
 Jay Ahrens Dep. Utilities Director
 Ken Arnold Envir. Control Manager
 Katherine McLaughlin Recording Secretary
 Pat Glick Library
 (B.O.S. 7/20/95 Tape 1-0001)

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

CALL TO ORDER, ROLL CALL, INVOCATION, AND PLEDGE OF ALLEGIANCE - Mayor Teixeira convened the meeting at 1 p.m. Rev. Roy Parker of the Full Gospel Church gave the Invocation. Supervisor Tatro lead the Pledge of Allegiance. Roll call was taken. A quorum of the Board was present although Supervisor Smith arrived after the roll call and declaration of a quorum.

1. APPROVAL OF MINUTES - None.

2. SPECIAL PRESENTATIONS - Personnel Director Judie Fisher - **PRESENTATION OF LONGEVITY AWARDS TO CITY EMPLOYEES (1-0056) (1-1146)** - Supervisor Smith presented each individual with his Certificate/Plaque and commended him/her on his/her dedication. Ten Year Awards were presented to the following: Earl M. Marshall, Jerry L. Casey, Everett L. Wittek, Loretta A. Szymanski, Robert F. Stanford, William Mabray, Rayburn A. Duke, Dolores M. Hanner, and Ralph Shaffer. Fifteen Year Awards were presented to the following: Traci Haakinson, Norman A. Smith, June A. James, Judie J. Fisher, Karne Trivitt, Richard E. Arigoni, and R. M. Howard, Jr. A 25 Year Award was presented to Patricia Glick.

CITIZEN COMMENTS (1-0190) - Treasurer Kramer displayed one of the bicycles for sale and explained that the Sheriff's disposal auction would be held on Saturday, July 22, at 1 p.m. Other miscellaneous items which were on the block were noted. The public was cordially invited to participate/attend.

3. LIQUOR AND ENTERTAINMENT BOARD - CONSENT AGENDA - TREASURER Al Kramer -

ACTION ON REVOCATION OF ALL DELINQUENT LIQUOR LICENSES (1-0218.5) - No action was required by the Liquor and Entertainment Board as all delinquencies had been brought current.

CITIZEN COMMENTS (1-0218) - None.

4. BOARD OF SUPERVISORS - CONSENT AGENDA

A. JUSTICE OF THE PEACE - ACTION ON APPROVAL TO FIX COMPENSATION OF JUSTICES OF THE PEACE AS REQUIRED BY NRS 4.04

B. TREASURER

i. ACTION ON INCREASE OF UTILITY COLLECTION'S PETTY CASH FUND FROM \$300 TO \$400

ii. ACTION ON REINSTATEMENT OF REVOKED BUSINESS LICENSES

C. LIBRARY DIRECTOR - ACTION ON APPOINTMENT OF JOHN W. SPARBEL TO CARSON CITY LIBRARY BOARD OF TRUSTEES

D. COMMUNITY DEVELOPMENT DIRECTOR

i. ACTION ON AB-94/95-1 - AN ABANDONMENT OF PUBLIC RIGHT-OF-WAY FROM JOHN UHART (PROPERTY OWNER: WADDELL FAMILY TRUST) TO ABANDON AN APPROXIMATE 80 FOOT WIDE BY 350 FOOT LONG PORTION OF RIGHT-OF-WAY ON PROPERTY ZONED RETAIL COMMERCIAL (RC), LOCATED APPROXIMATELY 532 FEET SOUTH OF THE CORNER OF HOT SPRINGS ROAD AND NORTH ROOP STREET, ADJACENT TO APN 8-125-22 (PLANNING COMMISSION APPROVED 6-0-0-1)

ii. ACTION ON M-94/95-25 - ABANDONMENT OF PUBLIC RIGHT-OF-WAY FROM SILVER OAK DEVELOPMENT COMPANY (STEVE HARTMAN) TO ABANDON AN APPROXIMATE 62 FOOT WIDE BY 330 FOOT LONG (AVERAGE) PORTION OF EAGLE VALLEY RANCH ROAD ON PROPERTY ZONED RETAIL COMMERCIAL (RC) LOCATED ON THE WEST SIDE OF U.S. 395 NORTH, ON THE SOUTH SIDE OF EAGLE VALLEY RANCH ROAD, BETWEEN APN'S 8-055-04 AND 8-061-28 (PLANNING COMMISSION APPROVED 6-0-0-1)

E. UTILITIES DIRECTOR - ACTION ON AWARD OF CONTRACT NO. 9495-203 - SILVER OAK WELL NO. 46

F. PURCHASING DIRECTOR

i. ACTION ON CONTRACT NO. 9596-018 - CARSON CITY SHERIFF'S DEPARTMENT EMPLOYEE PHYSICALS, CONTRACT APPROVAL

ii. ACTION ON CONTRACT NO. 9495-255 - NEW EMPIRE SEWER EXPANSION, PHASE V

iii. ACTION ON CONTRACT NO. 9596-17 - JOINDER FOR ONE NEW FIRE ENGINE, CONTRACT APPROVAL

iv. ACTION ON CONTRACT NO. 9596-019 - TRANSIT MANAGEMENT SYSTEM

v. ACTION ON CONTRACT NO. 9596-27 - DISPOSAL OF SURPLUS VEHICLES, SHERIFF PATROL VEHICLES AND MISCELLANEOUS EQUIPMENT

vi. ACTION ON CONTRACT NO. 9495-157 - 1995 TYPE 1 AMBULANCE, ADDITIONAL PURCHASE (1-0228) - Utilities Director Dorothy Timian-Palmer pulled Item F. ii. - New Empire Sewer Expansion Phase V. Supervisor Bennett pulled Item F. i. - Sheriff Employee Physicals. Supervisor Tatro moved that the Board approve the Consent Agenda as presented with the deletion of Contracts 9596-081 and 9495-255. Supervisor Smith seconded the motion. Supervisor Tatro noted his brother is a Justice of the Peace, however, Supervisor Tatro indicated he would not benefit from the salary increase and did not have a conflict of interest. Following a request for a modification, Supervisor Tatro amended his motion to include Resolution No. 1995-R-60 to Item B. Supervisor Bennett seconded the motion. Mayor Teixeira noted Mr. Sparbel would be reappointed to the Library Board of Trustees and thanked him for applying. The motion was voted and carried 5-0.

F. ii. Following Ms. Timian-Palmer's explanation of amended recommended motion, Supervisor Bennett moved that the Board of Supervisors approve the Purchasing Department's recommendation and award Contract

9495-255 to Bidder No. 2, Burdick Excavating Co., Inc., P. O. Box 1328, Kings Beach, California, as the lowest responsive and responsible bidder pursuant to the requirements of NRS Chapters 332, 338, 339, and 624 for a contract amount of \$924,890 and a contingency amount of \$65,110, contingent upon the approval of the Nevada Department of Environmental Protection; the budget allocation is \$2.4 million for the sewerline extension as provided in Fiscal Year 9596, which will decrease the project account by \$990,000 although the project was estimated at \$800,000. Supervisor Tatro seconded the motion. Motion carried 5-0.

F. i. Supervisor Bennett questioned the reasons for using a firm who is supported by nonresidents and is based outside of Carson City. She requested the contract be put out to bid rather than sole sourced. She also noted that a majority of the testing would be done "out of house" at an extra charge. She felt that there were local doctors available who would provide the same service and retain the tax monies locally. She opposed exporting tax monies to other communities. Her statement regarding "exporting" was explained. Purchasing and Contracts Director Moreto indicated several Departments are currently contracting for services with Nevada Occupational Health Clinic (NOHC). Professional service contracts do not require bidding. The previous contract had not been bid. Mr. Berkich and Mr. Moreto noted several reasons for recommending NOHC and the selection process. Supervisor Bennett reiterated her position. Supervisor Smith supported Supervisor Bennett's position and moved that the Board of Supervisors not accept the Purchasing Director's recommendation on Contract 9596-18 and that the Board authorize the Purchasing Department to prepare an RFP for medical services for an annual contract for the Sheriff's Department. Supervisor Bennett seconded the motion. Supervisor Smith explained that, while his motion is to seek RFPs from local firms, preferential treatment is not to occur. If local firms respond, then an evaluation of the bids could be conducted. Mr. Moreto stressed that it would not be a bid but rather an RFP. The policy regarding contracting with local firms is to remain at the Board's discretion. The motion to not accept the Purchasing Department's recommendation for Contract 9596-18 and to seek RFPs for this service was voted and carried 5-0.

5. TREASURER - Al Kramer - ACTION ON TREASURER'S REPORT FOR THE MONTH OF JUNE 1995 (1-0725) - Following discussion of the report, Supervisor Smith moved that the Board of Supervisors accept the Treasurer's Report for June 1995. Supervisor Ayres seconded the motion. Motion carried 5-0.

6. SHERIFF - Undersheriff Barney Dehl - ACTION ON APPROVAL OF AN INTERLOCAL AGREEMENT WITH DOUGLAS COUNTY TO RESPOND TO BOMB AND EXPLOSIVE MATERIALS INCIDENTS (1-0872) - Supervisor Tatro moved that the Board approve an agreement with Douglas County Sheriff's Department and authorize the Mayor to sign the agreement for Douglas County Sheriff's Department to provide response to bomb and explosive matter incidents, fiscal impact is \$3500, and the funding source is the Contingency Fund. Supervisor Bennett seconded the motion. Motion carried 5-0.

7. FINANCE DIRECTOR - Undersheriff Dehl - ACTION ON ALLOCATION OF FUNDS TO PURCHASE DOUBLE BUNK BEDS FOR CARSON CITY JAIL (1-0932) - Photographs of the proposed renovation sites were given to the Board and Clerk and explained. Heavy duty racks for storing prisoner items increased the estimated cost to \$6500. These items would be transferred to the new jail unless bolted to the walls or floor. Undersheriff Dehl did not feel that the library relocation would increase the fire hazard. He stressed that the proposal was not a panacea and would require careful classification by the Sheriff's Department on the type of individuals placed together. Supervisor Smith moved that the Board direct staff to proceed with purchase of double bunk beds and racks for Carson City jail in an amount not to exceed \$6500, funding source is the Capital Facilities Fund. Supervisor Ayres seconded the motion. Motion carried 5-0. Mayor Teixeira commended the Department on its efforts.

8. PERSONNEL DIRECTOR - Judie Fisher - ACTION ON APPOINTMENT OF ONE MEMBER TO THE CONVENTION AND VISITOR'S BUREAU (1-1151) - Mr. Bilyeu was the only applicant. He briefly outlined the Bureau's staffing and activities. Mayor Teixeira commended him on his volunteering and dedication. He also commended the Bureau on its tourism activities including the Fire Fighters' Muster held over the weekend. Mr. Bilyeu expounded on those activities. Ms. Fisher briefly explained the American Heat activities planned for

the end of July. Mayor Teixeira, Ms. Fisher, and Convention and Visitors Bureau Executive Director Candy Duncan explained other events which were scheduled for the Pony Express Pavilion. Mayor Teixeira again commended them on their efforts. Supervisor Tatro moved that the Board appoint Steve Bilyeu to the Convention and Visitors Bureau for a two year term. Supervisor Ayres seconded the motion. Motion carried 5-0.

9. UTILITIES DIRECTOR - Deputy Utilities Director Jay Ahrens

A. ACTION ON DEDICATION OF EASEMENT AGREEMENT (1-1578) - Discussion explained the area, the easement's purpose, the program to have the City install the laterals, the grants obtained for expanding the sewer to this area, and the need to adopt a procedure which would allow residents who have connected recently to benefit from the program. Mr. Berkich felt that this program could be considered by the Board in September. Supervisor Ayres commended staff on its creativeness. Mr. Ahrens requested Ms. Timian-Palmer be included as one of the staff members to be commended. Supervisor Ayres moved that the Board approve and authorize the Mayor to sign the dedication of Easement Agreement by and between Gregory J. and Gina M. Johnson, fiscal impact: Each dedication receives one sewer equivalent residential connection of \$2,226 each, and one connection wye and lateral stub at \$750 each for a total of \$5,952; funding source is 510 Sewer Line Extension. Supervisor Bennett seconded the motion. Supervisor Tatro explained that the financial impact was only \$1500 even though the fiscal impact indicated otherwise. Supervisor Ayres modified her motion to correct the fiscal impact and Supervisor Bennett continued her second. Motion was voted and carried 5-0.

B. ORDINANCE - FIRST READING - ACTION ON AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE CHAPTER 9.06 BY DELETING SECTIONS THAT ARE NOW UNDER THE ENFORCEMENT RESPONSIBILITY OF THE NEVADA DIVISION OF ENVIRONMENTAL PROTECTION AND UPDATING LANGUAGE (1-1863) - Environmental Control Manager Ken Arnold - Discussion between the Board and staff included a description of the City's/State's responsibilities. Supervisor Tatro moved that the Board introduce Bill No. 136 on first reading, an ordinance amending Carson City Municipal Code Chapter 9.06 by deleting the appropriate sections that are now enforced by the Nevada Division of Environmental Protection, not by the Carson City Health Division; language update; and other matters properly related thereto. Supervisor Ayres seconded the motion. Supervisor Smith explained his original objection to the proposal to relinquish dust control measures. His experience with the State, however, has proven this concern to be unfounded. The motion to introduce Bill No. 136 on first reading as indicated was voted and carried 5-0.

C. ORDINANCES - SECOND READING

i. ACTION ON BILL NO. 134 - AN ORDINANCE AMENDING CHAPTER 12.07 OF THE CARSON CITY MUNICIPAL CODE BY ADDING SECTION 12.07.100, POTABLE WATER USE FOR CONSTRUCTION PURPOSES (1-2048) - Water Utility Superintendent Tom Hoffert - Supervisor Tatro moved that the Board adopt Bill No. 134, Ordinance No. 1995-35 on second reading, an ordinance amending Carson City Municipal Code Chapter 12.07 by adding Section 12.07.100 - Potable Water Use For Construction Purposes, to establish a set of guidelines and enforcement standards for the use and misuse of potable water, and other matters properly related thereto. Supervisor Bennett seconded the motion. Motion carried 5-0.

ii. ACTION ON BILL NO. 135 - AN ORDINANCE AMENDING CHAPTERS 12.01 (WATER CONNECTION AND USE RATES), 12.05 (SEWER CONNECTION GENERAL REQUIREMENTS), 12.06 (INDUSTRIAL WASTEWATER DISCHARGES--SEWER DESIGN STANDARDS) AND ADDING CHAPTERS 12.13 (WATER AND RECLAIMED WATER DESIGN STANDARDS) AND 12.14 (IMPROVEMENT PLAN REQUIREMENTS) OF THE CARSON CITY MUNICIPAL CODE TO PROVIDE REQUIREMENTS AND PROCEDURES FOR EXTENSION, REPLACEMENT, PARTICIPATION AND REIMBURSEMENT OF WATER LINES, TO PROVIDE REQUIREMENTS AND PROCEDURES FOR EXTENSION, REPLACEMENT, PARTICIPATION AND REIMBURSEMENT OF SEWER LINES, TO PROVIDE DESIGN STANDARDS FOR SEWER LINES AND PUMP STATIONS, TO PROVIDE DESIGN STANDARDS FOR WATER AND RECLAIMED

WATER LINES AND TO PROVIDE REQUIREMENTS AND PROCEDURES FOR WATER, SEWER AND RECLAIMED WATER IMPROVEMENT PLANS AND RECORD DRAWINGS, AND OTHER MATTERS PROPERLY RELATED THERETO (1-2142) - Mr. Ahrens displayed the guideline/standards booklet. Supervisor Tatro moved that the Board adopt Ordinance No. 1995-36, Bill No. 135, on second reading, AN ORDINANCE AMENDING CHAPTERS 12.01 (WATER CONNECTION AND USE RATES), 12.05 (SEWER CONNECTION GENERAL REQUIREMENTS), 12.06 (INDUSTRIAL WASTEWATER DISCHARGES--SEWER DESIGN STANDARDS) AND ADDING CHAPTERS 12.13 (WATER AND RECLAIMED WATER DESIGN STANDARDS) AND 12.14 (IMPROVEMENT PLAN REQUIREMENTS) OF THE CARSON CITY MUNICIPAL CODE TO PROVIDE REQUIREMENTS AND PROCEDURES FOR EXTENSION, REPLACEMENT, PARTICIPATION AND REIMBURSEMENT OF WATER LINES, TO PROVIDE REQUIREMENTS AND PROCEDURES FOR EXTENSION, REPLACEMENT, PARTICIPATION AND REIMBURSEMENT OF SEWER LINES, TO PROVIDE DESIGN STANDARDS FOR SEWER LINES AND PUMP STATIONS, TO PROVIDE DESIGN STANDARDS FOR WATER AND RECLAIMED WATER LINES AND TO PROVIDE REQUIREMENTS AND PROCEDURES FOR WATER, SEWER AND RECLAIMED WATER IMPROVEMENT PLANS AND RECORD DRAWINGS, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Bennett seconded the motion. Discussion reviewed the variance procedures. The motion to adopt Ordinance 1995-36 was voted and carried 5-0.

BREAK: A five minute recess was declared at 2:07 p.m. When the meeting reconvened at 2:12 p.m. the entire Board was present constituting a quorum.

10. PARKS AND RECREATION - Director Steve Kastens - **ACTION ON A RESOLUTION OF INTENT TO LEASE REAL PROPERTY WITHIN THE CONFINES OF THE CARSON CITY FAIRGROUNDS AND/OR FUJI PARK FOR THE PURPOSE OF IMPLEMENTING THOSE PORTIONS OF THE MASTER PLAN ADOPTED FOR THE FAIRGROUNDS AND PARK PROVIDING FOR AN INDOOR EVENTS CENTER AND RELATED FACILITIES, SUCH IMPROVEMENTS TO BE CONSTRUCTED AND MANAGED BY THE SUCCESSFUL LEASE BIDDER FOR THE TERM OF THE LEASE (1-2438)** - Deputy District Attorney Paul Lipparelli and Parks and Recreation Commissioner Jay Meierdierck - Support for the proposed public/private development of the Park was noted and included the users' coalition. The areas of concern will be addressed in the negotiations and were mainly related to the fear of "losing their fairgrounds". The statutory requirements were reviewed. The purpose of the RV park was detailed. It would be restricted to fairground users. The lease would include a stipulation prohibiting use by others. The lease would be open to anyone wishing to bid. Lease terms could not be investigated until after the bids are submitted. Clarification indicated the Resolution should be modified to eliminate any references to the size of the Park. This would allow the bidder to set the size. The Statute establishing a minimal lease fee was also noted. The Board was not committing to accepting an offer and could reject any and all bids. Public comments were solicited but none made. Supervisor Smith reminded all that this was the process used during a previous lease consideration. Minimal standards are listed in the Resolution of Intent. He expressed the hope that the process will work and be beneficial to all. Supervisor Smith then moved that the Board of Supervisors adopt Resolution No. 1995-R-61, A RESOLUTION DECLARING CARSON CITY'S INTENT TO LEASE SOME PORTION OF THE CARSON CITY FAIRGROUNDS FOR PURPOSES OF CONSTRUCTION OF AN EVENT CENTER DESIGNED ON THE MASTER PLAN FOR SAID LANDS AND REQUESTING SEALED AND ORAL BIDS PURSUANT TO NRS 244.282. Supervisor Ayres seconded the motion and requested a correction. Supervisor Smith corrected the Resolution title to read designated rather than designed. Discussion indicated the Resolution would be corrected to reflect the change in acreage. Supervisor Smith then modified his motion to indicate that anywhere within the draft resolution where it says "lease approximately 20 acres" will be changed to "some portion of the Carson City Fairgrounds". Supervisor Ayres continued her second. Supervisor Bennett explained her feeling that the potential would be "wonderful for Carson City", however, she is concerned about the public/private concept due to periods involved and the potential for a permanent change to an asset. The project would be only as good as the final agreement. Mayor Teixeira also noted that it should be considered "like a marriage as a divorce is very expensive". The motion to adopt Resolution No. 1995-R-61 as corrected was voted and carried 5-0.

An unidentified lady distributed packets marked "The Barone's Event Center" to the Board and Clerk. A copy was placed in the file.

11. COMMUNITY DEVELOPMENT DIRECTOR - Walter Sullivan

A. ORDINANCE - FIRST READING - ACTION ON S-94/95-1C - AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BY AND BETWEEN CARSON CITY, JAMES F. BAWDEN, DOING BUSINESS AS LANDMARK HOMES AND DEVELOPMENT AND STANTON PARK DEVELOPMENT, INC., RELATING TO PROJECT ADMINISTRATION, PUBLIC SAFETY COMPONENTS, WATER AND WASTEWATER SYSTEM COMPONENTS, PARK AND RECREATION AND OPEN SPACE, TRANSPORTATION IMPROVEMENTS, PROJECT CONSTRUCTION REQUIREMENTS, DENSITY TRANSFER AND OTHER IMPROVEMENTS ASSOCIATED WITH THE NORTHRIDGE SUBDIVISION (1-3479) - Mr. Sullivan, Landmark Homes Representative Ron Kipp, Parks and Recreation Director Steve Kastens, Senior Planner Juan Guzman, Parks and Recreation Commissioner Jay Meierdierck, Senior Engineer John Givlin, and Mr. Lipparelli - Mr. Sullivan recommended appraising the hillside lots and "flat land" lots as if the lots were already in existence. The "flat land" amount would be subtracted from the hillside value. The remainder would be the price paid for the open space/parks. Mayor Teixeira also recommended using the development cost differential in the values. Mr. Kipp agreed to this concept. Clarification indicated Page 5's reference to "sod" would be changed to "turf". Mr. Kastens indicated on Item 4. b. that the Parks and Recreation Commission had recommended against purchasing the Northridge Nature Park or any wetland/detention basins. If the agreement is accepted as written, the Board would accept the requirement to pay for the wetlands/detention basins at a value established by an appraisal. This value will be established at the time the developer makes the offer of dedication and it is accepted by the City which should occur within a two year timeframe. Mr. Meierdierck indicated the purchase price would be taken from the RCT credits and must not be more than total of all the RCT credits given for the development. Any cost over the RCT credits would be bore by the developer. Reasons for including the hillside ordinance requirements in the agreement were discussed. Page 9 lot sizes and setback requirements were modified to include zero lot lines for those homes which would be located on corner lots. Mr. Givlin outlined the street lighting requirements. The developer had expressed a desire to modify the type of fixtures. Sierra Pacific controls the number and locations even though both the Sheriff's Department and Public Works must approve the plan. Supervisor Bennett expressed a desire to improve the lighting standard. Clarification between Mayor Teixeira and Mr. Kipp indicated the pocket park would be two acres rather than one acre as found on Page 11, Line 5; the developer's commitment to maintain the parks and detention ponds for two years at his cost; and that the wetlands would have to be proven before improved and offered to the City. Mayor Teixeira read from Exhibit B-6, No. 9, for the record: "The Developer stipulated that lots along the freeway bypass route will have a permanent "black" wall." Mr. Guzman corrected it to be a "block" wall.

(2-0742) Mr. Meierdierck explained the Parks and Recreation Commission's action regarding the size of the pocket park. He urged the Board to support its position in view of the maintenance cost for small parks. The Commission should review the agreement before the Board acts on the request. The Commission's policy is to accept parks of five acres or more. The Northridge Park will have an access route to the wetlands as delineated on Page 15, however, this was changed to the Northwest Nature Park and would not be joined to the Northridge Park. Page 2 needed to include the description of the neighborhood pocket park in Parcel 2. Also, the pocket park should be included in the phasing plans on Pages 4 and 5. Acknowledgements of the pocket park are needed on Exhibit Pages B-6 and B-3 through 12 as well as B-5 through 8. Also, the Commission had been overlooked in the acknowledgements on Pages B-6 and 8. Mayor Teixeira acknowledged his points and thanked him for his input.

(2-0918) Mr. Lipparelli explained a clause in the agreement which indicates that the agreement is the entire agreement and supersedes all other oral and written agreements. Mr. Kipp indicated for the record that any stipulations/clarifications made during the discussion were to be included as part of the development agreement. Mr. Kipp then explained that the block wall would be contingent upon NDOT's approval as a sound wall. Mitigation measures used in planning the lots adjacent to the Bypass were explained. A block wall would attract

graffiti until the Bypass is constructed. The freeway's final design will determine if the wall is required. If the freeway is below grade, a wall would not be necessary. Mayor Teixeira supported his position. Mr. Kipp then explained the reclaimed water lines which will be installed in the development. The reclaimed water would not be available for irrigation purposes until the sand infiltrations system is installed. He agreed to work with the Utility Department and bring a line to the cemetery. Mr. Kastens outlined the original route and reasons for not bringing the line to the east side of the cemetery. Access from Roop Street would not create as many problems crossing the cemetery. Mr. Kipp indicated the developer would have to analyze the cost for this route. He was willing to cooperate with the City and Parks Department to do this. Supervisor Bennett thanked him for his willingness to "discuss" this need.

(2-1246) Supervisor Smith then moved that the Board introduce on first reading Bill No. 137, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BY AND BETWEEN CARSON CITY, JAMES F. BAWDEN, D.B.A. LANDMARK HOMES AND DEVELOPMENT, AND STANTON PARK DEVELOPMENT, INC., RELATING TO 1) PROJECT ADMINISTRATION, 2) PUBLIC SAFETY COMPONENTS, 3) WATER AND WASTEWATER SYSTEM COMPONENTS, 4) PARKS AND RECREATION AND OPEN SPACE, 5) TRANSPORTATION IMPROVEMENTS, 6) PROJECT CONSTRUCTION REQUIREMENTS, 7) DENSITY TRANSFER, AND OTHER IMPROVEMENTS ASSOCIATED WITH THE NORTHRIDGE SUBDIVISION, and asked that the Applicant work with the Parks and Recreation Commission in the areas of Number 4, Parks and Recreation and Open Space, to possibly address some of the concerns as addressed by the Vice Chairman of the Parks and Recreation Commission. Commissioner Ayres seconded the motion. Following a request for clarification, Supervisor Smith indicated that the motion was to include any of the changes and stipulations as made here. Supervisor Ayres continued her second. Further clarification by Supervisor Smith indicated this included any stipulations or statements by the applicant. Clarification also indicated that the block wall requirement had not been finalized. Supervisor Smith modified his motion to include the concerns brought forward by the applicant regarding the block wall and require working together with NDOT as a consideration in the document. Supervisor Smith indicated that these changes would be developed before the second reading and that a final draft of the agreement would be provided at that time. Mayor Teixeira pointed out that the Board was accepting the development agreement with the specific changes as listed. The Developer had expressed an intent to seriously consider the lighting issues. The block wall language should be modified as indicated. Clarification by Supervisor Smith indicated that he had not changed his motion since the last concurrence by Supervisor Ayres. The motion as indicated was voted and carried 5-0.

E. PLANNING COMMISSION REVIEW AND APPEAL MATTERS

i. ACTION ON U-94/95-46 - A SPECIAL USE PERMIT FROM ALAN AND CHRISTINE RUSHING TO ALLOW THE CONSTRUCTION OF A PRIVATE DRIVEWAY TO SEVEN SEPARATE PARCELS PURSUANT TO HILLSIDE ORDINANCE REQUIREMENTS ON PROPERTY ZONED CONSERVATION RESERVE (CR) LOCATED APPROXIMATELY 4,000 FEET SOUTHWEST OF THE TERMINUS OF THE PAVED SECTION OF KINGS CANYON ROAD (S 1/2 OF SECTION 22, T. 15 NORTH, R. 19 EAST, MDB&M) APN'S 7-061-34, 35, 36, 37, 38, 39, 40, AND 41 (PLANNING COMMISSION DENIED 6-0-0-1) (2-1495) - Mr. Sullivan, Mr. Lipparelli, Joan Wright - Discussion noted there was new information clarifying the request which the Planning Commission had not considered. Board policy returns such new information to the Commission. Mr. Lipparelli explained how this information had been developed and the information used by the Commission to deny the request. The Board could continue to refer such items to the Commission or consider the appeal. The lot is not a subdivision and had been parceled. The Board decided to hear the issue and make a decision. Mayor Teixeira then declared a ten minute recess to allow the Board time to study the maps.

BREAK: A ten minute recess was declared at 3:20 p.m. When the meeting reconvened at 3:30 p.m. the entire Board was present constituting a quorum.

Mayor Teixeira explained that discussion between Attorney Wright and Mr. Sullivan indicated a special meeting

could be held on this item and his reasons for recommending the item be returned to the Commission for reconsideration. Ms. Wright expressed her concern with a delay in the process due to the rapidly approaching end to the building season. Mr. Sullivan indicated he would schedule a special meeting and attempt to have the issue back to the Board of Supervisors at its next meeting. No formal action was taken on the request.

B. ACTION ON GM-94/95-3 - A RESOLUTION FIXING THE NUMBER OF RESIDENTIAL BUILDING PERMITS UNDER THE CITY'S GROWTH MANAGEMENT ORDINANCE FOR 1996 AND 1997, ESTIMATING THE NUMBER OF RESIDENTIAL BUILDING PERMITS FOR 1998 AND 1999, AND ESTABLISHING NUMBERS WITHIN CATEGORIES (2-1852) - Public comments were solicited but none given. Board comments commended Mrs. Danforth on her report and efforts. Supervisor Bennett expressed concerns about the lack of a report on public transit needs and urged Public Works to include it in future reports. Supervisor Tatro moved to approve Resolution No. 1995-R-62, A RESOLUTION FIXING THE NUMBER OF RESIDENTIAL BUILDING PERMITS UNDER THE CITY'S GROWTH MANAGEMENT ORDINANCE FOR 1996 AND 1997, ESTIMATING THE NUMBER OF RESIDENTIAL BUILDING PERMITS FOR 1998 and 1999, and establishing numbers within categories. Motion carried 5-0.

C. ORDINANCES - FIRST READING

i. ACTION ON A-94/95-9 - AN ORDINANCE, OPTION 2, APPROVING AN AMENDMENT TO CARSON CITY MUNICIPAL CODE 18.82.120 TO MODIFY THE TIME FRAMES FOR OBTAINING BUILDING PERMITS AND 18.82.180, UNSOLD BUILDING PERMITS/ENTITLEMENTS, AND OTHER MATTERS PROPERLY RELATED THERETO (PLANNING COMMISSION APPROVED 6-0-0-1) (2-2195) - Gail Farley from the Builders Association supported the proposal. Supervisor Tatro moved that the Board introduce on first reading Bill No. 138, AN ORDINANCE APPROVING AN AMENDMENT TO CARSON CITY MUNICIPAL CODE 18.82.120 TO MODIFY THE TIME FRAMES FOR OBTAINING BUILDING PERMITS AND 18.82.180, UNSOLD BUILDING PERMITS/ENTITLEMENTS, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Smith seconded the motion. Motion carried 5-0.

ii. ACTION ON A-94/95-7 - AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE SECTION 18.05.024(2), OFF-STREET LOADING AND UNLOADING, AND OTHER MATTERS PROPERLY RELATED THERETO (PLANNING COMMISSION APPROVED 5-0-0-2) (2-2315) - Supervisor Bennett moved that the Board of Supervisors introduce on first reading Bill No. 139, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE SECTION 18.05.024 (2) OFF-STREET LOADING AND UNLOADING, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Ayres seconded the motion. Motion carried 5-0.

D. ORDINANCE - SECOND READING - ACTION ON BILL NO. 133 - AN ORDINANCE EFFECTING A CHANGE OF LAND USE ON APPROXIMATELY 5.09 ACRES OF LAND FROM SINGLE FAMILY 6,000 (SF6000) TO RETAIL COMMERCIAL (RC) LOCATED ON NORTH ROOP STREET APPROXIMATELY 1,000 FEET SOUTH OF THE INTERSECTION OF HOT SPRINGS ROAD AND NORTH ROOP STREET, KNOWN AS NORTHRIDGE SUBDIVISION, A PORTION OF APN 2-101-59, AND OTHER MATTERS PROPERLY RELATED THERETO (2-2375) - Supervisor Tatro moved to adopt Ordinance No. 1995-37 on second reading, AN ORDINANCE EFFECTING A CHANGE OF LAND USE ON APPROXIMATELY 5.09 ACRES OF LAND FROM SINGLE FAMILY 6,000 (SF6000) TO RETAIL COMMERCIAL (RC) LOCATED ON NORTH ROOP STREET APPROXIMATELY 1,000 FEET SOUTH OF THE INTERSECTION OF HOT SPRINGS ROAD AND NORTH ROOP STREET, KNOWN AS NORTHRIDGE SUBDIVISION, A PORTION OF ASSESSOR'S PARCEL NUMBER 2-101-59 AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Ayres seconded the motion. Motion carried 5-0.

E. ii. ACTION ON P-94/95-3 - A PLANNED UNIT DEVELOPMENT AND ASSOCIATED VARIANCES TO VARY FRONT, SIDE AND REAR SETBACKS, THE MINIMUM LOT AREA AND

THE MINIMUM LOT WIDTH OF THE MULTI-FAMILY APARTMENT (MFA) ZONING DISTRICT AND PLANNED UNIT DEVELOPMENT BOUNDARY SETBACKS FROM IRON MOUNTAIN ACQUISITION COMPANY TO DEVELOP A 29 LOT DUPLEX DEVELOPMENT (VALLEY VISTA VILLAGE PLANNED UNIT DEVELOPMENT (ON APPROXIMATELY 3.75 ACRES OF LAND ON PROPERTY ZONED MULTI-FAMILY APARTMENT (MFA), LOCATED SOUTH OF PHEASANT DRIVE BETWEEN EDMONDS DRIVE AND LATIGO DRIVE, APN 10-351-36 (PORTION) (PLANNING COMMISSION APPROVED 5-0-0-2) (2-2425) - Senior Planner Juan Guzman, Dale Young, Richard Scott, Lumos and Associates Representative Glen Martel - Discussion between the Board and Mr. Guzman explained the variance and reasons for requiring the variances. Mr. Young had been an Eagle Highland resident for 17 years. He requested copies of the two letters submitted on the issue be made a part of the record. He felt that the request should be denied based on the fact that the acreage was less than five acres as required for PUDs, the CC&R's would not be enforceable, lack of control over and maintenance of the open space, compatibility with the industrial zone adjacent to the project, and the inability to enforce no parking requirements on private and public roadways. He urged the Board to maintain planned growth and deny the requests. Supervisor Smith explained that he owns property in Eagle Highlands and had originally opposed the project. He supported this project as it is more aesthetically pleasing and the density is reduced from that which would be allowed outright by the zoning. Mr. Young felt that his property value had been hurt when Graves Lane and the apartments across from Eagle Highlands were constructed. He discussed the number of units which could be constructed under the current zoning with Supervisor Smith. He felt that the individuals who were opposed to the project wished to have a reasonable compromise between the apartments across from Eagle Highlands and Mr. Scott's request. Discussion pursued the comment on whether the City could enforce the CC&R's. Supervisor Bennett explained that she lives in a PUD which has an association. The residents financially support the association which maintains the property. Mr. Sullivan indicated that the Code could require such an association and CC&R's and had been on the books for over 20 years. Supervisor Tatro requested the CC&R's include a requirement mandating permanent marking of the no parking zones. Mr. Sullivan explained enforcement proceedings taken on two separate occasions against associations. When such proceedings were started the associations had addressed the problems as requested. The City currently has approximately 12 PUDs. Mr. Guzman noted that there would be a notice on the deed advising property owners of the industrial site to the south. Richard Scott expressed his feeling that the notification on the deed had been included in the original requirements. Mr. Martel as Mr. Scott's representative, indicated he had stipulated at the Planning Commission to paint both sides of the curb red and provide no parking signs. Supervisor Tatro moved that the Board approve the Planned Unit Development and associated Variances to vary front, side and rear setbacks, the minimum lot area and the minimum lot width of the Multi-Family Apartment zoning district and Planned Unit Development boundary setbacks from Iron Mountain Acquisition Company to develop a 29 lot duplex development, Valley Vista Village Planned Unit Development, on approximately 3.75 acres of land on property zoned Multi-Family Apartments, located south of Pheasant Drive between Edmonds Drive and Latigo Drive, APN 10-351-36, a portion, based on the findings contained in the Planning Commission recommendation, subject to the 24 Conditions contained in the Planning Commission recommendation, with the clarification offered by the Applicant. Supervisor Bennett seconded the motion. Motion was voted and carried 5-0.

12. BOARD OF SUPERVISORS - NON-ACTION ITEMS - INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (2-3560) - Supervisors Ayres, Smith, and Tatro and Mayor Teixeira did not have a report. Supervisor Bennett explained that the Carson River Advisory Committee were finishing its element of the Master Plan and that it should be to the Board for consideration soon. Also, the Carson-Tahoe Hospital Finance Committee would be submitting a lease for property in Douglas County to the Board for action soon.

There being no other matters for consideration, Supervisor Ayres moved to adjourn. Mayor Teixeira seconded the motion. Motion carried unanimously. Mayor Teixeira adjourned the meeting at 4:10 p.m.

The Minutes of the July 20, 1995, Carson City Board of Supervisors meeting

ARE SO APPROVED ON __September_25__, 1995.

