

CARSON CITY BOARD OF SUPERVISORS
Minutes of the August 17, 1995, Meeting
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A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, August 17, 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
Michael Griffin District Court Judge
Michael Fondi District Court Judge
Al Kramer Treasurer
Steve Kastens Parks and Recreation Director
Judie Fisher Personnel Director
Basil "Butch" Moreto Purchasing & Contracts Dir.
Barney Dehl Undersheriff
Paul Lipparelli Deputy District Attorney
Katherine McLaughlin Recording Secretary
(B.O.S. 8/17/95 Tape 1-0059.5)

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

CALL TO ORDER, INVOCATION, PLEDGE OF ALLEGIANCE, AND ROLL CALL - Mayor Teixeira convened the session at 1:03 p.m. Reverend Roy Parker of the Full Gospel Church gave the Invocation. Undersheriff Dehl lead the Pledge of Allegiance. Roll call was taken. The entire Board was present constituting a quorum.

1. APPROVAL OF MINUTES FOR JUNE 1 and 15, 1995 (1-0075.5) - Supervisor Tatro moved to approve as presented. Supervisor Smith seconded the motion. Motion carried 5-0.

2. LIQUOR AND ENTERTAINMENT BOARD - TREASURER - Al Kramer - Mayor Teixeira recessed the Board of Supervisors session and immediately reconvened the hearing as the Liquor and Entertainment Board. The entire Board was present including Undersheriff Dehl constituting a quorum.

B. ACTION ON PACKAGED LIQUOR LICENSE FOR BI-STATE PETROLEUM, INC., DOING BUSINESS AS WINNERS' CORNER (1-0082.5) - Janet Madison and Barbara Shorts responded to Board questions on the business. Member Dehl noted the favorable Sheriff's investigative report. Member Tatro moved that the Liquor and Entertainment Board approve a request for a packaged liquor license for Bi-State Petroleum, Inc., doing business as Winners' Corner, fiscal impact is \$100 per quarter. Member Ayres seconded the motion. Motion carried 6-0. Chairperson Teixeira wished them success.

A. CONSENT AGENDA - ACTION ON A SPECIAL EVENT SHORT-TERM BUSINESS PERMIT REQUEST WITH WAIVER OF THE \$50 PER DAY PROMOTER FEE FOR SEELIGER SCHOOL (1-0101.5) - No discussion occurred on this item. Member Tatro moved that the Liquor and Entertainment Board approve the Consent Agenda as presented. Members Ayres and Bennett seconded the motion. Motion carried 6-0.

There being no other matters for consideration, Chairperson Teixeira adjourned the Liquor and Entertainment Board and immediately reconvened the Board of Supervisors session. The entire Board was present constituting a quorum.

3. CITIZEN COMMENTS (1-0112.5) - Lois Lazar read a prepared statement into the record regarding the Growth Management Ordinance and stressed the need to include additional resources as limiting factors. (A copy was given to the Clerk and is included in the file.)

(1-0221.5) Tom Quigley explained a problem he was encountering with gravel trucks traveling to and from a sand pit. Purportedly, the firm did not have a permit from BLM to work this pit. He felt they should be made to comply with the same conditions mandated for Mr. Bertagnolli's pit. He stressed his safety concerns throughout his statement. If possible, he urged the Board to adopt an ordinance prohibiting truck traffic on Deer Run Road. Mayor Teixeira directed Mr. Berkich to meet with Mr. Quigley.

Additional comments were solicited but none given.

AGENDA MODIFICATIONS (1-0255.5) - Item 16. District Attorney - Hearing and Action on a Resolution Determining Whether or Not a Public Nuisance Exists in the Area of 1310, 1318, 1326, 1334, 1342, 1400, 1404, 1408, 1412, 1416, 1420, and 1500 North Edmonds Drive as Alleged in the Complaint Filed by Elizabeth Major Dated June 29, 1995, and Action Directing the District Attorney to Order the Persons Responsible for the Public Nuisance to Abate the Nuisance and Authorizing the District Attorney to Initiate Legal Proceedings for the Abatement - was pulled. Mr. Lipparelli briefly explained his contact with Ms. Major's attorney Bill Crowell. The item may be rescheduled for a future meeting if necessary. Also, Item 4. D. i. regarding Public Works' Purchase Agreement between Carson City and the Samuel A. Lompa Trust had been pulled. The McBryde portion of this Item will be considered.

3. CONSENT AGENDA (1-0282.5)

A. SHERIFF - ACTION ON REQUEST FOR PURCHASE OF TWO MOVING RADAR UNITS

B. TREASURER

i. ACTION ON TREASURER REPORT FOR THE MONTH OF JULY 1995

ii. ACTION ON REINSTATEMENT OF REVOKED BUSINESS LICENSES

C. PARKS AND RECREATION DIRECTOR - ACTION ON ACCESS EASEMENT AGREEMENT BETWEEN CITY AND GORDON AND PHYLLIS HENSMAN AND CHARLES AND ANITA MONTGOMERY FOR AN ACCESS ROAD ON APN 8-391-12

D. PUBLIC WORKS DIRECTOR

i. ACTION ON APPROVAL OF PURCHASE AGREEMENTS BETWEEN CARSON CITY AND THE FRANK JOSEPH MCBRYDE TRUST; AND BETWEEN CARSON CITY AND THE SAMUEL A. LOMPA TRUST FOR THE ACQUISITION OF PROPERTY FOR SIGNAL SYSTEM AND INTERSECTION IMPROVEMENTS AT SALIMAN ROAD AND FAIRVIEW DRIVE

ii. ACTION ON DEDICATION OF AN ACCESS AND PUBLIC UTILITY EASEMENT FOR THE INSTALLATION AND MAINTENANCE OF A TRAFFIC SIGNAL POLE ON THE SOUTH SIDE OF HIGHWAY 50 EAST AT LOMPA LANE FROM THE CLARK AND JEAN RUSSELL FAMILY TRUST ON APN 8-152-15

E. PURCHASING DIRECTOR

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

ii. ACTION ON CONTRACT NO. 9596-004 - TRAFFIC SIGNALS, SALIMAN AND FIFTH AND SALIMAN AND FAIRVIEW, AWARD

iii. ACTION ON CONTRACT NO. 9495-218 - UTILITIES DEPARTMENT, NEW FACILITY AWARD

iv. ACTION ON CONTRACT NO. 9596-26 - HIGHWAY 50/SIXTH STREET WATER AND SEWER UPGRADE, AWARD

v. **ACTION ON CONTRACT NO. 9495-277 - EAGLE VALLEY GOLF COURSE FILTERS, AWARD** - Mr. Berkich requested Item C be pulled for discussion. None of the other items were pulled. Supervisor Tatro moved that the Board accept the Consent Agenda as presented with the deletion of the Parks and Recreation Item on the Access Easement Agreement and with the amendment to Public Works Director's Action on Approval of Purchase Agreements between Carson City and Frank Joseph McBryde Trust deleting "and Between Carson City and the Samuel A. Lompa Trust". Supervisor Bennett seconded the motion. Motion carried 5-0.

5. DISTRICT AND JUSTICE COURT JUDGES - Michael Griffin and Michael Fondi

A. ACTION ON AUTHORIZATION OF FUNDING FOR PART-TIME BAILIFF FOR COURTHOUSE TO PROVIDE ADEQUATE SECURITY FOR DISTRICT COURT OPERATIONS (1-0307.5) - Discussion noted an individual had been volunteering his time and filling this position. The position would be utilized as deemed necessary and paid on an hourly basis. It had not been included in the budget discussions, however, the increased caseloads and volume/type of threats deemed it necessary to seek the funding at this time. Supervisor Smith moved that the Board of Supervisors authorize the funding for a part-time Bailiff for the Courthouse to provide adequate security for the District Court operations, amount not to exceed \$11,250, funding source is budget savings for 1995/96 and/or the Contingency Fund. Supervisor Ayres seconded the motion. Mayor Teixeira noted that funding had been provided for a trial which was not needed and that these funds could be used for this purpose. Judge Fondi explained that this particular case is not over and that additional funding would still be required before it is ultimately adjudicated. He agreed that the ultimate cost will not be the original amount funded. The motion to approve the funding for a part-time Bailiff was voted and carried 5-0.

B. ORDINANCE - FIRST READING - ACTION ON APPROVAL OF AN ORDINANCE ADDING CHAPTER 2.36 TO TITLE 2 IMPOSING FEES ON PARTIES TO DISTRICT COURT AND JUSTICES' COURT ACTIONS TO SUPPORT A PROGRAM OF MEDIATION ESTABLISHED PURSUANT TO 3.500, 4.063 AND 19.0313 (1-0448.5) - Mr. Lipparelli explained the ordinance and reasons for including 4.063. Judge Fondi explained the Courts attempts to find other alternatives and solutions to the crowded calendars. Mayor Teixeira supported retaining the fee assessment process for Justice Court. Judge Griffin noted that Judge Willis would not implement the fee until after the ordinance is adopted. Discussion also indicated that the fines would be used for individuals who could not afford the mediation costs. Supervisor Smith moved that the Board of Supervisors introduce on first reading Bill No. 143, AN ORDINANCE AMENDING TITLE 2 TO ADD A CHAPTER IMPOSING FEES ON PARTIES TO DISTRICT COURT AND JUSTICES' COURT ACTIONS TO SUPPORT A PROGRAM OF MEDIATION ESTABLISHED PURSUANT TO NRS 3.500, 4.063, AND 19.0313. Supervisor Bennett seconded the motion. Motion carried 5-0.

6. NEVADA DEPARTMENT OF TRANSPORTATION - PRESENTATION OF THE NEVADA DEPARTMENT OF TRANSPORTATION'S ANNUAL REPORT (1-0552.5) - Director Tom Stephens and District 2 Engineer Rick Nelson - Discussion reviewed the status of the Highway 50 improvements, reasons for the contractor's delay in commencing the project, a potential startup date for this project, plans to do this work at night to minimize the traffic impact, the traffic volume on Highway 50, and the need to add a left turn lane at Roop Street and William. Supervisor Bennett commended Mr. Stephens and his staff for their assistance with the Highway 28 corridor project. Mr. Stephens explained the drainage improvements needed for this area and feasibility of the project. Mayor Teixeira thanked him for coming and for working with the City to address its needs within budget constraints. He noted the cooperative attitude found with NDOT and expressed the hope that it would continue. No formal action was taken or required on this Item.

4. CONSENT AGENDA - CONTINUED

C. PARKS AND RECREATION DIRECTOR - Steve Kastens - **ACTION ON ACCESS EASEMENT AGREEMENT BETWEEN CITY AND GORDON AND PHYLLIS HENSMAN AND CHARLES AND ANITA MONTGOMERY FOR ACCESS ROAD ON APN 8-391-12 (1-0857.5)** - Mr. Kastens explained the BLM concerns regarding the language of the access agreement and recommended

approval of the agreement subject to BLM's approval of the language. Supervisor Tatro moved that the Board approve the access easement agreement between the City and Gordon and Phyllis Hensman and Charles and Anita Montgomery for an access road on Assessor's Parcel Number 8-391-12, Centennial Park, fiscal impact is \$1.00, and that the agreement be as presented in the staff report essentially with the language to be modified to satisfy the BLM concern regarding the language dealing with transfer of ownership. Supervisor Ayres seconded the motion. Motion carried 5-0.

7. CARSON-TAHOE HOSPITAL - ACTION ON LEASE AGREEMENT WITH THE PERKOWSKI FAMILY TRUST AND THE CLARK FAMILY TRUST FOR THE GERIATRIC DAY TREATMENT PROGRAM, OFFICE SPACE LOCATED IN THE GARDNERVILLE RANCHOS, CARSON VALLEY (1-0902.5) - Carson-Tahoe Hospital Chief Operating Officer Ed Epperson and Managing Director of the Life Stress Program Dr. Walter Shepherd - Supervisor Bennett explained the Hospital Board of Trustees Finance Committee's review of the request and support. Additional comments were solicited but none given. Supervisor Bennett moved that the Board of Supervisors approve the lease agreement with the Perkowski Family Trust and the Clark Family Trust for the Geriatric Day Treatment Program, office space is located in the Gardnerville Ranchos in Carson Valley. Supervisor Ayres seconded the motion. Motion carried 5-0.

8. TREASURER - Al Kramer - ORDINANCE - FIRST READING - ACTION ON AN ORDINANCE OF THE BOARD OF SUPERVISORS OF CARSON CITY, NEVADA, DESIGNATED BY THE SHORT TITLE, "1995 SRF SEWER BOND ORDINANCE"; PROVIDING FOR THE ISSUANCE OF ITS REGISTERED, NEGOTIABLE, GENERAL OBLIGATION (LIMITED TAX) SEWER BOND (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES SEPTEMBER 1995, IN THE MAXIMUM PRINCIPAL AMOUNT OF \$2,120,000; PROVIDING THAT THE BOND MAY BE EVIDENCED BY A SINGLE, REGISTERED BOND; STATING THE PURPOSES FOR WHICH THE BOND IS TO BE ISSUED; PROVIDING FOR THE FORM, TERMS AND CONDITIONS THEREOF AND COVENANTS RELATING TO THE PAYMENT OF SAID BOND AND THE HANDLING OF FUNDS; PROVIDING FOR THE SALE OF THE BOND; PROVIDING FOR THE LEVY AND COLLECTION OF ANNUAL GENERAL (AD VALOREM) TAXES FOR THE PAYMENT OF THE BOND; ADDITIONALLY SECURING ITS PAYMENT BY A PLEDGE OF REVENUES DERIVED FROM THE SEWER SYSTEM OF WHICH THE FINANCED PROJECT IS A PART; AND RATIFYING ACTION PREVIOUSLY TAKEN TOWARD THE ISSUANCE OF SAID BOND AND EFFECTING THE PURPOSE OF ITS ISSUANCE; PROVIDING OTHER MATTERS RELATING THERETO (1-0949.5) - Comments were solicited but none given. Supervisor Ayres moved that the Board introduce on first reading Bill No. 144, AN ORDINANCE OF THE BOARD OF SUPERVISORS OF CARSON CITY, NEVADA, DESIGNATED BY THE SHORT TITLE, "1995 SRF SEWER BOND ORDINANCE"; PROVIDING FOR THE ISSUANCE OF ITS REGISTERED, NEGOTIABLE, GENERAL OBLIGATION (LIMITED TAX) SEWER BOND (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES SEPTEMBER 1995, IN THE MAXIMUM PRINCIPAL AMOUNT OF \$2,120,000; PROVIDING THAT THE BOND MAY BE EVIDENCED BY A SINGLE, REGISTERED BOND; STATING THE PURPOSES FOR WHICH THE BOND IS TO BE ISSUED; PROVIDING FOR THE FORM, TERMS AND CONDITIONS THEREOF AND COVENANTS RELATING TO THE PAYMENT OF SAID BOND AND THE HANDLING OF FUNDS; PROVIDING FOR THE SALE OF THE BOND; PROVIDING FOR THE LEVY AND COLLECTION OF ANNUAL GENERAL (AD VALOREM) TAXES FOR THE PAYMENT OF THE BOND; ADDITIONALLY SECURING ITS PAYMENT BY A PLEDGE OF REVENUES DERIVED FROM THE SEWER SYSTEM OF WHICH THE FINANCED PROJECT IS A PART; AND RATIFYING ACTION PREVIOUSLY TAKEN TOWARD THE ISSUANCE OF SAID BOND AND EFFECTING THE PURPOSE OF ITS ISSUANCE; PROVIDING OTHER MATTERS RELATING THERETO; fiscal impact is \$2,120,000 bonding; funding source is Sewer Enterprise Funds. Supervisor Tatro seconded the motion. Motion was voted by roll call with the following result: Yes - Smith, Bennett, Tatro, Ayres, and Mayor Teixeira. Nays - None. Motion carried unanimously.

9. PERSONNEL MANAGER - Judie Fisher - ACTION TO APPROVE A PARTNERSHIP WITH THE COMMUNITY FOR THE YEARLY AMERICAN HEAT EVENT (1-0995.5) - Convention and Visitors Bureau Executive Director Candy Duncan - Committee members and sponsors were announced. Discussion

explained the community support and tourism generated by the first event. Funding was not being requested at this time. If it is determined that funding is needed, Ms. Fisher agreed to seek it through the budget process. The Bureau's financial support and revenue generated by the event were outlined. Board comments commended them on their efforts, explained several events, cited reasons for the event's success, and suggested improvements for next year's events including better control over the parade and need to have all the cars in it. Supervisor Ayres moved that the Board approve the American Heat Event for the coming years as long as the Committee holds up. Supervisor Tatro seconded the motion. Motion carried 5-0.

10. UTILITIES DIRECTOR - Deputy Director Jay Ahrens

A. ORDINANCE - FIRST READING

i. ACTION ON AN ORDINANCE APPROVING A WATERLINE REIMBURSEMENT AGREEMENT BETWEEN CARSON CITY AND DEAN AND MICHAEL ANDERSON (1-1202.5) - Supervisor Smith moved to introduce on first reading Bill No. 145, AN ORDINANCE APPROVING A WATERLINE REIMBURSEMENT AGREEMENT BETWEEN CARSON CITY AND DEAN AND MICHAEL ANDERSON REGARDING ASSESSOR'S PARCEL NO. 9-252-01 LOCATED AT 4460 VOLTAIRE STREET, CARSON CITY, NEVADA, FOR WATER MAIN CONSTRUCTION, the only fiscal impact to be a 15 percent administrative fee to the City General Fund upon any reimbursement to the Applicant. Supervisor Tatro seconded the motion. Motion carried 5-0.

B. ORDINANCES - SECOND READING

i. ACTION ON BILL NO. 140 - AN ORDINANCE APPROVING A WATERLINE REIMBURSEMENT AGREEMENT BETWEEN CARSON CITY AND MITCHELL D. SOWL (1-1249.5) - Supervisor Tatro moved to adopt Ordinance No. 1995-42, Bill No. 140 on second reading, AN ORDINANCE APPROVING A WATERLINE REIMBURSEMENT AGREEMENT BETWEEN CARSON CITY AND MITCHELL D. SOWL, REGARDING ASSESSOR'S PARCEL NO. 9-174-05, LOCATED AT 4486 CENTER DRIVE, CARSON CITY, NEVADA, FOR WATER MAIN CONSTRUCTION. Following a request for an amendment, Supervisor Tatro amended his motion to include a fiscal impact of 15 percent administrative fee as outlined in the Ordinance. Supervisor Smith seconded the motion. Motion carried 5-0.

ii. ACTION ON BILL NO. 141 - AN ORDINANCE AND DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND GEORGE W. AND MELANIE F. WILLIAMS, ET AL. (1-1265.5) - Supervisor Tatro moved to adopt Ordinance No. 1995-43, Bill No. 141 on second reading, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND GEORGE W. AND MELANIE F. WILLIAMS, ET AL., REGARDING ASSESSOR'S PARCEL NO. 004-067-06, LOCATED AT 711 SOUTH CARSON STREET, CARSON CITY, NEVADA, FOR SEWER MAIN REPLACEMENT, fiscal impact is \$20,424 including a 15 percent contingency, funding source is Fund 515 Replacement. Supervisor Ayres seconded the motion. Motion carried 5-0.

BREAK: A ten minute recess was declared at 2:16 p.m. When the meeting reconvened at 2:26 p.m. the entire Board was present constituting a quorum.

11. COMMUNITY DEVELOPMENT DIRECTOR - Senior Planner Juan Guzman

A. PLANNING COMMISSION REVIEW AND APPEAL MATTERS - ACTION ON MPA-94/95-7 - A MASTER PLAN AMENDMENT REQUEST FROM ROGER L. SHAHEEN, CALLING FOR AN AMENDMENT OF THE PRESENT LAND USE DESIGNATION FOR ASSESSOR'S PARCEL NUMBER 8-132-09 FROM THE EXISTING LOW DENSITY RESIDENTIAL (2-6 DWELLING UNITS/ACRE) TO INDUSTRIAL ON APPROXIMATELY 20.3 ACRES LOCATED ON THE SOUTHWEST CORNER OF EAST COLLEGE PARKWAY AND LOMPA LANE (PLANNING COMMISSION APPROVED 7-0-0-0); AND, B. ORDINANCE - FIRST READING - ACTION ON Z-94/95-76 - AN ORDINANCE EFFECTING A CHANGE OF LAND USE ON APPROXIMATELY 20.3

ACRES FROM MOBILE HOME 6,000 (MH6000) TO LIMITED INDUSTRIAL ON PROPERTY LOCATED ON THE SOUTHWEST CORNER OF EAST COLLEGE PARKWAY AND LOMPA LANE, APN 8-132-09 AND OTHER MATTERS PROPERLY RELATED THERETO (PLANNING COMMISSION APPROVED 7-0) (1-1285.5) - Supervisor Bennett disclosed her partnership with Mike Perry in a Silver Springs airport. Mr. Perry is representing Mr. Shaheen for this request. The request is not related to the Silver Springs airport or her partnership with Mr. Perry. She will not benefit financially from the request. Therefore, she indicated she would participate in the discussion and vote.

(1-1322.5) Discussion corrected the file number to be Z-94/95-16 for the Ordinance request. Mr. Lipparelli advised that the description was more than adequate to indicate the item under discussion and that the Board could take action on the request if so desired. Mr. Guzman felt certain that Mr. Shaheen will develop the site as a golf course due to the flood zone. Industrial zoning allows golf courses as a permitted use. Any other use would require extensive review by the Board. Another portion of the property is considered a wetland area and will be donated to organization which will maintain it for perpetuity. If the zone was Tourist Commercial, a Special Use Permit would be required for the golf course. Comments were solicited but none given. Supervisor Smith moved that the Board of Supervisors approve a master plan amendment request from Roger L. Shaheen calling for an amendment to the present land use designation for Assessor's Parcel Number 8-132-09 from the existing low density residential, two to six dwelling units per acre, to Industrial on approximately 20.3 acres located on the southwest corner of East College parkway and Lompa Lane. Supervisor Ayres seconded the motion. Discussion noted a resolution. Supervisor Tatro explained his original opposition to requests of this nature, however, in this case he felt that the proposal was for a golf course on property which is not suitable for other projects. The granting of the zone change will not allow for other projects due to the wetland limitations and topography. Although he preferred having a Special Use Permit included, he felt certain that the land's limitations would restrict any development. Clarification indicated the resolution was required for the Planning Commission's action. Supervisor Smith's motion was correct. The motion to approve the Master Plan Amendment as indicated was voted and carried 5-0.

Supervisor Smith then moved to introduce on first reading Bill No. 146, AN ORDINANCE EFFECTING A CHANGE OF LAND USE ON APPROXIMATELY 20.3 ACRES FROM MOBILE HOME 6,000 (MH6,000) TO LIMITED INDUSTRIAL (LI) ON PROPERTY LOCATED ON THE SOUTHWEST CORNER OF EAST COLLEGE PARKWAY AND LOMPA LANE, APN 8-132-09, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Ayres seconded the motion. Motion carried 5-0.

C. ACTION ON U-94/95-48 - AN APPEAL OF A SPECIAL USE PERMIT FROM BEATRICE FRUTOS TO ALLOW A CHILD CARE FACILITY FOR 15 CHILDREN ON PROPERTY ZONED SINGLE FAMILY ONE ACRE (SF1A), LOCATED AT 4780 SILVER SAGE DRIVE, APN 9-203-11 (PLANNING COMMISSION DENIED 5-1-0-1) (1-1512.5) - Mr. Guzman explained the negotiated reduction in children to ten for a one year trial period and reasons for the request. Mayor Teixeira explained the policy to return any new evidence to the Planning Commission for consideration. Mr. Frutos agreed to the continuance. Supervisor Smith indicated the item could be heard by the Planning Commission on August 29 and be reconsidered by the Board on September 7th. Mayor Teixeira directed this item be considered by the Board on September 7th. Supervisor Bennett explained her support for the residents opposing the request including the individuals who had signed the many, many petitions of opposition. She indicated she planned to appeal the Planning Commission's action in order for the Board to consider the issues. She felt that it was an inappropriate use for the area and that the Applicants had intended to operate a business at the site when purchased and to continue to press for the maximum capacity of 27 children. Mayor Teixeira explained that the request would be heard by the Planning Commission on August 29th and by the Board on September 7. Although Commissioner Bennett had voiced her opinion, there were still four unknown votes on the Board. Mr. Lipparelli felt that Supervisor Bennett had only voiced her decision to appeal the Planning Commission motion and that she had not made a decision on the actual request. Supervisor Smith moved that the Board of Supervisors send Item U-94/95-48 back to the Planning Commission for further consideration. Supervisor Ayres seconded the motion. Supervisor Smith continued his motion to include and re-agendize it for the Board of Supervisors September 7th meeting. Supervisor Ayres continued her second. Motion carried 5-0.

12. PUBLIC WORKS DIRECTOR - Jay Aldean - ORDINANCE FIRST READING - ACTION ON AN ORDINANCE AMENDING CHAPTER 12.09 OF THE CARSON CITY MUNICIPAL CODE TO MAKE THE PUBLIC WORKS DEPARTMENT RESPONSIBLE FOR ADMINISTRATION OF THE CARSON CITY FLOOD DAMAGE PREVENTION ORDINANCE AND OTHER MATTERS PROPERLY RELATED THERETO (1-1666.5) - Supervisor Ayres moved that the Board introduce on first reading Bill No. 147, AN ORDINANCE AMENDING CHAPTER 12.09 OF THE CARSON CITY MUNICIPAL CODE TO MAKE THE PUBLIC WORKS DEPARTMENT RESPONSIBLE FOR ADMINISTRATION OF THE CARSON CITY FLOOD DAMAGE PREVENTION ORDINANCE AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Tatro seconded the motion. Motion carried 5-0.

13. CITY MANAGER - John Berkich - ACTION ON APPROVAL IN CONCEPT OF A MODEL COMMUNITY HEALTH CLINIC (1-17.5) - Nevada State Health Planner Steve Hansen and Nevada Rural Health Clinic Corporation Executive Director Kent McBain and Ms. Maria Cantfield - Mr. Berkich thanked Ms. Cantfield for her dedication and efforts on the project. He reviewed the history of the proposal and stressed the hope that the facility would become a "one stop" shop for non-emergency health care services. The needs assessment was explained including the State Health Director's role in its development. Mr. Hansen reviewed the needs assessment. Mr. Berkich indicated the Hospital Board of Trustees had approved the proposal in concept. Mr. McBain explained the services offered by his Corporation in rural Nevada. Discussion among the Board and Messrs. Hansen, McBain, and Berkich included the City's demographics and reported need for the service, the impact the Lyon and Douglas County corridors have on the demographics, the Clinic's use in rural areas, lack of Carson City physicians for individuals without insurance, and the clinic's projected clientele and medical services. Mr. McBain indicated a desire to relocate the corporate headquarters to Carson City if the program is approved. Supervisor Bennett acknowledged the need for the service and explained her support for the program with the caveat that care be taken regarding the type of relationships created with the local physicians and the hospital. A previous bad experience was cited as the reason for this caution. She explained the changing insurance field which may eventually rate a community based upon its medical services and insurance needs in a fashion similar to that used by the fire insurance companies. Mr. Berkich indicated this issue is being addressed and outlined the procedures which would be undertaken if approved in concept. Mayor Teixeira explained the current funding, cited examples of the various services offered by various agencies, and expressed the need to have a comprehensive cooperative funding program which includes all the different elements. He urged staff to include in the factors for services provided to surrounding Counties. Mr. McBain indicated there will be a clinic in Lyon County and explained services provided in Las Vegas and Washoe County. Forty percent of the operation is federally subsidized. Mr. McBain felt that this level will be maintained even under the current congressional funding reduction program based on his experience and the feeling that the public would demand its coverage. Supervisor Tatro noted the figures provided in the report including the number of children eligible for the reduced price lunch program. Other recently approved cost effective programs were cited as reasons to support the concept as it is good fiscal management. He urged the Hospital to consider the current fiscal impact of providing these services when the program is presented and to fund the program appropriately. Good record management will address the fiscal impact created by the surrounding Counties and efforts should be expended to obtain their assistance with the program. Mayor Teixeira felt that communications should be opened concerning this service and need. Supervisor Bennett expressed her feeling that without the Board of Supervisors support there could be a considerable amount of resistance to having the Hospital participate in the program. Some of this resistance may be overcome with the right program. Supervisor Ayres pointed out the benefits the Hospital receives from various volunteer programs which it has refused to acknowledge. The same is true of the services being provided at the emergency room. She urged the Hospital to consider this when funding is requested. Supervisor Tatro moved that the Board approve in concept the model community health clinic. Supervisor Ayres seconded the motion. Motion carried 5-0.

14. BOARD OF SUPERVISORS

A. NON-ACTION ITEMS - INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (1-2546) - Supervisor Tatro explained the Redevelopment Authority Citizens Committee meeting

on the Downtown Beautification Project and the public response. New ideas were presented and will be analyzed/included if possible. He felt that the response was positive. Another public hearing on the project is scheduled for next week. The public was invited to attend. Supervisor Bennett explained the status of Hospital's financial stabilization plan, its marketing assessment, TRPA's work on the Highway 28 corridor including the parking assessment, and the status of the Carson River Advisory Committee's master plan element. Public comment will be solicited on it in early September. Supervisor Smith expressed his feeling that the "Breakfast with Senator Bryan" was enjoyable. The "Common Cause" luncheon held on Saturday at the Governor's Mansion recognizing Dean Heller's efforts to obtain legislative changes to the election laws was explained. Mayor Teixeira noted RSVP's successful fashion show which Supervisor Ayres detailed. Sponsors were noted and the purpose explained. Supervisor Ayres also supported Supervisor Smith's comments regarding the "Breakfast with Senator Bryan". Supervisor Smith and Mayor Teixeira explained several of Supervisor Ayres fundraising techniques. Mayor Teixeira commended her on the successful show and her efforts. Mayor Teixeira felt that the "Breakfast with Senator Bryan" was successful. He also noted Supervisor Smith's "race car trick" which was a fundraiser for another nonprofit organization. He congratulated Supervisor Smith on his fundraising efforts.

B. ACTION ITEMS - ORDINANCE - SECOND READING - ACTION ON BILL NO. 142 - AN ORDINANCE TO AMEND THE CARSON CITY MUNICIPAL CODE SECTION 8.12.010 (FIREARMS) TO RESTRICT USE OF FIREARMS WITHIN CERTAIN AREAS OF THE CARSON RIVER (1-2866.5) - Tom Quigley questioned the area covered by the ordinance. He indicated his support for the proposal, however, felt that it should be extended to cover the entire length of the River. Supervisor Bennett indicated it was to reach from the McTarnahan Bridge to the Douglas County line. Clarification indicated Mr. Quigley's problem was due to his misunderstanding of the editorial symbols which eliminate and add to the Code. Supervisor Bennett moved that the Board of Supervisors adopt on second reading Ordinance No. 1995-44, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE 8.12.010 (FIREARMS) TO RESTRICT THE USE OF FIREARMS WITHIN CERTAIN AREAS OF THE CARSON RIVER. Supervisor Ayres seconded the motion. Motion carried 5-0.

BREAK: A eight minute recess was declared at 3:45 p.m. When the meeting reconvened at 3:53 p.m. the entire Board was present constituting a quorum.

15. DISTRICT ATTORNEY - Deputy District Attorney Paul Lipparelli

A. OPENING, EXAMINATION, AND REVIEW OF ALL SEALED PROPOSALS FOR THE LEASE OF CERTAIN LAND IN THE CARSON CITY FAIRGROUNDS AND FUJI PARK; B. CALL FOR ORAL BIDS FOR THE LEASE OF CERTAIN LAND IN THE CARSON CITY FAIRGROUNDS AND FUJI PARK; C. DISCUSSION AND ACTION TO ACCEPT THE HIGHEST BID WHICH CONFORMS TO RESOLUTION 1995-R-61, THE RESOLUTION OF INTENT TO LEASE ADOPTED JULY 20, 1995, AND DIRECTION TO CITY STAFF TO NEGOTIATE THE TERMS OF A LEASE CONSISTENT WITH RESOLUTION 1995-R-61, OR, DISCUSSION AND ACTION TO ADJOURN THE HEARING ON THE ACCEPTANCE OF BIDS FOR THE LEASE OF CARSON CITY FAIRGROUNDS AND FUJI PARK TO A TIME WITHIN TEN DAYS TO DETERMINE AND ACCEPT THE HIGHEST BID OR TO REJECT ALL BIDS (1-2952.5) - Mr. Lipparelli's introduction reviewed the history of the proposal and indicated that the staff had not received the mandated five day notice of intent that an oral bid would be submitted during the meeting. He then explained the Board's two alternative courses of action. Staff recommended deferring action on the bids for ten days to allow staff time to evaluate the bids. This would require the Board to have a special meeting on August 25th. Mayor Teixeira requested sealed bids. Attorney George Keele, representing BAR-ONE Associates, submitted a sealed envelope to Mayor Teixeira. He indicated there were copies available for staff's review which he gave to staff. Clarification indicated the copies were the same as the sealed bid including the typographical errors on Pages 3 and 4 which had been underlined in the original bid and initialed by the Barones. Mayor Teixeira requested oral bids. None were given. Mr. Lipparelli noted for the record that the seal bid which the Clerk had opened had been signed by the two representatives of BAR-ONE Enterprises, Donald T. Barone and Carrie L. Barone. Additional sealed bids were solicited but none given. Additional oral bids were solicited but none given. Clarification by

Mr. Lipparelli explained that oral bids must be at least five percent higher than written bids is mandated in NRS 244.283.5. Mayor Teixeira expressed his desire to follow staff's recommendation to adjourn the hearing after establishing a date within ten days to allow time to examine the bids in depth. **Supervisor Tatro moved that the Board adjourn the hearing on the acceptance of bids for the lease of Carson City Fairgrounds and Fuji Park to a time within ten days to determine and accept the highest bid or to reject all bids and that the agenda for that meeting include that there will be a possible quorum of the Park and Recreation Commission.** Supervisor Smith seconded the motion. Public comments were solicited on the question. Mr. Keele thanked the Board for the Commission and Board's cooperation on having the hearing. He noted the portion of the bid related to negotiations on the lease which would not change the written bid but allow discussion on the final voluminous document which would include many items outside the bid. He indicated an intent to negotiate those terms in good faith and that this is the standard practice for such bids. The sealed bid is to be considered the "minimal" standard for negotiations. Mrs. Barone thanked the Board for the opportunity to enhance the Fairgrounds. She indicated it would be an affordable family-oriented facility benefitting the entire community. One annual event would be a fundraiser for a Carson City charitable organization. The Carson City fair would be re-established. They would support 4-H and FFA programs including providing 40 pens for these groups to use by families with agricultural interests but incorrect zoning/space for such activities. She would work with the Rite of Passage and Juvenile Probation by providing employment opportunities for their youths. She intended to make the community proud of the facility and thanked the residents, the Board, and staff for the opportunity to work on a creative, productive project. **The motion to defer action on the proposal as indicated was voted and carried 5-0.** Mayor Teixeira indicated he would not be available for an afternoon meeting on August 25. He recommended having an evening meeting on August 24. Supervisor Tatro indicated there is a Redevelopment Authority Citizens Committee meeting scheduled for 7 p.m. in the Sierra Room on August 23. Discussion ensued on various date/time options for the meeting. A consensus was reached for having the meeting at 5:30 p.m. on August 23 in the Sierra Room although Supervisor Bennett may not be able to attend this meeting. Discussion indicated the Board's desire to have proper public notice even though Mr. Keele felt that it would not be necessary to re-agendize the meeting.

D. ACTION TO RECESS INTO CLOSED SESSION PURSUANT TO NRS 288.220 TO MEET WITH MANAGEMENT REPRESENTATIVES (1-3448.5) - Supervisor Smith moved that the Board of Supervisors recess into closed session pursuant to NRS 288.220 to meet with management representatives. Supervisor Ayres seconded the motion. Motion carried 5-0. At 4:10 p.m. Mayor Teixeira ruled the meeting closed. He reconvened the Open Meeting at 4:40 p.m. (The entire Board was present constituting a quorum.)

E. ACTION ON APPROVAL OF AN ADDENDUM TO THE COLLECTIVE BARGAINING AGREEMENT WITH CARSON CITY SHERIFF'S SUPERVISORY ASSOCIATION FOR THE PERIOD JULY 1, 1992, TO JUNE 30, 1995 (1-3468.5) - Supervisor Smith moved that the Board of Supervisors approve the Addendum to the Collective Bargaining Agreement with Carson City Sheriff's Supervisory Association for the period July 1, 1992, to June 30, 1995, fiscal impact is \$24,000, funding source is from the General Fund Fiscal Year 94-95 Ending Fund Balance and to be subject to the approval by the Association. Supervisor Ayres seconded the motion. Following a request for an amendment, Supervisor Smith amended his motion to be subject to the approval and signature of the Association. Supervisor Ayres continued her second. Clarification noted the agreement term was July 1, 1992 to June 30, 1995. The motion to approve the addendum was voted and carried 5-0.

F. ACTION ON APPROVAL OF AN ADDENDUM TO THE COLLECTIVE BARGAINING AGREEMENT WITH CARSON CITY EMPLOYEE'S ASSOCIATION FOR THE PERIOD JULY 1, 1994, TO JUNE 30, 1996 (1-3517.5) - Supervisor Ayres moved that the Board of Supervisors approve the Addendum to the Collective Bargaining Agreement with Carson City Employee's Association for the period July 1, 1994, to June 30, 1996; fiscal impact is \$140,000 for Fiscal Year 94-95 and \$215,000 for Fiscal Year 95-96; funding source is the General Fund; subject to the Association's signature. Supervisor Smith seconded the motion. Motion carried 5-0. Mr. Berkich commended the Associations and their teams for cooperation and negotiation efforts.

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There be no other business for consideration, Supervisor Ayres moved to adjourn. Mayor Teixeira seconded the motion. Motion carried unanimously. Mayor Teixeira adjourned the meeting at 4:43 p.m.

The Minutes of the August 17, 1995, Carson City Board of Supervisors meeting

ARE SO APPROVED ON ___October_19_, 1995.

/s/_____
Marv Teixeira, Mayor

ATTEST:

/s/_____
Alan Glover, Clerk-Recorder