

CARSON CITY BOARD OF SUPERVISORS
Minutes of the November 16, 1995, Meeting
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A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, November 16, 1995, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 12 noon.

PRESENT: Marv Teixeira Mayor
Janice Ayres Supervisor, Ward 2
Tom Tatro Supervisor, Ward 3

STAFF PRESENT: John Berkich City Manager
Paul Lipparelli Deputy District Attorney
Katherine McLaughlin Recording Secretary
(B.O.S. 11/16/95 Tape 1-0029.5)

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 - Mayor Teixeira convened the meeting at 12:15 p.m. A quorum was present although Supervisors Smith and Bennett had not arrived.

1. CLOSED SESSION

A. ACTION TO RECESS INTO CLOSED SESSION PURSUANT TO NRS 288.220 TO MEET WITH MANAGEMENT REPRESENTATIVES - Supervisor Ayres moved to recess into Closed Session pursuant to NRS 288.220 to meet with management representatives. Supervisor Tatro seconded the motion. Motion carried 3-0. Mayor Teixeira recessed the session at 12:16 p.m. into Closed Session.

B. RECONVENE INTO OPEN SESSION - At 12:54 p.m. Mayor Teixeira reconvened the hearing in Open Session.

BREAK: There being no other issues to consider until 1:05 p.m. an eleven minute recess was declared. When Mayor Teixeira reconvened the session at 1:05 p.m. the following Board members were present: Supervisors Smith, Ayres, Tatro, and Bennett and Mayor Teixeira. The following staff members were present: City Manager Berkich, Clerk-Recorder Glover, Parks and Recreation Director Kastens, Personnel Manager Fisher, Public Works Director Aldean, Purchasing and Contracts Director Moreto, Utilities Director Timian-Palmer, Undersheriff Dehl, and Recording Secretary McLaughlin.

INVOCATION, PLEDGE OF ALLEGIANCE, AND ROLL CALL (1-0036.5) - Mayor Teixeira reconvened the session at 1:05 p.m. Mr. Berkich lead the Pledge of Allegiance. Sister Marie McGloin of St. Teresa's Catholic Church gave the Invocation. Roll call was taken. The entire Board was present constituting a quorum.

2. APPROVAL OF MINUTES - October 5, 1995, Regular Session and August 25, 1995, Special Session (1-0051.5) - Supervisor Tatro moved to approve. Supervisor Ayres seconded the motion. Motion carried 5-0.

3. SPECIAL PRESENTATIONS - Personnel Manager Judie Fisher

A. ACTION ON A RETIREMENT RESOLUTION FOR NANCY JOHNSON (1-0063.5) - Supervisor Tatro moved that the Board adopt Resolution No. 1995-R-80, A RESOLUTION COMMENDING Nancy Johnson and read the entire Resolution into the record. Supervisor Smith seconded the motion. Motion carried 5-0. Mayor Teixeira commended her on her dedication to the City.

B. ACTION ON AN ACKNOWLEDGEMENT RESOLUTION FOR PETE LIVERMORE (1-0105.5)

- Mayor Teixeira commended him on his dedication to the City and read the plaque acknowledging Mr. Livermore's service as a member of the Parks and Recreation Commission into the record. Supervisor Ayres moved to adopt Resolution No. 1995-R-81, A RESOLUTION COMMENDING Peter Livermore and read the entire Resolution into the record. Supervisor Bennett seconded the motion. Motion was voted and carried 5-0. Mayor Teixeira again thanked him for his dedication and service to the City. Mr. Livermore expressed his pleasure at having been a Commission member and for having an opportunity to serve the City. He thanked the staff for its assistance over the years.

C. PRESENTATION OF MERIT ACHIEVEMENT AWARD TO DENNIS RADFORD (1-0151.5) -

Ms. Fisher explained the achievement award program and Mr. Radford's proposal to relocate the chlorine gas to another City Department which had adequate space and the proper storage facility. This had saved the City \$3,100 as another storage facility would not have to be acquired. Mayor Teixeira commended him on his efforts. Water Utility Superintendent Tom Hoffert accepted the award for Mr. Radford.

D. OTHER PRESENTATIONS (1-0165.5) - Mr. Berkich displayed and explained the President's Award given to Carson City and Community Development by the Nevada Chapter of the American Planning Association for the Vision Preference Survey. He thanked the Board, staff, and the community for its support.

CITIZEN COMMENTS (1-0177.5) - None.

4. LIQUOR AND ENTERTAINMENT BOARD - Mayor Teixeira recessed the Board of Supervisors session and immediately reconvened the session as the Liquor and Entertainment Board. The entire Board was present including Member Barney Dehl, constituting a quorum. - **CONSENT AGENDA - TREASURER - Al Kramer - ACTION ON SPECIAL EVENT SHORT-TERM BUSINESS PERMIT REQUEST WITH WAIVER OF THE \$50 PER DAY PROMOTER FEE FOR CARSON CITY RECREATION DIVISION (1-0179.5) -** No discussion occurred. 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 as the Liquor and Entertainment Board, Chairperson Teixeira recessed the Liquor and Entertainment Board and immediately reconvened the session as the Board of Supervisors. The entire Board was present constituting a quorum.

5. BOARD OF SUPERVISORS - CONSENT AGENDA

A. CITY MANAGER - ACTION ON MEMORANDUM OF UNDERSTANDING FOR THE CONDUCT OF "THE IMPEDIMENTS TO FAIR HOUSING CHOICE IN RURAL NEVADA STUDY"

B. COMMUNITY DEVELOPMENT DIRECTOR

i. ACTION ON AB-95/96-1 - AN ABANDONMENT REQUEST FROM JOHN UHART (PROPERTY OWNERS: ALEXANDER AND LENORE BERNHARD) TO ABANDON AN 80 FOOT BY 912 FOOT (APPROXIMATE) PUBLIC RIGHT-OF-WAY, LOCATED APPROXIMATELY 350 FEET EAST OF NORTH ROOP STREET AND APPROXIMATELY 440 FEET SOUTH OF EAST COLLEGE PARKWAY, ADJACENT TO APN 8-125-26 (PLANNING COMMISSION APPROVED 5-0-1-1)

ii. ACTION ON AB-95/96-2 - AN ABANDONMENT REQUEST FROM JACK AND SHARON MATTHEWS TO ABANDON A 20 FOOT BY 300 FOOT (APPROXIMATE) PUBLIC RIGHT-OF-WAY, LOCATED ON THE WEST SIDE OF PINION HILLS DRIVE, NORTH OF ELYMUS ROAD, ADJACENT TO APN 11-101-05 (PLANNING COMMISSION APPROVED 6-0-0-1)

iii. ACTION ON S-94/95-4 - A ONE YEAR EXTENSION FOR CAMERON HEIGHTS TENTATIVE SUBDIVISION MAP

C. PURCHASING DIRECTOR

i. ACTION ON CONTRACT NO. 9596-97 - CONTRACT W-7 OF THE CARSON CITY COMPREHENSIVE WATER PLAN TERTIARY FILTRATION

ii. ACTION ON CONTRACT NO. 9596-83 - MISCELLANEOUS HEAVY EQUIPMENT,

STAKEBED TRUCK

iii. ACTION ON CONTRACT NO. 9596-87 - WATER UTILITY BACKHOE

iv. ACTION ON CONTRACT NO. 9596-111 - LONE MOUNTAIN CEMETERY, FINAL DESIGN

v. ACTION ON CONTRACT NO. 9596-113 - DOWNTOWN BEAUTIFICATION, ENGINEERING SERVICES

vi. ACTION ON CONTRACT NO. 9394-232 - VOLTAIRE WATER TANK PROJECT, FINAL PAYMENT (1-0189.5) - None of the items were pulled for discussion. Supervisor Ayres moved that the Board of Supervisors approve the Consent Agenda as presented. Supervisor Tatro seconded the motion. Motion carried 5-0.

6. DISTRICT ATTORNEY - Deputy District Attorney Paul Lipparelli

A. ACTION ON APPROVAL OF AGREEMENT BETWEEN CARSON CITY AND THE CARSON CITY SHERIFF'S PROTECTIVE ASSOCIATION FOR THE PERIOD OF THE FIRST FULL PAY PERIOD FOLLOWING RATIFICATION AND APPROVAL TO JUNE 30, 1996; AND, B. ACTION ON APPROVAL OF AGREEMENT BETWEEN CARSON CITY AND THE CARSON CITY SHERIFF'S SUPERVISORY ASSOCIATION FOR THE PERIOD OF THE FIRST FULL PAY PERIOD FOLLOWING RATIFICATION AND APPROVAL TO JUNE 30, 1996 (1-0196.5) - Supervisor Ayres moved that the Board of Supervisors approve the agreement between Carson City and the Carson City Sheriff's Protective Association for the period beginning the first full pay period following ratification and approval through June 30, 1996, subject to prior signatures by the Union; fiscal impact - \$85,000; funding source - General Fund from the 95-96 Budget. Supervisor Tatro seconded the motion. Motion carried 5-0.

Supervisor Ayres moved that the Board of Supervisors approve the agreement between Carson City and the Carson City Sheriff's Supervisory Association for the period beginning the first full pay period following ratification and approval through June 30, 1996, subject to prior signatures by the Union; fiscal impact - \$25,000; funding source - 9596 General Fund. Supervisor Smith seconded the motion. Following clarification of the fiscal impact, Supervisor Ayres modified the motion to correct the fiscal impact to include a \$2800 augmentation. Supervisor Smith continued his second. Motion was voted and carried 5-0.

C. ACTION ON APPROVAL OF AN AGREEMENT WITH SAMUEL A. LOMPA FAMILY TRUST DATED NOVEMBER 17, 1993, SAMUEL A. LOMPA AND DUANA S. LOMPA, TRUSTEES FOR THE PURCHASE BY CARSON CITY OF APPROXIMATELY 2,761 SQUARE FEET OF PROPERTY AT THE INTERSECTION OF SOUTH SALIMAN ROAD AND FAIRVIEW DRIVE IN CARSON CITY, NEVADA, WHICH PROPERTY IS ALSO KNOWN AS APN 10-051-09, FOR INTERSECTION IMPROVEMENTS (1-0231.5) - Supervisor Smith moved that the Board of Supervisors approve the agreement with Samuel A. Lompa Family Trust dated November 17, 1993, Samuel A. Lompa and Duana S. Lompa, Trustees, for the purchase by Carson City of approximately 2,761 square feet of property at the intersection of South Saliman Road and Fairview Drive in Carson City, Nevada, which property is also known as APN 10-051-09, for intersection improvements, fiscal impact is \$7400 to come from the RTC Road Construction Account. Supervisor Ayres seconded the motion. Motion carried 5-0.

D. ACTION ON AN AGREEMENT WITH STANTON PARK DEVELOPMENT TO EXCHANGE AN APPROXIMATELY 14 ACRE-SIZED PORTION OF A PARCEL OF PROPERTY OWNED BY CARSON CITY KNOWN AS APN 8-061-18 FOR APPROXIMATELY 41 ACRES OF PROPERTY NEAR THE CARSON RIVER OWNED BY STANTON PARK DEVELOPMENT (1-0254.5) - The proper notices had been posted and published in accordance with the Statutes. The City Clerk had not received any other offers. The appraisal has not been completed. The agreement provides for compensation procedures if one or the other of the parcels is more valuable than indicated. Also, all parcel maps will be completed prior to the deed exchange. The parcel values are unknown, however, staff feels that they are "close". The developer requested staff not delay the exchange until the appraisals are completed as he wished to proceed with his project. Supervisor Bennett

delineated her support for the exchange even if there is a difference in the appraised value due to the "huge" public value created by the exchange. The compensation procedures were outlined. Dwight Millard felt that there could be a difference in the value but was willing to state for the record that he would accept the effluent as indicated in the compensation package. He was willing to pay the City cash for the City's property if it is more valuable. He requested the project proceed at this time. (1-0398.5) Tom Quigley indicated he supported the exchange, however, questioned whether the City could monitor the property and address any vagrant, trash, security, etc., problems. Supervisor Bennett explained the joint memorandum of understanding under consideration with BLM for the recreational uses. The Sheriff's Mounted Posse has been active in the area and may be encouraged to do even more. Also, with the increased public access proposed by this exchange, experience indicates there will be reduced transient use and vandalism. Mr. Berkich felt that it may be under the Parks Department management although this has not been established. Enforcement would remain with the Sheriff's Department. Clarification for Tom Dotson indicated the "notched" area was part of the trade. The zoning is agricultural and restricts residential development to one home per ten acres. The exchange would give the City 61 acres total. Mr. Dotson then questioned who would be responsible for weed control in view of the fire hazards he had encountered last year. He also explained how the river's channel changes and expressed a feeling that the City would lose a portion due to those changes. Public Works Director Jay Aldean acknowledged the erosion problems and briefly outlined his knowledge of the site. He expressed a willingness to analyze the erosion problem. Additional public comments were solicited but none made. Supervisor Ayres moved that the Board of Supervisors approve the agreement as submitted to the Board from Stanton Park Development to exchange an approximately 14 acres size portion of a parcel of property owned by Carson City known as Assessor's Parcel Number 8-061-18 for approximately 41 acres of property near the Carson River owned by Stanton Park Development as follows: that if the appraisal of the parcels concerned show that Stanton Park property has a higher value than the Carson City property, the City agrees to negotiate a means of compensating Stanton Park for the difference and Stanton Park has made an offer to pay (accept payment of) this difference by using effluent water; Stanton Park agrees to convey to Carson City the property defined by this agreement as the Stanton Park property by delivering to the City a quit claim deed or deeds of exchange substantially in the form of the document attached hereto as Exhibit C, if the appraisals of the parcels concerned show that the Carson City property has a higher value than the Stanton Park property, Stanton Park agrees to pay the City the difference in value in cash. Following a request for an amendment, Supervisor Ayres amended the motion to indicate that the parcel is 61.92 acres in size. Supervisor Tatro seconded the motion. Motion carried 5-0.

7. PUBLIC WORKS DIRECTOR - Jay Aldean - ORDINANCE - SECOND READING - ACTION ON BILL NO. 155 - AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND U.S. RENTALS CORPORATION, REGARDING ASSESSOR'S PARCEL NO. 8-521-82, LOCATED AT 3223 DEER RUN ROAD, CARSON CITY, NEVADA (1-0559.5) - Supervisor Smith moved to adopt on second reading Ordinance No. 1995-57, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND U.S. RENTALS, REGARDING ASSESSOR'S PARCEL NO. 08-521-82, LOCATED AT 3223 DEER RUN ROAD, CARSON CITY, NEVADA. Supervisor Ayres seconded the motion. Motion carried 5-0.

8. CARSON-TAHOE HOSPITAL - Administrator Steve Smith

A. ACTION ON APPOINTMENT OF DISTRICT FOUR BOARD OF HOSPITAL TRUSTEES POSITIONS (1-0575.5) - Supervisor Bennett, as the Board's liaison to the Hospital Board of Trustees, explained the recommendation and expressed her support for the nomination. Supervisor Bennett moved that the Board of Supervisors appoint Pete Livermore to the Hospital Board of Trustees for the District Four Trustee position left vacant by the resignation of Bruce Gray. Supervisor Smith seconded the motion. Motion carried 5-0.

B. ACTION ON PURCHASE OF WESTVIEW PARK PROPERTY LOCATED ON FLEISCHMANN WAY (1-0615.5) - Mr. Smith explained the CC&R requirement mandating approval by 3/5ths of the abutting property owners of the Hospital's plan to use the property as a parking lot. Assurance is included in the purchase documents that this approval will be granted. The lighting issue remains to be resolved and will include the

neighbors and City staff. Supervisor Bennett explained the Hospital's agreement to vegetate the site to buffer the neighbors. Dan Leck will perform the appraisal. It has not been completed at this time. Discussion noted that the Hospital cannot acquire the site for more than the appraised value. Public comments were solicited but none were made. Supervisor Bennett moved that the Board of Supervisors approve the purchase of the Westview Park property located on Fleischmann Way as proposed in the agreement as presented to this Board. Supervisor Smith seconded the motion. Comments indicated the purchase would be subject to the appraisal. The motion to approve the purchase of the Westview Park property as indicated was voted and carried 5-0.

C. ACTION ON PURCHASE OF PROPERTY LOCATED IN THE SUNRIDGE SUBDIVISION, INDIAN HILLS, DOUGLAS COUNTY (1-0676.5) - SB 293 enables the Hospital to acquire property outside Carson City. An appraisal has been ordered but not completed as of this date. The plans call for locating a family-care practice physician at the site, which is "two building pads". Only one pad will be constructed. When demand warrants, the second pad will be constructed. Supervisor Bennett explained the Board of Trustees and its Finance Committee's recommendations. The price figures indicated in the documents were taken from similar pad sales. Supervisor Bennett moved that the Board of Supervisors approve the purchase of property by Carson-Tahoe Hospital at the Sunridge Subdivision in Douglas County per the terms and conditions of the agreement which was presented. Supervisor Tatro seconded the motion. Motion carried 5-0. (Supervisor Bennett then stepped from the room--1:45 p.m. A quorum was still present.)

9. PURCHASING DIRECTOR - Basil "Butch" Moreto - ACTION ON CONTRACT NO. 9596-112 - PUBLIC SAFETY COMPLEX, ARCHITECTS AGREEMENT (1-0745.5) - Mr. Moreto introduced Capitol Projects Advisory Committee Chairperson Gary Sheerin, Architect Don Carne, and Assistant Purchasing Director John Iratcabal. He also commended Mr. Iratcabal, Community Development Director Walter Sullivan, and Purchasing Technician Justin Chambers on their efforts and dedication to the project. Copies of the revised draft agreement were distributed to the Board and Clerk by Mr. Iratcabal. (Supervisor Bennett returned to the dais. A quorum was present as previously indicated.) Negotiations had modified this draft to exclude the fees for furniture, fixtures, etc. If it is determined feasible in the future, the firm will inventory the City's furniture and determine its placement in the new facility. At this time the proposal is for the City to do this work rather than the contractor. "FFE" is still in the contract to allow this inclusion if deemed appropriate at a future time. Page 18 stipulates the payment schedule which parallels the construction phases. The contract is based on a \$15.5 million contract for construction costs. Mr. Sheerin explained the contingency terms which begin on Page 10 at Article 6. The design is to be for a \$15.5 building. Construction could add another ten percent for a total building cost of \$17 million. In order for the architects to be able to design a building at this figure, it was necessary to grant them the authority to determine the materials, equipment, component systems, and types of construction which will be included in the building. Mayor Teixeira stressed that the architects' contract is only 7.5 percent of the total construction cost and is in the "ball park of all major projects", which he requested the record reflect. Chairperson Sheerin felt that the Committee would remain active and be an overseer of the project, specifically, Committee Member Dick Baker. Clarification indicated he is serving as the assistant project person without compensation, however, this position is open for discussion/negotiations. Chairperson Sheerin supported paying him for this work and Mayor Teixeira agreed. There is \$150,000 included in the project for a "Clerk of the Works". This position should commence with the design and continue throughout the project. Supervisor Bennett supported having a "Clerk of the Works". Chairperson Sheerin felt that the Mr. Baker would receive input from all the different Departments involved with the project and that the Committee would only be involved when a conflict arises. Mr. Carne displayed a chart delineating the timeframe. The "start date" is 11/17/95. Design is to be completed by 1/11/96. Design development should be completed by the end of March. The working drawing phase should be completed by the middle of August, when it will be put out to bid. Bids should be received by the first of October. Groundbreaking should occur between two and four weeks if contractual problems do not arise. Mr. Carne then noted the "quality control issues" which is the reason the contract stipulates the architects would control the materials, equipment, components, etc. He was confident that the project was "doable". At the end of each phase the Board would be presented with drawings showing the work on that phase, updated costs estimates based on that work, and that the following phase would commence once those documents are approved. Mayor Teixeira stressed his feeling that until a rendering is provided, the community was merely in a holding pattern.

Mr. Carne felt that this would be approved on January 11th. Mr. Carne indicated conceptual plans may be available in December. Supervisor Bennett elaborated on her reasons for recommending having a "Clerk of the Works". Mr. Carne felt that the courthouse and jail consultants will also be involved in the designs and will provide reports for consideration when the plans are available. Supervisor Smith moved that the Board of Supervisors accept the Purchasing Department's recommendation on Contract No. 9596-112 and authorize the Mayor to sign the agreement to DMJM, P.C. of Nevada, for a not to exceed cost of \$1,162,680; funding source is the line item Public Safety Complex as provided for in the Fiscal Year 9596 Budget in that same amount. Supervisor Ayres seconded the motion. Motion carried 5-0.

BREAK: An eight minute recess was declared at 2:10 p.m. When the meeting reconvened at 2:18 p.m., the entire Board was present constituting a quorum.

10. RISK MANAGER - John Mayes - PRESENTATION ON CARSON CITY EMPLOYEE HEALTH AND WELLNESS AWARD PROGRAM (1-1149.5) - Mr. Mayes introduced each of the recipients. Mayor Teixeira presented each with the award(s) and commended her/him on her/his efforts. The recipients for "Most Fit Category" were: Susan Orsbern, Charles Greer, Janet Busse, Alicia Gutierrez, Beth Huck, Wendy Brown, Dolly Hanner, and Vicki Carmack. The recipients for the "Most Improved Category" were: Rob Joiner, Anita Treants, Sheila Clements, Lillian Mayes, Justine Chambers, Debbie Devall, and Shannon McGuire. Mr. Mayes thanked the Board for its support of the program.

11. UTILITIES DIRECTOR - Dorothy Timian-Palmer

A. ACTION ON WATER LEASE AGREEMENT BETWEEN CARSON WATER SUBCONSERVANCY DISTRICT AND CARSON CITY (1-1286.5) - Supervisor Smith moved that the Board of Supervisors approve and authorize the Mayor to sign the Water Lease Agreement by and between Carson City and the Subconservancy District; fiscal impact \$26,470.20 for 441.17 acre feet per year plus consumer price index increase per each additional year; funding source - 520 Water Purchase Account. Supervisor Tatro seconded the motion. Motion carried 5-0.

B. ORDINANCES - FIRST READING - Deputy Utilities Director Jay Ahrens

i. ACTION ON AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND GORDON HENSMAN (1-1355.5) - Supervisor Ayres moved that the Board introduce on first reading Bill No. 158, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND GORDON HENSMAN; fiscal impact is \$5,023.50; funding source is 520 - Participation. Supervisor Tatro seconded the motion. Motion carried 5-0.

ii. ACTION ON AN ORDINANCE AND WATERLINE REIMBURSEMENT AGREEMENT BETWEEN CARSON CITY AND GORDON HENSMAN (1-1395.5) - Clarification explained the location. Supervisor Ayres moved that the Board of Supervisors introduce on first reading Bill No. 159, AN ORDINANCE APPROVING A WATERLINE REIMBURSEMENT AGREEMENT BETWEEN CARSON CITY AND GORDON HENSMAN; fiscal impact - there is 15 percent administrative fee accessed upon any reimbursement to the applicant. Supervisor Bennett seconded the motion. Motion carried 5-0.

C. ORDINANCE - SECOND READING (1-1435.5)

i. ACTION ON BILL NO. 156 - AN ORDINANCE APPROVING A SEWERLINE REIMBURSEMENT AGREEMENT BETWEEN CARSON CITY AND WENCO, INC. - Supervisor Tatro moved that the Board approve Bill No. 156 on second reading, Ordinance No. 1995-58, AN ORDINANCE APPROVING A SEWERLINE REIMBURSEMENT AGREEMENT BETWEEN CARSON CITY AND WENCO, INC. Supervisor Ayres seconded the motion. Motion carried 5-0.

ii. **ACTION ON BILL NO. 157 - AN ORDINANCE AMENDING SECTION 12.03.025 (CALCULATIONS AND REVIEW OF RATES) AND ADDING SECTION 12.03.035 (PAYMENT OF CONNECTION CHARGE) AND SECTION 12.03.80 (SEWERAGE CONSTRUCTION - APPROVAL OF PLAN) OF THE CARSON CITY MUNICIPAL CODE; AND OTHER MATTERS PROPERLY RELATED THERETO (1-1451.5)** - Comments were solicited but none given. Supervisor Tatro moved that the Board approve Bill No. 157 on second reading, Ordinance No. 1995-59, AN ORDINANCE AMENDING SECTION 12.03.025 (CALCULATION AND A REVIEW OF RATES) AND ADDING SECTION 12.03.035 (PAYMENT OF CONNECTION CHARGE) AND SECTION 12.03.080 (SEWERAGE CONSTRUCTION--APPROVAL OF PLAN) OF THE CARSON CITY MUNICIPAL CODE; AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Bennett seconded the motion. Motion carried 5-0.

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

A. **ACTION ON V-94/95-17 - AN APPEAL BY ROBERT WILSON OF THE PLANNING COMMISSION'S DECISION REGARDING A VARIANCE APPLICATION FROM ROBERT WILSON TO REDUCE THE MINIMUM LOT SIZE REQUIRED BY MOBILE HOME ONE ACRE (MH1A) ZONING ON THE 2.65 ACRES OF LAND LOCATED AT 1307 RABE WAY, APN 9-322-08 (PLANNING COMMISSION APPROVED 4-3-0-0) (1-1481.5)** - Principal Planner Rob Joiner outlined the Planning Commission's review of the request. A copy of the site plan was given to the Board and Clerk. The Commission's recommendation had been on the lot line adjustment, which is a staff function, and not on the request to reduce the lot sizes. The State analyzes requests for septic systems based on gross square footage. Title 18 requires staff to analyze the net square footage. Mayor Teixeira iterated his problem with considering an issue on which the Planning Commission had not voiced a recommendation particularly in view of the new evidence. He felt that any costs involved with the appeal should be rebated to the applicant. Mr. Joiner outlined what he felt Mr. Wilson's reasons for refusing to sign the decision were. He also felt that the Planning Commission was aware of its failure to act on the application. The Commission directed staff to abate the non-conforming use of the mobile home and allow the lot line adjustment. Concern was expressed that the Commission's action may be a denial and that the Commission may not wish to hear the issue again. Supervisor Ayres moved to hear the request. Supervisor Smith seconded the motion. The motion was voted by roll call with the following result: Supervisor Ayes - Yes; Smith - Yes; Tatro - No; Bennett - No; and Mayor Teixeira - No. Motion failed on a 2-3 vote.

Mr. Lipparelli advised the Board that the applicant should address the request. Darryl Reed explained the appeal, Mr. Wilson's reasons for failing to sign the decision, and his understanding of the action taken by the Commission. Mayor Teixeira explained the Board's reasons for recommending a return to the Commission. Supervisor Smith moved that the Board of Supervisors refer Item V-94/95-17 back to the Planning Commission and order the Planning Commission to make a finding regarding this item given the fact that there is new information which has entered into the equation. Supervisor Tatro seconded the motion. Discussion between Mr. Lipparelli and Mr. Reed indicated Mr. Reed understood the Board's motion to return the Item to the Planning Commission. Mr. Reed did not feel that outcome would be any different. He did not object to the return under the circumstances. The motion to return the Item to the Planning Commission and order the Commission to make a finding was voted and carried 4-1 with Supervisor Ayres voting Naye. Mayor Teixeira apologized to the audience and explained the reasons for returning the Item to the Commission.

B. **ACTION ON AB-95/96-3 - AN ABANDONMENT REQUEST FROM THE DIVISION OF STATE LANDS TO ABANDON A 66 FOOT BY 170 FOOT (APPROXIMATE) PUBLIC RIGHT-OF-WAY KNOWN AS FALL STREET, LOCATED BETWEEN PROCTOR AND MUSSER STREETS, ADJACENT TO APN'S 4-191-08, 4-191-01 AND 4-202-04 (PLANNING COMMISSION APPROVED 6-0-0-1) (1-1775.5)** - Community Development Director Walter Sullivan and Public Works Director Jay Aldean - Supervisor Tatro supported staff's recommendation. Mr. Aldean indicated the Department would analyze the traffic patterns once the parking lot is constructed. The Department was not opposed to the closure and would like to retain Plaza Street's traffic flow as one-way. Mayor Teixeira also supported staff's recommendation and noted the benefits

which would be gained from another public parking lot. He felt that the Board and staff should take the suggestion under advisement, however, it should not be a condition of approval. Supervisor Tatro moved that the Board of Supervisors approve an abandonment request from the Division of State Lands to abandon a 66 foot by 170 foot, approximate, public right-of-way known as Fall Street located between Proctor and Musser Streets, adjacent to Assessor's Parcel Numbers 4-191-08, 4-191-01, and 4-202-04, with the deletion of Condition No. 5 from the Planning Commission recommendations and that the Board direct City staff to monitor the traffic circulation in the area when the lot is constructed. Supervisor Ayres seconded the motion. Motion carried 5-0.

C. ACTION ON S-95/96-4 - A TENTATIVE SUBDIVISION MAP REQUEST FROM WILLIAM AND LOUISE GONI TO DEVELOP A 21 LOT SUBDIVISION (GONI CANYON ESTATES, UNIT 2, PHASE 3) ON APPROXIMATELY 80 ACRES OF LAND PRESENTLY ZONED SINGLE FAMILY ONE ACRE/CONSERVATION RESERVE (SF1A/CR), LOCATED EAST OF GONI ROAD AND NORTH OF AVERY ROAD, APN 8-895-20 AND 8-011-65 (PLANNING COMMISSION APPROVED 5-1-0-1) (1-1895.5) - Mr. Sullivan corrected the location of the area to be east of Goni Road. Comments were solicited but none given. Supervisor Tatro moved that the Board approve the Tentative Subdivision Map request from William and Louise Goni to develop a 21 lot subdivision, Goni Canyon Estates Unit 2, Phase 3, on approximately 80 acres of land presently zoned Single Family One Acre/Conservation Reserve located east of Goni Road and north of Avery Road on Assessor's Parcel Numbers 8-895-20 and 8-011-65. Supervisor Smith seconded the motion. Motion was voted and carried 5-0. Supervisor Tatro clarified the motion as having included "based on the findings and subject to the conditions contained in the staff report". Supervisor Smith continued his second.

D. ACTION ON S-95/96-5 - A TENTATIVE SUBDIVISION MAP REQUEST FROM ROGER SHAHEEN TO DEVELOP AN INDUSTRIAL SUBDIVISION (SHAHEEN BUSINESS PARK SOUTH) ON APPROXIMATELY 24 ACRES OF LAND PRESENTLY ZONED LIMITED INDUSTRIAL (LI), LOCATED ON THE SOUTH SIDE OF EAST COLLEGE PARKWAY, EAST OF THE PROPOSED BYPASS AND WEST OF LOMPA LANE, APN'S 2-571-01, 02, 03, 10, 17, 18, 2-572-03, 05, 06, 07, 10, 11, AND 12 (PLANNING COMMISSION APPROVED 6-0-0-1) (1-1931.5) - Glen Martel was present and represented the Applicant. Comments were solicited but none made. Supervisor Ayres moved that the Board of Supervisors approve the tentative subdivision map from Roger Shaheen to develop an industrial subdivision, Shaheen Business Park South, on approximately 24 acres of land presently zoned Limited Industrial, located on the south side of East College Parkway, east of the proposed bypass and west of Lompa Lane, Assessor's Parcel Number's 2-571-01, 02, 03, 10, 17, 18, 2-572-03, 05, 06, 07, 10, 11, and 12 based on the findings of the Planning Commission. Following a request for a modification, Supervisor Ayres continued her motion to include and subject to the conditions of approval. Supervisor Bennett seconded the motion. Motion carried 5-0.

E. ACTION ON S-90/91-4a SHADOW VALLEY SUBDIVISION - A FINAL SUBDIVISION MAP APPLICATION FROM WILLIAM KOLSTAD (FORMER OWNER - RICHARD SCOTT) TO DEVELOP A SIX (6) LOT SUBDIVISION ON APPROXIMATELY 7.53 ACRES OF LAND ZONED SINGLE FAMILY ONE ACRE (SF1A), LOCATED AT THE SOUTH SIDE OF APPION WAY BETWEEN BIGELOW AND HILLVIEW DRIVE, APN 9-211-08 (1-1968.5) - Mr. Sullivan explained that the Nevada Department of Transportation had acquired the one lot which had originally been a major concern. The Final Map has complied with all of the conditions of approval. Supervisor Tatro moved that the Board approve Phase Three of Shadow Valley Subdivision S-90/91-4a application from William Kolstad to develop a final map on approximately 7.53 acres of land zoned Single Family One Acre located on the south side of Appion Way between Bigelow and Hillview Drive, Assessor's Parcel Number 9-211-08, subject to the original findings and conditions of approval. Supervisor Ayres seconded the motion. Motion carried 5-0.

F. ORDINANCE - FIRST READING - ACTION ON A-95/96-4 - AN ORDINANCE AMENDING TITLE 18 (ZONING) OF THE CARSON CITY MUNICIPAL CODE BY AMENDING SECTION 18.82.100, PROJECT LIST--QUALIFICATIONS, PROCEDURES, ADDITIONS, REMOVALS AND OTHER MATTERS PROPERLY RELATED THERETO (PLANNING COMMISSION APPROVED 6-0-

0-1) (1-2017.5) - Supervisor Bennett moved that the Board of Supervisors introduce on first reading Bill No. 160, AN ORDINANCE AMENDING TITLE 18 (ZONING) OF THE CARSON CITY MUNICIPAL CODE BY AMENDING SECTION 18.82.100, PROJECT LIST--QUALIFICATIONS, PROCEDURES, ADDITIONS, REMOVALS, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Ayres seconded the motion. Motion carried 5-0.

15. BOARD OF SUPERVISORS - NON-ACTION ITEMS - INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (1-2085.5) - Supervisor Smith explained his resignation from the Community Council on Youth and encouraged the public to submit their applications for his position. He then apologized for his statement on the manufacturing element of the City which had been made in ignorance of their activities. He encouraged the manufacturers to work with the media on an education program to combat the misconception held by a lot of residents concerning the type of employees and pay levels at their firms. He had visited several manufacturing sites and discussed their activities with the owners/managers since he had made that statement and reiterated his statement about the need for an education program.

(1-2479.5) Supervisor Ayres reported on the status of the V&T Railway funding raising activities. She also announced the next Tri-County Railway meeting which is scheduled for November 30, Thursday, at the Storey County Senior Citizens Center in Virginia City. Supervisor Bennett explained the Carson River Advisory Committee's progress on the master plan. Her disappointment in the Governor's plan to withdraw the Hospital's disproportionate share of the Medicaid reimbursement program was explained. Her explanation included the impact of this decision on rural hospitals, the failure to notify the hospital administrators, the impact and implications this action and that of several Congressional acts would have on the Carson-Tahoe Hospital. Supervisor Ayres stressed the need to address potential cuts to other rural programs including those related to nutrition, the elderly, and the homebound. RSVP will not be able to help with additional volunteers as it, too, is facing cuts. Supervisor Bennett voiced her feeling that this was again an unfunded mandate. Mayor Teixeira noted that he had discussed this issue originally with the Governor's representatives who had committed to having the rural areas involved in the discussion/decision-making process, however, this had not occurred.

13. PARKS AND RECREATION DIRECTOR - Steve Kastens - ACTION ON RECOMMENDATIONS OF THE PARKS AND RECREATION COMMISSION FOR ALLOCATION OF THE 1995/96 RESIDENTIAL CONSTRUCTION TAX FUNDS (1-2160.5) - Mr. Kastens apologized to the applicants for having them go through the exercise before discovering funding was not available for any applications. Supervisor Smith suggested Mr. Kastens and his staff be given a year "off from projects" to catch up with the backlog of priorities. Mr. Kastens felt that the workload should not be considered as a valid reason for denying projects, however, the process would allow him to start making allocations based upon funding in hand rather than on projections. Mayor Teixeira explained the feeling experienced when Mr. Kastens had explained the lack of funding for additional projects at the Parks and Recreation Commission hearing. He directed Mr. Berkich to establish a computerized budget process to track the funding and eliminate the potential of a reoccurrence. He also encouraged the Board to support the Commission's recommendation. (During this discussion Supervisor Tatro stepped from the room--3:20 p.m. A quorum was still present.) Discussion noted the disappointment encountered when the announcement was made and supported the change to actual funding. Advantages to having subdivision developers construct park facilities were noted. Comments indicated pocket parks are discouraged. The five year capital improvement plan indicates a need for at least \$5 million in funding which buildout may provide. If the tax issue is pursued, this amount will be analyzed and projects identified. Supervisor Ayres moved that the Board of Supervisors approve the Parks and Recreation Commission recommendation that there be no allocation of Residential Construction Tax funds for 1995-96 and that any balance be rolled over over to fiscal year 1996-97 and that all applications be forwarded to next year without the applicant having to resubmit again. Supervisor Bennett seconded the motion. Motion carried 4-0-1 with Supervisor Tatro absent.

BREAK: As there was no other business to conduct until 4 p.m. a 23 minute recess was declared at 3:37 p.m. When the meeting reconvened at 4 p.m. the entire Board was present, constituting a quorum.

14. PERSONNEL DIRECTOR - Judie Fisher - ACTION ON APPOINTMENTS TO THE PARKS AND RECREATION COMMISSION (1-2696.5) - There were two - two year vacancies and four - four year terms open for appointments. All of the appointments would be effective January 1, 1996. The Board interviewed each applicants. They were: (1-3235.5) George Chapman, (2-0502.5) Ken Elverum, (1-3471.5) Robert Kennedy, (2-0278.5) Cheryl Mori-Atkinson, (2-0175.5) John Munoz, (1-2735.5) Larry Osborne, (2-0364.5) Robert Savage, (2-0068.5) Susan Scholley, (1-2960.5) Charles Wright, (1-3055.5) Joe Trinastic, and (2-0432.5) David Wyble. William "Al" Piper and Randy Pahl had withdrawn their applications. Mayor Teixeira thanked each for submitting an application. The applicants responded to questions concerning their reasons for wishing to serve on the Committee; interest; personal agendas; knowledge of the Commission, its fees and funding; priorities; potential conflict of interests; if they had the time to dedicate to the Commission; and need for another bond issue to support park facilities. At the close of the interview, Mayor Teixeira thanked each for applying. Ms. Scholley expressed her feeling that she was cognizant of the differences between Lake Tahoe, where she works, and Carson City and could separate the two and their issues. Supervisor Bennett indicated her knowledge of Ms. Scholley and feeling that she would be able to do this.

Each Supervisor then listed his/her top six candidates for the vacancies and selected six individuals. Following discussion of whom should be given the four or two year terms, each Supervisor indicated whether Chapman, Osborne, Elverum or Wright should have two or four year terms and, occasionally, reasons for this selection. Each Supervisor then indicated whether Mori-Atkinson or Wright should have the remaining two year term. Supervisor Ayres moved to appoint for four year terms Larry Osborne, George Chapman, Bob Kennedy, and Susan Scholley and for two year terms Charles Wright and Ken Elverum to the Parks and Recreation Commission. Member Smith seconded the motion. Ms. Fisher noted that the terms would commence in January. Supervisor Ayres agreed to modify the motion and Supervisor Smith continued his second. Motion carried 5-0. Clarification indicated the appointments for two applicants selected for two year terms were effective immediately due to the resignations. Ms. Fisher thanked the Board and applicants for their time.

There being no other matters for consideration by the Board, Supervisor Ayres moved to adjourn. Mayor Teixeira seconded the motion. Motion carried 5-0. Mayor Teixeira adjourned the meeting at 5:20 p.m.

The Minutes of the November 16, 1995, Carson City Board of Supervisors meeting

ARE SO APPROVED ON __December_21__, 1995.

_____/s/_____
Marv Teixeira, Mayor

ATTEST:

_____/s/_____
Alan Glover, Clerk-Recorder