

CARSON CITY BOARD OF SUPERVISORS  
Minutes of the April 20, 1995, Meeting  
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A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, April 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  
                                  Rod Bannister                     Sheriff  
                                  Al Kramer                         Treasurer  
                                  Gary Kulikowski                 Internal Auditor  
                                  Judie Fisher                       Personnel Director  
                                  Basil "Butch" Moreto             Purchasing & Contracts Director  
                                  Dorothy Timian-Palmer           Utilities Director  
                                  Paul Lipparelli                  Deputy District Attorney  
                                  John Iratcabal                  Dep. Purchasing & Contracts Dir.  
                                  Katherine McLaughlin            Recording Secretary  
                                  (B.O.S. 4/20/95 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.

Mayor Teixeira called the meeting to order at 1 p.m. Rev. Jeff Watkins of the New Beginning Christian Church requested a moment of silence in remembrance of the victims of the Oklahoma City, Oklahoma, bombing and gave the Invocation. Supervisor Tatro lead the Pledge of Allegiance. Roll call was taken. The entire Board was present constituting a quorum.

**1. APPROVAL OF MINUTES (1-0051) - None.**

**2. SPECIAL PRESENTATIONS**

**A. ACTION ON A RETIREMENT RESOLUTION FOR JAMES A. MCCAIN -** Personnel Manager Judie Fisher - Mr. McCain was not present. Supervisor Ayres moved to adopt Resolution No. 1995-R-37, A RESOLUTION COMMENDING RETIREMENT for James McCain. Supervisor Bennett seconded the motion. Motion carried 5-0. Mayor Teixeira commended Mr. McCain on his dedication.

**B. ACTION ON A PROCLAMATION FOR EARTHQUAKE AWARENESS WEEK APRIL 24-30, 1994 (1-0138) -** Following Mr. Berkich's introduction, Mayor Teixeira read the proclamation into the record. Action was not taken on the proclamation.

**CITIZENS COMMENTS (1-0191) -** Pete Bachstadt reminded the Board about the Animal Control Ordinance update which was completed last year. He then requested that the Board direct staff begin to implementing Section 7.13.030 concerning notification of the method of euthanization used at the Center. He also requested an opportunity to discuss the method and need for Carson City to begin using the statutorily required methods.

**3. LIQUOR AND ENTERTAINMENT BOARD MATTERS - TREASURER (1-0245) - Al Kramer -**

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 Sheriff Banister, constituting a quorum.

**5. ORDINANCE - FIRST READING - ACTION ON AN ORDINANCE AMENDING CHAPTER 4.13 OF THE CARSON CITY MUNICIPAL CODE (LIQUOR BOARD AND LIQUOR LICENSING AND SALES) PROVIDING FOR THE TRANSFER OF LICENSES BETWEEN LOCATIONS, SETTING THE FEES FOR TRANSFERS AND OTHER MATTERS PROPERLY RELATED THERETO** - Deputy District Attorney Lipparelli explained the procedure for modifying Liquor Ordinances. Mr. Kramer explained the ordinances. Discussion with the Board explored the reasons for the recommendations, the current and proposed fees, the Chamber of Commerce's role in the process, the time period required for investigations, the amount of an investigation which should be conducted, and revocation procedures. Member Smith did not feel that an investigation fee should be assessed against anyone opening a second establishment within five years beyond the cost for an update. Member Tatro felt that an individual who is operating a liquor establishment is well known to the Sheriff's Department and an investigation should not be required. Mr. Lipparelli explained the Chamber's suggestion which would change the requirement mandating a new license for a management change. An investigation of the manager would still be conducted. This revision was given to the Board and Clerk. Member Smith moved that the Liquor and Entertainment Board introduce Bill No. 124, an ordinance on first reading, **AN ORDINANCE AMENDING CHAPTER 4.13 OF THE CARSON CITY MUNICIPAL CODE (LIQUOR BOARD AND LIQUOR LICENSING AND SALES) TO ALLOW TRANSFER OF LICENSES BETWEEN LOCATIONS, SETTING THE FEES FOR TRANSFERS, ELIMINATING SOME NEW LICENSE FEES AND OTHER MATTERS RELATED THERETO**, with the following changes at the bottom of Page 4, Line 24, strike that line which reads: "if an investigation has been completed within one year of the date of the application for a transfer" and on Page 5, Line 1, strike the portion that says "or additional license" and also include the Revision No. 1 on Page 6 as presented by the District Attorney with the new language that is included. Member Tatro seconded the motion. Motion carried 6-0.

**A. ACTION ON FULL BAR LIQUOR LICENSE FOR INVISIBLE, INC., DOING BUSINESS AS WILD SCALLION (1-1250)** - Laurie Hohnstein explained the location. Member Bannister noted the Sheriff's Investigative Report and recommendation. Member Ayres wished her well in her new business. Member Smith moved that the Liquor and Entertainment Board approve a Liquor License for Laurie Hohnstein of Invisible, Inc., for the restaurant known as the Wild Scallion, to be located at 318 North Carson Street, Carson City, Nevada, fiscal impact is \$200 per quarter. Clarification indicated the temporary address is 110 West Telegraph Street. Member Ayres seconded the motion. Motion carried 6-0.

**B. ACTION ON FULL BAR LIQUOR LICENSE FOR THE OLD GLOBE SALOON, INC. (1-1320)** - Hector Bucchianeri explained the change in proprietors and history of the business. Member Smith moved that the Liquor and Entertainment Board approve a full bar liquor license for the Old Globe Saloon, Inc., Hector Bucchianeri proprietor, \$200 per quarter. Member Tatro seconded the motion. Motion carried 6-0.

**C. ACTION ON ORMSBY HOUSE HOTEL AND CASINO'S REQUEST TO CHANGE LIQUOR LICENSE REPRESENTATIVES (1-1365)** - A representative was present but did not speak. Member Bannister noted the Sheriff's Report. Member Ayres moved that the Board of Supervisors approve the request to change the Liquor License representative for the Ormsby House Hotel and Casino to Mr. John J. Keating as the Liquor License representative. Member Smith seconded the motion. Following a request for a correction to the motion, Member Ayres corrected her motion to reflect that the Liquor and Entertainment Board would approve the request. Member Smith continued his second. Discussion explained the licensing requirements for and the term liquor license representative. Motion carried 6-0.

**D. ACTION ON REVOCATION OF ALL DELINQUENT LIQUOR LICENSES (1-1495)** - Member Smith moved that the Liquor and Entertainment Board revoke the Liquor License for the New Pine Cone Restaurant located at 3449 South Carson Street. Member Ayres seconded the motion. Motion carried 6-0.

- E. CONSENT AGENDA**
- i. ACTION ON SPECIAL EVENT SHORT-TERM PERMIT FOR NEVADA EASTER SEAL WITH WAIVER OF THE \$50 PROMOTER FEE WITH APPROVAL OF THE \$2 PER BOOTH FEE**
  - ii. ACTION ON SPECIAL EVENT SHORT-TERM PERMIT FOR ODYSSEY ANTIQUE SHOW PRODUCTIONS WITH APPROVAL OF THE \$2 BOOTH FEE**
  - iii. ACTION ON THREE ENTERTAINMENT AND THREE SPECIAL EVENT SHORT-TERM BUSINESS PERMITS WITH WAIVERS OF THE PERMIT, APPLICATION AND PROMOTER FEES FOR THE RETIRED SENIOR VOLUNTEERS PROGRAM (1-1535) - Member Tatro moved that the Liquor and Entertainment Board approve the Consent Agenda as presented. Member Bennett seconded the motion. Motion carried 6-0.**

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

- 4. CONSENT AGENDA**
- A. TREASURER - ACTION ON REINSTATEMENT OF REVOKED BUSINESS LICENSES**
  - B. CLERK-RECORDER - ACTION ON A RESOLUTION AUTHORIZING THE DESTRUCTION OF PUBLIC WORKS SITE FILES**
  - C. PUBLIC WORKS DIRECTOR - ACTION TO APPROVE CHANGE ORDER NO. 5 AND 6 TO CONTRACT NO. 9495-55, THE BUTTI WAY CULVERT PROJECT, FOR A NET INCREASE IN THE AMOUNT OF \$14,503.80**
  - D. PURCHASING DIRECTOR**
    - i. ACTION ON CONTRACT NO. 9495-031 - PUBLIC SAFETY COMPLEX MASTER PLAN, CONTRACT APPROVAL**
    - ii. ACTION ON CONTRACT NO. 9495-106 - VOLTAIRE WATER MAIN PROJECT, FINAL PAYMENT**
    - iii. ACTION ON CONTRACT NO. 9495 - DISPOSAL OF 1964 WISCONSIN TRAILER AND OTHER MISCELLANEOUS ITEMS (1-1565) - Mayor Teixeira requested Item D. i., Contract 9495-031, be pulled for an indepth discussion. Supervisor Tatro moved that the Board approve the Consent Agenda as presented with the exception of deleting Contract 9495-031, Public Safety Complex Master Plan Contract Approval, from the Consent Agenda and including Resolution No. 1995-R-38, A RESOLUTION AUTHORIZING THE DESTRUCTION OF PUBLIC WORKS SITE FILES. Supervisor Bennett seconded the motion. Motion carried 5-0.**

**D. i.** Deputy Purchasing and Contracts Director John Iratcabal explained the firm's name change. Capital Projects Advisory Committee Chairperson Gary Sheerin responded to questions concerning procedures should an impasse arise between the Consultant and his Committee on the direction which should be taken, the number of beds required for the jail, the purpose of the master plan for the complex, and funding for the Complex. Supervisor Tatro moved that the Board accept the Purchasing Department's recommendation for Contract 9495-031 and authorize the Mayor to sign the agreement to DMJM Keeting, 3250 Wilshire Boulevard, Los Angeles, CA 90010 for a not to exceed cost of \$88,450; funding source is Capital Facilities Fund, with changes to the agreement as presented to make a name change on Pages 1 and 12. Supervisor Ayres seconded the motion. Motion carried 5-0.

**CITIZEN COMMENTS (1-2121) - Mr. Sheerin supported the Board's position on the Complex and the Committee's efforts to negotiate with the Consultant. Mayor Teixeira indicated the issues would be agendized for the next meeting if the impasses are not addressed.**

- 6. HOUSING AUTHORITY - Basil "Butch" Moreto**

**A. ACTION ON CITY MANAGER'S RECOMMENDATION FOR THE APPOINTMENT OF THE CITIZENS FOR AFFORDABLE HOMES, INC., AS CONTRACTOR TO ADMINISTER THE CITY'S FIRST TIME HOMEBUYER PROGRAM, WITH THE CITY RETAINING OVERSIGHT AND HUD HOME FUNDS DRAWDOWN FUNCTIONS (1-2185)** - Mr. Moreto modified the request to include "and other HUD Home Eligible Projects". The City would still oversee the program. Citizens for Affordable Homes, Inc., Executive Director Cheryl Blomstrom defined the program. Ms. Blomstrom indicated the subsidy may be reduced to \$5,000 per applicant in order to reach more individuals. This issue will be considered at a future meeting. Mayor Teixeira commended them on the program and its success. Supervisor Ayres moved that the Board of Supervisors approve for appointment the Citizens for Affordable Homes, Incorporated, as contractors to administer the City's First Time Homebuyer Program and other HUD Home eligible projects and authorize the City Manager to sign on behalf of Carson City and approval of Contact No. 9495-215. Supervisor Smith seconded the motion. Motion was voted and carried 5-0.

Mr. Moreto introduced Cheryl Blomstrom and explained her role in the program.

**B. ACTION ON HOUSING AUTHORITY RECOMMENDATION TO AMEND OR REVISE THE CARSON CITY FIRST TIME HOME BUYER PROGRAM TO INCORPORATE CHANGES DUE TO THE APPOINTMENT OF THE CITIZENS FOR AFFORDABLE HOMES, INC., AS CONTRACTOR TO ADMINISTER THE PROGRAM (1-2440)** - Mr. Moreto and Mr. Berkich discussed with the Board the proposal to reduce the funding level for participants to \$5,000. Concern was expressed that the proposal would eliminate a successful program as the participants would not be able to accomplish as much as before. The modification was a State proposal and the Board did not have to approve the change. Mayor Teixeira felt that the program had the flexibility necessary to allow the contractor to use up to \$10,000 in funds for any participant. Supervisor Tatro moved that the Board approve Contract 9495-215 entitled Agreement with the Citizens for Affordable Homes, Inc., to administer the Carson City First Time Home Buyer Program and other HUD Home Eligible Projects and authorize the City Manager to sign on behalf of the City, fiscal impact is a loss of \$16,000 in annual project administration funds and a gain of \$5,000 for monitoring, funding source is HUD Home Grant Funds. Supervisor Smith seconded the motion. Motion carried 5-0. Discussion noted this motion had been made and approved previously.

Supervisor Tatro then moved that the Board approve a revision to the Carson City First Time Homebuyer Program, initially approved by the Board of Supervisors on January 6, 1994, to incorporate changes due to the appointment of the Citizens for Affordable Homes, Inc., as contractor to administer the City's First Time Homebuyer Program, fiscal impact is that the Nevada Housing Division has allocated \$5,000 for tracking and monitoring expenses; funding source is HUD Home Grant Funds for Fiscal Year 94-95. Supervisor Bennett seconded the motion. The motion was voted and carried 5-0.

**7. CHIEF PROBATION OFFICER - Bill Lewis - ACTION ON APPROVAL OF THE CARSON CITY JUVENILE PROBATION DEPARTMENT TO RECEIVE FEDERAL GRANT FUNDS DURING THE 1995-96 FISCAL YEAR FROM THE OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION (1-2803)** - Supervisor Tatro moved that the Board of Supervisors approve the Carson City Juvenile Probation Department to receive Federal grant funds during the 1995-96 Fiscal Year from the Office of Juvenile Justice and Delinquency Prevention; fiscal impact is revenues for the purchase of services in the amount of \$22,731; funding source is the Office of Juvenile Justice and Delinquency Prevention funds through the State of Nevada. Supervisor Bennett seconded the motion. Motion carried 5-0.

**8. PUBLIC WORKS DIRECTOR - City Engineer Tim Homann - ORDINANCE - SECOND READING - ACTION ON BILL NO. 118 - AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND THOMAS S. AND HELEN M. BEEN, REGARDING ASSESSOR'S PARCEL NO. 9-226-01 LOCATED AT 159 ARTHUR STREET, CARSON CITY, NEVADA (1-2862)** - Supervisor Tatro moved to adopt Bill No. 118 on second reading, Ordinance No. 1995-20, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND THOMAS S. AND

HELEN M. BEEN, REGARDING ASSESSOR'S PARCEL NO. 09-226-01 LOCATED AT 159 ARTHUR STREET, CARSON CITY, NEVADA. Supervisors Bennett and Smith seconded the motion. Motion carried 5-0.

**9. UTILITIES DIRECTOR - Dorothy Timian-Palmer**

**A. ACTION ON FUNDING OF \$16,627.54 BY THE NEVADA DIVISION OF ENVIRONMENTAL PROTECTION TO CARSON CITY FOR HOUSEHOLD HAZARDOUS WASTE COLLECTION AND PUBLIC EDUCATION (1-2905)** - Supervisor Bennett noted that the coming week is Carson Pride and Revitalization Week. Ms. Timian-Palmer explained the current Household Hazardous Waste Disposal procedures. Supervisor Smith moved that the Board approve and authorize the Mayor to sign the attached Interlocal Contract between the Nevada Division of Environmental Protection and Carson City for funding to continue the operation of Carson City's Household Hazardous Waste Collection Facility with emphasis on public education. Supervisor Bennett seconded the motion. Mr. Lipparelli explained an agendaizing problem regarding this item. As the Agenda did not indicate the request was for an interlocal contract approval, Supervisor Smith withdrew his motion and Supervisor Bennett withdrew her second. Supervisor Smith then moved that the Board approve the funding of \$16,627.54 but not the approval of the interlocal agreement at this time. Supervisor Ayres seconded the motion. Motion carried 5-0.

**B. ORDINANCES - SECOND READING**

**i. ACTION ON BILL NO. 119 - AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND VICTOR L. MCDONALD AND THE WIPFLI FAMILY AGREEMENT OF FEBRUARY 17, 1993 (1-3108)** - Supervisor Ayres moved to adopt Ordinance No. 1995-21 on second reading, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND VICTOR L. MCDONALD AND THE WIPFLI FAMILY AGREEMENT OF FEBRUARY 17, 1993, REGARDING ASSESSOR'S PARCEL NO. 004-231-002 LOCATED AT 511 EAST ROBINSON STREET, CARSON CITY, NEVADA, FOR SEWER MAIN REPLACEMENT. Supervisor Bennett seconded the motion. Supervisor Ayres continued her motion to include fiscal impact \$22,869.53 and funding source is 515 - Replacement. Supervisor Bennett continued her second. Motion carried 5-0.

**ii. ACTION ON BILL NO. 120 - AN ORDINANCE APPROVING A WATERLINE REIMBURSEMENT AGREEMENT BETWEEN CARSON CITY AND DGC CONSTRUCTION, INC. (1-3179)** - Supervisor Bennett moved that the Board adopt on second reading Ordinance No. 1995-22, AN ORDINANCE APPROVING A WATERLINE REIMBURSEMENT AGREEMENT BETWEEN CARSON CITY AND DGC CONSTRUCTION, INC., REGARDING ASSESSOR'S PARCEL NUMBERS 009-041-01, 009-041-02, AND 009-041-03 LOCATED AT 2638, 2642, AND 2656 BOYLE STREET, CARSON CITY, NEVADA, FOR WATER MAIN CONSTRUCTION. Supervisor Tatro seconded the motion. Motion carried 5-0.

**iii. ACTION ON BILL NO. 121 - ORDINANCE APPROVING A WATERLINE REIMBURSEMENT AGREEMENT BETWEEN CARSON CITY AND GARY AND JODI LIEBHARD (1-3247)** - Supervisor Bennett moved that the Board adopt on second reading Ordinance No. 1995-23, AN ORDINANCE APPROVING A WATERLINE REIMBURSEMENT AGREEMENT BETWEEN CARSON CITY AND GARY AND JODI LIEBHARD REGARDING ASSESSOR'S PARCEL NO. 9-151-38 LOCATED AT 509 MOSES STREET, CARSON CITY, NEVADA, FOR WATER MAIN CONSTRUCTION. Supervisor Ayres seconded the motion. Motion carried 5-0.

**iv. ACTION ON BILL NO. 122 - AN ORDINANCE APPROVING A WATERLINE REIMBURSEMENT AGREEMENT BETWEEN CARSON CITY AND HARRIE H. AND GAIL A. SNELLING (1-3295)** - Supervisor Bennett moved that the Board adopt on second reading Ordinance No. 1995-24, AN ORDINANCE APPROVING A WATERLINE REIMBURSEMENT AGREEMENT BETWEEN CARSON CITY AND HARRIE H. AND GAIL A. SNELLING REGARDING ASSESSOR'S PARCEL NO. 9-302-09 LOCATED AT 800 OLD CLEAR CREEK ROAD, CARSON CITY, NEVADA, FOR WATER MAIN

CONSTRUCTION. Supervisor Ayres seconded the motion. Motion carried 5-0.

**10. COMMUNITY DEVELOPMENT DIRECTOR - Principal Planner Rob Joiner and Senior Planner Juan Guzman**

**A. ACTION ON S-93/94-8 - A FINAL MAP SUBDIVISION APPLICATION FROM LANDMARK HOMES (JIM BAWDEN) TO DEVELOP A 27 PARCEL SUBDIVISION SOUTH POINTE, PHASE I, ON APPROXIMATELY 8.97 ACRES OF LAND ZONED SINGLE FAMILY ONE ACRE (SF1A) AND SINGLE FAMILY 6,000 (SF6000), LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF KOONTZ LANE AND SILVER SAGE DRIVE, APN 9-12-115 (1-3349) -** Mr. Homann discussed with the Board the drainage improvements required for this subdivision, Lot 18, and the drainage improvements needed for the area. Mr. Homann indicated there are contingency drainage plans being designed to address the area problem. He then introduced Landmark Homes Representative Kip. Mr. Kip indicated he would have the design submitted to the City within two weeks for the south side of Koontz. The detention facility is included in these drawings. Mr. Berkich indicated he had been negotiating with Mr. Kip on this situation. Supervisor Tatro moved that the Board of Supervisors approve S-93/94-8, a final subdivision map application from Landmark Homes to develop a 27 parcel subdivision, South Pointe, Phase I, on approximately 8.97 acres of land zoned Single Family 6,000 and Single Family 1 Acre located at the northeast corner of the intersection of Koontz Lane and Silver Sage Drive on Assessor's Parcel Number 9-121-15 subject to the original findings and conditions of approval. Supervisor Bennett seconded the motion. Motion carried 5-0.

**B. ACTION ON S-94/95-2 - FINAL MAP SUBDIVISION APPLICATION FROM IRON MOUNTAIN ACQUISITION COMPANY (RICHARD SCOTT) TO DEVELOP AN EIGHT PARCEL SUBDIVISION, VALLEY VISTA II, ON APPROXIMATELY 1.39 ACRES OF LAND ZONED MULTI-FAMILY APARTMENT, LOCATED EAST OF THE INTERSECTION OF PHEASANT DRIVE AND MOCKINGBIRD DRIVE, APN 10-351-37 (FORMERLY 10-351-29) (2-0330) -** Mr. Guzman detailed the reasons for requesting a continuance. Supervisor Smith moved to continue S-94/95-2, a final subdivision map application from Iron Mountain Acquisition Company until the requirements of the Public Works Department have been satisfied at which time it will be brought back to the Board of Supervisors for action. Supervisor Bennett seconded the motion. Motion carried 5-0.

**C. ACTION ON A-94/95-3 - ADOPTION OF A RESOLUTION ADOPTING AN AMENDMENT TO THE HILLSIDE DEVELOPMENT MANUAL CHANGING THE FORMULA USED FOR THE COMPUTATION OF SLOPES ON PARCEL MAPS AND SUBDIVISION MAPS (2-0270) -** Public comments were solicited but none made. Supervisor Bennett moved that the Board of Supervisors adopt Resolution A-94/95-3, adopting an amendment to the Hillside Development Manual changing the formula used for the computation of slopes on parcel and subdivision maps. Supervisor Ayres seconded the motion. Following a request for an amendment, Supervisor Bennett modified her motion to include Resolution No. 1995-R-39. Supervisor Ayres continued her second. The motion was voted and carried 5-0.

**D. PLANNING COMMISSION REVIEW AND APPEAL MATTERS - ACTION ON Z-94/95-13 - ADOPTION OF A RESOLUTION TO CLARIFY ANY AMBIGUITY WITH REGARD TO THE ZONING MAP DESIGNATION OF TWO PARCELS OF LAND LOCATED IN CARSON CITY ON SOUTH CARSON STREET AND MORE PARTICULARLY KNOWN AS ASSESSOR'S PARCEL NUMBERS 9-052-05 AND 9-052-06 (PLANNING COMMISSION APPROVED 7-0-0-0) (2-0315) -** Supervisor Ayres moved that the Board of Supervisors adopt Resolution No. 1995-R-40, A RESOLUTION TO CLARIFY ANY AMBIGUITY WITH REGARD TO THE ZONING MAP DESIGNATION ON TWO PARCELS OF LAND LOCATED IN CARSON CITY ON SOUTH CARSON STREET AND MORE PARTICULARLY KNOWN AS ASSESSOR'S PARCEL NUMBERS 9-052-05 AND 9-052-06. Supervisor Bennett seconded the motion. Motion carried 6-0.

**E. ORDINANCE - FIRST READING - ACTION ON Z-94/95-12 - AN ORDINANCE EFFECTING A CHANGE OF LAND USE REQUEST FROM STANTON PARK DEVELOPMENT TO CHANGE THE LAND USE FROM MOBILE HOME 6,000 (MH6000) TO SINGLE FAMILY 6,000 (SF6000) ON APPROXIMATELY 31.61 ACRES OF LAND LOCATED SOUTH OF HOT SPRINGS ROAD AND EAST OF ROOP STREET, A PORTION OF ASSESSOR'S PARCEL NO. 2-101-60 (FORMERLY KNOWN AS ASSESSOR'S PARCEL NUMBER 2-101-58), AND OTHER MATTERS PROPERLY RELATED THERETO (2-0372)** - Public comments were solicited but none made. Supervisor Bennett moved to introduce Bill No. 125 on first reading, AN ORDINANCE EFFECTING A CHANGE OF LAND USE REQUEST FROM STANTON PARK DEVELOPMENT TO CHANGE THE LAND USE FROM MOBILE HOME 6,000 (MH6000) TO SINGLE FAMILY 6,000 (SF6000) ON APPROXIMATELY 31.61 ACRES OF LAND LOCATED SOUTH OF HOT SPRINGS ROAD AND EAST OF ROOP STREET, A PORTION OF ASSESSOR'S PARCEL NUMBER 2-101-60 (FORMERLY ASSESSOR'S PARCEL NUMBER 2-101-58), AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Ayres seconded the motion. Motion carried 5-0.

**F. ORDINANCE - SECOND READING - ACTION ON BILL NO. 123 - AN ORDINANCE EFFECTING A CHANGE OF LAND USE DISTRICT ON ASSESSOR'S PARCEL NUMBERS 8-011-70 AND 8-011-77 FROM CONSERVATION RESERVE (CR) TO SINGLE FAMILY ONE ACRE (SF1A) ON APPROXIMATELY 4.00 ACRES OF LAND LOCATED NORTH OF U.S. HIGHWAY 395 AND WEST OF IMUS ROAD (2-0419)** - Public comments were solicited but none made. Supervisor Smith moved to adopt Ordinance No. 1995-25 on second reading, AN ORDINANCE EFFECTING A CHANGE OF LAND USE DISTRICT ON ASSESSOR'S PARCEL NUMBERS 8-011-70 AND 8-011-77 FROM CONSERVATION RESERVE (CR) TO SINGLE FAMILY ONE ACRE (SF1A) ON APPROXIMATELY 4.00 ACRES OF LAND, LOCATED NORTH OF U.S. HIGHWAY 395 AND WEST OF IMUS ROAD. Supervisor Bennett seconded the motion. Motion carried 5-0.

BREAK: A five minute recess was declared at 2:45 p.m. When the meeting reconvened at 2:50 p.m. the entire Board was present constituting a quorum.

**11. PERSONNEL MANAGER - Judie Fisher**

**A. ACTION ON APPROVAL OF SPECIAL SALARY ADJUSTMENT IN THE APPOINTMENT OF PUBLIC HEALTH SPECIALIST II (2-0465)** - Supervisor Tatro suggested the policy of having any salary adjustments over five steps be reconsidered by the Board as he felt the City Manager should have this discretion. Supervisor Tatro moved that the Board approve the salary adjustment for the candidate with superior qualifications to Public Health Specialist II based on the recommendations of the Personnel Manager, the City Manager, and the Utilities Director. Supervisor Bennett seconded the motion. Motion carried 5-0.

**B. ORDINANCE - FIRST READING - ACTION ON AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE 2.04.400 (PUBLIC OFFICERS) ADDING BAILIFF-JUSTICE OF THE PEACE, WARRANTS OFFICER, INTELLIGENCE OFFICER, DEPUTY PUBLIC WORKS DIRECTOR, CARSON CITY HEALTH OFFICER, CHIEF DEPUTY SHERIFF AND DELETING CITY ENGINEER, PUBLIC HEALTH MANAGER AND ASSISTANT SHERIFF (2-0525)** - Discussion indicated the positions were already authorized. With the exception of the Justice of the Peace-Bailiff, the modifications were all restructuring. Supervisor Smith moved that the Board of Supervisors introduce on first reading Bill No. 126, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE 2.04.400 (PUBLIC OFFICERS) ADDING BAILIFF-JUSTICE OF THE PEACE, WARRANTS OFFICER, INTELLIGENCE OFFICER, DEPUTY PUBLIC WORKS DIRECTOR, CARSON CITY HEALTH OFFICER, CHIEF DEPUTY SHERIFF AND DELETING CITY ENGINEER, PUBLIC HEALTH MANAGER, AND ASSISTANT SHERIFF. Supervisor Ayres seconded the motion. Mayor Teixeira commended Sheriff Bannister for activating the warrants officer position. Ms. Fisher indicated these positions may generate a savings for the City. The motion to introduce Bill 126 on first reading was voted and carried 5-0.

**12. DISTRICT ATTORNEY - Noel Waters**

**A. ACTION TO APPROVE AN APPLICATION FOR FEDERAL FUNDING UNDER THE ANTI-DRUG ABUSE ACT OF 1988 FOR EQUIPMENT AND SOFTWARE APPLICATIONS TO ESTABLISH UNIFIED CRIMINAL JUSTICE INFORMATION SYSTEM FOR CARSON CITY'S SHERIFF DEPARTMENT, JUSTICES AND MUNICIPAL COURTS, DISTRICT ATTORNEY, PUBLIC DEFENDER AND DISTRICT COURTS AND MATTERS PROPERLY RELATED THERETO (2-0650) -**

A copy of the complete application was given to the Clerk and Board. Automation Services Director Bill Naylor explained that the Departments were included in the SPAN priority program and that another grant was being submitted for additional funding. Mr. Waters indicated that any funding obtained by the grant and/or from the General Fund would be stretched as far as possible. He also thanked Automation for its assistance in drafting the proposal. Supervisor Ayres moved that the Board approve as submitted an application for funding by the Consolidated Municipality of Carson City on behalf of the Carson City Sheriff's Office, Justice Courts, Municipal Courts, District Attorney, First Judicial District Court and State Public Defender's Office for equipment, communication lines and application software to establish a unified criminal justice information system, and to authorize the Mayor of Carson City to endorse documents and certified assurances required for the awarding of funds made available under the Anti-Drug Abuse Act of 1988, fiscal impact: Programmed local and state funds used as cash matching funds for Federal program funding; no additional local funds are sought; funding source: 25 percent local/state match and 75 percent Federal funding under Byrne Act Formula Grant Program; Federal funds being sought are \$451,824, Carson City - \$150,609, for a total of \$602,433. Supervisor Tatro seconded the motion. Motion carried 5-0.

**B. ACTION ON LETTER OF INTENT BETWEEN CARSON CITY AND STANTON PARK DEVELOPMENT STATING THE INTENT OF THE PARTIES FOR THE USE OF A PORTION OF RIVERVIEW PARK FOR WETLANDS MITIGATION (2-0942) -**

Mr. Lipparelli explained the requests and letter of intent. (2-1129) Mayor Teixeira explained for Evelyn Single the Army Corps of Engineers' determination that there were wetlands on the Darling Ranch. The proposal would remove the liability for this wetlands by transferring it to the developer. True wetlands would be created in another area. Ms. Single felt that there is a wetland area in Riverview Park now which should be maintained. She did not feel that the proposal was a fair exchange. Mayor Teixeira explained the requirements to transfer the wetlands. The 19 "structures" which Ms. Single was concerned about were explained as being on the north side of the wetlands. (2-1268) Dwight Millard explained the area where the wetlands are located and the mitigations required by the Corps. He would enhance Riverview Park to help meet some of the mitigation requirements. The homes are to be constructed on the bluff away from the wetlands. Some of the golf course will include the wetlands. Also, he would be dedicating approximately 50 acres for a river corridor to the City. Supervisor Bennett indicated there would be a public meeting on April 25 on the mitigation plan for Riverview Park and invited Ms. Single to attend. Ms. Single thanked the Board for its decision to not require residents to pay the connection fees in the New Empire area. Supervisor Bennett moved that the Board of Supervisors approve the letter of intent between Carson City and Stanton Park stating the intent of the parties for the use of a portion of Riverview Park for wetlands mitigation. Supervisor Tatro seconded the motion. Motion carried 5-0.

**C. ACTION ON LETTER OF INTENT BETWEEN CARSON CITY AND STANTON PARK DEVELOPMENT STATING THE INTENT OF THE PARTIES FOR THE EXCHANGE OF PROPERTY NEAR THE RIVER AND AN EFFLUENT AGREEMENT (2-1378) -**

Mr. Lipparelli then outlined the request and the negotiations. The draft effluent agreement was explained. Copies of the draft were distributed to the Board and Clerk. The Board could not act on the agreement due to the Open Meeting requirements. If the Board should support the agreement, however, the original letter of intent would not be submitted. Mr. Lipparelli also distributed a revised letter of intent to the Board and Clerk. The revised letter of intent would be signed if the Board approves. The negotiating team was explained. Terms of the effluent agreement concerning the cost for the original 500 acre feet and amounts over that were explored. The original 500 acre feet of effluent would be given gratis until 2004. Stanton Park would then be assessed the same fee as any other effluent user. Terms of the original agreement were noted. Mr. Lipparelli thanked Stanton Park representatives for their cooperation in

negotiating the effluent agreement. Supervisor Bennett also commended Mr. Lipparelli on his commitment and dedication to the negotiations. **Supervisor Bennett then moved that the Board of Supervisors approve a letter of intent between Carson City and Stanton Park Development stating the intent of the parties to exchange property near the Carson River. Supervisor Smith seconded the motion.** (2-1765) Stanton Park Representative Dwight Millard requested an amendment to correct Item 2 to be along the Carson Creek Diversion Ditch rather than the Mexican Ditch. He also requested that Item 2 clarify that the property which Carson City will receive from Stanton Park Development will have deed restrictions on it for preservation. Mr. Lipparelli agreed. Mr. Millard then stated for the record that Stanton Park agreed to the effluent agreement in concept. Mr. Lipparelli gave him a copy of the draft agreement. **Supervisor Bennett modified her motion to include the correction in Paragraph 2 from the Carson Creek Diversion and that the agreement will include deed restrictions for the 13 acres of property. Supervisor Smith seconded the motion. Motion carried 5-0.**

**13. CITY MANAGER - John Berkich**

**A. ACTION ON A MODIFICATION OF THE CONDITIONAL WAIVER OF BUILDING PERMIT COSTS FOR THE REHABILITATION OF THE CASA DEL VISTA APARTMENT COMPLEX FOR AFFORDABLE HOUSING (2-1826)** - Homestead Developers of Boise, Idaho, President Tom Mannschreck - Mayor Teixeira expressed his dismay at the loss of five points which was tied to the \$1,000 credit of fees. Mr. Mannschreck indicated this was the first time Nevada had a point/grading system. Without the waiver, the HUD program would be lost and the project abandoned. Additional comments were solicited but none made. **Supervisor Bennett moved that the Board of Supervisors modify the conditional waiver of the building permit costs for the rehabilitation of the Casa Del Vista Apartment Complex for affordable housing subject to the developer reimbursing the City should the tax credit not be awarded in an amount not to exceed \$1,000. Supervisor Tatro seconded the motion.** Supervisor Smith restated his reasons for voting against the project originally - that the City should not be in the business of rolling out the red carpet for this type of thing, which he felt the City was doing in view of the investment being made in a project costing over \$400,000. Supervisor Bennett questioned whether the City's Master Plan included a cap on the amount of affordable housing which would be allowed in the City. When Mr. Berkich informed her that the Master Plan did not include this provision, she indicated a desire to have it included. She acknowledged the need for affordable housing but felt that it should be balanced. Supervisor Ayres felt that the Master Plan should include the facts that the area was attracting more senior citizens than any other area and that they need affordable housing. **The motion to modify the conditional waiver of \$1,000 of the building permit costs for rehabilitation of Casa Del Vista Apartment Complex for affordable housing subject to reimbursement if the tax credit is not awarded was voted by roll call with the following result: Tatro - Yes; Ayres - Yes; Smith - No; Bennett - Yes; and Mayor Teixeira - Yes. Motion carried 4-1.**

**B. ACTION TO ACCEPT TCI'S REFUND CALCULATION AND PLAN BASED ON RESOLUTION NO. 1994-R-82 APPROVED ON OCTOBER 20, 1994 (2-2084)** - Administrative Assistant Liz Hernandez and TCI District Manager Carol Eure - The rates had been reviewed by Consultant Sue Buskey and determined to be over the amount allowed. The refund amounts to \$7.53 per user. Credits would be issued on the users' bills. Individuals no longer using the service who have valid addresses will be contacted. Notices would be carried in the media requesting anyone who may have moved to contact TCI for a refund. The refunds would include six percent in interest. Supervisor Bennett moved that the Board of Supervisors accept TCI's refund and calculation plan based on Resolution No. 1994-R-82 approved on October 20, 1994, and authorize the Mayor to sign a letter certifying that Carson City has been afforded the opportunity to review the methodology and finds that TCI has met the refund requirements by applicable law as well as the requirements of Carson City. Supervisor Ayres seconded the motion. Motion carried 5-0.

**C. ACTION TO APPROVE IN CONCEPT THE PROCESS TO BE USED IN COMPLETING THE FINAL DESIGN OF THE CARSON CITY BYPASS (2-2360)** - NDOT Deputy Director Ron Hill and Assistant Director of Engineering Jim Dotson - Mr. Berkich reviewed his status report and recommendation to contract with NDOT for the Bypass' design. Copies of NDOT Director Thomas E. Stephens' letter of commitment

to designing the project were distributed to the Board and Clerk. Discussion between the Board and Mr. Hill explored the funding committed to date, the different studies which must be completed before the project can be finalized, Brien B. Walters' letter of opposition to having NDOT design the project, NDOT's offer to design the project, whether the NDOT staff could provide an unbiased design in view of its support for the freeway, and the team which would be assigned to Carson City's project.

(2-3175) Nevada Infrastructure Improvement Corporation (NIIC) Chairperson Steve Bilyeu introduced NIIC Member Art Hannafin and reviewed NIIC's role in the Bypass project. He urged the Board to retain as much control as possible over the project as the project's priority level, the ability to cut costs, and the temporary Bypass concept could be maintained. A majority of the funding is from Carson City. He questioned who would be Carson City's advocate at NDOT in view of the personnel turnovers. He requested a timetable be established and maintained for the design work. All financial commitments made to date, i.e., delay of the right-of-way repayment requirements, should be maintained. The temporary Bypass presents a viable solution to the City's current traffic problem. He urged the Board to act to expedite the Bypass. Supervisor Smith noted the need for the Board to resolve the political issue concerning the opposition's view that a freeway would never be a reality if the Bypass is constructed in the corridor. He suggested a study be undertaken of this question in view of the costs and requirements mandated at the time reconstruction occurs. (3-0172) Sam Lompa felt that other arterials would relieve the traffic congestion without the Bypass. The gas tax should be implemented and used to construct a freeway in phases. Once construction occurs in the corridor, another project would never be undertaken.

Mr. Berkich pointed out that the ultimate freeway/bypass would be an NDOT project which NDOT would have to approve. He expressed a desire to design the project as efficiently as possible. Supervisor Bennett supported Mr. Bilyeu's recommendation that the City maintain control over the project. The City should be the project's advocate as the majority of the funds were from the City. The City should select an engineering firm with/without NDOT through the RFP process. Supervisor Smith urged the Board to discuss the temporary versus permanent issue and expressed his concern regarding the funding commitment for NDOT's work if the project is abandoned. The "final flaw/fatal flaw" approach, the studies which need to be defined and performed, timeframes for those studies, and the funding commitment were discussed at length among the Board, Mr. Berkich, and Mr. Hill. This discussion indicated the construction timetable would be shortened if the studies and design are done at the same time. If a "fatal flaw" is determined in the studies, the costs may be reduced if the design is done after the studies are completed. Mayor Teixeira recommended the City staff continue to work in coordination with NDOT to complete the necessary data so that a better definitive decision can be made including an approximately cost range and options. Final design could then be performed. Carson City is not responsible for these studies and their costs. Federal projects are not allowed to begin until at least the environmental assessments are completed. The State constantly designs projects involving local, developer/private, and State funding. Carson City was unique in that the "Q" funds were being deferred. Supervisor Tatro moved to direct staff to continue working with NDOT on the studies; once the data has been gleaned, staff is to return for additional direction, and design is to be delayed until there is more data. Supervisor Smith seconded the motion. Clarification indicated staff could continue working on the development agreement and that the first report is due in August. The motion to direct staff to continue working with NDOT and delay the design until the studies are complete was voted and carried 5-0.

Mayor Teixeira expressed an intent for the City to continue to work and cooperate with NDOT on the project as had been occurring.

**D. DISCUSSION AND POSSIBLE ACTION REGARDING CLARIFICATION OF CERTAIN PROVISIONS OF THE GOLF PROFESSIONAL'S CONTRACT (3-0805) -** Golf Pro Gary Bushman and his Attorney Mike Pavlakis - Discussion included the past history on acquisition of these supplies, the contract, staff's recommendation, the media's coverage of the conflict, the demand for and use of the courses, improvements which have been made, need for continued cooperation and coordination of activities, the need for improved communications, and the Golf Courses Advisory Committee's lack of involvement in the issues. Mayor Teixeira commended Mr. Bushman, his staff, and the Golf Course employees on the courses. The residents have a good deal there. Privatization will be discussed in the following item. The conflict was over approximately \$9,000 in

supplies which had traditionally been paid by the City. Supervisor Tatro apologized to Mr. Pavlakis for losing his temper. Supervisor Tatro moved that the Board direct City staff to continue to pay for the supplies as has been the practice versus the contract and to put that as an item for negotiations during the contract renewal or whatever may fall.... Supervisor Smith seconded the motion. Motion was voted and carried 5-0. Mayor Teixeira thanked Mr. Bushman for his presentation and expressed the hope that the "good times were ahead of us".

**E. DISCUSSION AND POSSIBLE ACTION ON EXPANDING THE SCOPE OF THE GOLF COURSE ADVISORY COMMITTEE'S TASK FORCE ON PRIVATIZATION (3-1752)** - Supervisor Smith outlined the Board's previous action to have the Golf Course Committee analyze alternative management programs for the courses including privatization. Various options were noted. Golf Course Advisory Committee Chairperson Byrne had formed an ad hoc committee to analyze the proposal. Supervisor Bennett suggested the analysis include pros and cons for each style/option. Mayor Teixeira felt that this report would not be completed for at least two months. (3-2015) Golf Course Advisory Vice Chairperson Gary Sheerin explained the Committee's request to have a joint meeting and establish the parameters of the study. The Committee had already researched a proposal on privatization which had been fruitless as well as frustrating. Due to the time required for each alternative, he questioned the direction/options which were to be studied. The Board agreed to have a joint meeting but no formal action was taken. The matter was to be agendaized for a future meeting.

#### **14. BOARD OF SUPERVISORS**

##### **B. NON-ACTION ITEMS**

**i. ACTION ON APPOINTMENT TO THE TRICOUNTY RAILWAY COMMISSION (3-1960)** - Supervisor Bennett moved that the Board of Supervisors reappoint Supervisor Smith to the Tri-County Railway Commission. Supervisor Ayres seconded the motion. Motion was voted and carried 5-0.

**ii. DISCUSSION AND ACTION ON CARSON CITY'S LEGISLATIVE AGENDA (3-1988)** - Mayor Teixeira outlined Nevada Association of Counties support for AB 499 concerning publication requirements for delinquent tax lists, registered voters, and bills. Supervisor Tatro moved that the Board authorize the Mayor to testify on behalf of the City on NACO's proposal, AB 499. Supervisor Smith seconded the motion. Motion carried 5-0.

**A. NON-ACTION ITEMS - INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (3-2108)** - Mayor Teixeira reiterated his apology for the poor estimation of time requirements utilized in establishing the agenda. Supervisor Tatro explained the status of the Redevelopment Authority Incentive Program for Pear Tree Court, its recommendation to authorize the incentive program for the Mojo Building, and a pending application. Supervisor Tatro then announced that the "Tommy Dorsey" band and "American Heat" would be playing in the Pony Express Pavilion this summer. Grant requests had been received by the Community Counsel on Youth for citywide youth programs. They will be prioritized on May 4. The "Ron Wood Center" had opened. The program and its location were briefly outlined. Mr. Berkich indicated he had had a successful trip to Washington and would brief the Board later. Supervisor Smith expressed the hope that future agendas would not be so "tight". He acknowledged the efforts to streamline the meetings, however, felt that it is difficult to maintain the timeframes on controversial issues. Supervisor Tatro expressed his support for Board's willingness to forge ahead during such meetings rather than withdraw and reschedule a controversial item. Supervisor Bennett supported his statement. Supervisors Ayres and Bennett and Mayor Teixeira did not have a report.

**15. CLOSED SESSION - ACTION TO RECESS INTO CLOSED SESSION TO CONSIDER THE PROFESSIONAL COMPETENCE OF THE INTERNAL AUDITOR PURSUANT TO NRS 241.030; AND, RECESS INTO OPEN SESSION - ACTION REGARDING BOARD REVIEW OF THE INTERNAL AUDITOR'S PROFESSIONAL COMPETENCE AND SETTING OF COMPENSATION (3-0470)** - Mayor Teixeira tabled this Item. It is to be agendaized for the next meeting.

BREAK: At 5:03 p.m., there being no other matters for discussion, a dinner recess was declared. When the meeting reconvened at 6 p.m. Supervisors Ayres, Tatro, and Bennett and Mayor Teixeira were present, constituting a quorum. (Supervisor Smith arrived at 6:12 p.m.) Staff present included: City Manager Berkich, Sheriff Bannister, Treasurer Kramer, Parks and Recreation Director Kastens, Deputy District Attorney Lipparelli, Recreation Superintendent Singer, and Recording Secretary McLaughlin.

**16. PARKS AND RECREATION DIRECTOR - Steve Kastens**

**B. ACTION ON PARKS AND RECREATION COMMISSION'S RECOMMENDATION FOR LOCATING THE SKATEBOARD PARK AT THE GOVERNORS' FIELD SPORTS COMPLEX (3-2310)**

- Mayor Teixeira reviewed the terms of the State's transfer to the City. Little League T-Ball Coordinator Mike Drews explained the League's need for additional fields specifically at Governor's Field due to its increased growth. He requested the Board keep the area for this expansion. (Supervisor Smith arrived during his comments. A quorum was present as previously noted.) Mr. Kastens explained the Residential Construction Tax monies dedicated to Little League for improvements to Governor's Field. Mr. Drews outlined the private donations and volunteer efforts used to create additional fields and given supporting Little League. Virginia Orcutt outlined the reasons the skateboarders do not like the location including the traffic and its lack of lighting. John Simms responded to Mayor Teixeira's questions concerning the League's season and its length. Supervisor Tatro moved that the Board remove from consideration Governor's Field as a location for the skateboard park. Supervisors Smith and Ayres seconded the motion. Motion carried 5-0. Supervisor Ayres ended the discussion by explaining her support for a skateboard park and indicated she had not been the individual who had suggested Governor's Field.

**A. ACTION ON PARKS AND RECREATION COMMISSION'S RECOMMENDATION TO NOT AMEND MILLS PARK MASTER PLAN FOR A SKATEBOARD PARK (3-3099)**

- Mr. Kastens explained the Commission's recommendation against the proposal to locate the skateboard park in Mills Park. Supervisor Smith outlined his original support for a park, his analysis of various locations in Mills Park, and support for the area east of the Pavilion. Supervisor Bennett expressed her opposition to that location which is adjacent to the Firemen's Memorial. She could support it in Mills Park if another location is utilized. Supervisor Ayres pointed out that the Pavilion is used by the rollerbladers. The proposed site would be an extension of that use. (4-0075) Mayor Teixeira explained the various and increasing demand for the Pavilion and the potential for users' conflicts. Supervisor Smith responded by expressing his reasons for feeling that these conflicts would not arise. Supervisor Ayres supported his contention. She felt that skateboarding is a sport although it does not have structured timeframes, rules, etc. Parks and Recreation Commission Chairperson Livermore expounded on the Commission's deliberations on this issue and its ultimate discussion to maintain the current grassy areas and not amend the Master Plan to include the park. Ms. Orcutt stressed her opposition to the statement that the skateboarders were "bad citizens" and listed several individuals who had been skateboarders. Mayor Teixeira stressed that this is not the issue. The question under discussion is the location. Ms. Orcutt displayed architectural designs including landscaping and height. She felt that the landscaping would hide the facility from vehicular traffic. The skateboarders and rollerbladers are compatible uses. She supported the triangular location near the Firemen's Memorial or a site west of the Pavilion. She indicated the waterline would not pose a problem if the latter site is determined feasible. Mr. Kastens used a small yellow "Post-It" to illustrate both of these locations on an aerial photograph of Mills Park. He illustrated the location of a six inch waterline used to feed Mills Park. Ms. Orcutt reiterated her contention that this line could be relocated. Mr. Kastens agreed. Ms. Orcutt continued to reiterate her feeling that the skateboarders should have a facility and urged the Board to take positive action establishing a location.

(4-0625) Lisa Poloway, Lavonne Reed, Mary Cerquitella, Harry Birchfield, Joe Bradswell, Sara Estes, George Chapman, and John Wilson supported Ms. Orcutt's comments and urged the Board to resolve the location problem by selecting a site, preferably in Mills Park, and constructing a facility. Sheriff Rod Bannister supported Ms. Orcutt's comments, however, indicated his desire to find a location which would not use Mills Parks. He preferred the original location adjacent to the Boys and Girls Club. He also stressed a concern regarding the need to

"cleanup the image of Mills Park" as well as the perceived view of skateboarders. (4-1065) Supervisor Smith then explained his reasons for supporting the triangular area as skateboard is also a spectator's sport. Mark Holmes opposed using the Mills Park green space. He supported Ross Gold Park for a location. Supervisor Ayres rebutted his comments based on its lack of being a "schedule event" which Little League, etc., have. Carpooling, etc., can be arranged to take the children to the fields. She opposed Ross Gold Park. The pros and cons of this site were debated. Mayor Teixeira used the designer's information to support the contention that if the site is not centrally located, it will not be used. He wanted the facility to last for a long time and have the ownership and participation of the youth. Ms. Orcutt pointed out that skateboarders do not have cars and cannot drive themselves to Ross Gold Park. Parks and Recreation Commission Chairperson Livermore explained the Commission's position on the location and objection to the site west of the Pavilion, specifically due to noise concerns. Discussion among Chairperson Livermore and Supervisors Smith and Bennett explored different locations for the Firemen's Muster and its booths. Mr. Chapman explained the size needed for the park. Mr. Wilson voiced his opposition to using a once a year event to deny the facility, which Supervisor Smith echoed.

(4-1533) Supervisor Smith moved that the Board of Supervisors adopt as the location for the skateboard facility the area depicted on the map as shown which is in the center circle of the new driveway/entrance to Mills Park. Mayor Teixeira indicated this is the site depicted on the photograph. Supervisor Ayres seconded the motion. Motion was voted by roll call with the following results: Tatro - No; Bennett - No; Ayres - Yes; Smith - Yes; and Mayor Teixeira - No. Motion failed on a 2-3 vote.

Supervisor Tatro moved that the Board designate as the skateboard park the second choice location as indicated by Mrs. Orcutt and where the circle was right before Chairperson Livermore moved it. Supervisor Bennett seconded the motion. (This was a location in the grass on the west side of the Pavilion.) The motion was voted by roll call with the following result: Ayres - No; Smith - No; Tatro - Yes; Bennett - Yes; and Mayor Teixeira - I'm setting right on the bubble, aren't I; I am going to go with the kids on this one because they're program was "give it to me in Mills Park"; and my concern before I, you don't know what I'm going to say yet, so you don't know if you are clapping, you may boo me, when this thing is over with, but, the thing is that if you want to be in Mills, my point was, give them a good facility, fine, there is no problem with that, but don't give them a facility that they are going to have problems with other people on; let it be theirs, let it be in a specific area that is centrally located; I will go with the second place and vote yes and give it to them at the second location - Yes. Motion carried 3-2. Mayor Teixeira commended Ms. Orcutt on her tenacity. Discussion indicated construction would be contingent upon funding. Construction could commence as soon as the architect completes the design. Mr. Kastens outlined the status of the design which is being held in abeyance pending a site location. Supervisor Ayres cautioned him against letting the project "fall through the cracks".

BREAK: A ten minute recess was declared at 7:15 p.m. When the meeting reconvened at 7:25 p.m., the entire Board was present constituting a quorum.

**C. ACTION ON A RESOLUTION CHANGING PARKS AND RECREATION GENERAL FEE POLICIES WHICH INCLUDE ANNUAL REVIEW, EFFECTIVE DATES, NONPROFIT/COMMERCIAL DIFFERENTIATION, REFUNDABLE CLEANING DEPOSITS, CANCELLATION, RESIDENT/NONRESIDENT DIFFERENTIATION, REPLACEMENT AND REHABILITATION/ENHANCEMENT FUNDS, CONTRACT INSTRUCTORS, AND CONTRACTS WITH EXCLUSIVE USE GROUPS (4-1691) -** Discussion among the Board, Mr. Kastens, Chairperson Livermore, and Mr. Berkich included the fee for changing the stall fronts; for a minimum of six hours of manpower and a commitment to provide additional manpower, if possible; the refund policy; the nonresident user fees; the replacement and rehabilitation/enhancement program including Finance Director Walker's memo. (4-3035) The Board indicated for Richard Waiton that the aquatic and weight room fees were not being addressed at this time. Supervisor Tatro moved that the Board adopt Resolution No. 1995-R-41, A RESOLUTION CHANGING EXISTING OR ADDING NEW GENERAL FEE POLICIES as presented in the staff report with the exception that Item No. 9 on Page 3 be deleted and Items No. 10 and 11 be renumbered. Supervisor Bennett seconded the motion. Motion carried 5-0.

**D. ACTION ON A RESOLUTION CHANGING PARKS AND RECREATION SPECIFIC FEE POLICIES WHICH INCLUDES FEES FOR MAJOR SPECIAL EVENTS, FEES FOR GENERAL PARK RESERVATIONS, RECREATION PROGRAM FEES, EQUIPMENT RENTAL FEES, AQUATIC FACILITY FEES, COMMUNITY CENTER THEATER FEES, AUXILIARY SERVICE FEES, CAMPING IN CITY PARKS, EFFECT ON THE AGREEMENT WITH THE CARSON CITY SCHOOL DISTRICT, "ROUND-UP" PROGRAM, AND PHASING OF FEE INCREASES GREATER THAN 15 PERCENT (4-3095)** - Recreation Supervisor Kurt Meyer, Mr. Kastens, Mr. Berkich, and Chairperson Livermore explained the criteria used to establish the aquatic fees including Kafoury Armstrong's recommendation and the Citywide policy to have the fees reimburse 50 percent of the cost. (5-0195) Richard Waiton expressed his opposition to the proposed aquatic fees and specifically the 50 percent reimbursement requirement. He questioned the reasons for using Kafoury Armstrong to review the fees rather than have a citizens' ad hoc committee do it. The weight room should not be assessing usage fees as the equipment was paid for by the bond monies and it is not staffed. The increases were more than the cost-of-living given to Social Security recipients. Taxes support the facility and residents/senior citizens should not be required to pay these absurd fees. Mayor Teixeira explained that the monthly fee was being increased from \$13 to \$16 and the quarterly fee was going from \$30 to \$37. Mr. Waiton still felt this was out of line. Mayor Teixeira indicated his telephone conversations with various individuals on the aquatic fees had indicated the fees were acceptable. Mr. Waiton referenced a letter from an individual named Rose to support his position that the seniors could not afford the increase. Mr. Kastens explained the Commission's two meetings on the aquatic fees which had included participation from the Aquatic Club and had been open to the public. The Club's recommendations were included in the fee structure. The ad hoc committee had been established from these meetings. Its composition was outlined. Staff had not prepared the fees. The proposal to spread any of the proposed fee increases averaging more than 15 percent over two years was explained in depth and was the result of Commissioner Mieirdierk's efforts. He stressed the commitment and dedication of the Commission in attempting to resolve the fee increase issues including the need for long and demanding meetings. He also pointed out that the public was absent and expressed a feeling that this may be directly related to the fact that there had been meetings which had been well attended. Supervisor Smith indicated that the absence of individuals could be the feeling that "nothing would come from their attendance". He then explained his personal knowledge of the Finance Director's request that the Board make the recreational users support for the facilities more self-sustaining. The Board had not taken this approach. Although he did not feel that the proposed fee increases were out of line, he questioned the reasons for the increases as benefits to/services for the facilities were not being provided. The personnel increases were taking more of the budget. Even though the General Fund revenue is increased annual, he could see little increases in services, benefits, equipment, etc. He objected to the decrease in services, benefits, equipment, etc., which he felt was occurring. Supervisor Tatro responded by explaining the Commission's decision in 1990 to have the pool support 50 to 55 percent of its operational costs. He felt that this history was not connected to the Finance Department. He used the pizza making business as analogy with an increasing cost of supplies to support his contention that larger pizzas are not provided every time a price increase occurs. The profit must be cut or the revenue increased to provide the same pizza. Supervisor Smith expanded on his position due to his feeling that the City was not controlling its expenses. Supervisor Tatro elaborated on his reasons for opposing his view which was based on the commitments made for the new public safety complex and jail personnel. These additional expenses were being programmed into the future even though the revenue was being cut. Mr. Berkich explained the policy and requested Board direction if the amount of nonuser versus user support is incorrect. Supervisor Smith felt that the study of the fee structure had been conducted long before the Board decision was made on the public safety complex. Mayor Teixeira pointed out that if the revenue picture had not been as rosey as it is, the services would be cut and the tax rate increased. This is the status in surrounding counties. He felt that the proposal was in line as gradual increases are acceptable to the public. He supported the concept. **Supervisor Tatro moved that the Board adopt Resolution No. 1995-R-42, a resolution changing Parks and Recreation Specific Fee Policies which includes fees for major special events, fees for general park reservations, recreation program fees, equipment rental fees, Aquatic Facility fees, Community Center theater fees, auxiliary service fees, camping in city parks, effect on the agreement with the Carson City School District, "Round Up Program", and phasing of fee increases greater than 15 percent, as recommended by the Parks and Recreation Commission which is to become effective as soon as possible implementation can be accomplished by staff with changes to Item No. 2, 6, and 7 to delete the**

**language that proceeds from "the fees shall go into fund for major rehabilitation and enhancements".** **Supervisor Bennett seconded the motion.** Mr. Waiton felt that the fees he and his wife pay for the weight room and Aquatic Facility were exorbitant. Mayor Teixeira reiterated the fee increase for the quarterly swimming passes for him as being from \$30 to \$37.50 and the same for the weight room. Wet Sweat is a contract class. Treasurer Al Kramer and Mr. Kastens elaborated on the "Round Up Fee" and its purpose. Collection procedures need to be analyzed. Supervisor Tatro explained that his motion directed staff to implement the fees and the resolution as it is appropriate to do so which includes the "Round Up Program". Mr. Kramer agreed to do so. Mrs. Waiton questioned the fee structure which was being used by the Board. Mr. Kastens indicated her fee structure was one provided by the Aquatic Club's original proposal which had been changed. Mr. Meyer outlined the process used to establish the fee at \$37.50. This is in accordance with Item 11 in the resolution. The motion to adopt Resolution No. 1995-R-42 and implement those fees when it is appropriate to do so was voted by roll call with the following result: Ayres - Yes; Smith - No; Bennett - Yes; Tatro - Yes; and Mayor Teixeira - Yes. Motion carried 4-1.

There being no other matters for consideration, Supervisor Bennett moved to adjourn. Supervisor Ayres seconded the motion. Motion carried 5-0. Mayor Teixeira adjourned the meeting at 8:40 p.m.

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

ARE SO APPROVED ON June 1, 1995.

/s/ \_\_\_\_\_  
Marv Teixeira, Mayor

ATTEST:

/s/ \_\_\_\_\_  
Alan Glover, Clerk-Recorder