

C. ACTION ON A RETIREMENT RESOLUTION FOR WILLIAM "BILL" LUCHETTI (1-0154) - Mr. Luchetti was not present. Mayor Teixeira requested Assistant Sheriff Denis Austin relay the Board's appreciation for his dedicated service. Supervisor Bennett moved that the Board adopt Resolution No. 1993-R-69, A RESOLUTION COMMENDING RETIREMENT. Supervisor Tatro seconded the motion. Motion carried 5-0.

3. LIQUOR AND ENTERTAINMENT BOARD MATTERS (1-0215) - Ted P. Thornton - 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 McGrath, constituting a quorum.

A. ACTION ON A LIQUOR LICENSE FOR FRANK J. BENINCASA, AGENT FOR ARA LEISURE SERVICES, INC., FOR THE BUSINESS EAGLE VALLEY GOLF COURSE RESTAURANT LOCATED AT 3999 CENTENNIAL PARK DRIVE (1-0222) - Continued.

B. ACTION ON A LIQUOR LICENSE FOR CAROLYN CHIARA AND STEPHEN CARL BROWN, BEING ADDED AS PARTNERS FOR THE BUSINESS MY PLACE BAR LOCATED AT 302 SOUTH CARSON STREET (1-0235) - Carolyn Chiara and Stephen Brown - Discussion included their experience, identification requirements, the Sheriff's investigative report, and its recommendation. Member Smith moved that the Board approve a Liquor License for Carolyn Chiara and Stephen Carl Brown being added as partners for the business My Place Bar located at 302 South Carson Street. Member Ayres seconded the motion. Comments were solicited but none made. Motion carried 5-1 with Member Bennett voting Naye. Chairperson Teixeira wished them well in their endeavor.

C. ACTION ON A LIQUOR LICENSE FOR JOSE J. ESCOBAR AND ERVEY TERMINEL FOR THEIR BUSINESS, LOS TRES AMIGOS, LOCATED AT 1740 SOUTH ROOP STREET (1-0325) - Jose Escobar and Ervey Terminel - Discussion included their lease, the Sheriff's investigative report, its recommendation, and the Sheriff's monitoring plans for the establishment. Chairperson Teixeira cautioned them about selling liquor to minors. Member Tatro moved that the Board approve a Liquor License for Jose Escobar and Ervey Terminel for their business Los Tres Amigos located at 1740 South Roop Street, fiscal impact \$1725. Member Smith seconded the motion. Motion carried 6-0. Chairperson Teixeira wished them success in their endeavor.

D. ACTION ON REVOCATION OF ALL DELINQUENT LIQUOR LICENSES (1-0415) - Capital Center Deli has gone out of business. The other businesses have paid all penalties and fees. No licenses need to be revoked.

17. BOARD OF SUPERVISORS

A. NON-ACTION ITEMS - INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (1-0435) - Chairperson Teixeira thanked Mr. Thornton for his assistance in the negotiations with Bank of American to obtain the payment of the past due utility bills and taxes. Mr. Thornton then explained that the tax bills are ready to be mailed.

There being 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. A quorum was present as previously noted.

CITIZEN COMMENTS (1-0432) - Richard Waiton outlined his research of the Sodomy Bill and his reasons for dropping the issue at this time. He then outlined his attempts to have get the public involved with this evening's

meeting even though he could not attend.

4. CONSENT AGENDA

A. TREASURER - ACTION ON CARSON CITY TREASURER'S REPORT FOR THE MONTH OF MAY 1993

B. PURCHASING AGENT - ACTION ON CONTRACT NO. 9293-204 - PARKING LOT OVERLAY AND FOG SEAL PROJECT (1-0558) - Neither Item was pulled for detailed discussion. Supervisor Ayres moved that the Board accept the Consent Agenda as submitted. Supervisor Tatro seconded the motion. Motion carried 5-0.

5. CARSON-TAHOE HOSPITAL - ACTION ON APPROVAL OF PURCHASE AGREEMENT BETWEEN WILLIAM E. SCHULTZ AND CARSON-TAHOE HOSPITAL - Administrator Steve Smith - Discussion reviewed the agreement, need for additional parking, and noted the Hospital meets ADA handicapped parking requirements at this time. Supervisor Bennett moved that the Board of Supervisors approve the purchase agreement between William E. Schultz and Carson-Tahoe Hospital for the purchase of property on Fleischmann Way. Supervisor Ayres seconded the motion. Motion carried 5-0.

6. LIBRARY DIRECTOR - Sally Herman - ACTION ON APPOINTMENT OF RICHARD F. MORENO, PUBLISHER, NEVADA MAGAZINE, TO HIS FIRST FULL TERM ON THE LIBRARY BOARD OF TRUSTEES AND REAPPOINTMENT OF JUDGE JOHN W. RAY TO THE LIBRARY BOARD OF TRUSTEES (1-0648) - Supervisor Smith moved that the Board appoint Mr. Richard F. Moreno, Publisher of Nevada Magazine, to his first full term on the Library Board of Trustees and reappoint Judge John Ray to the Library Board of Trustees. Supervisor Bennett seconded the motion. Motion carried 5-0. Mayor Teixeira thanked them for their efforts and dedication.

7. SHERIFF - Undersheriff Vic Freeman and Safety Loss Specialist John Mayes - ACTION ON APPROVAL OF MONIES FOR REPLACEMENT OF DESK CHAIRS (1-0710) - Funding had purportedly been found for this purpose. Safety Coordinator John Mayes' report had been used to support the supplemental budget request for 26 chairs. Yesterday Mr. Mayes had conducted a second inspection and determined that the Department needed 30 chairs. A Workman's Compensation Claim is being reactivated due to the employee's chair. Discussion ensued among the Board and Undersheriff Freeman on the type of chairs needed, their utilization and functions, reasons for requesting replacement of chairs in the budget as a supplemental, and cost of the chairs. Mr. Berkich explained the reasons the chairs had not been included in the budget and delineated the funding provided for the Sheriff's Division for whatever items the Sheriff determines are necessary. Supervisor Tatro stated for the record that although he works for State Purchasing he would not benefit personally from the purchase for the chairs through his Department. Mr. Mayes responded to Board questions on the total number of chairs which should be replaced throughout all of the City Departments. Ms. Walker outlined the Safety Program funding and potential funding for these chairs. Mayor Teixeira elaborated on his concern that there are other Departments also in need of ergonomically correct chairs which should be prioritized and included with the Sheriff's request. He felt that Ms. Walker should establish a funding source for the acquisition of these chairs rather than piecemealing. Mr. Berkich noted that other Departments were attempting to meet the needs within their budgets. Supervisor Tatro outlined the State Purchasing procedures which had established the criteria for the ergonomically correct chairs and bids. Volume purchases had reduced the price to approximately \$200. When compared to the cost of a claim, the chairs are a bargain. Mayor Teixeira expressed his feeling that it may be possible to replace some chairs and downgrade the older chairs for other purposes. He reiterated his desire to analyze all of the Departments, establish a priority, and replace as fiscally possible. Ms. Walker delineated the ergonomical safety training program. She was willing to conduct the survey, however, stressed that the larger Departments would need financial assistance.

Mayor Teixeira continued to stress his point that Citywide priorities needed to be established before the funding is requested. Discussion indicated the report should be ready for a September meeting. Board consensus directed the employee who is reactivating the Workman's Compensation claim to have his/her chair replaced, which Ms. Walker indicated the \$1,000 funding source could do. No formal action was taken on this matter.

8. JUVENILE PROBATION AND DETENTION - Chief Juvenile Probation Officer Bill Lewis - ACTION ON THE CARSON CITY JUVENILE PROBATION DEPARTMENT REQUEST TO EXPEND \$30,000 TO CONTINUE OPERATION OF THE HIGH RISK JUVENILE OFFENDER PROGRAM (1-1362) - Discussion noted that Mr. Lewis had received the funding through the budget process, the loss of the grant through Legislative action, reasons for bringing the item to the Board, and corrected the amount. Mr. Suglia recommended the Board only consider the \$30,000 issue rather than the corrected amount of \$46,000 as the \$30,000 was the amount listed on the agenda. Mr. Berkich indicated the difference would be agendaized for the next meeting. Supervisor Smith moved that the Board of Supervisors approve Carson City Juvenile Probation Department's expenditure of \$30,000 during the fiscal year 93-94 in order to continue the operation of the high risk juvenile offender program, fiscal impact to be \$30,000, funding source is the General Fund. Supervisor Ayres seconded the motion. Motion carried 5-0. Mr. Lewis thanked the Board.

9. PUBLIC WORKS DIRECTOR - Dan O'Brien and City Engineer Tim Homann

A. ACTION ON DEDICATION OF STREET RIGHTS-OF-WAY FOR GORDON STREET, ROCK COURT, BLISS COURT, AND WALKER DRIVE; AND DEDICATION OF PUBLIC DETENTION BASIN, PUBLIC DETENTION BASIN AND DRAINAGE EASEMENT AS CONTAINED WITHIN THE OFFICIAL PLAT OF RIVER KNOLLS, PHASE 6, P.U.D. ON PROPERTY EAST OF GRAVES LANE AND NORTH OF SWEETWATER DRIVE FROM JOHN C. SERPA (1-1542) - Discussion noted the dual purposes of detention basins in other areas, the City's policy on detention basins, the proposed new policy, and staffing needs to maintain these basins if the policy is modified. Supervisor Ayres moved that the Board accept the offer of dedication of street rights-of-way consisting of the Gordon Street from Graves Lane to approximately 200 feet east of Walker Drive, Rock Court from Gordon Street to approximately 400 feet south, Bliss Court from Gordon Street to approximately 400 feet south, and Walker Drive from Gordon Street to Stampede Drive; the dedication of that area set aside as a storm drainage detention basin and basin accessway consisting of 64,128 square feet of property; and the dedication of a 20 foot wide by approximately 1,200 foot long drainage and power line easement on the north and west boundaries of the property; all from John C. Serpa and all as shown on the official plat map of River Knolls P. U. D., Phase 6. Supervisor Bennett seconded the motion. Motion carried 5-0.

B. ACTION ON FUNDING OF TRANSIT IMPLEMENTATION STUDY (1-1805) - Clarification ensued on the items covered by the study, the lack of a written revised agreement and the terms in the verbal agreement. Supervisor Bennett then moved that the Board of Supervisors approve funding for the Carson City Transit Implementation Study subject to 80 percent funding provided by the Nevada Department of Transportation with a revised schedule of allocation resources of time and energies that address Task 1, the implementation of an elderly disabled transit system. Supervisor Smith seconded the motion. Discussion ensued concerning an amendment. Supervisor Bennett then amended the motion to include that it have a net cost not to exceed for Carson City of \$4,600 and that the funding source would be the General Fund. Supervisor Smith continued his second. Motion carried 5-0.

10. PERSONNEL MANAGER - Judie Fisher

A. ACTION TO APPOINT TO THE BUILDING AND FIRE CODE BOARD OF APPEALS (1-2068) - Discussion indicated the Builders Association had been contacted about the vacancy, that Mr. Dube resides

in Washoe Valley but is licensed in Carson City, and noted the potential conflict of interest any individual in business in Carson City would have. Supervisor Smith moved that the Board of Supervisors appoint Peter Dube to the architect position to the Board of Appeals. Supervisor Ayres seconded the motion. Motion carried 5-0.

B. ORDINANCE - SECOND READING - ACTION ON BILL NO. 140 - AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE 2.04.400 (PUBLIC OFFICERS) BY ADDING ADMINISTRATIVE ASSISTANT I, CITY MANAGER'S OFFICE (1-2164) - Supervisor Tatro moved that the Board adopt Ordinance No. 1993-41, Bill No. 140, on second reading, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE 2.04.400 (PUBLIC OFFICERS) BY ADDING ADMINISTRATIVE ASSISTANT I, CITY MANAGER'S OFFICE. Supervisor Ayres seconded the motion. Motion carried 5-0.

BREAK: An eight minute recess was declared at 10:08 a.m. When the meeting reconvened at 10:16 a.m. the entire Board was present constituting a quorum.

11. COMMUNITY DEVELOPMENT DIRECTOR - Walter Sullivan and Principal Planner Rob Joiner

A. PLANNING COMMISSION REFERRALS - REVIEW AND APPEAL MATTERS

i. ACTION ON L-92/93-1 - REGARDING A FINAL LAND DIVISION MAP (RECORD OF SURVEY) FROM ALEXANDER AND LENORE BERNHARD FOR A DIVISION OF LAND INTO FOUR PARCELS WITH A TOTAL LAND AREA OF FORTY ACRES PER PARCEL, ON PROPERTY ZONED CONSERVATION RESERVE (CR), LOCATED AT 6000 IMUS ROAD, ASSESSOR'S PARCEL NUMBER 8-011-31 - PLANNING COMMISSION APPROVED 6-0-1-0 (1-2210) - Project Engineer Fuller was present to answer questions. Discussion noted that access roads will be delineated before construction occurs as well as address the slope concerns. Supervisor Smith moved that the Board of Supervisors approve L-92/93-1, a request from Alexander and Lenore Bernhard for approval of a final land division map, record of survey, for a division of land into four parcels with a total land area of forty acres per parcel on property zoned Conservation Reserve (CR) located at 6000 Imus Road, Assessor's Parcel No. 8-011-31 based on the findings and subject to the conditions of approval contained in Planning Commission's report. Supervisor Tatro seconded the motion. Motion carried 5-0.

ii. ACTION ON P-92/93-4 - REGARDING A TENTATIVE PLANNED UNIT DEVELOPMENT MAP APPLICATION FROM ACTION ASSETS TO DEVELOP A 20 UNIT TOWN HOME COMPLEX (COTTONWOOD COURTS) ON APPROXIMATELY 39,600 SQUARE FEET OF LAND ZONED MULTI-FAMILY APARTMENT (MFA), LOCATED AT 1012 EAST FIFTH STREET, ASSESSOR'S PARCEL NUMBER 4-093-16 - PLANNING COMMISSION APPROVED 6-0-1-0 (1-2358) - Architect Bill Maston - Discussion clarified the plans to have one garage per unit, availability of an additional garage if purchased, the site's location, the Public Works and NDOT access requirements from Fifth Street, and that the townhouses would be sold and controlled by CC&R's. Supervisor Smith commended Mr. Maston on his efforts to work with the surrounding neighborhood and the project's ability to help upgrade the area. Additional comments were solicited but none made. Supervisor Ayres moved that the Board of Supervisors approve P-92/93-4, a Tentative Planned Unit Development map application from Action Assets to develop a 20 unit townhouse complex, Cottonwood Courts, on approximately 39,600 square feet of land zoned Multi-Family Apartment (MFA), located at 1012 East Fifth Street, APN 4-093-16, based on the findings and subject to the conditions of approval. Supervisor Bennett seconded the motion. Motion carried 5-0. Mr. Maston complimented the neighbors and City staff for working with them on the project.

iii. ACTION ON S-91/92-6A - REGARDING A FINAL SUBDIVISION MAP FROM

WILLIAM AND LOUISE GONI TO DEVELOP SEVEN ONE-ACRE LOTS AND A REMAINDER AREA (GONI CANYON ESTATES II - PHASE I) ON A PARCEL OF LAND CONTAINING 69.6 ACRES, ZONED SINGLE FAMILY ONE ACRE (SF1A) AND CONSERVATION RESERVE (CR), LOCATED NORTH OF FERMI ROAD AND EAST OF GONI ROAD, APN 8-011-66 - PLANNING COMMISSION APPROVED 6-0-1-0 (1-2864) - Supervisor Tatro moved that the Board approve S-91/92-6A, a final subdivision map request from William and Louise Goni to develop seven one-acre lots and a remainder area - Goni Canyon Estates II - Phase I - on a parcel of land containing 69.6 acres zoned Single Family One Acre (SF1A) and Conservation Reserve (CR) located north of Fermi Road and east of Goni Road, Assessor's Parcel Number 8-011-66 based on the findings and subject to the conditions contained in the staff report. Supervisor Bennett seconded the motion. Motion carried 5-0.

iv. ACTION ON MPA-92/93-5 - REGARDING A MASTER PLAN AMENDMENT REQUEST FROM RUBIN-SADD INVESTMENT, INC., TO AMEND THE MASTER PLAN LAND USE DESIGNATION FROM LOW DENSITY RESIDENTIAL TO OFFICE ON APPROXIMATELY 2.3 ACRES OF LAND AND TO AMEND THE MASTER PLAN LAND USE DESIGNATION FROM COMMERCIAL AND LOW DENSITY RESIDENTIAL TO COMMERCIAL ON APPROXIMATELY 5.2 ACRES OF LAND ON A PORTION OF PROPERTY LOCATED WEST OF U.S. HIGHWAY 395, SOUTH OF WEST NYE LANE AND EAST OF MOUNTAIN STREET, ASSESSOR'S PARCEL NUMBERS 1-027-07 AND 08 - PLANNING COMMISSION APPROVED 6-1-0-0

B. ORDINANCE - FIRST READING - ACTION ON Z-92/93-10 - AN ORDINANCE EFFECTING A CHANGE OF LAND USE DISTRICT ON ASSESSOR'S PARCEL NUMBERS 1-021-07 FROM LOW DENSITY RESIDENTIAL TO OFFICE AND 1-021-08 FROM LOW DENSITY RESIDENTIAL AND COMMERCIAL TO COMMERCIAL ON APPROXIMATELY 2.33 AND 5.17 ACRES OF LAND RESPECTIVELY, LOCATED ON THE EAST SIDE OF MOUNTAIN STREET, APPROXIMATELY 200 FEET SOUTH OF THE SOUTHEAST CORNER OF WEST NYE LANE AND MOUNTAIN STREET - PLANNING COMMISSION APPROVED 6-1-0-0 (1-2961) - Project Engineer Kelly Garcia - Discussion noted the area's parking problems, the condition prohibiting access from Mountain and parking across from the residential area, potential need for a secured emergency access from the residential area, the lot line adjustment which had been completed, another parcel map under consideration by the City, the developer's construction plans, parking area expansion plans, and parking requirements for medical offices. (2-0265) Richard Waiton felt that Mountain Street would become a Roop Street when the Harootunian property is developed. Additional comments were solicited but none made. Supervisor Bennett then moved that the Board of Supervisors approve a master plan amendment request from Rubin-Sadd Investment, Inc., to amend the master plan land use designation from Low Density Residential to Office on approximately 2.3 acres of land and to amend the master plan land use designation from Commercial and Low Density Residential to Commercial on approximately 5.2 acres of land on a portion of property located west of U.S. Highway 395, south of West Nye Lane, and east of Mountain Street, APN 1-021-07 and 08, based on the findings and subject to the conditions of approval. When a second was not forthcoming, Mayor Teixeira passed the gavel to Mayor Pro-Tem Bennett and seconded the motion. Mayor Pro-Tem Bennett indicated her respect for the neighborhood concerns and the community, which she understood, but felt that if approved as indicated, the Board would have to revisit the issue another time in the future. She felt that there would be a demand for access onto Mountain regardless of the action taken today. The motion was read. Additional comments were solicited but none made. The motion as indicated was voted by roll call with the following results: Tatro - No; Smith - Yes; Ayres - No; Mayor Teixeira - Yes; and Mayor Pro-Tem Bennett - Yes. Motion carried 3-2.

(2-0362) Supervisor Smith moved that the Board introduce on first reading Bill No. 142, AN ORDINANCE EFFECTING A CHANGE OF LAND USE DISTRICT ON ASSESSOR'S PARCEL NUMBERS 1-021-07 FROM LOW DENSITY RESIDENTIAL TO OFFICE AND 1-021-08 FROM LOW DENSITY

RESIDENTIAL AND COMMERCIAL TO COMMERCIAL ON APPROXIMATELY 2.33 AND 5.17 ACRES OF LAND RESPECTIVELY, LOCATED ON THE EAST SIDE OF MOUNTAIN STREET, APPROXIMATELY 200 FEET SOUTH OF THE SOUTHEAST CORNER OF WEST NYE LANE AND MOUNTAIN STREETS. Supervisor Bennett seconded the motion. Comments were solicited but none made. The motion was voted by roll call with the following results: Tatro - No; Ayres - No; Bennett - Yes; Smith - Yes; and Mayor Teixeira - Yes. Motion carried 3-2.

C. ORDINANCE - SECOND READING - ACTION ON BILL NO. 141 - AN ORDINANCE EFFECTING A CHANGE OF LAND USE ON APPROXIMATELY 3.281 ACRES OF LAND FROM NEIGHBORHOOD BUSINESS (NB) TO SINGLE FAMILY 6,000 (SF6000), LOCATED AT THE SOUTHEAST CORNER OF GRAVES LANE AND NORTHGATE LANE, ASSESSOR'S PARCEL NUMBER 2-052-08, AND OTHER MATTERS RELATED THERETO (2-0420) - Supervisor Bennett requested her concern about the increased noise and traffic which the land use change would allow, which would be addressed under the subdivision. Supervisor Smith then moved that the Board adopt on second reading Ordinance No. 1992-42, AN ORDINANCE EFFECTING A CHANGE OF LAND USE ON APPROXIMATELY 3.281 ACRES OF LAND FROM NEIGHBORHOOD BUSINESS (NB) TO SINGLE FAMILY 6,000 (SF6000), LOCATED AT THE SOUTHEAST CORNER OF GRAVES LANE AND NORTHGATE LANE, ASSESSOR'S PARCEL NUMBER 2-052-08, AND OTHER MATTERS RELATED THERETO. Supervisor Bennett seconded the motion. The motion was voted by roll call with the following results: Ayres - Yes; Tatro - No; Smith - Yes; Bennett - Yes; and Mayor Teixeira - Yes. Motion carried 4-1.

D. ACTION ON S-92/93-5 - REGARDING A TENTATIVE SUBDIVISION MAP APPLICATION FROM MERIT HOMES, INC. (PROPERTY OWNERS: STODIECK AND HELGREN FAMILY TRUSTS) TO DEVELOP A 15 LOT SUBDIVISION (GARDENGATE ESTATES) ON APPROXIMATELY 3.28 ACRES OF LAND USE NEIGHBORHOOD BUSINESS (NB) (CHANGE OF LAND USE ZONING TO SINGLE FAMILY 6,000 PENDING), LOCATED ON THE SOUTHEAST CORNER OF GRAVES LANE AND NORTHGATE LANE, ASSESSOR'S PARCEL NUMBER 2-052-08 - PLANNING COMMISSION APPROVED 7-0-0-0 (2-0451) - Todd Conway - Traffic and noise concerns, mitigation measures, Supervisor Bennett's request that additional landscaping be required along the outside of the fence, lot sizes, affordability of the homes, Graves Lane width and alignment, landscape maintenance problems and possible mitigation measures for the public right-of-way between the sidewalk and fence were discussed. (2-0721) Mayor Teixeira directed Mr. Homann to change the signs along Graves Lane to prohibit all commercial truck parking. Mr. Sullivan explained that staff was evaluating a potential resolution to the maintenance problems and would return for Board consideration in the future. Supervisor Tatro moved that the Board approve S-92/93-5, a request for a Tentative Subdivision Map Application from Merit Homes, Inc., Property Owners: Stodieck and Helgren Family Trusts, to develop a 15 lot subdivision, Gardengate Estates, on approximately 3.28 acres of land zoned neighborhood business, located on the southeast corner of Graves Land and Northgate Lane, Assessor's Parcel No. 2-052-08, based on the findings and subject to the conditions in the Planning Commission recommendation, with the added condition that the Applicant/Owners work with the Community Development Department to develop a suitable solution to the strip of property on the outside of the fence abutting Graves Lane. Supervisor Smith seconded the motion. Comments were solicited but none made. The motion was voted by roll call with the following results: Bennett - Yes; Ayres - Yes; Smith - Yes, but I wish to reenforce Supervisor Bennett's comments as I do agree with her, I won't vote yes on the final unless I see a better treatment of that Graves Lane area, yes; Tatro - Yes; and Mayor Teixeira - Yes. Motion carried 5-0.

E. COMMUNITY DEVELOPMENT ITEMS - ACTION TO SET A HEARING DATE FOR AUGUST 5, 1993, FOR THE BOARD OF SUPERVISORS TO CONSIDER A COMPLAINT FILED WITH THE CARSON CITY CLERK ALLEGING THE EXISTENCE OF A NUISANCE, SPECIFICALLY BILLBOARDS WITH EXPIRED SPECIAL USE PERMITS (2-0893) - Supervisor Ayres moved that the

Board of Supervisors direct the Community Development Department to provide notice by certified mail to all property owners where a billboard exists without a special use permit and notice by regular mail to the billboard owners, provide publication notice pursuant to NRS 244.360(2) and to set a hearing date for August 5, 1993. Supervisor Bennett seconded the motion. Motion carried 5-0.

F. COMMUNITY DEVELOPMENT/CAPITAL PROJECTS ADVISORY COMMITTEE - ACTION REGARDING APPROVAL OF CONTRACT WITH LUMOS AND ASSOCIATES FOR SITE PRE-ENGINEERING WORK FOR THE SITING OF THE PUBLIC SAFETY COMPLEX FOR THE CAPITAL PROJECT ADVISORY COMMITTEE (2-0947) - Discussion included reasons for doing the work, the recommendation, interviews, funding source, the including the identification of groundwater contaminants in scope of work, and cost of the work. (2-1068) In response to Richard Waiton's comments, it was indicated that there were nine sites which are to be evaluated. Supervisor Ayres moved that the Board of Supervisors approve a contract with Lumos and Associates for site pre-engineering work for the Capital Project Advisory Committee at a not to exceed amount of \$21,000, fiscal impact not to exceed \$21,000, funding source is the set aside fund from Capital Projects. Supervisor Bennett seconded the motion. Clarification indicated it was unnecessary to declare the contract outside the bidding requirements of NRS 322 as it is a professional service agreement. The motion was voted and carried 5-0.

BREAK: A five minute recess was declared at 11:15 a.m. When the meeting reconvened at 11:20 a.m. the entire Board was present constituting a quorum.

12. DISTRICT ATTORNEY - Mike Suglia - RECESS INTO CLOSED SESSION WITH CHARLES P. COCKERILL, GOVERNMENT MANAGEMENT REPRESENTATIVE PURSUANT TO NRS 288.220 (2-1145) - Supervisor Smith moved that the Board recess to a closed session pursuant to NRS 288.220 in order for the Board of Supervisors to meet with its management representative regarding the status of collective bargaining. Supervisor Ayres seconded the motion. Motion carried 5-0. Mayor Teixeira recessed the Open Session at 11:21 a.m. The Open Session was reconvened at 12 noon. No formal action was taken.

BREAK: At 12 noon a lunch recess was declared. When the meeting reconvened at 1:30 p.m. a quorum of the Board was present although Supervisor Tatro was absent.

15. COMMUNITY DEVELOPMENT/GROWTH MANAGEMENT/UTILITIES DEPARTMENT - Community Development Director Walter Sullivan and Utilities Director Dorothy Timian-Palmer - ACTION ON GM-93/94-1 - REGARDING A REQUEST BY LARS ANDERSON AND ASSOCIATES REPRESENTING K-MART CORPORATION TO EXCEED GROWTH MANAGEMENT RESOLUTION NO. 1992-R-60 COMMERCIAL AND INDUSTRIAL SEWER AND WATER LIMITATIONS PURSUANT TO CARSON CITY MUNICIPAL CODE 18.82.150 (3-0001) - Scott Marwin - Supervisor Smith explained his conflict of interest relating to any K-Mart issue. He would abstain from any discussion or vote on this item. Comments stressed the differences between the City's ordinance required ultra-low fixtures, potential C-scape landscape techniques, the store used to make the projections, and the landscape renderings used to making the irrigation estimates. It was felt that the actual usage would be at least 25 percent lower than projections. Ms. Timian-Palmer indicated for the record that the adjacent property owner was willing to extend effluent lines throughout his subdivision for landscaping irrigation and would stub the effluent lines for abutting properties. She could not mandate Super K's use of effluent as the line is not in the immediate area. Supervisor Bennett stressed the importance of this commitment and requested Ms. Timian-Palmer consider stubbing the medians when the highway is broached. Ms. Timian-Palmer felt that the total development would meet 60 percent of its own effluent needs. Supervisor Ayres then moved that the Board of Supervisors approve a request by Lars Anderson and Associates on behalf of K-Mart Corporation to exceed Growth Management Resolution No. 1992-R-50, COMMERCIAL AND INDUSTRIAL SEWER AND WATER LIMITATIONS PURSUANT TO CARSON CITY

MUNICIPAL CODE 18.82.150 subject to the conditions of approval as contained in the Utility Manager's report. Supervisor Bennett seconded the motion. Following a request for an amendment, Supervisor Ayres corrected the Resolution Number to be 1992-R-60. Supervisor Bennett continued her second. Motion carried 4-0.

14. PRESENTATION BY THE NEVADA DEPARTMENT OF TRANSPORTATION OF THE STATE TRANSPORTATION IMPLEMENTATION PROGRAM - NDOT Director Garth Dull - A copy of the work program was distributed to the Board. (none to the Clerk.) Corrections to the report were explained. The medians would be preserved and additional landscaping addressed. Comments recognized the importance of the 395 Bypass. Present construction projects were progressing on schedule. Supervisor Bennett requested consideration of medians along south 395 which could use ISTEPA funds for development. A recent traffic count report will be provided to the City. Half of the Bypass right-of-way has been acquired. Clarification indicated the funding for paving a maintenance yard was for the State's maintenance yard and not the City's yard. No formal action was required or taken on this item.

16. SUPERVISORS' COMMENTS AND REPORTS (3-0508) - Supervisor Smith did not have a report. Supervisor Ayres noted the comments she had received since the Board considered Kinderland. A letter to the Editor of The Nevada Appeal was referenced.

17. B. ACTION ITEMS: RESOLUTIONS, PROCLAMATIONS, AND OTHER ACTION ITEMS REQUESTED BY MEMBERS OF THE BOARD OF SUPERVISORS - SUPERVISOR BENNETT - APPROVAL IN CONCEPT OF THE CREATION OF THE CARSON RIVER CORRIDOR PARK AND THE REQUEST TO THE NATIONAL PARK SERVICE FOR TECHNICAL ASSISTANCE FOR COORDINATION AND DEVELOPMENT (3-0582) - Supervisor Bennett moved that the Board approve in concept the creation of the Carson River Corridor Park and the request to the National Park Service for technical assistance for coordination and development. Supervisor Ayres seconded the motion. Comments were requested but none made. Motion carried 4-0.

16. SUPERVISORS' COMMENTS AND REPORTS - CONTINUED (3-0725) - The tour of the East Shore, its importance to Carson City, progress on physician recruitment as well as the recruitment program were explained. Mayor Teixeira suggested the Hospital distribute pamphlets on the physicians to R.S.V.P. The Hospital is establishing doctors' offices in Gardnerville and Minden. Mayor Teixeira commended Treasurer Thornton on his negotiation efforts with the Bank of America as well as the Bank officials on their willingness to recognize the debts. He then expounded on his dismay at the condition of several downtown business sites, specifically, those along Carson Street. He urged Mainstreet and Redevelopment to commence taking steps to improve the situation.

BREAK: At 2:10 p.m. a recess was declared. When the meeting was reconvened at 6 p.m. the entire Board was present, constituting a quorum. Staff present included: City Manager Berkich, Clerk-Recorder Nishikawa, Administrative Services Director/Controller Walker, Utility Director Timian-Palmer, Deputy District Attorney Suglia, and Recording Secretary McLaughlin.

18. UTILITY MANAGER - Dorothy Timian-Palmer, City Manager John Berkich, Controller Mary Walker, and Accountant Charles Greer - **ORDINANCE - FIRST READING - ACTION ON AN ORDINANCE AMENDING CHAPTERS 12.01, WATER CONNECTION CHARGES AND USER RATES AND 12.03, SEWER CONNECTION CHARGES AND USER RATES, OF THE CARSON CITY MUNICIPAL CODE AND OTHER MATTERS PROPERLY RELATED THERETO (3-1148) -** (3-1575) Ed Moran, (3-2311) Robert Brogan, - The Guastella recommendations, previous Board directions, Lakeview and Timberline rumors, residential and commercial water rates, conservation considerations in the residential rates, lack of conservation considerations in the commercial rates, the lack of a rate decrease for any residents with septic tanks, justification

for the increases, a comparison of other entity rates, problems over the years with the Lakeview water system, rate increases since 1986, justification for small annual increases rather than periodic large increase, The Nevada Appeal article on the rates, the bond repayment schedule, need for sunset clauses in the rates, efforts to reduce utility costs, utility budgeting procedures, (4-0038) budget impacts if the rates are not increased, options, disparity in utility rates between sewer and septic user bills as well as between commercial and residential users, projected growth rate, its impact on the budget, the current actual growth rate, its negative impact on the budget, the cost to an average user, and rate effective dates were discussed. Ms. Timian-Palmer had had a new meter installed for Mr. Moran, which may correct his problem. Mr. Moran felt that commercial rates should always be more than residential rates. (3-2585) Ms. Walker repeatedly requested Board direction concerning whether a policy should be established providing for annual increases even if one is not needed. At this time she did not feel that another rate increase would be needed in 1994 and may not be needed in 1995 depending on the growth rate. Mr. Berkich suggested an annual inflationary rate increase be considered. (4-0152) Supervisor Smith suggested having a ten percent increase for all users as this would provide a wash for all commercial and septic users. The parity issue could then be phased over the next ten years rather than all at once. (4-0485) Ms. Timian-Palmer requested the record reflect the change from "playing catch up" when making improvements to placing the responsibility for infrastructure expansions on the subdivision creating the need. Such expansions are made in accordance with City specifications. (4-0586) **Supervisor Smith** explained his intent in making the motion and **moved that the Board direct staff to modify the proposed ordinance and bring it back to the Board at the next regularly scheduled meeting to reflect a ten percent overall increase in residential and commercial rates with a corresponding ten percent decrease in sewer rates for all customers. Supervisor Ayres seconded the motion.** (4-0651) Eric Keaton questioned the reasons for reducing the sewer costs due to his feeling that the Federal mandates would only increase the costs. Ms. Timian-Palmer explained that the water and sewer fees could not be commingled. Even though the City's wastewater treatment plant was considered the present state-of-the-art facility, Mr. Keaton did not feel it would remain one long. (4-0715) Dwight Millard noted that apartment houses are assessed commercial rates which he felt were three times higher than other rates. He then explained that it was his feeling that when the Guastella study had been adopted, the Board's intent was to place all future rate increases on the residential users until the disparity between residential and commercial users reaches a twenty percent difference. He urged the Board to phase in the rates and supported staff's recommendation. Supervisor Smith felt that with the sewer decrease, commercial users would have only a small increase. His proposal would create a small impact on the entire community. Future rate increases could phase in the adjustment. Supervisor Ayres pointed out that the non-profit organizations pay commercial rates. **The motion to direct staff to draft an ordinance with a ten percent overall water rate increase and a ten percent overall sewer decrease and return with it to the next meeting was voted by roll call with the following result: Bennett - No; Tatro - No; Ayres - Yes; Smith - Yes; and Mayor Teixeira - No. Motion failed 2-3.**

Discussion ensued on various percentages which would create the needed revenue and address the disparity although at a smaller rate and the number of commercial and industrial septic tank users. **Supervisor Bennett** explained her support for staff's recommended rate changes and **moved that the Board of Supervisors introduce on first reading Bill No. 143, AN ORDINANCE AMENDING CHAPTERS 12.01 WATER CONNECTION CHARGES AND USE RATES AND 12.03 SEWER CONNECTION CHARGES AND USE RATES OF THE CARSON CITY MUNICIPAL CODE AND OTHER MATTERS PROPERLY RELATED THERETO, fiscal impact is a ten percent increase in sewer user rates and a 25 percent increase in residential water user rates and a \$286 increase in water equivalent residential connection.** Following a request for a correction, **Supervisor Bennett corrected her motion to be for a ten percent decrease in sewer user rates.** She then elaborated on her reasons for making the motion. **Supervisor Tatro seconded the motion. There being no other comments, the motion was voted by roll call with the following result: Smith - No; Ayres - No; Tatro - Yes; Bennett - Yes; and Mayor Teixeira - Yes. Motion carried 3-2.**

17. A. NON-ACTION ITEMS: INTERNAL COMMUNICATIONS AND ADMINISTRATIVE

MATTERS - CONTINUED (4-0978) - Mr. Berkich requested the Board schedule a joint meeting with the Planning Commission and Ms. Julian Walton on vision planning for 6 p.m. on August 5. Mayor Teixeira indicated he would be able to make the meeting and directed the other Members to contact Mr. Berkich about the date.

There being no other matters for consideration, Supervisor Smith moved to adjourn. Mayor Teixeira seconded the motion. Motion carried unanimously and Mayor Teixeira adjourned the meeting at 7:20 p.m.

The Minutes of the July 15, 1993, Carson City Board of Supervisors meeting

ARE SO APPROVED ON ___September_16___, 1993.

_____/s/_____
Marv Teixeira, Mayor

ATTEST:

_____/s/_____
Kiyoshi Nishikawa, Clerk-Recorder