

Teixeira then 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 (1-0243) - Frank Benincasa - Member Bennett expressed her disappointment in the service ARA had been providing. Mr. Benincasa requested an opportunity to meet with her and discuss her comments. Member Ayres moved that the Liquor Board approve a Liquor License for Frank J. Benincasa, Agent for ARA Leisure Services, Incorporated, for the Business Eagle Valley Golf Course Restaurant located at 3999 Centennial Park Drive, Carson City, Nevada. Member Tatro seconded the motion. Motion carried 6-0.

B. ACTION ON AN ENTERTAINMENT PERMIT FOR SCOTT ALLEN BENEDICT, OPERATIONS DIRECTOR FOR K AND M, INC., FOR A CIRCUS LOCATED AT FUJI PARK SEPTEMBER 6 THROUGH SEPTEMBER 8, 1993 (1-0292) - Mike Gorman - Mr. Thornton corrected the circus dates. This was the first time the circus had been in Carson City. It did not have a local sponsor and was a for profit operation. No liquor would be sold at the circus. Member Smith moved that the Board approve an Entertainment Permit for Scott Allen Benedict, Operations Director for K and M, Inc., for a circus located at Fuji Park August 7, 1993, through August 8, 1993. Following a request for a correction, Member Smith amended his motion for the circus to be from September 6 through September 8, 1993. Member Ayres seconded the motion. Motion carried 6-0. Mr. Gorman invited everyone to attend the circus. Hopefully, it will become an annual event.

C. ACTION ON AN ENTERTAINMENT PERMIT FOR MICHAEL L. ANDERSON FOR THE HOT SUMMER BIKES EVENTS TO BE HELD AT MILLS PARK ON AUGUST 13, 1993, THROUGH AUGUST 15, 1993, ALONG WITH A WAIVER OF THE APPLICATION AND PERMIT FEES (1-0358) - Michael L. Anderson - A written request had not been received for the fee waiver. It was a not-for-profit operation which would benefit the Eagle Valley Children's Home. Reasons the Children's Home had not sponsored the event were discussed. Chairperson Teixeira recommended not granting the waiver and considering a refund later when the documentation is provided. Member Bennett moved that the Liquor and Entertainment Board grant an Entertainment Permit for Michael L. Anderson for the Hot Summer Bikes Events to be held at Mills Park 8/13 through 8/15/93. Member McGrath seconded the motion. Discussion ensued on the need for a State Entertainer/Promoter Permit. There will not be a parade, however, a "cruise" will occur. The motion's intent was to grant the permit but not authorize the waiver. Member McGrath then explained his feeling that the event had been scheduled for a long time and how the Sheriff's Office had learned about it. He recommended that if the procedure was not followed correctly in the future, future requests be denied. The motion to grant the permit was voted by roll call with the following results: Yes - Smith, Tatro, Bennett, Ayres, McGrath, and Chairperson Teixeira. Nays - None. Motion carried 6-0.

D. ACTION ON A BUSINESS SHORT-TERM PERMIT FOR MICHAEL L. ANDERSON FOR THE HOT SUMMER BIKES EVENTS CONCESSION STANDS TO BE HELD AT MILLS PARK ON AUGUST 13 THROUGH AUGUST 15, 1993 (1-0638) - Member Tatro moved the Board approve a Business Short-Term Permit for Michael L. Anderson for the Hot Summer Bikes Events Concession Stands to be held in Mills Park on August 13 through August 15, 1993, fiscal impact is \$50 per day promotion fee and \$5 per day per booth. Member Ayres seconded the motion. Motion carried 6-0. Chairperson Teixeira wished him well in his event.

CITIZEN COMMENTS (1-0665) - None.

The Liquor and Entertainment Board was then adjourned and the Board of Supervisors reconvened. The entire

Board was present constituting a quorum.

4. CONSENT AGENDA (1-0685)

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

B. ASSESSOR - ACTION ON CORRECTION OF 1993/94 TAX ROLL

C. CLERK-RECORDER

i. ACTION ON A RESOLUTION AUTHORIZING THE DESTRUCTION OF ORIGINAL RECORDS - COURT CASE FILES

ii. ACTION ON A RESOLUTION AUTHORIZING THE DESTRUCTION OF ORIGINAL RECORDS - UPDATES TO PERSONNEL AND TERMINATION FILES

D. PARKS AND RECREATION DIRECTOR - ACTION ON INTERLOCAL CONTRACT FROM STATE OF NEVADA DIVISION OF CHILD AND FAMILY SERVICES FOR LATCH KEY PROGRAM

E. PUBLIC WORKS DIRECTOR

i. ACTION ON CHANGE ORDER NO. 1 TO CONTRACT NO. 9293-009, STREETS CHIP SEAL CONTRACT

ii. ACTION ON FINAL PAYMENT TO CONTRACT NO. 9293-009, STREETS CHIP SEAL CONTRACT

F. PURCHASING AGENT

i. ACTION ON CONTRACT NO. 9394-3 - NEW EMPIRE SEWER EXPANSION, PHASE 4

ii. ACTION ON CONTRACT NO. 9394-4 - BROWN STREET SEWER EXPANSION PROJECT

iii. ACTION ON CONTRACT NO. 9394-29 - DISPOSAL OF SURPLUS LOADER

iv. ACTION ON CONTRACT NO. 9394-30 - AS/400 UPGRADE SURVEY

v. ACTION ON CONTRACT NO. 9293-004 - COLLECTION SERVICE AGENCY

vi. ACTION ON CONTRACT NO. 9394-11 - EDMONDS PARK SOUTH PARKING LOT

vii. ACTION ON CONTRACT NO. 9394-36 - SELF INSURANCE PROGRAM SERVICES - Purchasing Item F. vi., Contract 9394-11, was pulled. Supervisor Tatro moved that the Board approve the Consent Agenda as presented, including resolution numbers 1993-R-70 for the Resolution authorizing the destruction of original records for Court Case Files, and 1993-R-71 for the Resolution authorizing the destruction of original records for Personnel Updates and Termination Files, and the deletion of the Purchasing Agent's Contract 9394-11, Edmonds Park South Parking Lot. Supervisor Ayres seconded the motion. Motion carried 5-0.

5. SHERIFF - Paul McGrath - ACTION ON FORENSIC SUPPORT SERVICE AGREEMENT (1-0735)

- Funding was discussed. Mr. Suglia had reviewed and approved the contract content. Supervisor Tatro moved that the Board approve the agreement between Washoe County Sheriff's Department and the Carson City Sheriff's Department to provide forensic testing services and authorize the Mayor to sign, fiscal impact is \$12,814 in fiscal year 9394, funding source is the General Fund through AB 27 additional court fees and a budget augmentation will

be forthcoming. Supervisor Smith seconded the motion. Motion carried 5-0.

Sheriff McGrath then expounded on his feeling that this agreement should have been included in the budget. He urged the Board to evaluate the tentative budgets and determine where the funding is being allocated. Mr. Berkich response noted the legislative mandate had created the funding request and stressed his feeling that the current budget process was valid. Supervisor Smith iterated his concerns about the funding decisions which were being made at the staff level. Sheriff McGrath requested he be allowed to bring his budget straight to the Board and avoid the Finance Committee. Mayor Teixeira noted that the Committee kept it a level playing field for all Departments and that the Board could not consider his request as it had not been agendized.

6. TREASURER - Ted P. Thornton

A. ORDINANCE - FIRST READING - ACTION ON AN ORDINANCE AUTHORIZING THE ISSUANCE OF SPECIAL OBLIGATION REGISTERED INTERIM WARRANTS IN CONNECTION WITH CARSON CITY, NEVADA, IMPROVEMENT DISTRICT NO. 1 (GRAVES LANE) AND PROVIDING OTHER MATTERS RELATING THERETO (1-0912) - Bond Counsellor Jennifer Stern - Legislative changes which impacted the original bond were explained. U.S. Bank had agreed to accept less security--a special obligation bond rather than a general obligation bond--at the same interest rate. Reasons for the changes as well as the second agenda item relating to this District were also discussed. Supervisor Tatro moved that the Board introduce Bill No. 144 on first reading, AN ORDINANCE CONCERNING CARSON CITY, NEVADA, IMPROVEMENT DISTRICT NO. 1, GRAVES LANE, AUTHORIZING AND DIRECTING THE ISSUANCE OF A SPECIAL OBLIGATION REGISTERED INTERIM WARRANT IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$2,000,000 FOR THE PAYMENT OF THE COSTS AND EXPENSES IN SUCH DISTRICT; PRESCRIBING DETAILS IN CONNECTION THEREWITH; PROVIDING OTHER MATTERS RELATING THERETO. Supervisor Bennett seconded the motion. Motion carried 5-0. Mayor Teixeira directed a letter be drafted to the bank thanking them for their cooperation.

B. STATUS REPORT ON COLLECTION OF DELINQUENT TAXES ON ORMSBY HOUSE (1-1185) - Bank of America had paid all penalties, taxes, and fees. The distribution of these monies were noted. This was not a windfall but had already been allocated and expended. Both Mr. Thornton and Mayor Teixeira thanked all of the participants. (1-1310) Richard Waiton questioned how the funds could have already been spent. Mayor Teixeira responded by explaining that the ending fund balance had been used to replace the revenue. These monies would be returned to the ending fund balance. Mr. Waiton felt that this procedure was illegal. Mayor Teixeira noted that the City had never been in a deficient position. No formal action was required or taken.

7. PARKS AND RECREATION DIRECTOR - Steve Kastens and Parks and Recreation Chairperson Pete Livermore - ACTION ON FORMATION OF CITIZEN TURF MANAGEMENT TEAM (1-1378) - Discussion included reasons for the Commission's recommendation, composition of the team, issues they should consider, and stressed that it should be an informal committee. Supervisor Tatro then moved that the Board direct the City Manager to form a very informal citizen turf management team to address the turf needs of the parks within Carson City and that that committee also call upon the individuals who work within the Parks Department to find out what their capabilities are, what their resources are, and what their limitations are, and develop a plan for turf management. Supervisor Ayres seconded the motion. Following a suggested amendment, Supervisor Tatro amended his motion to include that Mr. Townsend be requested to serve on the team. Supervisor Ayres continued her second. Motion carried 5-0.

8. PUBLIC WORKS DIRECTOR - City Engineer Tim Homann - ACTION ON APPROVAL OF AN INTERLOCAL COOPERATIVE AGREEMENT BETWEEN CARSON CITY AND THE NEVADA DEPARTMENT OF TRANSPORTATION REGARDING THE GRAVES LANE ASSESSMENT

DISTRICT NO. 1 PROJECT IMPROVEMENTS (1-1805) - NDOT Representative Frederick Drees - Changes to the draft agreement, which was included in the Board packet, were explained. Discussion included Phases 1 and 2, channel lining, funding source, costs, and justification for the channel, its lining, and its construction now. As the final plans have been reviewed, there should not be any more surprises. Changes could, however, be required as the plans hydrological report is still outstanding. Supervisor Bennett then began a motion. As a number will not be assigned until after the document is signed by the State, Supervisor Bennett restated the motion to be that the Board of Supervisors approve the Interlocal Cooperative Agreement between Carson City and the Nevada Department of Transportation regarding the paving and funding of the Graves Lane Improvement from Hot Springs to Lompa Lane, with the change on Page 4, Paragraph 1, to contribute to Carson City a not to exceed sum of \$600,000. Following clarification, Supervisor Bennett corrected the motion to be a not to exceed sum of \$60,000. Supervisor Smith seconded the motion. Motion was voted by roll call with the following results: Ayres - Yes; Tatro - No; Smith - No; Bennett - Yes; and Mayor Teixeira - There is no way (expletive deleted) we can kill this project at this point in time, we have too much money invested in it, but I'm coming (expletive deleted) close to doing it, I'll go for it, but I'll tell you this is the last time, Yes. Motion carried 3-2. Supervisor Ayres noted her vote was not a happy yes.

BREAK: A ten minute recess was declared at 10:12 a.m. When the meeting reconvened at 10:22 a.m., the entire Board was present constituting a quorum.

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

A. PLANNING COMMISSION REFERRALS - REVIEW AND APPEAL MATTERS - ACTION ON V-81-36 - AN APPEAL OF THE PLANNING COMMISSION'S DECISION REGARDING A PREVIOUSLY APPROVED VARIANCE APPLICATION, V-81-36, FROM RAYMOND GRABER TO VARY FROM SETBACK REQUIREMENTS ON PROPERTY ZONED RESIDENTIAL OFFICE (RO), LOCATED AT 314 WEST FIFTH STREET, ASSESSOR'S PARCEL NUMBER 3-129-04 WAS REVIEWED PURSUANT TO THE REQUIREMENTS OF THE CARSON CITY MUNICIPAL CODE (PLANNING COMMISSION RESCINDED 6-0-1-0) (1-2345) - Dr. Graber's Attorney Steve Hartman - Discussion noted the reasons Dr. Graber had not utilized his variance and his request to extend it for one year. If the variance is not used in that time, he will abandon it. Staff has not tracked these variances in the past and was recommending a six month extension. Supervisor Smith moved that the Board extend V-81-36 for a period of one year to August 6, 1994. Supervisor Ayres seconded the motion. Both Supervisor Smith and Mr. Hartman agreed that if the variance is not completed in one year, it will lapse. The motion to extend the variance for one year was voted and carried 5-0.

B. ORDINANCE - SECOND READING - ACTION ON 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 MOUNTAINS STREET, APPROXIMATELY 200 FEET SOUTH OF THE SOUTHEAST CORNER OF WEST NYE LANE AND MOUNTAIN (1-2801) - Supervisor Ayres moved to adopt on second reading Ordinance No. 1993-43, 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 Smith seconded the motion. Motion carried 3-2 with Supervisors Tatro and Bennett voting Naye.

D. COMMUNITY DEVELOPMENT/AIRPORT AUTHORITY ITEM - ACTION ON APPROVAL OF A CONTRACTUAL AGREEMENT FOR ENGINEERING/CONSULTING SERVICES BETWEEN LUMOS AND ASSOCIATES, CARSON CITY AIRPORT AUTHORITY, AND CARSON CITY (1-2845) - Airport Authority Chairperson Steve Tackes - Reasons for involving the City in the contract and the selection process were discussed. Supervisor Smith moved that the Board of Supervisors approve a contractual agreement for engineering/consulting services between Lumos and Associates, Carson City Airport Authority, and Carson City, fiscal impact is not to exceed \$76,600, funding source is 93.75 percent FAA grant funds and 6.25 percent Airport Authority Funds. Supervisor Tatro seconded the motion. Motion carried 5-0.

C. COMMUNITY DEVELOPMENT ITEM - ACTION ON ABATEMENT OF EXISTING ILLEGAL BILLBOARDS (2-0018) - Federal Highway Administration Nevada Division Right-of-Way Officer Conway Barlow, (2-0408) National 3-M Advertising Representative Don Soderberg, (2-0715) Donrey Media Group Assistant General Counsel David Olive, (2-1298) Harrah's Lake Tahoe Legal Counsel Janet Barrone, (2-1391) Property Owner Maria Dufur, (2-1450) Property Owner Robert Hall, (1471) National 3-M Advertising Governmental and Community Affairs Manager for Western United States Raymond Paschke, and (2-1582) Jim Bawden - The history of the ordinance and its standards were detailed. A copy of Reagan Advertising's letter was given to the Board and Clerk. Discussion reference a letter from NDOT Director Garth Dull indicating the City was in good standing in pursuing this issue and that Federal highway funds would not be jeopardized. (A copy had purportedly been included in the Board packets, however, was not included in the Clerk's packet.) Also referenced was a July 3, 1993, news article. Comments noted that the Staff, former Supervisor Ron Swirczek, and the industry representatives worked together on the ordinance and standards. Permits had been obtained and the representatives knew that the permits would expire in five years. Requirements in other communities were noted. Mr. Suglia stressed his position that the City would not have to pay "just compensation" for the abatement. Mr. Barlow noted his original involvement on this issue and his continued support of the City's position. The industry's position was that it had not supported the ordinance, had not bought into the program, had applied for the permits under protest, that the City would lose Federal highway funding unless "just compensation" was given, and that the industry could not comply with the current standards based on its "down sizing" and spacing requirements. They requested an opportunity to work with staff and resolve the issues. They suggested "cap and relocation/replacement" be utilized and/or mitigation funding standards be established which could be used to support the City's parks. NDOT Deputy Director Ron Hill is researching the matter and purportedly had verbally supported the industry's position about "just compensation" and possible loss of Federal funding. A copy of a memo was given to the Board and Clerk outlining Mr. Soderman's position. Legal recourse was insinuated. While the industry acknowledged the signs were nonconforming, it was repeatedly stressed that they were legal. Concern was expressed that the only acceptable solution to the industry was to maintain the current status quo. Comments also stressed the feeling that the industry had failed to accept its responsibilities since 1987. Staff noted that if the Special Use Permits had been renewed, the nonconforming signs would have been allowed to remain if the height and square footage requirements were met. Notification procedures were detailed. All contacts and applications relating to billboards since 1987 were noted. (2-1321) Ms. Barrone outlined reasons Harrah's had failed to follow-up on the permit, detailed the areas where the sign was nonconforming, and supported the proposal to meet with staff and resolve the issues. If this is not granted, then she requested a 90 day extension of the permit to allow time to come into compliance and apply for the permit. Mr. Paschke urged the Board to continue the item for 30 days so the conflict between Mr. Dull and Mr. Hill's comments could be resolved. He also suggested a fine be assessed or a payment of the standard permit fee be made which would cover the period utilized to resolve the issues. Mayor Teixeira supported continuing the request or delaying enforcement of the ordinance until the issues could be resolved. He was disappointed in the industry's lack of action. Mayor Teixeira then passed the gavel to Mayor Pro-Tem Bennett and moved that the Board of Supervisors find that all illegal billboards in Carson City constitute a nuisance and direct the District Attorney to prepare a resolution for the Board's approval no later than six months from this date giving the industry ample time to respond to this abatement and bring whatever proposals they might have before the Board prior to the end of that six month period. Supervisor Ayres seconded the motion.

Discussion ensued among the Board on the length of time which should be granted. Mayor Teixeira amended his motion to include language indicating what will occur when the District Attorney brings a resolution back six months from today's date is that we shall order an abatement of all such nuisances within 30 days from the date the resolution is approved as provided in NRS 244.360 and CCMC Title 20. Supervisor Ayres continued her second. Mayor Pro-Tem Bennett delineated her support for the motion. Additional comments were solicited but none made. The motion to find that all illegal billboards were a nuisance and direct the District Attorney to prepare a resolution for Board consideration six months from today declaring their abatement within 30 days of the resolution's adoption date was voted by roll call with the following results: Tatro - Yes; Ayres - Yes, reluctantly, Smith - Yes; Mayor Teixeira - Yes; and Mayor Pro-Tem Bennett - Yes. Motion carried 5-0.

10. CITY MANAGER

A. ACTION ON A RESOLUTION AMENDING RESOLUTION NO. 1989-R-13 ADDING CRITERIA FOR PERSONS SERVING ON THE GOLF ADVISORY BOARD (2-1825) - Phil Martin expounded at length on his opposition to the proposal. (During his comments Supervisor Tatro stepped from the room--11:35 a.m. He returned at 11:42 a.m. A quorum was present during his absence.) Mayor Teixeira felt that the intent was an attempt to remain as objective as possible on all issues. Mr. Martin also noted that the draft resolution before the Board did not include a two term limit and the grandfathering clause for current members. Mayor Teixeira directed the matter be continued until a correct resolution is drafted and the Board could receive the pros and cons from the Committee. Supervisor Bennett supported the two term limit and thanked Mr. Martin from bringing the matter to the Board. No formal action was taken.

B. ORDINANCE - FIRST READING - ACTION ON AN ORDINANCE AMENDING SECTION 5.20 (OPERATION OF PUBLIC EDUCATIONAL GOVERNMENTAL TELEVISION CHANNEL) OF THE CARSON CITY MUNICIPAL CODE INCLUDING 5.20.010 (DECLARATION OF PURPOSE), 5.20.020 (DEFINITIONS), 5.20.030 (CREATION OF PATCOM), 5.20.040 (DUTIES OF PATCOM), 5.20.050 (MEETINGS), AND DELETING SECTIONS 5.20.060, 5.20.070, 5.20.80, AND 5.20.090 AND OTHER MATTERS PROPERLY RELATED THERETO (2-2385) - PATCOM Chairperson Hugh Smith and Vice Chairperson Eugene Quarterson - Discussion noted the reasons for the revisions. Supervisor Ayres expressed her feeling that the Commission needed to have a Board liaison and volunteered to serve in this capacity. Supervisor Bennett requested a copy of the By-laws and copies of the quarterly reports which should include the type of complaints received as well as resolution of those complaints. Mr. Quarterson indicated a copy of the operating procedures would also be provided to the Board. Supervisor Smith moved that the Board introduce on first reading Bill No. 145, AN ORDINANCE AMENDING SECTION 5.20 (OPERATION OF PUBLIC EDUCATIONAL GOVERNMENTAL TELEVISION CHANNEL) OF THE CARSON CITY MUNICIPAL CODE INCLUDING 5.20.010 (DECLARATION OF PURPOSE), 5.20.020 (DEFINITIONS), 5.20.030 (CREATION OF PATCOM), 5.20.040 (DUTIES OF PATCOM), 5.20.050 (MEETINGS), AND DELETING SECTIONS 5.20.060, 5.20.070, 5.20.080, AND 5.20.090 AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Ayres seconded the motion. Discussion noted the typographical errors in the ordinance title. The motion was correct as read. Motion carried 5-0.

C. CLOSED SESSION - ACTION TO RECESS INTO A CLOSED PERSONNEL SESSION PURSUANT TO NRS 241.030 TO DISCUSS THE PROFESSIONAL COMPETENCE OF THE CARSON CITY MANAGER (2-2900) - Supervisor Smith moved that the Board of Supervisors recess into closed personnel session pursuant to NRS 241.030 to discuss the professional competency of the City Manager. Supervisor Ayres seconded the motion. Motion carried 5-0. Mayor Teixeira recessed the session into a closed personnel session at 11:55 a.m.

At 12:35 p.m. Mayor Teixeira reconvened the Board of Supervisors open session. The entire Board was present

constituting a quorum. Mayor Teixeira immediately declared a lunch recess. Mayor Teixeira reconvened the Board of Supervisors session at 1:35 p.m. A quorum of the Board was present although Supervisors Bennett and Ayres were absent.

11. UTILITIES DIRECTOR - Dorothy Timian-Palmer and City Manager John Berkich

A. ACTION ON CHANGE ORDER NO. 2 TO CONTRACT NO. 9293-65, WATER WELL DRILLING AND CONSTRUCTION (3-0001) - Water Resource Consultant George Ball - (During discussion of the Change Order, Supervisors Bennett and Ayres arrived--1:36 p.m. and 1:38 p.m. respectively. A quorum was present as previously noted.) Discussion outlined the well production capacity found on the east side, need to modify the well designs, reasons for the decreased production, the fracture trace analysis program, costs, depth, and need for additional wells. Supervisor Smith moved that the Board approve and authorize the Mayor to sign Change Order No. 2 to Contract 9293-65, Water Well Drilling and Construction, in the amount of \$28,184, funding source is Account 520-3505. Supervisor Tatro seconded the motion. Motion carried 5-0.

B. ORDINANCE - SECOND READING - ACTION ON BILL NO. 143 - 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 (3-0595) - Supervisor Smith expressed his feeling that this issue should have been considered in an evening session. Ed Moran presented a petition to the Board, which was later given to the Clerk, opposing the 25 percent water rate increase. (3-0715) Bill Crowell expressed his feeling that his water rate should not be increased based on an agreement with the City which was initiated when the City took over the Lakeview water system. He urged the Board to delay action until the legal staff could research the proposal. Ms. Timian-Palmer responded by explaining the problems the City had with the Lakeview water rights and system. The number of septic tank users in Lakeview as well as in Carson City were discussed. Lakeview and Timberline water users were more expensive to service. (3-0899) Don Ross opposed increasing the residential user fees rather than the commercial users particularly in view of the fact that the Lakeview residents would not receive the sewer decrease. He felt that some of the costs were related to mismanagement of the Lakeview system. (3-0975) Richard Waiton explained that his residential area had been forced to form a sewer improvement district and that the 25 percent increase was unreasonable. The "formula" for the water and sewer rates was explained. Mr. Waiton then explained his reasons for feeling that the water and sewer funds were commingled with other funds and used illegally for other purposes. Ms. Walker responded by explaining that this is not legal and had not been done since she joined the City. She invited Mr. Waiton to come to her office and review the funds. Mr. Waiton reiterated his request that the Board reconsider the increase. (3-1245) Eric Campbell felt that the proposal should be postponed until the data on the number of septic tank users is provided. He then questioned when his area would be serviced by the sewer system. Ms. Timian-Palmer felt that it was not in the ten year plan but was probably in the 25 year plan. Mr. Campbell suggested ten percent of the proposed 25 percent water rate increase be utilized to offset the City's sewer expansion costs and the resident's sewer connection fees. (3-1342) Chamber of Commerce Executive Vice President Larry Osborne supported the proposed rates. Supervisor Ayres explained her desire to have rate increases of this type broken down into two ordinances rather than lumped together. Reasons Mr. Campbell's recommended offset program could not be utilized were explained. Supervisor Smith expressed his feeling that more residents would be present if they were not receiving the ten percent sewer decrease. Supervisor Smith then explained his feeling that the 25 percent residential increase was steep. He supported closing the residential/commercial rate gaps and suggested that the 25 percent increase be reduced and the commercial increased a small amount. This would address the gap at a smaller ratio and still meet the financial needs. Supervisor Tatro then explained his support for the ordinance modifications recommended by staff. (3-2075) Home Builders Association Representative Don Keith noted the connection fees recommended by Guastella and the connection fees now assessed. He supported addressing the

disparity between the commercial and residential fees and urged the Board to adopt the proposed modification. Discussion between the Board and staff indicated the PSC would not allow the disparity between commercial and residential users.

Supervisor Tatro then moved that the Board adopt an ordinance on second reading, Ordinance No. 1993-44, 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, with a fiscal impact to the sewer of a ten percent decrease in sewer user rates and to the water of a twenty-five percent increase in residential user rates only, and an increase of \$286 in water equivalent residential connection. Supervisor Bennett seconded the motion. Comments were requested but none made. Motion was then voted by roll call with the following results: Smith - No; Ayres - No; Tatro - Yes; Bennett - Yes; and Mayor Teixeira - This is not palatable for any elected officials to increase any percentages on any rates, it is not politically popular, we pride ourselves in being one of the lowest taxed ad valorem taxed communities in the whole State of Nevada, you could move to Mesquite and get a savings or to Boulder City, but as a full service community, we rank the lowest in the State of Nevada, and we should, we are a consolidated city/county, I believe that we can be very proud of what has happened over the last half a dozen years in the delivery of water, I believe there was a lot of concern on the part of the residents of this community that did, in fact, did Carson City have enough water to provide for the future, and now we are the leader, the model for the State of Nevada in the controlled use of our water whether it be effluent or low water fixtures, our programs, we have done the Clean Water Drinking Act, we are the leading edge, I am very proud of that and I am very proud to be associated with a city that holds that position, and you have heard the testimony that we are out of sync on water, it is an unpopular political area, let's just load up the business side, why don't we do that with ad valorem taxes, load them up over there too, it doesn't work that way, we all end up paying, if business pays, we pay as a consumer, what we are doing here is doing the correct, positive thing, it is the correct way to go, it is not the popular way to do it, it is the correct way to go, so I vote - Yes. Motion carried 3-2.

C. INFORMATIONAL ITEM REGARDING WATER LEVELS IN WELLS LOCATED ON ORMSBY BOULEVARD AND EDMONDS DRIVE (3-2395) - Ms. Timian-Palmer referred to a news article which indicated the groundwater levels were dropping. She explained the system used to track the levels and the misunderstanding in the correspondent's analysis of that information. No formal action was taken nor required.

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.

12. FINANCE DIRECTOR - Mary Walker

A. ACTION ON AN ORDINANCE AMENDING CHAPTER 4.04 (BUSINESS LICENSES) BY ADDING SECTION 4.04.015 TO PROVIDE FOR AN ANNUAL FEE INCREASE BY RESOLUTION, AMENDING SECTION 4.04.073 (CARNIVALS, TENT SHOWS AND CIRCUSES) TO REDUCE CARNIVAL FEES AND OTHER MATTERS PROPERLY RELATED THERETO (3-2868) - Ms. Walker reviewed a memo she had given to the Board concerning the history of the proposed modification. (The Clerk did not have a copy of this memo.) Chamber of Commerce Executive Vice President Larry Osborne indicated their support for the modifications. Mayor Teixeira thanked him for his support. Supervisor Ayres iterated her support for the carnivals, tent shows, and circus modifications. Mr. Suglia responded by explaining the State Statute requires a fee of not less than \$25 a day nor more than \$300 a day. The proposal was for \$100 a day. Supervisor Smith then expressed his support for the carnival, tent shows, and circus modification and his opposition to the annual "automatic" fee modifications. Clarification indicated that the proposed annual increases would be considered by the Board. Search and Rescue Representative Bill Doherty felt the \$100 circus fee was too much. Capital City Fair Representative Cindy Woodgate supported the fee modification. Comments noted the City's

donation to the Nevada Day Committee. Mayor Teixeira supported a \$25 fee for tent shows, circus, and carnivals. Mayor Teixeira then passed the gavel and moved that the Board introduce on first reading Bill No. 146, AN ORDINANCE AMENDING CHAPTER 4.04 (BUSINESS LICENSE) BY ADDING SECTION 4.04.015 TO PROVIDE FOR AN ANNUAL FEE INCREASE BY RESOLUTION, AMENDING SECTION 4.04.073 (CARNIVALS, TENT SHOWS AND CIRCUSES) TO REDUCE CARNIVAL FEES OF THE CARSON CITY MUNICIPAL CODE AND OTHER MATTERS PROPERLY RELATED THERETO, with the following change on Page 8 relating to circus, carnivals, and tent shows that it be a fee of \$100 and \$25 for Carson City based non-profit organizations. Supervisor Ayres seconded the motion. Mr. Suglia indicated he understood the Mayor's intent and could modify the ordinance appropriately. No other comments were made. The motion was voted and carried 5-0. Mayor Teixeira took back the gavel.

B. ACTION ON RESOLUTION FOR TEMPORARY INTERFUND LOAN FROM REGIONAL TRANSPORTATION FUND TO GRAVES LANE SPECIAL ASSESSMENT DISTRICT FUND (4-0210) - Bond Counsellor Jennifer Stern's recommendation was noted. The proposal, the delay in selling the warrants and in paying Mr. Lumos were discussed. Supervisor Tatro then moved that the Board adopt Resolution No. 1993-R-73, A RESOLUTION FOR TEMPORARY INTERFUND LOAN FROM REGIONAL TRANSPORTATION FUND TO GRAVES LANE SPECIAL ASSESSMENT DISTRICT FUND as presented in the staff report with the exception that the second to the last paragraph on Page 1 be changed to read: "That this loan shall be at a 4 percent interest rate for a period not to exceed 45 days." Supervisor Bennett seconded the motion. Motion carried 5-0.

13. REDEVELOPMENT AUTHORITY (4-0386) - Mayor Teixeira then recessed the Board of Supervisors session and passed the gavel to Redevelopment Chairperson Tom Tatro. For Minutes of the Redevelopment Authority, see its folder. Following adjournment of the Redevelopment Authority, Chairperson Tatro passed the gavel to Mayor Teixeira who reconvened the Board of Supervisors. A quorum was present as noted.

14. BOARD OF SUPERVISORS

A. ACTION ON APPROVAL OF FISCAL YEAR 9394 REDEVELOPMENT FINAL AMENDED BUDGET (4-2172) - Supervisor Tatro moved that the Board approve the Fiscal Year 9394 Redevelopment Final Amended Budget, fiscal impact of \$647.00 increase in revenues to the Redevelopment Authority. Supervisor Ayres seconded the motion. Motion carried 5-0.

B. ACTION ON JOHNSON'S "SWEETLAND BUILDING REHABILITATION" PROJECT APPLICATION FOR REDEVELOPMENT INCENTIVES (4-2189) - Supervisor Tatro moved that the Board approve Tom and Linda Johnson's "Sweetland Building Rehabilitation" application in the amount not to exceed \$17,203 subject to the applicant providing a lien on the property in accordance with the Redevelopment Incentives Program, and the applicant's acquiring the appropriate building permits; further, the Board hereby finds this project meets the requirements of NRS 279.492 in that the project is of benefit to the redevelopment area and the immediate neighborhood in which the redevelopment area is located and that no other reasonable means of financing this rehabilitation is available; the Board further determines the incentive amount paid by the Redevelopment Authority shall be on a reimbursement basis only after the work has been completed; fiscal impact is not to exceed \$17,203, funding source is the Redevelopment Authority Incentives Program. Supervisor Ayres seconded the motion. Motion carried 5-0.

C. ACTION ON GUSTAFSON'S "ELDORADO PROPERTIES" RESTORATION AND EXPANSION PROJECT APPLICATION FOR REDEVELOPMENT INCENTIVES (4-2225) - Supervisor Smith then moved that the Redevelopment Authority approve Dave and Krista Gustafson's application for incentives in the amount not to exceed \$30,229 subject to the applicant reducing front signage to one electric sign

box within five years and subject to the Gustafson's providing a lien on the property in accordance with the Redevelopment Incentives Program, and the applicant's acquiring the appropriate building permits and fulfilling the other City building requirements; further, this Committee hereby finds this project meets the requirements of NRS 279.492 in that the project is of benefit to the redevelopment area and the immediate neighborhood in which the redevelopment area is located and that no other reasonable means of financing this rehabilitation is available; the Committee further determines the incentive amount paid by the Redevelopment Authority shall be on a reimbursement basis only after the work has been completed; fiscal impact not to exceed \$30,229; funding source to be the Redevelopment Authority Incentives Program. Member Ayres seconded the motion. Motion carried 5-0.

D. ACTION ON CLEMONS AND CARTER'S "EXPEDITIONS" BUILDING REHABILITATION PROJECT APPLICATION FOR REDEVELOPMENT INCENTIVES (4-0745) - Pulled.

15. SUPERVISORS COMMENTS AND REPORTS (4-2271) - Discussion noted the Supervisors had participated in a fund raiser for the Community Council on Youth. Supervisor Tatro suggested the Super Outlaw Karts be recognized for their fund raising and community activities. Discussion also noted that the barricades for Stanton Park had not yet been installed. Mr. Berkich would provide the installation date to Supervisor Ayres later. Supervisor Bennett welcomed Mayor Teixeira back from Thailand.

16. A. NON-ACTION ITEMS - INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (4-2481) - None.

16. B. ACTION ITEMS - RESOLUTIONS, PROCLAMATIONS, AND OTHER ACTION ITEMS REQUESTED BY MEMBERS OF THE BOARD OF SUPERVISORS:

i. ACTION ON APPOINTMENTS TO THE TRI-COUNTY RAILWAY COMMISSION (4-2486) - Supervisors Ayres and Smith volunteered to serve on the Commission. Supervisor Smith noted the appointment of Lyon and Storey County representatives and indicated the first meeting would be held next week. Supervisor Tatro stressed the importance of the Commission and moved that the Board of Supervisors appoint Greg Smith and Janice Ayres as member representatives to the Tri-County Railway Commission. Supervisor Bennett seconded the motion. Motion carried 5-0. Supervisor Bennett then volunteered to serve as an alternate. Mayor Teixeira expressed his concern that this may not be possible due to the enabling statute. Mr. Berkich explained that the first meeting had been agendized for August 11.

ii. ACTION ON RECONSIDERATION OF THE ORDINANCE CREATING THE BUILDING AND FIRE CODE BOARD OF APPEALS (4-2685) - City Manager John Berkich, Public Works Director Dan O'Brien, and Fire Chief Louis Buckley - Discussion included the need for the Board, its composition, need for its members to be educated professionals, whether serving on the Board posed a conflict of interest for the members/staff, and the need for additional due process procedures and common sense in dealing with the Code's application. (Supervisor Tatro left the meeting at 4:35 p.m. Supervisor Smith left at 4:38 p.m. A quorum was still present.) No action was taken on this matter.

iii. SUPERVISOR BENNETT - ACTION ON RESOLUTION OF SUPPORT FOR T.E.A.M. TAHOE (5-0055) - Supervisor Bennett introduced the request and T.E.A.M. Tahoe Representative John Hoole. Supervisor Bennett's comments included the purpose of T.E.A.M. Tahoe, various issues it must address, and the resolution. Mr. Hoole gave a slide presentation. Supervisor Bennett explained Dennis King of Camera Exchange's voluntary photographing the T.E.A.M. Tahoe trip which supported Supervisor Bennett's comments on the issues facing the group. Mr. Hoole supported Supervisor Bennett's comments and stressed its importance to the City. Comments stressed the need to find a balance between public recreational needs and environmental and

conservation needs. Supervisor Bennett then moved that the Board adopt Resolution No. 1993-R-74, A RESOLUTION OF SUPPORT FOR T.E.A.M. TAHOE. Supervisor Ayres seconded the motion. Motion carried 3-0. Supervisor Ayres and Mayor Teixeira commended Supervisor Bennett on her efforts. Supervisor Bennett expressed her commitment to this worthwhile project.

BREAK: A recess was declared at 4:55 p.m. When the meeting reconvened at 6 p.m. the following Board members were present: Mayor Teixeira, Supervisors Bennett, Smith, Ayres, and Tatro; constituting a quorum. The following Planning Commissioners were present: Vice Chairperson Lee Pisiewski, Jeff Fontaine, William Mally, Maxine Nietz, and Alan Rogers. Roll call established a quorum was present although Commissioner Christianson and Chairperson Pozzi were absent. The following staff members were present: City Manager Berkich, Community Development Director Sullivan, Parks and Recreation Director Kastens, City Engineer Homann, Deputy District Attorney Lipparelli, Principal Planner Joiner, Senior Planner Guzman, and Recording Secretary McLaughlin.

17. JOINT MEETING WITH BOARD OF SUPERVISORS AND REGIONAL PLANNING COMMISSION - DISCUSSION AND POSSIBLE ACTION REGARDING URBAN STRATEGIES VISION PLAN AND LAND USE/POPULATION PROJECTION/GROWTH MANAGEMENT/SEISMIC SAFETY (5-0705) - Mr. Guzman introduced Olympia, Washington, Associate Planner Julia Walton. Mayor Teixeira welcomed her and explained his involvement with her in Washington. Mr. Sullivan introduced the item including funding and need for updating the master plan. Ms. Walton explained the differences and similarities between Olympia and Carson City, the vision planning process used by Olympia, need to implement the plan once it is established, and need for public involvement to be successful. She discussed with the Board and Commission other vision planning processes, pros and cons of the Olympia procedure, procedures utilized to get the public involved, and her contractor's experience. (5-2705) Ms. Walton responded to Art Hannafin's questions concerning Carson City's lack of a significant natural element as compared to Olympia's water front and reasons the water front was not included in its vision plan. Mr. Hannafin expressed his feeling that the City definitely needed a "people oriented plan" and questioned the need for an outside consultant. Ms. Walton indicated that the scope of the consultant's work could be restricted which would allow staff and the community to develop more of the planning. This, however, may be less efficient and take longer to accomplish. (5-3028) Dick Murray expressed his feeling that the City staff did not have the manpower, time, nor funding to undertake the program. Olympia's funding and staffing were detailed. Ms. Walton indicated it may be necessary to increase staffing levels or decrease the current workloads. (6-0005) Discussion among the Board, Commission, and Ms. Walton included the need for public participation to obtain a viable product, need for appropriate funding, need for the contractor to receive clear but broad direction, potential legislative changes which would be created by the program, issues which should be included in the contractor's parameters, need to create goals and objectives for the program prior to the contractor's involvement, and surveys which are conducted.

(6-0581) Commissioner Nietz explained Mainstreet Executive Director Gary Rogers absence and interest in the process. Mr. Sullivan noted Mark Rotter's letter which is contained in the supporting documents. Mr. Sullivan thanked the public, Mr. Kastens, and Mr. Homann for attending.

BREAK: At 7:25 p.m. a ten minute recess was declared. When the meeting reconvened at 7:35 p.m. the entire Board was present constituting a quorum. A quorum of the Planning Commission was present although Commissioner Christianson and Chairperson Pozzi were absent as previously noted.

(6-0641) Comments among the Board, Commission, Ms. Walton, and Mr. Sullivan included Olympia's current redevelopment status, Community Development's staffing needs and priorities, reality of the timetable originally recommended, Olympia's tailored program, cost of Olympia's program, personnel needs, need for the Commission and Board to establish the goals and objectives, need to involve a cross section of the public, and desire to pursue

the program. Mayor Teixeira directed staff to put the timetable together, establish the goals similar to those in the Olympia program, and bring them to the Board so that the Board's could be blended into the staff's and create a product with which to commence the program. Clarification indicated that staff was to prepare the goals, take them to the Commission, and then bring them to the Board. Ms. Walton felt encouraged by the discussion and direction and stressed the need to convey to the consultant the correct scope of work. Mayor Teixeira noted concerns about funding and whether the entire program could be implemented at one time. Mr. Berkich felt that the time was right and that it was a "doable" program. He thanked Ms. Walton for coming and her time. Ms. Walton thanked the Board for bringing her to Carson City. Vice Chairperson Pisiewski requested she advise staff of any goal changes which changed the original direction which may eliminate any possible duplication of efforts or conflicts. He thanked her for her insight. No formal action was taken.

Commissioner Nietz then moved to adjourn. Commissioner Fontaine seconded the motion. Motion carried 5-0. Vice Chairperson Pisiewski adjourned the Planning Commission at 7:59 p.m.

Supervisor Bennett moved to adjourn. Supervisor Ayres seconded the motion. Motion carried 5-0 Mayor Teixeira adjourned the meeting at 8 p.m.

The Minutes of the August 5, 1993, Carson City Board of Supervisors meeting

ARE SO APPROVED ON _____October_7____, 1993.

_____/s/_____
Marv Teixeira, Mayor

ATTEST:

_____/s/_____
Kiyoshi Nishikawa, Clerk-Recorder