

0125) - Supervisor Bennett explained the program and presented Linda Lang. She thanked her and her volunteers for their efforts during the storms and presented her with a Certificate of Merit and Award. Ms. Lang introduced the Youth Supervisor Kitty Fortello, explained her role, and commended all of the participants.

CITIZEN COMMENTS (1-0168) - Ted P. Thornton, as a private citizen, read a statement into the record expressing his concern about the safety and well-being of the citizens in Carson City. He urged the Board, residents, law enforcement, courts, etc., to act responsibly and demand more from the system. (A copy of his statement was given to the Board and Clerk.)

(1-0352) Richard Waiton suggested the Events Center be named Mills Parks Events Center.

BOARD OF SUPERVISORS (1-0365)

4. DISCUSSION AND ACTION ON STATE OF NEVADA, DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY ACQUISITION FOR THE EXPRESSWAY (BYPASS) - Chief Right-of-Way Agent Jack Crawford explained the six year ISTEPA funding for Carson City. To date advanced allocation funds, totaling \$23.5 million, have been obtained and spent on the bypass. Emergency requests have been received from two different property owners in the southeast section of Carson City. He requested Board authorization for the use of \$250,000 in ISTEPA funds for their acquisition. Clarification indicated that the ISTEPA funds would not require reimbursement. Reimbursement of the funds is made with gas tax monies. There has been \$7.6 million from the ISTEPA funds allocated to Carson City, of which Graves Lane has been allocated \$560,000. The costs are shared by a 80/20 split. Supervisor Bennett moved that the Board of Supervisors concur with the recommendation from Nevada Department of Transportation in the right-of-way acquisition for the parcels which were presented to the Board for the expressway bypass using the ISTEPA money that have been allocated to Carson City in the amount of approximately \$250,000. Supervisor Ayres seconded the motion. Clarification indicated the funding could be allocated by NDOT and the request was merely for support of the allocation. The money was previously designated for this project. The motion to support NDOT's request to acquire the two parcels was voted and carried 5-0.

5. TREASURER - Ted P. Thornton

A. ACTION ON CARSON CITY TREASURER'S FINANCIAL REPORT FOR THE MONTH OF DECEMBER 1992 (1-0538) - Supervisor Bennett stressed the need to include the lower interest rates in the budget. Supervisor Smith moved that the Board accept the Treasurer's report as submitted for the month of December 1992. Supervisor Bennett seconded the motion. Motion carried 5-0.

B. ACTION TO ADJUST AND REMOVE 1992-93 REAL PROPERTY TAXES ON APN 9-211-03 AND APN 9-215-02 DUE TO PARTIAL STATE OF NEVADA ACQUISITION OF PROPERTY (1-0570) - Supervisor Bennett moved that the Board of Supervisors

approve the adjustment and removal of 1992-93 Real Property Taxes on APN 9-211-03 AND APN 9-215-02 due to partial acquisition by the State of Nevada for the 395 Bypass Project, fiscal impact is a \$339.99 decrease in revenue for taxes as the State of Nevada is tax exempt. Supervisor Tatro seconded the motion. Motion carried 5-0.

6. SHERIFF - Paul McGrath

A. SHERIFF'S QUARTERLY REPORT REGARDING ASSET FORFEITURE (1-0615) - Sheriff McGrath reviewed a report he had given to the Board prior to the meeting. (The Clerk was not given a copy.)

B. SHERIFF'S REPORT ON LEGISLATIVE MATTERS (1-0685) - Discussion noted this item was not agendized for action. Therefore, Mayor Teixeira directed that action would be taken under Board Item 13. Sheriff McGrath and Clerk-Recorder Nishikawa explained the proposed bill draft which would combine the public administrator and coroner duties and require all revenue received in the performance of these duties to be placed in the General Fund. Another bill expanded the legislation on dangerous weapon control to any area frequented by children and enhanced the penalties. Discussion ensued among the Board and Sheriff McGrath on his authority to control illegal activities at schools. Copies of the bill drafts had purportedly been provided to the Board. (Copies had not been given to the Clerk.) No formal action was taken at this time on these bill drafts.

7. CLERK-RECORDER - Kiyoshi Nishikawa

A. ACTION ON RESOLUTIONS AUTHORIZING DESTRUCTION OF ORIGINAL RECORDS AS FOLLOWS:

i. PUBLIC WORKS MISCELLANEOUS SITE FILES No. 1, 2, 3, AND 4 (1-0938) - Supervisor Bennett moved that the Board adopt Resolution No. 1993-R-8, A RESOLUTION AUTHORIZING THE DESTRUCTION OF ORIGINAL RECORDS which were miscellaneous site files. Supervisor Tatro seconded the motion. Motion carried 5-0.

Supervisor Bennett moved that the Board adopt Resolution No. 1993-R-9, A RESOLUTION AUTHORIZING THE DESTRUCTION OF ORIGINAL RECORDS which were site files and had been microfilmed for the permanent record. Supervisor Tatro seconded the motion. Motion carried 5-0.

Supervisor Bennett moved that the Board adopt Resolution No. 1993-R-10, A RESOLUTION AUTHORIZING THE DESTRUCTION OF ORIGINAL RECORDS which were miscellaneous site files. Supervisor Tatro seconded the motion. Motion carried 5-0.

Supervisor Bennett moved that the Board adopt Resolution No. 1993-R-11, A RESOLUTION AUTHORIZING THE DESTRUCTION OF ORIGINAL RECORDS which were site files for Projects 1986-003, 1986-004, 1986-005, and 1986-006--water storage

tanks. Supervisor Tatro seconded the motion. Motion carried 5-0.

ii. MISCELLANEOUS COURT CASE FILES (JUVENILE) NO. 87-10000 THROUGH 87-10185 (1-1015) - Supervisor Bennett moved to adopt Resolution No. 1993-R-12, A RESOLUTION AUTHORIZING THE DESTRUCTION OF ORIGINAL RECORDS which were miscellaneous Court files (Juvenile) numbers 87-10000 through 87-10185. Supervisor Tatro seconded the motion. Motion carried 5-0.

iii. MISCELLANEOUS COURT CLERK CASE FILES NO. 86-00001 THROUGH 86-02062 (1-1025) - Supervisor Bennett moved that the Board adopt Resolution No. 1993-R-13, A RESOLUTION AUTHORIZING THE DESTRUCTION OF ORIGINAL RECORDS which are miscellaneous court files numbered 86-00001 through 86-02062. Supervisor Tatro seconded the motion. Motion carried 5-0.

B. ORAL STATUS REPORT ON RESEARCH AND DISBURSEMENT OF FUNDS FROM OLD COURT FILES (1-1050) - Clerk-Recorder Nishikawa and Internal Auditor Kulikowski explained the status of the research and disbursement project. Of the original 375 cases, 266 had been finalized, 58 were now in the case management system and active, 35 were still pending responses from attorneys, and 16 were pending legal advice on their disposal. No formal action was required or taken.

8. PURCHASING AGENT - Basil "Butch" Moreto

A. ACTION ON CONTRACT 9293-51 - TRIPLE COMBINATION, 1500 GPM CUSTOM FIRE ENGINE (REBID) (1-1142) - Discussion among the Board, Mr. Moreto, and Fire Chief Buckley indicated the price was FOB Carson City, delivery date, the vehicle it replaced, normal procedures and time for delivery, disposal plans for the old vehicle, parts availability, and business record for the bidder. Supervisor Smith moved that the Board accept the Purchasing Division's recommendation and award this Contract to Bidder No. 1, Hi-Tech Emergency Vehicle Service, Inc., 144 West Gregger St., Oakdale, California 95361-1616, as the lowest responsive and responsible bidder pursuant to the requirements of NRS Chapter 332 for an amount of \$181,847 plus \$2,400 for the aluminum hose bed cover and \$500 for ladder storage "Additive Alternates" all for a total contract amount of \$184,747; funding source will be the Fire Pumper Engine as provided in fiscal year 9293. Supervisor Tatro seconded the motion. Motion carried 5-0.

B. ACTION TO CONTRACT 9293-117 - DESERT MOUNTAIN BOOSTER STATION UPGRADE (1-1425) - Discussion with Utility Director Dorothy Timian-Palmer included the bid ranges, the City's experience with Resource Development Company, the location, and purpose of the equipment. Supervisor Ayres moved that the Board accept the Purchasing Division's recommendation and award Contract No. 9293-117 to Bidder No. 4, RDC, Inc., dba Resource Development Company, 2305 Glendale Avenue, Suite 10, Sparks, Nevada 89431, as the lowest responsive and responsible bidder pursuant to the requirements of NRS Chapters 332, 338, 339, and 624 for a contract amount of \$58,000 and a

contingency amount of \$5,000; budget allocation is \$65,000; funding source is water mainline replacement with funding provided in FY 9293. Supervisor Tatro seconded the motion. Motion carried 5-0.

C. ACTION ON CONTRACT 9192-171 - TIMBERLINE BOOSTER PUMP STATION UPGRADE (1-1592) - Supervisor Smith moved that the Board approve the Request for Final Payment on Contract No. 9192-171 as presented by the Purchasing Division to RDC Inc., 2305 Glendale Avenue, Suite 10, Sparks, Nevada 89431, and accept the Contract Summary as presented, funding source is the Timberline Booster Station Retention Account as provided in FY 9293. Supervisor Tatro seconded the motion. Motion carried 5-0.

9. ADMINISTRATIVE SERVICES DIRECTOR - Mary Walker

A. ACTION TO APPROVE A RESOLUTION AUTHORIZING SHORT-TERM FINANCING FOR PUBLIC SAFETY EQUIPMENT AND INFRASTRUCTURE IMPROVEMENTS (2-1665) - Ms. Walker indicated the funding was for a Fire Pumper Truck - \$90,000; an Enhanced 911 System - \$30,000; Repaving City Parking Lots - \$100,000; and a School Beacon - \$25,000. Capital Acquisition funds would repay all but the school beacon which will be repaid with Gas Tax monies. Discussion ensued among the Board, Ms. Walker, and Mr. Berkich on the status of the 911 system, reasons for the delay in acquiring these items which had been included in the 9293 budget, and the paving schedule. Supervisor Tatro moved that the Board approve Resolution No. 1993-R-14, A RESOLUTION AUTHORIZING SHORT-TERM FINANCING FOR CERTAIN PUBLIC SAFETY EQUIPMENT AND INFRASTRUCTURE IMPROVEMENTS, fiscal impact \$345,000, funding source is Capital Acquisition Funds and Gas Tax Funds, and noted that the financing is for a not-to-exceed ten year short-term financing period. Supervisor Bennett seconded the motion. Motion carried 5-0.

B. ACTION TO APPROVE CARSON CITY'S PLAN OF CORRECTIVE ACTION FOR FISCAL YEAR 1991-92 AUDIT RECOMMENDATIONS (1-1861) - Ms. Walker reviewed her report and with Mr. Kulikowski responded to Board questions on staffing needs mandated by the audit controls, Golf Course "z" key procedures, and date of the audit report. Supervisor Tatro moved that the Board approve Carson City's Plan of Corrective Action for FY 9192 Audit Recommendations. Supervisor Bennett seconded the motion. Motion carried 5-0.

BREAK: A five minute recess was declared at 10:15 a.m. When the meeting reconvened at 10:20 a.m. the entire Board was present constituting a quorum.

10. UTILITY DIRECTOR - Dorothy Timian-Palmer

A. ACTION ON CHANGE ORDER NO. 1 TO CONTRACT 9293-65 - WATER WELL DRILLING AND CONSTRUCTION (1-2292) - Discussion among the Board and Ms. Timian-Palmer explained the water source found had not been adequate to meet the City's municipal well pumping requirements and the new site where drilling is planned. Supervisor Smith moved that the Board approve and

authorize the Mayor to sign Change Order No. 1 to Contract 9293-65, Water Well Drilling and Construction, in the amount of \$4,222.50, funding source is Account 520-3505 Water Utility Capital Outlay. Supervisor Ayres seconded the motion. Motion carried 5-0.

B. STATUS REPORT ON 1992 BRUNSWICK CANYON RESERVOIR SEEPAGE LOSSES (1-2439) - Sewer Utility Assistant Engineer Georgia Turner discussed with the Board her report on the seepage occurring at the Brunswick Canyon Reservoir. She felt that the Reservoir was slowly sealing itself as indicated by the 26 percent loss experienced last year. Previous loss ratios and the reasons for feeling that the springs found in the canyon were not at this time being effected by the seepage were discussed in depth. Possible sealing procedures were noted. No action was required or taken.

C. ACTION ON EFFLUENT MANAGEMENT AND IRRIGATION PLAN FOR UPPER CENTENNIAL BALL FIELDS (1-2775) - During Ms. Timian-Palmer's introduction, John Hastie displayed a test tube with 100 ml. of treated effluent. Discussion stressed that if 1,000 people drank 100 ml. only two people may become ill. The proposal would irrigate the ballfields during the night and not while in use. Irrigation procedures at the Golf Course, plans for sand infiltration, cost to irrigate with effluent versus current irrigation costs, Mr. Kastens irrigation replacement funding source, Parks Maintenance staff training plans, and the projected payback period were discussed. Supervisor Smith suggested the water savings created in the Parks budget be utilized for other maintenance purposes. Previous irrigation construction had included an effluent irrigation system. Mayor Teixeira suggested the water and sewer utilities fund the entire program and that the share proposed for the Parks' budget be reallocated for other maintenance. Ms. Timian-Palmer noted that the Utilities were paying for the design engineer. Supervisor Ayres moved that the Board of Supervisors director staff to proceed with the effluent management and irrigation plan for the upper Centennial Ball Fields; fiscal impact and funding sources are not affected at this time as all work would be performed by in-house staff. Supervisor Smith seconded the motion. Motion carried 5-0.

11. COMMUNITY DEVELOPMENT DIRECTOR - Walt Sullivan - PLANNING COMMISSION REFERRALS - APPEAL AND REVIEW MATTERS

A. ACTION ON M-92/93-21 REGARDING A REQUEST FROM WESTERN NEVADA COMMUNITY COLLEGE (PROPERTY OWNER: UNIVERSITY OF NEVADA, RENO BOARD OF REGENTS) TO ABANDON A 60 FOOT BY APPROXIMATELY 468.04 FOOT PUBLIC UTILITY EASEMENT ADJACENT TO APN 7-091-18 LOCATED ON THE NORTH SIDE OF WEST NYE LANE APPROXIMATELY 960 FEET WEST OF WEST ORMSBY BOULEVARD - PLANNING COMMISSION APPROVED 5-0-2-0

B. ACTION ON M-92/93-19 REGARDING A REQUEST FROM WESTERN NEVADA COMMUNITY COLLEGE (PROPERTY OWNER: UNIVERSITY OF NEVADA, RENO BOARD OF REGENTS) TO ABANDON A 60 FOOT BY APPROXIMATELY 440 FOOT PUBLIC UTILITY

EASEMENT ADJACENT TO APN 7-091-18 LOCATED ON THE NORTH SIDE OF WEST NYE LANE APPROXIMATELY 960 FEET WEST OF WEST ORMSBY BOULEVARD - PLANNING COMMISSION APPROVED 5-0-2-0

C. ACTION ON M-92/93-20 REGARDING A REQUEST FROM WESTERN NEVADA COMMUNITY COLLEGE (PROPERTY OWNER: UNIVERSITY OF NEVADA, RENO BOARD OF REGENTS) TO ABANDON A 15 FOOT BY APPROXIMATELY 440 FOOT PUBLIC UTILITY EASEMENT ADJACENT TO APN 7-091-18 LOCATED ON THE NORTH SIDE OF WEST NYE LANE APPROXIMATELY 960 FEET WEST OF WEST ORMSBY BOULEVARD - PLANNING COMMISSION APPROVED 5-0-2-0 (2-0210) - Supervisor Tatro moved that the Board approve M-92/93-21, M-92/93-19, and M-92/93-20 requests from Western Nevada Community College, University of Nevada, Reno Board of Regents, to abandon 15 foot by 440 foot public utility easement, 60 foot by 440 foot public utility easement, and a 60 foot by 468.04 public utility easement, all adjacent to Assessor's Parcel Number 7-091-18, located on the north side of West Nye Lane approximately 960 feet west of West Ormsby Boulevard, based on the findings and conditions contained in the staff report for each of the referenced items. Supervisor Bennett seconded the motion. Motion carried 5-0.

D. ACTION ON M-92/93-17 REGARDING AN ABANDONMENT REQUEST FROM M. G. STAFFORD TO ABANDON A 25 FOOT BY APPROXIMATELY 455 FOOT ACCESS, DRAINAGE, AND PUBLIC UTILITY EASEMENT ALONG THE EAST PROPERTY LINES OF APN 9-563-07, ALONG THE EAST AND SOUTH PROPERTY LINES OF APN 9-563-08, AND ALONG THE WEST AND NORTH PROPERTY LINES OF APN 9-563-09 LOCATED EAST OF SILVER SAGE DRIVE, SOUTH OF STAFFORD WAY, AND NORTH OF TRAVIS DRIVE - PLANNING COMMISSION APPROVED 5-0-2-0 (2-0305) - Supervisor Tatro moved that the Board approve M-92/93-17, an abandonment request from M. G. Stafford to abandon a 25 foot wide by approximately 310 foot long, and a 25 foot wide by approximately 195 foot long access, drainage, and public utility easement along the east property lines of Assessor's Parcel Number 9-563-07, along the east and south property lines of Assessor's Parcel Number 9-563-08, and along the west and north property lines of Assessor's Parcel Number 9-563-09, located east of Silver Sage Drive, south of Stafford Way, and north of Travis Drive based on the findings and subject to the conditions of approval contained in the staff report. Supervisor Bennett seconded the motion. Motion carried 5-0.

E. ACTION ON M-92/93-18 REGARDING A REQUEST FROM STANTON PARK DEVELOPMENT TO ABANDON A TEN FOOT BY APPROXIMATELY 295 FOOT PUBLIC UTILITY EASEMENT ALONG THE SOUTHERN PORTION OF APN 10-455-05, AND TO ABANDON A TEN FOOT BY APPROXIMATELY 297 FOOT PUBLIC UTILITY EASEMENT ALONG THE SOUTH PROPERTY LINE OF APN 10-445-04 LOCATED SOUTH OF STANTON DRIVE, WEST OF NORTH EDMONDS DRIVE, AND EAST OF WOODSIDE DRIVE - PLANNING COMMISSION APPROVED 5-0-2-0 (2-0355) - Supervisor Tatro moved that the Board approve M-92/93-18, an abandonment request from Stanton Park Development to abandon a ten foot by approximately 295 foot public utility easement along the southern portion of Assessor's Parcel Number 10-445-05, and to abandon a ten foot by approximately 297 foot public utility easement along the south property line of Assessor's Parcel Number 10-445-04 located south of Stanton Drive, east of North Edmonds Drive, and east of Woodside Drive, subject to the conditions of

approval and based on the findings contained in the staff report. Supervisor Ayres seconded the motion. Motion carried 5-0.

12. DETERMINATION/ANNOUNCEMENT OF FUTURE MEETING DATES AND TIMES - DISCUSSION AND POSSIBLE ACTION REGARDING FISCAL YEAR 1993-94 BUDGETARY SCHEDULE (2-0395) - Discussion ensued on the proposed schedule. Consensus indicated the hearings should begin at 6 p.m. and that the dates suggested were satisfactory. No action was taken.

Discussion indicated February 20th at 9 a.m. had been scheduled for the goals and objectives session. Supervisor Bennett suggested key staff personnel also be present during the meeting. Discussion included utilizing an outside consultant to assist in the process. Supervisor Tatro requested Mr. Berkich have all the packets to the Board by February 12.

13. BOARD OF SUPERVISORS REPORTS, RESOLUTIONS, AND PROCLAMATIONS (2-0601)

A. ACTION ON PROCLAMATION REGARDING "CHILD PASSENGER SAFETY AWARENESS WEEK" FEBRUARY 8-12, 1993 - Mayor Teixeira noted that his Board packet did not contain anything on this Item. (Neither did the Clerk's packet.) Supervisor Bennett then indicated she had a copy and moved that the Board proclaim the Week February 8 through 12, 1993, as Child Passenger Safety Awareness Week. Supervisor Tatro seconded the motion. Motion carried 5-0.

B. ACTION ON PROCLAMATION REGARDING NATIONAL ASSOCIATION OF PURCHASING MANAGERS "PURCHASING MONTH" MARCH 1993 (2-0645) - Supervisor Bennett moved that the Board proclaim the Month of March 1993 as Purchasing Month. She then explained her feeling that Purchasing Agent Moreto and Supervisor Tatro had proposed the proclamation in order to recognize those individuals involved with City, County, and State purchasing. Supervisor Tatro seconded the motion and noted that the proclamation also recognized the private sector and was sponsored by the National Association of Purchasing Management. Motion carried 5-0.

C. ACTION ON MILLS PARK EVENTS CENTER MANAGEMENT AGREEMENT BETWEEN CARSON CITY AND CARSON CITY CONVENTION AND VISITORS' BUREAU (2-0675) - Mayor Teixeira stressed that the proposal was a starting point for discussion. Board direction was solicited. The District Attorney's office had not reviewed the proposal. Hopefully, the agreement could be completed in six weeks. Supervisor Tatro then explained the Bureau's proposal. Comments included clarification of the list of service providers, reasons for requiring a \$300 maintenance fee when utilized by youth ice skaters, stressed that the contract did not require the Bureau to either contract or provide ice skating, justification for the requirement that all funds received by the Board of Supervisors be placed in the capital improvement and maintenance account, the Bureau's ability to waive a promoter's fees if in the best interest of the City, the Bureau would be responsible for the \$300 capital improvement and maintenance fee if the fees are waived, the City would be responsible for the same fee if the School District is allow to use the

facility at no charge, need for the Bureau and School District to develop an agreement, that all capital improvements would initiated by the Bureau and have the Board's concurrence, reasons for granting the Bureau the ability to make all the decisions on policies and procedures while making the Board legally responsible for the liability created by the policies and procedures, parking concerns, concerns about the Bureau mandating Park and Recreation Maintenance procedures and activities, desire to utilize the facility for youth activities when commercial booking allows such use, and that fees from such programs be allocated to building maintenance and capital improvements. Mayor Teixeira commended the Bureau on its efforts and indicated City staff would review the agreement before Board action is again requested. Supervisor Tatro reminded the Board of the Bureau's enabling authority and need for the Bureau to have authority to operate the facility appropriately. He urged the Board to keep these factors in mind when structuring the agreement. Mayor Teixeira explained his reasons for suggesting that the Bureau operate the facility. Supervisor Smith responded by stressing that the money for construction of the facility had not been the Bureau's. It was a room tax collected for specific purposes of which the facility was one purpose. It was not a \$2.2 million gift from the Bureau. Supervisor Tatro responded by noting that the funds belonged to the residents of the community, however, flexibility was required in the agreement. Mr. Suglia expressed his concern about the lack of bidding procedures unless the matter is being considered an interlocal agreement. He would research this issue.

(2-1970) Richard Waiton urged consideration of a one year trial arrangement and not draft a long-term, inflexible agreement.

E. ACTION ON APPOINTMENTS TO THE CARSON CITY AIRPORT AUTHORITY (2-2005) - Mr. Sullivan explained the Authority's recommended appointments. Supervisor Tatro explained his opposition to having a Board recommend the appointees and based on this opposition he would vote against the appointments. Mayor Teixeira noted that the Authority functions differently from other City committees/commissions. Supervisor Bennett noted Board policy of talking with the applicants. She could recommend Mr. Kelly but did not know Mr. Foley. Mayor Teixeira indicated this policy would be discussed by the Board in the future. Supervisor Smith moved that the Board appoint David Foley and John Kelly to the Carson City Airport Authority. Supervisor Bennett seconded the motion. Motion was voted by roll call with the following results: Ayres - Yes; Smith - Yes; Bennett - Yes; Tatro - No; and Mayor Teixeira - Yes. Motion carried 4-1.

D. DISCUSSION AND POSSIBLE ACTION REGARDING LEGISLATIVE MATTERS (2-2145) - Mayor Teixeira introduced AB 146 and Eileen and Don Summo. Mr. and Mrs. Summo are the owners of the Victoria Wedding Chapel. They opposed AB 146 due to their feeling that it would allow Douglas County to issue licenses at the Lake and eliminate the need for people to come to Carson City for marriage licenses. This would be a reduction in revenue to Carson City General Fund as well as to other tourist oriented facilities as experience had indicated when Douglas County had previously had a satellite office at

the Lake. Mayor Teixeira requested the information be provided in writing and explained that the Bill was being revised. A decision would not be made on the Bill today.

Administrative Services Director Walker explained the proposal to eliminate the Public Defender's Office. NACO is in the process of researching the feasibility of providing this service. Carson City may wish to have its own Public Defender's Office or contracting the service. The Judges oppose contracting the service. State costs for the service were felt to be unjustified. As Question 8 prohibits transferring services to the Cities/Counties without funding, the State is considering appropriating revenue sources such as sales taxes, assessing administrative charges, cost allocation programs, etc. She encouraged the Board to break from the State if at all possible. Mayor Teixeira explained his feeling that if Carson City drops the program, the State Public Defender's Office would be without a major supporter as Douglas, Lyon, and Churchill Counties had contracted the service. Options available were listed. (2-2875) State Public Defender James Jackson then explained that Elko County has its own Public Defender. He then outlined how his budget had been cut and feeling that his agency would remain as only a State function for cases arising from prison facilities, indigent appeals, post convictions habeas corpus, and denial of habeas corpus petitions. Mandates of NRS 260 and options were reviewed. Caution was stressed when considering contracting for the service in view of the potential for "capital cases" and the fiscal impact such cases could create for the County. The need for accountability was also emphasized. He volunteered to assist in any manner possible including providing statistical data for estimating the start-up and ongoing costs of a public defender's office. Discussion ensued between Mayor Teixeira and Mr. Jackson on whether the City should investigate the potential of having NACO provide the service. Mr. Berkich explained his contact with the District Court Judges and noted their reservations about the NACO plan. Judge Griffin wished to discuss this concern with the Board later today. Mayor Teixeira indicated he would have an opportunity to do so before action is taken by the Board. Ms. Walker then outlined her telephone conversation with Judge Griffin. She felt that he would hold his comments until after a proposal is presented. Mr. Jackson urged the Board to be sure that the ultimate plan does not duplicate his State functions. Mayor Teixeira then requested no action be taken until the Judges can meet with the Board. Mr. Jackson volunteered to keep the Board advised of action by the smaller Counties and how the Ways and Means Budget Session proceeds. Ms. Walker thanked him for his assistance.

(3-0298) Ms. Walker explained the Governor's plan to eliminate the Local Government Division and the impact this would have on the City's projected budgets. In addition to this elimination, the proposal would increase the fee for sales tax collection and distribution to one percent which would cost the City at least \$100,000. Juvenile Probation subsidizes were eliminate as well as some parole functions. This is a \$100,000 "hit" on the City's budget. Mr. Berkich distributed to the Board (but not the Clerk) a position paper purportedly drafted by Juvenile with NACO's assistance on this issue. Additionally, there were "horrendous" increases proposed in permit and

administrative fees which was a direct result of Question 8. Conflicting information regarding indigent services was outlined. Minor amendments have been proposed for AB 104, the Fair Share Bill, which is supported by all of the Counties.

F. ISSUES REQUESTED BY MEMBERS OF THE BOARD OF SUPERVISORS (3-0480) -
None.

BREAK: A lunch recess was declared at 12:20 p.m. When the meeting reconvened at 1:30 p.m. a quorum was present although Supervisor Smith was absent.

D. DISCUSSION AND POSSIBLE ACTION REGARDING LEGISLATIVE MATTERS - CONTINUED (3-0512) - District Court Judge Michael Griffin stressed that his comments were his own and that he did not represent Judge Fondi. He then delineated his concerns about the Public Defender's Office proposal, indicating a lack of information on the cost if the State maintained the service, and desire to avoid contracting the service to untrained or uncontrolled individuals. He was willing to consider the City providing the service. He urged the Board to retain the State Public Defender's office rather than support NACO's proposal although he stressed he had not seen a written proposal from NACO. Reasons for supporting the State program included its availability of trained/talented staff and budget procedures which may inadequately fund a local office. He also questioned whether a feasible program could be established by NACO on such short notice. Mayor Teixeira explained that the Board had only just received the information itself. No action had been taken, however, action may be taken later to analyze all options. He felt that it was necessary to know how the people most affected by a change felt and commended him on his presentation.

14. PUBLIC WORKS DIRECTOR - City Engineer Tim Homann

A. PUBLIC HEARING IN SUPPORT AND IN OPPOSITION TO THE CREATION OF CARSON CITY, NEVADA, IMPROVEMENT DISTRICT NO. 1 (GRAVES LANE): POSSIBLE ACTION ON A RESOLUTION DISPOSING OF THE PROPOSED IMPROVEMENT DISTRICT PROPERTY OWNER PROTESTS; AND, POSSIBLE ACTION DIRECTING STAFF TO PROCEED WITH THE PROPOSED IMPROVEMENT DISTRICT CREATION PROCESS (3-07150 - Mr. Homann's introduction included an overview of previous Board discussions and actions, the documentation required for the District, and Mr. Lumos and Bond Counsellor Mark Wood. (Supervisor Smith arrived--1:40 p.m. during Mr. Homann's presentation. A quorum was present as previously noted.) Mr. Homann explained the Board's options including the ability to change the boundaries.

(3-0850) Paul Lumos, representing Lumos and Associates Engineering, explained his firm's role in the process, the purpose of the assessment district and this hearing. He suggested the Board hear the protests before proceeding. He used a map to explain the location and property owners.

(3-0968) Attorney Ted Stokes introduced Ron Boulter. Mr. Boulter explained his original concerns related to the natural drain located on his property, his understanding of the assessment district and its requirement that the benefits derived from it be more than the cost. He then used the map to explain his reasons for feeling that the cost of the district was prohibitive. He requested Board action removing his property from the district. He did not need Graves Lanes to access his property as the property abutted the proposed Goni extension. He felt that during his parceling he had been coerced into dedicating unnecessary property to the City. All of the other property owners needed Graves Lane for access to their properties. By using the formula, the NDOT's offer for some of his property, and real estate appraisals, he then illustrated his reasons for feeling that the District and Graves Lane were cost prohibitive. Additionally, they would inflate his property value until he could not afford to sell it. He discussed with Mayor Teixeira his share of the district and his share of the cost. Mr. Homann explained the development agreement which would require Mr. Boulter to share the Goni Road development costs. Mr. Boulter then explained that he had hired an engineer and was awaiting estimates for a comparison of the District's costs. Mr. Homann explained that Mr. Boulter would be responsible for half of both Goni Road and Graves Lane even if he was not part of the District. He responded to Supervisor Smith's question that he would still want out of the District even if Board action is delayed for two weeks while his engineer's estimates are being prepared as he felt it would be less expensive for him to do the work on his own.

(3-1458) Attorney Stokes indicated that legal recourse may be taken against the development agreement which Mr. Boulter had previously signed due to the feelings of coercion and misrepresentation. He then explained that the protest had been filed with the City Manager's office rather than the mandated City Clerk's office.

(3-1555) Bond Counsellor Mark Wood of Swendseid and Stern discussed the Board's options. They were: To deny the request for an assessment district, remove him from the district, or force him to participate. Bonding concerns were discussed. Discussion followed between Supervisor Tatro and Deputy District Attorney Lipparelli concerning the development agreement requirement mandating construction of improvements when deemed necessary by the Board of Supervisors or when development occurs in the area. Mr. Lipparelli stressed his desire to have the development agreement include Mr. Boulter's development of Graves Lane at the time the District develops its portion rather than when development occurs on Mr. Boulter's property. The other option would be to not proceed with establishing an assessment district. Discussion among the Board, Mr. Berkich and Mr. Homann ensued on the normal development agreement procedures.

Discussion ensued between the Board and Mr. Boulter on his objection to the assessment district. He did not need Graves Lane for access. He felt the cost for his portion was prohibitive. Mr. Lumos noted that the City has a development agreement with Mr. Boulter, Ordinance No. 1992-19, which requires

development of both Goni Road and Graves Lane abutting Mr. Boulter's property. The purpose of the assessment district was to provide financing for that development. He was concerned that only half of the improvements may be installed. He felt that the project would remain viable without Mr. Boulter. Mr. Lipparelli acknowledged that the development agreement is on the books, however, urged caution about its enforcement based on Mr. Stokes comments until further investigation occurs. He did not feel that it was necessary to make findings if the Board wished to remove Mr. Boulter from the District.

(3-2427) Charles Rafferty questioned the reasons the property owners within the proposed District were continuously being changed. Mr. Lumos explained that Exchange Intermediary was a subsidiary of Sierra Technology. Mr. Rafferty then explained his feeling that Mr. Sheehan was having a major portion of his assessment paid by the State. He felt this was unfair. Mr. Lumos explained NDOT's bypass acquisition of some of Mr. Sheehan's property. This acquisition had eliminated access to Graves Lane. Access was then provided to the property from Research Way. As this property was included in the District, the State agreed to pay for the Graves Lane costs. Mr. Lumos then explained the formula used to assess the costs. Mr. Rafferty then explained his opposition to the formula and his reasons for feeling that it placed an unfair burden on his property.

(3-2950) Ted Stokes then read paragraph four of his letter. (A copy was given to the Clerk.) He felt that the formula left much to be desired. He felt the benefits derived from the improvements were less for Messrs. Boulter and Rafferty than others in the District. He further explained the misunderstanding about filing the appeal with the Clerk's office. (4-0019) Mr. Lipparelli felt that there had been adequate notice to the Board of the appeal.

Supervisor Bennett explained her feeling that Messrs. Boulter and Rafferty would benefit significantly from having two access roads which would be created by development of both Goni and Graves. Mr. Lumos then used the map to explain the ownership, assessment value, and access route for each parcel. His figures indicated Mr. Boulter would be paying approximately four percent of the costs while owning approximately five percent of the property. He then discussed the benefit versus area formula required by the ordinance with the Board. He felt that Mr. Boulter's property would meet the ordinance requirements.

Mr. Boulter acknowledged that he may at some future time benefit from Graves Lane. This was his reason for hiring an engineer and requesting continuance until his report is completed. Mr. Rafferty then questioned the assessment costs and explained his feeling that the assessment against the property was more than the indicated four percent. Mayor Teixeira explained that all of the information was public record and available. As the property owners were listed in the packet, it was available.

(4-0401) Sierra Technology Corp. President Carmen Noble explained its

relationship with Exchange Intermediary. He then explained the assessment against the parcel adjacent to Mr. Boulter's which also has a drainage channel. He also explained the property exchange between Sierra Technology and Lone Mountain.

(4-0495) Lone Mountain Corp. Representative Gary Stokes suggested Mr. Rafferty check with the Secretary of State's office for registered corporations where he could determine the ownership and corporate officials of his firm. He expressed support for the Assessment District and emphasized its importance to the City and area. He then explained what he felt could be perceived as an inequity in the formula based on his lack of frontage to Graves Lane. He felt the formula was as equitable as possible. He urged to the Board to proceed with the District formation. He explained also that Mr. Boulter needed to have a good financial analysis performed which would demonstrate the future value of the property which would be paid with today's dollars.

(4-0625) Sierra Technology Development Consultant Mike Perry submitted a letter from Roger Sheehan supporting the District. (A copy was given to the Board and Clerk.) Mr. Lipparelli requested the exhibits be made a part of the permanent record.

Supervisor Bennett then moved that the Board of Supervisors adopt Resolution No. 1993-R-15, A RESOLUTION DISPOSING OF PROTESTS MADE AT THE HEARING IN THE PROVISIONAL ORDER FOR CARSON CITY, NEVADA, IMPROVEMENT DISTRICT NO. 1 (GRAVES LANE); DIRECTING THAT THE ENGINEER PREPARE AND FILE A REVISED AND DETAILED ESTIMATE OF COST, FULL AND DETAILED PLANS AND SPECIFICATIONS, AND A REVISED MAP AND ASSESSMENT PLAT; PROVIDING OTHER MATTERS PROPERLY RELATED THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF. Supervisor Ayres seconded the motion. Motion was voted by roll call with the following results: Smith - Yes; Tatro - Yes; Ayres - Yes; Bennett - Yes; and Mayor Teixeira - No. Motion carried 4-1.

B. ACTION ON DEDICATION OF PUBLIC UTILITY AND ACCESS EASEMENT ON NYE LANE (EXTENDED) AT WESTERN NEVADA COMMUNITY COLLEGE (4-0615) - Supervisor Tatro moved that the Board approve the offer of dedication from the Board of Regents, University of Nevada, of a public utility and access easement consisting of a strip of land approximately 955.7 feet long by 60 feet wide and authorize the Mayor to sign the dedication document. Supervisor Smith seconded the motion. Motion carried 5-0.

C. ACTION ON DEDICATION OF PORTIONS OF RHODES STREET AND SOUTH CURRY STREET RIGHTS-OF-WAY (4-0761) - Supervisor Tatro moved that the Board approve the offer of dedication from John Tom Ross of street right-of-way consisting of a strip of land approximately 577 feet long and variable width ranging from 16.21 feet to 60 feet for Rhodes Street and a strip of land approximately 196 feet long and 36 feet wide for South Curry Street and containing approximately 32,029 square feet of property and authorize the Mayor to sign the dedication document. Supervisor Smith seconded the motion.

Motion carried 5-0.

D. ACTION ON DEDICATION OF A SANITARY SEWER AND WATER MAIN EASEMENT AT RHODES STREET AND SOUTH CARSON STREET (4-0787) - Supervisor Tatro moved that the Board approve the offer of dedication from First Interstate Bank of Nevada of a sanitary sewer and water main easement consisting of a strip of land approximately 200 feet long and 26 feet wide and authorize the Mayor to sign the dedication document. Supervisor Bennett seconded the motion. Motion carried 5-0.

E. ACTION ON DEDICATION OF HYTECH DRIVE STREET RIGHT-OF-WAY (4-0805) - Supervisor Tatro moved that the Board approve the offer of dedication from John C. Serpa of the street right-of-way for Hytech Drive consisting of a strip of land approximately 766 feet long and 60 feet wide and authorize the Mayor to sign the dedication document. Supervisor Ayres seconded the motion. Motion carried 5-0.

F. ACTION ON DEDICATION OF A PORTION OF APPION WAY STREET RIGHT-OF-WAY (4-0822) - Supervisor Tatro moved that the Board approve the offer of dedication from Capital Investment Company of a portion of the Appion Way street right-of-way consisting of a strip of land approximately 25 feet wide and 1,320 feet long from Bigelow Drive to the east and authorize the Mayor to sign the dedication document. Supervisor Bennett seconded the motion. Motion carried 5-0.

G. ACTION ON DEDICATION OF MULDOON STREET RIGHT-OF-WAY SOUTH OF CLEARVIEW DRIVE (4-0852) - Supervisor Tatro moved that the Board approve the offer of dedication of Muldoon Street right-of-way from David G. Lopez consisting of a strip of land 189.70 feet long by ten feet wide and authorize the Mayor to sign the dedication document. Supervisor Bennett seconded the motion. Motion carried 5-0.

Supervisor Tatro moved that the Board approve the offer of dedication of Mulddon Street right-of-way from Kelly W. and Shannon R. Bell consisting of a strip of land 140.6 feet long by ten feet wide and authorize the Mayor to sign the dedication document. Supervisor Smith seconded the motion. Motion carried 5-0.

H. ACTION ON DEDICATION OF A ROADWAY, PUBLIC UTILITY, AND DRAINAGE EASEMENT ON A PORTION OF EAST ROBINSON STREET (4-0875) - Supervisor Tatro moved that the Board approve the offer of dedication of a roadway, public utility, and drainage easement from the Carson City School District consisting of a strip of land 30 feet wide by 856.93 feet long located in the East Robinson Street right-of-way extended and authorize the Mayor to sign the dedication document. Supervisor Bennett seconded the motion. Motion carried 5-0.

I. ACTION ON DEDICATION OF STREET RIGHT-OF-WAY FOR SPRING DRIVE AND CHIMNEY DRIVE (4-0902) - Supervisor Tatro moved that the Board approve the

offer of dedication from Eagle Valley Investments of street right-of-way consisting of Chimney Drive from Spring Drive to approximately 690 feet north, and Spring Drive from approximately 660 feet west of Chimney Drive to approximately 535 feet east of Chimney Drive and authorize the Mayor to sign the dedication documents. Supervisor Ayres seconded the motion. Motion carried 5-0.

J. ACTION ON DEDICATION OF DEAN COURT AND A PORTION OF NORTHGATE LANE STREET RIGHT-OF-WAY (4-0932) - Supervisor Tatro moved that the Board approve the offer of dedication from C. D. and E. Enterprises of street rights-of-way consisting of a five foot by 395 foot strip of property along the west side of Northgate Lane south of Arrowhead Drive and all of Dean Court running west off of Northgate Lane and authorize the Mayor to sign the dedication documents. Supervisor Bennett seconded the motion. Motion carried 5-0.

BREAK: A five minute recess was declared at 3:10 p.m. When the meeting reconvened the entire Board was present constituting a quorum.

15. CITY MANAGER REPORTS, RESOLUTIONS, AND BOARD DIRECTIVE - City Manager John Berkich and Deputy City Manager Pat Sorenson

A. ACTION ON A RESOLUTION ALLOCATING DRIVING UNDER THE INFLUENCE (DUI) FINE COLLECTED TO CARSON DETOXIFICATION CENTER FOR COMMUNITY ORIENTED ALCOHOL AND DRUG TREATMENT SERVICES (4-0961) - Clarification between the Board and Mr. Sorenson indicated the amount of the surcharge, the policy to allow installment payments for the fines, and proposed uses of amounts over \$20,000. Supervisor Bennett moved that the Board adopt Resolution No. 1993-R-16, A RESOLUTION OF THE BOARD OF SUPERVISORS ALLOCATING FIFTY DOLLARS (\$50.00) OF EVERY DUI FINE COLLECTED TO BE SET ASIDE IN A DESIGNATED ACCOUNT FOR USE BY THE CARSON DETOXIFICATION CENTER (CDC) FOR COMMUNITY ORIENTED ALCOHOL AND DRUG TREATMENT SERVICES AND PROVIDING A SCHEDULE AND TERMS FOR DISBURSEMENT OF FUNDS, fiscal impact not to exceed \$20,000 per fiscal year. Supervisor Ayres seconded the motion. Motion carried 4-1 with Supervisor Tatro voting Naye.

B. ACTION ON PROPOSED SALE OF CARSON AIR INDUSTRIAL PARK PROPERTY IDENTIFIED AS LOT 26, ASSESSOR'S PARCEL NO. 8-402-08 (4-1098) - Discussion among the Board, Broker Tom Johnson, and Mr. Sorenson explained that the prior parcel authorized for sale had not closed due to problems the buyer had. Supervisor Bennett explained her support for the sale and Western Nevada Development District's exploration of a grant for funding and development of Boeing Drive. She request allocation of the monies from the sale for this purpose. Mayor Teixeira then outlined the funding requirements for the ISTE A grant and urged consideration of this need in the deliberation on allocating the sale funds. Discussion ensued on the reasons the interest rate was lower than the market and for the City to accept the terms rather than outright purchase of the property. Clarification by Mr. Sorenson explained the 1988 resolution authorizing the sale. Supervisor Smith then

moved that the Board of Supervisors authorize the sale of Air Industrial Park property identified as Lot 26, Assessor's Parcel No. 08-402-08, for the appraised value of \$110,000; fiscal impact minus the expenses associated with the sale of said City-owned property, the following is realized: Sale price - \$110,000, ten percent commission - \$11,000, one-half of escrow and title fees - \$800, land survey - \$600, balance of cash payment at close of escrow - \$19,600, principal and interest paid over term of five years \$44,151, balance due at the end of five years - \$60,650, total proceeds to the City after five years minus closing expenses - \$124,401. Supervisor Ayres seconded the motion. Motion carried 5-0.

C. ORDINANCE - FIRST READING - ACTION ON AN ORDINANCE REPEALING CHAPTER 2.20 OF TITLE 2 (HISTORICAL COMMISSION) OF THE CARSON CITY MUNICIPAL CODE AND OTHER MATTERS PROPERLY RELATED THERETO (4-1395) - Mayor Teixeira noted that the Historic Architectural Review Committee would provide the same service. Supervisor Smith moved that the Board introduce Bill No. 102 on first reading, AN ORDINANCE REPEALING CHAPTER 2.20 OF TITLE 2 (HISTORICAL COMMISSION) OF THE CARSON CITY MUNICIPAL CODE AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Ayres seconded the motion. Motion carried 5-0.

D. STATUS REPORTS REGARDING THE BLISS MANSION AND CHANGEMASTERS (4-1463) - Mr. Berkich briefly outlined the latest meeting with Mr. Dilley. He hoped to have a major project review meeting with him within 30 days. His plans for an executive bed and breakfast with a residence on the third floor were explained. The Changemasters assessment procedure has been completed. A report should be available next week. Two days of training for the leadership committee will be held next Thursday and Friday. Meetings with the coaches should occur in March.

13. D. DISCUSSION AND POSSIBLE ACTION REGARDING LEGISLATIVE MATTERS - CONTINUED (4-1575) - Board discussion indicated the desire to see the bill drafts combining the public administrator and coroner duties, on NRS 202.265, and the marriage license proposal prior to taking action. Supervisor Tatro also noted the Convention and Visitors Bureau wedding advertisement campaign and his concern about the difficulty such a campaign would have if the wedding chapel closed. Supervisor Tatro then moved that the Board direct the legislative lobby committee to notify NACO that we would support exploration of the concept of the separate public defenders office under NACO. Supervisor Smith seconded the motion. Discussion indicated the motion was to direct staff/NACO to gather information and explore the potential of having a public defender's office under NACO. The City would consider the proposal before making a commitment toward such a program. The motion to direct the City's legislative lobbyists to notify NACO of the Board's support for the exploration of the concept was voted and carried 5-0.

BREAK: There being no other matters scheduled at this a recess was declared at 3:40 p.m. When the meeting reconvened at 6 p.m., the following were present: Mayor Teixeira, Supervisors Smith, Ayres, and Tatro. A quorum was present although Supervisor Bennett had not yet arrived. Staff members

present included: City Manager Berkich, Clerk-Recorder Nishikawa, Sheriff McGrath, Deputy City Manager Sorenson, Deputy District Attorney Suglia, and Recording Secretary McLaughlin.

16. PUBLIC HEARING REGARDING THE ANNUAL COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ALLOCATION PROCESS FOR FISCAL YEAR 1992-93 (4-1740) - Deputy City Manager Sorenson explained the proposed procedures and briefly explained the applications which had been received and the criteria utilized to establish the priorities and eligibility for the sewer grant and funding allotments.

(4-1955) Western Nevada Community College (WNCC) Human Development and Early Childhood Education Instructor Connie Denham distributed a report to only the Board. She then explained the application for construction costs to expand the Family Services Center/Parent Education Room and Preschool Classroom facilities. The need for additional classes and expanded childcare facilities for low and moderate income families was emphasized. Her comments also included benefits which the community would gain from the expansion programs. (During her comments Supervisor Bennett arrived--6:15 p.m. A quorum was present as previously noted.) She then responded to Board questions concerning the construction costs and funding for contingent operational costs. (4-2357) WNCC Staff Representative and Student Dani Chandler, (4-2435) WNCC Student Mary Anne LaVelle, (4-2470) Child Development Specialist and Special Children's Clinic Representative Char Rickard, (4-2525) Facility Representative and Clerical Careers Program Coordinator and Instructor Virginia Schnaible, and (4-2610) Associate Dean of Arts, Sciences and Developmental Education Faun Dixon supported the program, stressed the need for the facility, and emphasized the benefits which the program would provide low and moderate income families. Dr. Dixon thanked the Board for its previous support. (4-2695) Richard Waiton felt that the Board had funded their request last year with the understanding that it was for one time only. He urged the Board to stop the requests this evening. Mayor Teixeira reminded those present that this evening the Board would only receive testimony. A decision would be made in two weeks. Ms. Denham then responded to Board questions on the day care center's license, number of children which would be in the center, and the various childcare plans.

(4-2829) Community Action Renovation Efforts (CARE) Representatives Bill Maddox and Bill Lewis explained their application and stressed the progress made on the programs. Both thanked the Board for previous support as well as the private sponsors for their assistance. Mr. Lewis responded to Board questions on the cost of improvements and remodeling plans. Mr. Berkich indicated the organizations plan to move in to the building within 90 days. Mr. Sorenson felt the grant would be available July 1 if approved. Youth Volunteers of Nevada Representative and Vice Chairperson of Community Council on Youth Linda Lang stressed the need for office space. Jeff Cordova read his mother's statement urging the Board to support the program into the record. Ken Kraften emphasized the need for a youth recreational facility. Nevada Hispanic Services Representative Rachel Knecht stressed the need for the facility and urged the Board to support the grant. She thanked the Board

for its previous and continuing support. Myra Torres expressed her feeling that high school students really needed a facility. Western Nevada Builders Association Chairperson John Anderson explained the Association's commitment to the Boys and Girls Club to get them in the building including material and services. He urged the Board to provide the financial support needed. Discussion between Mr. Anderson and Mayor Teixeira indicated the grant request was for ancillary support beyond that which the Builders were providing.

(5-0268) Mr. Sorenson then explained the Sewer Improvement Assistance Program for the New Empire/Brown Street area. Mr. Waiton explained the sewer improvement special assessment district created in his area for the same purpose. He felt that the grant should be used only for low income families. Mr. Sorenson clarified the request by property owners for support if rented to low and moderate income families. Mr. Waiton felt that this offer should be made to other areas as well. Mr. Sorenson explained that this area could statistically support the need and that staff was willing to consider other areas in the future. Mr. Waiton felt that this was an attempt to "dump" low income individuals on the New Empire area of the City. He opposed using the funds for sewer connection fees or for landlords. (5-0470) Pete Bachstadt stressed the importance of sewers and urged the Board to support the program. He did not feel that there should be an recipient income limit established.

Mayor Teixeira solicited additional comments. None were made. He and Mr. Sorenson reiterated the purpose of the hearing and that a priority would be established at the next meeting.

BREAK: A five minute recess was declared at 7:50 p.m. When the meeting reconvened at 7:55 p.m. the entire Board was present constituting a quorum.

17. PARKS AND RECREATION DIRECTOR - Steve Kastens - DISCUSSION AND POSSIBLE ACTION ON FAIRGROUND MATTERS: A. ADOPTION OF THE MASTER PLAN FOR THE FAIRGROUNDS, AND, B. LEASE OF LAND AT THE FAIRGROUNDS (5-0575) - Mr. Kastens explained the conceptual drawing illustrating the master plan which had been drafted by an ad hoc volunteer committee. The Parks and Recreation Commission and Board of Supervisors had approved the master plan. The Commission also approved the drawing. His explanation included the proposed 395 bypass route, that a portion of the fairgrounds is located in Douglas County, proposed access routes, relocation of Clear Creek Road, parking sites, arenas, exhibit halls, plans for the Clear Creek zone, and adjacent property which may be obtained when the Bypass is constructed. He responded to Board questions concerning the parking areas, and a potential trade of a small section to obtain the surplus property from NDOT. He acknowledged that the plan was ambitious, however, felt that until it is approved, work could not commence. Volunteer efforts were illustrated by explaining the 1984-5 Parks Bond Issue. Mr. Kastens also thanked Mr. Meierdierck and Ms. Case for their work on the master plan and drawing.

Supervisor Bennett then used the drawing to explain her suggestion that the

City consider acquiring property in the area of the old outdoor theater which is adjacent to the Park and in Douglas County. This would provide additional area for Park expansion as well as an access from the Bypass. Supervisor Smith felt the drawing had ignored the need for overnight parking/camping. His comments stressed the need for this camping area to meet Code requirements. Mr. Kastens acknowledged this point. He felt that it had not been included as it was not an issue when the master plan was being drafted. The Code issues related to this proposal are being researched by the District Attorney's office. The area designated for RV camping/parking was included on the drawing. The expenses of meeting the Code requirements will require evaluating all of the options including whether camping is a necessity.

Mr. Kastens then explained for Mayor Teixeira the area which Mr. Lepire wished to lease. It was illustrated on the drawing by use of an overlay. Clarification indicated the master plan included the assumption that the Bypass was a reality and that the City would acquire the surplus.

(5-1744) Pam Case explained her representation of the users coalition and the purpose of the master plan and conceptual site plan. The master plan's need to remain viable and ever-changing was stressed. The plan was an attempt to go from reactive to proactive development of the Park. Projects completed and/or funded were illustrated. Current parking problems which the large users were incurring were also explained. Staff had been asked to clear another portion of the Park for additional parking. Discussion ensued among Supervisor Smith, Ms. Case, and Mr. Kastens on the possibility of using an area on the west side of the Park for parking. Supervisor Bennett and Ms. Case discussed the desirability of charging for parking. Although Mayor Teixeira did not feel that the plan could be developed in less than 20 years, Ms. Case felt that there is creative financing available, the demand for the facility would be increased through marketing efforts, and that the project may be completed sooner.

(5-2150) Gene Lepire then expressed his feeling that the City should and could acquire the property west of the current parking lot from BLM. There is also a smaller piece which could be acquired from the State. If the parking areas were lined, it would provide additional parking. Ms. Case explained the topographical problems with the sites he had indicated.

(5-2262) Ed Bernard, Mr. Lepire's attorney, gave a statistical report on what he felt the economic impact of Mr. Lepire's current operation and the proposed expansion would have on the City. His proposal would provide an additional 153 RV sites which Mr. Lepire would develop at his cost. According to his plan, this "marriage" of private and public interests would be beneficial to the entire community. His plan would provide the additional RV parking needed for the Fairgrounds without cost to the City. Mr. Lepire expressed his feeling that the proposed parking area west of the current parking site could be leveled at little or no cost to the City and that the material could be used as fill at other areas. He distributed to the Board a proposed lease agreement. Clarification indicated this was the same document as included in the Board's packet. (During his presentation, Supervisor

Ayres stepped from the room--7:55 p.m. A quorum was still present.) Discussion ensued between Mr. Lepire and Mayor Teixeira on the difference between his lease proposal and the City's sale of streets. (Supervisor Ayres returned at this point--7:58 p.m. A quorum was present as previously noted.) Discussion ensued among Supervisors Smith and Bennett and Mr. Lepire concerning whether taxes are paid on the land/improvements when State/City property is leased. Mr. Lepire gave Supervisor Ayres a quick review of the discussions which had occurred over the last 18 months on his proposals, his plans for the leased area, and possible lease terms. Supervisor Bennett questioned whether the Board could allocate funds from a lease for Fuji Park development. Mr. Suglia indicated the Statutes require the funds to be placed in the General Fund. Both Mr. Berkich and Mr. Suglia felt they could then be "earmarked" although it would require annual review. (5-3008) Discussion ensued among the Board and Mr. Lepire on his proposed lease terms, including its length, his investment, (6-0015) and his development plans, his desire to be able to sell the lease, impact his proposal would have on the State Bypass acquisition, and Lepire's questions about the criteria used in the MIA appraisal. Mr. Bernard explained the legal requirements mandated for the sale of property. He felt that only Mr. Lepire would be interested in the lease and that negotiations should include the economic benefit to the community. Discussion ensued among the Board, Mr. Lepire, Mr. Bernard, Mr. Suglia and Mr. Berkich on NDOT's letter about the impact the lease may have on the Bypass including its cost to the Bypass. Additional discussion ensued among the Board and Messrs. Lepire and Bernard on Mr. Lepire's plans for the site, Code requirements, and the need for additional RV spaces in Carson City, specifically in the vicinity of Fuji Park. Supervisor Tatro suggested, to which Mr. Lepire agreed, that in the spirit of cooperation, Mr. Lepire lease facilities to Park users at a special discounted rate of \$4 a day for those occasions when RV parking is currently required. Mr. Bernard felt that this issue was open to negotiation. Supervisor Smith stressed his desire that the deal be in the best interest of Fuji Park and the overall community. The users had "sold" him on the need for a first class RV parking/camping. He suggested that the lease require Mr. Lepire to turn the RV spaces over to the City at the conclusion of the lease. This would provide facilities for the Park which had been paid and constructed by Mr. Lepire at no cost to the City. He also felt that the City should look to acquiring property in Douglas County for expansion. Mr. Lepire requested consideration that after a 20 year lease, if the State is not ready to acquire the property, the lease include a three to five year extension. Discussion ensued between Mayor Teixeira and Mr. Lepire on the term of the lease, Mr. Lepire's construction costs, his amortization rate, and value of the property at the end of the lease. Mayor Teixeira noted his concerns with the proposal specifically in relationship to the State's acquisition.

(6-1075) Pam Case stressed her feeling that the need for additional parking at the Fairgrounds had been lost in the discussion of the need for RV parking. If the proposed five acre site is eliminated, the current activities at the Fairgrounds would be curtailed. She also expressed her concern about placing these activities adjacent to an area where individuals are attempting to sleep. She then suggested that Mr. Lepire consider

acquiring property in Douglas County. Purportedly, the property owner is considering developing an RV park on the property. A trail access could be provided to the site and the picnic area along Clear Creek could be utilized by the tenants. She also pointed out that the Bypass would not impact his operation in that area. Mr. Lepire responded by expressing his feeling that he was not interested in Douglas County or its economics and that there is adequate space left for parking at the Fairgrounds.

(6-1175) Parks and Recreation Commissioner Ed Moran, who was speaking as an individual, opposed the project as it would effectively "tie the hands" of the City and Commission when it attempts to develop the Park. He also indicated his feeling that it would negatively impact the City's "bargaining" position with NDOT on the Bypass development. He then explained the amortization period needed if the figures Mr. Lepire had presented during the meeting were used. This was the reason the Commission recommended the lease have only a five year life and a termination clause allowing the termination within a three to four year period if NDOT needs the property in less than five years.

Additional public comments were solicited but none made.

Discussion ensued between Mr. Lepire and Supervisor Smith on the need for a 20 year lease. During the discussion Mr. Lepire expressed a willingness to accept a 20 year lease but a desire to have a 23 year lease. Supervisor Bennett suggested and discussed with Mr. Lepire a ten year lease with two five year options. Mr. Lepire felt that the individuals who would accept such terms would cut corners to reduce costs. Clarification indicated the Park has only 47 acres. Supervisor Bennett urged the Board to consider the revenue source created by private enterprise and the loss of this revenue when retained by public ownership.

BREAK: At 8:50 p.m. a five minute recess was declared. When the meeting reconvened at 8:55 p.m. the entire Board was present constituting a quorum.

Supervisor Bennett then moved that the Board of Supervisors lease the five acres of land that has been described in the proposed lease agreement to Mr. Lepire. She then interrupted her motion to discuss with Mr. Suglia whether the Board could designate the individual who would lease the property. Mr. Suglia explained the requirements of NRS 244.203. Supervisor Bennett began her motion again. Supervisor Bennett moved that the Board put out to bid the land as described in the proposed lease at the Carson City Fairgrounds, that the lease for bid would be for a duration of not less than 23 years with a price not less than \$10,000 a year, and that the lease would include a joint use agreement with the Parks Department for special rates for special events and that the lease be brought back in the form of an attachment for a resolution. Motion died for lack of a second.

Supervisor Smith then moved that the Board direct the District Attorney to prepare a resolution containing a lease for the property as described in the proposed lease for a term of ten years with two - five year renewable options

