
BOARD OF SUPERVISORS

MINUTES, BACKUP MATERIAL AND INDEX

FOR:

April 2, 1987

A regular meeting of the Carson City Board of Supervisors was held on Thursday, April 2, 1987, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 9 a.m.

PRESENT:	Dan Flammer	Mayor
	E. M. "Doc" Scrivner	Supervisor, Ward 4
	Ron Swirczek	Supervisor, Ward 1
	Tom Fettic	Supervisor, Ward 2
STAFF PRESENT:	L. H. Hamilton	City Manager
	Ted P. Thornton	Clerk-Treasurer
	Kit Weaver	Assessor
	Walt Sullivan	Community Development Director
	Dan O'Brien	Public Works Director
	Steve Kastens	Parks and Recreation Director
	Jack Fralinger	Public Health Director
	Ron Wilson	Purchasing Agent
	Charles P. Cockerill	Chief Deputy District Attorney
	Victor Freeman	Undersheriff
	Mary Walker	Deputy Finance Director
	Judy Fisher	Personnel Officer
	Lewis Nagy	Wastewater Treatment Supt.
	Tom Kunkle	Golf Course Superintendent
	Bob Auer	Deputy District Attorney
	Katherine McLaughlin	Recording Secretary
	(B.O.S. 4/2/87 Tape 1-0005)	

Mayor Flammer called the meeting to order at 9 a.m. by leading the Pledge of Allegiance. Roll call was taken. A quorum was present although Supervisor Chirila was absent due to personal reasons and excused by Mayor Flammer.

IV. APPROVAL OF MINUTES - January 24, 1987, Regular Session and February 5, 1987, Special Session

(1-0039) Following Mayor Flammer's request for corrections or additions to the Minutes and hearing none, Supervisor Swirczek moved to approve the Minutes of January 24, 1987, Regular Session and February 5, 1987, Special Session as presented. Supervisor Fettic seconded the motion. Motion was voted and carried 4-0.

OTHER MATTERS (1-0052)

Mayor Flammer then explained the panel of lights which the Board Members and staff were to use to signal when they wished to speak. Hopefully, this would lend itself to a smoother meeting, allowing all to speak, but assisting the Secretary in keeping the record straight.

V. SCHEDULED ITEMS - PRESENTATION OF EMPLOYEE LONGEVITY AWARDS

(1-0072) Mayor Flammer distributed longevity awards to each of the recipients and commended them on their dedication. Those receiving ten year plaques were: Parks and Recreation Foreman Richard Carrillo, Public Health Tech II Ruth Vaughn, Utility Manager Lew Nagy, Senior Industrial Waste Inspector John Hastie, Marriage Clerk II Bob Weaver, Assessor Kit

Weaver, Sergeant II Phillip Johnson, Lieutenant II Joseph Curtis, and Utility Billing Technician Paula Crum. Those receiving 15 year plaques were: Office Assistant II Nancy Lamb, Water Crewman II Gordon Gurney, Auto Mechanic/Crafts Thomas Noble, Assistant Fire Marshall Richard Menzies, Water Maintenance Superintendent Skip King, Accounting Technician Flo Cazella, Assistant Water Maintenance Superintendent Dave Clark, Office Assistant II Maria Rodriguez, Fire Captain Mark Bowers, Shift Supervisor Chris Coleman, and Property Appraiser III Lester Cash. Those receiving 20 year plaques were: Library Director Virginia Rule, Judicial Technician Marlene Wendell, Equipment Operator II Charles Steffan, Deputy Roy Guiriani, and Equipment Operator II Ray Keeble.

Supervisor Fettic then moved to adopt Resolution No. 1987-R-25, A RESOLUTION COMMENDING RETIRING LIBRARY DIRECTOR VIRGINIA RULE and read the Resolution commending her on her 20 plus years of employment into the record. Supervisor Swirczek seconded the motion. Motion was voted and carried 4-0.

Supervisor Swirczek moved to adopt Resolution No. 1987-R-26, A RESOLUTION COMMENDING RETIRING EQUIPMENT OPERATOR II RAY KEEBLE and read the Resolution commending him on his 20 plus years of employment into the record. Supervisor Fettic seconded the motion. Motion was voted and carried 4-0.

Supervisor Scrivner moved to adopt Resolution 1987-R-27, A RESOLUTION COMMENDING RETIRING EQUIPMENT OPERATOR II CHARLES STEFFAN and read the Resolution commending him on his 20 years of employment into the record. Supervisor Swirczek seconded the motion. Motion was voted and carried 4-0.

Supervisor Fettic then moved to adopt Resolution No. 1987-R-28, A RESOLUTION COMMENDING RETIRING PROPERTY APPRAISER III LESTER CASH and read the Resolution commending him on his 15 plus years of employment into the record. Supervisor Scrivner seconded the motion. Motion was voted and carried 4-0.

Supervisor Swirczek then moved to adopt Resolution No. 1987-R-29, A RESOLUTION COMMENDING RETIRING ASSISTANT WATER MAINTENANCE SUPERINTENDENT DAVE CLARK, and read the Resolution commending him on his 15 years of employment into the record. Supervisor Fettic seconded the motion. Motion was voted and carried 4-0.

Mayor Flammer then advanced to the following Agenda Item.

VII. RESOLUTIONS (1-0530)

F. PARKS AND RECREATION DIRECTOR AND GOLF COURSE ADVISORY COMMITTEE - REQUEST FOR APPROVAL OF EAGLE VALLEY GOLF COURSE FEES

Following Mayor Flammer's introduction, Parks and Recreation Director Kastens explained a "bookkeeping" change in the Committee's recommendation to have the season and annual passes expire on the anniversary date that it was purchased rather than the first day of the month. Discussion noted that the Resolution would have to be modified to

reflect this change. Supervisor Swirczek then moved to adopt Resolution No. 19870-R-30, A RESOLUTION ESTABLISHING FEES FOR EAGLE VALLEY GOLF COURSES I AND II, which established fees for Eagle Valley Golf Courses I and II as amended. Clarification indicated the need to have a rate set for Course II. Supervisor Scrivner seconded the motion. Motion was voted by roll call with the following result: Ayes - Fetic, Scrivner, Swirczek, and Mayor Flammer. Nays - None. Motion carried unanimously and so ordered.

Mr. Hamilton noted the problems encountered in attempting to establish the fees for the courses and thanked all those involved with the process.

Noting that there were Items for consideration by the Liquor and Entertainment Board, Mayor Flammer recessed the Board of Supervisors meeting and immediately reconvened the hearing as the Liquor and Entertainment Board. A quorum was present including Sheriff Paul McGrath.

VI. PETITIONS AND COMMUNICATIONS---LIQUOR AND ENTERTAINMENT BOARD MATTE

1. McMASTERS - DOING BUSINESS AS BROWNBAG DELI - 304 EAST WINNIE LANE (1-0727)

Deputy Clerk Merlene Alt explained the request to add Shannon McMasters to the Liquor License as a partner.

VII. F. PARKS AND RECREATION DIRECTOR AND GOLF COURSE ADVISORY COMMITTEE - REQUEST FOR APPROVAL OF EAGLE VALLEY GOLF COURSE FEES - CONTINUED (1-0745)

Discussion ensued concerning the effective date of the Golf Course Resolution. Mayor Flammer stated that it was effective upon adoption.

VI. 1. McMASTERS - DOING BUSINESS AS BROWNBAG DELI - 304 EAST WINNIE LANE - CONTINUED (1-0771)

Member Fetic moved to approve the request to add Miss Shannon McMaster to the Liquor License of the Brownbag Deli. Member Swirczek seconded the motion. Motion was voted and carried 5-0.

2. FIELDS (ANNEX INC.) - DOING BUSINESS AS ROYAL ROOM - 1930 NORTH CARSON STREET (1-0787)

Ms. Alt explained the location of the bar. Charles Fields responded to questions concerning the bar and its operation. Connie Ricker was to be the manager and would be on the license in that capacity. A Sheriff's Workcard would be obtained for her. Ms. Ricker explained her experience as a bar owner/operator. She would activate a workcard as soon as the Liquor License is approved. Member Fetic moved to approve the Liquor License for Charles Fields, doing business as Royal Room, 1930 North Carson Street, Carson City, subject to the final Building Departmental Report. Member Swirczek seconded the motion. Motion was voted and carried 5-0.

3. TESTER - DOING BUSINESS AS VICTORY CLUB SPORTS LOUNGE -
410 NORTH CARSON STREET (1-0861)

Following Ms. Alt's introduction, Roy Tester explained that he currently holds a Liquor License for Douglas and Lyon Counties and was aware of the laws. Member Fetic moved to approve the Liquor License for Roy L. Tester, doing business as the Victory Club Sports Lounge, 410 North Carson Street, Carson City, subject to the final Health, Building, and Fire Departmental Reports. Member Scrivner seconded the motion. Motion was voted and carried 5-0.

There being no other matters for consideration as the Liquor and Entertainment Board, Chairperson Flammer adjourned the Liquor and Entertainment Board and immediately reconvened the meeting as the Board of Supervisors. A quorum was present although Supervisor Chirila was absent.

VII. RESOLUTIONS (1-0893)

A. RESOLUTION OF INTENT TO LEASE AIRPORT PROPERTY PURSUANT TO
NRS 495 AND 496 FOR LIMITED FIXED BASE OPERATION

Mr. Hamilton briefly explained the different bids received at the first attempt to lease the property. All of these bids were rejected and staff was instructed to follow the procedures for a negotiated lease. Mr. Auer explained the publication requirements if the Board adopts the Resolution of Intent. Clarification noted that if any other individual or firm could meet the same requirements as Mentors, he would be eligible to enter into the negotiations. Should negotiations with Mentors prove unsuccessful, staff should so advise the Board at the time of the public hearing.

Supervisor Scrivner then moved to adopt Resolution No. 1987-R-31, A RESOLUTION OF INTENT TO LEASE AIRPORT PROPERTY PURSUANT TO NRS CHAPTERS 495 AND/OR 496 FOR A COMMERCIAL PURPOSE FOR A LIMITED FIXED BASE OPERATION AT THE CARSON CITY AIRPORT AND TO EXECUTE A LEASE WHICH HAS A TERM EXCEEDING THE TERM OF OFFICE OF THE BOARD, with one change at Line Ten where the "operator; and" had been changed to "operation to Mentors Unlimited, Inc.; and". Mr. Cockerill explained the desire to specify with whom the City would be negotiating the lease. Supervisor Swirczek seconded the motion.

(1-1038) Mr. David Nielsen, representing Mentors Unlimited, explained that this matter had been presented to the Airport Advisory Board as requested by David Small. The Airport Advisory Board had unanimously approved the project.

(1-1056) Ron Law, Vice President of Finance for L/F Technologies, expressed his feeling that his firm had been the high bidder for this property at the first attempt to lease the property. He claimed that he had contacted the staff and staff had visited his office. He claimed that the intent today was to adopt a procedure whereby the property could be advertised and not "that it was a done deal". He expounded at length on his reasons for feeling that the firm's bid was higher and better than that presented by Mentors Unlimited. He felt that the Resolution was

giving Mentors "\$200,000". He felt that the procedure would not allow for open negotiations.

Supervisor Swirczek questioned the procedure. Mr. Nielsen explained the publication requirements for a negotiated lease and the public hearing. Mr. Nielsen explained his recollection of the L/F Technologies bid and that the Mentors' lease would include the inflation CPI increase at regular intervals. The lease would include terms regarding the construction of a facility. Soon after the lease is signed, his firm would obtain a building permit and construct the facility. He felt that objections to the lease were from individuals who currently hold leases on the airport. He felt that Mentors' operation would be as much of an attribute as Mr. Law's operation.

Mr. Auer noted for the record that the negotiated lease would be in the Clerk's office after the meeting if the Board adopts the Resolution.

Mr. Hamilton expressed his feeling that the three bidders who had participated in the first lease attempt had an equal opportunity to approach the District Attorney's office and negotiate the terms. All of the bids received at the first attempt had been rejected.

Mr. Law expressed his feeling that at that time the Board had indicated that the bidding would be open to the general public. Purportedly he had discussed his interest with the City Manager on Friday after that meeting. He had had engineers at the site to analyze its potential. Discussions had been held with City staff concerning the utility service. He continued to express his shock that the deal was "a done deal" in view of these discussions.

Mayor Flammer explained that it was not a "done deal" as anyone wishing to express his opposition to the lease could speak at the public hearing. Mr. Auer explained that the process was not a bidding procedure but rather a negotiated agreement.

Mr. Law continued to state his reasons for feeling that his firm had presented the better bid based on financial calculations, construction costs, and net value of the building. He felt that the lease should include these items.

Clarification indicated that the procedure would allow the City to negotiate a lease with Mentors Unlimited. This procedure had evolved until a "draft" lease had been prepared. In accordance with the Statute the general terms of that lease must be published and is included in the Resolution of Intent. Once this has been published for 30 days, the lease will be presented to the Board for evaluation. If the Board wishes to negotiate with other potential lessees, staff should be directed to do so. The City Manager's direction to his office had been to negotiate with Mentors on the lease.

Discussion ensued with Mr. Nielsen concerning the Board's direction. Mr. Nielsen explained that he had contacted the City Manager and District Attorney's office two days after the last meeting. He objected to the term "done deal" as anyone with an objection could make his case before the Board at the public hearing. Mr. Nielsen also explained that the

staff and Board had been involved in a "retreat" and it had been difficult for him to get with staff immediately after the Board meeting. Negotiations had been going on on this property since last "fall". Mr. Auer agreed with these statements and briefly explained the activities which had occurred. As publication and notices had been made for the bidding process, it was felt that the Board should accept the bids. When it was determined that it was not possible to ascertain who the higher bidder was, it was recommended that all bids be rejected and that the negotiated leasing process be followed in accordance with the Statutes. He felt that Mr. Nielsen had been negotiating in good faith. If the Board does not wish to continue negotiations with Mentors Unlimited, staff should be advised.

Clarification indicated that the other bidders could have followed the same process as Mentors had in indicating a desire to negotiate on the lease; however, had failed to do so.

Mr. Law continued to reiterate his position that it was a "done deal" and insinuated that staff had failed to discuss the lease with his firm. His comments included activities conducted by his firm which he felt showed a sincere need for the property and desire to negotiate.

Mr. Nielsen pointed out that Mr. Law could have made his case before the Airport Advisory Commission. He felt that this had been a clear indication that everything was being done above board. He expressed his feeling that the Board should consider new industries when leasing the facility as well as the economic impact on the community as a part of the negotiated lease.

Clarification noted that L/F Technologies would be requesting Board authorization to transfer a lease from another FBO.

Supervisor Scrivner withdrew his motion due to his feeling that there may be some confusion as to the Board's direction. Supervisor Swirczek also withdrew his second.

Due to his feeling that staff had acted correctly, Supervisor Fetic moved to adopt Resolution No. 1987-R-31, A RESOLUTION OF INTENT TO LEASE AIRPORT PROPERTY PURSUANT TO NRS CHAPTERS 495 AND/OR 496 FOR COMMERCIAL PURPOSE FOR A LIMITED FIXED BASE OPERATION AT THE CARSON CITY AIRPORT AND TO EXECUTE A LEASE WHICH HAS A TERM EXCEEDING THE TERM OF OFFICE OF THE BOARD.

When a second was not forthcoming, Mayor Flammer passed the gavel to Supervisor Scrivner and seconded the motion.

Supervisor Swirczek expressed his reservation concerning the direction given by the Board. Discussion indicated that neither Mr. Auer nor Mr. Hamilton felt that Mr. Law had been prohibited from the entering into process. Mr. Hamilton explained that Mr. Law had expressed a desire to lease additional property at the airport but had not made an offer to negotiate for this property. Mr. Nielsen had been the only individual to expressly indicate a desire to negotiate following the Board's directive. None of the other bidders had contacted the City about negotiating a lease.

Mayor Pro-Tem Scrivner then ruled that the comments which were being made were a repeat of those already made and called for a roll call vote.

The motion was then voted by roll call with the following result: Feticc - Aye; Swirczek - No due to a desire to clarify the process and have the item brought back to the Board; Flammer - Aye; and Mayor Pro-Tem Scrivner - No. Motion died on a 2-2 vote. Mayor Pro-Tem Scrivner then returned the gavel to Mayor Flammer.

Board direction indicated that an excerpt of the Minutes should be prepared as soon as possible and the matter be continued to the next meeting.

Mr. Nielsen suggested that the Resolution be adopted as there should be adequate time in the 30 day publication process for review.

Supervisor Feticc then moved to hold the matter over to the April 9th meeting. Supervisor Swirczek seconded the motion. Motion was voted and carried 4-0.

B. RENEWAL OF LEASE OF AIRPORT PROPERTY (PARCEL B) TIE DOWN AREA FOR ADDITIONAL FIVE YEAR TERM - BETWEEN CARSON CITY AND L/F TECHNOLOGIES (1-1858)

Mr. Auer explained the Board's decision to assign Bill Drake's, Mobile Enterprises, lease to L/F Technologies. There are two parcels involved in this lease. Parcel A has a term of 30 years. Parcel B, which is the tiedown area, has a five year term with five renewable five year terms, which equals the 30 years. Mobile did not renew the five year term on the tiedown area before the lease was assigned to L/F Technologies. In order to consummate the lease assignment, the Board must renew the term for the tiedown area.

(1-1984) Ron Law advised the Board that Mr. Drake purportedly had a copy of a letter to the City Clerk whereby the lease was extended. The lease does not indicate a means by which the lease is to be renewed but grants an exclusive right of renewal. Lease payments have been accepted from October through February.

(1-2015) David Nielsen, representing Mentors Unlimited, explained that the firm did not have a problem with either the lease assignment nor the lease extension.

Board discussion noted the ongoing legal hassles involving the airport.

Mr. Law responded by noting the need for a property manager and urged the Board to consider retention of same if at all possible. His request was based on his feeling that the City had made substantial financial commitments at the airport as well as at the other City properties. Mayor Flammer acknowledged this need and desire if financially possible.

Supervisor Feticc urged staff to attempt to resolve as many of the

airport problems as possible prior to making a presentation to the Board and noted his feeling that this may be an impossible request for staff.

Discussion noted that the Kitchen and Thomas lease negotiations had been completed at the last meeting.

Supervisor Fettic then moved to approve the renewal of a new five year term on Parcel B at the Airport concerning a lease entered into by the City and Mobile Enterprises on December 17, 1981 and assigned to L/F Technologies on March 5, 1987. Supervisor Scrivner seconded the motion. Motion was voted by roll call with the following result: Scrivner - Aye; Swirczek - Aye; Fettic - Aye; and Mayor Flammer - Aye. Motion carried 4-0 and so ordered.

C. APPROVAL OF ADDENDUM TO CIVIL AIR PATROL LEASE (1-2131)

Mr. Auer explained the problems encountered in attempting to give Mr. Nicosia clear title to Lots 72 B and C. The Addendum would clarify the Civil Air Patrol lease and should be recorded.

Mr. Hamilton explained that Mr. Wiley Pearce had read the Addendum and that the Civil Air Patrol had agreed to it. As the property over which the Civil Air Patrol had been gaining access was being sold, the City would have to redefine the egress and ingress and relocate the gate. The original lease had indicated access through lot 72 B and had been signed prior to parceling of Lot 72 B.

Supervisor Fettic then moved to approve the Addendum to Lease Carson City Airport Property to Civil Air Patrol. Supervisor Scrivner seconded the motion. Motion was voted and carried 4-0.

D. CLERK-TREASURER (1-2238)

1. BUSINESS LICENSE REINSTATEMENTS

Business License Clerk Merlene Alt explained that the five businesses requesting reinstatement had paid all fees, fines, and penalties plus the \$25 reinstatement fee. They were: Memory Components, Inc.; Licca Energies, Ltd.; Country Village Apartments; Northwest Productions; and Water and Mineral Rights Research Inc. Supervisor Fettic moved to approve the reinstatement of the Business Licenses as presented. Supervisor Scrivner seconded the motion. Motion was voted and carried 4-0.

2. NEVADA MUNICIPAL CONSULTANTS INC. - REQUEST FOR APPROVAL OF AGREEMENT FOR FINANCIAL ADVISORY SERVICES

(1-2295) Discussion noted that Supervisor Swirczek's concerns had been addressed during a meeting. Supervisor Fettic moved to approve the Agreement for Financial Advisory Services related to General Obligation Bonds with Nevada Municipal Consultants. Supervisor Swirczek seconded the motion. Motion was voted and carried 4-0.

3. RESOLUTION REFUNDING AND REFINANCING SEWER AND WATER BONDS SOLD THROUGH THE NEVADA STATE BOND BANK (1-2365)

Mr. Thornton explained the request to refund and refinance the 1982 Sewer and Water Bonds which had been sold through the State Bond Bank. All of the participating entities must agree to the proposal before it could be enacted. The proposal would reduce the interest rate from 9.33 percent to 6.25 percent. This would save approximately \$900,000 over the lifetime of the bonds. Supervisor Swirczek commend staff and the Bond Counsel on their initiative and moved to adopt Resolution No. 1987-R-32, A RESOLUTION RELATING TO REFINANCING OF BONDS HERETOFORE ISSUED AND SOLD TO THE STATE OF NEVADA; REQUESTING THAT THE TREASURER OF THE STATE OF NEVADA REFUND THE BONDS OF THE STATE ISSUED TO PURCHASE SUCH BONDS PROVIDED THAT SUCH REFINANCING CAN RESULT IN A DEBT SERVICE SAVINGS; AND PROVIDING OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Scrivner seconded the motion. Motion was voted and carried 4-0.

E. CHARTER REVIEW COMMITTEE - APPOINTMENT BY ASSEMBLYPERSONS
ADLER AND THOMAS (1-2513)

Mr. Hamilton explained the Charter Review Committee membership appointments by the Assemblypersons. Mr. Adler has nominated Andrea Engleman. Mr. Thomas had not received Marie Wolf's resignation and, therefore, requested that her appointment stand. Supervisor Fattic explained that Mildred Rosenquist wished to resign her position, which should bring the number of members back into line with the Resolution. Supervisor Fattic then moved to confirm Assemblyperson Ernest E. Adler's nomination of Andrea Engleman to the Charter Review Committee. Supervisor Swirczek seconded the motion. Motion was voted and carried 4-0.

Discussion noted that this would allow the Commission to commence work once again.

BREAK: At 10:20 a.m. a five minute recess was called. When the meeting reconvened at 10:25 a.m. a quorum was present as noted.

G. PUBLIC WORKS DIRECTOR (1-2652)

1. PUBLIC RECORDS DISPOSAL REQUEST

Mr. O'Brien explained the request to dispose of original records which have been microfilmed.

a. MISCELLANEOUS BUILDING SITE FILES 7-16-86

Supervisor Fattic moved to adopt Resolution No. 1987-R-33, A RESOLUTION AUTHORIZING THE DESTRUCTION OF ORIGINAL RECORDS. Supervisor Scrivner seconded the motion. Motion was voted and carried 4-0.

b. MISCELLANEOUS BUILDING RECORDS 10-7-86 (1-2707)

Following Mr. O'Brien's introduction, Supervisor Fattic moved to adopt Resolution No. 1987-R-34, A RESOLUTION AUTHORIZING THE DESTRUCTION OF ORIGINAL RECORDS. Supervisor Scrivner seconded the motion. Motion was voted and carried 4-0.

c. MISCELLANEOUS BUILDING SITE FILES 11-14-86 (1-2733)

Supervisor Fetic moved to adopt Resolution No. 1987-R-35, A RESOLUTION AUTHORIZING THE DESTRUCTION OF ORIGINAL RECORDS. Supervisor Scrivner seconded the motion. Motion was voted and carried 4-0.

d. MISCELLANEOUS BUILDING SITE FILES 12-9-86 (1-2746)

Supervisor Fetic moved to adopt Resolution No. 1987-R-36, A RESOLUTION AUTHORIZING THE DESTRUCTION OF ORIGINAL RECORDS. Supervisor Scrivner seconded the motion. Motion was voted and carried unanimously.

e. MISCELLANEOUS BUILDING SITE FILES 2-17-87 (1-2761)

Supervisor Fetic moved to adopt Resolution No. 1987-37, A RESOLUTION AUTHORIZING THE DESTRUCTION OF ORIGINAL RECORDS. Supervisor Scrivner seconded the motion. Motion was voted and carried unanimously.

f. MISCELLANEOUS BUILDING SITE FILES 12-12-86 (1-2774)

Supervisor Fetic moved to adopt Resolution No. 1987-R-38, A RESOLUTION AUTHORIZING THE DESTRUCTION OF ORIGINAL RECORDS. Supervisor Swirczek seconded the motion. Motion was voted and carried unanimously.

g. MISCELLANEOUS BUILDING SITE FILES 12-26-86 (1-2789)

Supervisor Fetic moved to adopt Resolution No. 1987-R-39, A RESOLUTION AUTHORIZING THE DESTRUCTION OF ORIGINAL RECORDS. Supervisor Swirczek seconded the motion. Motion was voted and carried 4-0.

h. MISCELLANEOUS BUILDING RECORDS 10-6-86 (1-2791)

Supervisor Fetic moved to adopt Resolution No. 1987-R-40, A RESOLUTION AUTHORIZING THE DESTRUCTION OF ORIGINAL RECORDS. Supervisor Swirczek seconded the motion. Motion was voted and carried 4-0.

2. ACCEPTANCE OF SEWER EASEMENT FROM TIPPLE CONNECTING
CONESTOGA DRIVE SOUTH TO BONANZA DRIVE (1-2805)

Following Mayor Flammer's introduction, Mr. O'Brien explained that the easement was for a sewerline from the Colony Homes to Conestoga Drive and the recommendation for acceptance. Supervisor Swirczek moved that the Board of Supervisors accept from W. Russell and Marie Tipple a sewer easement from Conestoga Drive south to Bonanza Drive. Supervisor Scrivner seconded the motion. Motion was voted and carried 4-0.

3. SIERRA PACIFIC POWER COMPANY LINE EXTENSION AGREEMENT -
5900 SHEEP DRIVE WELL (1-2884)

Due to the water situation, Mr. O'Brien recommended that the line extension be granted so that the well could be added to the system. He felt that the payback period would be ten years. He felt that the well would be on line in time to assist with the summer peaking problem. Supervisor Scrivner moved to accept the Sierra Pacific Power Company Line Extension Agreement, 5900 Sheep Drive Well. Supervisor Fetic seconded

the motion. Motion was voted and carried 4-0.

4. RESOLUTION DESIGNATING APRIL AS FAIR HOUSING MONTH

Following Mayor Flammer's introduction, Supervisor Scrivner moved to adopt Resolution No. 1987-R-41, A RESOLUTION ESTABLISHING THE MONTH OF APRIL AS FAIR HOUSING MONTH. Supervisor Swirczek seconded the motion. Motion was voted and carried 4-0.

H. COMMUNITY DEVELOPMENT DIRECTOR (1-2283)

1. PLANNING COMMISSION REFERRALS - CONSENT MATTERS

- a. SPECIAL USE PERMIT U-82-5 - MACSWEEN - REVIEW TO ALLOW LIMITED INDUSTRIAL USES ON SF1A - 1601 FAIRVIEW DRIVE - PLANNING COMMISSION APPROVED 6-0 (PLAT AMENDMENT ONLY)
- b. SPECIAL USE PERMIT U-87-6 - SIMPSON - ALLOW BAR ON RC - 1943 NORTH CARSON STREET - PLANNING COMMISSION APPROVED 6-0
- c. SPECIAL USE PERMIT U-87-7 - UNIVERSITY OF NEVADA SYSTEM (WESTERN NEVADA COMMUNITY COLLEGE) - CONSTRUCT CLASSROOM AND SHOP FACILITY BUILDING ON P - 2201 WEST NYE LANE - PLANNING COMMISSION APPROVED 6-0
- d. VARIANCE V-87-5 - DUNN - VARY FROM REQUIRED LOT AREA AND WIDTH ON SF6000 - WEST SIDE OF SILVER SAGE DRIVE, APPROXIMATELY 620 FEET NORTH OF KOONTZ LANE - PLANNING COMMISSION DENIED 4-2
- e. SPECIAL USE PERMIT U-87-5 - CARSON CITY CONSTRUCT SEVERAL PUBLIC FACILITY BUILDINGS ON P (WITHIN EXISTING PARKS - SEE DETAILED REPORT ATTACHED) - PLANNING COMMISSION APPROVED 6-0
- f. SPECIAL USE PERMIT U-83-29 - PELLANT/EARHART - CHANGE OF APPLICANT/DIRECTOR - CHILD CARE FACILITY ON RO - 411 WEST THIRD STREET - PLANNING COMMISSION APPROVED 6-0
- g. VARIANCE V-87-4 - J AND B DEVELOPMENT - VARY FROM LOT AREA REQUIREMENTS ON MFD - 606 SOUTH MINNESOTA STREET - PLANNING COMMISSION DENIED 6-0

Supervisor Fetic explained that he could not participate in the discussion or vote on Item d. in order to eliminate a possible conflict of interest.

Mr. Hamilton referred to Jim Bawden's letter requesting Item g. be withdrawn from the Consent Agenda. Mr. Sullivan explained a procedural Planning Commission change whereby he would hand deliver to all of the applicants a letter advising when the Board of Supervisors would hear the

matter. Included in the notice are the provisions for appealing the Planning Commission's decision and removing an item from the Consent Agenda. Information necessary to appeal a decision included name and address of the applicant, description of the adverse impact, and a brief outline of the relevant, new information which had not been presented to the Commission or information related to a mistake in the law or facts. He felt that this would expedite the Board's consideration.

Mr. Hamilton then read Consent Agenda Items a., b., c., e., f., and g. into the record. Supervisor Scrivner moved to approve the Planning Commission Consent Agenda as read by the City Manager. Supervisor Swirczek seconded the motion. Motion was voted and carried 4-0.

3. REQUEST STAFF TO REVIEW PARCEL MAP PROCESS (2-0079)

Supervisor Fettic explained his request that this Item be on the Agenda, however, the individuals wishing to speak on this matter could not be present until after the lunch recess. He then requested the Item be postponed until that time. The Board agreed.

2. PLANNING COMMISSION REFERRALS - REVIEW AND APPEAL MATTER

- a. AMENDMENTS A-87-2 - TERRY - PROPOSED AMENDMENTS TO CARSON CITY MUNICIPAL CODE TITLE 15 (MOBILE HOME PARK) RELATIVE TO ANSI 501 (A) STANDARDS - PLANNING COMMISSION APPROVED 6-0 (2-0095)

Mr. Sullivan explained that this was a Code Amendment which would affect future mobile home parks. The Code currently requires 15 feet between combustible structures. The State Manufactured Housing Division adopted the National Fire Prevention Association's 1982 standard which allows a minimum of five feet between structures and three feet for non-combustible structures. Staff's position is that there should be five feet between carports, awning, ramada, open porch, or rear mobile home boundary line and ten feet from any front mobile home space boundary line. Planning Commission approved this modification on a 6-0 vote. The applicant agrees with the revision. Supervisor Swirczek moved to approve the Regional Planning Commission's recommendation for approval of Item A-87-2 and direct the District Attorney's office to prepare an ordinance for first reading. Supervisor Scrivner seconded the motion. Motion was voted and carried 4-0.

- b. MISCELLANEOUS M-87-4 - PROPOSED CORRECTION TO CARSON CITY'S ZONING DISTRICT MAP - PLANNING COMMISSION APPROVED 6-0 (2-0162)

Mr. Sullivan explained the error which occurred in 1981 when the zoning map was redrafted and a line was drawn further south than approved. This affected only one parcel. The property owner agrees with the correction. Supervisor Swirczek moved to approve the Planning Commission recommendation for M-87-4. Supervisor Fettic seconded the motion. Motion was voted and carried 4-0.

X

c.

MISCELLANEOUS M-87-1 - HECKETHORN, ET AL., AND CARSON CITY - ABANDON PORTION OF HICKORY DRIVE

BETWEEN KOONTZ LANE AND VALLEY VIEW DRIVE -
PLANNING COMMISSION APPROVED 6-0 (2-0198)

* Mr. Sullivan explained the request for abandonment of a portion of Hickory Drive. The utility easement would be retained. The abandonment would be subject to two conditions as recommended by staff and approved by the Planning Commission. Adjacent neighbors had been contacted and agreed to the proposal. Staff recommended the abandonment of the northern portion of Hickory Drive as it is a deadend. Supervisor Swirczek moved to approve the Regional Planning Commission recommendation of M-87-1, street abandonment subject to the recommended conditions of approval. Supervisor Scrivner seconded the motion. Motion was voted and carried unanimously.

- d. MISCELLANEOUS M-87-5 - SERPA - ABANDON HAYNIE CIRCLE AND SEVERAL ADJACENT PUBLIC UTILITY EASEMENTS SOUTH SIDE OF FAIRVIEW DRIVE, APPROXIMATELY 650 FEET WEST OF SALIMAN DRIVE - PLANNING COMMISSION APPROVED 6-0 (2-0247)

Mr. Sullivan explained the proposal to combine four parcels which requires the removal of the easements and Haynie Circle. MSB Properties had dedicated Haynie Circle to the City so a charge is not being made for the abandonment, which is provided in the Statutes. The Planning staff supported the abandonment based on two conditions as approved by the Commission. Mr. O'Brien requested a third condition be added to the abandonment which would retain a public utility easement for maintenance of the sewerline in Haynie Circle. Haynie Circle had been paved and has a curb and gutter. If it is abandoned, then the applicant will be responsible for maintenance. The applicant had indicated a desire to "gate" the street to restrict public use. The applicant had agreed to allow the City to retain a public utility easement. Supervisor Scrivner moved to approve the recommendation of the Planning Commission on M-87-5, street easement abandonment with the three conditions as indicated. Supervisor Swirczek seconded the motion. Motion was voted and carried 4-0.

- e. DEDICATION D-87-8 - SAGEBRUSH, LIMITED - LAYNYA LANE - EASTERLY TERMINUS OF LISA WAY - PLANNING COMMISSION APPROVED 6-0 (2-0306)

Mr. O'Brien explained the recommendation to accept the dedication subject to the developer providing the appropriate bonding for all associated improvements prior to final execution of subject dedication. Supervisor Scrivner moved to approve the Regional Planning Commission's recommendation for approval of D-87-8, Street Dedication, with the bonding to be in place prior to dedication as recommended by staff. Supervisor Fetic seconded the motion. Motion was voted and carried 4-0.

3. REQUEST STAFF TO REVIEW PARCEL MAP PROCESS (2-0346)

Continued until after lunch.

4. STANTON PARK DEVELOPMENT, INC. (HIGHLAND ESTATES)

- OFFER OF DEDICATION OF LAND

(2-0351)

Mr. Sullivan requested this item be pulled.

VIII. ORDINANCES - FIRST READING - CARSON CITY MUNICIPAL CODE 12.06.225
AND 12.06.245 - MODIFICATIONS RELATIVE TO SEWERAGE USE (2-0356)

Mr. O'Brien explained the purpose of the modification to allow acceptance of septic and cesspool waste at the sewer plant. The Statutes mandate acceptance of these wastes at the plant. The modification also prohibits the use of grease emulsifiers and enzymes in grease interceptors. Reasons for prohibiting the use of emulsifiers and enzymes were explained. Discussion ensued concerning whether the Code addressed xray solutions under controlled or hazardous substances. Supervisor Scrivner requested notification be sent to all health agencies concerning dumping these solutions into the sewer system. He explained that this solution should be picked up by the distributor, however, was being dumped into the system. Discussion noted that the solution was also used for other photographic operations and that notifications should be sent to them as well. Supervisor Scrivner moved to introduce on first reading Bill No. 113, AN ORDINANCE AMENDING SECTION 12.06.225 AND SECTION 12.06.245 OF THE CARSON CITY MUNICIPAL CODE REGARDING SEWERAGE USE. Supervisor Swirczek seconded the motion. Motion was voted and carried 4-0.

IX. ORDINANCES - SECOND READING - BILL NO. 112 - CHANGE OF LAND
USE Z-86-13 - AND RESOLUTION OF INTENT - BORST/CARSON CITY -
REZONE APPROXIMATELY 1.5 ACRES FROM SF1A TO GC - WEST SIDE
OF OAK STREET BETWEEN CLEAR CREEK AVENUE AND CLEARVIEW DRIVE

(2-0470) Following Mayor Flammer's introduction, Supervisor Fettic moved to adopt on second reading Ordinance No. 1987-14, AN ORDINANCE EFFECTING A CHANGE OF LAND USE ON A PORTION OF ASSESSOR'S PARCEL NO. 9-163-02 AND ASSESSOR'S PARCEL NO. 9-161-07, SAID PARCELS BEING APPROXIMATELY 1.5 ACRES LOCATED NORTH OF OVERLAND STREET TO CLEARVIEW DRIVE AND WEST OF OAK STREET, FROM SINGLE-FAMILY ONE ACRE (SF1A) TO GENERAL COMMERCIAL (GC) ZONING. Supervisor Swirczek seconded the motion. Motion was voted and carried 4-0.

XI. BOARD OF SUPERVISOR REPORTS, RESOLUTIONS, AND PROCLAMATIONS

B. DANIEL R. WALSH - RESOLUTION RELATIVE TO RIGHT OF NEVADA CITIZEN
TO LITIGATE NEVADA PROPERTY RIGHT CASES IN NEVADA STATE COURTS

(2-0555) Mayor Flammer requested that the Board advance to this item and introduced it. John Yable, representing Dan Walsh, explained that the Resolution had been presented to the Legislature but was not yet on the floor. He felt that it would be on the floor sometime in April. The Legislative Council was not at liberty to discuss a Bill's status until it has been introduced on the floor. He expressed Mr. Walsh's regret at being unable to attend the Board meeting. He then explained the purpose of the Resolution. He acknowledged the point that the City had no control over Legislative decisions. Douglas County Commissioners had adopted the Resolution.

Supervisor Fettic moved to direct the District Attorney's office to

prepare a Resolution. Clarification noted that there was a Concurrent Resolution included in the Board's March 19th packet. It was felt that if the Board did not have the Resolution, it could not adopt it.

In response to Supervisor Swirczek's questions, Mr. Yable explained the current procedure if a Nevada citizen filed against TRPA and how the procedure would be changed. He felt that Nevada citizens should have the ability to dictate where a case would be tried and that Nevada laws should apply rather than California's.

Clarification indicated that the Board could adopt the Resolution in the concept. It was suggested that the matter be continued until the afternoon session to allow time for staff to retrieve the original Resolution. Mr. Yable then questioned the type of document as Mr. Walsh had given him some paperwork on the item. Among this paperwork was a Resolution which he gave to the Board. The Resolution appeared to be the same one as had been in the Board's March 19th packet.

Supervisor Fettic moved to approve Resolution No. 1987-R-42, URGING THE TAHOE REGIONAL PLANNING AGENCY TO ALLOW PROPERTY OWNERS ON THE NEVADA SIDE OF THE LAKE TAHOE BASIN TO LITIGATE ALL ISSUES INVOLVING NEVADA PROPERTY RIGHTS AND THE TAHOE REGIONAL PLANNING AGENCY IN THE NEVADA STATE COURT SYSTEM. Supervisor Swirczek seconded the motion.

Mr. Thornton then requested the type of information which would complete the blanks on page two. Mr. Yable explained that the Legislature would complete the blanks and that the Board was supporting the concept. Supervisor Fettic withdrew his motion and Supervisor Swirczek withdrew his second.

Supervisor Fettic then moved that the Board express its conceptual support for the Concurrent Resolution which will be placed before the Nevada Legislature in this session regarding the right of Nevadans to litigate all property rights on the Nevada side of Lake Tahoe in Nevada Courts. Supervisor Swirczek seconded the motion. Motion was voted and carried 4-0.

X. CITY MANAGER REPORTS; RESOLUTIONS; AND BOARD DIRECTIVES -
AUTHORIZATION FOR RETENTION OF LABOR CONSULTANT FOR LABOR
NEGOTIATIONS _____ (2-0885)

Mr. Hamilton briefly explained his reasons for requesting retention of a labor consultant to address CCEA labor negotiations and his recommendation. Discussion noted that Mr. Finnell and the District Attorney's office had been involved in the negotiations. It was felt that they had done a good job, however, personality problems sometimes arise from the dual role. The proposal would continue to utilize the District Attorney's office, Personnel, and Finance Departments in conjunction with the Labor Consultant. Items which may be covered in the negotiations were cited as reasons for having a professional assist the City. Supervisor Fettic moved that the City Manager be authorized to retain a labor consultant for labor negotiations and questioned whether the firm should be designated. Following discussion, Supervisor Fettic amended his motion to include allowing the City Manager to retain the firm of Gray, Fancher, Holmes, Hurley, and Biscof for a sum not to

exceed \$10,000. Supervisor Scrivner seconded the motion. Clarification noted that the firm would be the City's chief negotiator. The motion was voted by roll call with the following result: Ayes - Swirczek, Fetic, Scrivner, and Mayor Flammer. Nays - None. Motion carried 4-0.

XI. A. RECOMMEND NOMINEE (TO FIRST JUDICIAL COURT OF NEVADA) TO
SERVE ON CARSON-TRUCKEE WATER CONSERVANCY DISTRICT (2-1244)

Mayor Flammer explained the vacancy and noted that Harold Jacobsen had been serving in this capacity. Supervisor Swirczek questioned the duties of the District and when had a report been made to the Board. Various explanations were made on what the duties were, however, due to feeling that actual duties and when the last report had been made were not clear, Supervisor Fetic moved to continue the matter.

(2-1425) Dick Waiton explained the formation of the Committee and his feeling that the Committee had been disbanded six years ago. Discussion indicated that there have been several meetings held by this Committee. Mr. Waiton felt that it no longer was a State paid committee but was now run by volunteers.

As a second had not been made to Supervisor Fetic's motion, it died. Supervisor Scrivner then moved to nominate Harold Jacobsen to serve on the Carson-Truckee Water Conservancy District. Supervisor Fetic seconded the motion. Motion was voted and carried 4-0.

Supervisor Fetic then requested that Mr. Jacobsen make a report at the next Board meeting. Mr. Hamilton agreed to provide documents reflecting its duties, formation, and bylaws.

XII. CITIZENS COMMENTS (2-1553)

Mr. Waiton expressed his feeling that there were a lot of individuals with handicapped cards who were not disabled. His discussion noted the difference between disabled and handicapped and his feeling that the laws were originally for disabled individuals. Due to the violations, he suggested that all handicapped spaces be eliminated and cards returned to the City. The City and State should then issue new cards to the disabled in compliance with the Federal laws. Supervisor Fetic explained that the State controlled the matter and the City could not intercede. Mr. Waiton explained at length his feeling that the privilege was being abused. It was suggested that he discuss the issue with Health Director Jack Fralinger and bring a proposal to the Board. Supervisor Scrivner expressed his feeling that it is difficult to determine how disabled an individual is from watching him walk. The City's permits were valid for a specified time, however, the State's permits are for the individual's life span. He felt that the violators were healthy individuals without permits of any type. These individuals had not been prosecuted. He urged stricter policing and cooperation from the merchants. Mr. Waiton continued to stress his position stating California parking laws are for the disabled. Mayor Flammer requested that Mr. Waiton provide supporting documentation and have the issue placed on an Agenda. Mr. Waiton continued to stress his feeling that Carson City should be the leader in seeing that handicapped individuals are disabled and eliminate abuses.

BREAK: A lunch recess was called at 11:50 a.m. When the meeting reconvened at 1:30 p.m. a quorum was present.

VII. H. 3. REQUEST STAFF TO REVIEW PARCEL MAP PROCESS (2-1994)

Supervisor Fetic explained his reasons for placing this matter on an Agenda in an attempt to give staff direction due to the leeway allowed under the parceling process. He felt that when a second parcel map is requested, the developer should submit a final map to the Board. He acknowledged that parceling is legal, however, some reasonable controls are necessary in view of the City's limited resources.

Mr. Cockerill explained the subdivision and parceling processes. The Courts had determined that it is legal for a political entity to require subdivision improvements when the second map is requested. Staff recommended a modification to the Code to indicate that when a second map is submitted within one year the Community Development Director shall refer such parcel map to the Board for approval of all public improvements on the proposed development. This would include streets, sewer, drainage, water lines, etc. This would give the Board with an active role in the process.

Mr. O'Brien explained that the multiple parceling process created a tremendous workload for his staff particularly when an overall tentative map has not been submitted. Mr. Cockerill explained that the final development plans could be required and reasons supporting the requirement. The power to approve parcel maps was delegated to the Planning Director by the 1977 Legislature.

Supervisor Swirczek explained at length his reasons for supporting the recommendation to have the Board review the Parcel Maps. He urged that criteria be determined to support or deny the parcel request. Mr. Cockerill explained that this criteria is in the subdivision process and could be used for the parceling process.

Supervisor Scrivner explained that he could support the proposal so long as the State would not be given final control over the process. He felt that the City had adequately and repeatedly proven to the State that there was adequate water available for development. He agreed with the need to review the plans if the State denial policy could be resolved.

Supervisor Fetic expressed his feeling that to have staff approve such matters without any discussion by the Board could be asking for problems. His comments noted the professional competency of the current staff but questioned the past and future practices of other administrations.

Supervisor Swirczek expressed his feeling that the change would eventually allow the City to obtain the State Water Engineer's stamp of approval on subdivisions. He felt that the Board should be accountable for the developments and not have staff make such determinations.

Mr. Sullivan explained his feeling that the difference in philosophy between the City and State had been over the question of when the water

was to be allocated--at the time of subdividing or when Growth Management is involved. This philosophical difference was discussed with Supervisor Swirczek echoing the State's position.

Supervisor Fetic explained his feeling that water was not the only resource which should be considered in the development. The drainage, streets, sewer, etc., were also affected.

(2-2796) Dwight Millard explained his involvement in establishing the Growth Management Ordinance. He felt that the State would not have allowed any building during the last ten years had parceling been included with subdivisions. He urged the Board to continue parceling for two more years. If the City could not solve its problems by then the Legislative would address the issues. He felt that without the parceling process, developers would not be able to construct any new homes in the area. Growth Management had effectively reduced developers ability to operate. He recommended that Mr. Cockerill's modification be amended to include "unless the developer has brought in and has an approved tentative". Reasons for this requirement were based on his experience in attempting to have the "C" Hill (Highland Estates) zone change approved. He felt that the zone change was not the appropriate time to mandate submittal of a development plan. He then explained that he had been unaware of the law allowing parceling without an approved tentative map. He felt that it would take the City two years to solve its water problems. He urged the Board to take affirmative action, hire a water manager, and quit studying issues to death. He felt that the State Engineer was more concerned with water rights than the distribution system. He did not wish to see the requirement that parcel maps be brought to the Board due to the time taken in staff for review. A consent agenda item would not address the Board's concerns. He urged controls at the tentative map level rather than the parcel map.

Supervisor Fetic explained his desire to review the overall plan rather than each separate parcel. He also explained his reasons for supporting a review of the final map or plan rather than at the tentative stage.

Mr. Millard expressed his feeling that the restriction should be at the second parcel map. He felt that the engineering plan should not be required at the time of a tentative map review in view of the engineering costs. He felt that only minute changes should be allowed on the final. He agreed to a requirement to bring a final map back for review by the Board if a major change was made.

(3-0113) Bob Weise explained his involvement with the Legislature on the subdivision process and the meaning of the word "tentative". Washoe County requires all engineering at the tentative map stage and the final subdivision map phase is considered a consent matter. Little change could be made to the tentative map under its process. He supported the proposal to require a master plan for parcels. He also explained a subdivision plan which was started but never committed due to the problems encountered. He expressed his feeling that the true issue, which must be resolved, was water. All the other issues were temporary measures which allowed progress to continue until the water problem is addressed. The parcel map process allowed review of land divisions under

40 acres. Washoe County has restricted this process severely by requiring a major project review statement. When a second parcel subsequent map is submitted, the full subdivision requirements are applied. He felt that if a similar process is required in Carson City, it may help improve the relationship with the State. As he did not wish to see a no growth situation occur in the City, he strongly urged the Board to adopt a plan to allow controlled growth as determined possible by our resources. He then explained his donation of water and water rights for Lakeview. He expressed his concern that the City may not be in a position to provide water for his undeveloped lots inspite of his donation, which had been for his development. He also expressed his hope that his development would not be stopped should the City place a moratorium on all building. Any other developers who had provided the City with water and/or water rights should be allowed to proceed with their developments. He agreed to spread the development over a period of time but requested that these rights not be given away without adequate protection for the donation.

Mr. Sullivan explained that staff's intent was to bring final engineering designs to the Board to insure that improvements are acceptable. He requested an opportunity to work on the concept being discussed and report back to the Board in approximately three weeks. This would allow him time to develop alternatives and receive public input on the process.

Supervisor Scrivner expressed his desire to have the tentative map include all engineering even though only a portion of the resources is to be used. He suggested that staff evaluate Washoe County's requirements. He then questioned whether Mr. Weise would be able to develop his property in view of his donation? Mr. Sullivan explained that he would be able to build and that the concept under discussion would not preclude his building.

In response to Supervisor Swirczek's question, Mr. Weise explained that his water rights had been in the Eagle Valley ground water basin and his original concept. When it became apparent that the market place had changed, a business decision was made to donate the water system and water rights to the City. Since that donation occurred, City personnel and policies had changed. He expressed a hope that the donation was still recognized. He then explained the water rights which he donated were considered better than those which the City acquired at approximately the same time. He noted that the State Engineer had reduced the amount available in the Basin which would affect some of the rights. He noted that he had donated 4,000 acre feet, however, felt that approximately 2,000 were still valid under the Engineer's allocation system.

Discussion noted the difference in opinion with the State as to the actual ground water recharge rate and the amount of water determined to be available in the Eagle Valley Basin.

(3-0832) Paul Lumos expressed his feeling that parceling should be allowed with a tentative map review. Currently subdivisions are being developed under the parceling process. He did not feel that developers liked to use this procedure, however, felt that it was better to use it than to prohibit building. As the only option left was to address the

water issue, he urged the Board to address the issue and establish standards and procedures. He requested the Board respond to Mr. Westergard's letter and open the lines of communication. He suggested that the response include a means to phase out parceling while establishing another means of addressing the procedure. While supporting the tentative map review process for parcel maps he suggested that deadlines be established to eliminate parcel maps. A replacement procedure should be used to meet continued growth needs as well as the State requirements.

Mayor Flammer explained that he had discussed the letter with Mr. Westergard and questioned whether a written response was necessary. He noted that the Water Management Committee, Water Manager, City Manager, and Water Consortium would be responding shortly. He also expressed a hope that the emotional issues of development would not override the community's needs overall and staff's comments.

Mr. Lumos agreed that the technical aspects should be balanced with the humanitarian concerns.

(3-1071) Edd Ferguson expressed his desire to have an approved tentative map become the final map particularly if all engineering requirements are addressed. Any change in the tentative would have to be presented to the Board for approval. He urged consistency in the policy even if it required a change in the ordinances. He explained problems encountered in attempting to receive a zone change for "C" Hill and reiterated his desire to see consistency.

Supervisor Scrivner expressed his feeling that any technical changes should be directed to staff before coming to the Board.

Mr. Ferguson reiterated his desire to have the approved tentative map become the final map and that parceling would become a subdivision at this point. The parcels should meet the tentative map requirements. He felt that he had been meeting requirements which had not been placed on other developers when parceling.

(3-1208) Dwight Millard questioned what the tentative should be considered. He did not feel that it was a wise investment to provide all of the engineering information before the tentative map was approved. He felt that the final map should provide all of the engineering information. He urged legal consideration of his view. He reiterated his earlier comments that the procedure be standardized and in writing.

Mr. O'Brien then questioned the terms tentative and final map. A tentative map had been a conceptual drawing of the subdivision's layout. Staff does a cursory review of this map. "C" Hill had required a lot of indepth engineering at the tentative stage before staff could provide the Board with requested information on the overall plan. Therefore, staff would be requiring this information at the tentative map review rather than at the final map review. Developers would want to provide input due to the fear that a great deal of money would be spent on the engineering before the tentative map is approved. He requested clarification concerning which concept the Board wanted.

Supervisor Fettic explained his support for having the technical information at the time of final approval.

Mr. Hamilton explained that staff which would be assigned to the evaluation process was present and had received the Board's conceptual direction. He noted problems in trying to hold staff meetings on conceptual ideas until a written proposal is ready to present to the Board.

Mayor Flammer directed Mr. Hamilton and staff to draft a written response to Mr. Westergard's letter for him to sign. He expressed a hope that Mr. Westergard had not taken offense at the lack of a written response. He stated a desire to call Mr. Westergard after the meeting and explain the situation.

Discussion ensued concerning when the matter would be brought back. Staff felt that a proposal could be ready in 30 days.

This was a discussion only item and no formal action was taken.

XIII. PERSONNEL SESSION - PURSUANT TO NRS 288.220 - DISCUSSION OF CCEA
LABOR NEGOTIATIONS (3-1535)

Mr. Hamilton requested this item be continued.

Supervisor Fettic moved for adjournment. Supervisor Scrivner seconded the motion. Motion was voted and carried 4-0.

Mayor Flammer adjourned the meeting at 2:50 p.m.

The Minutes of the April 2, 1987, Carson City Board of Supervisors meeting

ARE SO APPROVED ON September 17, 1987.

/s/

Dan Flammer, Mayor

ATTEST:

/s/

Alan Glover, Clerk-Recorder

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EBOS 427

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XI. BOARD OF SUPERVISOR REPORTS; RESOLUTIONS; AND PROCLAMATIONS

B. DANIEL R. WALSH - RESOLUTION RELATIVE TO RIGHT OF NEVADA CITIZENS
TO LITIGATE NEVADA PROPERTY RIGHT CASES IN NEVADA STATE COURTS

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Supervisor Fettic moved to approve Resolution No. 1987-R-42, URGING THE TAHOE REGIONAL PLANNING AGENCY TO ALLOW PROPERTY OWNERS ON THE NEVADA SIDE OF THE LAKE TAHOE BASIN TO LITIGATE ALL ISSUES INVOLVING NEVADA PROPERTY RIGHTS AND THE TAHOE REGIONAL PLANNING AGENCY IN THE NEVADA STATE COURT SYSTEM. Supervisor Swirczek seconded the motion.

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Excerpt of April 2, 1987, Meeting
Page 2

Supervisor Swirczek seconded the motion. Motion was voted and carried 4-0.

* * * * *

The foregoing is a draft excerpt from the formal Minutes of the April 2, 1987, meeting of the Carson City Board of Supervisors. The Board members present were: Ron Swirczek, Tom Fetic, E. M. "Doc" Scrivner, and Mayor Dan Flanner. Supervisor Marilee Chirila was absent, however, a quorum was present. Staff members present included: City Manager L. H. Hamilton, Clerk-Treasurer Ted P. Thornton, Chief Deputy District Attorney Charles P. Cockerill, and Recording Secretary Katherine McLaughlin. These Minutes are not yet completed. The foregoing excerpt will be included in those Minutes when they are presented to the Board for approval.

April 8, 1987

Katherine McLaughlin, Recording Secretary (Seal)