

CARSON CITY BOARD OF SUPERVISORS
Minutes of the January 5, 1995, Meeting
Page 1

A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, January 5, 1995, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 1 p.m.

PRESENT:	Marv Teixeira	Mayor
	Kay Bennett	Supervisor, Ward 4
	Greg Smith	Supervisor, Ward 1
	Janice Ayres	Supervisor, Ward 2
	Tom Tatro	Supervisor, Ward 3

STAFF PRESENT:	John Berkich	City Manager
	Alan Glover	Clerk-Recorder
	Al Kramer	Treasurer
	Judie Fisher	Personnel Manager
	Basil "Butch" Moreto	Purchasing & Contracts Director
	Tim Homann	Acting Public Works Director
	Vic Freeman	Undersheriff
	Paul Lipparelli	Deputy District Attorney
	Jay Ahrens	Dep. Dir. of Public Utilities
	Harvey Brotzman	RTC Engineer
	Katherine McLaughlin	Recording Secretary
	(B.O.S. 1/5/95 Tape 1-0001)	

NOTE: Unless otherwise indicated, each item was introduced by staff's reading/outlining/clarifying the Board Action Request and/or supporting documentation. Staff members present for each Department are listed immediately following the item heading. A tape recording of these proceedings is on file in the Clerk-Recorder's office. This tape is available for review and inspection during normal business hours.

Mayor Teixeira called the meeting to order at 1:03 p.m. Rev. Ken De Lyser of the First Baptist Church requested a moment of silence in memory of Barbara Levy, a member of the Redevelopment Authority Citizens Committee, and gave the Invocation. Mr. Glover lead the Pledge of Allegiance. Roll call was taken. The entire Board was present constituting a quorum.

1. APPROVAL OF MINUTES FOR NOVEMBER 17, DECEMBER 1, AND DECEMBER 15, 1994 (1-0056) - Supervisor Tatro moved to approve. Supervisor Smith seconded the motion. Motion carried 5-0.

2. SPECIAL PRESENTATION - Personnel Manager Judie Fisher

A. PRESENTATION TO KIYOSHI NISHIKAWA (1-0065) - Following Ms. Fisher's introduction Mayor Teixeira presented Mr. Nishikawa with a plaque in commemoration of and thanked him for serving as the City's Clerk-Recorder. Mr. Nishikawa explained his employment plans. Mayor Teixeira wished him well in his new endeavor. No formal action was taken nor required.

B. ACTION ON RETIREMENT RESOLUTIONS FOR THE FOLLOWING CARSON CITY EMPLOYEES: TED THORNTON, PAUL MCGRATH, MARILYN RODEFER, VICTOR FREEMAN, JOE CURTIS, GLADYS BRISTER, MARLENE WENDELL, WALTER STATTON, DARRYL PETERSON, DWAYNE MEYERS, AND DALE MASSEY (1-0096) - Ms. Fisher introduced each individual. Mayor Teixeira thanked them for their service and dedication to the City. Supervisor Bennett moved that the Board of Supervisors adopt Resolution No. 1995-R-1, A RESOLUTION COMMENDING RETIREMENT for Ted P. Thornton, and read the entire Resolution into the record. Supervisors Smith and Tatro seconded the motion. Motion carried 5-0. Supervisor Tatro moved that the Board adopt Resolution No. 1995-R-2, A RESOLUTION COMMENDING RETIREMENT for Paul McGrath and read the entire Resolution into the record. Supervisor Smith seconded the motion. Motion carried 5-0. Supervisor Tatro moved that the Board adopt Resolution No.

1995-R-3, A RESOLUTION COMMENDING RETIREMENT for Marilyn Rodefer and read the entire Resolution into the record. Supervisor Bennett seconded the motion. Motion carried 5-0. Supervisor Ayres moved to adopt Resolution No. 1995-R-4, A RESOLUTION COMMENDING RETIREMENT for Victor Freeman and read the entire Resolution into the record. Supervisor Tatro seconded the motion. Motion carried 5-0. Supervisor Smith moved to adopt Resolution No. 1995-R-5, A RESOLUTION COMMENDING RETIREMENT for Joe Curtis and read the entire resolution into the record. Supervisors Ayres and Tatro seconded the motion. Motion carried 5-0. Ms. Brister explained her vacation plans. Supervisor Ayres explained her personal experience with and knowledge of Ms. Brister. Supervisor Ayres then moved that the Board adopt Resolution No. 1995-R-6, A RESOLUTION COMMENDING RETIREMENT for Gladys Brister and read the entire Resolution into the record. Supervisor Tatro seconded the motion. Motion carried 5-0. Supervisor Bennett moved to adopt Resolution No. 1995-R-7, A RESOLUTION COMMENDING RETIREMENT for Marlene Wendell and read the entire resolution into the record. Supervisor Ayres seconded the motion. Motion carried 5-0. Ms. Wendell expressed her appreciation for having had the opportunity to serve Carson City and briefly noted her retirement plans. Supervisor Smith moved to adopt Resolution No. 1995-R-8, A RESOLUTION COMMENDING RETIREMENT for Walter Statton and read the entire Resolution into the record. Supervisor Ayres seconded the motion. Motion carried 5-0. Mr. Statton briefly explained his retirement plans. Supervisor Tatro moved that the Board adopt Resolution No. 1995-R-9, A RESOLUTION COMMENDING RETIREMENT for Darryl Peterson and read the entire Resolution into the record. Supervisor Ayres seconded the motion. Motion carried 5-0. Supervisor Bennett moved to adopt Resolution No. 1995-R-10, A RESOLUTION COMMENDING RETIREMENT for Dwayne Meyers and read the entire Resolution into the record. Supervisor Tatro seconded the motion. Motion carried 5-0. Supervisor Ayres moved to adopt Resolution No. 1995-R-11, A RESOLUTION COMMENDING RETIREMENT for Dale Massey and read the entire Resolution into the record. Supervisor Tatro seconded the motion. Motion carried 5-0. Mr. Massey's retirement plans were noted.

CITIZEN COMMENTS (1-0861) - None.

LIQUOR AND ENTERTAINMENT BOARD MATTERS (1-0867) - Mayor Teixeira recessed the Board of Supervisors session and immediately reconvened the hearing as the Liquor and Entertainment Board. A quorum of the Liquor and Entertainment Board was present although Member Banister was absent.

3. TREASURER - Al Kramer

A. ACTION ON AN APPLICATION FOR A LIQUOR LICENSE FOR LINDA AND MICHAEL ANDERSON, DOING BUSINESS AS "A PLACE FOR PASTA" (1-0876) - Linda and Michael Anderson indicated this is their first experience with liquor. Chairperson Teixeira cautioned them about serving minors. Member Smith moved that the Board approve a Liquor License for Linda and Michael Anderson, doing business as "A Place for Pasta". Member Bennett seconded the motion. Motion carried 5-0. Ms. Anderson invited the Board to have lunch with them and explained the location.

B. ACTION ON AN APPLICATION FOR A LIQUOR LICENSE FOR PORT 50 EAST, INC., DOING BUSINESS AS "PORT OF SUBS", JACK HALL, PRESIDENT, AND JAMES KIBBE, VICE PRESIDENT (1-0945) - Mr. Kibbe indicated this was his first endeavor with liquor. Chairperson Teixeira also cautioned him about selling liquor to minors. Member Ayres moved to approve a Liquor License for Port 50 East, Incorporated, doing business as "Port of Subs". Member Smith seconded the motion. Motion carried 5-0. Discussion noted Mr. Kibbe's plans to honor the punch card program and give a free sandwich to those with full cards.

4. LIQUOR AND ENTERTAINMENT BOARD CONSENT AGENDA - ACTION ON THREE REQUESTS FOR SPECIAL EVENT SHORT-TERM BUSINESS LICENSE PERMITS FOR MICHAEL PAUL ARETT, DOING BUSINESS AS ARETT ENTERPRISES (1-0989) - Member Smith moved that the Board approve the Liquor and Entertainment Board Consent Agenda. Members Bennett and Tatro seconded the motion. Motion carried 5-0.

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

5. BOARD OF SUPERVISORS - CONSENT AGENDA

A. TREASURER - ACTION ON APPROVAL OF TREASURER'S REPORT FOR THE MONTH OF NOVEMBER 1994

B. CLERK-RECORDER

i. ACTION ON APPROVAL OF A RESOLUTION AUTHORIZING THE DESTRUCTION OF PUBLIC WORKS SITE FILES

ii. ACTION ON APPROVAL OF A RESOLUTION AUTHORIZING THE DESTRUCTION OF COURT CASE FILES

C. CITY MANAGER - ACTION ON APPROVAL OF A RESOLUTION APPROVING A GRANT OF MONEY TO AMUSEUM OF NORTHERN NEVADA, INC., A PRIVATE ORGANIZATION, NOT FOR PROFIT

D. DISTRICT ATTORNEY

i. ACTION TO APPROVE A RETAINER AGREEMENT WITH GEORGE ALLISON, ESQUIRE, FOR PROFESSIONAL LEGAL SERVICES, ROBINSON VERSUS ALT

ii. ACTION TO APPROVE A RETAINER AGREEMENT WITH GEORGE ALLISON, ESQUIRE, FOR PROFESSIONAL LEGAL SERVICES, SMIT VERSUS MCGRATH

E. PUBLIC WORKS DIRECTOR

i. ACTION ON APPROVAL OF THE NAME CHANGE OF THE STREET RUNNING SOUTH AND WEST OF KINGS CANYON ROAD WITHIN THE RECORDED MAP OF THE LONG RANCH ESTATES PHASE 1B P.U.D. FROM LONGVIEW WAY TO KINGSVIEW WAY

ii. ACTION ON ACCEPTANCE OF THE DEDICATION OF A DRAINAGE EASEMENT FROM CITIZENS FOR AFFORDABLE HOMES, INC., FOR EXTENDING AND MAINTAINING A STORM DRAINAGE CULVERT AND DRAINAGE SWALE SYSTEM CONSISTING OF THE EASTERLY TEN FEET OF LOTS 96 AND 127 OF BLOCK 2 OF THE MOUNTAIN PARK SUBDIVISION UNIT NO. 2

F. PURCHASING AGENT

i. ACTION ON CONTRACT NO. 9495-130 - TILT BED TRAILER, STREETS, AWARD

ii. ACTION ON CONTRACT NO. 9394-210 - SOUTHEAST CARSON SEWER EXTENSION, PHASE I, CHANGE ORDER NO. 5

iii. ACTION ON CONTRACT NO. 9495-030 - BREWERY ARTS CENTER REMODEL, PHASE II, REQUEST FOR FINAL PAYMENT

iv. ACTION ON CONTRACT NO. 9495-147 - NEVADA APPEAL RATE AGREEMENT

v. ACTION ON CONTRACT NO. 9495-120 - JUVENILE FACILITY CARPET REPLACEMENT, AWARD

vi. ACTION ON CONTRACT NO. 9495-146 - ROOP STREET ENGINEERING DESIGN SERVICES, CONTRACT APPROVAL

vii. ACTION ON CONTRACT NO. 9495-148 - GRAVES LANE ENGINEERING DESIGN SERVICES, CONTRACT APPROVAL

viii. ACTION ON CONTRACT NO. 9495-142 - ORMSBY BOULEVARD ENGINEERING DESIGN SERVICES, CONTRACT APPROVAL

ix. ACTION ON CONTRACT NO. 9495-143 - ARROWHEAD DRIVE ENGINEERING DESIGN SERVICES, CONTRACT APPROVAL

x. ACTION ON CONTRACT NO. 9495-151 - VOLTAIRE BOOSTER PUMP STATION, PUMP PURCHASE

xi. ACTION ON CONTRACT NO. 9495-134 - NORTH ROOP STREET GUARDRAIL,

AWARD (1-1005) - Jim Breedan requested Item F. viii. - Contract 9495-142 - Ormsby Boulevard Engineering Design Services be pulled. Supervisor Ayres requested both retainer agreements under Item D for the District Attorney be pulled. Mr. Berkich noted Contract 9495-147 with the Nevada Appeal was a rate reduction. Supervisor Tatro then moved that the Board approve the Consent Agenda as presented on the Agenda with the deletion of the two items under the District Attorney for contracts with George Allison and deletion of Contract 9495-142, Ormsby Boulevard Engineering Design Services Contract Approval, and including Resolution No. 1995-R-12, A RESOLUTION AUTHORIZING THE DESTRUCTION of Public Site Files, and 1995-R-13, A RESOLUTION AUTHORIZING THE DESTRUCTION of Court Case Files. Supervisor Bennett seconded the motion. Following a request for an amendment, Supervisor Tatro amended his motion to include Resolution No. 1995-R-14, A RESOLUTION APPROVING A GRANT OF MONEY TO AMUSEUM OF NORTHERN NEVADA, INC., A PRIVATE ORGANIZATION, NOT FOR PROFIT. Supervisor Bennett continued her second. The motion was voted and carried 5-0.

D. i. and ii. (1-1098) - Deputy District Attorney Lipparelli explained the insurance contract and its control over the attorney used in lawsuits against Carson City as well as other reasons for seeking outside counsel. He also indicated the blanks in the contracts should contain a cap of \$25,000 and an hourly rate of \$92.50. If the amounts are exceeded, an amendment will be considered by the Board. Supervisor Ayres then explained her reasons for requesting an explanation. Additional comments were solicited but none made. Supervisor Bennett then moved that the Board approve the retainer agreement with George Allison, Esquire, for professional legal services at a not to exceed amount of \$25,000 at \$92.50 an hour, funding source is the Insurance Fund, and decreasing the fund by a not to exceed amount of \$25,000. Comments indicated one motion could include both contracts. Supervisor Bennett then amended her motion to include Robinson versus Alt and the case of Smit versus McGrath for the same amounts. Supervisor Ayres seconded the motion. Clarification indicated the amount was \$25,000 for each contract. The motion was voted and carried 5-0.

F. viii. Acting Public Works Director Tim Homann thanked the citizens for coming forward and explained the purpose of the contract. Supervisor Smith explained the construction timetable and RTC recommendation. (1-1404) Jim Breedan expressed his feeling that the street would not provide an additional north/south arterial as envisioned and would have a negative impact on his rural lifestyle. John Bullis questioned the design plans which is for a two lane road. The traffic volume is projected at 3 to 4,000 and the speed limit would be 35 miles per hour. The design plans are only conceptual at this time but would include landscaping. Mr. Bullis also stressed the feeling that the street would have a significant negative impact on the residents along Washington and King Streets, the King Street schools, as well as his lifestyle. Discussion noted the project had been on the streets and highway master plan for a long time. Supervisor Smith also explained the impact Silver Oaks project would have on Ormsby including College Parkway. Mr. Bullis agreed that the project had been on the streets and highway master plan for many years and that he had purchased his property knowing about it. He also noted there had been a "freeway" proposed in the same area which had been abandoned due to, in his view, the lack of a means to handle the traffic at the south end. Supervisor Smith felt that if Ormsby is not constructed as envisioned, the traffic congestion on Washington and King would worsen specifically in view of the current traffic patterns. Mr. Brotzman pointed that the contract included a requirement for the contractor to meet with the residents and respond to their questions and concerns. Mr. Homann outlined the criteria used to justify the project including the current traffic volumes/problems with Mountain and Division due to the use of Ormsby. He stressed that mitigation measures will be included in the project to address the noise, etc. The construction contract will be approved by the Board before work commences. Mayor Teixeira expressed his feeling that College Parkway may reduce the traffic volume on Ormsby. He also felt that during the life of the Silver Oaks development other traffic improvements will be constructed. Mr. Bullis responded by reiterating his position that an additional study is not warranted without consideration of other ideas which may be presented by the residents who would be impacted by the project. Mayor Teixeira suggested the neighborhood meeting be the first thing the contract does and if a "show stopper" is encountered, the project could be reconsidered. Mr. Bullis continued to iterate his concerns about the speed limit, lack of landscaping, and impact on the schools. Supervisor Bennett requested the design consider curves as a mitigation measure and for traffic control. She also felt that the meetings should include the

School District and its concerns. (1-2111) Gene Quarterson expressed his feeling that the right-of-way was owned by the State and that the project may not be done without its approval. Mr. Homann indicated the State controls Ormsby between King and Ash Canyon. The portion under discussion belongs to the City. Discussion would be undertaken with the State on ownership of Ormsby and other areas. (1-2175) Dan Walsh, representing his father, expressed his concern regarding the speed and the use of funding for design without town hall meetings. He urged the Board to have the meetings and return for the design funding. (1-2209) Mitch Breedan urged the Board to delay action until after the impact of College Parkway can be determined. (1-2220) Ed Shore also indicated concern about the speed and questioned the amount of stop signs which would be placed along the street. He, too, supported the town hall meetings before approval of the design funding. (1-2255) Bonnie Bullis expressed her feeling that the residents had been aware of the plan to improve the street but had not been aware of the timetable for construction. She also felt that, if College Parkway is constructed, Ormsby would cost a lot of money for improvements which few people would use. She urged the Board to leave the street as it is now and the money be used elsewhere. Supervisor Smith moved that the Board accept the Purchasing Department's recommendation on Contract 9495-142 and authorize the Purchasing Department to issue a Purchase Order to Odyssey Engineering, Incorporated, 2105 Capurro Way, Suite F, Sparks, Nevada 89431, for a not to exceed cost of \$32,680 and to include that the initial step in the design of this project be a series of neighborhood meetings with the neighbors in that area for appropriate input into the design of this project, Budget Allocation: \$35,000, Funding Source is RTC Construction as provided in fiscal year 9495 budget. Supervisor Bennett seconded the motion. Supervisors Smith and Bennett then expressed their willingness to attend any or all of the town hall meetings. The total estimated cost for the project is \$200,000. Mayor Teixeira then expressed his feeling that if the initial meetings indicate the project will not work, it will be halted and funding withdrawn except for that committed to the hearing process. Supervisor Smith agreed that the additional contracts would not be awarded and that the funding would be withdrawn. Mr. Homann also agreed. Mr. Lipparelli noted that the contract did not require the town hall meeting as the initial project nor did it include the "show stopper". Staff will modify the contract as indicated by the Board's direction. It will not be brought back for reconsideration unless the contractor does not agree. **The motion to approve a modified contract as indicated was voted and carried 5-0.**

6. PUBLIC WORKS DIRECTOR - Acting Public Works Director Tim Homann - ORDINANCE - SECOND READING - ACTION ON BILL NO. 158 - AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY, COSTCO WHOLESALE CORPORATION, AND KIM AND DOROTHY VAN PELT, REGARDING IMPROVEMENTS RELATED TO THE DEVELOPMENT OF ASSESSOR'S PARCEL NO.S 9-154-01, 9-151-13, AND 9-153-04 LOCATED IN CARSON CITY, NEVADA (1-2558) - Supervisor Bennett moved that the Board adopt Bill NO. 158 on second reading, Ordinance No. 1995-1, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY, COSTCO WHOLESALE CORPORATION, AND KIM AND DOROTHY VAN PELT, RELATED TO THE DEVELOPMENT OF ASSESSOR'S PARCEL NO. 09-151-13, 09-154-01, AND 09-153-04 LOCATED IN CARSON CITY, NEVADA. Supervisor Tatro seconded the motion. Motion carried 5-0.

11. BOARD OF SUPERVISORS

A. NON-ACTION ITEMS - INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (1-2575) - Mr. Homann thanked the Board for having had the opportunity to serve as the City's Acting Public Works Director. He thanked the Board also for its professionalism in dealing with the sensitive issues during his tenure as Acting Public Works Director. Mayor Teixeira commended him on his professionalism and his attention to detail. Mr. Berkich also commended him on his dedication, loyalty, and willingness to serve in this capacity for the duration. Mayor Teixeira cited the Costco agreement as an example of his abilities.

(2-1855) Supervisor Ayres explained staff's presentation to the Parks and Recreation Commission on streamlining the Residential Construction Tax procedures. She commended all the employees and individuals who had participated in the program. Supervisor Bennett announced a "Take Charge of Your Life by Taking Charge of Your Money" program and Senior Citizens Center Executive Director Pat Blake's resignation. She requested Mr. Berkich establish a method of recognition for her dedication and service. She displayed a pamphlet on wastewater

management and expressed her desire to see more of these public information items. Supervisors Smith and Tatro and Mayor Teixeira did not have a report.

7. PERSONNEL - Judie Fisher

A. ACTION ON APPOINTMENT OF MEMBERS TO THE BOARD OF EQUALIZATION (1-2714) - Supervisor Tatro moved that the Board appoint Phil Martin, William Smith, Darrel Cauch, and Ted Thornton to the Board of Equalization to the terms indicated in the staff report. Supervisor Smith seconded the motion. Motion carried 5-0.

B. ACTION ON APPOINTMENT OF MEMBERS TO THE CARSON CITY TELEVISION COMMISSION (1-2765) - Supervisor Ayres moved that the Board of Supervisors reappoint Pete Bachstadt for four years and Ralph Dishman for four years to replace Mike Kelly. Supervisor Smith seconded the motion. Motion carried 5-0.

8. FINANCE DIRECTOR - Mary Walker

A. ACTION ON APPROVAL OF CARSON CITY FISCAL YEAR 94-95 BUDGET REVISION AND AUGMENTATION (1-2812) - Pulled.

B. ACTION ON RESOLUTION TO ESTABLISH THE CEMETERY ENTERPRISE FUND (1-2815) - Remaining budget allocated funds would be transferred to the fund and used to meet the cash flow needs until the end of the fiscal year. The ambulance fund was cited as an example of an enterprise which is subsidized in the same fashion. Comments were solicited but none made. Supervisor Tatro moved that the Board approve Resolution No. 1995-R-15, A RESOLUTION CREATING AN ENTERPRISE FUND FOR THE OPERATION OF LONE MOUNTAIN CEMETERY. Supervisor Bennett seconded the motion. Motion carried 5-0.

9. PARKS AND RECREATION DIRECTOR - Steve Kastens - ACTION ON RESOLUTION ADOPTING CHANGES IN CERTAIN POLICIES, PROCEDURES AND FEES FOR LONE MOUNTAIN CEMETERY (1-2937) - Supervisor Tatro moved that the Board adopt Resolution No. 1995-R-16, A RESOLUTION ADOPTING CHANGES IN CERTAIN POLICIES, PROCEDURES AND FEES FOR LONE MOUNTAIN CEMETERY. Supervisor Bennett seconded the motion. Motion carried 5-0.

BREAK: A ten minute recess was declared at 2:23 p.m. When the meeting reconvened at 2:33 p.m. the entire Board was present constituting a quorum.

10. DISTRICT ATTORNEY - Deputy District Attorney Paul Lipparelli

A. ACTION ON ESTABLISHMENT OF PROCESS AND TIMETABLE FOR FILLING VACANCY IN THE JUSTICE OF THE PEACE DEPARTMENT 2 (1-2962) - Clerk-Recorder Alan Glover - Discussion among the Board, Mr. Lipparelli, and Mr. Glover included the need for the second Justice; a selection procedure; cost of and estimated turnout for a special election; and the difference in terms if elected by the special election procedure or appointed. (1-3224) During this discussion Supervisor Tatro noted a potential conflict of interest. He indicated he would not participate in the discussion or vote and left the dais and room. (A quorum was still present.) (1-3405) Judge Robey Willis began to enter the discussion on the selection procedures and, specifically, the suggested judicial committee procedure. Preliminary discussions, however, indicated the desire to dispose of the election process before detailed discussion on the committee procedure occurred. **Supervisor Bennett then moved that the Board of Supervisors not hold a special election to fill the vacancy of Justice of the Peace Department 2. Supervisor Smith seconded the motion.**

(2-0065) Jon Springmeyer noted his feeling that, regardless of the selection procedure utilized, a qualified individual would be chosen. He urged the Board to utilize the ballot process and to have two questions on it. One

would select the Justice of the Peace and the other would impose a quarter cent sales tax for either a courthouse, jail, or a combined facility. Reasons for the proposal were explained at length. The Judge Pro-Tem program could be used until the election occurs and the campaign costs would restrict the applicants to qualified individuals. If his suggestion is not accepted, then he urged the Board to select the person with the second highest return at the November 1994 General Election.

(2-0351) Additional discussion ensued among the Board and Mr. Glover on the timeframe for a special election, the potential turnout, and cost. Supervisor Ayres noted the media attention the situation had received. None of the individuals who had contacted her on the vacancy had supported the special election procedure. Several had indicated it was a waste of money. **The motion to reject the special election procedure was voted by roll call with the following result: Smith - Yes; Ayres - Yes; Bennett - Yes; and Mayor Teixeira - Yes. Motion carried 4-0-1 with Supervisor Tatro abstaining and absent.**

(2-0472) Judge Willis then detailed the suggested judicial committee procedure including its composition, timeframe, and rules. (Copies of the proposal were given to the Board and Clerk.) Discussion between Judge Willis and the Board questioned the feasibility of the suggested timetable and indicated the final candidates would not be ranked. The names would be submitted alphabetically. The interview questions should be "uniform" for all the candidates. Supervisor Bennett iterated her opposition to having only one week to accept applications. She supported two weeks. The entire procedure would be under the Open Meeting Law. Supervisor Smith suggested all of the applications be given to the Board so that he would be aware of the numbers and qualifications. Judge Willis agreed and again indicated the entire procedure would be done under the Open Meeting Law. Supervisor Ayres commended Judge Willis on having Judge Daniels serve on the committee and, although she preferred an additional woman on the Committee, felt that Judge Daniels could "more than hold her own". Supervisor Bennett then suggested a citizen-at-large be added to the committee and reiterated her desire to have a two week application period. Mayor Teixeira refused to accept either the responsibility for selecting a person to serve on the committee or an appointment to the committee as the citizen-at-large. Reasons for his refusal were stated. Discussion with Judge Willis indicated a two week application period could create a hardship on the judicial committee members due to their caseloads. Supervisor Bennett continued to stress her reasons for feeling that there should be a two week application period including the fact that any resident could apply for the position. Justice Willis indicated only insane people or idiots were prohibited from filing for the office. Supervisor Ayres expressed her concern that the candidates who would file for the position if a special election is held may not be the best qualified due to the need to run for re-election in two years. **Supervisor Smith then moved that the Board of Supervisors adopt the following process as contained in the memorandum from Judge Robey Willis to the Board of Supervisors including the selection of the judicial committee for the filling of the Justice of the Peace Department 2 vacancy, appointing the following individuals: Judge Annette Daniels from Storey County, Judge Michael E. Fondi, Alan Glover, Judge Michael Griffin, Keith MacDonald, and Judge Robey Willis, and also approving the rules for the selection of the Justice of the Peace Department 2 and the timetable as contained within the memorandum. Supervisor Ayres seconded the motion. Comments were solicited but none made. The motion was voted by roll call with the following result: Smith - Yes; Ayres - Yes; Bennett - Yes with a caveat that I would have preferred that we extended the filing period another week; and Mayor Teixeira - Yes. Motion carried 4-0-1 with Supervisor Tatro abstaining and absent.**

Mayor Teixeira encouraged the media to help advertise the vacancy and procedure and thanked all for their participation. (Supervisor Tatro returned to the dais at 3:25 p.m. A quorum was present as noted.)

B. ORDINANCES - FIRST READING

i. **ACTION ON AN ORDINANCE AMENDING 4.04.107 OF THE CARSON CITY MUNICIPAL CODE ENTITLED "TELEPHONE COMPANIES" BY INCREASING THE QUARTERLY LICENSE FEE AND MATTERS PROPERLY RELATED THERETO (2-1442)** - Finance Director Mary Walker - This proposal impacts only Nevada Bell and is similar to Reno's ordinance. A national association for

telephone companies felt this was a reasonable charge. Supervisor Ayres moved that the Board approve on first reading Bill No. 101, AN ORDINANCE AMENDING 4.04.107 OF THE CARSON CITY MUNICIPAL CODE ENTITLED "TELEPHONE COMPANIES" BY INCREASING THE QUARTERLY LICENSE FEE, AND MATTERS PROPERLY RELATED THERETO, fiscal impact is \$62,000 per year in the General Fund. Supervisor Bennett seconded the motion. Motion carried 5-0.

ii. **ACTION ON AN ORDINANCE AMENDING 5.12.020 OF THE CARSON CITY MUNICIPAL CODE ENTITLED "TELEPHONE COMPANIES" BY INCREASING THE QUARTERLY LICENSE FEE AND MATTERS PROPERLY RELATED THERETO (2-1605)** - Finance Director Walker - Discussion noted there are approximately 20 long distance companies which will be impacted by this proposal. There is legislation pending on this issue. Mr. Berkich noted that future telephone systems would be "wireless" and the efforts were being made by staff to put Carson City in a position for the future. Nevada Bell purportedly supported the program as "it will level the playing field". The effective date was requested to be March 1, 1995. Supervisor Smith moved that the Board introduce Bill No. 102 on first reading, AN ORDINANCE AMENDING 5.12.020 OF THE CARSON CITY MUNICIPAL CODE ENTITLED "TELEPHONE COMPANIES" BY INCREASING THE QUARTERLY LICENSE FEE, AND MATTERS PROPERLY RELATED THERETO, not to be effective until March 1, 1995; fiscal impact is estimated at \$40,000 per year revenue. Supervisor Tatro seconded the motion. Motion carried 5-0.

11. B. ACTION ITEMS REQUESTED BY MEMBERS OF THE BOARD OF SUPERVISORS

i. **ACTION ON RE-APPOINTMENT OF WELDON LARY TO WESTERN NEVADA DEVELOPMENT DISTRICT (2-1728)** - Supervisor Smith moved that the Board approve the appointment of Weldon Lary as the private sector representative from Carson City to the Western Nevada Development District. Supervisor Ayres seconded the motion. Discussion indicated EDA may not be funded by Congress. WNDD may lose 20 percent of its funding but would continue to function. The motion to appoint Mr. Lary was voted and carried unanimously.

ii. **SUPERVISOR SMITH - ACTION ON A PROCLAMATION FOR THE 125TH ANNIVERSARY OF THE OPENING OF THE CARSON CITY MINT (2-1762)** - Supervisor Smith distributed copies of the proclamation to the Board and Clerk. He read it into the record. Supervisor Ayres seconded his comments. Mayor Teixeira indicated formal action was not required and a vote was not taken. Mayor Teixeira noted the reception was scheduled for 1 p.m. on Friday.

12. COMMUNITY DEVELOPMENT DIRECTOR - Principal Planner Rob Joiner

A. **ACTION ON A REQUEST BY LANDMARK HOMES FOR A CHANGE OF NAME FROM SILVER GLEN SUBDIVISION (AT KOONTZ AND SILVER SAGE) TO SOUTH POINTE SUBDIVISION (2-2058)** - Supervisor Smith moved that the Board approve a request by Landmark Homes for a change of name from Silver Glen Subdivision to South Pointe Subdivision. Supervisor Tatro seconded the motion. Motion carried 5-0.

BREAK: A five minute recess was declared at 3:35 p.m. When the meeting reconvened at 3:40 p.m. the entire Board was present constituting a quorum.

B. PLANNING COMMISSION REVIEW AND APPEAL MATTERS

i. **ORDINANCE - SECOND READING - ACTION ON BILL NO. 159 - AN ORDINANCE AMENDING TITLE 18 (ZONING) OF THE CARSON CITY MUNICIPAL CODE BY AMENDING SECTION 18.11.060, ADDITIONAL REQUIREMENTS FOR PARCEL MAPS AND SUBDIVISION MAPS OF THE HILLSIDE DEVELOPMENT ORDINANCE, AND OTHER MATTERS PROPERLY RELATED THERETO (2-2125)** - Supervisor Tatro moved to adopt Bill No. 159, Ordinance 1995-

2 on second reading, AN ORDINANCE AMENDING TITLE 18 (ZONING) OF THE CARSON CITY MUNICIPAL CODE BY AMENDING SECTION 18.11.060, ADDITIONAL REQUIREMENTS FOR PARCEL MAPS AND SUBDIVISION MAPS OF THE HILLSIDE DEVELOPMENT ORDINANCE, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Bennett seconded the motion. Motion carried 5-0.

ii. **ORDINANCE - FIRST READING - A-94/95-4 - DISCUSSION AND POSSIBLE ACTION REGARDING BILL NO. 103, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE, TITLE 18 (ZONING), SECTIONS 18.02.010 (SHORT TITLE), 18.02.020 (PURPOSE), 18.02.030 (INTERPRETATION AND APPLICATION), 18.03.010 (DEFINITIONS GENERALLY), 18.02.040 (BOARD OF ADJUSTMENT), 18.02.045 (REGIONAL PLANNING COMMISSION POWERS AND DUTIES-REVIEW BY THE BOARD OF SUPERVISORS), 18.03.030 (ACCESSORY BUILDING OR STRUCTURE), 18.03.040 (ACCESSORY USE), 18.03.045 (ADULT ENTERTAINMENT FACILITY), 18.03.055 (AGRICULTURAL USES), 18.03.111 (BAR), 18.03.115 (BED AND BREAKFAST INN), 18.03.120 (BILLBOARD), 18.03.150 (BUILDING HEIGHT), 18.03.160 (BUILDING LINE), 18.03.170 (BUILDING SETBACK), 18.03.176, (BULK BUILDING MATERIALS), 18.03.200 (CLINIC), 18.03.262 (TWO-FAMILY DWELLING), 18.03.316A (NET FLOOR AREA), 18.03.316B (GROSS LAND AREA), 18.03.317 (GROUP CARE FACILITY), 18.03.320 (GUEST BUILDING), 18.03.330 (HOME OCCUPATION), 18.03.350 (HOTEL), 18.03.360 (JUNKYARD), 18.03.380 (KITCHEN), 18.03.390 (LIMITED MANUFACTURING), 18.03.400 (LOADING SPACE), 18.03.410 (LOT), 18.03.411 (FRONT LOT LINE), 18.03.412 (LOT WIDTH), 18.03.413 (LOT DEPTH), 18.03.414 (MOBILE CANTEENS), 18.03.415 (MOBILEHOME), 18.03.415A (MOBILEHOME PARK), 18.03.415B (MOBILEHOME SPACE), 18.03.431 (NONCONFORMING BUILDING), 18.03.432 (NONCONFORMING USE), 18.03.440 (PARCEL OF LAND), 18.03.470 (PRIMARY USE), 18.03.482 (PROFESSIONAL OFFICE), 18.03.520 (RESORT), 18.03.570 (SETBACK), 18.03.600 (STRUCTURE), 18.04.020 (DISTRICTS ESTABLISHED), 18.04.030 (ADOPTION OF DISTRICTS), 18.04.040 (DETERMINATION OF DISTRICTS), 18.04.050 (PERMITTED USES), 18.05.022 (NUMBER OF SPACES REQUIRED), 18.05.023 (GENERAL REQUIREMENTS), 18.05.024 (OFF-STREET LOADING AND UNLOADING), 18.05.029 (LANDSCAPING STANDARDS), 18.05.031 (TRAILERS, MOBILEHOMES, RECREATIONAL VEHICLES, AND COMMERCIAL COACHES), 18.05.033 (RADIO ANTENNAS), 18.05.035 (MOBILE CANTEENS), 18.05.040 (EXTRACTION OPERATIONS), 18.05.051 (ANIMALS AND FOWL), 18.05.100 (ACCESSORY STRUCTURES), 18.05.105 (COMMUNITY/REGIONAL COMMERCIAL), 18.05.110 (FENCES, WALLS AND HEDGES), 18.05.120 (MOVING A BUILDING), 18.06.010 (SINGLE FAMILY FIVE ACRES), 18.06.011 (MINIMUM AREA), 18.06.012 (MINIMUM LOT WIDTH AND MAXIMUM DEPTH), 18.06.013 (MINIMUM FRONT YARD SETBACK), 18.06.014 (MINIMUM SIDE YARD SETBACK), 18.06.015 (MINIMUM REAR YARD SETBACK), 18.06.016 (MAXIMUM BUILDING HEIGHT), 18.06.017 (PRIMARY PERMITTED USES), 18.06.018 (ACCESSORY PERMITTED USES), 18.06.019 (CONDITIONAL USES), 18.06.019A (SINGLE FAMILY TWO ACRES SF2A), 18.06.109B (MINIMUM AREA), 18.06.019C (MINIMUM LOT WIDTH), 18.06.019D (MINIMUM FRONT YARD SETBACK), 18.06.019E (MINIMUM SIDE YARD SETBACK), 18.06.019F (MINIMUM REAR YARD SETBACK), 18.06.019G (MAXIMUM BUILDING HEIGHT), 18.06.019H (PRIMARY PERMITTED USES), 18.06.019I (ACCESSORY PERMITTED USES), 18.06.019J (CONDITIONAL USES), 18.06.021 (MINIMUM AREA), 18.06.022 (MINIMUM LOT WIDTH), 18.06.027 PRIMARY PERMITTED USES), 18.06.028 (ACCESSORY PERMITTED USES), 18.06.029 (CONDITIONAL USES), 18.06.031 (MINIMUM AREA), 18.06.032 (MINIMUM LOT WIDTH), 18.06.031 (MINIMUM AREA), 18.06.032 (MINIMUM LOT WIDTH), 18.06.037 (PRIMARY PERMITTED USES), 18.06.038 (ACCESSORY PERMITTED USES), 18.06.039 (CONDITIONAL USES), 18.06.041 (MINIMUM AREA), 18.06.042 (MINIMUM LOT WIDTH), 18.06.044 (MINIMUM SIDE YARD SETBACK), 18.06.047 (PRIMARY PERMITTED USES), 18.06.048 (ACCESSORY PERMITTED USES), 18.06.049 (CONDITIONAL USES), 18.06.051 (MINIMUM AREA), 18.06.052 (MINIMUM LOT WIDTH), 18.06.054 (MINIMUM SIDE YARD SETBACK), 18.06.054A (FRONT AND SIDE YARD SETBACK EXCEPTIONS), 18.06.057 (PRIMARY PERMITTED USES), 18.06.058 (ACCESSORY PERMITTED USES), 18.06.059 (CONDITIONAL USES), 18.06.061 (MINIMUM AREA), 18.06.062 (MINIMUM LOT WIDTH), 18.06.064 (MINIMUM SIDE YARD SETBACK), 18.06.065 (MINIMUM REAR YARD SETBACK), 18.06.067 (PRIMARY PERMITTED USES), 18.06.068**

(ACCESSORY PERMITTED USES), 18.06.069 (CONDITIONAL USES), 18.06.060A (MOBILEHOME 12000, MH12000), 18.06.061A (MINIMUM AREA), 18.06.062A (MINIMUM LOT WIDTH), 18.06.063A (MINIMUM FRONT YARD SETBACK), 18.06.064A (MINIMUM SIDE YARD SETBACK), 18.06.065A (MINIMUM REAR YARD SETBACK), 18.06.066A (MAXIMUM BUILDING HEIGHT), 18.06.067A (PRIMARY PERMITTED USES), 18.06.068A (ACCESSORY PERMITTED USES), 18.06.069A (CONDITIONAL USES), 18.06.060B (MOBILEHOME ONE ACRE, MH1A), 18.06.061B (MINIMUM AREA), 18.06.062B (MINIMUM LOT WIDTH AND MAXIMUM DEPTH), 18.06.063B (MINIMUM FRONT YARD SETBACK), 18.06.064B (MINIMUM SIDE YARD SETBACK), 18.06.065B (MINIMUM REAR YARD SETBACK), 18.06.066B (MAXIMUM BUILDING HEIGHT), 18.06.067B (PRIMARY PERMITTED USES), 18.06.068B (ACCESSORY PERMITTED USES), 18.06.069B (CONDITIONAL USES), 18.06.070 (MOBILEHOME PARK, MHP), 18.06.071 (MOBILEHOME PARK STANDARDS), 18.06.080 (MULTIFAMILY DUPLEX, MFD), 18.06.081 (MINIMUM AREA), 18.06.082 (MINIMUM LOT WIDTH), 18.06.083 (MINIMUM FRONT YARD SETBACK), 18.06.084 (MINIMUM SIDE YARD SETBACK), 18.06.085 (MINIMUM REAR YARD SETBACK), 18.06.086 (MAXIMUM BUILDING HEIGHT), 18.06.087 (PRIMARY PERMITTED USES), 18.06.088 (ACCESSORY PERMITTED USES), 18.06.089 (CONDITIONAL USES), 18.06.090 (MULTIFAMILY APARTMENTS, MFA), 18.06.091 (MINIMUM AREA), 18.06.092 (MINIMUM LOT WIDTH), 18.06.093 (MINIMUM FRONT YARD SETBACK), 18.06.094 (MINIMUM SIDE YARD SETBACK), 18.06.095 (MINIMUM REAR YARD SETBACK), 18.06.096 (MAXIMUM BUILDING HEIGHT), 18.06.097 (PRIMARY PERMITTED USES), 18.06.098 (ACCESSORY PERMITTED USES), 18.06.099 (CONDITIONAL USES), 18.06.100 (RESIDENTIAL OFFICE, RO), 18.06.101 (MINIMUM AREA), 18.06.102 (MINIMUM LOT WIDTH), 18.06.103 (MINIMUM FRONT YARD SETBACK), 18.06.104 (MINIMUM SIDE YARD SETBACK), 18.06.105 (MINIMUM REAR YARD SETBACK), 18.06.106 (MAXIMUM BUILDING HEIGHT), 18.06.107 (PRIMARY PERMITTED USES), 18.06.108 (ACCESSORY PERMITTED USES), 18.06.109 (CONDITIONAL USES), 18.06.120 (GENERAL OFFICE, GO), 18.06.121 (MINIMUM AREA), 18.06.122 (MINIMUM LOT WIDTH), 18.06.123 (MINIMUM FRONT YARD SETBACK), 18.06.124 (MINIMUM SIDE YARD SETBACK), 18.06.125 (MINIMUM REAR YARD SETBACK), 18.06.126 (MAXIMUM BUILDING HEIGHT), 18.06.127 (PRIMARY PERMITTED USES), 18.06.128 (ACCESSORY PERMITTED USES), 18.06.129 (CONDITIONAL USES), 18.06.140 (NEIGHBORHOOD BUSINESS, NB), 18.06.141 (MINIMUM AREA), 18.06.142 (MINIMUM LOT WIDTH), 18.06.143 (MINIMUM FRONT YARD SETBACK), 18.06.146 (MAXIMUM BUILDING HEIGHT), 18.06.147 (PRIMARY PERMITTED USES), 18.06.149 (CONDITIONAL USES), 18.06.150 (RETAIL COMMERCIAL, RC), 18.06.151 (MINIMUM AREA), 18.06.152 (MINIMUM LOT WIDTH), 18.06.153 (MINIMUM FRONT, SIDE OR REAR YARD SETBACK), 18.06.154 (MAXIMUM BUILDING HEIGHT), 18.06.155 (PRIMARY PERMITTED USES), 18.06.156 (ACCESSORY PERMITTED USES), 18.06.157 (CONDITIONAL USES), 18.06.160 (GENERAL COMMERCIAL, GC), 18.06.160.1 (OUTSIDE USES), 18.06.161 (MINIMUM AREA), 18.06.162 (MINIMUM LOT WIDTH), 18.06.163 (MINIMUM FRONT, SIDE OR REAR YARD SETBACK), 18.06.164 (MAXIMUM BUILDING HEIGHT), 18.06.165 (PRIMARY PERMITTED USES), 18.06.166 (ACCESSORY PERMITTED USES), 18.06.167 (CONDITIONAL USES), 18.06.170 (TOURIST COMMERCIAL, TC), 18.06.171 (MINIMUM AREA), 18.06.172 (MINIMUM LOT WIDTH), 18.06.173 (MINIMUM FRONT, SIDE AND REAR YARD SETBACK), 18.06.174 (MAXIMUM BUILDING HEIGHT), 18.06.175 (PRIMARY PERMITTED USES), 18.06.176 (ACCESSORY PERMITTED USES), 18.06.177 (CONDITIONAL USES), 18.06.190 (LIMITED INDUSTRIAL, LI), 18.06.191 (MINIMUM AREA), 18.06.192 (MINIMUM LOT WIDTH), 18.06.193 (MINIMUM FRONT AND REAR YARD SETBACK), 18.06.194 (MINIMUM SIDE YARD SETBACK), 18.06.195 (MAXIMUM BUILDING HEIGHT), 18.06.196 (PRIMARY PERMITTED USES), 18.06.197 (ACCESSORY PERMITTED USES), 18.06.198 (CONDITIONAL USES), 18.06.200 (GENERAL INDUSTRIAL, GI), 18.06.201 (MINIMUM AREA), 18.06.202 (MINIMUM LOT WIDTH), 18.06.203 (MINIMUM FRONT, SIDE AND REAR YARD SETBACKS), 18.06.204 (MAXIMUM BUILDING HEIGHT), 18.06.205 (PRIMARY PERMITTED USES), 18.06.206 (ACCESSORY PERMITTED USES), 18.06.207 (CONDITIONAL USES), 18.06.208 (PROHIBITED USES), 18.06.210 (AIR INDUSTRIAL PARK, AIP), 18.06.211 (MINIMUM AREA), 18.06.212 (MINIMUM LOT WIDTH), 18.06.213 (FRONT AND REAR YARD SETBACKS), 18.06.214 (SIDE YARD SETBACK), 18.06.215 (MAXIMUM BUILDING HEIGHT), 18.06.216 (PRIMARY

PERMITTED USES), 18.06.217 (CONDITIONAL USES), 18.06.218 (PROHIBITED USES), 18.06.220 (CONSERVATION RESERVE, CR), 18.06.221 (PRIMARY PERMITTED USES), 18.06.221.5 (ACCESSORY PERMITTED USES), 18.06.222 (CONDITIONAL USES), 18.06.230 (AGRICULTURE, A), 18.06.231 (PRIMARY PERMITTED USES), 18.06.232 (CONDITIONAL USE), 18.06.240 (PUBLIC, P), 18.06.241 (CONDITIONAL USES), 18.06.242 (DEVELOPMENT STANDARDS), 18.06.250 (PURPOSE), 18.06.251 (MASTER PLAN CONSIDERATIONS), 18.06.252 (APPLICATION PROCESS), 18.06.253 (PHASED DEVELOPMENT), 18.06.254 (PRIMARY PERMITTED USES), 18.06.255 (ACCESSORY USES), 18.06.256 (SITE STANDARDS), 18.06.257 (LAND USE REQUIREMENTS), 18.06.258 (LOT SIZE, WIDTH AND LENGTH REQUIREMENTS), 18.06.259 (SETBACKS, BUILDING HEIGHT AND FLOOR AREA RATIO REQUIREMENTS), 18.06.260 (STRUCTURE/ELEVATION REQUIREMENTS), 18.06.261 (COMMON OPEN SPACE AND LANDSCAPING REQUIREMENTS), 18.06.262 (PROPERTY OWNERS ASSOCIATION REQUIREMENTS), 18.06.263 (ARCHITECTURAL REQUIREMENTS), 18.06.264 (SIGNAGE REQUIREMENTS), 18.06.265 (PARKING AND LOADING STANDARDS), 18.06.266 (PUBLIC FACILITIES AND SERVICES), 18.06.267 (SEVERABILITY), AND ADDING SECTION 18.02.025 (ADMINISTRATION), 18.02.026 (GENERAL), 18.02.027 (PRIOR COVENANTS), 18.02.028 (GOVERNING PROVISIONS), 18.02.029 (ENFORCEMENT), 18.02.030 (PENALTY), 18.02.031 (APPLICATION LIMITATIONS), 18.02.035 (PLANNING COMMISSION/BOARD OF SUPERVISORS APPLICATIONS), 18.02.036 (JURISDICTION), 18.02.037 (REVIEW), 18.02.038 (FEES AND SERVICE CHARGES), 18.02.039 (WAIVER OF FEES), 18.02.040 (APPEAL), 18.02.050 (ADMINISTRATIVE ABANDONMENT OF PUBLIC UTILITY EASEMENTS), 18.02.060 (SPECIAL USE PERMIT, CONDITIONAL USES), 18.02.061 (AUTHORITY), 18.02.062 (APPLICATION REQUIREMENTS), 18.02.063 (INVESTIGATION), 18.02.064 (HEARING), 18.02.065 (DECISION), 18.02.066 (CONDITIONS), 18.02.067 (EXPIRATION), 18.02.080 (VARIANCES), 18.02.081 (APPLICATION REQUIREMENTS), 18.02.082 (INVESTIGATION), 18.02.083 (HEARING), 18.02.084 (DECISION), 18.02.085 (CONDITIONS), 18.02.086 (EXPIRATION), 18.02.087 (REVOCATION OR RE-EXAMINATION OF VARIANCE OR SPECIAL USE PERMIT), 18.02.088 (SHOW CAUSE PROCEDURE), 18.02.089 (APPEAL OF SHOW CAUSE HEARING DETERMINATION), 18.02.090 (AMORTIZATION PERIOD FOR VARIANCES OR SPECIAL USE PERMITS), 18.02.100 (CHANGE OF LAND USE DISTRICT AND TITLE AMENDMENTS), 18.02.101 (AMENDMENTS), 18.02.102 (APPLICATION REQUIREMENTS), 18.02.103 (INVESTIGATION), 18.02.104 (HEARING), 18.02.105 (DECISION), 18.02.106 (NOTICE), 18.02.107 (REPORT TO THE BOARD), 18.02.108 (ACTION BY THE BOARD), 18.02.110 (MASTER PLAN AMENDMENTS), 18.02.111 (PURPOSE), 18.02.112 (ADOPTION OF MASTER PLAN ELEMENT), 18.02.113 (ELEMENTS OF THE CITY'S MASTER PLAN), 18.02.114 (INTEREST IN MASTER PLAN), 18.02.115 (BOARD OF SUPERVISORS PLACE CITY'S MASTER PLAN INTO EFFECT), 18.02.116 (REQUIREMENTS FOR APPLICATION), 18.02.117 (REVIEW PROCEDURES), 18.02.118 (NOTICE), 18.02.119 (APPEAL OF DENIAL), 18.02.120 (ACTION BY BOARD), 18.02.121 (WRITTEN RECORD), 18.02.122 (EFFECTIVE DATE), 18.02.123 (ONE YEAR WAIT OF DENIALS), 18.02.124 (MODIFICATION OF A MASTER PLAN AMENDMENT), 18.02.125 (MORATORIUM), 18.03.015 (ABUTTING COMMERCIAL AND INDUSTRIAL CORRIDORS TO CARSON CITY), 18.03.035 (ACCESSORY FARM STRUCTURE), 18.03.041 (ADJACENT), 18.03.056 (AGRICULTURAL SERVICES), 18.03.105 (ART GALLERY), 18.03.132 (BOUTIQUE), 18.03.217 (COMMERCIAL, HEAVY), 18.03.222 (COMMON OPEN SPACE), 18.03.223 (COMMUNITY/REGIONAL COMMERCIAL), 18.03.226 (CONSTRUCTION COACH), 18.03.227 (CONVENIENCE MART), 18.03.235 (CORRAL), 18.03.324 (HEDGE), 18.03.409 (MEAL), 18.03.433 (NONFLAMMABLE), 18.03.434 (NONTOXIC), 18.03.435 (OUTDOOR RECREATIONAL FACILITY), 18.03.495 (RESTAURANT), 18.03.496 (RESTAURANT, FAST FOOD), 18.03.515 (RESIDENTIAL STRUCTURE), 18.03.555 (SCREENING), 18.03.565 (SECONDHAND BUSINESS), 18.03.573 (SIGHT OBSCURING FENCE OR WALL), 18.03.574 (SOFTSCAPE SURFACE), 18.03.605 (TEA HOUSE OR TEA ROOM), 18.03.607 (THREE_SIDED PARCEL), 18.03.627 (TRUCK, PICKUP), 18.03.644 (STREET SIDE YARD), 18.03.646 (STREET VENDOR), 18.03.651 (WRECKING YARD), 18.05.025 (ROOF MOUNTED EQUIPMENT), 18.05.026 (TRASH STORAGE), 18.05.076 (NONCONFORMING PARCELS), 18.05.105 (SATELLITE DISH ANTENNA), 18.05.115 (CORNICES AND UNCOVERED PORCHES), 18.06.270.1 (TOURIST

COMMERCIAL), 18.06.280 (DOWNTOWN COMMERCIAL, DC), 18.06.281 (MINIMUM AREA), 18.06.282 (MINIMUM LOT WIDTH), 18.06.283 (MINIMUM FRONT, SIDE AND REAR BUILDING SETBACK), 18.06.284 (MAXIMUM BUILDING HEIGHT), 18.06.285 (DOWNTOWN COMMERCIAL ZONING DISTRICT PRIMARY PERMITTED USES), 18.06.286 (DOWNTOWN COMMERCIAL ZONING DISTRICT CONDITIONAL USES REQUIRING SPECIAL USE PERMIT), 18.06.290.1 (LIMITED INDUSTRIAL), 18.06.332 (ACCESSORY USES), AND DELETING SECTION 18.02.050 (ADMINISTRATION), 18.02.051 (GENERAL), 18.02.052 (JURISDICTION), 18.02.053 (REVIEW), 18.02.054 (PRIOR COVENANTS), 18.02.055 (ENFORCEMENT), 18.02.056 (PENALTY), 18.02.057 (FEES AND SERVICE CHARGES), 18.02.058 (APPEAL), 18.02.060 (ADMINISTRATIVE ABANDONMENT OF PUBLIC UTILITY EASEMENTS), 18.03.142 (ACCESSORY BUILDING), 18.03.225 (COMMON OPEN SPACE), 18.03.255 (DRIVEWAY LOT), 18.03.275 (EXTRACTION), 18.03.282 (FARMER'S MARKET), 18.03.285 (FLAG LOT), 18.03.310 (GARAGE), 18.03.323 (HAZARDOUS WASTE OR MATERIAL), 18.03.481 (PREDOMINANT LAND USE), 18.03.560 (SECONDARY USE), 18.05.027 (MAINTENANCE), 18.05.050 (WATER, OIL, GAS OR GEOTHERMAL DRILLING OPERATIONS), 18.05.055 (REVOCATION OR RE-EXAMINATION OF VARIANCE OR SPECIAL USE PERMIT), 18.05.56 (SHOW CAUSE PROCEDURE), 18.05.057 (APPEAL OF SHOW CAUSE HEARING DETERMINATION), 18.05.058 (AMORTIZATION PERIOD FOR VARIANCES OF SPECIAL USE PERMITS), 18.05.060 (SPECIAL USE PERMIT, CONDITIONAL USES), 18.05.061 (AUTHORITY), 18.05.062 (REQUIREMENTS), 18.05.063 (INVESTIGATION), 18.05.064 (HEARING), 18.05.065 (EXPIRATION), 18.05.075 (CHANGING TO ANOTHER NONCONFORMING USE), 18.05.080 (VARIANCES), 18.05.081 (PROCEDURE FOR APPLICATION), 18.05.082 (HEARING), 18.05.083 (DECISION), 18.05.084 (CONDITIONS), 18.05.085 (EXPIRATION), 18.05.090 (CHANGE OF LAND USE DISTRICT AND TITLE AMENDMENTS), 18.05.091 (AMENDMENTS), 18.05.092 (APPLICATION), 18.05.093 (HEARING), 18.05.094 (NOTICE), 18.05.095 (REPORT TO THE BOARD), 18.05.096 (ACTION BY BOARD), 18.05.130 (ENFORCEMENT), 18.05.140 (CONFLICTING REGULATIONS), 18.05.150 (PENALTY), 18.06.148 (ACCESSORY PERMITTED USES), 18.06.209 (ADULT ENTERTAINMENT FACILITY-LOCATION RESTRICTIONS), 18.06.209.1 (ADULT ENTERTAINMENT FACILITY-AMORTIZATION PERIOD), 18.06.223 (REMOVAL OF LANDS FROM THE CONSERVATION RESERVE DISTRICT), 18.06.233 (REMOVAL OF LANDS FROM THE AGRICULTURAL DISTRICT) (2-2221) - Supervisor Bennett requested a revised supplement once it is codified. Discussion noted the time taken to complete the revision and the community involvement with it. Supervisor Tatro moved that the Board approve on first reading Bill No. 103, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 18, as submitted in the staff report. Supervisor Ayres seconded the motion. Motion carried 5-0.

Mayor Teixeira commended Ms. Danforth on the revision.

13. CLOSED SESSION - ACTION TO RECESS INTO CLOSED SESSION PURSUANT TO NRS 288.220 TO MEET WITH MANAGEMENT REPRESENTATIVES (2-2459) - Pulled.

BREAK: There being no other matters for discussion until 6 p.m. Mayor Teixeira recessed the session at 3:52 p.m. When the meeting was reconvened at 6 p.m. the entire Board was present constituting a quorum. Staff members present included: City Manager Berkich, Treasurer Kramer, Finance Director Walker, Deputy District Attorney Lipparelli, Principal Planner Joiner, Recording Secretary McLaughlin, and Senior Accountant Charles Greer.

14. TREASURER - ACTION ON DENIAL OF BUSINESS LICENSE BY THE PLANNING DEPARTMENT FOR DENNIS WELCH, DOING BUSINESS AS WELCH DISTRIBUTING (2-2462) - Treasurer Kramer, Dennis Welch, Principal Planner Joiner - Discussion explained the reasons for denying Mr. Welch's home occupation business license based on the fact that he would be parking a large truck in a residential neighborhood in violation of the Code. Mr. Welch explained his unsuccessful attempts to locate another site for the truck, his security needs, and his hours of operation which restrict the use of storage/commercial areas. He questioned the reasons he was being singled out as other individuals are doing the same thing. He was asked for

suggestions on how to solve the issue but did not have any ideas. Mr. Joiner agreed to work with him in attempting to find a site for the truck. Supervisor Smith expressed his feeling that to approve the request would establish a untenable precedence. Supervisor Smith then moved that the Board of Supervisors deny the request as presented by Mr. Welch. Supervisor Tatro seconded the motion. Supervisor Ayres also requested staff to work with Mr. Welch and attempt to solve the problem. Mr. Joiner indicated the cases are handled on a complaint basis. The revised Title 18 would allow residents with larger parcels to park the vehicles on their property if it is screened. **The motion to deny the appeal was voted by roll with the following result: Bennett - Yes; Smith - Yes; Ayres - Yes; Tatro - Yes; and Mayor Teixeira - Yes. The motion carried unanimously.**

BREAK: A three minute recess was declared at 6:15 p.m. When the meeting reconvened at 6:18 p.m. the entire Board was present constituting a quorum.

15. FINANCE AND REDEVELOPMENT DIRECTOR - Mary Walker - ACTION ON RESOLUTION TO INCREASE EAGLE VALLEY GOLF COURSE FEES (2-3095) - Discussion ensued among the Board and Ms. Walker on the consultant's study of the fee structure, projected revenue and expenditure figures, the levels of play occurring at the courses, and impact the new private courses would have on the course revenue projections. It was felt that the courses were saturated with players at this time and the revenue projections would level off unless the fees are increased. Although there has been an increase in rounds, it is caused by the use of punchcards and passes. The out-of-town players are subsidizing the residential players. The last fee increase for local players was approximately seven years ago. Golf Pro Gary Bushman explained the green fee increases assessed out-of-town players. Supervisor Bennett expressed her feeling that there are other issues besides rates which needed to be considered and urged staff to analyze them before the next season. Mayor Teixeira noted that the bonds would be repaid in 12 years which would reduce the expenditures. Mr. Berkich explained the committee which had analyzed and recommended the fee increase.

Golf Advisory Committee Chairperson Bob Tobias presented a document to the Board. (A copy was not given to the Clerk.) He then indicated that the proposed increase could not be implemented immediately due to contractual agreements which Mr. Bushman had made for tournaments which are held throughout the coming year. His figures indicate the pass holders have a good deal as they can play for less than \$10 a round. The proposed fee increases were explained at length. The pass and punchcards would still give the locals a break, who comprise only one-tenth of one percent of the residents. Clarification indicated his revenue projection was \$370,000 for the second year due to commitments which Mr. Bushman had already made. Discussion indicated it costs the City approximately \$16.50 per round including debt service. Enterprise accounts are supported solely by their users. The golf course, however, clearly shows that out-of-town players are subsidizing the local players. Considerable discussion ensued on the amount and cost per round for the pass and punchcard players and reasons local players were paying only half of the total cost per round. (Supervisor Tatro stepped from the room at 6:40 p.m. and returned at 6:43 p.m. Supervisor Ayres stepped from the room at 6:53 p.m. and returned at 6:56 p.m. A quorum was present during their absences.) Supervisor Bennett stressed her feeling that this inequity should be addressed. Mr. Tobias felt that this would occur next fall and early enough so that the marketing program could include the increases. Supervisor Smith expressed his desire to have the fees analyzed annually. He also questioned whether the City could continue to operate the facility. He also noted that the course(s) had always been self-sustaining and the desire for it to remain self-sustaining. Supervisor Ayres felt that the revenue issues should not have been ignored this long. She commended Mr. Tobias and the Golf Committee on its work.

(3-1315) Golf Pro Bushman explained his contractual commitments for next year. Board comments indicated the rates now enforce will be honored for those commitments. He also indicated the need for a reservation system to control starting time and a fee for no shows and cancellations. Supervisor Bennett asked him to include areas where revenue is being lost in his monthly reports. Clarification indicated the resolution, if adopted, would be effective tomorrow. The cost allocation accounting system was explained in depth by Ms. Walker. An in depth discussion ensued on the need for a no show/cancellation policy as reservations have been made and players turned away due to the reservations or reservations by all of the players in one group which causes over booking. This hurts local play. Mr. Berkich indicated the software would be purchased by the City and installed this summer.

Discussion also expressed the feeling that the courses may be saturated with players and the number of rounds may not be increased. This leaves only the fee structure as a means of addressing the increasing expenditures. Mayor Teixeira noted the need to consider capping the passes/punchcards, restricting prime time play, etc., which may make it a more efficient facility. Also, it may be that the Board wishes to have the General Fund subsidize it as recreational facility like the swimming pool and softball fields. He cautioned to be careful about how the Board decides the facility is to be maximized in order to maintain its stability, viability, durability, and longevity as an enterprise. Competition must be considered in the figures. Supervisor Bennett also noted that as an enterprise, the local players would be aware of the improvements which are made as a result of their use as their money would not be spent elsewhere. Supervisor Tatro commended all for their work on the proposal. He was concerned about the use of passes/punchcards and that the rate structure would force more individuals to acquire passes/punchcards and not create the revenue desired/needed. An increase in this type of play will force other players to utilize other courses further reducing the revenue. He suggested that the late play or windy/bad weather fees be stabilized or decreased as it would encourage additional players and create more revenue. Discussion among the Board, Ms. Walker, and Mr. Tobias reiterated the reasons for the increase in rounds played by the pass and punchcard holders and the negative impact this was having on revenue. The consultants had suggested these passes be eliminated, which is a national trend. Mayor Teixeira felt that this would encourage use of the private courses as they are only \$5 more.

(3-2205) Jean Fiorilla expressed her feeling that a majority of the season pass holders do not play daily. She did not feel that the ratio was sensible. Starting times are not always available due to tournament play. Private courses were becoming more competitive as they cannot get the players. She felt that the proposed rates would attract even more players and that the two percent room tax should be used to subsidize the course. Mayor Teixeira explained that these funds can only be used to repay bonds or make improvements to recreational facilities. The courses do not need the funds and they are now used for other recreational facilities. Ms. Fiorilla felt that these funds should be returned to the courses. If the residential rates are increased to the out-of-town rates, she was certain the locals would discontinue playing here. (3-2336) Phil Martin explained a 1993 proposal to increase the green fees by \$3. He also noted the new Fernley course which was being heavily advertised. The competitive rates charged there would impact our courses. He felt that the Board was applying a Bandaid instead of taking positive steps to address the problems. He supported elimination of the punchcards and passes. He also urged the Board to seriously consider privatizing the courses.

Supervisor Smith moved that the Board of Supervisors adopt Resolution No. 1995-R-17, A RESOLUTION TO INCREASE FEES ON THE EAGLE VALLEY GOLF COURSES ON AND AFTER JANUARY 6, 1995, and to review the revenue structure again in one year. Supervisor Bennett seconded the motion and suggested a workshop be held with the Golf Course Advisory Committee to brainstorm methods to stop the leakage. Mayor Teixeira suggested the meeting be after the financial impact of the fee increase is established. Supervisor Tatro suggested the fees be analyzed next fall rather than in a year. **Supervisor Smith amended his motion to review the revenue structure in a time period not to exceed one year.** The budget review process would analyze part of the situation. He expressed a willingness to write a letter to the Golf Course Chairperson and ask him to begin holding discussions and review the operational procedures at the facility including the idea of privatization. He expressed his concern about the City's continued ability to compete in a growing market place. **Supervisor Bennett continued her second. The motion to adopt Resolution No. 1995-R-17, and to review the revenue structure in a time period not to exceed one year was voted by roll call with the following result: Tatro - No; Ayres - Yes; Smith - Yes; Bennett - Yes; and Mayor Teixeira - Yes. Motion carried 4-1.**

There being no other matters for consideration, Supervisor Ayres moved to adjourn. Mayor Teixeira seconded the motion. Motion carried unanimously and Mayor Teixeira adjourned the meeting at 7:40 p.m.

The Minutes of the Carson City Board of Supervisors January 5, 1995, meeting

ARE SO APPROVED ON ____ January ___, 1995.

CARSON CITY BOARD OF SUPERVISORS
Minutes of the January 5, 1995, Meeting
Page 15

/s/_____
Marv Teixeira, Mayor

ATTEST:

/s/_____
Alan Glover, Clerk-Recorder