

CARSON CITY BOARD OF SUPERVISORS
Minutes of the March 16, 1995, Meeting
Page 1

A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, March 16, 1995, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 1 p.m.

PRESENT:	Marv Teixeira	Mayor
	Greg Smith	Supervisor, Ward 1
	Janice Ayres	Supervisor, Ward 2
	Tom Tatro	Supervisor, Ward 3
	Kay Bennett	Supervisor, Ward 4
STAFF PRESENT:	John Berkich	City Manager
	Rod Banister	Sheriff
	Al Kramer	Treasurer
	Jack Fralinger	Health Director
	Steve Kastens	Parks and Recreation Director
	Jay Aldean	Public Works Director
	Dorothy Timian-Palmer	Utilities Director
	Tom Hoffert	Water Utilities Superintendent
	Mark Forsberg	Deputy District Attorney
	Katherine McLaughlin	Recording Secretary
	(B.O.S. 3/16/95 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 under that Department's heading. Any other individuals who spoke 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 p.m. Rev. Louie Locke of the Fountainhead Foursquare Church gave the Invocation. Mr. Forsberg lead the Pledge of Allegiance. Roll call was taken and a quorum was present although Supervisor Tatro had not yet arrived.

2. SPECIAL PRESENTATIONS - SUPERIOR SANITATION AWARDS (1-0047) - Health Director Jack Fralinger explained the awards and introduced the recipients. Supervisor Smith presented a plaque to each and commended them on their efforts.

1. ACTION ON APPROVAL OF MINUTES - February 16, 1995 (1-0174) - Supervisor Ayres moved that the Board approve the Minutes for the Board of Supervisors February 16, 1995, meeting as presented. Supervisor Bennett seconded the motion. Motion carried 4-0.

CITIZEN COMMENTS (1-0183) - None.

3. LIQUOR AND ENTERTAINMENT BOARD - Mayor Teixeira then recessed the Board of Supervisors session and immediately reconvened the hearing as the Liquor and Entertainment Board. A quorum was present including Member Bannister, however, Member Tatro was absent.

TREASURER - Al Kramer

A. ACTION ON A LIQUOR LICENSE FOR SHUMIN ZHANG AND LINJUN XIA, DOING BUSINESS AS CHINA KITCHEN (1-0188) - The Applicants were not present, therefore, the request was continued until later in the meeting.

(1-0989) Member Bannister briefly noted the Sheriff's Departmental Report. Linjun Xia responded to Board questions concerning the acquisition of the business. Chairperson Teixeira stressed the Board's concern regarding the sale of liquor to minors and urged her to contact the Sheriff's Department about the procedures to identify minors. Member Smith moved the Liquor and Entertainment Board approve a Liquor License for Shumin Zhang and Linjun Xia, doing business as China Kitchen located at 1936 North Carson Street, Carson City, Nevada, fiscal impact is \$200 per quarter to the Liquor License Revenue Account. Member Ayres seconded the motion. Motion carried 5-0.

B. ACTION ON SEVEN SPECIAL EVENT SHORT-TERM BUSINESS PERMITS FOR NEVADA LANDMARK SOCIETY WITH REQUEST FOR WAIVER OF THE \$50 PROMOTER FEE AND WAIVER OF THE \$2 PER DAY BOOTH FEE (1-0216) - Mr. Kramer's introduction noted that the \$50 promoter fee could be waived for a non-profit agency, however, the \$2 booth fee could not be waived. Mr. Larkin had submitted a letter withdrawing the request to waive the booth fee. Nevada Landmark Society President Charles Larkin responded to Board questions concerning the dates of the yard sales, purpose of the events, parking plans, plans for additional restroom facilities, and repeatedly stressed that there had been no negative impacts created by the activities. The neighbors supported the project and had submitted written statements. He was not aware of any vehicle damage or graffiti problems. The extra parking at the Ponderosa Stamp lot would not be advertised. It is to be used for the vendors. His estimate of the number of individuals visiting the facility was outlined. Member Ayres expressed her feeling that the two "Sani-Huts" were inadequate. Mr. Larkin felt that as the individuals are only there ten or 15 minutes, it should be adequate. Member Smith elaborated further on the Ponderosa Stamp parking spaces available for the Society. Mr. Larkin also noted that two of the Society's members are Rice Street residents and supported the project. Member Smith acknowledged the volume of individuals who buy or sell at the fundraiser. He suggested another facility be used for the sale. Mr. Larkin felt that a two hour limitation should address the parking question. Also the twelve days a year is not an imposition on the neighborhood. The businesses could rent their parking spaces for \$300 a year. He had suggested the business in question open a "beer bar" at the park. Member Smith then explained how the businessman in question may perceive the impact. Mr. Larkin reiterated his position including the feeling that the Society was providing the City with a beneficial project. Once the building is completed, it may be possible to eliminate the events. The sales would occur from 8 a.m. to 5 p.m. The vendors setup before 8 a.m. and may not close until 8 p.m.

(1-0637) David Lewis Guerra outlined his parking and business problems with the Society's yard sales. The history of the sales and its impact on his business had been increasing with the number and volume of sales. Last year the additional parking spaces for the weekend sales had been utilized for additional vendors. He suggested a large site be used for the sales. The lack of parking was having a financial impact on his sports bar. He noted two letters of opposition from Mr. Larkin and another Landmark Society Member concerning his bar. He was willing to refute those allegations, however, this forum was neither the appropriate place nor time. The apparent personality conflict between Mr. Guerra and Mr. Larkin was made evident throughout these comments and the remaining discussion. Mr. Guerra could not sell beer in the park due to the City park policy prohibiting alcoholic beverages. Last year Mr. Guerra had placed some barricades marked "bar parking only". This had not helped his relationship with his neighbors. He felt the "Sani-Huts" were not used by the public and that an arbitrator was needed to address the situation.

Chairperson Teixeira suggested the Board grant the May sales and reconsider the application for the remaining dates after a committee of City staff and Mr. Guerra and Mr. Larkin have attempted to address the situation. Reasons for this recommendation were outlined. Member Ayres suggested additional promotional activities such as a coupon which would attract customers for the bar. Member Smith moved that the Liquor and Entertainment Board approve a short-term event permit for the Roberts House Park, 1207 North Carson Street, with a waiver of the \$50 promoter fee for the dates May 6 and 7, 1995. Member Bennett seconded the motion. Motion carried 5-0.

4. CONSENT AGENDA - TREASURER - Al Kramer

A. ACTION ON AN ANNUAL LIQUOR SHORT-TERM PERMIT FOR BREWERY ARTS

CENTER, CARSON CITY CHAMBER OF COMMERCE, CARSON CITY JAYCEES, MAVERICK LIONS CLUB, PROSCENIUM PLAYERS, RSVP, CARSON SERTOMA, AND SOROPTOMIST INTERNATIONAL OF CARSON CITY

B. ACTION ON A SPECIAL EVENT SHORT-TERM BUSINESS PERMIT WITH WAIVER OF THE \$50 PROMOTER FEE FOR FREMONT ELEMENTARY SCHOOL PTA (1-1078) - Member Smith requested the Investment Policy be pulled for an indepth discussion, however, this item is under the Board of Supervisors Consent Agenda and would be considered later in the meeting. There being no other requests for an item to be pulled, Member Smith moved to approve the Consent Agenda. Member Ayres seconded the motion. Motion carried 5-0.

There being no other matters for consideration as the Liquor and Entertainment Board, Chairperson Teixeira adjourned the session and immediately reconvened the meeting as the Board of Supervisors. A quorum was present as previous noted although Supervisor Tatro had not yet arrived.

5. CONSENT AGENDA

A. TREASURER

i. ACTION ON TREASURER'S REPORT FOR THE MONTH OF FEBRUARY 1995

ii. ACTION ON REINSTATEMENT OF REVOKED BUSINESS LICENSES

iii. PRESENTATION OF UPDATED INVESTMENT POLICY FOR CITY

B. COMMUNITY DEVELOPMENT DIRECTOR

i. ACTION ON APPROVAL OF CONTRACT WITH SE&A FOR CONSULTING SERVICES FOR THE CARSON CITY MASTER PLAN UPDATE, SPECIFICALLY THE LAND USE ELEMENT

ii. ACTION ON M-94/95-20 - AN ABANDONMENT REQUEST FROM DWIGHT MILLARD (PROPERTY OWNERS: MILLARD REALTY AND CONSTRUCTION) TO ABANDON AN APPROXIMATELY 170 FOOT BY 8 FOOT PUBLIC RIGHT-OF-WAY ON EIGHTH STREET LOCATED BETWEEN PLAZA AND FALL STREETS, ADJACENT TO APN 4-052-01 (PLANNING COMMISSION APPROVED 4-0-0-3)

C. PUBLIC WORKS DIRECTOR - ACTION TO APPROVE CHANGE ORDER NO. 4 TO CONTRACT NO. 9495-55, THE BUTTI WAY CULVERT PROJECT, FOR A NET INCREASE IN THE AMOUNT OF \$4,235.54

D. PURCHASING DIRECTOR - ACTION ON CONTRACT NO. 9495-178 - PARK MOBILE BLEACHERS (1-1115) - Supervisors Bennett and Smith requested Item A. iii. be pulled for discussion. Supervisor Ayres moved that the Board of Supervisors accept the Consent Agenda except for the presentation of an updated investment policy for the City. Supervisor Bennett seconded the motion. Motion carried 4-0.

A. iii. Treasurer Kramer reviewed the reasons for the update, its purpose and benefits. The correction to the draft policy contained in the Board packet was noted. Supervisor Bennett moved that the Board of Supervisors approve Policy Number 1995-P-2, THE CARSON CITY, NEVADA, A CONSOLIDATED MUNICIPALITY, INVESTMENT AND PORTFOLIO POLICIES. Supervisor Ayres seconded the motion. Motion carried 4-0.

6. PURCHASING DIRECTOR - Deputy Purchasing Director John Iratcabal - ACTION ON CONTRACT NO. 9394-168 - RESOLUTION AND LEASE OF ZAMBONI BUILDING, BID OPENING (1-1332) - Mayor Teixeira requested oral bids. No one responded. He then opened the only written bid and read the terms. Mr. Iratcabal indicated the bid was acceptable. The terms indicated the lease was for a three year term effective November 10 through May 1. Discussion noted the bid was for \$50 a month which is \$300 more a year than the City was currently receiving. Supervisor Smith moved that the Board approve a lease agreement regarding Contract No. 9394-168. Clarification indicated the Resolution had been adopted previously. Supervisor Smith continued his motion to include: and that the Contract would be between Carson City as the Lessor and Bob Neglio as the Lessee at a rate of \$50 a month with the term of the lease being for three years effective November

10, following a correction of the date he continued the motion to include: 1995, through May 1 of the following year. Supervisor Bennett seconded the motion. Motion carried 4-0.

7. UTILITIES DIRECTOR - Dorothy Timian-Palmer

A. ACTION ON INTERLOCAL CONTRACT BY AND BETWEEN CARSON CITY AND THE STATE HEALTH DIVISION REGARDING STATE IMMUNIZATION PROGRAM (1-1475) - Chief of the Nurses Sandra Fairburn and Communicable Disease Investigator Doug Banghart detailed the program which would expand the immunization program through funding from Federal grant. Supervisor Bennett commended them on the program. Discussion indicated the program is available to any child under two years of age gratis. Promotional efforts were explained. Supervisor Bennett encouraged them to work with the Hospital. Mr. Banghart indicated the State also supplies vaccine to the Hospital. Supervisor Bennett moved that the Board of Supervisors approve and authorize the Mayor to sign the Interlocal Contract between Carson City and the Nevada State Health Division regarding the State Immunization Program; fiscal impact is a grant for \$40,300 from the State Health Division and noted that the request had been signed by Ms. Timian-Palmer, the District Attorney, and Ms. Walker. Supervisor Ayres seconded the motion. Motion carried 4-0.

B. ACTION ON DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND THE FIFTH AND ROOP PARTNERSHIP (1-1696) - The Partnership did not have a representative present. Supervisor Smith moved that the Board of Supervisors approve on first reading Bill No. 111, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND FIFTH AND ROOP PARTNERSHIP REGARDING ASSESSOR'S PARCEL NO. 004-091-16 LOCATED AT 810 EAST FIFTH STREET, CARSON CITY, NEVADA, FOR WATER MAIN REPLACEMENT AND PARTICIPATION; fiscal impact will be \$54,379; funding source will be the 520 Replacement Account. Supervisor Ayres seconded the motion. Motion carried 4-0.

C. ACTION ON CHANGE ORDER NO. 1 AND FINAL PAYMENT AND FINAL PAYMENT ON CONTRACT NO. 9394-166, WELL NO. 45 PUMP STATION (1-1771) - Mayor Teixeira commended Ms. Timian-Palmer on her efforts to work with the community. Discussion elaborated on the use of a submersible pump and explained when such pumps will be utilized. Supervisor Ayres moved that the Board approve and authorize the Mayor to sign Change Order No. 1 to Contract 9394-166, Well No. 45 Pump Station, in the amount of \$16,882 and to approve and authorize final payment to Contract No. 9394-166, Well No. 45 Pump Station, in the amount of \$13,412; fiscal impact \$13,412.20; funding source is Water Utility 520 - NNCC Project. Supervisor Bennett seconded the motion. Motion carried 4-0.

D. ACTION ON DEDICATION OF EASEMENT AGREEMENTS (1-1926) - Discussion noted this easement would be needed regardless of Albertson's expansion plans. Supervisor Ayres moved that the Board approve and authorize the Mayor to sign the Dedication of Easement Agreement by and between Carson City and Tahoe Gateway LLC, a Nevada Limited Liability Company; fiscal impact none. Supervisor Smith seconded the motion. Motion carried 4-0.

E. ACTION ON PURCHASE OF RADIO FREQUENCY METER READING SYSTEM, AND DIRECTION TO WATER UTILITY STAFF TO PREPARE FOR FIRST READING AN AMENDMENT TO CARSON CITY MUNICIPAL CODE CHAPTER 12.01.030, SCHEDULE OF WATER CONNECTION CHARGES, LATERAL AND METER BOX SETS, AND METER SET FEES (1-2065) - Water Utility Superintendent Tom Hoffert, Water Utility Assistant Superintendent Curtis Horton, Meter Readers Leann Warne and Becky Beisenstein; Senior Meter Technician Ron Johns; and Meter Technicians David Cody and Mark Simpson - Staff reported on the successful radio frequency meter reading program. Discussion explained the transmission power source, advantages of the program, testing procedures, the installation and retrofit program; indication of tampering procedures; and the estimated cost of the meters. The procedure would still notify the meter reader when the readings are askew. (Supervisor Tatro arrived at 2:15 p.m. during the presentation. A

quorum was present as previously noted.) Supervisor Smith commended them on their testing program. It was felt that it may take ten years to convert all of the meters. Public comments were solicited but none made. The meter costs may be passed on to the builder. Staff is planning to involve the Builders Association in the fee modification process once the actual costs are determined. Mayor Teixeira also commended staff on their investigation. Discussion noted the final product was not the one originally proposed. Specifications will be written in a fashion as to allow for more than one vendor to bid/participate in the contract. Supervisor Smith moved that the Board of Supervisors approve and authorize the Water Utility to purchase the radio frequency meter reading software and hand-held portable interrogator for \$8,235; funding source is the 520 Meter/Box Set Replacement Account. Supervisor Ayres seconded the motion. Motion carried 5-0.

Supervisor Smith moved that the Board direct Water Utility Staff to prepare for first reading an amendment to Carson City Municipal Code Chapter 12.01.030 Schedule of Water Connection Charges, Lateral and Meter Box Sets and Meter Set Fees, which will require all new meter installations to be of the radio frequency type. Supervisor Bennett seconded the motion. Motion carried 5-0. Mayor Teixeira again commended staff on its efforts.

8. REDEVELOPMENT AUTHORITY (1-2978) - Mayor Teixeira then recessed the Board of Supervisors session and passed the gavel to Redevelopment Chairperson Tom Tatro. For Minutes of the Redevelopment Authority, see its folder. Following adjournment of the Redevelopment Authority, Chairperson Tatro passed the gavel to Mayor Teixeira who reconvened the Board of Supervisors. A quorum was present as noted.

9. REDEVELOPMENT DIRECTOR (2-0105) - Mary Walker

A. ACTION ON MCDONALD AND WIPFLI REQUEST FOR REDEVELOPMENT INCENTIVES FOR PROPERTY LOCATED AT 511 EAST ROBINSON STREET - Supervisor Tatro moved that the Board approve the application for incentives for the project known as Robinson Street Office Building for a financial incentive amount not to exceed \$13,000 subject to the applicant signing a lien and grant agreement in accordance with the Redevelopment Incentives Program; further, that based on the findings of the Redevelopment Authority this project meets the requirements of NRS 279.486 and finds the project is of benefit to the redevelopment area and immediate neighborhood in which the Redevelopment area is located and that no other reasonable means of financing this project is available; the Authority further determines the incentive amount paid shall be on a reimbursement basis only after the work has been completed and as tax dollars and other financing is available to the Redevelopment Authority; and, further, this application is approved subject to the applicant fulfilling any other City requirements; fiscal impact is \$13,000; and the funding source is the Redevelopment Incentives Program. Supervisor Ayres seconded the motion. Motion carried 5-0.

B. ACTION ON MR. MCFADDEN'S REQUEST FOR REDEVELOPMENT INCENTIVES FOR PROPERTY LOCATED AT 224 SOUTH CARSON STREET (1-3435) - Supervisor Tatro moved that the Redevelopment Authority approve the application for the project known as the Third and Carson Second Phase in an amount not to exceed \$2,000 subject to the applicant signing a lien and grant agreement in accordance with the Redevelopment Incentives Program; further, the Redevelopment Authority has found that this project meets the requirements of NRS 279.486 and found that the project is of benefit to the redevelopment area and the immediate neighborhood in which the redevelopment area is located and that no other reasonable means of financing this project is available; the Authority further determined the incentive amount paid by the Redevelopment Authority shall be on a reimbursement basis only after the work has been completed and as tax dollars or other financing is available to the Redevelopment Authority; and, further, this applicant is approved subject to the applicant fulfilling any other City requirements; fiscal impact \$2,000; funding source - Redevelopment Program. Supervisor Ayres seconded the motion. Motion carried 5-0.

11. BOARD OF SUPERVISORS

A. NON-ACTION ITEMS - INTERNAL COMMUNICATIONS AND ADMINISTRATIVE

MATTERS (2-0188) - Discussion ensued among the Board and staff on a method to shorten the motions for the foregoing items. Mr. Forsberg felt that the Board did not have to restate the entire motion if reference is made to the Redevelopment motion. Supervisor Ayres reported on the Tri-County Railroad Committee's request to transfer \$3,000 from the right-of-way funds to consultant fees. The Convention and Visitors Bureau could not act on the request and had agendized it for the next meeting. She also commended the telephone company on its repair service. Supervisor Smith reported that the Subconservancy had canceled its meeting which was to have considered the Bodie Flat mine project. Supervisor Bennett reported on the RTC meeting, her opposition to AB 202, (2-0455) the CRAC 3/15/95 meeting, and the status of the Highway 28 corridor. (2-0399) She also voiced her concern about the failure of the Clerk's Department to properly post a legal notice required for a court proceeding related to the Hospital's plan to acquire property in Douglas County. Supervisor Tatro reported on the Convention and Visitors Bureau meeting and its contractual efforts to market the Pony Express Pavilion. Mayor Teixeira reported on Gottschalk's grand opening and noted several other new businesses which have come to Carson City which are not found elsewhere in Northern Nevada.

STAFF REPORTS AND COMMENTS (2-0621) - Mr. Berkich announced the Capital Focus meeting to be held Wednesday evening at 6 p.m. at the Nugget and invited the public to participate.

BREAK: A fifteen minute recess was declared at 2:50 p.m. When the meeting reconvened at 3:05 p.m. the entire Board was present constituting a quorum.

9. COMMUNITY DEVELOPMENT DIRECTOR - Walter Sullivan and Senior Planner Juan Guzman

A. ACTION ON S-94/95-1A - A REQUEST FROM STANTON PARK DEVELOPMENT TO ALLOW STAGGERED SETBACKS ON THE SOUTH PORTION OF THE NORTHRIDGE SUBDIVISION ON APPROXIMATELY 87.45 ACRES OF LAND ON PROPERTY ZONED SINGLE FAMILY 6,000 (SF6000) AND MOBILE HOME 6,000 (MH6000) LOCATED SOUTH OF HOT SPRINGS ROAD AND EAST OF ROOP STREET, APN 2-101-58 (PLANNING COMMISSION APPROVED 5-0-0-2) (2-0649) - Clarification indicated the mobile home zoning would be considered for a change of land use, therefore, the setbacks for mobile homes would not be staggered. Supervisor Smith moved that the Board of Supervisors approve a request from Stanton Park Development to allow staggered setbacks on the south portion of the Northridge Subdivision on approximately 87.45 acres of land on property zoned Single Family 6,000 and Mobile Home 6,000 located south of Hot Springs Road and east of Roop Street, Assessor's Parcel Number 2-101-58, subject to the findings and conditions in the Planning Commission report. Supervisor Ayres seconded the motion. Motion carried 5-0.

B. ACTION ON S-94/95-1B - AMENDING OF CERTAIN CONDITIONS OF APPROVAL FOR NORTHRIDGE SUBDIVISION, S-94/95-1, RELATIVE TO REVISING CERTAIN CONDITIONS OF APPROVAL SUBMITTAL TIMEFRAMES AND POSTPONING DEVELOPMENT REQUIREMENTS TO BE REQUIRED PRIOR TO SUBMITTAL OF THE SECOND FINAL MAP (PLANNING COMMISSION APPROVED 5-0-0-2) (2-0829) - Developer Dwight Millard responded to Board questions by explaining the request, the relocation plans as well as the park construction proposed for the detention pond, which is required in Phase I. These plans will construct a detention basin which will double as a park. Parks and Recreation Director Steve Kastens explained the final design for this park would be completed later. The present conceptual plan was acceptable to both Mr. Kastens and Mr. Millard. Mr. Guzman stressed that the area would not be a "dust bowl". Mr. Millard stressed that his firm would seed and install the sprinkler system. Supervisor Ayres explained her reason for leaving the Parks and Recreation Commission meeting and commended him on his efforts. Supervisor Ayres moved that the Board of Supervisors approve the amending of certain conditions of approval for Northridge Subdivision, S-94/95-1, relative to revising certain conditions of approval submittal time frames and postponing development requirements to be required prior to the submittal of the second final map. Supervisor Smith seconded the motion. Supervisor Ayres corrected Condition 24 to be Condition 25. Supervisor Smith continued his second. Motion carried 5-0.

C. ACTION ON S-93/94-1 - 1. NAME CHANGE FROM NORTHRIDGE PHASE I TO "MOUNTAIN PARK, UNIT IV, A PORTION OF NORTHRIDGE"; 2. AMENDMENT TO CONDITION OF APPROVAL NUMBER 11 TO ALLOW THE FIRST PHASE OF THE MAP TO BE RECORDED SUBJECT TO THE FULFILLMENT OF THOSE CONDITIONS OF APPROVAL PERTINENT TO THE FIRST PHASE ONLY; AND, 3. REVIEW OF A FINAL MAP APPLICATION FOR PHASE ONE OF THE NORTHRIDGE SUBDIVISION TO DEVELOP 41 SINGLE FAMILY LOTS ON APPROXIMATELY 9.26 ACRES OF LAND ZONED SINGLE FAMILY 6,000 (SF6000) LOCATED IMMEDIATELY NORTH OF THE MARK TWAIN SCHOOL, EAST OF ROOP STREET, AND WEST OF LOMPA LANE, A PORTION OF APN 2-101-45 (2-1245) - Supervisor Ayres moved that the Board of Supervisors approve: 1. The name change from "Northridge Phase I" to "Mountain Park, Unit IV, a portion of Northridge", 2. Approve the recordation of the final map to proceed subject to those conditions of approval pertinent to Phase I only in accordance with the Planning Commission recommendation; and 3. Approve a final subdivision map application from Edd P. Furgerson and Dwight C. Millard (Mountain Park, Unit IV, a portion of Northridge) for the development of 41 single family lots on 9.26 acres of land zoned Single Family 6,000, a portion of APN 2-101-45 subject to the original findings and conditions as modified. Supervisor Bennett seconded the motion. Clarification ensued on the Conditions which Phase I should not be required to do at this time. City Engineer Homann further detailed the reasons for needing to relocate a "Lisbon" roundabout originally planned for the intersection of Carriage Crest and Spooner, the revised plan for this intersection, and how the roundabouts work. The motion to approve the requests as recommended was voted and carried 5-0.

H. ACTION ON S-93/94-4 - AN AMENDED FINAL MAP SUBDIVISION APPLICATION FROM ROGER SHAHEEN TO DEVELOP A 22 LOT COMMERCIAL/INDUSTRIAL SUBDIVISION (SHAHEEN BUSINESS PARK SOUTH) ON APPROXIMATELY 47.67 ACRES OF LAND ZONED LIMITED INDUSTRIAL (LI), LOCATED AT 3400 RESEARCH WAY (SOUTH OF HOT SPRINGS ROAD ALONG THE GRAVES LANE EXTENSION, BETWEEN RESEARCH WAY AND THE FUTURE GONI ROAD), APN 8-132-03 (2-1600) - Public comments were solicited but none made. Supervisor Smith moved to approve an amended final map subdivision application from Roger Shaheen to develop a 22 lot commercial/industrial subdivision, Shaheen Business Park South, on approximately 47.67 acres of land zoned Limited Industrial, located at 3400 Research Way, south of Hot Springs Road along the Graves Lane extension, between Research Way and the future Goni Road, Assessor's Parcel Number 8-132-03, subject to the original findings and conditions of approval. Supervisor Ayres seconded the motion. Motion carried 5-0.

G. ACTION ON M-94/95-26 - A WAIVER OF SPECIAL USE PERMIT FEE FOR SANDRA GATLIN FOR A BEAUTY SALON LOCATED AT 1500 HOT SPRINGS ROAD, NO. 1, ZONED TOURIST COMMERCIAL (TC) (2-1727) - Principal Planner Rob Joiner - Discussion noted the period during which the beauty salon had been operating. Public comments were solicited but none made. Supervisor Ayres moved that the Board of Supervisors waive the special use permit fee for Sandra Gatlin; fiscal impact is \$325.00; funding source is the General Fund/Community Development Department. Supervisor Bennett seconded the motion. Motion carried 5-0.

F. ORDINANCES - FIRST READING

ii. ACTION ON Z-94/95-11 - AN ORDINANCE EFFECTING A CHANGE OF LAND USE TO REZONE APPROXIMATELY 182 PARCELS FROM RETAIL COMMERCIAL (RC), GENERAL COMMERCIAL (GC), RESIDENTIAL OFFICE (RO) AND MULTI-FAMILY APARTMENT (MFA) TO DOWNTOWN COMMERCIAL (DC) ON PROPERTY GENERALLY LOCATED BETWEEN LITTLE LANE AND WILLIAM STREET AND BETWEEN NEVADA STREET AND STEWART STREET, APNS 3-081-14, 3-082-01, 02, 03, 04, 3-083-01, 3-091-01, 02, 03, 04, 3-092-01, 3-093-03, 05, 3-094-01, 3-095-01, 02, 03, 04, 05, 3-096-01, 02, 03, 3-115-01, 02, 03, 04, 05, 3-116-01, 02, 03, 04, 3-114-01, 02, 03, 04, 05, 3-113-02, 03, 04, 05, 06, 07, 08, 3-112-01, 02, 03, 04, 05, 3-213-01, 02, 03, 3-212-03, 04, 05, 3-228-01, 3-229-01, 03, 04, 05, 06, 07, 3-224-01, 02, 03, 04, 06, 07, 08, 09, 3-223-01, 3-222-02, 03, 04, 3-225-01, 06, 3-282-02, 03, 04, 05, 3-283-03, 04, 3-285-02, 03, 04, 1-193-02, 05, 06, 1-194-01, 1-183-02, 04, 06, 1-184-01, 02, 03, 04, 1-187-

06, 05, 1-188-01, 02, 03, 04, 1-177-02, 04, 1-178-01, 02, 05, 2-154-01, 03, 2-162-01, 02, 2-163-03, 04, 05, 2-164-02, 4-261-01, 02, 4-263-01, 02, 4-211-01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 4-213-01, 02, 03, 04, 05, 06, 4-215-01, 02, 03, 04, 06, 07, 08, 4-221-01, 4-224-02, 03, 04, 05, 07, 08, 4-201-01, 02, 03, 4-061-01, 02, 04, 4-066-01, 02, 03, 4-065-01, 4-067-01, 02, 03, 04, 05, 06, 4-068-08, 09, 10, 11, 4-069-01, 4-051-01, 02, 4-052-01, 4-053-02, 03, 4-054-01, 4-055-02, 03, 04, 05, 06, AND 07 (PLANNING COMMISSION APPROVED 5-0-0-2) (2-1819) - Supervisor Tatro moved to approve Z-94/95-11, a request from Carson City for first reading of Bill No. 112, AN ORDINANCE EFFECTING A CHANGE OF LAND USE TO REZONE APPROXIMATELY 190 PARCELS FROM RETAIL COMMERCIAL (RC), GENERAL COMMERCIAL (GC), RESIDENTIAL OFFICE (RO) AND MULTI-FAMILY APARTMENT (MFA) TO DOWNTOWN COMMERCIAL (DC) ON PROPERTY GENERALLY LOCATED BETWEEN LITTLE LANE AND WILLIAM STREET AND BETWEEN NEVADA STREET AND STEWART STREET, on the Assessor's Parcels as listed on the staff report. Supervisor Bennett seconded the motion. Motion carried 5-0.

D. ORDINANCE - FIRST READING - ACTION ON Z-94/95-5 - AN ORDINANCE EFFECTING A CHANGE OF LAND USE REQUEST FROM COVINGTON COMMUNITIES (PROPERTY OWNERS: D. ANDERSON TRUST) TO CHANGE THE LAND USE DESIGNATION FROM LIMITED INDUSTRIAL (LI) TO MULTI-FAMILY APARTMENT (MFA) ON APPROXIMATELY 26.5 ACRES OF LAND LOCATED ON THE EAST SIDE OF SOUTH ROOP STREET, BETWEEN LITTLE LANE AND EVALYN DRIVE, APN 9-071-75 (PLANNING COMMISSION APPROVED 3-1-0-3) AND E. ACTION ON P-94/95-2 - A PLANNED UNIT DEVELOPMENT APPLICATION AND ASSOCIATED VARIANCES FROM MEADOWOOD PROPERTIES (PROPERTY OWNER: DONALD ANDERSON TRUST, ET AL.) TO DEVELOP A 79 FOUR-PLEX UNIT PLANNED UNIT DEVELOPMENT (MEADOWOOD AT CARSON CITY), 316 TOTAL UNITS, ON APPROXIMATELY 26.5 ACRES OF LAND PRESENTLY ZONED LIMITED INDUSTRIAL (LI), LOCATED AT 1111 SOUTH ROOP STREET, APN 9-071-75 (PLANNING COMMISSION APPROVED 3-1-0-3) (2-1917) - Developer's Representative Rob Anderson from Anderson Engineering responded to Board questions concerning the proposal to sell the units to different individuals who may rent all or only a portion of the apartments and its CC&R requirements including the homeowners association. Mr. Sullivan explained the Planning Commission's concerns related to this issue and reasons for modifying the CC&R's to include the building exteriors. Mr. Anderson and Covington Communities Vice President Jim Purrel and President Loren Covington then responded to Board questions related to the renderings, size of the units, the amenities, the market per forma and research, buildout period, the detention facilities, the need for an office for the association, the notification procedures informing buyers/tenants of Governor's Field and its potential light and noise encroachment problems, potential sales price, and the firm's experience with this type of development. (2-3145) Mr. Anderson gave the Board a listing of their projects in other communities, which he took back at the end of the discussion. (2-3245) Mr. Sullivan explained Mr. Kastens' absence and his experience with developments surrounding Governor's Field and the fact that few complaints had been received on it. Mr. Sullivan also explained Conditions 17 and 20 which may address some of the Board's concerns related to maintenance requirements regarding the light and noise easements. Comments felt that the applicants had done as much as possible to notify the buyers. Public comments were solicited but none made. Supervisor Tatro noted the need to extend Little Lane and the discussion which is underway between the two property owners. Mr. Rob Anderson indicated that Mr. Ira Anderson had participated in discussions on the extension. For the record, Rob Anderson indicated he was not related to Ira Anderson. Ira Anderson explained that he does not at this time have firm plans for his property and is not interested in funding the extension. Discussions are continuing. Mayor Teixeira iterated his feeling that the extension is needed and encouraged both individuals to continue their discussions, which Ira Anderson agreed to do. Supervisor Bennett and Mr. Homann explained the Regional Transportation Commission's plans to widen Roop Street and the developer's commitment to fund his pro rata share. Mr. Homann also explained that the project's immediate impact and need for Little Lane would not justify the cost, however, if it is determined by the traffic patterns that it is needed, RTC may consider it as a priority. Clarification indicated the Board had not considered Mr. Anderson's request on his eight acres, which would be considered later in the meeting. Supervisor Smith noted the impact the proposal would have on an open area of the City and moved that the Board of Supervisors approve on first reading Bill No. 113, AN ORDINANCE EFFECTING A CHANGE OF

LAND USE REQUEST FROM COVINGTON COMMUNITIES (PROPERTY OWNERS: D. ANDERSON TRUST) TO CHANGE THE LAND USE DESIGNATION FROM LIMITED INDUSTRIAL (LI) TO MULTI-FAMILY APARTMENTS (MFA) ON APPROXIMATELY 26.5 ACRES OF LAND LOCATED ON THE EAST SIDE OF SOUTH ROOP STREET, BETWEEN LITTLE LANE AND EVALYN DRIVE, APN 9-071-75. Supervisor Ayres seconded the motion. Motion carried 5-0.

Supervisor Smith moved that the Board of Supervisors approve a Planned Unit Development application and associated variances from Meadowood Properties, property owner: Donald Anderson Trust, to develop a 79 four-plex unit planned unit development, Meadowood at Carson City, 316 total units, on approximately 26.5 acres of land presently zoned Limited Industrial, located at 1111 South Roop Street, Assessor's Parcel Number 9-071-75. Supervisor Ayres seconded the motion. Supervisor Smith amended his motion to include based on the findings and subject to the conditions as contained in the recommendation from the Planning Commission. Supervisor Ayres continued her second. Motion carried 5-0.

F. I. ACTION ON Z-94/95-8 - AN ORDINANCE EFFECTING A CHANGE OF LAND USE REQUEST FROM THE CARSON CITY REGIONAL PLANNING COMMISSION (PROPERTY OWNER: ANDERSON FAMILY ASSOCIATES) TO CHANGE THE LAND USE DESIGNATION FROM LIMITED INDUSTRIAL (LI) TO NEIGHBORHOOD BUSINESS (NB), ON APPROXIMATELY 8.8 ACRES OF LAND LOCATED ON THE SOUTHEAST CORNER OF SOUTH ROOP STREET AND LITTLE LANE, APN 9-071-74 (PLANNING COMMISSION APPROVED 3-1-0-3) (3-0269) - Supervisor Tatro moved that the Board introduce on first reading Bill No. 114, AN ORDINANCE EFFECTING A CHANGE OF LAND USE REQUEST FROM THE CARSON CITY REGIONAL PLANNING COMMISSION (PROPERTY OWNER: ANDERSON FAMILY ASSOCIATES) TO CHANGE THE LAND USE DESIGNATION FROM LIMITED INDUSTRIAL (LI) TO NEIGHBORHOOD BUSINESS (NB), ON APPROXIMATELY 8.8 ACRES OF LAND LOCATED ON THE SOUTHEAST CORNER OF SOUTH ROOP STREET AND LITTLE LANE, APN 9-071-74. Supervisor Bennett seconded the motion. Motion carried 5-0.

Mr. Anderson thanked the Board for its action and the staff on its professionalism and efforts to maintain the Board's integrity and vision for the benefit of the entire City.

10. CITY MANAGER - Mr. Berkich - ACTION ON RESOLUTION IN SUPPORT OF THE TRUST FOR PUBLIC LAND ACQUISITION OF KINGS CANYON PROPERTY (3-0415) - Supervisor Tatro moved that the Board adopt Resolution No. 1995-R-30, A RESOLUTION IN SUPPORT OF THE TRUST FOR PUBLIC LAND ACQUISITION OF KINGS CANYON PROPERTY. Supervisor Smith seconded the motion. Motion carried 5-0.

BREAK: There being no other matters scheduled until 6 p.m., a recess was declared at 4:25 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, Deputy District Attorney Mark Forsberg, Administrative Assistant Liz Hernandez, and Recording Secretary Katherine McLaughlin.

12. COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PRESENTATION - PUBLIC HEARING REGARDING THE ANNUAL COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ALLOCATION PROCESS FOR FISCAL YEAR 1995-96 (3-0458) - Administrative Assistant Liz Hernandez explained the grant process and introduced the applicants. The Applicants were: Friends In Service Helping Executive Director Monte Fast; (3-0629) Children's Museum of Northern Nevada Executive Director Susie Meehan and Board of Directors Member Linda Ponn; Brewery Arts Executive Director Carl Dahlen; Boys and Girls Club Executive Director Kathy Blankenship and Board of Directors Vice President Roger Williams; and Utilities Director Dorothy Timian-Palmer and Deputy Utilities Director Jay Ahrens. Each Applicant briefly explained his/her grant request. Mr. Fast felt that he had received all of the environmental reviews. If not, he felt certain they would be available before the deadline. Mayor Teixeira stressed the need for the environmental reviews. Mr. Fast indicated his project would go forward with or without the grant although it may take a little

longer to accomplish without the grant. Jeff Hauser's letter of support for the Museum's request was read into the record. Art Hannafin explained the estimate for relocating the elevator at the Children's Museum which would allow limited use of the stage. Ms. Ponn pointed out that this relocation of the elevator would eliminate the ability to get handicapped individuals into the building. The museum needed both elevators. Comments also stressed the need to have access to the basement. Eagle Valley Children's Home Executive Director Pamela Smith supported the Children's Museum grant request by explaining the Home's use of the museum and stressed the need for handicapped children to be able to access the museum. Ms. Blankenship gave the Board a handout on the history of the Boys and Girls Club facility. (None to the Clerk.) Discussion between the Board and Mr. Ahrens indicated the grant may address a minimum of 61 units depending on the funding level requested. It is estimated that there 213 units in the area needing assistance at different funding levels. The environmental review requirements were noted. Income restrictions for assistance were outlined. Tenants may apply and could be given assistance if specific rental requirements, which were briefly detailed, are met.

(3-1380) Mrs. Timian-Palmer responded to Ed Froelich's questions concerning the proposed funding source for the sewerline extension program. Some of these figures had not been included in the grant application as the Board had not considered the request. Diana Howard, a member of the ad hoc sewer committee, supported the grant request for the sewer extension program. Clarification for Mr. Froelich indicated the discussion was restricted to the grant requests and could not address funding levels from other sources. Both his question and Tonya Brown's would be discussed in the next agenda items.

Mayor Teixeira then explained that the Board would rank the applications at its next meeting. He briefly noted the criteria required for the grants. Ms. Hernandez indicated she had given the Board a pamphlet prior to the meeting which outlined the criteria and grant request restrictions. (None to the Clerk.) She urged the Board to study the criteria and its restrictions and make the final selections based on those requirements. Mayor Teixeira outlined the funding available statewide for the grants and the need to meet the criteria in order to obtain any funding at all. No action was taken on this item.

BREAK: A five minute recess was declared at 6:40 p.m. When the meeting was reconvened at 6:45 p.m., the entire Board was present constituting a quorum.

13. UTILITY DIRECTOR - Dorothy Timian-Palmer

A. ORDINANCES - FIRST READING

i. ACTION ON AN ORDINANCE AMENDING CHAPTER 12.05 OF THE CARSON CITY MUNICIPAL CODE TO PROVIDE PROCEDURES FOR INDIVIDUAL SEWAGE DISPOSAL SYSTEMS PERMIT APPLICATION, DESIGN, INSPECTIONS AND FEES; TO DEFINE THE TERMS AND CONDITIONS UNDER WHICH OWNERS OF INDIVIDUAL SEWAGE DISPOSAL SYSTEMS MUST CONNECT TO THE MUNICIPAL SEWER SYSTEM; AND OTHER MATTERS PROPERLY RELATED THERETO

ii. ACTION ON AN ORDINANCE AMENDING SECTION 12.03.030 (SCHEDULE OF SEWER CONNECTION AND HOOK-UP CHARGES) OF THE CARSON CITY MUNICIPAL CODE TO PROVIDE FOR THE WAIVER OF SEWER CONNECTION FEES UNDER CERTAIN CONDITIONS AND OTHER MATTERS PROPERLY RELATED THERETO

B. ACTION ON A RESOLUTION DESIGNATING THE WAIVING OF SEWER CONNECTION FEES AND MANDATING SEWER CONNECTION FOR ALL PROPERTIES WITHIN THE DESIGNATED AREAS OF NEW EMPIRE AND SOUTHEAST CARSON CITY DUE TO THE CONTAMINATION OF GROUNDWATER

C. ACTION ON AN ORDINANCE AMENDING CHAPTERS 17.08 (DEFINITIONS), 17.09 (PARCEL MAP), 17.12 (LAND DIVISION MAP), 17.32 (HILLSIDE AREAS), 17.36 (IMPROVED STANDARDS) AND 17.69 (PLANNED UNIT DEVELOPMENT) OF THE CARSON CITY MUNICIPAL CODE TO DEFINE AND PROVIDE FOR WELLHEAD AND WATERSHED PROTECTION AREAS; TO

PROVIDE FOR THE PROTECTION OF THESE AREAS DURING LAND DEVELOPMENT; ADDING REQUIREMENTS TO THE APPROVAL OF A SECOND PARCEL MAP FILED FOR THE SAME PROPERTY; CHANGING THE FLOOD MAP REQUIREMENTS FROM 50 YEARS TO 100 YEARS; AND OTHER MATTERS PROPERLY RELATED THERETO (3-1782) - Discussion noted that the Board had copies and there were copies available for the public of the overhead slides. (A copy was given to the Clerk.) Ms. Timian-Palmer briefly explained the recommended motions and each of the slides. She also introduced Finance Director Mary Walker, Deputy Utilities Director Jay Ahrens, Senior Utility Engineer Dave Merrill, Utility Engineering Tech Leanna Sheets, Utility Billing Supervisor Sheila Gallegos, Utility Executive Secretary Lauren McCLEllan, Utility Assistant Wastewater Supervisor Kelvin Ikehara, Vector Engineering Consultants Donna Keats and Doug Martin, Nevada Department of Environmental Protection Deputy Administrator Dick Reavis, Nevada Department of Conservation and Natural Resources Environmental Engineer John Nelson, and Citizen's Committee Members Dennis Rose and Diana Howard. (3-2301) Mr. Martin and Ms. Keats briefly explained their experience and study on the contamination in New Empire and Southeast Carson City. (A copy is included in the supporting documents.) They responded to Board questions concerning the aquifer, the percentage of natural nitrogen found in water, the new surface water table, the contamination found in surface waters as well as in the storm drains, and the location of a spring at Furnace Creek. Mr. Reavis stressed the need for the City to resolve the problem and the Statutes mandating this correction. He was willing to work with the City. If the City fails to act, legal recourse will be taken. Mr. Nelson explained his Division's research which indicates the number of septic tanks found within a square mile in Carson City will contaminate the groundwater. (4-0364) Ms. Timian-Palmer then explained the programs she wished to implement to halt the contamination--copies are included in the supporting documentation. Once the New Empire and Southeast sections are addressed, public hearings will be held in other "hot spots" and programs implemented for them also. Discussion between the Board and Ms. Timian-Palmer clarified the fees which would be waived and the desire to offer a fair and equitable program to all users. Ms. Timian-Palmer stressed her attempt and desire to work with everyone. Ms. Gallegos explained the Senior Citizens Utility Refund Program which is not available to tenants. (4-0776) Ms. Timian-Palmer noted the City's lack of control over private wells. Mr. Arnold explained the problems encountered with commercial septic systems. Ms. Timian-Palmer noted that the commercial establishments want to connect to the City sewer system as soon as possible and efforts are being made to expedite this program. She also explained that preferential treatment was not being given to Albertson, Costco, or any other commercial establishment. She detailed the purpose and use of a sewer grant/loan which had been done in compliance with the conditions mandated when the grant/loan was accepted. These funds had not been misappropriated. The cost to sewer the areas will not repay the City for the infrastructure and installation costs for 80 years, which is a bad investment. Other negative remarks/rumors were detailed and refuted by Ms. Timian-Palmer. Clearview will be chip sealed again by the original contractor. She also stressed that the contamination program is not unique to Carson City. It can be found throughout the United States. Costs assessed by other areas were detailed to refute allegations that the City was not doing enough.

(4-1179) Ad hoc Committee Member Dennis Rose read his statement supporting the programs into the record. (A copy is included in the record.) Ms. Timian-Palmer requested the record reflect that the Sewer Utility had paid for the postage to contact all of the property owners in the impacted areas. Mr. Rose referenced a petition. (A copy was not given to either the Board or Clerk.) The poll conducted by the mailing had resulted in a 94 percent favorable vote and a six percent unfavorable vote. (4-1315) Norman Smith supported the Committee and urged the Board to approve the programs. Dorothy Smith supported the program due to her belief that many of the systems in the August Drive and Sunrise area had failed and that "septic leakage" had occurred during 1983 and 1986 on Norman Way. Tanya Brown explained the costs she had encountered when she connected to the system three weeks ago. She urged the residents to have entire blocks connected at a time as this may be cheaper. (4-1445) Jim Dana supported the programs but urged the Board to weigh the financial impacts carefully specifically as Senior Citizens are involved and to include loan programs to all. Dwayne Windsor supported the program. Diana Howard displayed the petitions. (A copy was not given to the Board or Clerk.) She also explained the donations received for postage which had not been used. Anyone wishing his/her money refunded was requested to contact her after the meeting. Any funds remaining would be donated to the Boys and Girls Club. John Holmes commended staff on its efforts to work with the community. He also detailed his personal knowledge of other

areas with the same contamination problem. He encouraged the Board to structure the incentives in a fashion which would result in rapid connections to the system. Penalties should be used to emphasize the need to connect posthaste. He also requested staff be directed to establish a list of "approved" contractors. Any firm on this list will have established an hourly rate for installation and estimated periods for completion. These figures would be periodically verified by staff. If the block concept is used, the costs should be reduced.

(4-1638) Ed Froelich requested copies of the petitions. He felt the information provided by Vector Engineering was confusing and misleading. He felt that a former commercial firm in the New Empire area had contaminated the area. Also, the proposal to have the contractor reseal the street was not adequate. Mr. Ahrens explained the proposal to have the street "ground and sealed". Mr. Froelich then thanked the Board for "having an open mind" and listening to the residents. He purportedly represented a large number of concerned individuals who opposed the process used to reach this point. He suggested a new committee be impaneled with experts who would represent unbiased individuals. He felt the entire program was merely to allow increased density and a population explosion. He did not feel that the problem was the septic tanks but rather a well problem. He believed that the domestic wells had cracks in the seals which allow sewage to seep into the wells. Many of the older wells do not have sanitary seals which would also allow seepage. He questioned the reasons the City had failed to correct these problems for the few contaminated wells. If City water is provided to Silver Sage, California, Center, Birch, Ponderosa, Hickory, and Koontz, it would solve the problem for 23 of the 24 contaminated wells. The maps being used by different agencies were all different. He also questioned how one well could be contaminated when the well immediately adjacent was not contaminated. He explained a procedure to "recase" existing wells. He continued to expound on his feeling that the study was confusing. Mayor Teixeira explained that the Vector Engineering report had been discussed on other occasions in open public hearings. Mr. Froelich acknowledged the need to meet the State requirements but continued to question the "insincerity of the reports. It's their money and those individuals who have restricted incomes can ill afford it." He encouraged the Board to postpone the project until additional funding can be found. Although he did not oppose the project, he was opposed to the communication process. He suggested that the \$100,000 a year original estimated loss in City revenue be found by firing two employees. The "\$2,967,250" was too expensive. He continued to elaborate on the allegations that the City was merely trying to provide for a future population explosion due to contradictory maps, the use of a biased ad hoc committee, the committee's use of coercion to get people to sign the petition, the ad hoc committee's bias, etc. He also requested that William Sides' name be removed from the petition due to the coercion. He encouraged the City to stay below the Federal standard for nitrate concentrations but stressed the feeling that the data provided to the public was inaccurate. He then solicited volunteers to work with his "valid community group", specifically any experts. He requested the Board stop the "buddy" system which allows homes on 6,000 square foot lots.

(4-2739) Ms. Timian-Palmer responded to Roy Robinson questions concerning the areas under consideration, the number of homes in the impacted areas, plans to sewer other areas, and when those areas will be contacted. Supervisor Smith supported his desire to have the same options and waivers as the two areas under discussion. Mr. Berkich indicated residents in other areas would be contacted as a community-wide analysis is performed. (4-2945) Kevin Connor felt that the residents merely had to read the newspaper to know what had been going on. He felt that staff had done an excellent job of addressing the issue from the beginning. He support the current concepts. His only concern was the reason he was being forced to pay for 20 years of incompetence. (4-2987) Fran McClain explained her dismay at Mr. Froelich's comments on the petition as she, herself, had actively participated in obtaining the signatures. She felt that the petition signers supported the program and having the petitions made public. She requested Mr. Froelich make known whom he represents. (4-3040) Ms. Keats explained for Mike Zola how the septs are contaminating the water tables and reasons for testing surface groundwater. She then explained the sites where there are contaminated wells and trenches. Mr. Zola supported addressing the problem in an orderly fashion starting with the hot spots and radiating outward. Mayor Teixeira noted the telephone calls he had received and their differing views on the need to resolve the problem. He also noted the efforts to minimize the financial impact and help low income individuals. Mr. Zola commended Ms. Timian-Palmer on her aggressiveness, commitment, and efforts. (4-3415) Bill Owens felt that he was being unfairly assessed for two systems even though he had originally chosen a rural lifestyle with its own water and sewer systems. He also pointed out the need for residents to replace landscaping which would increase an individual's costs. He urged the Board to consider having the waterlines extended at the same time and additional

waivers. Ms. Timian-Palmer explained the program to provide City water when requested. She felt that a majority of the residents with wells were opposed to having to give them up as required by the State when connecting to the City system. (5-0096) Mr. Rose stated for the record that no one had been forced or coerced into signing the petition. (5-0105) Clyde Lippincott thanked staff for its cooperation and assistance inspite of the negative atmosphere found in his area. He welcomed the opportunity to connect and felt that the fees were fair. He had originally opposed septic systems in the Single Family One Acre zoning. He questioned the advisability of having them in the Single Family Three Acre zoning as it may be only a matter of time before the problem will reoccur in that zone. He urged the Board to start connecting and collecting as soon as possible and not allow a time period to connect. (5-0182) Pete Bachstadt felt that he should have been able to connect seven years ago when he first asked to be allowed to do so. Also, loans are not as easy to obtain as insinuated. The hookup fee is a "tribute". The CDBG grant requests considered early are arbitrary and indiscriminate use of the tax monies for other purposes which is unconstitutional. He urged the Board "to not just listen but to care about the" constituents. His vote was neutral on the program. (5-0310) Tom Tyler requested consideration of a procedure which would reimburse any homeowners who had paid to tie into the system within a specified period. Mr. Berkich, Ms. Timian-Palmer, and Mayor Teixeira indicated there had been similar written requests regarding this issue. Staff requested Board direction on this proposal. Mr. Tyler read his letter on this issue into the record. Mayor Teixeira requested staff analyze this request. (5-0457) Bob Hughes stressed the economic impact the proposal would have on the residents including the increased assessment value created by the connection.

Supervisor Smith urged the Board to consider the refund proposal. Ms. Brown supported a refund program specifically for a neighbor who had paid and connected only three weeks ago. She requested staff review all connections to be sure others were not overlooked even though staff had not required payment pending Board action. Mayor Teixeira commended Ms. Timian-Palmer and her staff on their efforts and urged anyone with an opposing view to visit surrounding communities and be educated on their resource problems and procedures. Supervisor Ayres also noted the change in staff's professionalism over the last twenty years and stressed that the employees at that time had done the best they knew based on their knowledge at the time. As normal human beings, mistakes in judgement had been made. She commended staff on their efforts. She also relayed comments she had received from an individual on the program. This individual had also requested she complement staff on his behalf. Supervisor Bennett also commended staff and encouraged staff to return with another program addressing the remaining septic areas as well as to begin to address the water issue.

Ms. Timian-Palmer then corrected a typographic error in the proposed ordinance modifying Section 12.05. Supervisor Smith moved to introduce on first reading Bill No. 115, AN ORDINANCE AMENDING CHAPTER 12.05 OF THE CARSON CITY MUNICIPAL CODE TO PROVIDE PROCEDURES FOR INDIVIDUAL SEWAGE DISPOSAL PROCEDURES FOR INDIVIDUAL SEWAGE DISPOSAL SYSTEMS PERMIT APPLICATION, DESIGN, INSPECTIONS AND FEES; TO DEFINE THE TERMS AND CONDITIONS UNDER WHICH OWNERS OF INDIVIDUAL SEWAGE DISPOSAL SYSTEMS MUST CONNECT TO THE MUNICIPAL SEWER SYSTEM; AND OTHER MATTERS PROPERLY RELATED THERETO, and correcting Section IV, under heading 12.05.020, "A. An exception to the requirement of sewer connection exists when the utilities director or designee has determined that sufficient grade...". Supervisor Ayres seconded the motion. Motion carried 5-0.

Mr. Timian-Palmer thanked Messrs. Reavis and Nelson for their cooperation and assistance. She also noted the disagreement in positions between her self and Marsha Greybeck and stressed her professional respect for Ms. Greybeck. She requested the record reflect both statements.

Supervisor Smith then moved that the Board introduce on first reading Bill No. 116, AN ORDINANCE AMENDING SECTION 12.03.030 OF THE CARSON CITY MUNICIPAL CODE REGARDING SCHEDULE OF SEWER CONNECTION AND HOOK-UP CHARGES AND OTHER MATTERS PROPERLY RELATED THERETO; fiscal impact depends on the number of connection fee waivers; funding source is the 510 Sewer Utility Account. Supervisor Ayres seconded the motion. Motion carried 5-0.

Ms. Timian-Palmer thanked the Citizen's Committee. Mayor Teixeira commended all of the participants. Ms.

CARSON CITY BOARD OF SUPERVISORS
Minutes of the March 16, 1995, Meeting
Page 14

Timian-Palmer corrected the proposed resolution. Supervisor Smith moved that the Board of Supervisors adopt Resolution No. 1995-R-31, A RESOLUTION AUTHORIZED BY CCMC 12.03.0303 PROVIDING FOR THE WAIVING OF SEWER CONNECTION FEES FOR DESIGNATED AREAS WITHIN NEW EMPIRE AND SOUTHEAST CARSON CITY DUE TO THE CONTAMINATION OF GROUNDWATER with the following change on Page 2 of the Resolution, second paragraph, to read as follows: "Now, therefore, the Carson City Board of Supervisors hereby authorizes the director of the utilities department to waive the sewer connection fee imposed by CCMC 12.03.030 of property owner", and insert the following language, "a maximum of \$2,226 per parcel who is required to connect..."; the fiscal impact of this resolution is for the New Empire area - 296 septs equal a total \$658,896, the Southeast Carson area - 614 septs for a total of \$1,366,764, for a total to be \$2,025,660; funding source is the 510 Sewer Utility Account. Following discussion of the cost for the Southeast section, clarification indicated the figure was \$2,025,660. Mr. Forsberg requested a correction on page one which was discussed with Ms. Timian-Palmer. Supervisor Smith amended his motion to remove the portion in parenthesis on page one of the resolution which states: "(see February 21, 1995 letter to Dorothy Timian-Palmer). Supervisor Ayres seconded the motion and concurred with the amendment. The motion was voted and carried 5-0.

Ms. Timian-Palmer and Community Development Director Walter Sullivan explained the ordinance modification. Supervisor Smith moved that the Board of Supervisors adopt Bill No. 117, AN ORDINANCE AMENDING CHAPTERS 17.08, (DEFINITIONS), 17.09 (PARCEL MAP), 17.12 (LAND DIVISION MAP), 17.32 (HILLSIDE AREAS), 17.36 (IMPROVED STANDARDS), AND 17.69 (PLANNED UNIT DEVELOPMENT) OF THE CARSON CITY MUNICIPAL CODE TO DEFINE AND PROVIDE FOR WELLHEAD AND WATERSHED PROTECTION AREAS; TO PROVIDE FOR THE PROTECTION OF THESE AREAS DURING LAND DEVELOPMENT: ADDING REQUIREMENTS TO THE APPROVAL OF A SECOND PARCEL MAP FILED FOR THE SAME PROPERTY; CHANGING THE FLOOD MAP REQUIREMENTS FROM 50 YEARS TO 100 YEARS; AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Ayres seconded the motion. Motion carried 5-0.

Mayor Teixeira again commended all of the participants on their efforts. Mr. Berkich specifically expressed his thanks to Ms. Timian-Palmer on her efforts. There being no other matters for discussion/action, Supervisor Ayres moved to adjourn. Mayor Teixeira seconded the motion. Motion carried 5-0. Mayor Teixeira adjourned the meeting at 9:50 p.m.

The Minutes of the Carson City Board of Supervisors March 16, 1995 meeting

ARE SO APPROVED ON _____, 1995.

Marv Teixeira, Mayor

ATTEST:

Alan Glover, Clerk-Recorder