

A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, January 20, 1994, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 9 a.m.

PRESENT:	Marv Teixeira Kay Bennett Greg Smith Janice Ayres Tom Tatro	Mayor Supervisor, Ward 4 Supervisor, Ward 1 Supervisor, Ward 2 Supervisor, Ward 3
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STAFF PRESENT:	John Berkich Paul McGrath Ted P. Thornton Bill Naylor Jack Fralinger William Lewis Judie Fisher Basil "Butch" Moreto Dan O'Brien Dorothy Timian-Palmer Paul Lipparelli Vic Freeman Rob Joiner John Mayes Tom Hoffert Katherine McLaughlin Fran Smith (B.O.S. 1/20/94 Tape 1-0006)	City Manager Sheriff Treasurer Automation Services Director Health Director Chief Juvenile Probation Officer Personnel Manager Dir. of Purchasing & Contracts Public Works Director Utilities Director Deputy District Attorney Undersheriff Principal Planner Safety Loss Coordinator Water Utility Supervisor Recording Secretary Recording Secretary
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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 9 a.m. Rev. Bruce Henderson of the Church of Christ gave the Invocation. Mr. Lipparelli lead the Pledge of Allegiance. Roll call was taken. The entire Board was present constituting a quorum.

1. ACTION ON APPROVAL OF MINUTES - 12/2/93 REGULAR SESSION AND 12/3/93 SPECIAL SESSION (1-0076) - Supervisor Smith moved to approve the Minutes as presented. Supervisor Ayres seconded the motion. Motion carried 5-0.

13. SUPERVISOR COMMENTS AND REPORTS (1-0085) - Mayor Teixeira noted the new CAT 10 camera and microphone systems. He also reminded the Board and staff to remember to turn off/on their microphones when recesses occur.

2. SPECIAL PRESENTATIONS - PRESENTATION OF LONGEVITY AWARDS TO CITY EMPLOYEES (1-0115) - Personnel Manager Judie Fisher and Mayor Teixeira - The following employees were commended on their service and dedication to the City: 10 Years - Richard Mendoza, Nancy Nelson, Patricia

Goslin, Laura Cadot, Rocky Boice, Rick Gutierrez, Cad Malone, Paul Martino, and William Kugler; 15 Years - Vera Jurgens, Raymont Saylo, Dwight Dimit, Margaret Westover; and 20 Years - Merlene Alt, William Lewis, John Mayes, and Joann Warne.

3. LIQUOR AND ENTERTAINMENT BOARD MATTERS - Mayor Teixeira recessed the Board of Supervisors session and immediately reconvened the session as the Liquor and Entertainment Board. The entire Board was present including Sheriff McGrath, constituting a quorum. **ACTION ON REVOCATION OF ALL DELINQUENT LIQUOR LICENSES (1-0268)** - Yamocho Japanese Restaurant had paid all fees and penalties. Jezebel's Road-House was closed. The operator had been evicted. Mr. Langston has filed for a Business License as well as a Liquor License. No one was present representing Jezebel's. Member Smith moved that the Board of Supervisors revoke the delinquent Liquor License of Jezebel's Road-House. Member Bennett seconded the motion. Member Smith corrected his motion to be that the Liquor Board revoke the license. Member Bennett continued her second. Motion carried 6-0.

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.

CITIZEN COMMENTS (1-0345) - None.

4. CONSENT AGENDA

A. TREASURER - ACTION ON REMOVAL AND REFUND OF PARTIAL 1993-94 REAL PROPERTY TAXES ON PARCEL NO. 8-123-03 DUE TO CARSON CITY AIRPORT AUTHORITY ACQUISITION

B. SHERIFF - ACTION ON A RESOLUTION AUTHORIZING THE DESTRUCTION OF ORIGINAL RECORDS - 1988 CASE REPORT FILES

C. INTERNAL AUDITOR - ACTION ON APPROVAL OF THE CHECK DISBURSEMENT REGISTERS FOR THE MONTHS OF JULY 1993 THROUGH NOVEMBER 1993 INCLUSIVE

D. PURCHASING DIRECTOR

i. ACTION ON CONTRACT NO. 9394-134 - ROLLER HOCKEY RINK

ii. ACTION ON CONTRACT NO. 9192-227 - UNDERGROUND STORAGE TANK MANAGEMENT SERVICES, TASK ORDER NO. 6

iii. ACTION ON CONTRACT NO. 9394-38 - EAGLE VALLEY GOLF COURSE RESTROOM, RE-BID

E. COMMUNITY DEVELOPMENT DIRECTOR - ACTION ON M-93/94-11 - REQUEST FROM DONALD ROSENTHAL TO ABANDON AN APPROXIMATELY 50 FOOT BY 456.78 FOOT ACCESS AND PUBLIC UTILITY EASEMENT ON PROPERTY LOCATED AT 6695 SIERRA VISTA LANE, ACROSS APN 10-503-34 (PLANNING COMMISSION APPROVED 6-0-1-0)

F. PUBLIC WORKS DIRECTOR - ACTION ON CONTRACT NO. 9394-144 - A CONTRACT BETWEEN CARSON CITY AND ODYSSEY ENGINEERING, INC., TO PERFORM ENGINEERING SERVICES TO INCLUDE HYDROLOGIC EVALUATION - PLANS AND BID DOCUMENTS (1-0350) - Clarification noted that item D.iii. was in actuality a request to approve final payment and D.i. was to acquire the rink boards which would ring the "Sports Floor". Supervisor Tatro moved that the Board approve the Consent Agenda as presented including Resolution No. 1994-R-8, A RESOLUTION AUTHORIZING THE DESTRUCTION OF ORIGINAL RECORDS. Supervisor Bennett seconded the motion. Mayor Teixeira and Mr. Berkich discussed a telephone call concerning "\$3,000" which was included in an unnamed Consent Agenda item. The motion to approve the Consent Agenda was voted and carried 5-0.

5. PUBLIC WORKS DIRECTOR - Dan O'Brien - ORDINANCES - SECOND READING

A. ACTION ON BILL NO. 101 - AN ORDINANCE AND DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND DAVE GUSTAFSON REGARDING ASSESSOR'S PARCEL NO. 3-285-25 LOCATED AT 214 WEST ROBINSON STREET (1-0455) - Supervisor Tatro moved that the Board adopt Ordinance No. 1994-8 on second reading, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND DAVE GUSTAFSON REGARDING ASSESSOR'S PARCEL NO. 03-285-05 LOCATED AT 214 WEST ROBINSON STREET, CARSON CITY, NEVADA. Supervisor Ayres seconded the motion. Motion carried 5-0.

B. ACTION ON BILL NO. 102 - AN ORDINANCE AND DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND CHAS. C. MEEK LUMBER REGARDING ASSESSOR'S PARCEL NO. 2-061-02 LOCATED AT 2869 NORTH CARSON STREET (1-0486) - Supervisor Tatro moved to adopt Ordinance No. 1994-2 on second reading, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND CHAS. C. MEEK LUMBER REGARDING ASSESSOR'S PARCEL NO. 02-061-02 LOCATED AT 2869 NORTH CARSON STREET, CARSON CITY, NEVADA. Supervisor Ayres seconded the motion. Motion carried 5-0.

13. SUPERVISOR COMMENTS AND REPORTS (1-0509) - Board comments noted that this would be Mr. O'Brien's final meeting. Comments commended him on his past endeavors and wished him well in the future.

6. COMMUNITY DEVELOPMENT DIRECTOR - Principal Planner Rob Joiner - ORDINANCES - FIRST READING - ACTION ON A-93/94-5 - AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE SECTION 20.08.030 TO INCREASE THE MAXIMUM BILLBOARD OFF-PREMISE SIGN AREA AND OTHER MATTERS PROPERLY RELATED THERETO (1-0601) - Supervisor Smith moved that the Board introduce on first reading Bill No. 103, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE SECTION 20.08.030 TO INCREASE THE MAXIMUM BILLBOARD OFF-PREMISE SIGN AREA AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Bennett seconded the motion. Motion carried 5-0.

Discussion ensued among the Board and staff on the status of the Billboard Business License and effective date of Bill 103 if adopted on second reading.

7. PERSONNEL MANAGER - Judie Fisher - ACTION TO APPOINT NEW MEMBER TO THE CARSON CITY TELEVISION COMMISSION (1-0695) - Supervisor Ayres moved that the Board approve the reappointment of Mr. Quarterson and Mr. Tooley to the Carson City Television Commission. Supervisor Bennett seconded the motion. Supervisor Smith noted that this was one of the Commissions which the Board had elected to not interview the candidates. The Board could interview if desired. The motion to reappoint Mr. Quarterson and Mr. Tooley was voted and carried 5-0.

The Commission's recommendation was noted. Supervisor Ayres explained her support for Mr. Dishman as well as Ms. Langer. Supervisor Tatro moved that the Board approve Anne Langer. Supervisor Bennett seconded the motion. Supervisor Tatro continued his motion to include to the Carson City Television Commission. Supervisor Bennett continued her second. Motion carried 5-0.

8. FIRE DEPARTMENT - Fire Chief Louis Buckley - ACTION ON APPROVAL OF THE HIRING OF A CONTRACTOR TO MOVE THE WARREN ENGINE COMPANY MUSEUM COLLECTION (1-0795) - Discussion among the Board and staff included the status of the new building, the moving date, the movers' estimates, the funding source, equipment which the bond could be used to acquire, relocation plans for the Seagrave, Seagrave safety concerns if the building is unoccupied, and the Warren Engine Company Volunteers' plan to oversee the relocation. Supervisor Tatro moved that the Board approve hiring Beacons/O'Brien to move

Warren Engine Company's Museum Collection in an amount not to exceed \$2,191.49 with the funding source to be the Contingency Fund. Supervisor Smith seconded the motion. Discussion indicated the amount was \$2,191.49. The motion was voted and carried 5-0.

Further discussion ensued on the Department's potential moving date. Chief Buckley commended the City on its foresight in planning the building and its ability to meet the Department's functional demands. Dedication ceremonies were planned for March 17.

10. REDEVELOPMENT AUTHORITY (1-1205) - 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. UTILITIES DIRECTOR - Dorothy Timian-Palmer

ACTION ON U.S.G.S. AND CARSON CITY JOINT FUNDING AGREEMENT FOR WATER RESOURCE MONITORING (1-1958) - Discussion among the Board and Ms. Timian-Palmer included clarification of the agreement, benefits of the monitoring program, cost per gauge, gauge monitoring requirements, and the suggestion that the Subconservancy District be approached about taking over this program/cost. Supervisor Bennett moved that the Board of Supervisors approve and authorize the Mayor to sign the 1993-94 Joint Funding Agreement between Carson City and the United States Geological Survey for water resource monitoring covering the following: monthly water resource condition reporting; the operation and maintenance of 13 stream gauges. Upon a request for the motion to include the costs, Supervisor Bennett amended her motion to include monthly water resource condition reporting of surface and ground water at participation of \$625; operation and maintenance of 13 stream gauges at the cost of \$52,450; the recharge program monitoring and coordination at a cost of \$6,975; for a total cost to the City of \$60,050; funding source is \$47,800 U.S.G.S. Stream Gauging Account 520; \$4,650 U.S.G.S. Stream Gauge Account 510; \$6,975 Recharge Account 520; and \$625 Water Management Account 520. Supervisor Tatro seconded the motion. Clarification indicated the motion included that the funding was in the 93-94 budget. Motion was voted and carried 5-0.

Discussion ensued on the City's water management plan, the present drought conditions, and reasons for the City's failure to exercise the Aquaduct I water rights agreement. Comments noted that this issue was not agendized, therefore, no further discussion occurred on this topic.

B. ACTION ON A DEDICATION OF EASEMENTS BY AND BETWEEN CARSON CITY AND DOUGLAS K. AND KATHLEEN L. HONE (1-2345) - Ms. Timian-Palmer explained the colored map which delineates the area's sewerline extension phasing program and the need for this easement. Adjacent areas have sewer lines. Supervisor Tatro moved that the Board approve and authorize the Mayor to sign the attached temporary construction easement for the installation of a sanitary sewerline by and between Carson City and Douglas K. and Kathleen L. Hone. Supervisor Smith seconded the motion. Motion carried 5-0.

Supervisor Smith moved that the Board approve and authorize the Mayor to sign the attached dedication of easement for perpetual maintenance of a sanitary sewerline by and between Carson City and Douglas K. and Kathleen L. Hone. Supervisor Tatro seconded the motion. Motion carried 5-0.

Ms. Timian-Palmer indicated she would agendize an update for the Board on the summer's water management plans.

11. FINANCE DIRECTOR - Mary Walker

A. ACTION ON APPROVAL OF CARSON CITY REDEVELOPMENT AUTHORITY FISCAL YEAR 1993-94 BUDGET REVISION AND AUGMENTATION (1-2517) - Supervisor Smith moved that the Board adopt Resolution No. 1994-R-9, A RESOLUTION TO AUGMENT AND AMEND THE CARSON CITY REDEVELOPMENT AUTHORITY BUDGET FOR FISCAL YEAR 93-94 in the amount of \$711,441. Supervisor Bennett seconded the motion. Motion carried 5-0.

B. ACTION ON RESOLUTION AUTHORIZING THE CITY TREASURER TO ARRANGE FOR THE SALE OF THE REDEVELOPMENT AUTHORITY'S SHORT TERM NOTES (1-2534) - Supervisor Smith moved that the Board adopt Resolution No. 1994-R-10, A RESOLUTION AUTHORIZING THE CITY TREASURER TO ARRANGE FOR THE SALE OF THE CARSON CITY REDEVELOPMENT AUTHORITY, NEVADA, SHORT-TERM NOTES AND PROVIDING OTHER DETAILS IN CONNECTION THEREWITH, in an amount not to exceed \$602,500, funding source will be short-term notes. Supervisor Bennett seconded the motion. Motion carried 5-0.

C. ACTION ON RESOLUTION AUTHORIZING SHORT-TERM FINANCING FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, EQUIPPING AND IMPROVING PARKS AND GOLF COURSE PROJECTS WITHIN THE CITY (1-2555) - Ms. Walker explained the resolution's purpose, the accompanying resolution authorizing the Treasurer to arrange for the sale of the notes, the decision to not make the irrigation improvements at this time, and the repayment program. Supervisor Tatro moved that the Board adopt Resolution No. 1994-R-11, A RESOLUTION AUTHORIZING SHORT-TERM FINANCING IN AN AMOUNT OF UP TO \$518,500 FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, EQUIPPING AND IMPROVING PARKS AND GOLF COURSE PROJECTS WITHIN THE CITY; DIRECTING THE OFFICERS OF THE CITY TO FORWARD MATERIALS TO THE DEPARTMENT OF TAXATION OF THE STATE OF NEVADA; PROVIDING CERTAIN DETAILS IN CONNECTION THEREWITH; AND PROVIDING THE EFFECTIVE DATE HEREOF. Supervisor Bennett seconded the motion. Motion carried 5-0.

D. ACTION ON RESOLUTION AUTHORIZING THE CITY TREASURER TO ARRANGE FOR THE SALE OF THE CARSON CITY, NEVADA, GENERAL OBLIGATION (LIMITED TAX) SHORT TERM NOTES (1-2691) - Supervisor Tatro moved that the Board adopt Resolution No. 1994-R-12, A RESOLUTION AUTHORIZING THE CITY TREASURER TO ARRANGE FOR THE SALE OF THE CARSON CITY, NEVADA, GENERAL OBLIGATION (LIMITED TAX) SHORT-TERM NOTES; AND PROVIDING OTHER DETAILS IN CONNECTION THEREWITH. Supervisor Smith seconded the motion. Motion carried 5-0.

BREAK: A 15 minute recess was declared at 10:05 a.m. When the meeting reconvened at 10:20 a.m. the entire Board was present constituting a quorum.

E. ACTION ON APPROVAL OF CARSON CITY FISCAL YEAR 1993-94 BUDGET REVISION AND AUGMENTATION (1-2735) - Ms. Walker reviewed the augmentation process and all of the augmentation/revisions. Discussion among the Board, Ms. Walker, and Mr. Berkich included reasons for the increased use of and costs for the outside plan review program as well as Emergency Management's relocation under the Fire Department. Board comments indicated the need to consider the plan check program again. Supervisor Tatro moved that the Board adopt Resolution No. 1994-R-13, A RESOLUTION TO AUGMENT AND AMEND THE Carson City FY 93-94 BUDGET IN THE AMOUNT OF \$4,766,587. Supervisor Bennett seconded the motion and thanked Ms. Walker for her in depth presentation. Motion carried 5-0.

12. CITY MANAGER - John Berkich - DISCUSSION AND ACTION ON THE DEVELOPMENT OF FISCAL YEAR 1994-95 BUDGET FOR CARSON CITY (2-0945) - Considerable discussion ensued among the

Board, Mr. Berkich, and Ms. Walker on the (2-1100) (2-2981) level of service currently provided through the budget process, (2-1585) the Board's desire to be involved in the budget process prior to the Internal Finance Committee's review and recommendation, (2-1705) (2-2468) (2-2740) the Board's desire to maintain its current public hearing process, (2-1925) (2-2955) (3-0295) the need for a strategic plan prior to determining the budget, (2-2108) (2-2625) (2-2915) (3-0042) the pros and cons of having a biennial budget, (2-2285) (2-2835) the proposal to allow the Departments to retain a portion of any budget savings for equipment acquisition, (2-2853) a proposal to establish non-resident fees for City services, (2-3286) the need for a three or four year budget forecast, (2-3550) Ms. Walker's proposal that the Board select five areas where the level of service should be addressed, and (3-0435) the timetable for the tentative budget and the Board's desire to be more actively involved in its composition. (3-0078) Mayor Teixeira directed Ms. Walker to establish a base budget maintaining the present level of service and status quo. He felt that the Board should then enter the arena and determine any increases. (3-0595) Ms. Walker expressed a desire to present all the revenue sources to the Board when it considers the tentative. (3-0975) Mr. Berkich recapped the discussion by explaining that staff would present a three year forecast of revenue and expenditures, recommend a 30 percent savings within a Department for the Department's use, and the base budget. The biennial budget concept will be discussed in depth at a future meeting.

13. SUPERVISORS COMMENTS AND REPORTS (3-1052) - Supervisor Tatro noted the Community Council on Youth coffee mugs which had been distributed earlier and advised that the Council's new Executive Director has created an aggressive program. New officers were elected to the Convention and Visitors Bureau. The Bureau had broadened the uses of the V&T Railroad funding. Supervisor Ayres explained the Carson City Technical Assistance Committee meeting on public transportation for Carson City, the Transportation Association of Nevada's meeting and its attempts to network services with other RSVP agencies and States, and commended Supervisor Tatro on the Convention and Visitors Bureau funding action. Supervisor Smith gave a status report on the Tri-County Railroad proposal including the Nevada Infrastructure Improvement Corporation's participation. Supervisor Bennett gave a status report on the Carson River corridor proposal including announcing its next meeting and its purpose, a proposal for a "farmers market" in the downtown area, her plan to attend the Washington, D.C., American Hospital Association Congress of Trustees meeting, her concerns with President Clinton's medical program and the recent lawsuit against TRPA, and announced that TRPA had retained a new counsellor. She is also planning to testify before the Legislative oversight committee on the east shore. Highway 28 is a high priority for designation as a scenic highway. The east shore logging operation and the Highway 28 parking program are progressing. (3-1475) Mayor Teixeira gave a status report on the Subconservancy meeting including its decision to take an active role in the Water Engineer's hearings on the stacking issue. (3-1505) Supervisor Ayres announced a Parks and Recreation workshop scheduled for January 29. Mayor Teixeira announced his plans to be out of town, however, he plans to return for the Nevada Infrastructure Improvement Corporation presentation. He also noted the NACO meeting on the public lands trust which is scheduled for January 30 and his attendance at the Builders Association meeting last week.

14. ACTION ON REAPPOINTMENT TO THE CARSON WATER SUBCONSERVANCY DISTRICT (3-1452) - Supervisor Tatro moved to reappoint Supervisor Smith to the Carson Water Subconservancy District for a term of four years. Supervisor Bennett seconded the motion. Motion carried 5-0.

15. DISCUSSION AND ACTION ON POSSIBLE DATES FOR FUTURE JOINT MEETINGS (3-1618)
- Discussion indicated the need to meet with the Hospital Board of Trustees in February.

CITIZEN COMMENTS (3-1685) - None.

BREAK: A recess was declared at 12:50 p.m. When the meeting reconvened at 6 p.m. the entire Board was present constituting a quorum. Staff members present included: City Manager Berkich, Fire Chief Buckley, Health Director Fralinger, Utilities Director Timian-Palmer, Deputy District Attorney Lipparelli, and Recording

Secretary McLaughlin.

16. PUBLIC HEARING REGARDING THE ANNUAL COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ALLOCATION PROCESS FOR FISCAL YEAR 1994-95 (3-2155) - City Manager Berkich introduced the item and Administrative Assistant Liz Hernandez. Ms. Hernandez explained the application notification process, the review procedure, and funding available for allocation. Both of the applications target the low to moderate income levels. Children's Museum Executive Director Barbara Bernardi indicated the funds would be used to renovate a City-owned, historical building; create new jobs and increase tourism; add to the value of the property; allow the Children's Museum to open this summer, and meet ADA requirements. A copy of a letter, which she read into the record, supporting her contention that ADA requirements would be met was given to the Board. The total request was for \$452,000. The project could be phased, if necessary, and would complete the ADA requirements for the entire building. (3-2626) Children's Museum Development Director Caroline Saunders explained notification of another grant which would reduce the request by \$45,000. (3-2675) Deputy Utilities Director Jay Ahrens outlined the purpose of the sewer connection assistance program including the fees, HUD low income criteria, and reasons the request was for only a portion of the estimated number of residents who should connect. Discussion among Mr. Ahrens, the Board, and Mr. Berkich included previous grant funding obtained for the New Empire area, income criteria, reasons the application had not included the total amount needed, and potential use of the money to match a resident's funds. Marv Brown began to discuss issues connected with the following Agenda Item and was ruled out of order. Additional comments were solicited but none made. No formal action was taken on this issue.

17. UTILITIES DIRECTOR - Dorothy Timian-Palmer - ACTION ON ACCEPTANCE OF VECTOR ENGINEERING REPORT ON EVALUATION OF POSSIBLE CAUSES OF NITRATE CONTAMINATION IN GROUNDWATER, SOUTHEAST CARSON CITY (3-3327) - A ten minute recess was taken at 6:20 p.m. to allow staff time to set up the projector and a map. When the meeting reconvened at 6:30 p.m. Mayor Teixeira continued his explanation of the purpose of the meeting and that no action would be taken this evening. Ms. Timian-Palmer introduced Vector Engineering, her staff--Jay Ahrens, Kelvin Ikehara, and Georgia Turner, State Consumer Health Representative Jeff Fontaine, State Division of Environmental Health Representative Dick Reavis, and City Health Director Jack Fralinger. Vector Engineering Environmental Affairs Director Doug Martin introduced Senior Geologist and principal author of the report Donna Keats. He briefly explained his firm's role in the process and Ms. Keats education and background. Ms. Keats used the overhead projector and map to review the issues she had analyzed, the area involved in the study, the normal Eagle Valley groundwater recharge system, domestic water tables and their water source, and (4-0414) explained her findings which included the contaminated areas, the groundwater flow patterns, (4-0979) the leach field and soil's abilities to percolate. Her research indicated that residential septic systems had caused the nitrate contamination. (4-0845) She felt that the Nevada Department of Environmental Protection had implemented a policy restricting the number of homes allowed on an acre in subdivisions approximately two years ago. If that number is exceeded a groundwater study must be conducted which would indicate that the groundwater quality is not impacted by the subdivision. Her research supported its policy, therefore, it had also been used to support her finding that the residential septic tanks were the contamination source. (4-1105) She felt that the three contamination areas may eventually become one. (4-1172) Mayor Teixeira noted that the Board had received the report and had had an opportunity to study it before the meeting. He thanked Vector on the thoroughness of the report and its ability to be understood in spite of the complex issues.

(4-1220) Department of Environmental Protection Representative Dick Reavis expressed his feeling that the report was very professional and had considered all reasonable sources of nitrate contamination. He discussed with the Board the Soil Conservation Services' soil designations, the type of soils in the affected area, the effective date of and the subdivision policy restricting the number of homes allowed on an acre, development of the effected area under parceling procedures, Statutes prohibiting the Department from reviewing parcel maps, (4-1385)

development of other areas under the same parceling procedure, reasons the Johnson Lane contaminated groundwater would not affect Carson City, and the Division's use of the Soil Conservation Services' soil designations in subdivision review. (4-1361) Ms. Timian-Palmer reminded the Board of the 1970 building moratorium and the Board's decision to allow development under the parceling process.

(4-1495) Discussion between Duane Windsor and Mayor Teixeira noted that his home was probably developed under the parceling procedure.

Mr. Fralinger discussed with the Board his knowledge about the soils found in the southeast Carson area, the soil's percolation ability, and criteria used to allow septic tanks in that area. (4-1575) Supervisor Bennett read from the report and requested the following information be placed in the record: Carson City began supervising the permitting and installation of septic systems in 1973. Prior to this time, permitting was done by the State of Nevada Department of Human Resources. Information obtained from the Carson City Health District indicates that septic system designs required by the City have been similar to those required by the State. However, it is acknowledged that the Carson City Health District did not require percolation tests of the soils prior to January 1993. Design modifications were determined on-site in response to a visual inspection by the City Health District, and implemented according to verbal agreement between the Health District representatives and the building. Files at the Carson City Health District offices were inspected for records of septic system designs, in an effort to correlate system design and well failures. No files were discovered which recorded either proposed or "as-built" designs submitted for review and approval. (4-1619) Mr. Fralinger explained that there are records in his office, however, he was unavailable at the time the request for records was made. Soil definitions contained in those records were explained. He was requested to provide the Board with a copy of this record. He then explained his criteria for determining the soil's permeability. This conversation noted that the desire was for fast dissipation without concern for the groundwater. (4-1832) Mr. Reavis felt that the true purpose of septic tanks would pollute groundwater and keep sewage from being on top of the ground. Control over the number of residences in an area would address potential contamination of the groundwater. Comments noted the two issues were at cross purposes from each other.

Mayor Teixeira then requested that comments remain on the report. (4-1925) Ms. Keats was unsure of the impact the contaminated groundwater would have on Mr. Windsor's area. She felt that there had been a study of the entire Eagle Valley area and suggested he check it. From her knowledge of the study, however, she was not certain whether the two different groundwater basins flowed together and could impact his area. They do joint in the Prison Hill area and flow east toward the Carson River. Mayor Teixeira noted that the City had turned off one well in the area due to nitrate problems. He did not feel that the City could afford to have another well contaminated. Septics are found throughout the City.

(4-2155) Mayor Teixeira reminded Dennis Rose that the Board would not be making a decision this evening but may at sometime have to face the issue concerning the need to close all septic systems. Mr. Rose felt that "the City had goofed along with the State and that the residents were being forced to foot the bill". Therefore, it was the City's responsibility and not the residents to correct the situation. Ms. Timian-Palmer explained that the majority of the wells in the New Empire area are no longer being used due to a contamination problem that arose ten years ago. She then explained Ms. Turner's knowledge of "surprise" soils. The New Empire area wells were different from others as it has a "clay layer". This indicated to her that septic tanks should not have been allowed in that area 20 years ago.

(4-2285) Fran McClain expressed her feeling that her septic system was in good shape and should continue to be serviceable for sometime. She questioned whether any research had been conducted on the area west of Highway 50 due to her feeling that the logging operations on the Snyder Ranch could be the source of contamination. Ms. Keats indicated that none of the area west of Highway 50 had been included in the study and, with Mr. Martin, outlined the sections of the report which had indicated logging operations were not the source of the contamination

and the directional flow of groundwater from Clear Creek--which would be contaminated if the logging operation had been the source.

(4-2492) Dave Helgren questioned whether the wells were going to be capped as well as the septic tanks. Ms. Timian-Palmer explained that the City did not have an interest at this time in having the residential wells abandoned. Connections will be made when wells fail or need to be redrilled.

(4-2595) Mr. Windsor noted the water from the Basin flows north/northeasterly. He also urged the Board to consider the health issues connected to using contaminated water. Mayor Teixeira responded by noting the testing and notifications procedures which the City had performed due to the water contamination problem. Mr. Windsor felt that all of the emphasis had been on advising people of the need to connect to the sewer main and not about contaminated drinking water.

(4-2710) Ray Donohue questioned the reasons the City was not forcing the wells to be capped if a residence is connected to the City system. Ms. Timian-Palmer clarified that the question had been whether the residents would be forced to connect if the City system is constructed in their area. She agreed that if a residence connects to the City system, the well would have to be capped due to State requirements. Mr. Donohue felt that the Board's direction to staff had been to redo all of the tests and not just review the testing which had been previously done. Ms. Timian-Palmer and Mr. Ahrens responded by explaining how the sampling had occurred. Ms. Turner indicated that 122 samples had been taken. Ms. Timian-Palmer then explained that one of the City's wells could no longer be used due to nitrate contamination. The City must also meet Federal requirements. She stressed that the City could not afford to treat the nitrate problem. Mr. Donohue then explained his feeling that the City had created the problem and should foot the bill to correct it.

(4-3132) Michael Tanchek felt that the public could not comment on the report as it had not been available to the public. He then began to question the report in depth. He felt that it was peculiar that Washoe Valley was having the identical problem which had been studied by the Desert Research Institute. He read from EPA's report "Notes From Underground"--the Winter 1994 issue. He felt that the septic tanks should have been tested using the same procedure that Washoe Valley had used. He then questioned whether "NBAS", which is found in household detergents, the Stewart, Johnson Lane, or Indian Hills' facilities septic/sewer system(s) could be the source. While acknowledging that Well 38 was not in the contaminated area, he questioned its pollution source. Ms. Timian-Palmer then explained that the survey markers he had noted on Clearview and Center/Ponderosa were for the sewerline extension. Mr. Tanchek then questioned the design model for the State DEP policy, its variables, the expansion plans once the population meets 55,000, the work involved in abandoning a septic tank, the permit requirements to connect to the sewerline, the estimated number of times when the City may encounter a "blue baby" in the southeast section of the City, whether a risk analysis had been performed, and the cost per incident. Mayor Teixeira requested he stay on the report. (Supervisor Ayres stepped from the room at 8 p.m. and returned at 8:05 p.m. A quorum was present the entire time.) Mr. Tanchek then questioned what Vector had been requested to do, the report phrase "no new technical information has been generated", whether Mr. Fralinger's testing program had included well depth and its contamination, effect of sanitary seals in the wells and septic tanks, why Mr. Fralinger had not done the water testing, use of USGS's soil study in the Vector report, and (5-0160) whether the report was "rehash" of previous work and not a new study. Ms. Keats explained the direction given to the firm when hired and the conclusion it had reached after a thorough review of all the information. Mr. Tanchek then noted that one person had indicated the samples had been drawn and Mayor Teixeira indicated that they had been. Mr. Tanchek then questioned the number of "accessible wells". Mayor Teixeira again requested he direct his questions to the report. Mr. Tanchek then referred to Page 3, Section 3.1, and indicated that only one well in five was exceeding the Federal standards and the significance of the problem. Mayor Teixeira and Ms. Timian-Palmer agreed that it represents only 20 percent of the wells, however, this is only of the number of wells which were tested. The number of contaminated wells increases over time. Ms. Keats redefined the contaminated area and the groundwater flow. She was not sure whether the Ash Canyon water reached the contaminated area. Mr. Tanchek

then questioned Page 7 about the statement on the fact that recharge water does not reach the groundwater table. Leach fields are within the five foot vaporation zone. Mayor Teixeira noted the difference in volume between the septic system and the Ash Canyon flows. Mr. Tanchek then questioned Vector's volumes. Mr. Martin then explained the volumes used in the report. Ms. Timian-Palmer explained that the City's "will serve" letters are based on 280 gallons per home. Mr. Tanchek felt that this was an inappropriate figure and that the same conclusion could be drawn on several of the other figures/data given to Vector for its study.

(5-0658) Supervisor Smith then noted that he was not a City employee, has a residence which is on a septic tank which is not in the contaminated area, and his objection to the inference that the bureaucracy was "out to get you". He noted that the State, City, and Vector were unanimous in their research indicating that septic tanks are the source of the contaminant. Mr. Tanchek responded by indicating that he was only indicating he was not convinced that the septic tanks were the source of contamination. He was only questioning the assumptions made in the report. Supervisor Smith responded by emphasizing that an agreement was necessary on the cause as being septic tanks and the need to have a safe groundwater source. Mr. Tanchek responded that even though the report had indicated the septic tanks were the contamination source, he was still not convinced.

(5-0815) State Health Division Representative Jeff Fontaine noted the State's concern about health issues although it does not regulate residential wells. His role in the early process was noted. He then noted State control over municipal wells and the reasons one well had already been removed from the City's system. As Ms. Timian-Palmer had indicated, the cost to treat nitrate was very expensive. He supported the report's conclusion that septic tanks are the source of contamination. He emphasized that septic tanks are designed as a temporary measure of sewage disposal and to fail. Pursuant to Nevada Administrative Code Chapter 444 they are considered temporary and are null and void when they fail or City sewer becomes available. Supervisor Ayres agreed with his comments and stressed that septic tanks are not a permanent resolution of the problem. She emphasized the need for safe drinking water. Mr. Fontaine then responded to the question on risk management by emphasizing the State's regulation of nitrate.

(5-0995) Steve Asikainen felt that the Board had directed new samples be drawn by a different group. Mayor Teixeira noted that 122 wells had been retested. Mr. Asikainen indicated his well had not been included in the wells which were tested. He also felt that the number of wells tested and the data provided Vector "did not add up". Staff indicated that a list of the wells sampled would be provided to him. Mr. Berkich expressed a willingness to test his well if desired.

(5-1095) Fran McClain acknowledged Supervisor Smith's comments and explained her City water problems and questioned whether she was having the same contamination problem as the other residents were having. She requested her City water be tested. Ms. Timian-Palmer indicated she would contact her.

(5-1155) Mr. Donohue indicated that his questions on the samples had not been meant to infer that he did not believe the samples had been taken. He was only attempting to determine that they had been taken and that Vector was not reviewing old data. He emphasized that the real concern was the "bucks".

Supervisor Bennett then moved that the Board accept Vector Engineering's report, "Evaluation of Possible Causes of Nitrate Contamination in Groundwater, Southeast Carson City", and its findings. Supervisor Ayres seconded the motion. Comments on the question were requested but none made. The motion was voted by roll call with the following results: Ayes - Smith, Tatro, Ayres, Bennett, and Mayor Teixeira. Nays - None. Motion carried 5-0.

Mayor Teixeira then explained the need to work with the community and address the situation. The ultimate plan will be considered by the Board at some future date. He thanked all for attending and participating in the procedure. He requested that anyone wishing to receive notification of the next meeting contact Mr. Berkich. Mr.

Berkich indicated the next meeting on this issue may be the second meeting in February.

(5-1328) Ms. McClain questioned whether the City would be testing any of the other impacted areas of the City. Ms. Timian-Palmer explained for Ms. McClain that the City had a ten year master plan. Mayor Teixeira suggested she meet with Ms. McClain as comments indicated they were not talking about the same issue.

There being no other matters for consideration, Supervisor Tatro moved to adjourn. Supervisor Ayres seconded the motion. Motion carried 5-0. Mayor Teixeira adjourned the meeting at 8:35 p.m.

The Minutes of the January 20, 1994, Carson City Board of Supervisors meeting

ARE SO APPROVED ON ____March_17_____, 1994.

_____/s/_____
Marv Teixeira, Mayor

ATTEST:

_____/s/_____
Kiyoshi Nishikawa, Clerk-Recorder