

CARSON CITY BOARD OF SUPERVISORS
Minutes of the April 4, 1991 Meeting
Page 1

A regular session of the Carson City Board of Supervisors was held on Thursday, April 4, 1991 at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 9 a.m.

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

STAFF PRESENT:	John Berkich	City Manager
	Kiyoshi Nishikawa	Clerk-Recorder
	Ted P. Thornton	Treasurer
	Louis Buckley	Fire Chief
	Jack Fralinger	Health Director
	Charles P. Cockerill	Chief Deputy District Attorney
	Mike Suglia	Deputy District Attorney
	Katherine McLaughlin	Recording Secretary
	(B.O.S. 4/4/91 Tape 1-0019)	

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. A tape recording of these proceedings is on file in the Clerk-Recorder's office. This tape is available for review and inspection during the normal business hours.

Mayor Teixeira called the meeting to order at 9:05 a.m. Full Gospel Church Reverend Roy Parker gave the Invocation. Supervisor Smith led the Pledge of Allegiance. Roll call was taken and a quorum was present.

AGENDA MODIFICATIONS (1-0053) - The following items were pulled: 8. Redevelopment Authority matters - C. Report on Downtown Parking, Traffic, and Creation of Superblocks and D. Discussion and Board Direction regarding Downtown Redevelopment Projects, Programs, and Finances; and, 11. Community Development Director - A. Ordinance - Second Reading - Action on Bill No. 112 - Z-90/91-10 - Request to Rezone Approximately 18.6 Acres of Property from Single Family 21000 Planned Unit Development to Public.

PETITIONS AND COMMUNICATIONS, ORDINANCES, RESOLUTIONS, AND OTHER ITEMS

2. PUBLIC HEALTH DIRECTOR - Jack Fralinger

A. ACTION ON AWARD OF SUPERIOR SANITATION CERTIFICATES (1-0075) - Certificates were given to Don and Carol Hillman of Dagwood's; Carol Brown of Stanley's; Horst Meyer of Carson City Nugget; Margaret Clarke of Mary's Pantry; Francesco DeLaParra of Tito's Restaurant; Edwin Byrne of Ed's Doghouse; and Clifford Jones of Raley's Market. Mayor Teixeira commended each for their efforts.

B. ACTION ON REAPPOINTMENT OF COUNTY HEALTH OFFICER (1-0182) - Supervisor Tatro moved that the Board of Supervisors reappoint Jack Fralinger as the County Health Officer. Supervisor Bennett seconded the motion. Motion carried 5-0.

CITIZEN COMMENTS (1-0195) - John Flanders explained his problem with the Water Division and the City's policy of establishing a water winter average. His handicapped son's residence had had a broken waterline during the averaging period. The son had been unaware of the break. When Mr. Flanders discovered the leak, he had repaired it, however, it had increased his son's winter average to 9,000 gallons.

CARSON CITY BOARD OF SUPERVISORS
Minutes of the April 4, 1991 Meeting
Page 2

The Division had agreed to reduce the bill when he had presented repair statements, however, was unwilling to use his son's average of 3,000 as his month's average. He felt this was unfair and that the Board should direct staff to change its procedures. Mr. Berkich was directed to review the situation and report back to the Board at the next meeting.

SPECIAL PRESENTATIONS

1. CARSON CITY SCHOOL DISTRICT BOARD OF TRUSTEES/ADMINISTRATION - PROGRESS REPORT REGARDING THE BOND MEASURE (INCLUDING QUESTION AND ANSWER PERIOD) (1-0258) - Board of Trustee Chairperson Gary Ailes explained the purpose of his meeting with the Board of Supervisors and reviewed the status Bonds and the Bond projects. (He distributed an attendance report to the Board but not the Clerk.) Due to the tremendous influx of elementary students, the Sixth Grade would be transferred to the Junior High and all the elementary schools would handle grades K through 5. Classes would be capped at 30 students. When classes are filled to capacity, the new students would be bused to other schools. The High School would remain 9 through 12. The portables and decking between the portables at the High School were explained. The bids for the asbestos removal had been rejected. The new bids will be opened on the 22nd and considered by the Board on the 23rd. The plan to convert Gleason to a special education facility was explained. Students not attending these classes will be transferred to Bordewich and Bray. This will eliminate the need for the students to cross the busy street for lunch. Portables will be placed on permanent foundations and the outsides rehabilitated to look like constructed facilities. Reasons for changing the facilities was felt to be in the best interest of the public and users and would not violate the Bond issue. Concern was expressed that this may be a conflict with the commitments made to the electorate. Mr. Ailes felt that proposal would be a better use of funds for the same facility. Plans for Carson Junior High were also explained. Discussion ensued concerning multi-tracking and studies now going on concerning advantages/disadvantages of it. Mr. Ailes felt that multi-tracking and year-round schools should not be used to alleviate crowding. It should be used if the educational advantages are measurable. The only crowding problems foreseen at this time may be at the Junior High level. The proposal at this time would convert Seeliger to a Junior High and construct a new elementary school. An ad hoc committee is doing this research and the public is invited to participate. Fremont's experience with the 45-15, the State's offer to purchase the Fremont site, the proposed site for Corbett, and a second elementary school were discussed. Board comments complimented the School Board on its innovative attempts to utilize the bonds to the maximum and supported quarterly reports from the School Board. Mr. Berkich explained that the School Board agenda is posted at his office.

3. TREASURER - Ted P. Thornton

A. ACTION ON TREASURER'S FINANCIAL REPORT FOR THE MONTH OF FEBRUARY 1991 (1-1025) - Supervisor Tatro moved that the Board of Supervisors accept the Treasurer's Report as submitted for the month of February 1991. Supervisor Bennett seconded the motion. Motion carried 5-0.

B. ACTION ON BUSINESS LICENSE REINSTATEMENTS (1-1041) - Mr. Thornton noted that the reinstatement and penalties fees had been paid. Discussion ensued concerning the motels which may owe room taxes. Due to the desire to verify the status of the room taxes, this matter was continued until later in the meeting.

C. ACTION ON REMOVAL OF PROPERTY FROM TAX ROLL (APN 3-214-01) - FIRST PRESBYTERIAN CHURCH DUE TO DEMOLITION OF THE BUILDING (1-1145) - Supervisor Smith moved that the Board refund and remove taxes on APN 3-214-01 due to demolition of building making the property now tax exempt, fiscal impact is the loss of revenue in the amount of \$197.69. Supervisor Bennett seconded the motion. Motion carried 5-0.

CARSON CITY BOARD OF SUPERVISORS
Minutes of the April 4, 1991 Meeting
Page 3

D. ACTION ON RESOLUTION OF INTENT TO ISSUE \$2.2 MILLION BONDS FOR THE PURPOSE OF FINANCING THE CONSTRUCTION AND EQUIPPING OF A FIRE STATION (1-1182) - Mr. Thornton explained the procedures and dates for the Bond. He also distributed copies of and explained to the Board and Clerk three repayment options. Discussion noted the bond rates received during the last two years, the increased cost of the loan as the repayment period is extended, and the lack of action by the State on the acquisition of the Courthouse and Fire Station. Mayor Teixeira stated that unless the City had signed a contract with the State, the Bonds would not be sold. Supervisor Tatro moved that the Board adopt Resolution No. 1991-R-14, A RESOLUTION PERTAINING TO THE ISSUANCE OF BONDS BY THE CITY OF CARSON CITY, NEVADA; AUTHORIZING THE CITY TREASURER TO ARRANGE FOR THE SALE OF BONDS FOR THE PURPOSE OF FINANCING THE CONSTRUCTION ON, IMPROVEMENT AND EQUIPMENT OF A FIRE STATION; AND PROVIDING OTHER DETAILS IN CONNECTION THEREWITH. Supervisor Bennett seconded the motion. Supervisor Tatro noted that the Resolution only authorizes the Treasurer to arrange for the Bond sale. The sale of the Bonds would be considered later after a signed contract from the State is received. Supervisor Smith expressed his feeling that the purchase of the Fire Station site had not been included in the data provided to the electorate and that this would effect the integrity of the Bonds even though he understood the Bond Counsel's opinion. He, therefore, could not support the proposal to proceed with the sale of the Bonds. Mr. Cockerill explained Bond Counsel's legal opinion supporting the sale of the Bonds. Supervisor Smith responded by noting that the Bond Counsel is not an elected body representing the residents. He could support their position due to the ballot wording, however, felt the plan had changed from the information/propaganda provided the electorate which had indicated only a fire station would be constructed with the money. It had not considered land acquisition. Mr. Cockerill emphasized that the process was legal and complied with all the Statutes. He counseled Supervisor Smith to act in accordance with legal opinions. Discussion noted the simple majority needed to support this Resolution and that four out of five votes were needed to approve the Bond sale. Mr. Thornton and Mayor Teixeira stressed that the \$2.2 million indicated in the Bond Resolution were only for construction and refurbishing of the new Fire Station. The land acquisition would come from the sale of the Courthouse and Fire Station No. 1.

(1-1625) May Ruth French expressed her feeling the facts should be right before the election. She then urged the Board to reconsider the entire proposal based on her knowledge of a Reno fire station which was much smaller but was functional and had only cost \$1.3 million. Mayor Teixeira explained that this station did not include the Emergency Medical Service or personnel.

(1-1695) John Flanders expressed his feeling that the State was "railroading the City" into the sale of the Courthouse and Fire Station. This would force the City to obtain a new Courthouse. He felt this was an unfair burden on the taxpayers. Mayor Teixeira explained the contract on the property transfer which would not occur for at least two or later than six years. The contract does, however, contain an extension clause. If the City cannot support the acquisition of the new facilities, the transfer may never occur. Mayor Teixeira then explained that in lieu of taxes received by the City from the State. Mr. Flanders then explained his feeling that the City was committed to providing fire service to the State and that the aerial truck was only needed by the State. He felt this responsibility should be returned to the State. He agreed to meet with Mayor Teixeira and discuss his concerns.

(1-1865) Fire Chief Louis Buckley explained the current deficiencies with the Fire Station which will mandate expensive refurbishing unless replaced. His support for the new location was also explained. Staff noted that the bond funds were being restricted to the \$2.2 million authorized by the electorate. Mr. Buckley then explained the difference between the Reno station cited by Ms. French and the City's proposal.

The motion to approve the Resolution was voted by roll call with the following results: Feticc - Yes; Bennett - Yes; Smith - No; Tatro - Yes; and Mayor Teixeira - Yes. Motion carried 4-1.

OTHER MATTERS (1-1969) - Mayor Teixeira introduced Will Behr, Capitol City Correspondent for the

CARSON CITY BOARD OF SUPERVISORS
Minutes of the April 4, 1991 Meeting
Page 4

Nevada Appeal.

4. CLERK-RECORDER - Kiyoshi Nishikawa and Recording Secretary to the Commissions/Committees Judy Berge - ACTION ON RESOLUTION AUTHORIZING DESTRUCTION OF ORIGINAL RECORDS - 1984-89 REDEVELOPMENT AUTHORITY FILES AND MARKET STUDY OF CCTA SUMMER (1-1985) - Gail Thomssen requested the records be given/stored by Mainstreet rather than be destroyed. Discussion by the Mayor, Supervisors Smith and Feticc supported her request, however, Supervisor Bennett was concerned about the failure to destroy the records. Supervisor Tatro moved that the Board of Supervisors adopt Resolution No. 1991-R-15, A RESOLUTION AUTHORIZING THE DESTRUCTION OF ORIGINAL RECORDS by the Clerk-Recorder. Supervisor Smith seconded the motion. Motion carried 5-0.

APPROVAL OF MINUTES - October 27 and November 3, 1988 (1-2112) - Supervisor Tatro moved that the Board of Supervisors approve the Minutes of October 27, 1988; November 3, 1988; February 7, 1991, as amended/clarified; March 7, 1991; and Special Meeting of March 14, 1991. Supervisor Smith seconded the motion. Clarification noted the Board had received the March 21, 1991 Redevelopment minutes but not the March 21, 1991 Board of Supervisors Minutes. The motion to approve the Minutes as indicated carried 5-0.

5. DEPUTY CITY MANAGER - Pat Sorenson

A. ACTION ON RESOLUTION SUPPORTING THE CARSON PRIDE AND REVITALIZATION PROGRAM (1-2180) - Supervisor Bennett expressed her support for the Resolution and program. Increased public support was also noted. John Flanders felt it was a positive program. Supervisor Bennett moved that the Board adopt Resolution No. 1991-R-16, A RESOLUTION OF SUPPORT BY THE BOARD OF SUPERVISORS FOR THE CARSON PRIDE AND REVITALIZATION PROGRAM AND THE SETTING FOR APRIL 20 THROUGH 28, 1991, AS THE DAY FOR RESIDENTIAL USE OF ORMSBY SANITATION LANDFILL AND STATEMENT OF THANKS TO THE VARIOUS BUSINESSES AND COMMUNITY GROUPS COMMITTED TO THE SUCCESS OF THE PROGRAM. Supervisor Tatro seconded the motion. Motion carried 5-0.

3. B. ACTION ON BUSINESS LICENSE REINSTATEMENTS - CONTINUED (1-2350) - Mr. Thornton explained the Ordinance requirements and that the knowledgeable individuals at the Convention and Visitors Bureau were unavailable today to state whether the two motels were current on their room taxes. Mr. Thornton suggested the list be approved with the exception of the motel/hotels which should be approved subject to verification of the room tax status. Supervisor Tatro explained the staff absence and moved that the Board approve the list of business license reinstatements as presented by the Treasurer with the exception that the two motel properties, the Westerner Annex and the Westerner Motel, be approved subject to verification by the Treasurer's Office with the Carson City Convention and Visitors Bureau that the room taxes are paid in full in accordance with the Carson City Municipal Code. Supervisor Smith seconded the motion. Motion carried 5-0.

5. B. ACTION ON RECOMMENDED GREEN FEE INCREASES FOR NON-RESIDENTS AT EAGLE VALLEY GOLF COURSES (1-2448) - Mr. Sorenson explained the proposed rate increases which he felt were in line with surrounding course fees for non-residents. Golf Pro Gary Bushman supported the increases. He requested tournaments now booked be allowed to remain at the old rates. Future non-resident tournaments would be booked at the new rates. Mayor Teixeira felt this was appropriate. Mr. Sorenson outlined play experienced this year and reasons for the increased non-resident play at Carson City courses. The modified motion was explained. Supervisor Smith explained his support for the proposal. Mr. Cockerill clarified the increases for tournament play and that the increase would be for any tournaments not yet booked. None of the other rates would be affected. A Nevada driver's license or a similar "picture ID" would be used to prove residency. Mayor Teixeira directed the staff to return with the appropriate document.

CARSON CITY BOARD OF SUPERVISORS
Minutes of the April 4, 1991 Meeting
Page 5

BREAK: At 10:25 a.m., a five-minute recess was taken. When the meeting reconvened at 10:30 a.m., the entire Board was present, constituting a quorum.

6. PARKS AND RECREATION DIRECTOR - Steve Kastens

A. ACTION ON RENEWAL OF AGREEMENT BETWEEN CARSON CITY AND NEVADA STATE WELFARE DIVISION FOR "CHILD CARE PROVIDER" SERVICES (1-2852) - Discussion noted that LatchKey children could be included in the program. Supervisor Bennett moved that the Board approve renewal of an agreement between Carson City and the State of Nevada Welfare Division for "Child Care Provider" services at no fiscal impact. Supervisor Tatro seconded the motion. Motion carried 5-0.

B. ACTION ON SECOND AGREEMENT BETWEEN CARSON CITY AND THE NEVADA LANDMARKS SOCIETY REGARDING THE CARE AND MAINTENANCE OF A HISTORICAL LANDMARK KNOWN AS THE ROBERTS HOUSE (1-2955) - Supervisor Tatro moved that the Board approve the second agreement regarding the care and maintenance of a historical landmark known as the Roberts House between the City and Nevada Landmarks Society and authorize the Mayor to sign. Supervisor Smith seconded the motion. Motion carried 5-0.

C. ACTION ON PARKS AND RECREATION COMMISSION RECOMMENDATION REGARDING ALLOCATION OF RESIDENTIAL CONSTRUCTION TAX FUNDS (1-3015) - Mr. Kastens outlined the Commission's proposal to solicit and reconsider funding requests. (2-0075) Supervisor Smith further explained the proposal to consider both new and previous requests. His comments included a proposal to install a "bubble" over the outside pool, the delay in completing the parks master plan, staff's problems maintaining the facilities with the restricted resources, and the need for neighborhood parks. Supervisor Tatro expressed his feeling that the major parks should not be RTC's primary funding purpose and his support for small neighborhood parks including the multi-use of detention ponds. Supervisor Bennett expressed her concern that facilities are begun and never finished. She acknowledged the need to prohibit the use of RCT funds for maintenance. She urged completion of the facilities which have already been started while also evaluating the need for neighborhood parks and open space. Supervisor Smith expressed his feeling that consideration should be given to supporting any efforts/improvements which could reduce the maintenance but stressed that the funds not be used for ongoing maintenance. Mr. Kastens explained the 4-H Guide Dog program which had been funded under earlier allocations. Supervisor Fetic moved that the Board approve the Parks and Recreation Commission recommendation to solicit new proposals and review those along with previous submittals. Supervisor Smith seconded the motion. Mayor Teixeira felt that both concerns would be addressed during the hearing process. Motion was voted by roll call with the following results: Smith - Yes; Fetic - Yes; Tatro - Yes; Bennett - Yes; and Mayor Teixeira - Yes. Motion carried 5-0.

D. STATUS REPORT ON THE AQUATIC FACILITY (2-0435) - Mr. Kastens explained Recreation Supervisor Chris Ipsen's report including the water chemistry, Health Department water testing requirements, maintenance and communication problems. Board concerns included the type of water tests, specifically the need for bacterial testing; staff communication problems; necessary employee safety improvements for maintaining the overhead doors; and proposals which in effect may be viewed as micro-management. Mr. Berkich agreed to supply a report to the Board concerning the reasons a pool worker was demoted and had ultimately resigned. Supervisor Bennett reiterated her reasons for and insistence that facility maintenance budgets and schedules be provided specifically in view of the need for the fee structures to include these costs. She felt the need for the Board to micro-manage the facility was a clear indication that the public did not feel it was receiving its money's worth from the facility and its maintenance. Mayor Teixeira felt that Mr. Ipsen and Mr. Kastens should take time to communicate daily with staff. Mr. Kastens felt that direction had been provided.

CARSON CITY BOARD OF SUPERVISORS
Minutes of the April 4, 1991 Meeting
Page 6

7. SHERIFF - Paul McGrath.

A. ACTION ON RESOLUTION AUTHORIZING CARSON CITY TO PARTICIPATE IN AN ALTERNATIVE SENTENCING AND DRUG REDUCTION PROGRAM (2-1401) - Sheriff McGrath distributed a memo to the Board. He then outlined the program and its cost. Board comments stressed that the funding should be considered during the normal budget process. Sheriff McGrath explained the grant deadline and stressed the need to reach a decision at this time or lose the grant. The program may reduce the daily jail population. Projected three-year costs and potential grants were discussed. All of the judges had not indicated support for the program. Without their support, the program would not succeed. The procedures were discussed at length. It was suggested that any savings created from the lowered jail population be utilized for this program. Supervisor Tatro explained his knowledge of a drug testing procedure whereby the State was able to obtain the necessary lab equipment at no cost. Sheriff McGrath was willing to amend the application to allow this procedure. District Attorney Noel Waters explained the DUI penalties. Sheriff McGrath then explained his reasons for placing the DARE officer under this program. It was pointed out that there are other drug and alcohol counseling services available besides the one included in the packet. Mayor Teixeira could not support the proposal without first seeing the entire City budget. He supported the DARE program but his experience with the State Alcohol and Drug Abuse Bureau indicated the rate of adult recidivism would not support the program. Supervisor Bennett suggested the funding be found within the Sheriff's budget. Sheriff McGrath explained his alternative funding for many other programs that had been beneficial to the community. This was his first request for General Fund support. Mayor Teixeira then outlined current programs available in the community to help drug or alcohol abusers at little or no cost to the individual. Mr. Berkich noted that \$1 million had been trimmed from the budget. The tentative budget was being completed for next week's meeting, however, the fiscal picture for next year is unclear due to the uncertainty of several legislative proposals. He commended Sheriff McGrath on his cooperation in completing the budget cuts and tentative budget for next year. He was not certain that \$60,000 could be found in the Sheriff's budget for this purpose. He acknowledged the incentive programs which the Sheriff had undertaken, however, felt that a smaller, pilot program should be attempted first. Supervisor Feticc felt it was unfair to support the program before any of the other supplementals are considered merely due to the federal deadline. Sheriff McGrath expressed his feeling that it was a necessary community program which should be undertaken at this time. Supervisor Bennett moved that the Board postpone participation in the Alternate Sentencing Program that involves conviction for drug and alcohol offenses until such time as we have an understanding of our fiscal needs and responsibilities and an opportunity to study the situation a little bit further. Supervisor Smith seconded the motion. Motion was voted by roll call with the following result: Ayes - Tatro, Smith, Feticc, Bennett, and Mayor Teixeira. Nays - None. Motion carried 5-0.

B. ACTION ON RESOLUTION OF SUPPORT REGARDING INCREASE IN PAY FOR ELECTED OFFICIALS (2-2567) - Sheriff McGrath explained his reasons for feeling that elected officials' salaries should be increased. (2-2635) Alan Glover explained his support for the proposal and noted the Legislature's failure to increase the elected officials' salaries during its last session and current Clerk's salary for Henderson as an example of the disparity among elected officials. (2-2761) Treasurer Ted Thornton expressed his feeling that parity between elected officials and appointed Department Heads should be established. Elected officials also need parity to stay ahead of their own unclassified employees. He questioned the implementation of an austerity program and its timing so soon after granting the unclassified employee raises. He supported the normal NACO channel for seeking these increases and urged the Board to support an adjustment in the next Legislative session. (2-2879) May Ruth French expressed her opposition to the proposal due to her feeling that the elected officials had been aware of the salary at the time they run for office. Huge raises should not be approved once elected. Such increases are above the norm. Their current salaries are considered well paying and above normal. The taxpayers could not support the increases. She felt some of the elected officials had supported the unclassified increase in order to substantiate an increase for themselves. Mayor Teixeira explained the normal process for NACO to submit salary modifications to the Legislature. Four years ago, all elected officials received an increase. Mr.

CARSON CITY BOARD OF SUPERVISORS
Minutes of the April 4, 1991 Meeting
Page 7

Berkich noted that all the proposed increases were not in the budget at this time. Sheriff McGrath expressed his willingness to accept a change in the effective date and his reasons for requesting the modification at this time. Mayor Teixeira expressed a willingness to support the bill if proposed by NACO, however, to date its Board had not considered the proposal. Sheriff McGrath explained that a bill draft had been proposed by Assemblyman Elliot and reasons for requesting Board support at this time. Supervisor Feticc explained his position and willingness to testify before the Legislature, however, he was unwilling to set the amount of the increase. Mr. Berkich then explained the unclassified salary increases and change in the revenue picture. Mayor Teixeira noted the increases given to the staff. Mayor Teixeira then passed the gavel to Mayor Pro-Tem Feticc and reluctantly moved that the Board go on record not supporting the Bill Draft relating to the public officials salary increases pertaining to Carson City. Supervisor Smith seconded the motion. Supervisor Bennett suggested the motion be amended to include that the Board would work through NACO for the 1992 legislative request to address the increases. Mayor Teixeira could not support this proposal. Mayor Pro-Tem Feticc expressed his feeling that his vote was not a reflection on the elected officials nor their salaries. He felt they were doing a fine job, that it is unfair that their subordinates are paid more than the elected officials, that the elected officials salaries are below parity for similar offices elsewhere, however, he would not support establishing a precedence deferring from the present procedure. He reiterated his willingness to speak to the Legislature on the proposal. The motion to deny the request was voted by roll call with the following result: Ayes - Supervisors Bennett - who supported Mayor Pro-Tem Feticc's proposal, Smith, Tatro, Mayor Teixeira, and Mayor Pro-Tem Feticc. Nays - None. Motion carried 5-0. Mayor Pro-Tem Feticc returned the gavel to Mayor Teixeira.

FUTURE MEETINGS (3-0338) - Mayor Teixeira explained that, much to staff's chagrin, he had pulled several Agenda items. During the following recess, he requested Board members check their calendars and consider having a special meeting on April 16th from 12:30 to 5.

BREAK: A lunch recess was taken at 12:15 p.m. When the meeting reconvened at 1:30 p.m., the entire Board was present.

COMMUNICATIONS/ISSUES REGARDING OTHER ENTITIES - HOSPITAL, SCHOOLS, BOARDS, COMMITTEES, COMMISSIONS, AGENCIES, ETC. (3-0392)

9. ACTION ON APPOINTMENT OF TRUSTEE TO THE CARSON-TAHOE HOSPITAL BOARD OF TRUSTEES REPRESENTING DISTRICT 2 - Tony Marangi explained his employment history. Supervisor Feticc moved that the Board approve Hospital Board recommendation to appoint Mr. Tony Marangi to the Hospital Board of Trustees. Supervisor Smith seconded the motion. Motion carried 5-0.

Mayor Teixeira then recessed the Board of Supervisors and passed the gavel to Redevelopment Chairperson Feticc. For Minutes of the Redevelopment Authority see its folder. Following adjournment of the Redevelopment Authority, Chairperson Feticc passed the gavel to Mayor Teixeira who reconvened the Board of Supervisors. A quorum was present as noted.

ORDINANCES, RESOLUTIONS, AND OTHER ITEMS

10. PUBLIC WORKS DIRECTOR - Dan O'Brien.

A. ORDINANCES - FIRST READING

i. ACTION ON AN ORDINANCE AND DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND SECURITY PACIFIC BANK REGARDING PROPERTY LOCATED AT 1001 NORTH STEWART STREET (3-0531) - Discussion noted the City's share of the improvement and need for the manhole. Supervisor Smith moved to introduce on first reading Bill No. 113,

CARSON CITY BOARD OF SUPERVISORS
Minutes of the April 4, 1991 Meeting
Page 8

AN ORDINANCE APPROVING A SEWERLINE REIMBURSEMENT AGREEMENT BETWEEN CARSON CITY AND SECURITY PACIFIC BANK REGARDING ASSESSOR'S PARCEL NO. 2-171-5, 2-171-8, AND 2-171-9, LOCATED AT 1001 NORTH STEWART STREET, CARSON CITY, NEVADA, FOR SEWER LINE CONSTRUCTION. Supervisor Bennett seconded the motion. Motion carried 5-0.

ii. ACTION ON AN ORDINANCE AND DEVELOPMENT AGREEMENT FOR STEPHEN G. HALEN REGARDING PROPERTY LOCATED AT 4520 OAK STREET (3-0618) - Discussion noted the Agreement would be recorded, remained with the property, and outlined the reasons for the requirement. Supervisor Smith moved to introduce on first reading Bill No. 114, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND STEPHEN G. HALEN, CARSON CITY, NEVADA. Supervisor Bennett seconded the motion. Discussion noted the special circumstances which would allow the agreement. The motion to introduce Bill 114 was voted and carried 5-0.

iii. ACTION ON AN ORDINANCE AND DEVELOPMENT AGREEMENT FOR SUPPLY ONE ON PROPERTY LOCATED AT 3800 SOUTH CARSON STREET (3-0712) - Discussion noted the special circumstances related to Curry Street. Supervisor Bennett moved that the Board introduce on first reading Bill No. 115, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND THE SUPPLY ONE, REGARDING ASSESSOR'S PARCEL NO. 9-151-44, LOCATED AT 3800 SOUTH CARSON STREET, CARSON CITY, NEVADA. Supervisor Smith seconded the motion. Motion carried 5-0.

B. ORDINANCES - SECOND READING - ACTION ON BILL NO. 109 - A WATERLINE REIMBURSEMENT ORDINANCE AND AGREEMENT FOR PETE RASNER (APN 9-226-03) LOCATED AT 230 CLEAR CREEK AVENUE AND (APN 9-226-04) LOCATED AT 270 CLEAR CREEK AVENUE (3-0815) - Mr. O'Brien requested the motion be contingent upon Mr. Rasner's signature. Supervisor Tatro moved that the Board adopt on second reading Ordinance No. 1991-11, AN ORDINANCE APPROVING A WATERLINE REIMBURSEMENT AGREEMENT BETWEEN CARSON CITY AND PETE RASNER, REGARDING ASSESSOR'S PARCEL NO. 9-226-03, LOCATED AT 230 CLEAR CREEK AVENUE, AND ASSESSOR'S PARCEL NO. 9-226-04, LOCATED AT 270 CLEAR CREEK AVENUE, CARSON CITY, NEVADA, subject to Mr. Rasner's signature. Supervisor Bennett seconded the motion. Motion carried 5-0.

C. ADMINISTRATIVE MATTERS (3-0858)

i. ACTION ON DEVELOPMENT AGREEMENT RELEASE AND CANCELLATION FOR LEWIS HOMES DEVELOPMENT UNIT NO. 5-A - Supervisor Smith moved that the Board approve the Development Agreement Release and Cancellation between Carson City and Lewis Homes of Nevada for Unit No. 5-A regarding the construction, street improvements, sewerline, waterline, and all off-site improvements and authorize the Mayor to sign said Release and Cancellation. Supervisor Bennett seconded the motion. Motion carried 5-0.

ii. ACTION ON DEVELOPMENT AGREEMENT RELEASE AND CANCELLATION FOR LEWIS HOMES DEVELOPMENT UNIT NO. 5-B (3-0895) - Supervisor Tatro moved that the Board approve the Development Agreement Release and Cancellation between Carson City and Lewis Homes of Nevada for Unit No. 5-B regarding the construction, street improvements, sewerline, waterline and all off-site improvements and authorize the Mayor to sign said Release and Cancellation. Supervisor Smith seconded the motion. Motion carried 5-0.

iii. ACTION ON THE CARSON CITY STORM DRAINAGE MASTER PLAN SERVICES CONTRACT WITH RESOURCE CONCEPTS, INC., TO IMPLEMENT TASK ORDER NO. 7 TO FORM A STORM DRAINAGE UTILITY (3-0908) - Mr. O'Brien explained the need to

CARSON CITY BOARD OF SUPERVISORS
Minutes of the April 4, 1991 Meeting
Page 9

address the storm drain problems found within the City and the purpose of the Task Order which would establish a utility district to fund this project. The cost of the improvements to Apollo were discussed and would be funded through the street gas tax. Consultant Jerry Hestor responded to Board questions on the cost of those improvements, reviewed previous Board direction, and introduced Dick Warren. Mr. Warren explained his experience in Seattle on a similar problem, purpose of the Task Order, the NPDES requirements, the reasons for phasing the program, desire to cooperate with staff on the funding and billing portion, desire to minimize duplication of efforts, and period of time prior to having the project completed. Board and staff comments stressed the desire to eliminate unnecessary studies and to accomplish something. Present and future staffing needs, criteria utilized in establishing the rates, private contractors available to provide the service, reasons for hillside residents being included in the district as well as court rulings supporting their inclusion, public education needs, potential rates and 1986 flooding costs were discussed. Mr. Cockerill noted that Bond Counsel had indicated that the Board had the authority in the Charter to fund this project. Supervisor Smith moved that the Board approve and authorize the Mayor to sign Task Order No. 7 to the Carson City Storm Drainage Master Plan Services Contract with Resource Concepts, Inc., Contract No. 8788-54 and Project No. 1987-013, at a cost not to exceed \$79,862, funding source Capital Acquisition Fund and will be repaid once the utility is established. Supervisor Tatro seconded the motion. Motion carried 5-0.

D. UTILITY DIVISION MATTERS - ORDINANCES - SECOND READING (3-0908)

i. ACTION ON BILL NO. 110 - AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE CHAPTER 12.03 RELATING TO SEWER CONNECTION CHARGES AND USE RATES - Mr. O'Brien noted the section on reserves as directed by the Board at the first reading, a codification error, and effective date. Supervisor Tatro moved that the Board adopt on second reading Ordinance 1991-11, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE SECTION 12.03.010 - DEFINITIONS, SECTION 12.03.020 - SCHEDULE OF RATES, SECTION 12.03.025 - CALCULATION AND REVIEW OF RATES, SECTION 12.03.030 - SCHEDULE OF SEWER CONNECTION AND HOOK UP CHARGES, SECTION 12.03.04 AND 12.03.060 RELATING TO BILLING AND PAYMENT OF RATES AND CHARGES, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Bennett seconded the motion. Following Mr. Cockerill's request for amendment, Supervisor Tatro continued his motion to include in addition that changes in monthly rates under Section 12.03.020 paragraph 2 shall be applied to the first billing cycle in May 1991. Supervisor Bennett continued her second. Motion carried 5-0.

ii. ACTION ON BILL NO. 111 - AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE CHAPTER 12.01 RELATING TO WATER CONNECTION CHARGES AND USE RATES (3-2520) - Mr. O'Brien reviewed the reserve modification as directed by the Board. Supervisor Tatro moved that the Board adopt on second reading Ordinance No. 1991-12, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE SECTION 12.01.010 - DEFINITIONS, SECTION 12.01.020 - SCHEDULE OF RATES, SECTION 12.01.030 - SCHEDULE OF WATER CONNECTION CHARGES, LATERAL AND METER BOX SETS, AND METER SET FEES, SECTION 12.01.040 - PAYMENT OF CONNECTION CHARGE, SECTION 12.01.060 - ESTABLISHMENT AND RE-ESTABLISHMENT OF CREDIT, SECTION 12.01.080 - RENDERING AND PAYMENT OF BILLS, SECTION 12.01.090 - PROTESTS TO RATES AND CHARGES AND METER TESTS, SECTION 12.01.120 - WASTE OF WATER PROHIBITED, SECTION 12.01.130 - LIMITATIONS ON IRRIGATION, SECTION 12.01.140 - PERMIT REQUIRED FOR CONNECTION AND CONSTRUCTION, SECTION 12.01.150 - APPLICATION FOR BUILDING PERMIT REQUIRED BEFORE ISSUANCE OF A PERMIT FOR WATER SERVICE, SECTION 12.01.190 - DISCONTINUANCE AND RESTORATION OF SERVICE, SECTION 12.01.220 - FIRE PROTECTION, SECTION 12.01.240 - SERVICE CONNECTIONS AND CUSTOMER'S FACILITIES, SECTION 12.01.270 - PENALTIES, AND OTHER MATTERS PROPERTY RELATED THERETO. Supervisor Bennett seconded the motion. No change in the effective date was requested on this matter. Motion carried

CARSON CITY BOARD OF SUPERVISORS
Minutes of the April 4, 1991 Meeting
Page 10

5-0.

BREAK: At 2:35 p.m., a five-minute recess was declared. When the meeting reconvened at 2:40 p.m., the entire Board was present constituting a quorum.

11. COMMUNITY DEVELOPMENT DIRECTOR - Walt Sullivan

B. PLANNING COMMISSION REFERRAL - REVIEW AND APPEAL MATTERS (3-2670)

i. ACTION ON M-90/91-14 REGARDING A REQUEST FROM EUGENE LEPIRE TO ABANDON A PORTION OF PUBLIC RIGHT-OF-WAY LOCATED ADJACENT TO 610 EAST PROCTOR STREET (APN 4-238-06) - PLANNING COMMISSION APPROVED 7-0-0-0 - Discussion among the Board, Mr. Lepire, and staff explained his request, the history of the project, his reasons for requesting that the compensation requirement be waived, and the construction error. Supervisor Bennett moved that the Board of Supervisors uphold the Planning Commission recommendation to approve the abandonment request on M-90/91-14 from Gene Lepire to abandon 75x7 feet of public right-of-way at the northeast corner of Anderson and Proctor Streets adjacent to 610 East Proctor, APN 4-238-06, and that the Board of Supervisors order the District Attorney's office to draft and abandonment order and direct the Assessor's Office to determine the reasonable consideration value of subject property. Supervisor Tatro seconded the motion. Motion carried 5-0.

ii. ACTION ON MPA-90/91-9 REGARDING THE ADOPTION OF ADDITIONAL RECOMMENDATIONS AND OBJECTIVES RELATIVE TO BUSINESS PARK DEVELOPMENTS AND ADOPTION OF A BUSINESS PARK DEVELOPMENT OVERLAY ON THE CITY'S MASTER PLAN LAND USE MAP - PLANNING COMMISSION APPROVED 6-0-1-0 (4-0078) - Mr. Sullivan reviewed the objectives and purpose of the proposal. Mike Perry stated he supported the proposal in general. The general public had not opposed the proposal during the Commission hearing process. Supervisor Bennett commended staff on the proposal. Supervisor Tatro moved that the Board uphold the Planning Commission recommendation of approval for MPA-90/91-9, adoption of additional recommendations and objectives relative to the Business Park Developments and adopt of a Business Park Development overlay on the City's Master Plan Land Use Map. Supervisor Bennett seconded the motion. Motion carried 5-0.

C. ORDINANCES - FIRST READING (4-0192)

i. ACTION ON AN ORDINANCE ADDING SECTIONS 18.06.25 - 18.06.268 (BUSINESS PARK ZONE) TO CHAPTER 18.06 (INDIVIDUAL USE DISTRICT PROVISIONS) OF THE CARSON CITY MUNICIPAL CODE - Mr. Sullivan reviewed the modifications. Discussion ensued concerning the mandated landscaping, open space requirements, and the point system. Gene Lepire questioned the impact of the proposal, specifically the point system, would have on his industrial development. He preferred the previous plan as he could understand the requirements. Supervisor Bennett stressed that this system would work and was an improvement. Mr. Sullivan noted that the plans currently being reviewed by staff contain four times the Code requirement. Mayor Teixeira felt that the developer's integrity was the question as those who do not wish to maintain the landscaping would not. Mr. Sullivan explained that staff could enforce the Code requiring the landscaping be maintained and replaced for a period of three years. Supervisor Tatro moved that the Board introduce on first reading Bill No. 116, AN ORDINANCE ADDING SECTIONS 18.06.250 - 18.06.267 (BUSINESS PARK ZONE) TO CHAPTER 18.06 (INDUSTRIAL USE DISTRICT PROVISIONS) OF THE CARSON CITY MUNICIPAL CODE AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Bennett seconded the motion. Motion carried 5-0.

CARSON CITY BOARD OF SUPERVISORS
Minutes of the April 4, 1991 Meeting
Page 11

ii. **ACTION ON AN ORDINANCE ADDING CHAPTER 18.08 (MOBILE HOME PARKS) DEVELOPMENT PLAN REVIEW TO TITLE 18 (ZONING) OF THE CARSON CITY MUNICIPAL CODE (4-0615)** - Supervisor Bennett moved to introduce on first reading Bill No. 117, AN ORDINANCE ADDING CHAPTER 18.08 (MOBILE HOME PARK DEVELOPMENT PLAN REVIEW ORDINANCE) TO TITLE 18 (ZONING) OF THE CARSON CITY MUNICIPAL CODE AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Tatro seconded the motion. Motion carried 5-0.

iii. **ACTION ON AN ORDINANCE REPEALING CHAPTER 15.26 (MOBILE HOME PARKS) OF TITLE 15 (BUILDING AND CONSTRUCTION) OF THE CARSON CITY MUNICIPAL CODE (4-0665)** - Mr. Cockerill stressed the need to have the same effective date on this modification as the effective date of Bill 117. Supervisor Tatro moved that the Board of Supervisors introduce on first reading Bill No. 118, AN ORDINANCE REPEALING CHAPTER 15.26 (MOBILE HOME PARKS) OF TITLE 15 (BUILDINGS AND CONSTRUCTION) OF THE CARSON CITY MUNICIPAL CODE AND OTHER MATTERS PROPERLY RELATED THERETO effective date to coincide with the effective date of Bill No. 117. Supervisor Smith seconded the motion. Motion carried 5-0.

iv. **ACTION ON AN ORDINANCE AMENDING CHAPTER 18.03 (DEFINITIONS) TO DELETE, ADD, AND AMEND VARIOUS DEFINITIONS WITHIN TITLE 18 (ZONING) OF THE CARSON CITY MUNICIPAL CODE (1-0693)** - Supervisor Tatro moved to introduce on first reading Bill No. 119, AN ORDINANCE AMENDING CHAPTER 18.03 (DEFINITIONS) TO DELETE, ADD AND AMEND VARIOUS DEFINITIONS WITHIN TITLE 18 (ZONING) and that this Bill be effective the same date as Bills No. 117 and 118. Supervisor Smith seconded the motion. Motion carried 5-0.

Discussion noted the revisions to Title 18 were progressing. Portions should be considered by the Planning Commission in June or July.

D. PLANNING COMMISSION REFERRAL - REVIEW AND APPEAL MATTER - ACTION ON M-90/91-5 - FIRST PRESBYTERIAN CHURCH REQUEST TO ABANDON A PORTION OF THE RIGHT-OF-WAY ON WEST MUSSER STREET BETWEEN NORTH NEVADA STREET AND NORTH DIVISION STREET (4-0719) - Following Mr. Sullivan's introduction, Joe DiLonardo explained the request and reasons for the request to waive the fee. Discussion noted numerous community meetings/activities held in the church, the proposed land use, and the proposed joint parking lot. Due to the need to establish the findings if the fee is waived, a ten-minute recess was taken. When the meeting reconvened, Supervisor Bennett moved that the Board of Supervisors approve the Assessor's Office appraisal for the 1,581 square foot portion of West Musser Street and due to the enormous public benefit provided the City by the First Presbyterian Church and its programs by providing facilities for community-based programs for community-based groups such as the Boy Scout Troop 20, Brownie Troop 403, Girl Scout Troop 393, Brownie Troop 295, FISH, AA groups, non-smoking groups, karate classes, and a sanctuary for Desert Storm and many other types of programs, and that the First Presbyterian Church will acquire City property and sell same back to the City at no increase in the original price for going land appreciation costs, therefore, the public benefit as described will offset the fiscal impact of \$10,000. Supervisor Smith seconded the motion. Motion was voted by roll call with the following result: Smith - Yes; Fetic - Yes; Tatro - No due to his knowledge that the Nugget contributes to many community activities and his concern with the precedent even though he could support the idea; Bennett - Yes; and Mayor Teixeira - Yes. Motion carried 4-1.

14. DETERMINATION/ANNOUNCEMENT OF FUTURE MEETING DATES AND TIMES (4-1145) - Mayor Teixeira explained his need to attend the Marvin Sedway Dedication at the Community College. He then requested direction concerning his suggestion for a special meeting on Tuesday, April 16, at 12:30 p.m. Board consensus supported this meeting. Mayor Teixeira then expressed his desire to have the Board of

CARSON CITY BOARD OF SUPERVISORS
Minutes of the April 4, 1991 Meeting
Page 12

Supervisors remain as the Redevelopment Authority and acknowledged that he could not vote if he was not present. Mayor Teixeira then passed the gavel to Mayor Pro-Tem Feticc and left the meeting. (A quorum was still present.)

OTHER MATTERS (4-1196) - Assistant Sheriff Joe Curtis explained Supervisor Bennett's request that he discuss with the Board the need for a program whereby employees could receive CPR training. Mr. Cockerill requested the Board take a brief recess so he could discuss the lack of an agenda item with Mayor Pro-Tem Feticc. A three-minute recess was then taken. When the meeting reconvened, a quorum of the Board was present although Mayor Teixeira was absent. Mayor Pro-Tem Feticc explained that the Board could not consider this issue as it had not been agendized. Considerable discussion ensued on this point. Supervisor Bennett explained her desire to have the Board consider the issue and apologized to Assistant Sheriff Curtis and Purchasing Assistant John Iratcabal for the inconvenience. The item was rescheduled for the following meeting.

12. CITY MANAGER REPORTS, RESOLUTIONS, AND BOARD DIRECTIVES (4-1337) - STATUS REPORTS REGARDING: INTEREST FREE LOANS FOR RENTAL UNITS - The Reno HUD program was explained. Carson City is not a part of this program, however, a Community Block Grant Program for owner occupied rehabilitation is being considered. Additional information is being sent on both programs. **CITY STAFF INTERPRETERS AND HISPANIC COMMUNITY (4-1750)** - No report was given. **CITY AGREEMENT WITH KLEINFELDER, INC., A SOLID WASTE MANAGEMENT PLAN (4-1436)** - Negotiations are still going on on this matter. Operator Julius Ballardini has, however, in the interim retained a different consultant to evaluate the same question. He is willing to share this information with the City. He suggested that the City continue negotiations with Kleinfelder on other issues. Concern was expressed about the time required to resolve this issue with Kleinfelder, adaptability of the model provided for Mr. Ballardini, the 1992 Federal timetable, and reasons Mr. Ballardini had had his own evaluation done. **STUDY OF THE PROCEDURES FOR THE TAKING OF PURCHASE DISCOUNTS AND CITY COLLECTION POLICIES AND PROCEDURES (4-1750)** - No report at this time.

13. A. DISCUSSION AND POSSIBLE ACTION REGARDING 1991 LEGISLATIVE MATTERS (4-1762) - None at this time.

B. ACTION ON SETTING OF GOALS AND OBJECTIVES (6-3092) - Deferred until 4/16.

C. MAYOR TEIXEIRA - None due to his absence.

D. SUPERVISOR SMITH (4-1768) - Had agendized the Como Street situation for discussion and action on procedures. Final inspections were made on Monday. Repairs were outlined. The tenant suit against the landlord was explained. The rents for January, February, and March had been waived. Rents would be paid for April. Repairs should bring all the units up to standards which is a condition of the sale. Parks and Recreation Commission had approved the new aquatic fees. A monthly pass for the weight room is being considered. A special meeting to consider the needs of each individual park has been scheduled. The Commission had supported staff's position on allowing alcoholic beverages at the U.S. Open Baseball Tournament. An outside contractor would be retained to sell, would be responsible for and to enforce the age restriction on the sale of alcoholic beverages.

F. SUPERVISOR TATRO (4-1974) - Tourism grant applications were reviewed. His reasons for seeking ongoing YSA support were outlined. It will be heard on Monday evening. The session had been agendized so that the Board could attend if so desired. The Aquatic Club's request for a removable, inflatable dome over the outside swimming pool was detailed. Staff is working on a cost analysis on the proposal. The Legislative status of the \$55,000 Museum rehabilitation program was noted. **ACTION ON SETTING BEGINNING TIME FOR EVENING SESSIONS OF THE BOARD (4-2128)** - Outlined

CARSON CITY BOARD OF SUPERVISORS
Minutes of the April 4, 1991 Meeting
Page 13

reasons for requesting a standardized time be established. He suggested 5:30. The pros and cons of 5, 5:15, 6, 6:30, and 7 were discussed. Supervisor Tatro moved that the Board of Supervisors establish as the beginning time for evening sessions at 6 p.m. Supervisor Smith seconded. Motion carried 4-0.

(4-2299) May Ruth French expressed her feeling that the public supported 6:30. In view of the action already taken, however, she felt 6 was a good compromise.

G. SUPERVISOR BENNETT (4-2335) - Would reschedule the discussion/action of an employee CPR program. Felt the Neighborhood Beautification Committee should consider the landscaping problems. Would not be able to attend the April 18th meeting. Noted TRPA's ability to reach a compromise with all of the marina dredging factions. Progress made in the search for a new Hospital Administrator was noted. Introduced the new WNDD Executive Director

E. SUPERVISOR FETTIC - ACTION ON THE BOARD OF SUPERVISORS CONTINUING AS THE REDEVELOPMENT AUTHORITY (4-2485) - The need for action was discussed. Supervisor Tatro moved that the Board of Supervisors continue as the Redevelopment Authority. Supervisor Smith seconded the motion. Motion carried 4-0.

B. ACTION ON SETTING GOALS AND OBJECTIVES (4-2545) - Deferred until Mayor Teixeira is present. (6-3092) Deferred until the 18th.

14. DETERMINATION/ANNOUNCEMENT OF FUTURE MEETING DATES AND TIMES

A. ACTION ON DESIGNATING GOAL-SETTING SESSION REGARDING THE WATER AND SEWER UTILITIES (4-2552) - Deferred.

B. ACTION ON DESIGNATION OF BUDGET HEARINGS WITH THE BOARD OF SUPERVISORS (4-2555) - Deferred.

BREAK: At 4:15 p.m., a recess was declared. When the meeting reconvened at 6 p.m., the entire Board was present constituting a quorum. Staff members present included City Manager Berkich, Clerk-Recorder Nishikawa, Chief Deputy District Attorney Cockerill, and Recording Secretary McLaughlin. (4-2610)

15. COMMUNITY DEVELOPMENT DIRECTOR - Walt Sullivan.

A. PLANNING COMMISSION REFERRAL - REVIEW AND APPEAL MATTER - ACTION ON MPA-90/91-4 - REQUEST FROM HAROLD JACOBSEN, ET AL., TO AMEND THE MASTER PLAN LAND USE DESIGNATION FROM SUBURBAN RESIDENTIAL TO LOW DENSITY RESIDENTIAL ON PROPERTY LOCATED ON THE NORTH SIDE OF KOONTZ LANE BETWEEN SILVER SAGE AND HICKORY DRIVE (APNs 9-133-2, 3, 5, 6, 10, AND 11; 9-131-2, 3, 4, AND 5; AND 9-121-15) - PLANNING COMMISSION DENIED 5-1-1-0

B. ORDINANCE - FIRST READING - ACTION ON Z-90/91-5 - A CHANGE OF LAND USE REQUEST FROM HAROLD JACOBSEN, ET AL., TO REZONE APPROXIMATELY 19.6 ACRES OF PROPERTY FROM SINGLE FAMILY ONE ACRE (SF1A) TO SINGLE FAMILY 12000 (SF12000) AND SINGLE FAMILY 21000 (SF21000) LOCATED NORTH OF KOONTZ LANE BETWEEN SILVER SAGE AND HICKORY DRIVE (APNs 9-133-2, 3, 5, 6, 10, AND 11; 9-131-2, 3, 4, AND 5; AND 9-121-5) - PLANNING COMMISSION DENIED 5-1-1-0 (4-2615) - Mr. Sullivan reviewed the requests, Planning Commission's and the Board's previous considerations, and the final Planning Commission recommendation. Discussion ensued with the Board concerning the current Koontz traffic volume and the potential development impact.

CARSON CITY BOARD OF SUPERVISORS
Minutes of the April 4, 1991 Meeting
Page 14

(5-0045) Harold Jacobsen gave a copy of his remarks to the Board and Clerk which he then read into the record. His remarks included ownership, reasons for the request, previous Commission considerations, issues considered at the last Commission hearing, and reviewed his proposal and the commercial developments under construction in the area which he felt would create a larger traffic impact. He then explained his reasons for feeling that the proposal plan was in keeping with the Master plan, the need for additional mobile home 12,000 and 21,000 lots, and would allow for a smooth transition between the mobile home park across the street and the one acre agricultural lots.

(5-0571) Fran McLain rebutted Mr. Jacobsen's rationale by stating her feeling that the traffic study had not considered the work volume, cited the notification utilized when Sinbad was abandoned as her reasons for eliminating it from Mr. Jacobsen's immediate area, and the commercialization to the west to support her contention that Koontz should be maintained as the boundary.

(5-0691) Betty Moran expressed her feeling that the project would increase the flooding problems currently found in her area, traffic safety concerns at Baker and Koontz, and the need to bus children to other schools as Seeliger could not handle any more students. She urged the Board to consider all the impacts the change would create and the residents' desire to remain rural.

(5-0815) Dave Helgren explained his desire to remain agricultural and avoid a conflict between the higher density land uses and his agricultural uses. He urged the Board to stop the encroachment and avoid the nuisance complaints which would follow. He felt the proposal would be spot zoning and once Mr. Jacobsen is approved, it would be hard to hold the line against other developers.

(5-0955) Discussion ensued among the Board and Mr. Sullivan concerning how the mobile park came to be on the corner of Koontz and Silver Sage. A change of land use or a special use permit has not been found, however, the park was developed in the early 1970's. The commercial zoning starts at Silver Sage which allows the mobile home park and convalescent center uses. (5-1051) Mr. Jacobsen's attorney, Todd Russell, explained the purpose of the master plan and his reasons for feeling that the proposal was an orderly transition from the mobile home park. It would not eliminate the agricultural uses currently there. Discussion ensued concerning some homes which may not be on one acre lots.

(5-1175) May Ruth French expressed her opposition to any increase in the density regardless of the area. She felt the flood problems should be addressed in this area before the density is increased and additional flooding created. She urged the Board to maintain the master plan. She also expressed her concern about the smog, criminal activity, traffic, and higher taxes.

(5-1561) Jim Moran expressed his feeling that a subdivision map had been prepared by Mr. Jacobsen and questioned the need to subdivide if Mr. Jacobsen truly had no plans to follow the map. He felt the transition zone began at Sinbad, was adequate, should be held, that the mobile home park had already encroached into the area, that the commercial and SF6000 zones were examples of "bad planning", that the proposal would increase the traffic problems at Baker and Koontz and his current flood problems, the inadequate number of accesses to the area, and need for improvements to the flood channel. Mayor Teixeira acknowledged the flooding problems and explained the plan to address the situation. Mr. Moran felt that the Board should stop construction until the flood problem has been resolved.

(5-1525) Gail Thomssen expressed her desire to maintain the current zoning and country living conditions associated with it. She was also concerned about the impact the proposal would have on the schools and water pressure. Mr. Sullivan responded that the area would be on City water which Public Works had indicated could serve the area.

(5-1625) Fran McLain explained that there are several homes on the south side of Koontz which are less than one acre, however, this was created when the City needed an dedication/easement and that they were

CARSON CITY BOARD OF SUPERVISORS
Minutes of the April 4, 1991 Meeting
Page 15

grandfathered.

Board discussion ensued on the large lots used as a buffer to the Stafford subdivision and the Sinbad abandonment, the number of accesses to the property, the development and resale potential. Supervisor Smith then expressed his feeling that the proposal had been well thought out and on the surface made sense, however, it would impose on the adjacent one acre residents and their lifestyle. Supervisor Smith then moved that the Board of Supervisors uphold the Planning Commission recommendation to deny the Change of Land Use request based on the findings of the Planning Commission, that the proposal is not compatible with the Master Plan Land Use Map and its designation in accordance with Objective 1, Recommendation 1, the proposal could sacrifice the character and qualities of Carson City; Objective 3, Recommendation 1 will not be met by the proposed project in that the proposed project is not in keeping with the Master Plan in that it would erode or sacrifice the character and qualities of the subject area which is at this time rural in nature; the proposed project could needlessly generate a conflict of land use between people who wish a more agricultural lifestyle and those who do not; and that the reduction in single family one acre zoned lots would not directly or indirectly be of merit or value to the community as a whole. Supervisor Tatro seconded the motion. Motion was voted by roll call with the following result: Tatro - Yes; Smith - Yes; Bennett - No; Fetic - Yes; and Mayor Teixeira - No. Motion carried 3-2.

Following Messrs. Sullivan and Cockerill's request for a second motion to address the Change of Land Use, Supervisor Smith moved that the Board of Supervisors uphold the Planning Commission recommendation to deny the Change of Land Use request based on the findings as stated in the previous motion. Supervisor Tatro seconded the motion. Motion was voted by roll call with the following result: Fetic - Yes; Smith - Yes; Tatro - Yes; Bennett - No; and Mayor Teixeira - No. Motion carried 3-2.

BREAK: At 7:15 p.m., a ten-minute recess was taken. When the meeting reconvened at 7:25 p.m., the entire Board was present constituting a quorum.

16. V AND T RAILROAD PROJECT (5-1968)

B. ACTION ON ACCEPTANCE OF THE RIDERSHIP STUDY AND OPERATING FEASIBILITY AND DIRECTION TO PROCEED - Mr. Berkich began by suggesting that the report be reviewed and a decision delayed until the 16th. (A copy of the report had been given to the Board earlier in the day but not the Clerk.) Mr. Berkich explained the working committee, its membership, the issues considered, the report and exhibits. He then read from the report on the ridership study and whether the ridership would be sufficient to make the project self-supporting. Four consultants had reviewed the report and had indicated that the methodology utilized in the report had been appropriate and the conclusions could logically be reached from the study. The second scenario was a conservative evaluation of the ridership. It included an annual ridership of 15,000 which was felt to be overly optimistic. Therefore, staff had used two ranges -- one at 5,000 and one at 15,000. This established a revenue range of \$373 to \$392,000. Revenues, expenditures, and similar operational comparisons were outlined. Staff's evaluation indicated a potential net loss of \$12,000, however, if the Board did not utilize a \$50,000 depreciation allowance, this could become a net profit. Another evaluation indicated a net gain of \$7,000. Ms. Walker's report had included ownership concerns. This was not part of this report. One analysis had included car donations, the life of the cars and delayed maintenance needs. Staff supported the conclusions reached in scenario two. Discussion ensued with the Board concerning the \$7,000 profit margin, the need for a cash infusion until the ridership is established, the amount of depreciation required, projected donations, the consultants' review, and location of the tracks including destinations. Committee person Bruce Robertson responded to Board questions on the track configuration and noted the State's desire to utilize the track on Nevada Day. State trolley ridership, the relationship between the two museums and the V & T, the total days the F & T would operate, projected revenue, and the conclusion supporting the benefit assessment study were discussed. Mayor Teixeira requested public comments be restricted to the ridership issue.

CARSON CITY BOARD OF SUPERVISORS
Minutes of the April 4, 1991 Meeting
Page 16

(6-0550) Don Miller acknowledged that he had briefly reviewed the staff's report. He was representing Del Frost and noted his written statement, a copy of which the Board and Clerk had. Mr. Miller then expressed his feeling that the consultants should have been identified themselves. As they had not, he then critiqued the report by expressing his feeling that the survey was biased in favor of the tourist, that the ridership as indicated could not be meant, the ticket price was too high, concern about the market share and the portion which would support the V & T, and the need for a definition of "activity" as used in the survey. He urged the Board to release the Room Tax funds for other purposes and thank the Rotary Foundation for its efforts. He could not support the ridership figures, however, the Rotary had done a valuable service to the community in bringing the issue to the forefront. He urged the Board to pursue an overall transportation program for the entire City and not just a restricted area. Supervisor Bennett urged caution in analyzing the report and explained her respect for his and Mr. Sam Mills', of UNR, capabilities. Transportation needs are being considered as a separate issue from the V & T tourist attraction. Mr. Miller then used an exhibit in the report to support his contention that the survey was inadequate. Supervisor Tatro moved that the Convention and Visitors Bureau was reviewing the grant applications, had not made a determination of the funds which would be disbursed, that none of the room tax is on "hold", the funds under discussion are being utilized to retire the First Golf Course Bonds and the Community Center, and the room tax funding restrictions.

(6-1045) Bill Knight displayed and explained an April 2, 1989, article on a San Jose fixed rail system which turned into a real fiasco. His contact with President of the Downtown San Jose Businessman's Association Ernest Clay explained Mr. Clay's disillusion with the system, the rider over-estimation, the increased costs incurred during construction, the decreased business activity, lack of loading zones, etc. He supported a public transportation system which is flexible, preferably rubber tired with an expanded service.

(6-1311) Maryanne Bennett explained her absence from the Committee meetings. She felt that the consultant's adverse report on the study had not been included in the report and that one of the coauthors of the report was a Committee member. She felt the Committee had not been objective in its analysis. Her written concerns had never been answered. The study disclaimers should be addressed. Ms. Walker's comments were not included in the study. She felt the train was to be accomplished regardless of the studies.

(6-1407) May Ruth French questioned the school ridership, the students' ability to pay for such rides, the projected daily ridership, fees, and the wisdom of spending additional funds to analyze the report.

(6-1512) Ron Allen expressed his concern about the State Railroad Museum's days of operation. He felt that at present only ten days a year are allocated to the steam trains, Memorial Day to Labor Day with the remainder of the year at three days a week for the motor car.

(6-1560) Fran McLain questioned what had happened to her proposed Carson Street route, the funding, and need for transportation funding. Mr. Berkich explained that the Rotary club had paid for the report. Mayor Teixeira noted that her comments could not be addressed as ridership was the issue this evening. Clarification by Supervisor Smith noted that the report had been paid by the Rotary Club and not the City. Supervisor Bennett noted that the Rotary Club had evaluated alternate routes. Reasons her plan was abandoned could not be cited at this time, however, were felt to be related to the fact that it is a Federal as well as State Highway.

(6-1785) Gail Thomssen expressed her feeling that the competition created by the State Railroad and Virginia City Railroad Museums would attract additional customers to the benefit of all specifically if additional activities are available.

(6-1810) Dr. Tom Gibbons noted his concern about the present lack of adequate parking on Curry Street. He had initially supported the Rotary proposal, however, felt that the change from the historic V & T equipment to the McKenna car would affect the ridership. He was also concerned about the loss of 200 parking spaces on Curry Street. Based on this concern, he found the projections very optimistic. He supported

CARSON CITY BOARD OF SUPERVISORS
Minutes of the April 4, 1991 Meeting
Page 17

redevelopment and restoration of the Historic District but opposed the railroad system.

Further discussion ensued between the Board, Mr. Robertson, and staff concerning the Board's direction on the assessment study and his reasons for feeling that the report was valid. Each individual Board member's feelings were outlined. Mr. Miller explained his profession to refute the feeling that all the professions supported the assessment study.

(6-2042) Joy Hill noted that Jim Spoo's report on the study had not been included in the report. His report as well as Dr. Chan's were not in favor of the methodology. Mr. Berkich responded by explaining the questions raised in this report which addressed the novelty factor, the definition of activity, and validation of the survey data, and reasons for not including these questions in the evaluation of the assessment study.

Supervisor Feticc noted Sam Smells' evaluation. Even though Supervisor Feticc could not support the ridership figures, he found the methodology to be valid. Mr. Berkich noted that these concerns had been used by removing the resident ridership figures from the evaluation. The Supervisors explained their reasons for feeling that the Committee's evaluation was sound and their concerns which should be addressed at some future time. Supervisor Smith urged that in the future all reports, both positive and negative, be included in the packet. Mayor Teixeira commended the audience on its decorum and the Committee on its work. Supervisor Feticc then moved that the Board accept the methodology used in the ridership study and the operating feasibility and give direction to the City Manager to proceed. Supervisor Bennett seconded the motion. Motion was voted by roll call with the following result: Tatro - Yes; Bennett - Yes; Feticc - Yes; Smith - Yes; and Mayor Teixeira - Yes. Motion carried 5-0.

Mayor Teixeira again commended the audience on its attendance and participation. Mr. Berkich explained for Ms. French that the Committee meetings were being held on Tuesday evenings at 5:30 at Northgate.

Board discussion ensued concerning the Agenda items remaining.

14. DETERMINATION/ANNOUNCEMENT OF FUTURE MEETING DATES AND TIMES (6-2637)
- A meeting was scheduled for Tuesday, April 16, from 12:30 to 5 at the Sierra Room. The suggested budget sessions were discussed. The April 10 meeting to approve the tentative budget was noted. Mayor Teixeira noted that he would not be present during the April 30 and May 1 meeting dates. The budget sessions were to commence at 5:15 p.m. The desire to interview each Planning Commission applicant separately was discussed. The recruitment process was outlined.

OTHER MATTERS (6-3143) - Supervisors Tatro and Bennett again requested copies of the School Board agenda.

Supervisor Feticc moved that the Board adjourn. Supervisor Bennett seconded the motion. Motion carried 5-0. Mayor Teixeira adjourned the meeting at 9:15 p.m.

The Minutes of the April 4, 1991 Carson City Board of Supervisors meeting

ARE SO APPROVED ON May 2, 1991.

/s/
MARV TEIXEIRA, Mayor

CARSON CITY BOARD OF SUPERVISORS
Minutes of the April 4, 1991 Meeting
Page 18

ATTEST:

/s/
KIYOSHI NISHIKAWA, Clerk-Recorder