

CARSON CITY BOARD OF SUPERVISORS
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A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, April 15, 2004, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 8:30 a.m.

PRESENT:	Ray Masayko	Mayor
	Pete Livermore	Supervisor, Ward 3
	Robin Williamson	Supervisor, Ward 1
	Richard S. Staub	Supervisor, Ward 4

STAFF PRESENT:	Linda Ritter	City Manager
	Alan Glover	Clerk-Recorder
	Lisa Roth	Human Resources Director
	Mark Forsberg	Chief Deputy District Attorney
	Scott Fahrenbruch	Parks & Recreation Operations Director
	Tom Hoffert	Public Works Operations Manager
	Stacy Giomi	Battalion Chief
	Katherine McLaughlin	Recording Secretary
	Leann Warne	Water Production Operator

B.O.S. 4/15/04 Tape 1-0012)

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.

CALL TO ORDER, ROLL CALL, INVOCATION, AND PLEDGE OF ALLEGIANCE - Mayor Masayko convened the meeting at 8:30 a.m. Roll call was taken. A quorum of the Board was present although Supervisor Aldean was absent. A moment of silence was held in lieu of the Invocation. Mayor Masayko led the Pledge of Allegiance.

CITIZEN COMMENTS (1-0035) - Jeff Schulz explained his concerns with Sierra Pacific Power Company's plan to construct a substation in his neighborhood. He indicated that the property was in escrow when he learned about the plan and that the attempt to stop the process appeared to be too late in the process for it to be successful. The residents have been able to reduce the impacts somewhat. He thanked Supervisor Livermore for his assistance. He indicated that he had known that the property was zoned Limited Industrial when he purchased his property. He felt that he was being used as a guinea pig due to the alleged health concerns with electronic fields which still have not been proven. The possibility that the substation could be targeted by terrorists was described. He indicated that he also represented Sam and Duana Lompa. The neighbors and the Lompas' concerns regarding the impact the substation will have on property values were noted. He hoped that in the future the agreement with Sierra Pacific can be rewritten to address their issues. The residents are angry but feel that they do not have an option. Additional comments were solicited but none were given.

1. APPROVAL OF MINUTES - JANUARY 15 AND FEBRUARY 5, 2004 (1-0082) - Supervisor

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Livermore moved to approve the Carson City Board of Supervisors Minutes of the January 15, 2004, and February 5, 2004, meetings. Supervisor Staub seconded the motion. Motion carried 4-0.

2. AGENDA MODIFICATIONS (1-0101) - Mayor Masayko explained that the morning session should be recessed before noon. The Board will return at 6 p.m. to hear Community Service grant applications.

3. SPECIAL PRESENTATIONS - PROCLAMATION PROCLAIMING MAY 2 THROUGH 8, 2004, AS CARSON CITY DRINKING WATER AWARENESS WEEK (1-0106) - Public Works Operations Director Tom Hoffert, Water Production Operator Leann Warne - Mr. Hoffert introduced the item and Ms. Warne. Ms. Warne thanked Mr. Hoffert and Environmental Manager Ken Arnold for their support. She introduced her staff and explained the purpose of the educational program. It is provided to elementary school children. The program will be given at Mark Twain and Empire Elementary Schools. The response to the program indicated a desire to have it in all of the elementary schools. Unfortunately, its initial effort had not been programmed to support all of the Carson City elementary schools. She hoped to be able to expand the program in the future. Although the water awareness program is not being given at all of the schools, speakers will be provided for any teacher who requests one. She then described the poster contest. Mayor Masayko complimented staff on the well thought out and ambitious program. It requires a lot of work and effort. He then read the proclamation into the record and presented it to Ms. Warne. He congratulated her and her team on their efforts. He also indicated that the program lasts longer than a week. Supervisor Williamson also commended her on the program. She also pointed out that forecasts indicate this will be another drought year. Water conservation is important. Everyone needs to be aware of the value of this important resource. Mayor Masayko again complimented staff on its undertaking of the innovative program. No formal action was required or taken.

4. BOARD OF SUPERVISORS - NON-ACTION ITEMS

A. INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (1-0218) - Supervisor Williamson reported on the Western Nevada Home Consortium meeting, Healthsmart meetings, Subconservancy meeting, the Redevelopment Authority Citizens Committee meeting, and the Boys and Girls Club of Western Nevada luncheon. She announced plans to have the second annual Great American Weight Loss Program, her plans to help judge the State's Youth of the Year competition for the Boys and Girls Club, and the Comstock Soccer Shootout activities scheduled for this weekend. Supervisor Staub reported that the RTC meeting for April had been cancelled. He summarized the meetings on the Koontz and Silver Sage stop sign issues and the problems created by people driving through the burn area above Moses. A barrier has been installed to stop this activity. He also indicated that he had attended the Boys and Girls Club luncheon and stressed the need to support the Club. He announced his plans to start his vacation tomorrow which will cause him to miss the Community Council on Youth and the Airport Authority meetings. His media reports included the announcements by Mayor Masayko, Supervisor Aldean, and himself of their intent to run for another term in office. He urged others to file for office before May 14. He indicated his intent to file on May 3. He announced his plans to attend the V&T Railroad fundraiser at the Nugget and urged the public to support the Railroad. He then read the media report indicating that Marty Rupert had caught a 17 lb. Cutthroat Trout at Pyramid Lake. Supervisor Livermore reported on the Parks and Recreation Commission meeting including its consideration of an extreme dare program which will be held at Fuji Park in June; the Health-smart meeting including his having been selected as its Chairperson; the Chamber of Commerce

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Manu-facturers Association meeting; and meetings with residents regarding Sierra Pacific Power Company's Fairview substation plans and stressed the need for Sierra Pacific to develop its master plan for the community. He also announced commencement of the annual cleanup week and noted various programs supporting this endeavor including Carson Pride Week. He encouraged the residents to take pride in their community and to make a concerted effort to clean up the community. Mayor Masayko also urged the community to participate in Pride Week. He then announced that tomorrow morning the bridge that the V&T Railroad will use to cross Highway 50 will commence its trip from Las Vegas to Mr. Parker's airstrip. It should arrive at approximately 1 p.m. on Saturday. An unloading ceremony will be held on Monday morning. He also announced the Lions Club breakfast/fundraiser for the Senior Center's Meals On Wheels program. It will be held on Saturday morning. He then reported on his participation in the Children's Museum Jester Jog awards ceremony; the Convention and Visitors Bureau meeting including the belief that the gas prices will not hurt tourism so long as the individual(s) has funds to recreate with when he/she arrives at the destination, the partnering with Virginia City on advertising, and the ability of Douglas County and Dayton to join in this partnership; his involvement with and judging of the recycled art; the CASA candlelight vigil; a TRIAD meeting and the hope that people will turnout for the Senior Celebration on May 25 and will acquire the Senior medical identification bracelets. He urged people to participate in this program which will utilize the Carson Cares ambulance program to track the free medical identification program. He announced CASA's plans to have a dinner/dance at the Pinion Plaza on April 23. He also indicated his intent to register for office on May 3.

B. STAFF COMMENTS AND STATUS REPORTS (1-0700) - City Manager Linda Ritter indicated that the budget will be presented to the Board on April 26 at 5:30 p.m. Mayor Masayko explained that April 26 and 27 and May 3 and 4 have been reserved for presentation of the budget.

5. CONSENT AGENDA (1-0713)

5-1. DISTRICT ATTORNEY - ACTION TO APPROVE AMENDMENT NO. 2 TO THE INTERLOCAL CONTRACT FOR IV-D SERVICES BETWEEN THE STATE OF NEVADA DEPT. OF HUMAN RESOURCES, WELFARE DIVISION, AND THE CARSON CITY DISTRICT ATTORNEY CHILD SUPPORT DIVISION WHICH EXTENDS THE CONTRACT TO DECEMBER 31, 2004, AND OTHER MATTERS PROPERLY RELATED THERETO

5-2. DEVELOPMENT SERVICES - CONTRACTS

A. ACTION TO ACCEPT THE WORK AS COMPLETE AND APPROVE THIS RELEASE OF FINAL PAYMENT ON GOVERNOR'S FIELD IRRIGATION SYSTEM REPLACEMENT PROJECT, CONTRACT NO. 2003-031, AS SUBMITTED BY DEVELOPMENT SERVICES TO CANYON CREEK CONSTRUCTION, P.O. BOX 21270, CARSON CITY, NV 89721, FOR A FINAL PAYMENT AMOUNT OF \$15,227.04 AND ACCEPT THE CONTRACT SUMMARY AS PRESENTED

B. ACTION TO ACCEPT THE WORK AS COMPLETE AND APPROVE THIS RELEASE OF FINAL PAYMENT ON MILLS PARK PARKING LOT PROJECT, CONTRACT NO. 2003-013, AS SUBMITTED BY DEVELOPMENT SERVICES TO GRANITE CONSTRUCTION COMPANY, P.O. BOX 50085, WATSONVILLE, CA 95077-5085, FOR A FINAL PAYMENT AMOUNT OF \$24,154.04 AND ACCEPT THE CONTRACT SUMMARY AS PRESENTED

C. ACTION TO ACCEPT DEVELOPMENT SERVICES RECOMMENDATION AND AWARD THE CEMETERY SHOP FOR LONE MOUNTAIN CEMETERY PROJECT, CONTRACT NO. 2002-075, TO JOHN ERLE DANIELS CONSTRUCTION, NO. 7 RAGLAN

CIRCLE, CARSON CITY, NV 89701, FOR A CONTRACT AMOUNT OF \$139,998 AND A CONTINGENCY AMOUNT OF \$6,002

5-3. PURCHASING AND CONTRACTS - ACTION TO APPROVE THE AWARD OF CONTRACT NO. 0304-086, MECHANICAL FUELS/VEGETATION TREATMENT TO D. J. SIERRA NEVADA EMERGENCY SUPPORT, INC., PURSUANT TO THE PRICES SUBMITTED IN THE ATTACHED BID RESPONSE AS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER PURSUANT TO NRS CHAPTER 332 THROUGH JUNE 30, 2005, WITH THE OPTION TO RENEW FOR THREE (3) ADDITIONAL YEARS SUBJECT TO NEGOTIATION

5-4. HUMAN RESOURCES - ACTION TO RENEW MEDICAL AND PRESCRIPTION PLANS WITH ST. MARYS HEALTHFIRST, DENTAL, LIFE AND AD&D BENEFITS WITH STANDARD INSURANCE COMPANY AND VISION PLAN WITH VSP

5-5. CITY MANAGER - ACTION TO APPOINT ONE MEMBER TO THE SHADE TREE COUNCIL, TERM TO EXPIRE JANUARY 1, 2005 - Mayor Masayko thanked Terrill Ozawa for volunteering to serve on the Shade Tree Council and expressed the Board's willingness to recognize him if he is present. (He was not present.) Discussion noted that the 59 parking spaces in Mills Park adjacent to William Street have been completed and complimented the late Jon Plank, staff, and the design engineer on the project. Comments indicated the belief that the spaces will be well used. Right turning movements are required to access/egress the area. Drivers are not to cross the Highway 50/William Street to reach the parking area. Supervisor Livermore moved to approve the Carson City Board's Consent Agenda which consisted of one item from the District Attorney, three items from Development Services - Contracts, one item from Purchasing and Contracts, one item from Human Resources, and one item from the City Manager as presented with noted recognition of the appointee to the Shade Tree Council as has been identified. Supervisor Staub seconded the motion. Motion carried 4-0.

6. INTERNAL AUDITOR - I. Steve Wolkomir - INTERNAL AUDIT QUARTERLY STATUS REPORT FOR FIRST QUARTER 2004 (1-0761) - City Manager Linda Ritter - Discussion indicated that the Fire Department audit should be presented to the Board the middle or later part of May. Mayor Masayko suggested that Mr. Wolkomir add to his numbering letters A, B, C, etc., for the subparagraphs. They will provide ease in identifying the items rather than numbering all the paragraphs. Facilities Maintenance and Custodial Services Item 5 was felt to have already received some attention by the shifting a position from Custodial Services to Facilities Maintenance. It may not be necessary to add additional staffing to Facilities Maintenance. Mayor Masayko was concerned that the shift had occurred without analyzing the production level and determining that Facilities Maintenance was short-handed. Mr. Wolkomir pointed out that his audit had indicated there was a staffing shortage in Facilities Maintenance. Mayor Masayko explained that it had also indicated that there is a plethora of information regarding the Division and that better bench marks need to be provided to show that management is providing the best service possible. This avoids the use of historical data to prove the need for staff. He also indicated that all "active recommendations" should be closed. Items needing additional resources should be pointed out during the budget process. If the Board does not support the items, they should be closed and not brought back to the Board again. Mr. Wolkomir agreed. Discussion also indicated that items from previous audits could be footnoted until after the budget is approved.

Ms. Ritter indicated that the budget will include some of the audit recommendations. Staff will point them out during the budget review. She also indicated that some items were not included. Mayor Masayko reiterated the intent to have the Board make a budget decision regarding the audit recommendations at that time and for unfunded items to be closed. Discussion pointed out that the budget discussion on the items

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needing funding must include a cost/benefit analysis to justify implementation. Ms. Ritter indicated that her action plan will include milestones for implementation. Unfortunately some of the items have already been pushed back, e.g., the micro computers. A detailed analysis of the audit recommendations may take time to complete. Mayor Masayko indicated that if another quarterly report is “reached”, her action plan should show where work has occurred, the milestones for completion, if these milestones need adjustment, or if it is not possible to complete/perform as recommended. Ms. Ritter agreed.

Mayor Masayko pointed out that formal action is not required on this item. Public comments were solicited but none were given. Mayor Masayko explained that the report is being refined and developed to provide the Board’s work plan and monitoring program. Over time it will produce efficiency and accountability as intended. They are attempting to figure out how to attach values to what is being done. The public needs to know where the savings are or what improvements have been created. No formal action was required or taken.

7. DEVELOPMENT SERVICES - PLANNING AND COMMUNITY DEVELOPMENT - Director Walter Sullivan

A. ACTION TO INTRODUCE ON FIRST READING AN ORDINANCE EFFECTING A CHANGE OF LAND USE FROM MOBILE HOME 12000 (MH12) TO MOBILE HOME 6000 (MH6) ON PROPERTY LOCATED SOUTH OF CARMINE STREET AND APPROXIMATELY 330 FEET EAST OF DORI WAY, CARSON CITY, NEVADA, APN 008-161-19 AND APN 008-161-20, AND OTHER MATTERS PROPERLY RELATED THERETO (1-1282) - Applicant’s Representative Janice Shafer - Mr. Sullivan’s introduction corrected Page 7 of the staff report to indicate that the property to the west of the subject parcel is Mobile Home 6,000 and not Single Family 6,000. Discussion explained the location of the General Commercial property on the south side of the subject parcel. The applicant will have a wall/fence and a 50 foot buffer zone on his side of the General Commercial property. He will also place a deed restriction on the 50-foot buffer to prohibit development in that area. This commitment is included in the application. A subdivision map will be submitted in the future that should include these commitments. Supervisor Livermore disclosed his discussions with a Jan Baldwin regarding her access. Mr. Sullivan explained that the 20-foot wide private access for the parcel is appropriate. Ms. Baldwin’s access issue is a private matter. Development of her parcel will be limited by this 20-foot wide access. It would be possible for her to have a project similar to the applicants on her property. Supervisor Livermore felt that Ms. Baldwin’s access was a prescribed historical easement and that the zone change will be detrimental to her ability to develop her parcel. Mr. Sullivan explained that this is a private issue and that Ms. Baldwin has been meeting with staff and wants to continue to meet with staff regarding her development rights. Discussion indicated that the master plan will consider access, drainage, and development guidelines as well as address the New Empire issues. The private drives in the New Empire area vary from 20 feet to 37 feet in width. The master plan will develop standards for them that will allow future development. Mr. Sullivan also explained that as the property to the west is zoned Mobile Home 6,000, the change of land use is not spot zoning. Supervisor Staub disclosed that he had also met with Ms. Baldwin. Mayor Masayko pointed out the need for Ms. Baldwin to put on the record her concerns. She was not present. He then indicated that it was assumed that she will continue to discuss her options with staff and that she will not lose any rights with the zone change. The proposal moves the Mobile Home 6,000 foot zone further east.

Ms. Shafer described the 20-foot access to the Mobile Home 12,000 area, the access to Ms. Baldwin’s parcel,

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and the location of the utilities. Originally Ms. Baldwin had considered partnering with the applicant. Due to the size of the project/number of homes which would be developed, a second access was required by staff. When a second access route from Highway 50 could not be obtained, Ms. Baldwin removed her parcel(s). Discussion indicated that Ms. Baldwin accesses her property from Highway 50. She does not have an access from Carmine. The Highway 50 access is east of both the freeway and Lompa Lane but west of Benson's Feed. Efforts to obtain an access from either Mr. Blasius or Mr. Benson had been unsuccessful. The proposal does not and will not encroach on the current 20-foot access from Highway 50. Supervisor Livermore reiterated that Ms. Baldwin was not present. He described the location of her property and indicated that she cannot access Carmine. The zone change will not impact her access. Ms. Shafer indicated that she is knowledgeable about the subdivision requirements which will be considered later this summer. Mayor Masayko pointed out the conflict zone. Ms. Shafer explained that they have developed a preliminary map for the site which includes a 50-foot setback, a wall, and landscaping. Mayor Masayko explained that it is better to provide these amenities at the planning stage than after the project is developed. Ms. Shafer indicated that the major project review process allows the developer to learn about City requirements and criteria in the beginning.

Discussion among Mr. Sullivan, Ms. Shafer and Supervisor Livermore explained that development of the parcel will enhance the City utilities in the area. Two fire hydrants are included along the access route. Additional public comments were solicited but none were given.

Supervisor Williamson moved to introduce on first reading AN ORDINANCE EFFECTING A CHANGE OF LAND USE FROM MOBILE HOME 12000, MH12, TO MOBILE HOME 6000, MH6, ON PROPERTY LOCATED SOUTH OF CARMINE STREET AND APPROXIMATELY 330 FEET EAST OF DORI WAY, CARSON CITY, NEVADA, APN 008-161-19 AND APN 008-161-20, ZMA-04-030, to be known as Bill No. 105. Supervisor Livermore seconded the motion. Motion carried 4-0. Mayor Masayko stated for the record that the second reading will occur at the next Board meeting in three weeks.

B. ACTION TO APPROVE AN APPLICATION FOR PUBLIC RIGHT-OF-WAY ABANDONMENT FROM CARSON CITY AIRPORT AUTHORITY AND CARSON CITY PLANNING AND COMMUNITY DEVELOPMENT DIVISION (PROPERTY OWNER: CARSON CITY) TO ABANDON A PUBLIC 60 FOOT RIGHT-OF-WAY KNOWN AS BELL DRIVE, APPROXIMATELY 200 FEET IN LENGTH, LOCATED SOUTH OF LOCKHEED WAY, EAST OF RYAN WAY, AND WEST OF CONVAIR DRIVE, APN 008-406-15 (AB-04-039) (1-1678) - Airport Authority Counsellor Steve Tackes - The abandonment is not to be recorded until after Mr. Tackes approves the final documents. The right-of-way will revert to the adjacent property owners. The authority has worked with Wyman-Gordon, one of the adjacent property owners, to assure that it will have access over the 35 feet of remaining right-of-way without impacting Wyman-Gordon's property taxes or maintenance requirements. Wyman-Gordon has agreed to relinquish the property to the Authority. The proposal reduces a 60-foot right-of-way to 35 feet. The Authority supported the abandonment by the City. It returns the 35 feet to the Airport Authority. It will be maintained by the Authority. The 25 feet will be abandoned on the west side and enhance the private property. The proposal merely changes the legal status of the area. Public comments were solicited but none were given. Supervisor Staub moved to approve an application for public right-of-way abandonment from Carson City Airport Authority and Carson City Planning and Community Development Division, property owner: Carson City, to abandon a public 60-foot right-of-way known as Bell Drive, approximately 200 feet in length, located south of Lockheed Way, east of Ryan Way and west of Convaire Drive, APN 008-406-15,

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AB-04-039; no fiscal impact. Supervisor Livermore seconded the motion. Motion carried 4-0.

RECESS: A recess was declared at 10:15 a.m. Mayor Masayko reconvened the meeting at 10:25 a.m. A quorum of the Board was present although Supervisor Aldean was absent.

C. ACTION REGARDING AN APPEAL OF THE PLANNING COMMISSION'S DECISION THAT DENIED A SPECIAL USE PERMIT APPLICATION FROM MATT ROGERS (PROPERTY OWNER: WILLIAM KUGLER) TO ALLOW THE INSTALLATION OF A BILLBOARD (OFF-PREMISE SIGN) ON PROPERTY SPLIT ZONED GENERAL COMMERCIAL (GC) AND MOBILE HOME 6,000 (MH6) LOCATED AT 3700 HIGHWAY 50 EAST, APN 008-271-04 (FILE SUP-04-031) (1-1815) - Principal Planner Lee Plemel, Chief Deputy District Attorney Mark Forsberg, Applicant's Attorney John Griffin, Matt Rogers - Mayor Masayko disclosed his discussion with Applicant's Attorney Steve Tackes during which he had indicated to Mr. Tackes that only four Board members would be present during this meeting. Supervisors Staub and Livermore disclosed that they had held discussions with Mr. Griffin regarding the item. Supervisor Williamson indicated that she did not have a disclosure to make. Mr. Plemel's introduction included reference to the "draft" Commission minutes on the application which had been given to the Board this morning. (Copies had also been sent via email to the Board.) Mr. Plemel also noted staff's recommendation of approval and the modification to Condition 16.

Mr. Forsberg explained the issues which the Board should consider—the sign development standards and the special use permit findings. If the Board feels that the sign is an improper size, the wrong location, or has improper light, it must deny the application. If it fails to meet the necessary findings for the special use permit, the Board can deny the application. The applicant is responsible for proving that the application complies with all of the necessary findings in order for the Board to approve the request. The use must be consistent with the master plan and not detrimental to the public's health, welfare, and safety. The Planning Commission felt that the applicant had failed to show that the proposed billboard would not be detrimental. Discussion also explained the term "substantial" and the amount of evidence required to be found "substantial". It was pointed out that if the findings are based on opinion, a request could be made of the court to review the decision. It was also pointed out that the design codes were developed as an attempt to provide a compromise between uses and potential impacts to others. As a result of the billboard ordinance, several original signs in use when the ordinance was adopted have been removed. Reasons for removal and replacement of the sign at Bully's/Albertson's were explained. Mayor Masayko pointed out that the Board had upheld the Planning Commission's denial of a billboard application on the south side of Highway 50 East based on the evidence that was presented. Mr. Sullivan indicated that two recent billboard applications were approved and the one that Mayor Masayko had referenced was denied.

Mr. Griffin opined his belief that the special use permit findings and the billboard requirements should be read together. He alleged a lack of evidence and discussion indicating the special use permit findings were not met at the Commission meeting. Commission statements had indicated a dislike for billboards. These comments are not supported by either the evidence or the billboard ordinance. Billboards are allowed as reasonable commercial speech. It is a "reasonably designed" sign without flaws. The catwalk and ladders are inside it. It will not create visible negative aesthetics. The Commission had allegedly agreed that the special use permit findings had been met. Staff had recommended approval and believed that the findings were met. He asked that the Board overturn the Commission's decision.

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Mayor Masayko noted for the record that included in the staff report is the denial that done in specific language labeled “b” and “c”. They read: “b. The proposed billboard would be detrimental to the economic value of surrounding properties or the general neighborhood.” Enhance is a term which is part of the master plan. “c. The proposed billboard would adversely impact vehicular traffic by providing a visual distraction to motorists with a sign out of proportion to surrounding signs.” In a general sense, these are the two issues from Title 18 which the Commission had invoked for the denial.

Supervisor Livermore requested that the record indicate his surprise at learning that there are special use permit requirements for signs and billboards but not on power substations. He thanked Mr. Plemel for the Minutes and noted his difficulty in obtaining the emailed copy of the Minutes. He felt that Mr. Loye’s property value concerns should have received more consideration. Discussion corrected the spelling of Mr. Loye’s name in the Planning Commission Minutes. Mr. Loye is the adjacent property owner.

Mr. Rogers explained his background, the family’s business, the reasons they were attempting to do a sign in Carson City, and their type of clientele. The sign will be used by a local Carson City business. Its strategic placement as the last sign before the freeway was noted. It will direct people to the downtown area and encourage them to stay in Carson City rather than go to Reno or Douglas County. The family business is a California corporation and is licensed to do business in Nevada. An illustration of the sign was not included in the Board’s packet and had not been given to the Commission. He explained that this is not the first sign his family has done. They spend \$2,000 to tuck the hardware behind the signs. In the proposed setting there is an 18-foot wall that will frame the sign and hide the hardware. The lighting creates the least amount of infrared lighting. It lights specific areas of the sign. It will not be like stadium lighting. He is concerned about his neighbors and does not want to impact them. Mr. Loye’s concerns were purported to have related to the ability to have another sign in the future on his property. Mr. Roger’s contact with Mr. Loye indicated he was satisfied with the proposed lighting as it will provide additional security for his property. The lighting will not be a beacon that will distract drivers and cause accidents. Mr. Rogers then described the proposed location of the sign at the western edge of the property. It will set back from the street. It will not impact the public right-of-way. Mayor Masayko explained his concerns with a previous billboard and its catwalk, its lighting, and aesthetics. Mr. Rogers indicated that he treats each sign separately. His name and reputation are on it. Mayor Masayko voiced his opposition to upward lighting on the sign. Mr. Rogers indicated that if the Board wants it, he will place the lights at the top of the sign. The plan at this time is for the lights to be at the bottom of the sign. Mr. Sullivan read Condition 13 on Page 13 which requires the lighting to be directed downward and shielded so as to not project light and/or glare onto adjacent properties or rights-of-way. The detailed lighting plans will be submitted with the Building Permit Application. Mayor Masayko expressed his belief that the Condition prohibited Mr. Rogers’ use of upward facing lighting. Otherwise, he would have to prove that it will not create light pollution. Mr. Rogers stipulated to working with Planning and doing whatever is desired. He also indicated, although it is not normal to do so, that he would provide additional landscaping along the front of the property and improve the curbing. He felt that the landscaping improvements enhance his ability to sell the advertising. He will be responsible for maintaining the landscaping. Public comments were solicited but none were given. Mr. Rogers presented a large colored photograph of a similar sign outside Manteca, California, to the Board and Clerk. (A copy is in the file.) (1-2675) He described the sign. He represented that the sign will extend 20 feet in both directions from the center support pole. It was also noted that he had indicated on the record that the lighting would be placed at the top of the sign and not create an impact on the night sky.

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Discussion between Mayor Masayko and Mr. Plemel indicated that Mr. Loye may need a special use permit for his sign. It also indicated that nothing the Board does regarding Mr. Rogers' sign will impact Mr. Loye's rights. Mr. Plemel indicated that he had made a similar representation on the record at the Commission meeting. If the sign is less than 20 feet, Mr. Loye may not need a special use permit. Mayor Masayko also pointed that Mr. Rogers has not dealt with Washoe County and that there are differences in their policies and procedures. Mayor Masayko pointed out to staff the need to begin to address the freeway and the ability to have billboards and signs along it.

Mr. Forsberg pointed out the 1,000 foot distance restriction on billboards. Mr. Rogers expressed his belief that there is only one viable location left in the City for a billboard. Supervisor Livermore felt that the restriction on signage needed to be pointed out. He stressed the need to advertise local businesses to attract tourists and keep locals shopping in the community. This finding had not been included in the Commission's deliberations. He felt that this is a significant finding which supported the special use permit application. Mr. Rogers indicated that his discussions with downtown businesspersons has indicated this is a major concern for them. He also felt that their concerns will be expanded when the southern portion of the freeway is constructed. He pointed that he is on record that the sign will be used by local businesses. It will not be used for Reno advertising. Public comments were again solicited but none were given.

Supervisor Livermore moved to reverse the Planning Commission's decision to deny SUP-04-031 and approve the Special Use Permit request from Matt Rogers, property owner: William Kugler, to allow the placement of a billboard on property split-zoned General Commercial and Mobile Home 6,000, located at 3700 Highway 50 East, APN 008-271-04, based on seven findings and subject to the conditions of approval contained in the Planning Commission staff report dated March 31, 2004, with the modifications to condition of approval number 16 as noted in the record and also with his comments on local businesses and the lighting in relationship to the Code that Mr. Sullivan read to the Board. Supervisor Staub seconded the motion. Supervisor Williamson indicated her intent to support the motion due to the representations that it may be one of the last ones to be created, the landscaping improvements, and the location. It is not an indication that she likes billboards as she does not. She also expressed her intent to work with Mr. Rogers and welcomed him to the area. Supervisor Staub indicated his intent to support the motion as the application meets the legal requirements. The need to uphold the legal requirements regardless of his like or dislike for billboards was explained. Mayor Masayko indicated that he could neither find nor support the "legalese" in Title 18 that it will be detrimental to the economic value of surrounding properties or create an adverse visual impact on drivers. The project is reasonable and complies with the requirements in Title 16. It is part of commerce. If a better way to advertise than billboards is found, he would support it. This technology is not available now. Billboard advertising is used to attract people to the advertised business. Everyone knows that Carson City is economically dependent on business activity. Billboards are part of this connection. The motion was voted and carried 4-0. Mayor Masayko then indicated for the record that the Planning Commission's decision was reversed. The Board had granted a special use permit for the 3700 Highway 50 East sign with comments from Mr. Rogers also on the record.

8. CITY MANAGER - Linda Ritter - ACTION TO ADOPT A RESOLUTION ESTABLISHING A BALLOT QUESTION TO PLACE AN ADVISORY QUESTION ON THE 2004 NOVEMBER GENERAL ELECTION TO SEEK PUBLIC SUPPORT TO URGE THE NEVADA LEGISLATURE TO CEASE THE PRACTICE OF CREATING OR SHIFTING PROGRAMS WITHOUT PROVIDING FUNDING AND TO PREVENT THE TAKING OF REVENUE FUNDING OF CURRENT

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COUNTY PROGRAMS TO SUPPORT STATE PROGRAMS (1-3075) - Supervisor Williamson explained that the Legislature has ignored the 1992 Question 8 requiring the Legislature to address unfunded mandates. The resolution is another attempt to remind them to fund their bills and is submitted as a result of last year's efforts on the retirement health benefits plus a myriad of other issues. The NACO members have committed to submitting the ballot question to their constituents. They hope to get the Legislature's attention and acknowledgement that new programs cost money. Funding sources should be identified and should not be shifted to other budget areas. Mayor Masayko supported the need to address this issue as well as the Federal impacts. He also expressed his belief that the effort is futile. Financial backing to get an initiative on the ballot is needed. It will then create a constitutional amendment that will force the change. Advisory questions and routinely exempted legislation have little impact. He understood the intent but believed that the effort was futile. He also questioned whether it would be possible to find individuals to write the pros and cons of the question. During his earlier discussions with Supervisor Williamson, she had allegedly committed to finding someone to complete the process in a timely manner. She purportedly had felt that the initiative petition had failed due to the lack of adequate time to complete the process. Mayor Masayko felt that eventually the Nevada residents will make a constitutional decision regarding the issue. Supervisor Williamson moved to adopt Resolution No. 2004-R-9, A RESOLUTION ESTABLISHING A BALLOT QUESTION TO PLACE AN ADVISORY QUESTION ON THE 2004 NOVEMBER GENERAL ELECTION TO SEEK PUBLIC SUPPORT TO URGE THE NEVADA LEGISLATURE TO CEASE THE PRACTICE OF CREATING OR SHIFTING PROGRAMS WITHOUT PROVIDING FUNDING AND TO PREVENT THE TAKING OF REVENUE FUNDING OF CURRENT COUNTY PROGRAMS TO SUPPORT STATE PROGRAMS. Supervisor Livermore seconded the motion. Motion carried 4-0.

OTHER MATTERS (1-3270) - Discussion indicated that Resolution 2004-R-9 will become CC-2 on the ballot. CC-1 is a proposal to use 1/8th of a cent sales tax for storm drainage.

Mayor Masayko then pointed out that Item 9 is agenized for a presentation but the board request form indicates action will be taken. He did not believe that the Board would be able to act on the items as agenized. Ms. Ritter indicated that action would be taken on April 26. It would not be necessary for the individuals to be present at that meeting.

RECESS: A recess was declared at 11:27 a.m. Board members Masayko, Williamson, Livermore and Staub were present when Mayor Masayko reconvened the meeting at 6 p.m. A quorum of the Board was present although Supervisor Aldean was absent. Staff members present included City Manager Ritter, Sheriff Furlong, City Manager's Administrative Assistant Teixeira, and Recording Secretary McLaughlin.

9. CITY MANAGER -Linda Ritter - PRESENTATION OF APPLICATIONS FOR ANNUAL FUNDING OF CARSON CITY COMMUNITY SUPPORT SERVICES GRANT ALLOCATIONS FOR FISCAL YEAR 2004-2005 (2-0007) - Administrative Assistant Liz Teixeira - Mayor Masayko convened the meeting by explaining its purpose. He directed that the record show that there were four Board Members present. Supervisor Aldean was on vacation and out of town. Only presentations will be made this evening. No action will be taken as it had not been agenized for action. He asked that the presentations be brief and held to a five minute timeframe. The Board appreciates the services the organizations provide for Carson City's health and welfare. He also indicated for the record that the 2003-04 fiscal year had been tough for all. The Departments and Community Service organizations were asked to make a three percent across the broad cut in their budgets. There is \$196,000 in the tentative budget which the Board could use to restore

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these budgets to the 2002-03 level. The previous policy was for the Board to use \$100,000 in one shots funds for Community Support Organizations. The budget hearings are scheduled for April 26 and 27. Ms. Ritter hoped that all of the presentations will be made on April 26 with a final decision being made on the Community Support Services on April 27.

Ms. Teixeira explained that a variety of reports were submitted by the different organizations. In the future they plan to be stricter on the type of documentation that is submitted. The guidelines require an accounting for the funding before the City releases the monies. She had included in the Board's documentation indications of what was and was not received. Mayor Masayko explained his desire to have adequate documentation to show how the funds were used, the percentage of the funds that the City's funds had provided, and where the other funding was spent. Ms. Teixeira explained the questionnaire which requested information from the organizations regarding the project, the portion being asked of Carson City, and how it benefits the community. Mayor Masayko explained his desire to see the total funding for the organization as well. He also noted that neither the Brewery Arts Center nor the Nevada Day Committee had submitted formal requests. Ms. Teixeira explained that any organization that had been funded by the Board in the past had received a packet. An ad had been run in the Appeal soliciting requests. The deadline was clearly indicated. She worked with the organizations to get the information. She had been surprised that neither the Brewery nor the Nevada Day Committee had submitted an application. They both have new leaders. Mayor Masayko indicated that the Board will make a decision on April 27. He also wanted to be fair to the applicants who had submitted their requests in a timely fashion. The need for an application was limned.

Following discussion on a question regarding whether the organizations had provided services to other communities, Supervisor Staub requested that the applicants provide information regarding whether services are provided to individuals who do not live in Carson City, statistics showing the percentage of clients who are and are not Carson City residents, and whether funding is sought from the communities where the individuals reside. Mayor Masayko suggested that he ask each organization these questions. If the representative is unable to respond, he/she should submit the information in writing before April 25.

A. CASA (2-0185) - Executive Director Chris Bayer, Board President Frank Davin; **B. OARC (2-0321)** - Executive Director Mary Winkler; **C. HOME HEALTH SERVICES OF NEVADA (2-0437)** - Mayor Ray Masayko; **D. COMMUNITY COUNSELING CENTER (2-0450)** - Executive Director Mary Bryan; **E. COMMUNITY COUNSEL ON YOUTH (1-2-0651)** - Chairperson John Simms, Executive Director Pauline Kiser, Nevada Urban Indians Executive Director Janet Reeves; **F. RETIRED SENIOR VOLUNTEER PROGRAM (2-0875)** - Executive Director Janice Ayers; **G. ADVOCATES TO END DOMESTIC VIOLENCE (2-1208)** - Executive Director Lisa Lee; **H. NEVADA HISPANIC SERVICES (2-1390)** - Executive Director Raquel Knecht; **I. NEVADA TAHOE CONSERVATION DISTRICT (2-1561)** - Environmental Monitoring Program Coordinator Chad Pro, District Manager Jason Drew; **J. CARSON VALLEY CONSERVATION DISTRICT (2-1652)** - Supervisor Robin Williamson; **K. CAPITAL CITY ALANO CLUB (2-1682)**; **L. GARDENERS RECLAIMING OUR WAYSIDES (2-1690)** - Director Mary Fischer; **M. VOLUNTEER ATTORNEYS FOR RURAL NEVADANS (2-1930)** - Odessa Ramirez; **N. CAPITAL CITY HUMANE SOCIETY (2-2223)**; **O. CARSON CITY LIBRARY FOUNDATION (2-2227)**; **P. EAGLE VALLEY GOLF COURSE (2-2231)** - Jean Bondiatt; **Q. COMMUNITY DEBRIEFING CRISIS NETWORK (2-2355)** - Coordinator Jim Kiernan; **R. HEALTHSMART (2-2643)** - Executive Director Maryellen Waltz; **S. SALVATION ARMY**; **T. BREWERY ARTS CENTER**; **AND U. NEVADA DAY, LTD.** - Mayor Masayko thanked each for coming

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and for their services. The Representatives briefly described/discussed their purposes, program/services, budgets, and/or funding requests. Organizational supporters were also introduced/acknowledged. Mr. Bayer explained the loss of Tobacco Funds which had increased their funding request. They are not funded by the courts. A \$25,000 gift of stock generates some interest which is used by the organization. The hope is that the stock does not have to be sold to support the effort. Increased insurance costs were noted by a majority of the organizations. Ms. Bryant indicated that she would provide additional information regarding the reason the new facility had increased the budget by \$43,000, whether they had lost grant funds, the statistics on the resident/nonresident usage, and the adolescent and Community Counsel on Youth program figures. Alternative Sentencing's support of the Agency was noted including its assistance with fee collections. Their involvement with the drug court had caused them to lose money, however, it is hoped that next year's program will breakeven. Supervisor Livermore thanked her for her involvement with the mental health coalition. Ms. Bryan invited the Board to tour the facilities. Supervisor Staub disclosed that he is the Board's liaison to the Community Counsel on Youth. The Nevada Urban Indians' program was described. Supervisor Staub reiterated that the funds are only spent on Carson City residents. Mayor Masayko disclosed that he had served on the Retired Senior Volunteer Program Advisory Program Council. He had missed several meetings due to a conflict in his schedule but hoped to return shortly. Ms. Ayres indicated they have asked the Hospital for funding on an annual basis without success. She described their work with the Hospital Auxiliary on the Lifeline program. Discussion also explained the possibility that a State grant may fund the pro bono attorney program. Supervisor Livermore suggested that Ms. Ayres approach the Hospital's Community Outsourcing and Contribution Committee for support. Mayor Masayko complimented the Advocates to End Domestic Violence on the report. Ms. Lee announced that the "Taste of Downtown" is scheduled for June 19 and that tickets will go on sale on June 2. Supervisor Staub explained his reasons for asking for statistical data regarding the number of resident/nonresident usage and support. The shelter in Douglas County was noted. Mayor Masayko requested more detailed information on the Nevada Hispanic Services clientele. Ms. Knecht indicated that funding requests are made of jurisdictions whose residents use the Carson City services. Discussion pointed out that Chris Freeman's term on the Nevada Tahoe Conservation District Board expires in November. Supervisor Williamson disclosed her letter of support for GROW's application for grants. Ms. Fischer explained the intent to seek grants and funding from various sources for the actual landscaping improvements. She stressed the need for the City to make this a top freeway priority so that GROW will be able to obtain NDOT/FHWA funding. The funding request was for professional services to develop the drawings necessary to apply for these funds. Ms. Ramirez indicated that funding from other jurisdictions has been requested. Federal grants provide a majority of their funds. Clarification indicated that funding has not yet been requested from Douglas and Lyon Counties. Supervisor Staub encouraged her to seek funds from these Counties. Discussion explained the legislation that had enabled the organization to receive a portion of the court administrative fees for domestic violence. Negotiations are now discussing these funds and the potential funding of her agency. Discussion then explained the "self-help divorce program". Mayor Masayko explained his concern that this program may be raising individuals' expectations and failing to assist when help is needed. Ms. Teixeira explained the reason funding was not provided last year. Capital City Humane Society and the Carson City Library Foundation did not have a representative present. The need and justification for two defibrillators for the Eagle Valley Golf Course were discussed in depth. Discussion also explained that the Community Debriefing Crisis Network is in the process of obtaining a nonprofit status and is currently under the Hospital's volunteer services umbrella. Its training is provided by a national organization. It is an international organization. Supervisor Livermore disclosed that he is the new Chairperson of HealthSmart. Supervisor Williamson disclosed that she is also on its Board. Supervisor Livermore described Ms. Waltz' appointment as director.

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He felt that the merger of HealthSmart and the Mental Health Coalition had reduced personnel costs and provides a better focus on body, mind, and spirit issues. Discussion also indicated that the Salvation Army, Brewery Arts Center, and the Nevada Day Committee should submit funding requests if they want funds. Ms. Teixeira reiterated the effort to obtain applications and described how the listing is prepared. The applicants are provided with this listing and advised when to be present.

During the discussions Mayor Masayko indicated a desire to provide \$10,000 for the Community Counsel On Youth transportation program and suggested that Supervisor Staub research whether the RTC/MPO's federal transit funds could be used for this purpose. Supervisor Staub agreed to discuss the concept at their meetings. Mayor Masayko suggested that the Eagle Valley Golf Course submit an application for the defibrillators to the Hospital. Mayor Masayko suggested that the Community Debriefing Crisis Network seek

funding from Homeland Security. Mayor Masayko felt that HealthSmart's funding request should be considered by the County Board of Health.

RECESS: A recess was declared at 7:31 p.m. A quorum of the Board was present when Mayor Masayko reconvened the meeting at 7:37 p.m. Supervisor Aldean was absent as indicated.

There being no other matters for consideration, Supervisor Staub moved to adjourn. Supervisors Livermore and Williamson seconded the motion. Motion carried 4-0. Mayor Masayko adjourned the meeting at 8:37 p.m.

The Minutes of the April 15, 2004, Carson City Board of Supervisors meeting

ARE SO APPROVED ON June 17, 2004.

/s/
Ray Masayko, Mayor

ATTEST:

/s/
Alan Glover, Clerk-Recorder