

CARSON CITY BOARD OF SUPERVISORS
Minutes of the August 20, 1998, Meeting
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A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, August 20, 1998, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 9 a.m.

PRESENT: Ray Masayko Mayor
 Tom Tatro Supervisor, Ward 3
 Greg Smith Supervisor, Ward 1
 Jon Plank Supervisor, Ward 2
 Kay Bennett Supervisor, Ward 4

STAFF PRESENT: John Berkich City Manager
 Al Kramer Treasurer
 Dan St. John Deputy City Manager
 Steve Kastens Parks and Recreation Director
 John Iratcabal Purchasing Director
 Paul Lipparelli Chief Deputy District Attorney
 Larry Nair Facilities Superintendent
 Katherine McLaughlin Recording Secretary
 Fran Smith Recording Secretary
 (B.O.S. 8/20/98 Tape 1-0001)

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

CALL TO ORDER, ROLL CALL, INVOCATION, AND PLEDGE OF ALLEGIANCE - Mayor Masayko convened the meeting at 9:10 a.m. Roll call was taken. The entire Board was present, constituting a quorum. Rev. Lisa Shelby of the First Presbyterian Church gave the Invocation. Mayor Masayko lead the Pledge of Allegiance.

CITIZEN COMMENTS (1-0028) - None.

1. APPROVAL OF MINUTES - 5/21/98 Regular Session and 5/19/98 Special Session (1-0031) - Supervisor Plank moved to approve the Carson City Board of Supervisors Minutes for May 21, 1998, and May 19, 1998. Supervisor Smith seconded the motion. Motion carried 5-0.

2. SPECIAL PRESENTATIONS - DISCUSSION WITH UNITED STATES SENATOR RICHARD H. BRYAN ON ISSUES OF INTEREST TO THE CITIZENS OF CARSON CITY (1-0045) - Following Mayor Masayko's welcome and introduction, Senator Bryan explained the Bypass funding which was included in the Transportation Bill, the Southern Nevada Public Lands Bill, and the Internet Tax Bill. He then responded to questions about the land exchange bill, the internet bill and its failure to address catalog sales, and expanded on his previous comments. (1-0348) Supervisor Bennett thanked him for his support for Lake Tahoe and reminded him of the pending Highway 28 improvements grant application for ISTEAs funds. She also thanked Tom Baker for his involvement with the Healthy Communities Initiative. She expressed her optimism for the future of the Carson River Subconservancy and questioned Senator Bryan about future health care issues and the Federal deficit. Senator Bryan encouraged her to maintain the local grass roots support for Lake Tahoe and pointed out the benefit it had provided in obtaining Federal support. It will take a long time to complete the program but the private support indicates it will occur. He also commended the community on its efforts along the Carson River. Next year the River can be judged and a report card provided indicating how the effort is progressing. He then explained the health care entitlement issues, the funding concern, and reasons for modifying the program. Supervisor Bennett encouraged him to support the Healthy Initiatives Programs. Senator Bryan explained a

Federal juvenile health program and elaborated on the Internet Tax Bill for Lawrence Patterson. Senator Bryan then invited the public to participate in the town hall meeting at the Senior Center at 7 p.m. this evening. Mayor Masayko thanked him for his attendance and comments. Senator Bryan briefly described his history in Carson City and commended the community on its redevelopment efforts. Mayor Masayko encouraged him to take the tour.

3. CONSENT AGENDA

A. TREASURER'S REPORT - ACTION ON TREASURER'S REPORT FOR THE MONTH OF JULY 1998

B. PARKS AND RECREATION DIRECTOR

i. ACTION ON RESOLUTION APPROVING AN APPLICATION FOR A NATIONAL RECREATIONAL TRAILS PROGRAM GRANT FROM THE NEVADA DIVISION OF STATE PARKS FOR THE MEXICAN DITCH TRAIL PROJECT FROM EAST FIFTH STREET TO HELLS BELLS ROAD

ii. ACTION ON RESOLUTION APPROVING AN APPLICATION FOR A NATIONAL RECREATIONAL TRAILS PROGRAM GRANT FROM THE NEVADA DIVISION OF STATE PARKS FOR PHASE II OF THE LINEAR PARK BIKE PATH IMPROVEMENTS FROM SALIMAN ROAD TO THE U.S. 395 BYPASS RIGHT-OF-WAY

C. PURCHASING DIRECTOR

i. ACTION ON CONTRACT NO. 9899-023 - TIMBERLINE WATER TANK INTERIOR AND EXTERIOR RE-PAINT

ii. ACTION ON CONTRACT NO. 9899-029 - VEHICLE REPLACEMENT PROGRAM, SHERIFF'S OFFICE FOUR DOOR SEDAN, AWARD

iii. ACTION ON CONTRACT NO. 112 - PUBLIC SAFETY COMPLEX FINAL DESIGN, AMENDMENT NO. 2

iv. ACTION ON CONTRACT NO. 9899-047 - JUVENILE DETENTION HVAC UNIT EMERGENCY PURCHASE

v. ACTION ON CONTRACT NO. 9899-053 - REQUEST FOR CONTRACT APPROVAL TO PURCHASE S.C.B.A. FOR THE FIRE DEPARTMENT

vi. ACTION ON CONTRACT NO. 9899-58 - NORTHGATE OFFICE FURNITURE, JOINDER CONTRACT (1-0707) - None of the items were pulled for discussion. Supervisor Tatro moved to approve the Consent Agenda as presented with the inclusion of Resolution No. 1998-R-56, Action on a Resolution approving an application for a National Recreational Trails Program Grant from the Nevada Division of State Parks and Resolution No. 1998-R-57, Action on a Resolution approving an application for a National Recreational Trails Program Grant from the Nevada Division of State Parks for Phase II of the Linear Park Bike Path improvements. Supervisor Plank seconded the motion. Motion carried 5-0.

4. BOARD OF SUPERVISORS (1-0732)

A. ACTION ON A RESOLUTION DECLARING "HALLOWEEN" ACTIVITIES ON FRIDAY, OCTOBER 30, 1998, AND "NEVADA DAY" ACTIVITIES ON SATURDAY, OCTOBER 31, 1998 - Supervisor Bennett moved to adopt Resolution No. 1998-R-58, A RESOLUTION DECLARING "HALLOWEEN" ACTIVITIES ON FRIDAY, OCTOBER 30, 1998, AND "NEVADA DAY" ACTIVITIES ON SATURDAY, OCTOBER 31, 1998. Supervisor Tatro seconded the motion. Motion carried 5-0.

B. SUPERVISOR BENNETT - ACTION TO APPOINT ROB JOINER AS CARSON CITY'S REPRESENTATIVE TO THE TAHOE REGIONAL PLANNING AGENCY GOVERNING BOARD MEETING ON AUGUST 26, 1998 (1-0755) - Supervisor Bennett moved to appoint Rob Joiner to the Tahoe Regional Planning Agency for the August 26 meeting. Supervisor Plank seconded the motion. Motion carried 5-0.

C. NON-ACTION ITEMS - INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (1-0780) - Supervisor Plank reported on a meeting about the parking and traffic issues at and around the former convalescent center on Highway 50, a consolidated transportation meeting, the August 17th RTC meeting, the Senior Center Advisory Committee meeting, a Parks and Recreation Commission meeting, a proposed meeting with the Western Nevada Development District about the Home Consortium, the City's depletion of its funding for the City's housing program(s) and its application for another \$50,000 from the Consortium. Supervisor Smith reported on the postponement of the Subconservancy District's August meeting; the RTC meeting and its decision on the Ormsby Boulevard extension; his disappointment in the public perception that a developer who now lives along the road is forcing construction of the road, specifically, as the road had been on the master plan for more than 20 years and had been debated annually for several years; and the status of Graves Lane and the Fifth and Edmonds stop light. (1-0987) Supervisor Bennett encouraged Supervisor Smith to develop a quarterly press release on street projects. Supervisor Bennett announced a meeting tomorrow between Kevin Walsh, the City, CRAC and BLM representatives on an "adopt a trail" program. The public was urged to attend. Supervisor Tatro did not have a report. Mayor Masayko explained an informal meeting with Legislative members and asked that if any of the Supervisors wish to attend these meetings to let Mr. Berkich know. He then described the air conditioning problem encountered in the Capital City Conference Room and reported on the Redevelopment Authority Citizens Committee meeting, the Committee's desire to expand its role in Redevelopment activities, the Statewide Transportation Technical Advisory Committee meeting, a City internet program, and expanded on Kevin Walsh's "adopt a trail" program. The public was urged to attend an August 26 "kick off" meeting at 7 p.m. in the Capital Conference Room.

D. STAFF COMMENTS AND STATUS REPORTS (1-1210) - Mr. Berkich announced the Bypass special hearing scheduled for Wednesday, August 26th, at 4 p.m. in the Sierra Room. He then introduced Finance Director David Heath, and commended the Fire Department and other Departments on their work on the "C" Hill fire. Mayor Masayko also commented Fire Chief Buckley and Assistant Chief Mihelic for their participation in the United Way "Kick Off" Rally. Supervisor Bennett commended the Fire Departments on their "C hill efforts.

A. TREASURER - Al Kramer

A. ACTION ON A RESOLUTION AUTHORIZING THE CITY MANAGER TO ARRANGE THE SALE OF THE CARSON CITY, NEVADA, GENERAL OBLIGATION (LIMITED TAX) BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES); AND PROVIDING OTHER DETAILS IN CONNECTION THEREWITH (1-1261) - Deferred to the September 3 due to technical problems.

B. ORDINANCE - FIRST READING - ACTION ON AN ORDINANCE AMENDING CHAPTER 12.03 (SEWER CONNECTION CHARGES AND USE RATES) ADDING SECTION 12.03.055 (DELINQUENT CHARGES AS LIENS) AUTHORIZING THE COLLECTION OF DELINQUENT SEWER CHARGES AS LIENS AGAINST THE REAL PROPERTY AND OTHER MATTERS PROPERLY RELATED THERETO (1-1264) - Discussion indicated that water service is turned off when those bills are overly delinquent. Public comments were solicited but none given. Supervisor Plank moved to introduce Bill No. 122, AN ORDINANCE AMENDING CHAPTER 12.03 (SEWER CONNECTION CHARGES AND USE RATES) ADDING SECTION 12.03.055 (DELINQUENT CHARGES AS LIENS) AUTHORIZING THE COLLECTION OF DELINQUENT SEWER CHARGES AS LIENS AGAINST THE REAL PROPERTY AND OTHER MATTERS PROPERLY RELATED THERETO, fiscal impact is not very much. Supervisor Bennett seconded the motion. Motion carried 5-0.

6. CARSON-TAHOE HOSPITAL - Property Manager Maureen Cook - ACTION ON A LEASE AGREEMENT BETWEEN CARSON-TAHOE HOSPITAL AND C & S ENTERPRISES FOR THE PROPERTY LOCATED AT 444 WEST WASHINGTON STREET, CARSON CITY, NEVADA (1-1332) - Mr. Lipparelli indicated that he had reviewed the document. Supervisor Bennett moved that the Board of Supervisors approve the lease agreement between Carson-Tahoe Hospital and C & S Enterprises for the property

at 444 West Washington Street, Carson City, Nevada. Supervisor Plank seconded the motion. Motion carried 5-0.

7. PUBLIC WORKS DEPARTMENT - Deputy Public Works Director Tim Homann - ORDINANCES - FIRST READING

A. ACTION ON AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND JABA, LLC, RELATED TO THE DEVELOPMENT OF ASSESSOR'S PARCEL NO.S 09-071-74, 09-071-75, 04-012-03 AND 04-012-20, LOCATED ON SOUTH ROOP STREET SOUTH OF LITTLE LANE IN CARSON CITY, NEVADA; AND, B. ACTION ON AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND I. R. ANDERSON, RELATED TO THE DEVELOPMENT OF ASSESSOR'S PARCEL NO. 09-071-74 LOCATED ON SOUTH ROOP STREET AT LITTLE LANE IN CARSON CITY, NEVADA (1-1375) - Developer's Representative Jack Randall - Discussion indicated that RTC had reviewed the agreements. Comments expressed concern about the lack of knowledge related to when Mr. Anderson would be developing his parcel; the need to consider a similar cost sharing program on several parcels along South Curry Street; and explained the drainage system; the linear ditch; the project's impact on the mobile home park to the east; the project's drainage plan; its linear ditch improvements; and the advantages offered by the development agreements. Supervisor Smith moved to introduce on first reading Bill No. 123, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND JABA, LLC, RELATED TO THE DEVELOPMENT OF ASSESSOR'S PARCEL NO.S 09-071-74, 09-071-75, 04-012-03 AND 04-012-20, LOCATED ON SOUTH ROOP STREET SOUTH OF LITTLE LANE IN CARSON CITY, NEVADA. Supervisor Tatro seconded the motion. Motion carried 5-0.

Supervisor Tatro moved to introduce on first reading Bill No. 124, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND I. R. ANDERSON, RELATED TO THE DEVELOPMENT OF ASSESSOR'S PARCEL NO. 09-071-74 LOCATED ON SOUTH ROOP STREET AT LITTLE LANE IN CARSON CITY, NEVADA; fiscal impact is \$21,752.30, and funding source is R.T.C. Road Construction, and the current R.T.C. budget has funding for this project. Supervisor Bennett seconded the motion. Motion carried 5-0. Mr. Homann commended Mr. Bernard on his willingness to work with the City and create a "win-win" situation. Mayor Masayko supported his comments and commended Mr. Randall on his engineering project.

C. ACTION ON AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TO ADD SECTION 10.04.102 (CLASS A VEHICLE) DEFINING A CLASS A VEHICLE, TO ADD ACTION 10.04.104 (CLASS B VEHICLE) DEFINING A CLASS B VEHICLE, TO ADD SECTION 10.04.106 (CLASS C VEHICLE) DEFINING A CLASS C VEHICLE, TO AMEND SECTION 10.28.170 (LOAD LIMITS) INCORPORATING STATE LAW LOAD LIMITS, AND TO ADD SECTION 10.28.180 (TRUCK ROUTE RESTRICTIONS) PROVIDING THAT CERTAIN STREETS MAY NOT BE USED BY CERTAIN VEHICLES, AND OTHER MATTERS PROPERLY RELATED THERETO (1-1718) - Mr. Homann's introduction included an explanation of the notifications and meetings held with the Chamber of Commerce Executive Vice President Larry Osborne, Darrell Capurro of the Nevada Transport Association, AGC representative Cheryl Bloomstrum and their concerns about the map and the specific routes which will be considered when the resolution is presented. Discussion pointed out the need for better control over the streets where the trucks are to be prohibited and findings which will be required to be made at the time the prohibited routes are determined. Comments also commended Mr. Homann, his staff, the Sheriff's Office, and District Attorney's office on the innovative approach. Mr. Homann agreed to continue working with the Chamber, Association, AGC and their members throughout the entire process. Supervisor Plank explained a trucker's concern that the Sheriff's Office be informed about the prohibition, that the signage be provided with adequate warning to keep the trucker from getting into a "jam" and in adequate size to be easily seen. The trucker had also suggested that a map be produced and distributed to local trucking firms and the Sheriff's Office informing them of the change. The same map could also be used to indicate a preferred route. Supervisor Plank suggested that a DMV mailing list be obtained and used by staff to notify the truckers. Mr. Homann agreed. Reasons emergency

vehicles had not been exempted were noted. Mr. Homann indicated that all commercial traffic had not been restricted, i.e., UPS deliveries. The proposal will restrict the large trucks and hazardous materials.

Public comments were solicited. (1-2038) Norman Pedersen supported the ordinance and referenced his June 2, 1998, letter. The proposed ordinance should address his concerns related to truck traffic. The Sheriff's Office Traffic Division had indicated to him that the ordinance is enforceable. He felt that the current 25 miles per hour speed limit on Arrowhead was appropriate. He requested equestrian signage on Arrowhead. Justification for the request was provided. He then explained his concern with the exemption of the UPS trucks as UPS currently uses Arrowhead as a shortcut between Highways 395 and 50. His attempts to modify this pattern by contacting UPS had been unsuccessful. Legitimate exceptions should be allowed but should be restricted to garbage pick-ups, school buses, emergency vehicles, and local deliveries. He questioned whether a triple trailer hauling gasoline is acceptable in a residential area. Additional comments were solicited but none given.

Supervisor Smith moved that the Board introduce on first reading Bill No. 125, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TO ADD SECTION 10.04.102 (CLASS A VEHICLE) DEFINING A CLASS A VEHICLE, TO ADD ACTION 10.04.104 (CLASS B VEHICLE) DEFINING A CLASS B VEHICLE, TO ADD SECTION 10.04.106 (CLASS C VEHICLE) DEFINING A CLASS C VEHICLE, TO AMEND SECTION 10.28.170 (LOAD LIMITS) INCORPORATING STATE LAW LOAD LIMITS, AND TO ADD SECTION 10.28.180 (TRUCK ROUTE RESTRICTIONS) PROVIDING THAT CERTAIN STREETS MAY NOT BE USED BY CERTAIN VEHICLES, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Tatro seconded the motion. Motion carried 5-0. Mayor Masayko reminded the public that this is the first reading and invited all interested parties to contact staff or attend the second reading. Mr. Homann also requested the Board advise him of any routes which should be added to the resolution list of prohibited streets.

BREAK: A 15 minute recess was declared at 11:10 a.m. The entire Board was present when the meeting was reconvened at 11:25 a.m., constituting a quorum.

8. DEPUTY CITY MANAGER - Dan St. John - PRESENTATION ON RESTRUCTURING OF THE PUBLIC WORKS AND UTILITY DEPARTMENTS (1-2195) - Mr. St. John used the overhead projector to illustrate and explained how the Departments had been realigned. Supervisor Smith pointed out the expectations which were placed upon Mr. St. John and the Development Services Manager and the need for that individual to have people skills and a customer service attitude. Supervisor Bennett supported the modifications, however, encouraged staff to return in 60 to 90 days or even a year so that additional changes could be considered, if necessary. Mr. St. John reiterated the realignment's intent to bring individuals providing the same type of functions together and allow for specializing. Comments emphasized the intent to modify the work program which may encounter resistance from some employees. These challenges must be met and addressed. Mr. Berkich indicated his support for the program and Mr. St. John's initial assignment. He commended him and staff on their efforts as the approach supports his team work concept.

Public comments were solicited. (1-2849) Dwight Millard felt that the Development Services Manager would be a new Public Works Director. He questioned the justification for eliminating the Utilities Manager position and cited the history behind that position. The new organizational chart could provide an out for the Development Services and Utility Operations Managers' failure to meet the water service demand. This approach may damage the City's credibility with the State Water Engineer. The City's water problem ten years ago had been one of delivery and not of water availability. He opposed issuing task orders to "19 consultants" rather than hiring an individual who could address the situation. He encouraged the City to reopen the Utility Manager position and make that individual responsible for all of the water utility services. Mr. Berkich indicated that Mr. St. John is responsible for the duties of that individual. Mayor Masayko pointed out the critical need to analyze the situation and determine whether the plan will work properly. If not, additional changes should be undertaken. Mr. St. John then illustrated his reasons for feeling that the program does work as it crosses over the lines and uses a team approach. (Supervisor Smith left the meeting at 12 noon. A quorum was still present.) Board comments encouraged staff to recognize Mr. Millard's concern and develop the necessary culture to mitigate the concern.

(1-3135) Pete Livermore questioned the storm drainage management position's ranking and to whom the storm drainage committee is to report. Mr. Berkich responded by explaining the time commitment required for storm drainage and the freeway. The freeway is dictating that storm drainage be considered as a priority within the community. The committee will work with a consortium of engineers, technical individuals, and staff to develop a master plan and a funding recommendation. Although it is listed near the bottom of the agencies, it is actually near the top of the priorities. Mr. Livermore emphasized the need for a city-wide drainage program and not one limited to the freeway. Mr. Berkich indicated that it is for a city-wide program and explained the funding which had already been committed and the improvements developed.

Supervisor Tatro pointed out the Board's responsibility to develop the policies and staff's role to carryout their implementation. The Board should not become involved with the day-to-day operations unless a problem arises. He acknowledged Mr. Millard's concern and agreed that the City's Utility Department is considered one of the best. He did not wish to see this position slip. As Ms. Timian-Palmer could not be replaced, a new approach must be attempted. The Board and Mr. Berkich will carefully monitor the program to be certain that Utilities does not slip from the forefront. The team members who helped develop the program under Ms. Timian-Palmer are still part of the staff and will hold the program together. Supervisor Plank expressed his feeling that the chart is neither "vertical" nor an indication of priorities. The team work approach provides for activities to cross the line. If the program does not work, Mr. St. John should bring it back. Mayor Masayko also supported Mr. Livermore's comments and urged Mr. Berkich to create a dedicated "O&M" site. Additional comments were solicited but none given. Supervisor Bennett thanked Mr. St. John for the presentation and suggested that the chart be published with a list of telephone numbers. Mr. St. John thanked the Board for its support. He then explained that Utilities include Water and Sewer and that Streets includes Drainage. Customer concerns should be directed to those individuals. The list will be published as suggested. No formal action was taken or required.

9. PERSONNEL MANAGER - Judie Fisher - ORDINANCE - SECOND READING - ACTION ON BILL NO. 121 - AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE 2.04.400 (PUBLIC OFFICERS) TO ADD DEVELOPMENT SERVICES MANAGER AND REMOVING REDEVELOPMENT FROM DIRECTOR OF FINANCE (2-0029) - Supervisor Bennett moved to adopt on second reading Ordinance No. 1998-24, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE 2.04.400 (PUBLIC OFFICERS) TO ADD DEVELOPMENT SERVICES MANAGER AND REMOVING REDEVELOPMENT FROM DIRECTOR OF FINANCE. Mayor Masayko seconded the motion. Motion carried 4-0.

10. COMMUNITY DEVELOPMENT DIRECTOR - Senior Planner Juan Guzman

A. ACTION ON M-98/99-1 - ACCEPTANCE OF A DMV GRANT FOR HIGHWAY 50 EAST AND SPECIFICALLY, CALLING FOR PUBLIC WORKSHOPS AND DISCUSSION OF PEDESTRIAN SAFETY ISSUES (1-3544) - Discussion explained the term charrette. Supervisor Tatro moved to approve M-98/99-1, acceptance of the DMV grant for Highway 50 East, specifically, calling for public workshops and discussion of pedestrian safety issues; fiscal impact is eventually zero but should the grant be accepted by the City, the State will allocate the money through reimbursement. Supervisor Bennett seconded the motion and explained her and Supervisor Plank's work with Community Development Department to upgrade the City's entranceways. Strong recommendations will be presented to the Board in the future regarding this program. Mayor Masayko indicated that there may be additional funding available from the State Highway Enhancement fund. The motion to approve the grant acceptance was voted and carried 4-0.

B. ACTION ON A-97/98-11 - AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE (CCMC) TITLE 18 (ZONING), SPECIFICALLY, SECTIONS 18.06.255 (RETAIL COMMERCIAL <RC> PRIMARY USES) TO INCLUDE CERAMICS, WITH KILN, AND OTHER MATTERS PROPERLY RELATED THERETO (2-0026) - Discussion pointed out the technology changes in kiln operations. Supervisor Tatro moved that the Board introduce on first reading Bill No. 126, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE (CCMC) TITLE 18 (ZONING), SPECIFICALLY, SECTIONS 18.06.255 (RETAIL COMMERCIAL <RC> PRIMARY USES) TO INCLUDE CERAMICS, WITH

KILN, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Bennett seconded the motion. Motion carried 4-0.

C. ACTION ON Z-97/98-10 - AN ORDINANCE EFFECTING A CHANGE OF LAND USE ON APPROXIMATELY 19.59 ACRES FROM TOURIST COMMERCIAL-PUD (TC-PUD) TO RETAIL COMMERCIAL-PUD (RC-PUD) ON PROPERTY LOCATED SOUTH OF EAGLE VALLEY RANCH ROAD AND ADJACENT TO THE EAST TO U.S. HIGHWAY 395 (NORTH CARSON STREET), CARSON CITY, NEVADA, ASSESSOR'S PARCEL NUMBER 7-461-01, AND OTHER MATTERS PROPERLY RELATED THERETO (2-0074) - Steve Hartman - Supervisor Tatro moved to introduce on first reading Bill No. 126, AN ORDINANCE EFFECTING A CHANGE OF LAND USE ON APPROXIMATELY 19.59 ACRES FROM TOURIST COMMERCIAL-PUD (TC-PUD) TO RETAIL COMMERCIAL-PUD (RC-PUD) ON PROPERTY LOCATED SOUTH OF EAGLE VALLEY RANCH ROAD AND ADJACENT TO THE EAST TO U.S. HIGHWAY 395 (NORTH CARSON STREET), CARSON CITY, NEVADA, ASSESSOR'S PARCEL NUMBER 7-461-01, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Plank seconded the motion. Motion carried 4-0.

BREAK: There being no other matters for consideration until the agenda item, a recess was declared at 12:30 p.m. The entire Board was present when the meeting was reconvened at 6:05 p.m., constituting a quorum. Staff members present included City Manager Berkich, Clerk-Recorder Glover, Deputy City Manager St. John, Personnel Manager Fisher, Chief Deputy District Attorney Lipparelli, and Recording Secretary McLaughlin.

11. PERSONNEL MANAGER - Judie Fisher - ACTION TO APPOINT SEVEN APPLICANTS TO THE STORM DRAINAGE ADVISORY COMMITTEE (2-0141) - Tony Marangi had withdrawn his application. The Board interviewed Robert Hilderbrand, (2-0259) Delacy Perry, (2-0404) Gloria Oakwood and (2-0590) Howard Anderson. Mayor Masayko thanked each of the applicants for applying. Letters had been submitted by Jay Aldean, Russell Plume, and James Bawden in lieu of their appearance. Discussion noted the need to address the storm drain issues and directed Mr. Berkich to determine the category for the seven appointees so that a replacement could be obtained for that category if one should leave before the end of her/his term. Supervisor Plank moved to appoint the following people to the Storm Drainage Advisory Committee for Carson City: Delacy Perry, James Bawden, Gloria Susan Oakwood, Jay Aldean, Russell Plume, Robert Hilderbrand, and Howard Anderson. Supervisor Smith seconded the motion. Motion carried 5-0. Mayor Masayko congratulated the members.

12. CHARTER REVIEW COMMITTEE - Vice Chairperson Shelly Aldean - ACTION TO APPROVE A RESOLUTION RECOMMENDING THAT THE NEVADA LEGISLATURE AMEND SECTION 2.010 OF THE CARSON CITY CHARTER TO PROVIDE FOR A PRIMARY ELECTION OF SUPERVISORS FROM THEIR WARDS (2-0792) - Don Carlson - Vice Chairperson Aldean and Mr. Carlson explained and provided justification for the resolution to nominate the supervisors by ward. Mr. Carlson felt that the current election process disenfranchised residents and questioned its constitutional legality. Election by wards will involve more individuals. The additional cost would be justified by this participation. He encouraged the Board to survey the community about election by ward for the Supervisors, Hospital and School Board members as part of the general election process. A national study was cited to support his contention. Clerk-Recorder Glover indicated the time to place a question on the November ballot had expired.

Supervisor Tatro explained the Board's action establishing the ward boundaries after the 1990 census and the ballot question which had ended in a tie. As the community does not have a concentration of any minority in a specific ward, Mr. Carlson's argument could be refuted. While he would agree that the Hospital and School Board boundaries appear to create a problem, the factors involved are varied. Unfortunately, the general public is very apathetic about local government until there is an issue which directly impacts them. With the advent of Cable Access Television in Carson City, more residents are becoming aware of local government and its operation. He then used his own elections and their costs to illustrate his feeling that there currently is enough time between filing and election to canvass the entire City. The advantage of such effort was noted. Carson City is small

enough to be a single community. It does not have four distinct areas with significant differences as drawn now. There is no compelling need to redistrict the community. He suggested that the proposal be placed on the ballot in 2000 or 2002 after another census and redistricting has occurred and allow the electorate to make the final decision.

Supervisor Plank supported Supervisor Tatro's contention that they all represented the entire City and not just the Ward from which each had been elected. He supported having the advisory committee members from the different Wards. He also suggested that if the election by Ward program is implemented that the resident be required to reside within the Ward for a specified time. He pointed out that the current boundary configuration allows each Supervisor to represent a section of the downtown area. He supported having the proposal on the ballot.

Mayor Masayko indicated his intent to remain neutral as his predecessor had been.

Supervisor Smith agreed that the constituents were not aware of which Ward they lived in and that the current system encourages this as it is not necessary to know the Ward. The proposal would elect the nominees by Ward. The Supervisor would still be elected at the General by the electorate-at-large. He would hate to see the day when a Supervisor refuses to address a situation as it was not in his/her Ward. He also felt that the electorate votes without having paid a lot of attention due to the lack of knowledge as to the system. He supported having the nomination by Ward as it would have informed individuals participate and reduce the election cost. The community's demographics allow each representative to be knowledgeable about the entire area and all of the concerns. The proposal would simplify the election process. He indicated that he could support having the electorate decide the issue if placed on the ballot.

Supervisor Bennett felt that the process was neither broken nor needed fixed. She was concerned about the lack of candidates for the School and Hospital Boards. Efforts to expand the community's involvement with the Hospital were explained. Community involvement with such advisory committees expands the knowledge and involvement with community government and creates an interest in becoming involved with governmental offices. The levels of scrutiny and criticism prevent many from applying. The compensation offered in return for the hours and hours of commitment may also be a negative factor, which should be rectified. The election expenses will remain the same regardless of which process is used. Election by Ward could make such fund raising activities more difficult. She did not feel that the fractionalization of the community would be addressed by election by Ward. She suggested that the Hospital Ward boundaries coincide with the Supervisory and School Board Wards. Supervisor Plank explained his experience with the School Board boundaries. He, too, felt that there should be a correlation among the boundaries. He also felt that the time and reward required for the different offices could be the elimination factor. Supervisor Bennett felt that the Hospital Board had not taken advantage of the offer to participate in the process used to establish the boundaries. The boundaries were the same as had been established approximately 20 years ago. The Hospital Board should actively participate in the process next time. She, too, felt that the community sees the Board as representatives as a whole and not from an individual ward. She did not wish to diminish this process.

(2-1727) Clerk-Recorder Alan Glover acknowledged the importance of Mr. Carlson's statements regarding federal lawsuits. He agreed that Federal courts do analyze communities in the 40 to 50,000 range closer to determine if a minority is being overlooked. Supervisor Tatro's observation appears correct at this time that minorities are evenly spread between the four wards. This had not been done on purpose to dilute anyone's power. The City should, therefore, be able to defend its decision to vote for the supervisor at-large. He also pointed out the advantage provided by having all of the City officials run on a nonpartisan basis. He then explained his concern about the smaller election unit and the confidentiality requirements. The Assembly Districts in southeast Carson were used to illustrate this concern. He then explained the Legislative Council Bureau's ruling which will force the School and Hospital Boards to be elected in the same fashion as Supervisors. The impact of this ruling on his ability to maintain secrecy in election was explained and would require a lot more voting machines at an increased cost. Another solution would increase the chance for error when ballots are counted. Another problem would be the increased potential for challenging a voter's residency. The current procedure was described. Carson City has not had a challenge in his memory. Las Vegas has a lot of challenges. He then explained his analysis of the 1988

through 1994 election costs per ward in Carson City. This analysis indicated that the cost of an election does not justify ward voting. He felt that the current disclosure requirements are making it more difficult to obtain financial support. Other reasons why individuals are failing to step forward for the different offices had been indicated by Supervisor Bennett included the time requirement, the criticism encountered, etc. He supported reconsideration after reapportionment and having a Supervisor Ward alignment with either or both the School Ward/Hospital Ward.

Mayor Masayko then explained for Robin Williamson the legislative process if the Board approves the resolution. The electorate would not have an opportunity to voice its opinion. Ms. Williamson supported redistricting with logic. She also felt that something should be done to generate more interest in local government. The proposal may generate this interest.

Vice Chairperson Aldean then pointed out the Board's decision two years ago to put the issue back on the ballot. This had not happened. It should happen and would allow the public to analyze all of the costs and factors both pro and con. Mayor Masayko felt that the motion should include the commitment to place it on the ballot. Supervisor Tatro felt that the ballot question should be implemented after reapportionment. Discussion indicated that this would be after 2001. Supervisor Tatro then suggested that the Charter Committee hold its meetings early enough to allow the Board consideration of the ballot questions before the deadline had passed. As the Board had impaneled the Committee, he urged the Board to do so earlier next time. **Supervisor Tatro then moved that the Board of Supervisors not accept the recommendation of the Charter Review Committee recommendation to Section 2.010 of the Carson City Charter to provide for the primary election of supervisors from their wards.** He then explained his concern with being able to legally bind a future Board to the election. Mayor Masayko suggested that the Board agree that the most appropriate time to resubmit the question to the voters would be on an "X" date. This would place the Board on the record supporting the election issue. Mr. Lipparelli explained that ballot questions are submitted to the ballot by resolution which includes the pros and cons of the question. The Board could attempt to call an advisory election for the year 2000 but any Board elected after this date could just as easily undo that resolution before the third Monday in July, which is the deadline for ballot questions. He was unsure whether the question would be legally binding or not. It is definitely undoable. Therefore, it is not permanent. Mayor Masayko pointed out that it could be significantly more effective or send a stronger message to future Boards than having the Charter Review Committee dig through the Minutes and determine the discussion. He felt that a resubmittal of the question to the electorate of Carson City is the course of action desired. The question of whether the Board had the legal ability to set this action forward or whether it should be part of the motion is the policy decision before the Board at this time. But, then, again, two years forward, it is only a recommendation which could be redone. **Supervisor Bennett then seconded the motion** and suggested that the Board make a recommendation that the Charter Review Committee reconsider the issue after reapportionment which would be for the 2001 session. She did not believe that the issue would go away. It will be revisited but, as Mr. Glover had pointed out, a stronger basis for the examination of the issue should be at either the time of reapportionment or shortly thereafter when a better understanding of the demographic composition of the community is available and the Federal concerns can be considered. **She suggested that the motion be amended to add that the Board suggest to the future Charter Review Committee that we reconsider this entire matter after reapportionment occurs in 2001. Supervisor Tatro modified his motion to concur with this recommendation. Supervisor Bennett continued her second.** Supervisor Smith explained his feeling that the same faces continually appear at different functions. His point is that there is a circle of people who are involved with government who always appear at the same functions. There are 49,000 other individuals living in the community who are feeling more and more disconnected with government in general and, therefore, we get the brunt of that also--their disconnection with Congress, with State government, etc., regardless of how open and available the Board is to the public. The seats are not filled with people. It is not seen at election time with seven or eight people. This had occurred with the Clerk-Recorder's race a number of years ago when eleven people ran for Mr. Glover's seat. But, again, when there are incumbents involved, generally, they run unopposed. Many times it is one opponent. Sometimes, there are two candidates. He could not, therefore, agree that the system is functioning fine as it is. There is always room for improvement and the proposal is a way in which to improve the system. Mr. Glover had, which was one of the reasons for his wishing to hear from him, outlined some details,

some very specific details, which must be ironed out before it will work. If this question is placed on the 2000 ballot, the motion is different than his comments, he could envision at least three or four years of ironing out the details between the Hospital Board, School Board, and the City and everyone else through the realignment/reapportionment plan to be able to get it done so that the elections could be held in that manner by the year 2004. If you wait until after that has occurred, you will not have an election until 2004. There will be a couple of years to sort things out. You are then looking at 2006 or 2008 before it would occur. This is his view and it makes a lot of good sense. After listening to Mr. Glover, he did not feel that it would work at all under the proposal as presented particularly when the districts are overlaid and the nightmare it will create and with the confusion it will cause. There should be a good two to three year period to sort it all out in order to bring the School and Hospital Boards on line with the reapportionment of the Board of Supervisors and, as Supervisor Tatro had pointed out, keeping those lines in some semblance of an order which would make sense to people. He may not vote for the motion as he felt that it could be done by 2000 and still have another two to four years in order to iron out the details and get it done sooner. Supervisor Bennett then indicated that perhaps the language of the "if it ain't broke" had been a little strong. Her thoughts had been a reflection of the apathy of the public at this time and that the creation of what is perceived to be a more complex situation will really be even more discouraging because of the complexity. You would be creating a more confusing situation for the voting public that is generally apathetic now. She was deeply concerned with this issue when she had made the statement that the system wasn't broken. She agreed that the system could be significantly improved which had been very well delineated this evening. Mayor Masayko then indicated that the motion is to not accept the Charter Review Committee's recommendation at this time and would suggest that a future Charter Review Committee reconsider it after 2001 reapportionment. The motion as restated was then voted by roll call with the following result: Tatro - Yes; Bennett - Yes; Smith - No; Plank Yes, and Mayor Masayko abstaining. Motion carried 3-1-1. Mayor Masayko explained his abstention as being due to the desire to allow the Supervisors to decide the issue although the prevailing side had his support.

Vice Chairperson Aldean explained the Charter Committee's empowerment resolution. She recommended that the Board reconsider it and modify the date for convening the Committee. Mayor Masayko then thanked the Committee for its dedication, efforts, ideas, and professionalism.

BREAK: A ten minute recess was declared at 8:05 p.m. The entire Board was present when Mayor Masayko reconvened the session at 8:15 p.m., constituting a quorum.

REDEVELOPMENT AUTHORITY (2-2362) - Mayor Masayko then recessed the Board of Supervisors session and immediately reconvened the session as the Redevelopment Authority. For Minutes of the Redevelopment Authority, see its folder. Following adjournment of the Redevelopment Authority, Mayor Masayko reconvened the Board of Supervisors session. The entire Board was present, constituting a quorum.

13. REDEVELOPMENT DIRECTOR - Rob Joiner

A. ACTION ON AN INTERLOCAL GOVERNMENT AGREEMENT BETWEEN CARSON CITY REDEVELOPMENT AUTHORITY AND THE STATE OF NEVADA, DEPARTMENT OF TRANSPORTATION, REGARDING THE DESIGN AND CONSTRUCTION OF A HIGHWAY BEAUTIFICATION PROJECT IN CARSON CITY, NEVADA, ON NORTH CARSON STREET, FROM CAROLINE STREET TO WASHINGTON STREET, AND OTHER MATTERS PROPERLY RELATED THERETO (2-3644) - Supervisor Tatro moved to ratify the approval of the interlocal agreement between the Redevelopment Authority and the Nevada Department of Transportation with the same terms as included in the Redevelopment Authority motion. Supervisor Bennett seconded the motion. Clarification indicated that the agreement is between Carson City and NDOT although agendized as the Redevelopment Authority. The Board's motion will ratify Redevelopment Authority's approval of an agreement with NDOT with the Board's function being the oversight committee for the Redevelopment Authority. The motion was then voted and carried 5-0.

B. ACTION ON JENNIFER LOPICCOLO'S REQUEST FOR REDEVELOPMENT INCENTIVE

PROGRAM FUNDING (2-3642) - Pulled pursuant to discussion by the Redevelopment Authority.

There being no other matters for consideration by the Board, Supervisor Bennett moved to adjourn. Mayor Masayko seconded the motion. Motion carried unanimously and Mayor Masayko adjourned the meeting at 9:05 p.m.

The Minutes of the August 20, 1998, Carson City Board of Supervisors meeting

1999. ARE SO APPROVED ON ____April_1____,

_____/s/_____

Ray Masayko, Mayor

ATTEST:

_____/s/_____
Alan Glover, Clerk-Recorder