

CARSON CITY BOARD OF SUPERVISORS
Minutes of the June 5, 1997, Meeting
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A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, June 5, 1997, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 8:30 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
Alan Glover Clerk-Recorder
Rod Banister Sheriff
Al Kramer Treasurer
William Naylor Automation Services Director
Walter Sullivan Community Development Director
Steve Kastens Parks and Recreation Director
Dorothy Timian-Palmer Public Works/Utilities Director
Mark Forsberg Deputy District Attorney
John Flansberg Street Superintendent
Tom Hoffert Water Superintendent
Liz Hernandez Admin. Asst. to the City
Manager
Katherine McLaughlin Recording Secretary
Mary McAlister Supvr. Personnel Tech.
(B.O.S. 6/5/97 Tape 1-0001.5)

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 was present although Supervisor Tatro had not yet arrived. Rev. Bruce Kochsmeier of the First Presbyterian Church gave the Invocation. Mayor Masayko lead the Pledge of Allegiance.

CITIZEN COMMENTS (1-0039.5) - Virginia Orcutt apologized to the Board for the graffiti problem at the skateboard park. She indicated she had discussed the issue with the children who had helped her design and obtain the facility. None of them had participated. She recommended the City undertake a study on lighting the area. This would reduce the potential risk. Mayor Masayko thanked her for her comments. The Board understood the situation and noted that she could not control everyone. Additional comments were solicited but none given.

1. APPROVAL OF MINUTES - March 6 and 20, 1997 (1-0069.5) - Supervisor Smith moved to approve the March 6 and March 20, 1997, Minutes as presented. Supervisors Plank and Bennett seconded the motion. Motion carried 4-0.

2. SPECIAL PRESENTATIONS

A. ACTION ON A RETIREMENT RESOLUTION FOR PATRICIA GOSLIN - Supervising Personnel Technician Mary McAlister - Mayor Masayko commended Ms. Goslin on her retirement and briefly noted her future plans. Supervisor Bennett moved to adopt Resolution No. 1997-R-20, A RESOLUTION

COMMENDING PATRICIA GOSLIN ON HER RETIREMENT, and read the entire Resolution into the record. Supervisor Smith seconded the motion. Motion carried 4-0.

B. ACKNOWLEDGEMENT OF "CARSON PRIDE WEEK" PARTICIPANTS (1-0114.5) - City Manager's Office Supervisor Terry Drake explained the program. Street Superintendent John Flansberg described the cleanup projects undertaken. Capital Sanitation Owner Julius Ballardini indicated it had been a successful, cooperative effort. Great Western Motors Owner Joe DiLonardo felt it was a small effort to improve the community and assured the public that the vehicles were not part of his inventory. Supervisor Bennett presented Certificates/Plaques to various firms, organizations, service clubs and individuals who had participated. Mayor Masayko commended all on their efforts.

3. CONSENT AGENDA

A. TREASURER - ACTION ON A SPECIAL EVENT SHORT-TERM PERMIT FOR JUNE 13-15, 1997, FOR THE ORMSBY HOUSE HOTEL AND CASINO

B. CITY MANAGER - ACTION ON A PARTICIPATORY AGREEMENT FOR FISCAL YEAR 1997-98 BETWEEN CARSON CITY AND HOME HEALTH SERVICES OF NEVADA, INC.

C. PARKS AND RECREATION DIRECTOR - ACTION ON REQUEST FOR FUNDS FROM CONTINGENCY ACCOUNT TO FACILITIES MAINTENANCE ACCOUNT FOR REPLACEMENT COSTS OF HEATER FOR CARSON CITY AIRPORT TERMINAL BUILDING

D. COMMUNITY DEVELOPMENT DIRECTOR - ACTION ON AB-96/97-10 - AN ABANDONMENT REQUEST FROM CARSON CITY TO ABANDON A PREVIOUSLY DEDICATED ALLEYWAY OF APPROXIMATELY 419 FEET LONG BY 20 FEET WIDE AND ASSOCIATED UTILITY EASEMENTS ON PROPERTY ZONED PUBLIC (P), LOCATED ON THE EAST SIDE OF SOUTH ROOP STREET, AND WEST OF SOUTH HARBIN AVENUE, BETWEEN EAST MUSSER AND EAST SECOND STREETS, BETWEEN APN'S 4-174-05, 06, AND 07 (PLANNING COMMISSION APPROVED 6-0-0-1)

E. PURCHASING DIRECTOR
i. ACTION ON CONTRACT NO. 9697-231 - LAKEVIEW WATER TANK INTERIOR RE-COATING, AWARD

ii. ACTION ON CONTRACT NO. 9697-007 - FORENSIC PATHOLOGY SERVICES, AMENDMENT NO. 2

iii. ACTION ON CONTRACT NO. 9697-252 - EMERGENCY WATER MAIN EXTENSION PROJECT, CONTRACT APPROVAL

iv. ACTION ON CONTRACT NO. 9697-65 - CARSON DETOXIFICATION CENTER PHASE I, CHANGE ORDERS 1-10 AND FINAL PAYMENT

v. ACTION ON CONTRACT NO. 9697-110 - 1996-97 WATER LINE REPLACEMENT PROJECT, FINAL PAYMENT

vi. ACTION ON CONTRACT NO. 9798-001 - PHYSICIAN PROFESSIONAL SERVICES

vii. ACTION ON CONTRACT NO. 9596-158 - WELL NO. 41 EMERGENCY REPAIRS (INCLUDES EMERGENCY REPAIRS TO WELL NO.S 11B AND 46), ACCEPTANCE OF PROJECT COMPLETION

viii. ACTION ON CONTRACT NO. 9697-121 - PUBLIC SAFETY COMPLEX SEWER LINE RELOCATION, FINAL PAYMENT (1-0262.5) - None of the items were pulled for discussion. Supervisor Smith moved to approve the Consent Agenda as presented. Supervisor Bennett seconded the motion. Motion carried 4-0.

4. CITY MANAGER - John Berkich - ACTION TO ACCEPT THE REPORT ON THE FEASIBILITY OF HOSTING THE NEVADA STATE FAIR AT THE FAIRGROUNDS AND AUTHORIZE THE MAYOR TO ISSUE A LETTER OF INVITATION TO THE NEVADA STATE FAIR BOARD (1-0279.5) -

The study indicated that the facility could be used for the 1998 State Fair. Mrs. Barone's construction schedule will be adjusted to allow the Fair activities if necessary. This arrangement has not been finalized. Lt. Governor

Lonnie Hammargren urged the Board to accept the study and extend the invitation. Mayor Masayko thanked him for his participation and involvement with the proposal. State Fair Board Representative Gary Lubra indicated his intent to take the Board's action back to his Board of Directors. George Keele, representing Barone Enterprises, cautioned the Board about issuing the letter of intent without involving Mrs. Barone in the discussion. He suggested that Mrs. Barone should be the individual offering the facility to the State Fair Board. The letter should designate the terms under which the facility could and when it may be used. His comments noted the State Fair Board's intent to expand its operation. The benefits of such a program were noted. Progress has been made and will continue to be made in the future. He cautioned against allowing the State Fair Board to have control over the facilities or to grant it an unfair advantage over any other potential user. He felt that the City would have to rebid the facilities in a similar fashion as it had when the contract would offered to Barone Enterprise. He expressed a desire to work with the State Fair Board on the venture. Mayor Masayko explained his contact with the State Fair Board, the ad hoc committee's recognition of Mrs. Barone's agreement, and indicated that the issue would have to be included in the letter of invitation. The State Fair Board's terms and conditions also must be spelled out. He hoped that the working relationships as established at this time will continue as progress occurs. The committee had not found any fatal flaws or show stoppers. Supervisor Smith moved that the Board of Supervisors accept the report on the feasibility of hosting the Nevada State Fair at the Fairgrounds and authorize the Mayor to issue a letter of invitation to the Nevada State Board. Supervisors Plank and Bennett seconded the motion. Motion carried 4-0. Mayor Masayko expressed his intent to issue the letter within the next two weeks.

5. TREASURER - Al Kramer - ACTION ON APPROVAL OF A RESOLUTION AUTHORIZING THE FINANCE DIRECTOR OF THE CITY TO ARRANGE FOR THE ISSUANCE OF HOSPITAL REVENUE BONDS AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO (1-0497.5) - Carson-Tahoe Hospital Administrator Steve Smith and Financial Director Ron Telles briefly described the purpose of the bond. It will be repaid from Hospital revenues. Supervisor Bennett briefly described the five year effort to reach this point and the importance of having an active presence in Douglas County. Supervisor Bennett moved to adopt Resolution No. 1997-R-21, A RESOLUTION AUTHORIZING THE FINANCE DIRECTOR OF THE CITY TO ARRANGE FOR THE ISSUANCE OF HOSPITAL REVENUE BONDS AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO. Supervisor Plank seconded the motion. Motion carried 4-0. Mayor Masayko commended all on their efforts and wished them success. Project Manager Roger Sedway displayed an artist's rendering and described the facility.

6. FINANCE AND REDEVELOPMENT DIRECTOR - Mary Walker - ACTION ON RESOLUTION FOR TEMPORARY INTERFUND LOAN FROM RESIDENTIAL CONSTRUCTION TAX FUND TO THE QUALITY OF LIFE SPECIAL REVENUE FUND (1-0635.5) - The proposal is for a seven month loan which will be repaid by the Open Space Committee from its revenue. Supervisor Plank moved that the Board approve Resolution No. 1997-F-22, A RESOLUTION FOR TEMPORARY INTERFUND LOAN FROM RESIDENTIAL CONSTRUCTION TAX FUND TO THE QUALITY OF LIFE SPECIAL REVENUE FUND. Supervisor Smith seconded the motion. Motion carried 4-0.

7. FIRE CHIEF - Louis Buckley - ACTION ON AGREEMENT WITH THE STATE OF NEVADA DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES DIVISION OF FORESTRY, SIERRA FIRE PROTECTION DISTRICT AND CARSON CITY FIRE DEPARTMENT FOR THE PROVISION OF MUTUAL AID (1-0672.5) - Reasons for bringing the contract to the Board were explained including financial impacts and responsibility for air drops. Supervisor Smith moved that the Board of Supervisors approve the agreement with the State of Nevada Department of Conservation and Natural Resources Division of Forestry, Sierra Fire Protection District, and the Carson City Fire Department for the provision of mutual aid. Supervisor Plank seconded the motion. Motion carried 4-0.

8. AUTOMATION DIRECTOR - William Naylor - ORDINANCE - FIRST READING - AN ORDINANCE AMENDING CHAPTER 2.31 OF THE CARSON CITY MUNICIPAL CODE (AUTOMATION SERVICES DEPARTMENT) TO CHANGE THE NAME OF THE AUTOMATION SERVICES DEPARTMENT TO THE INFORMATION SERVICES DEPARTMENT AND OTHER

MATTERS PROPERLY RELATED THERETO (1-0761.5) - Discussion noted the various names which have been used for the Department, the confusion which may be generated by the proposed name, and the need for a central information number. Supervisor Bennett suggested having a tape describing Carson City activities played when an individual is placed on hold. Mayor Masayko indicated that such a commercial could become a "double edged sword". Supervisor Plank moved to introduce on first reading Bill No. 131, AN ORDINANCE AMENDING CHAPTER 2.31 OF THE CARSON CITY MUNICIPAL CODE (AUTOMATION SERVICES DEPARTMENT) TO CHANGE THE NAME OF THE AUTOMATION SERVICES DEPARTMENT TO THE INFORMATION SERVICES DEPARTMENT AND OTHER MATTERS PROPERLY RELATED THERETO; there is no fiscal impact. Supervisor Bennett seconded the motion. Motion carried 4-0.

9. PARKS AND RECREATION DIRECTOR - Steve Kastens - ACTION ON AGREEMENT BETWEEN CITY AND WILLIAM B. KREIDER FOR THE PURCHASE OF TRAIN EQUIPMENT FOR THE MILLS PARK RIDING TRAIN (1-0865.5) - Mr. Kastens indicated that the agreement between Carson City and the Carson City Railroad Association would be modified at a future meeting to reflect that the Association will make the debt payments. The proposed addendum was briefly described by Mr. Kastens. (A copy was not given to the Clerk.) Reasons for pushing to get the agreement before the Board at this meeting were noted. The equipment is on loan to the City. It is in the park and being used even though a contract has not been signed. Mayor Masayko commended Mr. Kreider on his participation in providing the service for many years and on his flexibility about the agreement. Supervisor Plank moved to approve the agreement between the City and William B. Kreider for the purchase of the train equipment for the Mills park riding train and thanked the Kreiders for their generosity. Mayor Masayko seconded the motion. Motion carried 4-0.

10. RISK MANAGER - John Mayes - ACTION ON ACCEPTANCE OF RENEWAL PROGRAM FROM THE NEVADA PUBLIC AGENCY INSURANCE POOL (1-0945.5) - Discussion indicated the City is self-insured to the amount of \$100,000 per occurrence. Supervisor Plank moved to accept the staff's recommendation to accept the Nevada Public Agency Insurance Pool proposal for a contract amount of \$286,242 plus \$5,521 for boiler and machinery coverages for a contract sum of \$291,763. Supervisor Bennett seconded the motion. Discussion indicated the program is good for one year. Motion was voted and carried 4-0.

11. COMMUNITY DEVELOPMENT DIRECTOR - Walter Sullivan

A. ACTION REGARDING THE ROLE OF THE CAPITAL PROJECTS ADVISORY COMMITTEE AS CONSTRUCTION OF THE PUBLIC SAFETY JAIL/COURTHOUSE COMPLEX INITIATES (1-1013.5) - Capital Projects Advisory Committee Chairperson Gary Sheerin, Clerk-Recorder Alan Glover - A procedures manual is being drafted describing how the City's Project Manager, the Architect, Construction Manager, and the Committee will interact. A weekly meeting will be held to discuss any previous and potential problems. Any changes orders less than \$50,000 will be handled by the City's Project Manager. Reasons for this recommendation were based on the time requirements for the Committee to meet and discuss this type of change order. Mr. Glover stressed the need to have an established procedure prior to construction to handle any problems or concerns. The users should not dictate to the architect/contractor what should or should not be done. Chairperson Sheerin indicated that they should go to the Project Manager and/or Richard Baker. This will be clearly established in the procedures manual. The change order procedure had not been discussed with the District Attorney. Quarterly reports will be furnished to the Board. Reasons for these reports were discussed. Mr. Berkich indicated that the project had included \$1.3 million in contingency funding for potential change orders. Efforts are being undertaken to review the plans prior to construction in the hope of avoiding any unnecessary change orders once construction begins. Mayor Masayko encouraged the Committee to undertake value engineering before construction occurs. The public and Board should be informed as to the results of the value engineering exercise as well as the architect's final coordinated plans. The final plans have been developed and submitted to the City for approval. Mayor Masayko commended the Committee on its efforts and dedication. Mr. Berkich announced the groundbreaking ceremony which is scheduled for June 19th and invited the CPAC members and Board. Supervisor Smith moved that the Board of Supervisors approve the Capital Projects Advisory Committee proposal to continue to review and coordinate certain aspects of the construction of the

Public Safety Jail/Courthouse Complex as outlined by Chairperson Sheerin. Supervisor Plank seconded the motion. Motion carried 4-0. Mayor Masayko reiterated his appreciation of the Committee's efforts.

B. ACTION ON I-96/97-1 - A REQUEST FROM THE ESTATE OF HARRY SCHNEIDER FOR APPROVAL OF A FINAL DIVISION LAND MAP FOR THREE (3) PARCELS WITH A MINIMUM LAND AREA OF 40 ACRES EACH PARCEL, ON PROPERTY ZONED SINGLE FAMILY FIVE ACRES (SF5A), LOCATED ON THE SOUTH SIDE OF U.S. HIGHWAY 395 WEST, ADJACENT TO THE DOUGLAS COUNTY BOUNDARY, APPROXIMATELY 2-1/2 MILES WEST OF U.S. HIGHWAY 395, APN 7-051-60 (PLANNING COMMISSION APPROVED 7-0-0-0) (1-1301.5) - Mr. Sullivan corrected the location to be on the south side of Highway 50 and not Highway 395 as indicated. The development process and requirements were briefly discussed. Supervisor Bennett expressed her concerns regarding hillside development in this area. Condition 7 mandates compliance with the hillside ordinance. Any development would also have to comply with the Forest Service's Timberline Conversion Certificate requirements. Supervisor Smith moved that the Board of Supervisors approve the request from the estate of Harry Schneider for a final Division of Land Map for three parcels with a minimum land area of 40 acres each parcel on property zoned Single Family Five Acre located on the south side of U.S. Highway 50 West adjacent to the Douglas County boundary, approximately 2-1/2 miles west of U.S. Highway 395, known as Assessor's Parcel Number 7-051-60. Supervisor Plank seconded the motion. Motion carried 4-0.

C. ORDINANCE - SECOND READING - ACTION ON BILL NO. 129 - AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 20 (SIGN CONTROL), SPECIFICALLY, SECTIONS: 20.02.030 (PURPOSE) - AMENDING PURPOSE STATEMENT TO REQUIRE EQUAL ENFORCEMENT, REGULATION AND CONTROL OF SIGNS; 20.02.050 (REPEAL OF CHAPTER 15.22) - DELETING SECTION REPEALING CHAPTER 15.22 OF CARSON CITY MUNICIPAL CODE; 20.03.001 (DEFINITIONS) - AMENDING SECTION TO REFERENCE TITLE 18 OF THE CARSON CITY MUNICIPAL CODE; 20.03.020 (AMERICAN FLAG) - DELETING DEFINITION; 20.03.050 (AWNING) - DELETING DEFINITION; 20.03.090 (BUILDING INSPECTOR) - AMENDING DEFINITION; 20.03.095 (CHANGEABLE PROMOTIONAL SIGN) - ADDING DEFINITION; 20.03.098 (COMPLIANCE OFFICER) - ADDING DEFINITION; 20.03.100 (COMMUNITY DIRECTIONAL SIGN) - AMENDING DEFINITION; 20.03.120 (COMMUNITY DIRECTORY SIGN) - ADDING DEFINITION; 20.03.130 (DIRECTIONAL SIGNS) - AMENDING DEFINITION; 20.03.190 (FREESTANDING SIGN) - AMENDING DEFINITION; 20.03.210 (FRONTAGE ON BUILDING) - AMENDING DEFINITION TITLE TO (FRONTAGE OF BUILDING); 20.03.215 (HANGING SIGN) - ADDING DEFINITION; 20.03.220 (SIGN HEIGHT) - AMENDING DEFINITION TITLE TO (HEIGHT, SIGN) AND AMENDING DEFINITION; 20.03.255 (INFLATABLE DEVICE) - ADDING DEFINITION; 20.03.260 (LISTED AND LISTING) - ADDING DEFINITION; 20.03.270 (MARQUEE/PROJECTING SIGN) - ADDING DEFINITION; 20.03.280 (MOBILE SIGN) - DELETING DEFINITION; 20.03.295 (OFFICIAL FLAG) - ADDING DEFINITION; 20.03.300 (OFF-PREMISE SIGN) - AMENDING DEFINITION; 20.03.331 (PENNANT) - ADDING DEFINITION; 20.03.340 (PERMANENT SIGN) - AMENDING DEFINITION; 20.03.350 (PORTABLE FREESTANDING SIGN AND/OR "A" TYPE SIGN) - DELETING DEFINITION; 20.03.355 (PERSON) - ADDING DEFINITION; 20.03.370 (PERSON) - DELETING DEFINITION; 20.03.375 (POLITICAL SIGN) - ADDING DEFINITION; 20.03.380 (POLITICAL SIGN) - DELETING DEFINITION; 20.03.382 (PORTABLE FREESTANDING SIGN) - ADDING DEFINITION; 20.03.385 (PROJECTING SIGN) - ADDING DEFINITION; 20.03.390 (READER BOARD SIGN) - AMENDING DEFINITION; 20.03.410 (ROOF SIGN) - AMENDING DEFINITION; 20.03.415 (ROOF-MOUNTED SIGN) - ADDING DEFINITION; 20.03.420 (SHOPPING CENTER) - AMENDING DEFINITION; 20.03.430 (SIGN) - AMENDING DEFINITION; 20.03.480 (TEMPORARY SIGN) - AMENDING DEFINITION; 20.03.485 (UNIFORM ADMINISTRATIVE CODE) - ADDING DEFINITION; 20.03.490 (UNIFORM BUILDING CODE) - AMENDING DEFINITION; 20.03.495 (UNIFORM SIGN CODE) - ADDING DEFINITION; 20.03.500 (VALUE) - AMENDING DEFINITION; 20.03.505 (VEHICLE SIGN) - ADDING DEFINITION; 20.03.510 (WALL SIGN) - AMENDING DEFINITION; 20.03.520 (WINDOW SIGN) - AMENDING DEFINITION; 20.04.010 (PERMIT REQUIRED) - AMENDING SECTION TO

REQUIRE A PERMIT FROM THE BUILDING AND SAFETY DIVISION OF THE PUBLIC WORKS DEPARTMENT AND TO REQUIRE SPECIAL USE PERMIT APPROVAL FOR BILLBOARDS AND OFF-PREMISES SIGNS; 20.04.020 (APPLICATION FOR PERMIT) - AMENDING SECTION REGULATING APPLICATION REQUIREMENTS FOR SIGN PERMITS; 20.04.030 (ISSUANCE OF PERMITS) - AMENDING SECTION TO REQUIRE PERMIT APPROVAL BY THE BUILDING AND SAFETY DIVISION AND THE COMMUNITY DEVELOPMENT DEPARTMENT; 20.04.040 (INSPECTION) - AMENDING SECTION TO REQUIRE COMPLIANCE WITH THE LATEST ADOPTED EDITION OF THE UNIFORM BUILDING CODE; 20.04.050 (FEE SCHEDULE) - DELETING SIGN FEE SECTION; 20.04.060 (SCHEDULE OF PERMIT FEES) - AMENDING SECTION TO REQUIRE FEE SCHEDULE TO BE ADJUSTED ON JULY 1 OF EACH YEAR; 20.04.070 (SCHEDULE OF PERMIT FEES) - AMENDING SECTION TO REQUIRE SIGNS FEES BASED ON THE UNIFORM ADMINISTRATIVE CODE; 20.04.080 (EXEMPTIONS) - AMENDING SECTION REGULATING THE TYPE OF SIGNS WHICH ARE EXEMPT FROM PERMIT REQUIREMENTS; 20.04.090 (DUTY TO ENFORCE) - AMENDING SECTION TO ASSIGN SIGN ENFORCEMENT RESPONSIBILITY TO THE BUILDING AND SAFETY DIVISION AND THE COMMUNITY DEVELOPMENT DEPARTMENT; 20.04.100 (INTERFERENCE WITH ENFORCEMENT) - AMENDING SECTION TO INCLUDE COMPLIANCE OFFICER OR THEIR DESIGNEE; 20.04.120 (ILLEGAL SIGNS) - AMENDING SECTION TO REQUIRE REMOVAL OF ILLEGAL SIGNS UPON NOTIFICATION; 20.04.130 (AMORTIZATION PERIOD) - DELETING SIGN AMORTIZATION SECTION; 20.04.170 (CHANGE IN USE EFFECT ON NONCONFORMING SIGNS) - AMENDING SECTION TITLE TO (NONCONFORMING SIGNS) AND AMENDING SECTION TO REQUIRE NONCONFORMING SIGNS TO BE BROUGHT INTO COMPLIANCE WITH TITLE 20; 20.04.180 (APPEAL TO BOARD) - AMENDING SECTION TITLE TO (APPEAL TO PLANNING COMMISSION), AMENDING SECTION TO PROVIDE FOR 15 DAY SIGN APPEAL PERIOD AND DESIGNATING THE PLANNING COMMISSION AND BOARD OF SUPERVISORS AS SIGN APPEAL AUTHORITIES; 20.04.200 (MAINTENANCE) - ADDING SECTION REGULATING THE MAINTENANCE OF SIGNS; 20.04.210 (CONSTRUCTION AND SAFETY) - ADDING SECTION REQUIRING REGULATION OF PERMIT BY UNIFORM SIGN CODE AND OTHER APPLICABLE BUILDING, ELECTRICAL AND FIRE PREVENTION CODES, AND REQUIRING THOSE SIGNS NOT REQUIRING A PERMIT TO BE ERECTED AND MAINTAINED AS SPECIFIED BY THE UNIFORM SIGN CODE AND OTHER APPLICABLE BUILDING, ELECTRICAL AND FIRE PREVENTION CODES; SECTION 20.04.010 (SIGNS ON TREES OR SHRUBS) - AMENDING SECTION TITLE NUMBER TO 20.05.010; 20.05.020 (ROTATING AND REVOLVING SIGNS) - AMENDING SECTION TO ALLOW ROTATING AND REVOLVING SIGNS FOR COMMERCIAL/SHOPPING CENTER USES; 20.05.030 (FLASHING SIGNS) - AMENDING SECTION TO DELETE ROTARY BEACONS; 20.05.040 (SPOT-LIGHTS OR ROTARY BEACONS) - ADDING SECTION REGULATING SPOT-LIGHTS OR ROTARY BEACONS; 20.05.050 (ABANDONED SIGNS) - AMENDING SECTION TO REQUIRE THAT PERMANENT SIGNS FOR USES WHICH HAVE BEEN VACANT FOR A PERIOD OF TWELVE MONTHS SHALL BE CONSIDERED ABANDONED; 20.05.060 (ADVERTISING BY PARKED VEHICLE) - AMENDING SECTION TO PROHIBIT VEHICLE SIGNS ADVERTISING MERCHANDISE OR SERVICES AND/OR DIRECTING (GRAPHICALLY) PATRONS TO THE LOCATION OF BUSINESS PREMISES AND REQUIRING VEHICLES WHICH CONTAIN SIGNS TO BE PARKED IN A LEGAL, ON-SITE PARKING SPACE; 20.05.061 (IDENTIFICATION OF DELIVERY VEHICLE) - ADDING SECTION REGULATING SIGNS ON PRIVATE VEHICLES USED IN CONJUNCTION WITH DELIVERY OF FOOD OR MERCHANDISE; 20.05.070 (BANNERS, BALLOONS, ETC.) - DELETING SECTION REGULATING BANNERS, BALLOONS AND SIMILAR DEVICES; 20.05.071 (CHANGEABLE PROMOTIONAL SIGNS) - ADDING SECTION REGULATING CHANGEABLE PROMOTIONAL SIGNS; 20.05.090 (CARDS, POSTERS, HANDBILLS) - AMENDING SECTION TO ADD "OR VEHICLE"; 20.05.100 (ROOF SIGNS) - AMENDING SECTION TITLE TO (ROOF-MOUNTED SIGNS) AND AMENDING SECTION TO PROHIBIT ROOF-MOUNTED SIGNS; 20.05.130 (PARAPET SIGNS) - AMENDING SECTION TO PROHIBIT SIGNS EXTENDING ABOVE THE BUILDING PARAPET; 20.05.140 (IMITATION SIGNS) - AMENDING SECTION TO PROHIBIT SIGNS WHICH IMITATE A TRAFFIC OR DIRECTIONAL SIGN, CAUSE A HAZARD, OBSTRUCT OR INTERFERE WITH THE

VIEW OF A TRAFFIC SIGN, SIGNAL OR OTHER SAFETY DEVICE IN THE PUBLIC RIGHT OF WAY; 20.50.150 (OBSCENE SIGNS) - AMENDING SECTION TO REQUIRE ALL SIGNS TO COMPLY WITH ALL STATE OF NEVADA LAWS REGULATING OBSCENITY; 20.05.180 (PORTABLE FREESTANDING SIGNS) - ADDING SECTION PROHIBITING PORTABLE FREESTANDING SIGNS; 20.06.020 (COMPUTATION OF SURFACING OR DISPLAY SURFACE) - AMENDING SECTION TO REQUIRE SIGN AREA COMPUTATION TO INCLUDE ANY PORTION OF A SIGN STRUCTURE WHICH ENCOMPASSES SIGN COPY, AND TO REQUIRE THE MAXIMUM SIGN AREA FOR A USE TO BE CALCULATED BASED ON THE LINEAL FRONTAGE OF A BUILDING AND TO INCLUDE A "DIAGRAM A" WHICH ILLUSTRATES THE METHOD OF SIGN CALCULATION IN GRAPHIC TERMS; 20.06.040 (NUMBER OF FREESTANDING SIGNS) - AMENDING SECTION TO REGULATE THE MAXIMUM NUMBER OF FREESTANDING SIGNS ALLOWED FOR A USE AND ADDING A DEFINITION OF COMMERCIAL USE; 20.06.071 (CONSTRUCTION, SAFETY AND MAINTENANCE) - DELETING SECTION REGULATING THE CONSTRUCTION, SAFETY, AND MAINTENANCE OF SIGNS; 20.06.090 (VARIATION FROM THE FOLLOWING REGULATION AND STANDARDS) - AMENDING SECTION TO ALLOW FOR VARIANCE OF SIGN STANDARDS; 20.07.010 (AGRICULTURAL AND SINGLE FAMILY RESIDENTIAL USES) - AMENDING SECTION TO REQUIRE SIGN MATERIALS TO BE COMPATIBLE WITH THE IMMEDIATE SURROUNDINGS; 20.07.020 (MULTIFAMILY RESIDENTIAL USES) - AMENDING SECTION TO REQUIRE A MAXIMUM SIGN HEIGHT OF SIX FEET IN ANY RESIDENTIAL OR OFFICE ZONE AND TO REQUIRE SIGN MATERIALS TO BE COMPATIBLE WITH THE IMMEDIATE SURROUNDINGS; 20.07.031 (OFFICE BUILDING USES) - AMENDING SECTION REGULATING THE NUMBER, LOCATION AND DESIGN OF OFFICE SIGNS; 20.07.050 (SHOPPING CENTER USES) - AMENDING SECTION REGULATING THE NUMBER, LOCATION AND DESIGN OF SHOPPING CENTER SIGNS; 20.07.060 (COMMERCIAL DISTRICT SIGNS NOT SPECIFIED IN OTHER SECTIONS) - AMENDING SECTION TITLE TO (COMMERCIAL USE SIGNS NOT SPECIFIED IN OTHER SECTIONS) AND AMENDING SECTION REGULATING THE NUMBER, LOCATION AND SIZE OF COMMERCIAL USE (UNSPECIFIED) SIGNS; 20.07.070 (SIGNS FOR MANUFACTURING USES) - AMENDING SECTION TITLE TO (SIGNS FOR MANUFACTURING/INDUSTRIAL USES) AND AMENDING SECTION REGULATING THE NUMBER, LOCATION AND DESIGN OF MANUFACTURING/INDUSTRIAL SIGNS; 20.07.081 (AREA IDENTIFICATION SIGN) - AMENDING SECTION REGULATING THE HEIGHT, DESIGN AND LIGHTING OF AREA IDENTIFICATION SIGNS (1-1419.5) - Mayor Masayko asked if anyone wished the title read. No one responded. Mr. Sullivan thanked the ad hoc committee and City staff for their time and effort in developing the ordinance. The proposed ordinance is easier to read and understand. It is the result of many meetings and is a true compromise. Supervisor Smith introduced Sandy O'Hearns from Fast Signs and explained her involvement. Supervisor Smith moved to adopt Ordinance No. 1997-32 on second reading of Bill No. 129, an ordinance amending Title 20, Sign Control, of the Carson City Municipal Code as shown on the attached ordinance. Supervisor Bennett seconded the motion and commended Supervisor Smith on his role in the process. Supervisor Smith indicated it had taken 18 months to accomplish the proposal. Mayor Masayko also commended him on his efforts. The motion to adopt Ordinance 1997-32 on second reading was voted and carried 4-0.

BREAK: A 15 minute recess was declared at 10:05 a.m. A quorum of the Board was present when the meeting was reconvened at 10:20 a.m. although Supervisor Tatro was absent as indicated previously.

12. BOARD OF SUPERVISORS

A. SUPERVISOR BENNETT

i. PRESENTATION ON THE STATUS OF MATTERS AFFECTING THE LAKE TAHOE BASIN AND ALONG THE HIGHWAY 28 CORRIDOR (1-1535.5) - Supervisor Bennett explained her involvement with TRPA and the need to educate the Board on the her representation at TRPA. She introduced TRPA Executive Director Jim Baetje and Tahoe Transportation District Executive Director Richard Hall. She

explained her involvement with the Nevada-Tahoe Conservation District and TEAM Tahoe. She then introduced U.S. Forest Service Representative Don Lane.

Mr. Baetje noted the President's plans to visit Lake Tahoe. The Lake's clarity is deteriorating at a rate of one-and-a-half feet a year. The cooperative effort involved with resolving this issue was described including the Environmental Improvement Program. The work plan should be developed after July 1. Highway 28 is a part of the program. Support from the different County Commissions is being requested.

Mr. Hill commended Supervisor Bennett on her active role at Lake Tahoe. The need for the Highway 28 shuttle project and its program were then described. The program phases in the elimination of 750 parking places currently used along Highway 28 and implementation of a free shuttle service beginning with a section south of Chimney Beach. Free replacement parking will be provided at the top of Spooner Summit on the right-hand side of Highway 50. Phasing the project will allow staff time to analyze and mitigate any problems which may arise during the beginning portions of the project. The shuttle buses are to run every 25 to 30 minutes from Spooner Summit to Incline Village. The shuttle will begin on June 21 if adequate funding is provided. Discussion elaborated on the schedule for phasing the shuttle and parking elimination and reasons for the project. The shuttle will only operate on the weekends and holidays beginning at 10 a.m. and ending at 8 p.m. Fees may be assessed next year. Comments expressed concern about the potential for vandalism in the parking lots. Mr. Hill felt that the fact that the shuttles run every 30 minutes will eliminate this concern as it provides "frequent monitoring". If a fee is implemented, there will be enforcement personnel to monitor it purportedly on a 15 minute basis. Concerns were expressed about the lack of a shuttle service during the week when other users need access to the beaches. Mr. Hill felt that the popular beach sites will have access and parking to fulfill this need. When all of the parking is eliminated, internal parking lots may be provided. Mayor Masayko emphasized for the record that replacement parking at strategic points will be provided which will not force everyone to rely on the shuttle service. Mr. Hill agreed that there would have to be adequate access during the week to meet the existing visitation level. This is a key factor which is on top of the list to maintain existing visitor levels and provide reasonable alternatives when it goes beyond the peak periods. Supervisor Plank questioned the amount of foot traffic currently using the trails to the beaches. Mr. Hill indicated that the first year will be the model for future changes. Meticulous counts will be maintained and used for future decisions. This will be similar to the carrying capacity at Sand Harbor--when the parking lot is full, no one else is allowed in the parking lot or onto the beach.

(1-2095.5) Supervisor Bennett introduced Lake Tahoe Gaming Alliance Representative Steve Tesheira TRPA Representative Bridget Cornell. Ms. Cornell explained the efforts to improve the environmental quality through transportation methods. These efforts include mass transit on Highway 28. The Lake Lapper service was described.

Mr. Tesheira indicated the gaming industry's support of the project and urged the Board to fund the proposal as requested by Supervisor Bennett. As Chairperson to the Tahoe Transportation Coalition and the Transportation Management Association at Lake Tahoe he stressed the importance of finding an acceptable mass transit program. The automobile usage has been maximized, therefore, other methods must be explored. Successful programs were noted. A transportation workshop has been scheduled during the President and Vice President's visits. The program will protect a scenic location of the Lake while providing enhanced ridership abilities and increase the potential tourism activities. Increased media coverage has been used to promote the area and its tourist attractions.

Discussion indicated that there is a lot of data available at this time to indicate where and who uses the beaches along Highway 28. Mr. Baetje indicated that the businesses from both north and south shores were interested in participating in the program. Mr. Hill indicated that the local users are in the minority. The local users are predominantly from the north shore. Another 35 to 40 percent are from Carson City or South Lake Tahoe. The tourists are the ones who park on Highway 28. The project is directed toward these visitors. Supervisor Plank noted the competition between this transit program and Carson City's own transit program for funding. Mr. Hill indicated a feeling that this "competition" has caused NDOT to advance different funding mechanisms. Supervisor Plank restated his question as to the funding provided by those in the tourist-oriented fields. Mr. Tesheira

indicated that his industry is seriously interested in providing a transit program. Programs implemented by it were noted. At this time the funding for this transit system had all been from public funds due to the fact that it is along public lands and under public jurisdiction. Additional funding sources will have to be found. One suggested mechanism is to seek a tax-override, a sales tax increase in the basin, or a "Tahoe Basin User Fee". Supervisor Bennett pointed out the City's disadvantage created by the lack of development along its area. Therefore, no funding could be obtained from the development for use to mitigate the water and air quality issues. Therefore, the request must be made to the Board of Supervisors for public funding. Mr. Hill indicated that the Lake Lapper currently costs \$250,000 a year for coverage of the entire Lake. There is no proposal to "charge" Carson City for coverage of its unpopulated portion. As the current program does assist the City in its stewardship role over the area abutting Highway 28, public funding is and should be provided. This funding will be used as "seed money" to implement the program. This will provide the Board with the ability to see a benefit for the City's investment. Supervisor Smith pointed out that if it costs the City \$10,000 this year, next year additional funding will be needed. He then question when and where the erosion control program along Highway 28 will be implemented. Funding for this project would be as established in the voter approved ballot question.

Supervisor Bennett then introduced Acting Director and Chairperson of the Nevada-Tahoe Conservation District Susan Pierce. Ms. Pierce described her agency's services at Lake Tahoe and Supervisor Bennett's role. All studies have clearly indicated the impact transportation has had on the Lake and its air/water quality. Therefore, mass transit is needed. She urged the Board to support and implement alternatives which will mitigate this impact.

Nevada-Tahoe Conservation District Chairperson Don Cornwright commended the Board on assigning Supervisor Bennett to serve on the District and on the Tahoe Transportation District, the governing board of TRPA, TEAM Tahoe, and other endeavors. The water quality projects which the District has undertaken were noted. Funding for these items were briefly described including the need for a 25 percent match. He urged the Board to financially assist the program. If this occurs, projects will commence later this year. A listing of all of the projects will be given to the Board later. He explained his involvement with the Truckee-North Tahoe Transportation Management Association. There are 12 miles in the stretch along Highway 28. Forty-six percent of the road is in Washoe County. Thirty-three percent is in Carson City. Twenty-one percent is in Douglas County. His efforts to obtain Washoe County funding were explained. If Carson City and Douglas County do not provide any funding, Washoe County may not continue its support. Likewise, without the shuttle, he was uncertain whether there would be additional water quality and stream restoration projects constructed. Damage created the present users were noted. Unless these problems are addressed, it will be a waste of money to make the water and stream restoration improvements. (Supervisor Tatro arrived during his comments--11:10 a.m. The entire Board was present constituting a quorum.) He also indicated that a majority of the users are "day visitors" who do not spend a lot of money when visiting Tahoe. He felt certain that at some point in the future fares will be required of the shuttle users. The 1996 Lee, Scott and Cleary study indicates 65 percent of the vehicles parked along Highway 28 are tourists and 35 percent are from south of Highway 50 and SR 28. He then gave the Board some papers. (A copy was not given to the Clerk.)

NDOT Chief Hydrologic Engineer Emir Sofhadi explained the efforts to develop master plans for all of the Lake Tahoe roadways. This year the concentration is on SR 28 from Highway 50 to Memorial Point. Design plans should be completed by the end of the calendar year. The plans are similar to that accomplished between Memorial Point and Incline Village. The construction project may begin next year which will cover the two miles to Skunk Harbor. If this does not occur, the project will be constructed in 1999. He felt that it would cost approximately \$10 million to complete the project from U.S. 50 to Memorial Point.

(1-2755.5) Forest Service Supervising Recreational Forester Don (last name unknown) elaborated on the beauty of the area and the negative impact created by tourists. The Forest Service does not have either the funding nor legal authority to address all of the problems which the tourists are creating. TEAM Tahoe is the players who are involved in the project. The Burton-Santini funding was described. These funds are providing new and environmentally correct trails which will replace approximately 70 damaging trails. He stressed the need to balance the public's right to access the public land with the protection of the same resource. The shuttle is one possible scenario to this complex issue. No parking and replacement parking is part of the picture also. He urged

the Board to provide support for the program.

NDOT Representative Jim Mallory briefly noted NDOT's involvement since 1980 including funding through ISTEPA. The Lake Lapper is one of these funding alternatives. Recent discussions are exploring other funding alternatives for both the Lake Lapper and the Highway 28 shuttle. At this time NDOT does not have any funding available for the shuttle. There may be a prohibition against the use of federal funds in the future for this service. The City could, however, use some of its transit funds for it.

U.S. Senator Reid's Rural Coordinator Karen Denio indicated she had previously given the Board a copy of Senator Reid's press release. (A copy is included in the file.) The purpose of the release was then explained. The importance of the pre-conference workshops was stressed. These pre-conference workshops were to be held before the President's visit. Supervisor Bennett thanked Ms. Denio and Senator Reid for their assistance and support. She then thanked the Board for allowing her the opportunity to make the presentation and to represent the City at TRPA and the other agencies. Mayor Masayko thanked her for the presentation as it educated the Board and public about the Lake issues, including the City's portion. (No formal action was taken or required on this Item.)

ii. ACTION ON A REQUEST TO FUND \$10,000 FROM THE CONTINGENCY ACCOUNT FOR THE HIGHWAY 28 TRANSIT SHUTTLE (1-2945.5) - Supervisor Bennett then moved that the Board of Supervisors appropriate \$10,000 from the Contingency Account for the Highway 28 shuttle service for this year only. Supervisor Tatro then explained his intent to abstain from voting on this item as he had missed a portion of the presentation. Mayor Masayko thrice requested a second. When a second was not made, Mayor Masayko ruled the motion had died for a lack of a second.

Supervisor Smith expressed his regret that the proposal was being rejected in view of Supervisor Bennett's dedication and effort on it. His reason for opposing the item was based on his feeling that the funding issue should have been included in the budget process. He agreed that it could have failed the budget process due to the lack of education about the program and its need. He felt that the contingency account is for uncontrolled, unforeseen circumstances or an emergency. This proposal does not fit within that category. Supervisor Bennett's educational program and personal tour with Supervisor Smith was explained and compared to the establishment of the Carson River Advisory Committee. The telephone calls and personal contacts he had had on the proposal indicated to him that there is a need for public education specifically with the regular users. Until some of these issues are resolved, he did not feel that he could support the request.

Supervisor Plank also expressed his regret for Supervisor Bennett in view of his inability to support the proposal based on what he felt was a knee jerk reaction by flat out restricting the parking. He did not feel that there were enough Carson City residents who contribute to the problem to pay this amount of money. He had to support the residents' view and not his personal view.

Mayor Masayko indicated that he could have seconded the motion, however, that would require supporting the motion. He apologized for not being able to support this item. He commended Supervisor Bennett on her dedication and efforts on behalf of the City and the Board at Tahoe. He understood the dilemma and the significance of the clarity and erosion issues. The solutions will require using "halting" steps to determine what will and will not work. Obviously, some significant actions will be required over time. He did not have Supervisor Smith's concerns with the use of the contingency budget but he had had several telephone calls and letters. He did not believe that any of the Carson City residents who had contacted him had said that they would not be part of the solution to the erosion problem. They understand the intent but oppose the proposal. It will not resolve their recreational needs for the Lake. Carson City is spending \$10,000 of their tax money to establish a demonstration project which is not an expenditure with which they as the taxpayers wanted. He agreed that these individuals did not represent the entire community of Carson City but it is an indication that people are concerned about it. He felt that his contacts were willing to work with the group to create an amicable and amenable solution in the best interest of all.

Supervisor Bennett expressed her profound disappointment on behalf of the individuals who had work so hard on the project. She found it interesting that she had never received any of the same type of telephone calls. She felt that the other Supervisors should have informed her of the concerns prior to the meeting. She felt that there is a constituency, TANN, who had been invited to participate in the process repeatedly without success. One or two of these individuals are disgruntled and resist change and do not want anything done. They have inferred that she has a "hidden agenda". She felt that it was unfortunate that this group had sabotaged her effort. She could only put her best effort forward and "call it as she saw it". She then explained her reasons for bringing the matter back after the budget process.

No formal action was taken on the request. (Supervisor Bennett left the meeting at 11:35 a.m. A quorum was still present.)

B. SUPERVISOR PLANK - ACTION ON A RESOLUTION REQUESTING THE NEVADA LEGISLATURE TO AMEND CHAPTER 844,, STATUTES OF NEVADA 1989 (CARSON CITY AIRPORT AUTHORITY ACT) TO PROVIDE THAT THE AIRPORT AUTHORITY BOARD MEMBER WHO OCCUPIES THE CITY OFFICIAL SEAT MAY NOT SERVE CONSECUTIVE TERMS OF OFFICE (1-3262.5) - Supervisor Plank moved to approve Resolution No. 1997-R-23, A RESOLUTION REQUESTING THE NEVADA LEGISLATURE TO AMEND CHAPTER 844, STATUTES OF NEVADA 1989 (CARSON CITY AIRPORT AUTHORITY ACT) TO PROVIDE THAT THE AIRPORT AUTHORITY BOARD MEMBER WHO OCCUPIES THE CITY OFFICIAL SEAT MAY NOT SERVE CONSECUTIVE TERMS OF OFFICE. Supervisor Smith seconded the motion. Motion carried 3-1-1 with Supervisor Tatro voting Naye and Supervisor Bennett absent.

13. PUBLIC WORKS/UTILITIES DIRECTOR - Deputy Public Works Director Tim Homann

A. ACTION ON AN AGREEMENT BETWEEN SILVER OAK DEVELOPMENT LIMITED PARTNERSHIP, BY AND THROUGH ITS GENERAL PARTNER, GTS PARTNERS, INC., A NEVADA CORPORATION AND CARSON CITY, NEVADA, A CONSOLIDATED MUNICIPALITY OF THE STATE OF NEVADA FOR THE ACCEPTANCE OF A COVENANT OF OPEN SPACE FOR THE PRESERVATION AND PROPAGATION OF DRAINAGE THROUGH A PLANNED EIGHTEEN HOLE GOLF COURSE AND DRIVING RANGE (1-3325.5) - Deputy District Attorney Mark Forsberg - Clarification indicated the agreement is for a covenant of open space which will be enforceable through the courts. The drainage must be perpetuated and propagated through the property. Although it is neither a development agreement nor an easement, it will run with the land. Supervisor Smith moved to approve the agreement between Silver Oak Development Limited Partnership, by and through its General Partner, GTS Partners, Inc., a Nevada corporation and Carson City, Nevada, a consolidated municipality of the State of Nevada for the acceptance of a Covenant of Open Space for the preservation and propagation of drainage through a planned eighteen hole golf course and driving range and authorize the Mayor to sign the agreement. Supervisor Plank seconded the motion. Motion carried 4-0.

B. ORDINANCES - FIRST READING

i. ACTION ON AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND F.H.F. NEVADA CORP. RELATED TO THE DEVELOPMENT OF ASSESSOR'S PARCEL NO. 01-159-01 LOCATED AT 1510 N. CARSON STREET IN CARSON CITY, NEVADA (1-3456.5) - Mr. Homann corrected the location to be 1510 and not 1501 as indicated on the Board Action Request. Supervisor Plank moved to introduce Bill No. 132, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND F.H.F. NEVADA CORP. REGARDING CURB AND GUTTER AND PAVING IMPROVEMENTS ON LONG STREET RELATED TO THE DEVELOPMENT OF ASSESSOR'S PARCEL NO. 01-159-01 LOCATED AT 1510 N. CARSON STREET IN CARSON CITY, NEVADA. Mayor Masayko seconded the motion. Motion carried 4-0.

ii. **ACTION ON AN ORDINANCE AMENDING SECTIONS 12.01.090 (PROTESTS TO RATES AND CHARGES AND METER TESTS), 12.01.240 (SERVICE CONNECTIONS AND CUSTOMER'S FACILITIES), 12.03.060 (PROTESTS TO RATES AND CHARGES), 12.03.080 (PERMIT REQUIRED FOR CONNECTION AND CONSTRUCTION), 12.04.050 (PAYING CLAIMS), 12.04.060 (APPEALS), AND OTHER MATTERS PROPERLY RELATED THERETO (1-3546.5)** - Discussion ensued between Supervisor Plank and Mr. Homann on an unusual circumstance whereby Supervisor Plank's meter is on his neighbor's property. The meters are within the easement. The neighbor will be required to maintain the clear zone. Supervisor Plank cited another unusual example. Supervisor Smith moved that the Board introduce on first reading Bill No. 133, AN ORDINANCE AMENDING SECTIONS 12.01.090 (PROTESTS TO RATES AND CHARGES AND METER TESTS), 12.01.240 (SERVICE CONNECTIONS AND CUSTOMER'S FACILITIES), 12.03.060 (PROTESTS TO RATES AND CHARGES), 12.03.080 (PERMIT REQUIRED FOR CONNECTION AND CONSTRUCTION), 12.04.050 (PAYING CLAIMS), 12.04.060 (APPEALS), AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Tatro seconded the motion. Motion carried 4-0.

C. **ORDINANCE - SECOND READING - ACTION ON BILL NO. 130 - AN ORDINANCE AMENDING SECTIONS 4.29.020 (DEFINITIONS), 4.29.040 (LICENSE REQUIRED), 4.29.050 (INVESTIGATION FEE), 4.29.060 (APPLICATION FOR LICENSE), 4.29.070 (INVESTIGATION BY THE SHERIFF'S OFFICE), 4.29.090 (EXAMINATION BY BOARD), 4.29.110 (LICENSE NOT TRANSFERABLE OR ASSIGNABLE), 4.29.130 (DISPLAY OF LICENSE OR IDENTIFICATION CARD), 4.29.140 (EMPLOYMENT RESTRICTIONS), 4.29.150 (OPERATING REQUIREMENTS), 4.29.160 (PROHIBITED MASSAGE), 4.29.180 (REVOCATION PROCEDURE), 4.29.190 (EXCEPTION TO REVOCATION PROCEDURE), 4.29.195 (REVIEW BY BOARD OF SUPERVISORS), 4.29.200 (APPLICABILITY OF REGULATIONS TO EXISTING BUSINESSES), AND 4.29.220 (FEES FOR TESTING AND OTHER SERVICES OF CHAPTER 4.29 OF THE CARSON CITY MUNICIPAL CODE TO UPDATE AND ENSURE THAT ALL MASSAGE THERAPISTS HAVE ADEQUATE TRAINING) (2-0051.5)** - Supervisor Tatro moved to adopt Ordinance No. 1997-33, Bill No. 130, on second reading, AN ORDINANCE AMENDING SECTIONS 4.29.020 (DEFINITIONS), 4.29.040 (LICENSE REQUIRED), 4.29.050 (INVESTIGATION FEE), 4.29.060 (APPLICATION FOR LICENSE), 4.29.070 (INVESTIGATION BY THE SHERIFF'S OFFICE), 4.29.090 (EXAMINATION BY BOARD), 4.29.110 (LICENSE NOT TRANSFERABLE OR ASSIGNABLE), 4.29.130 (DISPLAY OF LICENSE OR IDENTIFICATION CARD), 4.29.140 (EMPLOYMENT RESTRICTIONS), 4.29.150 (OPERATING REQUIREMENTS), 4.29.160 (PROHIBITED MASSAGE), 4.29.180 (REVOCATION PROCEDURE), 4.29.190 (EXCEPTION TO REVOCATION PROCEDURE), 4.29.195 (REVIEW BY BOARD OF SUPERVISORS), 4.29.200 (APPLICABILITY OF REGULATIONS TO EXISTING BUSINESSES), AND 4.29.220 (FEES FOR TESTING AND OTHER SERVICES OF CHAPTER 4.29 OF THE CARSON CITY MUNICIPAL CODE TO UPDATE AND ENSURE THAT ALL MASSAGE THERAPISTS HAVE ADEQUATE TRAINING). Supervisor Plank seconded the motion. Motion carried 4-0.

14. CITY MANAGER - John Berkich

A. **STATUS REPORT ON LAND TRADE WITH STANTON PARK DEVELOPMENT (2-0081.5)** - Mr. Berkich indicated the deeds had been recorded earlier in the day. Technical aspects remain to be completed, such as a lot line adjustment. Supervisor Plank indicated it had been a long overdue process and requested a chronology of the circumstances. He hoped that the City would not again have a similar incident. Mr. Berkich agreed that it had been a complex item fraught with problems from the get-go. He assured the Board that it should not occur again. He agreed to return with a chronology. Tom Quigley indicated that the report met his expectations.

B. **ACTION TO APPROVE PAYMENT OF \$10,000 TO GERALD MASSAD FOR EXPENSES INCURRED IN THE DEVELOPMENT OF A PROPOSAL TO ESTABLISH FOOD AND BEVERAGE SERVICE AT EAGLE VALLEY GOLF COURSE (2-0128.5)** - Mr. Massad was not present. The City had not audited his claim. Supervisor Plank felt that the City should own the software systems. The remainder of the

items appeared to appropriate. Mr. Berkich indicated that the City should receive the software, however, it is questionable whether it would be of value to the City as it is not the City's system. The Golf Corporation will be installing its own system. Supervisor Smith indicated that the claim is more than \$3,000 over the amount established by the Board. Supervisor Smith then moved that the Board approve payment of \$10,000 to Gerald Massad for expenses incurred in the development of a proposal to establish food and beverage service at Eagle Valley Golf Course. Supervisor Plank seconded the motion. Motion carried 4-0.

BREAK: A lunch recess was declared at 12 noon. A quorum of the Board was present when Mayor Masayko reconvened the meeting at 1:35 p.m. although Supervisor Bennett was absent.

15. PERSONNEL MANAGER - Supervising Personnel Tech. Mary McAlister - ACTION TO APPOINT TWO MEMBERS TO THE REGIONAL PLANNING COMMISSION (1-0201.5) - The Board interviewed Allan Christianson, (2-0385.5) Alan Rogers, (2-0608.5) Robert Talley, and (2-0760.5) Isabel Young. (Supervisor Bennett arrived during Mr. Talley's interview--2:05 p.m. The entire Board was present at that time, constituting a quorum.) Mayor Masayko thanked each of the applicants for applying. (2-1020.5) He read Fred Stanio's letter into the record. Each Board member indicated his/her top two candidates and reasons for those selections with the exception of Supervisor Bennett who indicated an intent to abstain from voting as she had missed a majority of the interviews. Consensus clearly reflected the Board's feeling that the current Commissioners are dedicated and hard working individuals. Supervisor Tatro noted his tenure on the Planning Commission and thanked the applicants for applying. Supervisor Tatro moved that the Board reappoint Alan Rogers and Al Christianson to four year terms on the Carson City Regional Planning Commission. Supervisor Smith seconded the motion. Motion carried 4-0-1 with Supervisor Bennett abstaining. Mayor Masayko again thanked all of the applicants for applying and urged those who had not been successful to resubmit their applications when other openings arise.

BREAK: A ten minute recess was declared at 2:40 p.m. When the meeting reconvened at 2:50 p.m., the entire Board was present constituting a quorum.

14. C. ACTION TO APPROVE A LEASE OF THE EAGLE VALLEY GOLF COURSES TO THE CARSON CITY MUNICIPAL GOLF CORPORATION (2-1325.5) - Mr. Berkich briefly described the history of the proposal to lease the facility and urged the Board to approve the lease which will be effective upon approval of the 501c3 by the Internal Revenue Service. He commended all of the participants on the project. Mr. Lipparelli reviewed the changes which had been made to the contract which was distributed during the meeting and the version included in the packet. Mr. Berkich explained legal counsel's role and Senator Bryan's personal involvement in attempting to obtain the IRS' 501c3 approval. He felt certain that this process should be completed within 60 days. Supervisor Bennett expressed her feeling that, in so far golf is concerned, if it could go wrong, it would. Mr. Lipparelli continued his review of the revisions. Ms. Walker explained her listing of the debt and debt payments which the course has. The effective date would impact the total amount. This figure could not be determined at this time as the transfer date has not been established. The final revised scheduled will be submitted when the date is determined. Mr. Lipparelli continued his review. Ms. Walker indicated that Exhibit A is the inventory of real property. Exhibit C, the equipment listing of personal property, will be completed after the inventory is completed and agreed upon by both the City and Corporation. These listings will be completed at the time of the transfer. Until that time additional equipment may be acquired or items eliminated. Supervisor Plank suggested that, in the future, blank pages be attached to the agreement briefly noting what the exhibit is. Mr. Lipparelli continued his explanation of the revised agreement. Ms. Walker explained the efforts during the budget process to give the Corporation the best financial footing possible which had included waiving any cost allocation charges for staff time during the fiscal year 97-98. On July 1, 1998, the cost allocation program will be re-implemented. Examples were provided. Mr. Lipparelli continued with Article 7 on Page 13. Ms. Walker indicated that Article 7.1a references infrastructure improvements at the course. They are the buildings, land, and irrigation system. The City will continue to own these items. Mr. Lipparelli indicated this is the same requirement made on other City owned buildings which have been leased, i.e., Brewery Arts building, the Children's Museum, etc. The article mandates compliance with Purchasing requirements for any item over \$10,000 and assures compliance with the prevailing wage provisions, public bidding, and other Statutes. The lease term does not have

any bearing on these requirements. Supervisor Bennett requested Mr. Lipparelli review this requirement again as her personal experience indicated that it did not apply. Mr. Lipparelli indicated that as long as the City does not own the facility at the end of the lease, the corporation could construct the facility without having to meet these requirements. BLM's patent on the land prohibits the transfer of any real property. Also, the improvements had been made through the use of public debt to finance them. These bonds had included the understanding that the facilities were owned by the City and would continue to be used to produce revenue to retire the debt. Mayor Masayko described a private power company which had constructed a facility on public property which he felt had not been required to follow State purchasing laws. At the end of the lease, that County must reimburse the company for its depreciated value of that facility. He, too, questioned the need to include this provision. Supervisor Bennett then explained the Airport Authority's ability to lease property without City involvement or use of the purchasing procedure. Mayor Masayko indicated that the Corporation had accepted the clause, however, we will continue to research the issue and change it if at all possible. (2-1950.5) Mr. Lipparelli continued his review of the agreement starting with Page 15, Article 8.1. (2-2145.5) Mr. Lipparelli and Bond Counsellor John Swendseid explained the latest revisions to the agreement which had only recently been made and were not included in the hard copy. Page 21, Paragraph 11.1 last line should be City and not CCMGC. Page 23, Paragraph 11.2, last line should be CCMGC and not City. Page 25, Paragraph 12.2 should be moved to be included in Paragraph 12.1 on Page 24 beginning with an inserted word "and" and following the insertion there should be "in the case of any other event of default". Mr. Lipparelli then explained changes to Page 22 to insert NRS requirements which were in the original document as 11.1.6 a and b. These clauses allow the City to declare a default if the officers are guilty of fraud or collusion. He also added in paragraph a and b following guilty "in a court of law". Procedures under which the trustees would be tried for malfeasance, fraud, or collusion were described. Also, "and the corporation has failed to terminate such directors from the board" was added at the end of both paragraphs. Sections c, d, e, f, g, and h are to remain. A copy of a letter from Ms. Wright, the Corporation's attorney, was distributed to the Clerk and Board. (2-2377.5) Her recommendation created a paragraph 11.4 on Page 24 which he read..."Whereby the terms of this agreement the City needs to make appropriations to perform an act agreed upon, even if the failure to perform the act would not be an event of default because of the City's inability to commit to future appropriations at the time the agreement is signed, the City's failure to make the appropriation and to perform the act shall give rise to a right in CCMGC to terminate the agreement." Mr. Lipparelli then explained a suggested revision which had not been discussed with the Corporation related to the non-appropriation issue and a desire to indemnify the Corporation. Mr. Swendseid had recommended that the non-appropriation clause be included in the indemnity portion of the contract. Its purpose was explained. This clause allows the Corporation to terminate the agreement if the City fails to appropriate funding. This clause was added as Paragraph 8.10 on Page 18--"This section does not obligate the City to spend funds for the purpose of indemnifying the Company in excess of the amount appropriated by the Board and does not obligate an appropriation in future years." He also requested that if the Board approves the lease today, its action be made contingent upon approval by the BLM and the IRS. He then explained Section 14.10. Clarification reiterated the location of the last change as being to add to Section 8.10.

(2-2597.5) Supervisor Bennett questioned whether Page 22 should include a reference to NRS 82.486. Mr. Lipparelli indicated no as a majority of the items in the Statutes were found elsewhere in the agreement and inclusion of the terminology would be consistent with those items. It also avoided the necessity to seek legal recourse in order to implement any of the issues covered by the Statute. The agreement restricts legal action from the District Court to members of the corporation or the Attorney General. The Board of Supervisors could not bring suit unless the agreement allows it, which it does. This is the reason reference is not given to NRS 80 (82).

(2-2670.5) Corporation President Wes Myers noted the new waters which were being chartered and commended all for their efforts, dedication, and tenacity. Compromises had been reached and concessions granted when laws or bond requirements were indicated. The proposed contract is the best possible under the current situations. It may need revisions in the future. He requested assistance in obtaining BLM and IRS approvals. Mayor Masayko urged him to bring back any issues which need to be reconsidered. He commended them on their work and wished them success in the future. Supervisor Plank indicated it would be a two way street as any problems discovered by the City would be taken to the Corporation and vice versa. Chairperson Myers noted the amount of control included in the contract. He also indicated he was not opposed to Mr. Lipparelli's suggested revision, however,

wished to contact Ms. Wright before it is included. He then indicated for the record a willingness to work with all of the conditions. The best effort possible will be made to live within them. If it is not possible, the Corporation would be the first one to bring it back.

Ms. Walker commended the Corporation on its efforts. She felt it is the future hope for the course. Staff had compromised on several issues, e.g., keeping the two bond debts. Reasons for this position were provided. She noted the current decline in revenue which was more than had been projected. Other financial arrangements were explained to illustrate the flexibility and support granted the Corporation. She felt certain that the officers would be fiducially responsible and could make the operation fiscally sound. She volunteered her services if needed at any time in the future. Chairperson Myers then explained the two contracts which still needed to be resolved before he felt that a change could be made in the course's fiscal position--the union and golf pro's contracts. Mr. Berkich also commended the Corporation on its work and expressed his feeling that the officers would make it work. He looked forward to working with them in the future. Staff is committed to its success. The contract will be submitted to both BLM and the IRS by the middle of next week.

Mr. Lipparelli then explained the union lawsuit. It is possible that the court may issue a ruling against the Corporation and transfer of the operation. He indicated an intent to keep the Board apprised of the lawsuit and its status.

(2-3138.5) Franklin J. "Dinty" Moore read his prepared statement into the record. (A copy is included in the file.) (Supervisor Bennett stepped from the room during his reading and returned prior to its conclusion--4:12 p.m. and 4:15 p.m. A quorum was present the entire time.) Mr. Moore questioned whether the Board had actually received and reviewed the Articles of Incorporation, the Bylaws, IRS application and the lease agreement. Each Board Member indicated he had. (This was during Supervisor Bennett's absence.) Mr. Moore briefly noted his difficulty receiving the documents and the brief time when he had had to review them. He then expressed his feeling that the Board of Directors could be compensated for their work even though the Board of Supervisors had indicated they would not be. It was inappropriate to allow the Directors to operate for five quarters during which a negative cash flow is experienced. There are no safe guards for the City residents. The rates could be changed without consideration of the local players. The "giving away of the golf courses" could not be rationalized nor justified. He urged the Board to undertake a courageous leadership role, pay off the indebtedness, and follow the successful Rosewood Lakes Golf Course's program. Approval of the proposed lease would be a gross malfeasance of office to which he hoped the Carson City Grand Jury would react appropriately.

Supervisor Tatro then noted that the City was the best run operation he had seen. It has an outstanding staff which looks after its well-being. The State Legislature relies very heavily upon the City's financial staff when analyzing many of its proposals. The City's financial stabilization policy was cited as example of the City's prudent fiduciary program. This program will allow the City to continue operating without a reduction in services or staffing should an economic downturn occur. Carson City may be the only community which could make such a claim. The City's financial position is both prudent and rock solid. The City's two municipal golf courses have operated without competition for many years. The current competitive environment was noted. The proposal will change the operation to have it function as a business. It is not possible for government to operate as a business due to the need to include public input, public needs, and support for non-profitable operations. Divestiture of such operations is not allowed. A golf course is not a mandatory municipal service. The Board has an opportunity and obligation to its residents to be sure that the golf course is operated as well and efficiently as possible. Public recourse must be included in this operation. Competition within a free market should also be allowed. Competitive rates cannot be established through the public hearing process. Problems encountered in attempting to address small issues at the course were cited to illustrate the problems encountered with the public hearing process and the unfair advantage it gives competitors. Informed individuals who had contacted him supported the transfer. This may be the Board's only chance to reverse the financial trend now occurring at the course. Supervisor Tatro then moved that the Board approve the lease agreement of the Eagle Valley Golf Courses to the Carson City Municipal Golf Corporation contingent upon approval by BLM and IRS with the changes that were made today starting on Pages 18, and 21 through 25, working from the draft dated 6/5/97. Supervisor Bennett seconded the motion. Comments were requested but none made. The motion to approve the agreement as

amended was voted by roll call with the following result: Supervisor Smith - Yes, with that a very short comment that I think that, contrary to what Mr. Moore had said, although I appreciate his rights and his reasons for coming down here to let us know his opinion, that nothing could be further from the truth, that this is not taking away Eagle Valley Golf Course from the citizens of this community, if anything, and I don't wish to repeat anything that Supervisor Tatro has said, because I agree with all of it, and he said it very well, but if anything, this vote is for the future economic vitality of the Eagle Valley Golf Course and making sure that it is preserved and enhanced and improved with low rates for the residential golfer in a great environment so that the seniors and other people do have an affordable access to golf, that is exactly why we are doing it, and I am disappointed that he can't see it that way, but I respect his right to feel the way that he does; Supervisor Plank - Yes; Supervisor Tatro - Yes with reference to Mr. Moore, he absolutely has a right to his opinion, and I absolutely have a right to completely disagree with his opinion; Supervisor Bennett - Yes; and Mayor Masayko - Yes, and this is the beginning or maybe a culmination of a idea, a plan, which I fully believe, agreeing with my two fellow Board of Supervisors, Tatro and Smith, that in essence I think has safeguards for the citizens of Carson City, has the people in the audience, the directors of the municipal golf course, all residents of Carson City, all volunteers, knowing that your heart is up here in Carson City, so are your feet, and so are your hands, and I thank you for your willingness to take on a fairly significant challenge as you take over that golf course, I think that the golf course is in good hands and I think this is the way we need to go, I only hope and pray that there are a minimum number of future delays or stumbling blocks, if you will, and I am very proud to say that Carson City is better off because of people like you and your willingness to volunteer, and I know that it is for the best for this community, its golfing public, and its future, I'm saying yes to make it unanimous. Motion carried 5-0.

16. INTERNAL AUDITOR - Gary Kulikowski - DISCUSSION AND ACTION ON THE FREQUENCY, FORMAT AND CONTENT OF INTERNAL COMMUNICATIONS AND STATUS REPORTS (3-0045.5) -

Discussion ensued on the communication process, the frequency for reporting, and methods which could improve the communication process during which Mr. Kulikowski explained how he establishes his priorities and audit projects. (3-0179.5) Mr. Kulikowski expressed an intent to agendaize for the next meeting discussion and action on a priority annual work plan for the next fiscal year. The priorities will be established from his poll of the Board and City Manager. Unplanned issues may revise this plan. Issues which could be investigated without involving a significant amount of time will be handled without Board involvement, however, if it will be a lengthy process, he will proposed as an adjustment to the annual plan and seek direction from the Board. This proposal would tie his annual plan to the budget process and his annual performance evaluation. Supervisor Bennett supported the work plan and recommended having quarterly verbal reports. Mayor Masayko supported a generalized annual work plan with quarterly reports covering the status of the last six months and plans for the future six month periods. This would provide a status report on the number and type of open and closed projects. At the same time it will allow for appropriate followup or indicate a need for more active involvement by the Board/City Manager. Sensitive issues should be handled in generalized terms to avoid "tipping off those who are involved" or breaching security. The reports will have to be made in a public hearing. Comments indicated the relocation of the Administrative Complex and resulting realignment of Mr. Kulikowski's office may help to improve the communication process. Mr. Kulikowski suggested having a weekly meeting with one of the Board members who would act as a liaison, however, the Board rejected this proposal. Supervisor Tatro supported having all of the reports made at a Board meeting. Mr. Kulikowski agreed to provide the quarterly report and requested the Board members as individuals contact him whenever a question or concern arises. This will allow him to incorporate those concerns into his plan. The memo process will allow Mr. Kulikowski to keep the Board informed between reports or to obtain input from the Board. The Board would not attempt to micro-manage Mr. Kulikowski's work plan. Mr. Kulikowski indicated that he is currently in the process of gathering information for the Grand Jury. This issue could not be discussed in detail. He would indicate it in his report in general terms with an indication of the time element and status of the investigation. Mr. Kulikowski indicated his intent to maintain an open door policy with the Board. Supervisor Bennett explained Mr. Kulikowski's involvement with the Hospital's search for an internal auditor. Comments indicated Mr. Kulikowski had provide a pamphlet to the other Board members on the internal auditor's role.

(3-0515.5) Mr. Kulikowski then asked for Board direction on the brevity of his audit report citing as an example a

report he had submitted to the Board at some point before the meeting. Comments indicated its one page length had been appropriate. Mr. Kulikowski indicated that he would attempt to standardize the report and include followup, responsibility for final action, etc. Additional comments/explanations could be obtained by contacting Mr. Kulikowski. Discussion indicated that Mr. Kulikowski would provide his first annual plan at the next Board meeting.

12. D. ACTION ON LEGISLATIVE MATTERS (3-0578.5) - Discussion noted change in atmosphere at the Legislature and the speed at which decisions are now being made. It may no longer be possible for issues/items to be delayed until the Board can meet to discuss the content or response which the Board/staff should take on such issues/items. Mayor Masayko requested flexibility in responding to the legislation, however, Board consensus indicated the feeling that the Board needed to meet and discuss any presentation he might make prior to testifying. Mayor Masayko could, however, testify as an individual and not as The Board. Discussion had included using AB 291 to illustrate how the revised process would be implemented and its flaws. Supervisor Smith cited AB 395 as an example due to his lack of knowledge about it and to illustrate his feeling that not all of the Board had the same amount of information on the different legislative bills. Mayor Masayko agreed that positions had changed since Assemblyman Amodei had drafted this bill. Supervisor Bennett urged Mayor Masayko/Mr. Berkich to contact Assemblyman Amodei about this specific bill. Supervisor Smith cautioned Mayor Masayko about taking on a flexible responsibility and indicated the negative repercussions which could occur from such presentations. Supervisor Bennett requested Mayor Masayko add AB 412 to the list of legislative issues which the City was following and that both she and the Hospital be kept apprised of its progress. Supervisor Tatro then voiced his opposition to AB 395 as it has ultimately been modified without an appropriate vote of the Board. He also felt that unless the issue would directly impact the City or its revenue sources, Board discussion should occur prior to testimony. Mayor Masayko felt that the change had occurred due to property owner's acts and could not have been avoided. Supervisor Bennett expressed her concern about Assemblyman Amodei's feelings which were a result of this change in direction and the questioned whether the developer would actually move forward with his plan. Discussion on AB 401, AB 410, and AB 291 followed. Comments indicated Speaker Dini had purportedly declared AB 410 "dead". Supervisor Bennett indicated a desire to remain neutral on AB 291. Supervisor Smith expressed his desire to have the Board discuss and act on any Legislative issues prior to having the Mayor or City Manager testify due to the lack of knowledge about many of the issues. Discussion indicated that Mayor Masayko or Mr. Berkich could not poll the Board to determine a stand prior to testifying. Discussion indicated that Assemblyman Amodei may "pull" AB 395.

17. BOARD OF SUPERVISORS - NON-ACTION ITEMS - INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (3-0875.5) - Supervisor Bennett requested the Board agendize an interim appointment to the Tahoe Regional Planning Authority as she would be unable to attend its next meeting. Supervisor Plank volunteered to serve in this capacity if possible. Mayor Masayko indicated that he would volunteer to do it if no one else could. No other reports were given.

BREAK: There being no other matters for consideration at this time a recess was called at 5:25 p.m. The meeting was reconvened at 6:05 p.m. The entire Board was present constituting a quorum. Staff members present included City Manager Berkich, Community Development Director Walter Sullivan, Deputy District Attorney Mark Forsberg, Senior Planner Juan Guzman, and Recording Secretary Katherine McLaughlin.

18. COMMUNITY DEVELOPMENT DIRECTOR - Walter Sullivan - ACTION ON MPE-96/97-1 - APPROVAL OF A MASTER PLAN ELEMENT REQUEST FROM THE CARSON CITY PLANNING COMMISSION AND RATIFICATION OF PLANNING COMMISSION RESOLUTION 1997-PC-2, ADOPTING THE CARSON CITY HOUSING PLAN AS AN ELEMENT OF THE CARSON CITY MASTER PLAN AND OTHER MATTERS PROPERLY RELATED THERETO (PLANNING COMMISSION APPROVED 6-0-0-1) (3-0930.5) - Consultants Andy Burnham and Chris Cares - Mr. Sullivan's introduction included the Builders Association's concern that funding for the Code updates would not be provided during the budget process. The Board had, however, approved this funding. The Board's comments on the first draft had been included in the plan. The five point action plan included the potential for a private-public

demonstration project. Mr. Burnham explained the history of the requirement to have such an element in the master plan. He felt that the plan is an incentive program which will create a public/private partnership and result in additional affordable housing units. The plan had been supported as a result of the public participation and involvement program. Programs had been included which could be implemented quickly and create immediate results. Private enterprise had already expressed an interest in participating. Comments emphasized that the plan had not used a "cookie cutter" type of approach implemented in other areas. It is a program which had been based on Carson City input.

(3-1072.5) Public comments were solicited. Don Langson questioned Page 41, Goal 2. He urged the Board to increase the number of mobile home units rather than preserve the number of units and old stock. Some of the current mobile home parks should be upgraded or reconstructed. He also opposed protecting affordable housing stock in a fashion which would amount to rent control. San Jose rent control measures were used to illustrate his concern. Goals 3 and 4 mention improving existing property and does not consider the creation of new mobile home parks. The need for additional mobile home spaces was indicated. The current market restrictions prohibit obtaining a mobile home from one dealer and locating it on another dealer's lot. Mobile home parks are a form of affordable housing and should be considered as such. He then questioned Page 43 dealing with design objectives and the broader housing types. The demonstration project proposed under Strategy A prohibited development outside specified service areas. The City should have the same services available throughout the community and not just for a specific pilot project. Also, the proposal to hire a housing coordinator would merely create another unnecessary layer of bureaucracy. The Airport Authority was cited to illustrate his reasons for concern. He then questioned the need for "bonus densities". Any project which is good for the community and low income individuals should be allowed without bonuses. It should be the allowed outright within the Code and be for all developers rather than just for specified special or pilot programs.

Supervisor Smith then explained that the City would not commence on Page 1 and work through the document implementing all of the recommendations. It is merely a road map to where the City is going. Detours and delays are allowed. The preservation of mobile home stock is recommended as a base so that new new stock would increase the overall number of units. He also felt that this stock should be rejuvenated and not allowed to deteriorate. He then indicated that the housing coordinator is only a recommendation from the consulting team for the City to consider. Mr. Langson indicated that he understood this, however, requested the record indicate his concern. Supervisor Plank felt that the recommendation was to preserve the number of affordable residential mobile home units. This will eliminate the potential to "back slide". He also felt that previous discussion had indicated that the housing coordinator would be a current employee and not additional personnel. Mr. Sullivan indicated that this had been the intent and noted the concern related to another layer of bureaucracy. The City needs to have one individual who understands and is responsible for all of the different housing programs including affordable housing, CDBG, etc. Staff feels there is currently a person in house who could serve in this capacity. He felt certain that Western Nevada Development District's involvement with financing of affordable housing and the City staff's knowledge/roles such a person could be found without mandating adding additional staff.

Mr. Langson elaborated on his feeling that if the City truly desired affordable housing, it should eliminate the permit and Code restrictions. This would allow the free market to dictate the units. The lack of competition is creating deteriorated mobile home parks. Supply and demand could be used to upgrade such units and lower the rents. Supervisor Bennett expressed her feeling that Carson City needs to design its program so that it is right for Carson City and avoids the over-regulation which occurs in California. Mr. Langson agreed that Carson City should stay with Nevada rules and avoid California problems. The free market should be allowed to fluctuate and create the standards. The City would not lose tax monies under this scenario. He then questioned the justification for reducing the density level for apartment units. This reduction would increase the cost per unit and result in higher rental rates. The City should only restrict the setback, parking, landscaping, etc. The City should not be concerned with the density. This would allow the developer to provide whatever he could afford as dictated by the free market. Mayor Masayko felt that the City was attempting to balance the community standards. At the present time he did not feel that the growth management restrictions would be lifted. The proposal may provide the necessary incentives to create additional units to meet the community's demand in a fashion which would eliminate

the need to "tinker" with the program all the time. He also expressed the need to discourage the conversion of mobile home parks into commercial property. He was not biased against the creation of additional mobile home parks which has a market in Carson City. Mr. Langson then pointed out that the rental market indicates that whenever there is less than a five percent vacancy factor, additional projects are warranted.

(3-1538.5) Supervisor Tatro suggested modifying Page 45, C1 to eliminate "hiring" a housing coordinator by changing the term to "designate" a housing coordinator. Mr. Langson agreed.

(3-1550.5) Builders Association Representative Gayle Farley indicated the Association had participated in the process and accepted the element. It is a workable document. It would be a good tool for the development community. Mayor Masayko encouraged the Association to participate in the implementation process as had happened during the budget process when funding was allocated for the Code update. Ms. Farley indicated that she was currently working on a proposal to establish a committee to work on the building codes.

Discussion ensued between Supervisor Bennett and Mr. Burnham on the number of rental units and the number of individuals housed in rental units. Supervisor Bennett felt that consideration should be given to the type of services mandated for 30 percent of the housing units which contains 60 percent of the population. Mayor Masayko indicated that his contact with the State Demographer had indicated that Community Development may need to perform a scientific sampling of a portion of the community in order to determine the population figures. Supervisor Bennett felt that the sampling should be conducted in view of the growth management concerns. Mr. Cares indicated that the statistic Supervisor Bennett wanted was not contained within the element, however, could be conducted. The need for this information prior to considering the growth management ordinance was stressed by Supervisor Bennett and Mayor Masayko.

(3-1715.5) Ron Kipp indicated, as a member of the development community, his and Jim Bawden's appreciation of the staff, consultants, and Board's willingness to involve the developers in the process. He supported using incentives to develop the units rather than threats.

Mr. Sullivan indicated a willingness to develop the requested information. He agreed to remove the term "hire" and insert "designate" in Strategy Goal 1.

Supervisor Plank moved that the Board approve MPE-96/97-1, Master Plan Element 96/97-1, a Master Plan Element request from the Carson City Planning Commission and ratify the Planning Commission Resolution 1997-PC-2, adopting the Carson City Housing Plan as an element of the Carson City Master Plan with the amendment to Page 45, Goal 7. C. 1. to change the word "hire" to "designate" and other matters properly related thereto. Supervisor Tatro seconded the motion. Motion carried 5-0.

Mayor Masayko thanked all of the participants for their efforts. When a motion was not made to adjourn, Mayor Masayko passed the gavel to Supervisor Tatro and moved to adjourn. Mayor Pro-Tem Tatro ruled the motion died for lack of a second and returned the gavel. Supervisor Smith then moved to adjourn. Supervisor Plank and Mayor Masayko seconded the motion. Motion carried unanimously. Mayor Masayko adjourned the meeting at 6:55 p.m.

The Minutes of the June 5, 1997, Carson City Board of Supervisors meeting

1997. ARE SO APPROVED ON ___October_2___,

_____/s/_____

Ray Masayko, Mayor

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ATTEST:

/s/ _____
Alan Glover, Clerk-Recorder