A regular meeting of the Carson City Board of Supervisors was held on Thursday, May 20, 1993, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 9 a.m.

PRESENT: Mary Teixeira Mayor

Kay Bennett Supervisor, Ward 4
Greg Smith Supervisor, Ward 1
Janice Ayres Supervisor, Ward 2

Tom Tatro Supervisor, Ward 3

STAFF PRESENT: John Berkich City Manager

Kiyoshi Nishikawa Clerk-Recorder Ted P. Thornton Treasurer Vic Freeman Undersheriff

Mike Suglia Deputy District Attorney
Steve Mihelic Fire Division Chief
Katherine McLaughlin Recording Secretary
Juan Guzman Senior Planner

(B.O.S. 5/20/93 Tape 1-0005)

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

Mayor Teixeira called the meeting to order at 9:05 a.m. Mr. Berkich lead the Pledge of Allegiance. Supervisor Tatro gave the Invocation. Roll call was taken. The entire Board was present constituting a quorum.

- **1. APPROVAL OF MINUTES -** None.
- **2. LIQUOR AND ENTERTAINMENT BOARD TREASURER (1-0038) -** Ted P. Thornton Mayor Teixeira recessed the Board of Supervisors session and immediately reconvened the hearing as the Liquor and Entertainment Board. A quorum was present although Member McGrath was absent. Undersheriff Freeman distributed a memo on the applications to the Board and Clerk from Member McGrath.
- B. ACTION ON A LIQUOR LICENSE FOR SATNAM SINGH FOR HIS BUSINESS, GAS N SAVE, LOCATED AT 1360 SOUTH CARSON STREET (1-0042) Satnam Singh and his Business Manager Gary Vance responded to Board questions on the operation and his knowledge of liquor laws. Member Smith moved that the Board approve the Liquor License for Satnam Singh for his business Gas N Save, located at 1360 South Carson Street. Member Bennett seconded the motion. Motion carried 5-0.
- C. ACTION ON A LIQUOR LICENSE FOR MARIAN PANTER FOR HER BUSINESS, A BASKET AFFAIR, LOCATED AT 1801 HIGHWAY 50 EAST, SUITE A (1-0110) Marian Panter responded to Board questions on her operation, Chairperson Teixeira and Member Bennett wished her well in her endeavor. Member Bennett moved that the Board of Supervisors approve the Liquor License for Marian Panter for her business A Basket Affair, 1801 Highway 50 East, Suite A. Member Ayres seconded the motion. Following a request for a correction, Member Bennett corrected the motion to be that the Liquor and Entertainment Board approve the license. Member Ayres continued her second. Motion carried 5-0.
 - D. ACTION ON A BUSINESS LICENSE FOR ETSUKO AND ROY HEATH FOR THEIR

BUSINESS, YAMACHO JAPANESE RESTAURANT, LOCATED AT 3747 SOUTH CARSON STREET (1-0175) - Etsuko and Roy Heath responded to Board questions on the location, operation, and identification procedures. Member Smith moved that the Board approve the Liquor License for Etsuko and Roy Heath for their business, Yamacho Japanese Restaurant, located at 3747 South Carson Street, subject to the approval by the Fire and Health Departments. Member Ayres seconded the motion. Motion carried 5-0. Chairperson Teixeira wished them well in their new endeavor.

A. ACTION ON A LIQUOR LICENSE FOR MR. A. L. GASPER FOR HIS BUSINESS, CARSON DEPOT, LOCATED AT 111 EAST TELEGRAPH STREET (1-0215) - Al Gasper responded to Board questions on the operation, his tenure in Carson City, references, and operational plans. Member Smith moved that the Board approve a Liquor License for Mr. Al Gasper for his business Carson Depot, located at 111 East Telegraph Street, subject to approval by the Fire and Health Departments. Member Ayres seconded the motion. Motion carried 5-0. Chairperson Teixeira wished him well in his new endeavor.

Chairperson Teixeira adjourned the Liquor and Entertainment Board and immediately reconvened the session as the Board of Supervisors. The entire Board was present constituting a quorum.

CITIZEN COMMENTS (1-0301) - None.

3. CONSENT AGENDA

A. CLERK-RECORDER - ACTION ON A RESOLUTION AUTHORIZING THE DESTRUCTION OF ORIGINAL RECORDS - COURT CASE FILES

B. PURCHASING AGENT

- i. ACTION ON CONTRACT NO. 9293-171 CARSON CITY SENIOR CENTER GIFT SHOP ROOF REPAIR
- ii. ACTION ON CONTRACT NO. 9293-140 CLEARVIEW SEWER EXPANSION PROJECT; CHANGE ORDER 1-7 AND FINAL PAYMENT

C. COMMUNITY DEVELOPMENT DIRECTOR

- i. ACTION ON M-92/93-31 AN ABANDONMENT REQUEST FROM CAPITAL VENDING TO ABANDON A 7.5 FOOT APPROXIMATELY 95.48 FOOT ACCESS, DRAINAGE, AND PUBLIC UTILITY EASEMENT LOCATED ALONG THE EASTERN PROPERTY LINE OF APN 2-071-33, PROPERTY LOCATED ON HOT SPRINGS ROAD, APPROXIMATELY 1,200 FEET NORTHEAST OF THE INTERSECTION OF HOT SPRINGS ROAD AND NORTHGATE LANE (PLANNING COMMISSION APPROVED 5-0)
- ii. ACTION ON M-92/93-32 AN ABANDONMENT REQUEST FROM MICHAEL AND DEAN ANDERSON TO ABANDON AN APPROXIMATELY 30 FOOT BY 264 FOOT ACCESS EASEMENT LOCATED WEST OF VOLTAIRE STREET BETWEEN ROVENTINI WAY AND OVERLAND STREET, ADJACENT TO APNS 9-253-02 AND 9-252-01; AND TO ABANDON AN APPROXIMATELY 60 FOOT BY 594 FOOT PORTION OF PUBLIC RIGHT-OF-WAY KNOWN AS OVERLAND STREET, LOCATED WEST OF VOLTAIRE STREET, BETWEEN ROVENTINI WAY AND WILLOW STREET ADJACENT TO APNS 9-254-01 AND 9-252-01 (PLANNING COMMISSION APPROVED 6-0)

- iii. ACTION ON M-92/93-33 AN ABANDONMENT REQUEST FROM MILTON STAFFORD TO ABANDON AN APPROXIMATELY 5 FOOT BY 295 FOOT PUBLIC UTILITY EASEMENT LOCATED ALONG THE EASTERN AND SOUTHERN PROPERTY LINES OF APN 9-563-08, ON PROPERTY LOCATED ON SILVER SAGE DRIVE APPROXIMATELY 144 FEET SOUTH OF THE INTERSECTION OF STAFFORD WAY AND SILVER SAGE DRIVE (PLANNING COMMISSION APPROVED 5-0)
- iv. ACTION ON M-92/93-35 AN ABANDONMENT REQUEST FROM VICTOR MCDONALD AND MICHAEL DYER TO ABANDON AN APPROXIMATELY 8 FOOT BY 172 FOOT PORTION OF PUBLIC RIGHT-OF-WAY ADJACENT TO MINNESOTA STREET, LOCATED SOUTH OF SOPHIA STREET WEST OF DIVISION, NORTH OF ANN STREET, ABUTTING APNS 1-185-01 AND 04; AND TO ABANDON AN APPROXIMATELY 8 FOOT BY 97 FOOT PORTION OF PUBLIC RIGHT-OF-WAY KNOWN AS SOPHIA STREET, LOCATED EAST OF MINNESOTA STREET, WEST OF DIVISION STREET AND NORTH OF ANN STREET, ABUTTING APN 1-185-01 (PLANNING COMMISSION APPROVED 5-0) (1-0315) Mayor Teixeira asked the Board and audience if anyone wished to have any of the items pulled for extended discussion. A request was not made. Resolution Number 1993-R-45 was assigned to the request for destruction of records. Supervisor Tatro moved that the Board approve the Consent Agenda as presented on the Agenda including Resolution No. 1993-R-45 for the destruction of original records. Supervisor Smith seconded the motion. Motion carried 5-0.
- 4. TREASURER Ted P. Thornton ACTION ON ADOPTING A RESOLUTION AWARDING THE CARSON CITY, NEVADA, IMPROVEMENT DISTRICT NO. 1 (GRAVES LANE) GENERAL OBLIGATION INTERIM WARRANT TO THE BEST BIDDER AND PROVIDING FOR VARIOUS DETAILS OF SUCH INTERIM WARRANT (1-0335) Mr. Berkich distributed new sheets for insertion into the proposed Resolution to the Board and Clerk. Mr. Thornton explained the bids and recommendation. Supervisor Tatro moved that the Board accept the bid from U.S. Bank of Nevada at 3.75 percent, as the low bid, and adopt Resolution No. 1993-R-46, A RESOLUTION DESIGNATED BY THE SHORT TITLE "1993 INTERIM WARRANT AWARD RESOLUTION"; PROVIDING FOR THE AWARD OF THE CARSON CITY, NEVADA, IMPROVEMENT DISTRICT NO. 1 (GRAVES LANE) GENERAL OBLIGATION INTERIM WARRANT, IN AN AMOUNT NOT TO EXCEED \$2,000,000 to U.S. Bank of Nevada; PRESCRIBING DETAILS IN CONNECTION THEREWITH; AND PROVIDING OTHER MATTERS RELATING THERETO. Supervisor Bennett seconded the motion. Comments were solicited but none made. Motion carried 5-0.
- 5. PARKS AND RECREATION DIRECTOR Steve Kastens ORDINANCE SECOND READING ACTION ON BILL NO. 124 AN ORDINANCE AMENDING TITLE 2 OF THE CARSON CITY MUNICIPAL CODE ADDING CHAPTER 2.18, A CHAPTER ESTABLISHING THE CARSON CITY SHADE TREE COUNCIL AND OTHER MATTERS PROPERLY RELATING THERETO (1-0452) Supervisor Smith reminded staff of the Board's desire to have copies of all ordinances when considered for second reading. Supervisor Tatro moved to adopt Ordinance No. 1992-23 on second reading, AN ORDINANCE AMENDING TITLE 2 (ADMINISTRATION AND PERSONNEL) OF THE CARSON CITY MUNICIPAL CODE ADDING CHAPTER 2.18 A CHAPTER ESTABLISHING THE CARSON CITY SHADE TREE COUNCIL AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Ayres seconded the motion. Motion carried 5-0.
- **6. SHERIFF** Assistant Sheriff Greg Biggin **QUARTERLY REPORT ON THE ASSET FORFEITURE ACCOUNT (1-0478)** Assistant Sheriff Biggin responded to Board questions concerning the balance, flexibility in the number of forfeitures, seizures, the TRINET program, and funding for the furnace at Children's Home which is used by the Boys and Girls Club. No action was required or taken on this item.

- FIRE CHIEF Division Chief Steve Mihelic ORDINANCE SECOND READING ACTION ON BILL NO. 122 - AN ORDINANCE AMENDING TITLE 14 OF THE CARSON CITY MUNICIPAL CODE TO ADOPT THE 1991 UNIFORM FIRE CODE, TO MAKE VARIOUS AMENDMENTS TO THAT CODE AND ITS APPENDICES, TO AMEND SECTION 14.04.070 REGARDING FUEL TANK CAPACITY IN THE (LI) DISTRICT, TO AMEND 14.04.150 TO REQUIRE AUTHORITY FROM THE UTILITY DEPARTMENT FOR USE OF FIRE HYDRANTS, TO MAKE OTHER CHANGES TO CHAPTER 14.04 RESULTING FROM THE NEW PROVISIONS OF THE UNIFORM FIRE CODE AS AMENDED, TO AMEND CHAPTER 14.08 TO PROHIBIT BONFIRES AND TO MAKE OTHER CHANGES TO CHAPTER 14.08 RESULTING FROM THE NEW PROVISIONS OF THE UNIFORM FIRE CODE AS AMENDED AND OTHER MATTERS PROPERLY RELATED THERETO (1-0625) -Division Chief Mihelic responded to Board questions concerning the fire flow requirements, grandfathered requirements for approved subdivisions, and the desire to maintain the same interpretation even if the Board and staff members change. Mr. Suglia felt that past practices would support the current interpretation. Appeals would be heard by the Board of Appeals. Supervisor Bennett moved that the Board of Supervisors approve on second reading Ordinance No. 1993-24, AN ORDINANCE AMENDING TITLE 14 OF THE CARSON CITY MUNICIPAL CODE TO ADOPT THE 1991 UNIFORM FIRE CODE, to make various amendments to that Uniform Code AND ITS APPENDICES, TO AMEND SECTION 14.04.070 REGARDING FUEL TANK CAPACITY IN THE (LI) DISTRICT, TO AMEND 14.04.150 TO REQUIRE AUTHORITY FROM THE UTILITY DEPARTMENT FOR USE OF FIRE HYDRANTS, TO MAKE OTHER CHANGES TO CHAPTER 14.04 RESULTING FROM THE NEW PROVISIONS OF THE UNIFORM FIRE CODE AS AMENDED, TO AMEND CHAPTER 14.08 TO PROHIBIT BONFIRES AND TO MAKE OTHER CHANGES TO CHAPTER 14.08 RESULTING FROM THE NEW PROVISIONS OF THE UNIFORM FIRE CODE AS AMENDED AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Tatro seconded the motion. Comments were solicited but none made. Motion to adopt Ordinance No. 1993-24 as indicated was voted and carried 5-0. Mayor Teixeira thanked Mr. Mihelic for his information and time and expressed the hope that the information would be relayed to the Builders Association. Mayor Teixeira noted that any modifications should be addressed at a future meeting under the appropriate agenda heading.
- 8. FINANCE DIRECTOR REVIEW AND APPROVAL OF THE CARSON CITY AND REDEVELOPMENT AUTHORITY FISCAL YEAR 1992-93 THIRD QUARTER FINANCIAL REPORTS (1-1235) Deferred.
- **9. PURCHASING AGENT -** Basil "Butch" Moreto.
- A. ACTION ON A RESOLUTION PROVIDING NOTICE AND AUTHORIZING THE LEASE OF THE PONY EXPRESS PAVILION LOCATED AT MILLS PARK AND REQUEST FOR SEALED/ORAL BIDS THROUGH THE PROCESS DETAILED IN NRS CHAPTER 244 (1-1248) Mayor Teixeira and Mr. Moreto reviewed the terms of the proposed contract including the revisions. Comments/questions were solicited but none made. Supervisor Bennett commended Mayor Teixeira and staff on the contract and moved that the Board adopt Resolution No. 1993-R-47, A RESOLUTION PROVIDING NOTICE AND AUTHORIZING THE LEASE OF THE PONY EXPRESS PAVILION LOCATED AT MILLS PARK AND REQUEST FOR SEALED/ORAL BIDS THROUGH THE PROCESS DETAILED IN NRS CHAPTER 244. Supervisor Ayres seconded the motion. Motion carried 5-0. Mayor Teixeira thanked Mr. Moreto and Mr. Suglia on their efforts. Discussion ensued concerning the noticing procedures.
- **B. DISCUSSION ON STOCKLESS WAREHOUSE** (1-1-1615) Supervisor Tatro explained the State purchasing program which other governmental purchasing divisions utilize. This allows local entities to acquire items at a lower cost due to the State's ability to purchase in quantity. He did not feel that he had a conflict of interest. He also noted the State's decision to go to the same program. Discussion ensued among the Board and

Mr. Moreto on the pros and cons of the proposal to purchase supplies under a "Just In Time" (JIT) program. The proposal would eliminate the current \$50,000 inventory maintained by the Department. These funds could be used for other purposes. Action was not taken or required on this item.

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

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

- A. ACTION ON BILL NO. 125 AN ORDINANCE AND DEVELOPMENT AGREEMENT FOR JENNY BACIGALUPI, JOHN UHART, AND DEBORAH UHART REGARDING PARCEL "A" OF RECORD PLAT NUMBER 553, LOCATED ON WEST WINNIE LANE (1-2058) Supervisor Smith moved that the Board adopt Ordinance No. 1993-25, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND JENNY BACIGALUPI, JOHN UHART, AND DEBORAH UHART REGARDING PARCEL "A" OF RECORD PLAT NUMBER 553 LOCATED ON THE SOUTH SIDE OF WEST WINNIE LANE IMMEDIATELY WEST OF CARRIAGE SQUARE SUBDIVISION, CARSON CITY, NEVADA. Supervisor Bennett seconded the motion. Motion carried 5-0.
- B. ACTION ON BILL NO. 126 AN ORDINANCE AMENDING CHAPTER 15.05 OF THE CARSON CITY MUNICIPAL CODE ADOPTING THE 1991 UNIFORM BUILDING CODE AND RELATED CODES AND PROVIDING AMENDMENTS (1-2100) Supervisor Smith moved that the Board adopt on second reading Ordinance No. 1993-26, AN ORDINANCE AMENDING CHAPTER 15.05 OF THE CARSON CITY MUNICIPAL CODE ADOPTING THE 1991 UNIFORM BUILDING CODE AND RELATED CODES PROVIDING AMENDMENTS THERETO APPLICABLE IN CARSON CITY, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Tatro seconded the motion. Motion carried 5-0.
- C. ACTION ON BILL NO. 127 AN ORDINANCE AMENDING CHAPTER 15.09 OF THE CARSON CITY MUNICIPAL CODE ADOPTING THE 1991 UNIFORM PLUMBING CODE AND PROVIDING AMENDMENTS (1-2125) Supervisor Tatro moved that the Board adopt Ordinance No. 1993-27 on second reading, AN ORDINANCE AMENDING CHAPTER 15.09 OF THE CARSON CITY MUNICIPAL CODE ADOPTING THE 1991 UNIFORM PLUMBING CODE AND PROVIDING AMENDMENTS THERETO APPLICABLE IN CARSON CITY, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Ayres seconded the motion. Motion carried 5-0.
- D. ACTION ON BILL NO. 128 AN ORDINANCE AMENDING CHAPTER 15.16 OF THE CARSON CITY MUNICIPAL CODE ADOPTING THE 1991 UNIFORM MECHANICAL CODE AND OTHER MATTERS PROPERLY RELATED THERETO (1-2160) Supervisor Tatro moved that the Board adopt Ordinance No. 1993-28, Bill No. 128, on second reading, AN ORDINANCE AMENDING CHAPTER 15.16 OF THE CARSON CITY MUNICIPAL CODE ADOPTING THE 1991 EDITION OF THE UNIFORM MECHANICAL CODE; AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Bennett seconded the motion. Motion carried 5-0.
- 12. **DISTRICT ATTORNEY -** Deputy District Attorney Mike Suglia
 - C. ORDINANCES SECOND READING
- i. ACTION ON BILL NO. 130 AN ORDINANCE AMENDING CHAPTER 8.20 OF THE CARSON CITY MUNICIPAL CODE, PROVIDING FOR CHANGES TO THE MINOR CURFEW

AND PARENTAL RESPONSIBILITY PROVISIONS, PROHIBITING PUBLIC LOITERING DURING SCHOOL HOURS BY MINORS WHO ARE TRUANT OR SUSPENDED FROM SCHOOL AND PROVIDING PENALTIES FOR PARENTS OR GUARDIANS WHO PERMIT HABITUAL TRUANCY AND OTHER MATTERS PROPERLY RELATED THERETO (1-2185) - Mayor Teixeira introduced the proposal. Discussion noted District Attorney Noel Waters' desire to be present, therefore, this matter was continued.

11. **COMMUNITY DEVELOPMENT DIRECTOR** - Walter Sullivan and Senior Planner Juan Guzman

C. ACTION ON S-92/93-3 - REGARDING A TENTATIVE SUBDIVISION MAP FROM ROBERT BOLES (PROPERTY OWNER: DAN MCCARTY) TO DEVELOP 16 MOBILE HOME LOTS (CARSON MANOR) ON APPROXIMATELY 3.31 ACRES OF LAND ZONED MOBILE HOME 6,000 (MH6000) LOCATED NORTH OF SHERMAN LANE APPROXIMATELY 700 FEET WEST OF PANAMINT DRIVE, APN 8-281-05 (PLANNING COMMISSION APPROVED 5-0) (1-2238) - Supervisor Bennett explained her contact with residents in the area and that they did not oppose the project. Additional comments were solicited but none made. Supervisor Bennett then moved that the Board of Supervisors approve a request for a tentative subdivision map S-92/93-3 from Robert Boles, property owner: Dan McCarty, to develop 16 mobile home lots, Carson Manor, on approximately 3.31 acres of land zoned mobile home 6,000 located north of Sherman Lane approximately 700 feet west of Panamint Drive, APN 8-281-05 subject to the conditions of approval. Supervisor Smith seconded the motion. Motion carried 5-0.

D. ORDINANCES - FIRST READING

- ACTION ON A-92/93-8 AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE, TITLE 18 (ZONING), SECTIONS 18.06.107 (PRIMARY PERMITTED USES IN RESIDENTIAL OFFICE) AND 18.06.109 (CONDITIONAL USES IN RESIDENTIAL OFFICE) BY DELETING MULTI-FAMILY DWELLINGS AS A PRIMARY PERMITTED USE IN THE RESIDENTIAL OFFICE DISTRICT AND BY ADDING MULTI-FAMILY DWELLINGS AS A CONDITIONAL USE IN THE RESIDENTIAL OFFICE DISTRICT, AND OTHER MATTERS PROPERLY RELATED THERETO (PLANNING COMMISSION APPROVED 5-0) (1-1-2335) -Discussion among the Board and Mr. Sullivan explained in depth the reasons for modify the Code and zoning around the Sheriff's office. Supervisor Smith moved that the Board of Supervisors approve on first reading A-92/93-8 and introduce Bill No. 131, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE, TITLE 18 (ZONING), SECTIONS 18.06.107 (PRIMARY PERMITTED USES IN RESIDENTIAL OFFICE) AND 18.06.109 (CONDITIONAL USES IN RESIDENTIAL OFFICE) BY DELETING MULTI-FAMILY DWELLINGS AS A PRIMARY PERMITTED USE IN THE RESIDENTIAL OFFICE DISTRICT AND BY ADDING MULTI-FAMILY DWELLINGS AS A CONDITIONAL USE IN THE RESIDENTIAL OFFICE DISTRICT AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Bennett seconded the motion. Motion carried 5-0.
- ii. ACTION ON A-91/92-14 AN ORDINANCE AFFECTING CARSON CITY MUNICIPAL CODE, TITLE 15 (BUILDING AND CONSTRUCTION) BY DELETING CHAPTER 15.24 (RECREATIONAL VEHICLE PARKS)
- iii. ACTION ON A-91/92-14 AN ORDINANCE AFFECTING CARSON CITY MUNICIPAL CODE, TITLE 18 (ZONING) BY ADDING CHAPTER 18.24, RELATING TO RECREATIONAL VEHICLE PARKS AND OTHER MATTERS PROPERLY RELATED THERETO (PLANNING COMMISSION APPROVED 5-0) (1-2510) Supervisor Bennett moved that the Board approve A-91/92-14 and introduce on first reading Bill No. 132, AN ORDINANCE AFFECTING CARSON CITY

MUNICIPAL CODE, TITLE 15 (BUILDING AND CONSTRUCTION) BY DELETING CHAPTER 15.24 (RECREATIONAL VEHICLE PARKS). Supervisor Smith seconded the motion. Motion carried 5-0.

Supervisor Tatro moved to introduce on first reading Bill No. 133, AN ORDINANCE AFFECTING CARSON CITY MUNICIPAL CODE, TITLE 18 (ZONING) BY ADDING CHAPTER 18.24, RELATING TO RECREATIONAL VEHICLE PARKS AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Smith seconded the motion. Motion carried 5-0.

iv. ACTION ON A-91/92-22 - AN ORDINANCE AMENDING TITLE 18 (ZONING) OF THE CARSON CITY MUNICIPAL CODE BY ADDING CHAPTER 18.31, GROUP CARE FACILITIES AND OTHER MATTERS PROPERLY RELATED THERETO (PLANNING COMMISSION APPROVED 5-0) (1-2610) - Discussion ensued among the Board and staff on the types of permits listed as being required for the Special Use Permit, the permits acquired by the three existing group care facilities, ADA requirements and amenities provided in the Nevada Care facility, policing and State controls. Supervisor Tatro then moved that the Board introduce on first reading Bill No. 134, AN ORDINANCE AMENDING TITLE 18 (ZONING) OF THE CARSON CITY MUNICIPAL CODE, BY ADDING CHAPTER 18.31, GROUP CARE FACILITIES AND OTHER MATTERS PROPERLY RELATED THERETO, with the exception that on Page 3, Section 7, be deleted, which refers to proximity. Mayor Teixeira noted Supervisor Tatro had indicated his concerns last time this matter was discussed. Supervisor Ayres seconded the motion. Motion was voted by roll call with the following results: Bennett - No; Smith - No; Ayres - Yes; Tatro - Yes; and Mayor Teixeira - No. Motion failed 2-3.

Supervisor Tatro noted the importance of proposed ordinance and moved that the Board introduce on first reading Bill No. 134, AN ORDINANCE AMENDING TITLE 18 (ZONING) OF THE CARSON CITY MUNICIPAL CODE, BY ADDING CHAPTER 18.31, GROUP CARE FACILITIES AND OTHER MATTERS PROPERLY RELATED THERETO as submitted by the Planning Commission. Supervisor Ayres seconded the motion. Motion carried 5-0.

12. **DISTRICT ATTORNEY -** Noel Waters and Deputy District Attorney Mike Suglia

C. ORDINANCES - SECOND READING

i. ACTION ON BILL NO. 130 - AN ORDINANCE AMENDING CHAPTER 8.20 OF THE CARSON CITY MUNICIPAL CODE, PROVIDING FOR CHANGES TO THE MINOR CURFEW AND PARENTAL RESPONSIBILITY PROVISIONS, PROHIBITING PUBLIC LOITERING DURING SCHOOL HOURS BY MINORS WHO ARE TRUANT OR SUSPENDED FROM SCHOOL AND PROVIDING PENALTIES FOR PARENTS OR GUARDIANS WHO PERMIT HABITUAL TRUANCY AND OTHER MATTERS PROPERLY RELATED THERETO (1-2995) - Following Mayor Teixeira's introduction, procedures and the number of individuals who had contacted the Board were discussed. Mr. Waters reviewed the ordinance and discussed with the Board the curfew hours, inclusion of 15 year old students, the discretion granted Juvenile Probation and the Courts in the sentencing and citation processes, various parental supervision problems, retaliation potential for a youth to abuse the system in an attempt to "get even" with the parent, (2-0435) the increased penalties for additional violations, need for the ordinance, emotionalism involved with the proposal, and the need to advertise the Community Council on Youth and Boys and Girls Club activities. (2-0397) Supervisor Bennett requested Mr. Waters write an editorial forum delineating the proposal and its enforcement procedures, which he agreed to do.

(2-0629) Clay Mills expounded on his opposition to the proposal due to his personal involvement with Juvenile Probation. Youths need the parking lots to meet and talk with their friends. He began to voice his opposition to the DARE program, however, Mayor Teixeira reminded him that the Board could not discuss this program as it

was not agendized. Mr. Mills then requested Board action appointing an advocate to represent the youths. Mayor Teixeira indicated there is a process to do this. Mr. Mills felt that this process was failing. He then explained his problems with Juvenile Probation/Detention and displayed a court order. Mayor Teixeira again requested he contain his remarks to the proposed ordinance. Mr. Mills terminated his comments.

(2-0792) Joe Fey expressed his support for the proposal. (2-0825) Carl Edward Neathammer felt that the ordinance was well measured and urged the Board to adopt it. (2-0898) Additional comments were solicited but none made.

Supervisor Ayres then moved that the Board adopt on second reading Ordinance No. 1993-29, AN ORDINANCE AMENDING CHAPTER 8.20 OF THE CARSON CITY MUNICIPAL CODE, PROVIDING FOR CHANGES TO THE MINOR CURFEW AND PARENTAL RESPONSIBILITY PROVISIONS, PROHIBITING PUBLIC LOITERING DURING SCHOOL HOURS BY MINORS WHO ARE TRUANT OR SUSPENDED FROM SCHOOL AND PROVIDING PENALTIES FOR PARENTS OR GUARDIANS WHO PERMIT HABITUAL TRUANCY AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Bennett seconded the motion. Comments were solicited but none made. Motion was voted by roll call with the following results: Ayes - Smith, Tatro, Bennett, Ayres, and Mayor Teixeira. Nayes - None. Motion carried 5-0.

Discussion noted the effective date of the ordinance. Mayor Teixeira encouraged Mr. Waters to write the editorial forum, which he again agreed to do.

- 11. D. v. ACTION ON A-91/92-24 AN ORDINANCE AMENDING TITLE 18 (ZONING) OF THE CARSON CITY MUNICIPAL CODE, BY ADDING CHAPTER 18.30, ELDER CARE HOUSING OPPORTUNITY AND OTHER MATTERS RELATED THERETO (PLANNING COMMISSION APPROVED 5-0) (2-0992) Associate Planner Sandy Danforth responded to Board questions on the enforcement and tracking procedures, justification for allowing the use in SF6000 and MH6000 zones, and unit size. (During this discussion Supervisor Tatro left the room--11:12 a.m. A quorum was still present.) Supervisor Smith moved that the Board introduce on first reading Bill No. 135, AN ORDINANCE AMENDING TITLE 18 (ZONING) OF THE CARSON CITY MUNICIPAL CODE, BY ADDING CHAPTER 18.30, ELDER CARE HOUSING OPPORTUNITY AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Bennett seconded the motion. Motion carried 4-0.
- ACTION ON A-91/92-23 AN ORDINANCE AMENDING TITLE 18 (ZONING) OF THE CARSON CITY MUNICIPAL CODE BY ADDING CHAPTER 18.32, CHILD CARE FACILITIES AND OTHER MATTERS RELATED THERETO (PLANNING COMMISSION APPROVED 5-0) (2-1125) - (During Mr. Sullivan's introduction, Supervisor Tatro returned--11:15 a.m. A quorum was present as previously noted.) Supervisor Tatro questioned the reasons for having a proximity restriction in the ordinance and noted examples of adjacent child care facilities. These facilities were grandfathered. Supervisor Tatro then moved that the Board introduce on first reading Bill No. 136, AN ORDINANCE AMENDING TITLE 18 (ZONING) OF THE CARSON CITY MUNICIPAL CODE, BY ADDING CHAPTER 18.32, CHILD CARE FACILITIES AND OTHER MATTERS PROPERLY RELATED THERETO as approved by the Planning Commission with the deletion of Section 7 which deals with proximity and restricts child care facilities to a five hundred foot limit. Motion died for a lack of a second. Supervisor Smith then moved that the Board introduce on first reading Bill No. 136, AN ORDINANCE AMENDING TITLE 18 (ZONING) OF THE CARSON CITY MUNICIPAL CODE, BY ADDING CHAPTER 18.32, CHILD CARE FACILITIES AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Bennett seconded the motion. Discussion between Supervisor Bennett and Mr. Sullivan justified the reasons for the 500 foot restriction for Section 4. Additional comments were solicited but none made. The motion to introduce Bill No. 136 as indicated was voted and carried 4-1.
 - E. STATUS REPORT ON TITLE 18 REVISIONS (2-1253) Discussion among the Board and Mr.

Sullivan included the hearing notification process. Supervisor Tatro suggested that cable access television include an announcement on its public bulletin. No formal action was required or taken.

- F. DISCUSSION AND POSSIBLE ACTION TO APPROVE AND AUTHORIZE FUNDING FOR ENGINEERING SERVICES FOR VARIOUS POSSIBLE SITES FOR LOCATING THE PUBLIC SAFETY COMPLEX (2-1355) Capital Projects Advisory Committee Chairperson Gary Sheerin discussed with the Board the funding needed for engineering services to analyze the feasibility of potential public safety complex sites. Discussion included the six sites selected for evaluation and reasons the previous "Country Club Estates" site had not been considered. The Country Club Estates was added to the list of potential sites. Funding for the engineering services is available. Supervisor Bennett moved that the Board of Supervisors approve the authorization for funding for an amount not to exceed \$21,000 for engineering services for six potential sites for a jail and courthouse facility, fiscal impact is not to exceed \$21,000, funding source is 330-0000-415-0601 Capital Facilities Office Supplies. Supervisor Ayres seconded the motion. Discussion ensued on the title of the funding source. The motion as indicated was voted and carried 5-0.
- 12. A. ACTION TO APPROVE A MEMORANDUM OF UNDERSTANDING BETWEEN CARSON CITY AND THE CARSON CITY SHERIFF'S PROTECTIVE ASSOCIATION (2-1625) City Negotiator Charles Cockerill and Assistant Sheriff Denis Austin reviewed the proposed memorandum on protective vests. Discussion detailed ownership if termination occurs within 12 months and after that. The officers applauded the concept. Supervisor Ayres moved that the Board approve a Memorandum of Understanding between Carson City and the Carson City Sheriff's Protective Association, fiscal impact \$8,000, funding source is the Sheriff's Departmental Savings and Contingency Account. Supervisor Smith seconded the motion. Motion carried 5-0.
- 11. A. ORDINANCE FIRST READING ACTION ON A-91/92-4 AN ORDINANCE AMENDING TITLE 18 (ZONING) OF THE CARSON CITY MUNICIPAL CODE BY ADDING CHAPTER 18.11 (HILLSIDE DEVELOPMENT ORDINANCE), AN ORDINANCE REGULATING DEVELOPMENT AND CONSTRUCTION IN CERTAIN DESIGNATED HILLSIDE AREAS OF CARSON CITY AND OTHER MATTERS PROPERLY RELATED THERETO (PLANNING COMMISSION APPROVED 6-0-1-0) (2-1775) Builders Association Executive Director Lorna Miller indicated the Association's acceptance of the modification and involvement in its preparation. Supervisor Bennett indicated her support and its importance to the community. She thanked the Association for its time, effort, and cooperation in preparing the ordinance. Supervisor Smith also noted the time taken to prepare the ordinance and expressed the hope that no one thinks it was a "slam dunk" and of little importance. Mr. Sullivan thanked all of the participants for their assistance in drafting the ordinance. Supervisor Bennett then moved that the Board introduce on first reading Bill No. 137, AN ORDINANCE AMENDING TITLE 18 (ZONING) OF THE CARSON CITY MUNICIPAL CODE BY ADDING CHAPTER 18.11 (HILLSIDE DEVELOPMENT ORDINANCE), AN ORDINANCE REGULATING DEVELOPMENT AND CONSTRUCTION IN CERTAIN DESIGNATED HILLSIDE AREAS OF CARSON CITY AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Ayres seconded the motion. Motion carried 5-0.
- B. ACTION ON A RESOLUTION ADOPTING THE HILLSIDE DEVELOPMENT MANUAL AND SKYLINE AREA MAPS (PLANNING COMMISSION APPROVED 5-0-0-0) (2-2015) Pulled.

CITIZEN COMMENTS (2-2032) - None.

15. SUPERVISORS' COMMENTS AND REPORTS (2-2041) - Supervisor Bennett noted the cooperation received from the community in completing the ordinances previously adopted. She commended Mr. Berkich on his organization of Community Development Division and granting it the time required to accomplish same.

BREAK: A 20 minute recess was declared at 11:35 a.m. to allow the Board and staff time to reach the groundbreaking ceremonies. When the meeting reconvened at 11:55 a.m. the entire Board was present, constituting a quorum.

13. GROUNDBREAKING CEREMONIES AT THE CENTRAL FIRE STATION SITE ON STEWART STREET AT EIGHTH STREET (3-005 Side A) - Mayor Teixeira reviewed the history of the station, stressing the role taken by the Fire Department in selling the election issue to the public. Comments with the Architect indicated the project was on schedule, within budget, and that change orders should not be necessary. Mayor Teixeira commended all on their efforts. Supervisor Bennett echoed his comments. The Firefighters present turned the first shovel of dirt. The Board, Architect, and Contractor turned the second shovel of dirt. Mayor Teixeira thanked all for attending the ceremony and recessed the meeting until 1:30 p.m.

BREAK: A lunch recess was declared at 12:05 p.m. When the meeting reconvened at 1:30 p.m. the entire Board was present constituting a quorum. Staff present included: City Manager Berkich, Clerk-Recorder Nishikawa, Personnel Manager Fisher, Deputy District Attorney Suglia, and Recording Secretary McLaughlin.

14. PERSONNEL MANAGER - Judie Fisher

- A. ACTION ON APPOINTMENT OF TWO MEMBERS TO THE REGIONAL PLANNING COMMISSION (2-2095) Don Gurney withdrew his application. (2-2185) Eugene Quarterson, (2-2675) Alan Rogers, and (4-0220) David Loomis were then interviewed by the Board. They responded to questions concerning their reasons for applying, experience, background, knowledge of the Commission and its role, available time to dedicate to the Commission, suggested Commission/area changes desired, and the City's growth rate. Mayor Teixeira thanked each one for applying. Discussion with Mr. Quarterson included his activities on PATCOM. Mr. Loomis displayed his book on community planning. (4-0695) Ms. Beveridge was not present, however, was scheduled for 2:10 p.m. If she appeared, the Board would interview her then. Al Christianson was interested, however, could not be present. The item was continued to later in the meeting.
- B. ACTION ON A RESOLUTION ESTABLISHING A NEW METHOD FOR THE APPOINTMENT OF MEMBERS OF CERTAIN BOARDS AND COMMISSIONS (4-0715) The pros and cons of this issue were debated by the Board and paralleled comments expressed when previously considered. Supervisor Smith moved that the Board adopt Resolution No. 1993-R-48, A RESOLUTION ESTABLISHING A NEW METHOD FOR THE APPOINTMENT OF MEMBERS TO CERTAIN BOARDS AND COMMISSIONS, deleting everything on Page 2, Paragraph 4, after "his or her term.", which eliminates "An application and an interview are not necessary. Reappointment shall be in the manner provided in Paragraph 3." and adding on Page 3, Line 3 at the end of "Capital Projects Advisory Committee", "and Golf Course Advisory Committee". Motion died for a lack of a second. Ms. Fisher was directed to commence agendizing the various vacancies for interviewing. No formal action was taken.
- C. ORDINANCE SECOND READING ACTION ON BILL NO. 129 AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE 2.04.400 (PUBLIC OFFICERS) BY DELETING UTILITY MANAGER, ADMINISTRATIVE SERVICES DIRECTOR/CONTROLLER, DEPUTY CITY MANAGER AND SEWER UTILITY SUPERINTENDENT AND ADDING PUBLIC UTILITIES DIRECTOR, DEPUTY PUBLIC UTILITIES DIRECTOR, DIRECTOR OF FINANCE/CONTROLLER AND REDEVELOPMENT AND ASSISTANT TO THE CITY MANAGER (4-1092) Supervisor Smith moved that the Board adopt on second reading Ordinance No. 1993-30, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE 2.04.400 (PUBLIC OFFICERS) BY DELETING UTILITY MANAGER, ADMINISTRATIVE SERVICES DIRECTOR/CONTROLLER, DEPUTY CITY MANAGER AND SEWER

UTILITY SUPERINTENDENT AND ADDING PUBLIC UTILITIES DIRECTOR, DEPUTY PUBLIC UTILITIES DIRECTOR, DIRECTOR OF FINANCE/CONTROLLER AND REDEVELOPMENT AND ASSISTANT TO THE CITY MANAGER. Supervisor Bennett seconded the motion. Motion carried 5-0.

- **16. CITY MANAGER -** John Berkich and Assistant to the City Manager Pat Sorensen
- ACTION ON A REQUEST TO WITHDRAW AN OFFER FOR THE SALE OF LAND PREVIOUSLY ACCEPTED BY THE BOARD OF SUPERVISORS. SUBMISSION OF A NEW OFFER FOR THE SAME PROPERTY LOCATED IN THE CARSON AIR INDUSTRIAL PARK, IDENTIFIED AS LOT 24A, ASSESSOR'S PARCEL NUMBER 8-403-18 (4-1145) - Following Mr. Berkich's introduction, Mr. Sorensen reviewed the action taken by the previous Board. Broker Pat Ritcher explained the original offer, the confusion over the appraisal price, and reasons for requesting the withdrawal and new offer. City Broker Tom Johnson's comments supported her explanation and reasons for recommending that the property's assessed value be the price. Supervisor Smith expressed his feeling that it was an honest mistake and his support for allowing the withdrawal. Discussion indicated the property had been for sale since 1987 or 1988 with only one offer having been submitted which fell through. Supervisor Smith then moved that the Board of Supervisors accept the proposal to withdraw an offer for sale accepted on 3-18-93 for amount of \$85,000 and accept a new offer of \$75,000 for the sale of Air Industrial Park property identified as Lot 25, Assessor's Parcel No. 8-403-18, fiscal impact minus the expenses associated with the new proposed offer for sale of said City-owned property, the following is realized at the close of escrow: Sale price - \$75,000, less a ten percent commission of \$7,500, less half of the closing costs of \$800, leaving a balance due to the City of \$66,700. Supervisor Ayres seconded the motion. Comments were solicited but none made. The motion as indicated was voted by roll call with the following results: Tatro - No; Bennett - Yes; Ayres - Yes; Smith - Yes; and Mayor Teixeira - Yes. Motion carried 4-1.
- **12.** ACTION ON A RESOLUTION TO SET SALARIES AND BENEFITS OF UNCLASSIFIED В. EMPLOYEES WITHIN CARSON CITY FOR FISCAL YEAR 1993-94 (4-1425) - Clarification for Mayor Teixeira by Mr. Suglia indicated the ranges found on Page 4 were the same as in 92-93. Supervisor Smith then moved that the Board approve Resolution No. 1993-R-49, A RESOLUTION TO SET SALARIES AND BENEFITS OF UNCLASSIFIED EMPLOYEES WITHIN CARSON CITY FOR FY 1993/94 with the following change, on Page 2 at the end of Line 21., include the following in an attempt to clarify the intent of the motion made two weeks ago, insert the phrase "All unclassified employees who have been employed for at least one fiscal year, may use up to 40 hours of management leave anytime during the fiscal year. Unused management leave will be lost at the end of each fiscal year." Discussion ensued on the phrase. Supervisor Ayres seconded the motion. Discussion continued on the reasons for having the phrase included in the Resolution and problems which would arise in attempting to take the leave prior to accrual. Concern was expressed that this would not address new unclassified employees who have not earned the leave, may take it prior to earning it, and then leave the City's employment. Due to the need to also address this concern, Supervisor Smith withdrew his motion and Supervisor Ayres withdrew her second. Supervisor Smith then moved that the Board of Supervisors continue action on the Resolution to set the salaries and benefits within Carson City for fiscal year 93-94 to the next regularly scheduled meeting which will be June 3, 1993. Supervisor Ayres seconded the motion. Motion carried 5-0.
- 12. C. ii. ACTION ON BILL NO. 123 AN ORDINANCE AMENDING SECTION 8.12.010 (DISCHARGE OF FIREARM UNLAWFUL--BONFIRES AT NIGHT) TO DELETE REFERENCE TO BONFIRES AND OTHER MATTERS PROPERLY RELATED THERETO (4-1812) Supervisor Bennett moved that the Board adopt on second reading Ordinance No. 1993-31, AN ORDINANCE AMENDING SECTION 8.12.010 (DISCHARGE OF FIREARMS UNLAWFUL--BONFIRES AT NIGHT) TO DELETE REFERENCE TO BONFIRES AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Ayres seconded the motion. Motion carried 5-0.

- 15. SUPERVISORS' COMMENTS AND REPORTS Continued (4-1845) Supervisors Smith, Ayres, and Tatro and Mayor Teixeira did not have any comments. Supervisor Bennett briefly detailed the progress on establishing a corridor along the Carson River, Carson-Tahoe Hospital expansion plans, Legislative concerns, judicial recommendations on a probation department, and the Capital Projects Advisory Committee progress.
- 16. A. DISCUSSION AND ACTION ON THE AGREEMENT BETWEEN CARSON CITY AND THE CARSON CITY CONVENTION AND VISITORS BUREAU FOR THE OPERATION OF THE PONY EXPRESS PAVILION (4-1965) Pulled.
- C. DISCUSSION AND ACTION ON REIMBURSEMENT TO GENE LEPIRE OF COSTS INCURRED IN HIS PROPOSAL TO LEASE FAIRGROUNDS LAND (4-1985) Discussion directed Mr. Berkich to contact Mr. Lepire and advise him that if he wishes for the Board to consider the item, he should have it agendized for a date when he could be present.
- LEGISLATIVE MATTERS DISCUSSION AND POSSIBLE ACTION ON LEGISLATIVE MATTERS (4-2031) - Mayor Teixeira explained the elected official salary bill which would be discussed by the Legislative Affairs Committee on the 28th. His concerns about the fiscal impact and lack of input from elected officials were explained. Supervisor Smith suggested the Board not take a position on the proposal. Supervisor Tatro indicated his feeling that the proposal should not be effective for anyone currently serving. Unless it is modified to be effective in fiscal year 94-95 or for anyone currently serving, it should be opposed. Supervisor Bennett felt that the time and effort required for the position should be recognized and compensated appropriately. More qualified candidates would apply if the salary was increased. The fiscal impact was \$85,000. Supervisor Ayres felt that Carson City Supervisors should be at a different rate than other County Commissioners. Supervisor Tatro stressed his support for retaining the current salary level, however, as the duties were ever increasing, it would not be long before a full-time supervisor would be a necessity. This may make it impossible for working individuals to run for the office. Supervisor Bennett acknowledged the feeling that the bill was flawed, however, the principal was not. Based on the principal, she urged the Board to support the bill. She also encouraged the Mayor to take the bill on and address the discrepancy. Supervisor Ayres supported Supervisor Tatro's comments about the candidacy restriction created by the duties and salary. Mayor Teixeira expressed a willingness to address this situation if and when it occurs. Supervisor Tatro then moved that the Board of Supervisors adopt a position on Senate Bill 221 that the Board opposes the Bill, that it contains a fiscal impact the City is no capable of absorbing, and further direct the Mayor to lobby against the Bill, and if passage appears imminent, that the Mayor at least point out to the members of the committee that the Bill should not be effective in the fiscal year for which we just budgeted, and should not be effective for the current term of office. Supervisor Smith seconded the motion. Comments were solicited but none made. The motion was then voted by roll call with the following results: Yes-Ayres, Bennett, Smith, Tatro, and Mayor Teixeira. Nayes - None. Motion carried 5-0. Mayor Teixeira then noted that he had advised the individuals who had drafted the proposal that the Board would be considering the issue.
- **14. A. ACTION ON APPOINTMENT OF TWO MEMBERS TO THE REGIONAL PLANNING COMMISSION CONTINUED (5-0061) -** Following discussion of procedures, each Supervisor explained his/her recommendations. Ms. Beveridge was not present and had not been interviewed. Following Supervisor Smith's explanation, he left the meeting--3:35 p.m. (A quorum was still present.) Supervisor Tatro then moved to appoint Al Christianson and Alan Rogers to the Planning Commission. Supervisor Ayres seconded the motion. Mayor Teixeira noted that he could by Charter make the appointments. Motion carried 4-0.

CITIZEN COMMENTS (4-0189) - None.

There being no other matters for consideration, Supervisor Ayres moved to adjourn. Supervisor Bennett seconded the motion. Motion carried 4-0. Mayor Teixeira adjourned the meeting at 3:31 p.m.

The Minutes of the May 20, 1993, Carson City B	Soard of Supervisors meeting		
	ARE SO APPROVED ON_	August_5	, 1993
	/s/ Marv Teixeira, Mayor		
ATTEST:			
_/s/ Kiyoshi Nishikawa Clerk-Recorder			