

CARSON CITY BOARD OF SUPERVISORS

Minutes of the February 21, 2002, Meeting

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A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, February 21, 2002, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 8:30 a.m.

PRESENT: Ray Masayko Mayor
 Jon Plank Supervisor, Ward 2
 Robin Williamson Supervisor, Ward 1
 Pete Livermore Supervisor, Ward 3
 Richard S. Staub Supervisor, Ward 4

STAFF PRESENT: John Berkich City Manager
 Alan Glover Clerk-Recorder
 Al Kramer Treasurer
 Daren Winkelman Health Director
 Steve Kastens Parks and Recreation Director
 Larry Werner City Engineer
 Mark Forsberg Chief Deputy District Attorney
 Raymont Saylo Lieutenant
 Katherine McLaughlin Recording Secretary
 Justine Chambers Contracts Coordinator
 (B.O.S. 2/21/02 Tape 1-0001)

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

CALL TO ORDER, ROLL CALL, INVOCATION AND PLEDGE OF ALLEGIANCE - Mayor Masayko convened the meeting at 8:30 a.m.. Roll call was taken. The entire Board was present, constituting a quorum. Mayor Masayko lead the Pledge of Allegiance. Rev. Ken Haskins of the First Christian Church gave the Invocation.

CITIZEN COMMENTS (1-0036) - None.

1. **APPROVAL OF MINUTES (1-0038)** - None.
2. **AGENDA MODIFICATIONS (1-0041)** - None.
3. **SPECIAL PRESENTATIONS** - Parks and Recreation Director Steve Kastens

A. PRESENTATION OF APPRECIATION PIN TO SALLY SOLA FOR HER VOLUNTEER SERVICE ON THE CARSON CITY SHADE TREE COUNCIL (1-0043) - Mayor Masayko thanked her for her service. He described and presented the pin to Ms. Zola. Ms. Zola explained her residency and expressed her feeling of honor at being able to serve the community. She thanked the Board and staff for their

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support. She urged other residents to volunteer their service on other Boards, Committees, and Commissions. She also expressed her pride in the Council's accomplishments during the last four years.

B. PRESENTATION OF APPRECIATION PIN TO CHARLES WRIGHT FOR HIS VOLUNTEER SERVICE AS PARKS AND RECREATION COMMISSIONER AND C. PRESENTATION OF APPRECIATION PIN TO KEN ELVERUM FOR HIS VOLUNTEER SERVICE AS PARKS AND RECREATION COMMISSIONER (1-0084) - Mayor Masayko thanked them for their service.

Supervisor Plank explained his work with them on the Commission and presented them with their name plates and pins. Mr. Elverum thanked them for the recognition and explained his pleasure at serving the community and seeing its accomplishments. He hoped that they would proceed to make improvements in the community. Mr. Wright explained his attendance record. He had enjoyed a majority of the meetings and wished to see the Commission continue to grow and expand and carry on the programs they had started. Mayor Masayko expressed his hope that the pins would become a City tradition.

LIQUOR AND ENTERTAINMENT BOARD (1-0138) - Mayor Masayko recessed the Board of Supervisors and immediately convened the Liquor and Entertainment Board. The entire Board was present, including Sheriff's Representative Raymont Saylo, constituting a quorum.

4. TREASURER - Al Kramer - ACTION ON A CHANGE OF LIQUOR LICENSE TO JOHN PEKAR, REPRESENTING SIERRA RESTAURANT MANAGEMENT CO., DOING BUSINESS AS SIZZLER #417, LOCATED AT 3033 NORTH CARSON STREET (1-0154) - Mayor Masayko explained the requirement that the applicant attend the meeting. He also noted that liquor licenses are privileged licenses in Carson City. Mr. Pekar committed to abiding by the State and City Liquor Laws and to adequately train his employees in these laws. Member Saylo noted the favorable Sheriff's Investigative Report. Member Williamson moved to approve the change of liquor license manager to John Pekar, representing Sierra Restaurant Management Company, doing business as Sizzler #417, located at 3033 North Carson Street under Carson City Municipal Code 4.13.120; fiscal impact is a \$75 Investigation fee. Member Plank seconded the motion. Motion carried 5-0.

Discussion ensued between Supervisor Livermore and Mr. Kramer on the Code residency requirement revision. Mr. Kramer felt that the ordinance would be ready for the Board's consideration at the next meeting and described the modifications.

There being no other matters for consideration as the Liquor and Entertainment Board, Chairperson Masayko adjourned the Liquor and Entertainment Board.

BOARD OF SUPERVISORS (1-0222) - Mayor Masayko reconvened the session as the Board of Supervisors. The entire Board was present, constituting a quorum.

5. CONSENT AGENDA

5-1. ENVIRONMENTAL HEALTH - ACTION TO APPROVE 2002 COMMUNITY SERVICE BLOCK GRANT (SSBG) FUNDS TO BE USED TO CONTINUE GENERAL ASSISTANCE PROGRAM FOR FOOD, MEDICAL (PRESCRIPTIONS, ETC.), UTILITY, RENT AND EDUCATION ASSISTANCE PROGRAM (SCHOOL SUPPLIES AND SCHOOL CLOTHES)

5-2. DEVELOPMENT SERVICES - CONTRACTS

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A. ACTION TO ACCEPT THE WORK AS COMPLETE AND APPROVE THE RELEASE OF FINAL PAYMENT ON THE UTILITIES COMPLEX BUILDING D EXPANSION AND BUILDING C SECOND LEVEL ADDITION PROJECT, CONTRACT NO. 9900-269 AS SUBMITTED BY DEVELOPMENT SERVICES TO F. EVANS CONSTRUCTION, 155 GLENDALE AVENUE 310, SPARKS, NV 89431, FOR A FINAL PAYMENT AMOUNT OF \$16,907.94 AND ACCEPT THE CONTRACT SUMMARY AS PRESENTED

B. ACTION TO APPROVE CHANGE ORDERS NO. 6 AND 7 FOR \$825 AND AUTHORIZE THE RELEASE OF FINAL PAYMENT IN THE AMOUNT OF \$4,885.68 AND ACCEPT THE WORK AS COMPLETE ON CONTRACT NO. 2000-055, GOVERNOR'S FIELD IRRIGATION SYSTEM REPLACEMENT PROJECT

5-3. DEVELOPMENT SERVICES - ENGINEERING - ACTION TO APPROVE AN IMPROVEMENT AGREEMENT BETWEEN CARSON CITY AND NORTHRIDGE, LLC, REGARDING THE CONSTRUCTION OF PUBLIC IMPROVEMENTS RELATED TO NORTHRIDGE PHASE 8, KNOWN AS A PORTION OF ASSESSOR'S PARCEL NO. 02-104-04 (1-0225) - Supervisor Staub pulled Items 5-2 A& B, the Development Services contracts, for discussion. Supervisor Plank moved to approve Items 5-1 and 5-3 on the Consent Agenda as presented. Supervisor Williamson seconded the motion. Motion carried 5-0.

5-2. A. (1-0254) - Supervisor Staub explained his concern regarding the Governor's Field and asked Mr. Werner about the change order amounts and the type of modifications which created a 50 percent increase in the fee. He acknowledged that there could be a need for some change order items that could not be foreseen. He questioned the high ground water table and the height of the slab. Mr. Werner described the technical study which had been conducted on the groundwater table and the period between the study and construction. At the time of construction water was found at 18 inches whereas the study's sample borings had found it at approximately four feet. Construction was delayed for six months but the water did not drop. This mandated redesign of the entire plan. City rock was used to hold down the costs. Supervisor Staub felt that the Board should have been told about it before the work occurs. Mr. Werner explained that the procedure has been the past practice. He preferred getting the change orders approved before the work occurs. Supervisor Staub reiterated his concerns and stressed the need for appropriate planning to occur. He urged staff to review the policy and procedures. Mr. Werner felt that staff had done due diligence but the change in conditions had caught them by surprise. It was not a seasonal change. He also indicated that he understood Supervisor Staub's point. Mayor Masayko supported the legitimacy of the concern and his feeling that the Board should be notified before the work occurs. Mr. Werner and Mr. Berkich agreed. Mayor Masayko felt that notice should definitely occur before amount exceeds the contingency and budget. Mr. Werner suggested that a policy with a specified overage be developed.

Contracts Coordinator Justine Chambers explained that the Board had approved the contingency amount of \$20,000 on April 19th. Mr. Werner apologized for overlooking that discussion/action. Board comments acknowledged that these discussions had been overlooked. Mayor Masayko requested that future Board Action Request forms include information regarding such items.

Supervisor Plank moved to approve 5-2A dealing with the Utility Complex Building expansion and the Actual Project Cost of \$245,750 and additional Change Orders of \$34,026.08 for a total of \$279,776.08; prior BOS funding on July 20 2000 which was the \$245,750 Base Bid plus \$14,250 Contingency for a total of \$260,000 and the April 19, 2001 Approval of Change Orders 1 through 4 plus an additional contingency of \$20,000, the

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sums total \$280,000; funding source is 520-3505 as provided for in Fiscal Year 9900. Supervisor Williamson second the motion. Motion carried 5-0.

5-2. B. (1-0408) Mayor Masayko noted the decision to allow Mr. Werner to take over Mr. Kastens' project management duties. Supervisor Staub pointed out that there is a 50 percent increase in the cost and expressed his feeling that the City should have known about the location of the mainline. The remaining items should have been in the original bid. Parks and Recreation Director Steve Kastens explained that the City had received a good bid and had gone beyond the original scope of work. The majority of the items were approved in March 2001. Contracts Coordinator Justine Chambers explained that the alternates were part of the base bid. The Board had approved their addition to the base project. Mayor Masayko reiterated his request that copies or data be provided indicating the Board's actions in the future. Mr. Kastens and Mr. Werner agreed to provide this information in the future. Supervisor Livermore explained Mr. Kastens involvement with the Youth Sports Organization who remind Mr. Kastens about the construction projects including their conditions and if changes are needed. The Parks Department considers these issues as raised and determines whether additional work is required. This is a monthly reporting process. He suggested that he give the other Board members periodic reports regarding these items or issues. Mayor Masayko felt that the Board Action Request Form should be adequate. Supervisor Staub moved to approve Item 5-2 B on the Consent Agenda and approve Change Orders No. 6 and 7 for \$825 and authorize release of final payment in the amount of \$4,885.68 and accept the work as complete on Contract No 2000-005, Governors Field Irrigation System Replacement Project; the funding source is 220-0000; funding was approved on December 7, 2000 for \$55,668 Base Bid plus \$11,133.60 contingency for a total of \$66,801.60; and further approved Change Orders 1 through 5 on March 15, 2001 for \$30,075 plus \$2,000 in additional amendments for a total of \$86,568 even. Supervisor Livermore seconded the motion and corrected the contract number to be 2000-055 and Supervisor Staub agreed to the change. Supervisor Livermore concurred. Motion carried 5-0.

6. BOARD OF SUPERVISORS - NON-ACTION ITEMS

A. INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (1-0505) - Supervisor Livermore reported on his participation with the Hospital Board of Trustees at the State Finance Committee meeting on the Hospital's Economic Finance Bonds; the Western Nevada Development District meeting; a conference call on Mental Health Coalition and announced that there will be a mental health coordinators' meeting in two weeks to work on the State strategic plan, the Subconservancy's Finance Committee meeting; Carson-Tahoe Hospital Board of Trustee's meeting and the status of the designs for the regional health campus; the Mental Health Coalition meeting; the Subconservancy District meeting including its EPA report on water samples, its efforts to address the water clarity in the Carson River, its phosphorus issues which were felt to be caused by pollution from California, and Alpine County representative's comments on Senator Boxer's efforts to have the upper Carson River designated wild and scenic. Supervisor Staub reported on his participation in the Community Counsel on Youth grant program and its regular Board meeting including the Children's Museum funding request which may be coming to the Board; the RTC meeting including its discussion on the couplet and direction given to staff regarding it; yesterday's meeting with Mr. Berkich, Supervisor Williamson and Mary Walker on legislative strategies; and the Airport Authority meeting including an announcement that its meeting dates were changed to the third Wednesday of the month and its mini-election of officers. He also announced that Little League tryouts and signups are being held this Saturday at 8:30 a.m. and that tryouts will also be held on the following Saturday. Supervisor Williamson reported on her participation at the Clear Creek Watershed Council meeting that included a

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discussion on the Forest Service's fuel management and the possible use of some of the City's fuel management grant funds to help with its program this spring/summer; the NDOT Technical Committee meeting on erosion control along Highway 50; the Western Nevada Development District meeting and announced tomorrow's WNDD Transportation Committee meeting; the Western Nevada Home Consortium meeting; the Downtown Strategy Task Force Committee meeting; the Carson-Tahoe Hospital Auxiliary luncheon meeting, and explained her trip to Santa Barbara. She also announced the Redevelopment Authority Citizen Committee meeting scheduled for this evening; the March 9th Cowboy Poetry and urged the public to attend and obtain tickets; her plan to attend the State Water Conference in Las Vegas for the Subconservancy; and the Girls State Basketball Conference and wished the Carson High School Girls Team luck. Mayor Masayko also wished the Girls well at the Conference. Supervisor Plank indicated he had his tickets for the Cowboy Poetry. He reported on his participation in a meeting with Bob Kennedy regarding developing a community garden area for residents at a suggested temporary site under the powerlines east of the Senior Center, the Senior Citizens Advisory Group meeting; the RTC meeting and his support for having staff study all the options before widening Roop Street; a meeting with Steve Reynolds regarding transportation issues; an interview with Dave Morgan, and a meeting with Gene Lepire regarding his development plans against the Douglas County Line. He also announced his plan to meet with Mr. Berkich regarding economic development and public relations issues. He explained the possible need for an alternate to attend the March 1 TRPA meeting as he will be attending a settlement hearing in Reno. Mayor Masayko announced the United Blood Services ribbon cutting at 1 p.m. at their reopened office on Winnie Lane. He urged the public to donate blood. His and Mr. Berkich's plan to attend the National Association of Counties Conference in Washington, D.C., and to meet with Nevada's Legislative Delegation regarding the proposed reductions in the federal highway funds, the importance of these and the Community Development Block Grant funds, the City's entitlement status, and the City's eligibility to be a Metropolitan Planning Organization were limed. He then reported on his participation at the State Transportation Board of Directors meeting, NDOT's road transfers now occurring in Clark County, and Elko County's transportation needs and their efforts to fund some of those improvements. NDOT Assistant Director of Planning Kent Cooper will be sending him a copy of a report which he planned to distribute to the other Board and staff members. Clark County impact fees for roads was noted. He continued his report with the RSVP Advisory Committee meeting including a status report on the Governor's 6,000 prescription program which caps the number of participants in the plan. This program may receive special recognition of the 6,000 applicant. Additional funding has been provided and the list expanded to 7,500 applicants. A waiting list will then be developed. RSVP has approached the Senior Center about sharing a site for a community center on the five to seven acres which was to be a community garden, etc. Unless a suitable site for the community center is found, the Reynolds Foundation grant may be lost.

7. TREASURER - Al Kramer - ORDINANCE - SECOND READING - AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE (CCMC) TITLE 4, LICENSES AND BUSINESS REGULATIONS, AMENDING CHAPTER 4.14, GAMING LICENSES AND REGULATIONS TO REQUIRE THOSE WHO APPLY FOR A CARSON CITY GAMING LICENSE TO OPERATE A GAMING ESTABLISHMENT UNDER AN UNRESTRICTED GAMING LICENSE FROM THE STATE OF NEVADA TO HAVE A MINIMUM OF 100 HOTEL/MOTEL ROOMS AS A REQUIREMENT FOR OBTAINING A CITY GAMING LICENSE AND OTHER MATTERS PROPERLY RELATED THERETO (1-1090) - Dan Leck, Jim Alderson, Mark Amodei, Joe Masini, - Mayor Masayko stated for the record that he had received a lot of comments from the street on this proposal but had not received any written requests or telephone calls. He also requested the record reflect the representation made at the last meeting that the terms and conditions for appeals will be addressed. Mr. Kramer explained that a draft had been submitted to

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the District Attorney and his intent to bring it forward as soon as possible. Mayor Masayko agreed that it should be done as quickly as possible and explained his intent to consider all appeals.

Public comments were solicited. Supervisor Staub indicated that he would abstain due to a potential conflict. Mr. Leck opposed the ordinance due to his feeling that the ordinance had failed to consider the economic feasibility of the requirement and that it would have a detrimental financial impact on the community's health and safety. The ordinance's purpose is to enhance and attract an upscale casino developer to the community. Mayor Masayko felt that his statement was a rhetorical question which Mr. Kramer or the advocates should/could answer as it is one of the proponents arguments for it. Mr. Leck questioned the statistical data used to make the requirement. As Supervisor Williamson had allegedly stated the purpose at the last meeting was to provide good quality hotel rooms, the ordinance should include this verbiage. Supervisor Plank had wanted to attract high quality developers by raising the bar. Every member of the Carson City Gaming Association had started as a gaming parlor. Only the Pinion Plaza can meet the standards set forth in the ordinance. Current market data indicates the plan is not feasible. (Copy of his data was given to the Board and Clerk and is in the file.) The current gaming operators would have constructed such a facility if the market demanded it, including Mr. Cashell. The hotel/motel occupancy report, which he had purportedly given to the Board at the last meeting, and national lodging occupancy data indicates the room occupancy is dropping. These reports question the feasibility of requiring the rooms. The Ormsby House will provide 27 rooms. Alan Adams had explained his criteria justifying adding rooms to his facility depends on the impact the completed bypass will have. This will be known in 10 to 15 years. He had questioned the type of attractions that will be provided in the downtown area and how to get tourists to visit that area. That issue is the Board's responsibility. Will the V&T project be completed and attract people to the downtown area? Will the City bond and construct a convention center to get major conventions to fill up the rooms? Your decisions in the past have made it difficult to get new developers here according a report in today's newspaper which indicate the ordinances and regulations are a liability. Holiday Express' construction plans and Sand's development plans in Minden were noted and questioned. Does your attitude force them to go elsewhere? The community's arrogance was felt to be the reason they are leaving. Why must new developers have to bring something to the community in order to get a license? The new economy forces us to enhance the current businesses. The ordinance conflicts with the economy. The redevelopment efforts in the downtown area were cited to illustrate the benefits of incentive programs to attract new and upscale businesses rather than punitive overly burdensome regulations which are a disincentive. Upscale hotel/motel facilities need incentives and the current operators should have the same opportunities. Special interest groups are supporting this ordinance. You should determine the impact on the community as a whole including that on the health, safety and welfare of all of the residents. The elimination of slot parlors will stagnate any growth of the revenue sources. Economic concerns created by the loss of Walmart will further impact the funding for health, safety and welfare items. Other businesses are planning to relocate to Douglas County. The loss in sales taxes must be made up with an increase in ad valorem taxes in order to maintain the current service level as illustrated in his report. This is only the tip of the economic impact. Additional losses will occur if the Governor relocates governmental agencies to the capital complex and the hospital is relocated to the north county line. Justification for his concern about the relocation of these facilities was described. The Board should adopt an ordinance to protect these property owners the same as the proposed ordinance protects the gaming industry. He did not believe that any new gaming facilities will be constructed in Carson City for the next 15 years. This will result in a stagnated gaming income to the City and School District. The impact such a loss would have on the Schools was indicated. The proposed ordinance provides substandard criteria and poor verbiage. It will take time to correct these problems. The ordinance also pits business individuals against each other. The writing of laws and ordinances should not occur in back rooms with special interest groups but in the public eye. He urged them to form a committee and to allow all citizens to

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participate in the development of the ordinance. He agreed that "undesirable" slot parlors should be controlled.

Mayor Masayko indicated for the record that rhetorical questions should go through the Chair. Supervisor Staub acknowledged the scenario and that if he is the last person to leave for him to turn out the lights. Page 3 of Mr. Leck's document indicates that businesses are moving to north Douglas County. He was asked to expand on that comment. Mr Leck indicated he could not comment on it due to confidential conversations he had had with those individuals about North Douglas County.

Mayor Masayko indicated for the record that property taxes at his proposed rates could occur over time but the Statutes prohibit their occurrence within a one year span. He was unsure about the school taxes, the excise tax, and how those funds are dispersed. Most capital construction has occurred by the taxpayers supporting the project through the election box.

Supervisor Livermore explained that there is a citizen's committee working to resolve and protect the property values in the hospital district. They propose to continue to use that facility for health related purposes. A report should be given within 120 days on their efforts.

Supervisor Williamson expressed her appreciation for all of Mr. Leck's information. She also noted that there are incentives for existing properties within the Redevelopment District.

Mr. Kramer explained two typographical errors in the ordinance--Page 1, Subsection 1, Line 2 maintains has an additional e--"maintaines"--and subsection 5 Line 2 "fo" should be "of".

Mr. Alderson, one of the Bodine property and mobile home park owners, voiced his concern about the meeting notification process and asked that the record reflect this concern. They had been notified by mail when Fuji Park and Costco were discussed. They had not received any notices on this meeting. He knew that the meetings had been posted. He questioned whether the ordinance had been rewritten and if this is the first reading. He also voiced his concerns about the business impact statement. Businesses/individuals in the General Industrial and Tourist Commercial zoning districts should have been notified. He felt that only certain individuals had submitted statement and that it included only statements from proponents and residents who will not be impacted by it. He urged them to include with the ordinance a sunset clause that would automatically repeal the ordinance in three to five years if it does not work. Its repeal will return property rights to the property owners. He quoted from a Saturday, February 16th, Nevada Appeal on a function at the Carson Nugget indicating that the country became great due to its ability to hold property, dream dreams and have visions. The ability to hold property is a battle for truth and makes this nation strong. It had started with the Declaration of Independence. We need to fight over-regulation.

(1-1705) Mr. Amodei, speaking on behalf of the gaming association, expressed his respect for the opponents. This is a contentious issue. The Board has an excellent record and reputation for being inclusive rather than dealing in the back rooms and failing to provide notice. This is one of the first time we used the business impact statement. Your record will show that anyone who had any interest in it was included. It was not done in the backrooms. Your last meeting was a illustration of the contention and openness of your process. Such comments do a disservice to the Board, Mr. Kramer, and all of the individuals who have actively participated in the process. The record should reflect the process used to get to this point. The ordinance does not stop anyone from constructing hotel rooms or having less than 15 gaming machines. He pointed out that property owners of large

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parcels with the proper zoning are not here. The property owner's rights do not include having an unrestricted gaming license. It is a privileged license. When you look at the process used to bring it forward and the language which had our input, we always wanted flexibility. The appeal concerns are to be included. Flexibility should address needs in the future. The last three gaming projects were cited to illustrate the change in the market in Carson City and evolution within the State. We are the fastest growing State in the Nation. Clark County, if separated from the rest of the State, could be the fastest in the nation and the remainder of the State would be third percentage wise. We are dealing with growth issues and attempting to do so in a responsible manner. We are doing what we think is right in this case. The verbiage gives the ordinance, the concept, and the appeal process the ability to evolve based on future criteria. This is the same place that the two large communities in the state have faced in the past. We used them as examples to develop the concept.

Mayor Masayko explained for the record that the ordinance is for a privileged license. Land use changes occurred with the Costco project. This ordinance does not do that. Land use changes require individual noticing. It is an ordinance revision and we should all participate in the process. The business impact statement provided that opportunity. It was out there for six weeks. People were urged to attend the meetings and respond to Mr. Kramer. The language is the same as we had with the exception of the typos. This is an ordinance and public policy. The Board will decide the ordinance and in two weeks with proper notice we could modify it again or at any time in the future. Mr. Kramer indicated that there had not been any changes to the ordinance between first and second readings.

Mr. Masini pointed out that discussion at the last meeting explained that a gaming applicant must have a minimum of 100 hotel/motel rooms for a city gaming license. Mayor Masayko explained for him that any slot parlors in existence today or that come into existence within six months of today's date would be licensed without the hotel/motel rooms. He also explained that the zoning is not being considered. Mr. Masini pointed out that the ordinance indicates there is no fiscal impact when there is one. Mayor Masayko explained that it means that the City does not have a direct cost to implement the ordinance. Mr. Masini pointed out that there would be a business impact to himself as a property owner/developer. Mayor Masayko explained for the record that at the last meeting the Board found that it does have, as a matter of fact, a significant negative impact on the formation/creation of a business. Mr. Masini felt that the 1999 Statutes requires, if the study shows there is a business impact, the Board must 1. Consult with appropriate trade associations and business owners and 2. Consider methods to reduce the impact and simplify the rule by establishing different standards to the rule. The Board had not done that. Mayor Masayko explained that they were considered even though the outcome was not what everyone wanted. Mr. Masini reiterated that the ordinance would impact him and expressed his feeling that 100 rooms is an arbitrary figure. Mayor Masayko felt that it speaks for itself as a threshold. Mr. Masini felt that the bar should be raised in increments and cautiously and not impact only one type of business, which in this case is gaming. The proposal closes the door. He urged the Board to slow down and revise the ordinance to make it achievable.

Supervisor Williamson explained that the business impact statement is to mitigate the impact of the ordinance. The ordinance does not stop an individual from having a gaming license. It will allow you to increase the property values by adding the rooms and applying for the unrestricted gaming licenses. The terms of the ordinance, its amortization period, and its appeal process were limned.

Additional public comments were solicited. Mayor Masayko clarified for the record that, as stated at the last meeting, the ideas/concepts should make sense at some level. He could then support and implement it. The devil

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is in the details. He felt that the proposal lumps all unlimited gaming licenses with the ability to have a designation casino resort rather than truck stop, restaurant, etc. This is sending the wrong signal. He would support whatever decision the Board makes to the best of his ability but urged the Board to be cautious due to the impact it would create. It will be a significant impact on business people. He did not see how 20 machines could be competition for gaming individuals. The resorts should have the rooms when gaming is their primary source of revenue. The ordinance does not do that. The appeal rules and rights are important. Six months or two years is not adequate to address what will be happening nor the needs of the future. He was not prepared to send this message and would set the agenda when asked to do so whenever an appeal is requested. He asked if a compromise is possible.

Supervisor Livermore felt that the appeals process provided the necessary latitude. The appeal rules and rights are important and will be defined and debated in the future. He wanted to move the ordinance down the line and create the appearance of going forward for our future. The adoption of the appeal process does not mean that all unrestricted gaming licenses will have hotel/motel rooms. Convention rooms are also needed in Carson City. Property owners who want to create such a facility should be encouraged. He was willing to grant them an appeal process to consider their request. The line must be drawn to stop the erosion and from becoming an arcade town. The opportunity for investment will go elsewhere if the opportunity for greater return is 30 or 5 miles down the road. There are a lot of opportunities for the development of local property which include unrestricted gaming without hotel/motel rooms. People should look at the parcel sizes to determine how it should be utilized when determining their economic development. It is not the hand being dealt but one that is a timeline on the calendar. The appeal process will be defined and developed in the future.

Supervisor Plank supported Supervisors Williamson and Livermore's comments. The latitude is in the ordinance with the appeals. If the parcel will not handle the 100 rooms then we can revise it to 80 rooms. The modified ordinance will be discussed in the future. Without raising the bar, we are inviting everyone to continue to operate at a minimal level. We must force a change.

Supervisor Livermore moved to adopt on second reading Bill 107, **AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE (CCMC) TITLE 4, LICENSES AND BUSINESS REGULATIONS, AMENDING CHAPTER 4.14, GAMING LICENSES AND REGULATIONS TO REQUIRE THOSE WHO APPLY FOR A CARSON CITY GAMING LICENSE TO OPERATE A GAMING ESTABLISHMENT UNDER AN UNRESTRICTED GAMING LICENSE FROM THE STATE OF NEVADA TO HAVE A MINIMUM OF 100 HOTEL/MOTEL ROOMS AS A REQUIREMENT FOR OBTAINING A CITY GAMING LICENSE AND OTHER MATTERS PROPERLY RELATED THERETO.** Supervisor Williamson second the motion. Supervisor Livermore amended his motion to include Ordinance No. 2002-7. Supervisor Williamson concurred. Supervisor Staub corrected the record to indicate that there is no two year exemption. The exemption is only 180 days. Supervisor Williamson explained that Section 4.15.046 has a 24 month exemption on discontinued licenses. Clarification indicated the other timelines are six months. The motion was voted and carried 3-1-1 with Mayor Masayko voting Naye and Supervisor Staub abstaining.

BREAK: A recess was declared at 10:42 a.m. The entire Board was present when Mayor Masayko reconvened the meeting at 10:50 a.m., constituting a quorum.

8. CARSON-TAHOE HOSPITAL

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A. ACTION ON A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$50,000,000 PRINCIPAL AMOUNT OF CARSON CITY, NEVADA, HOSPITAL REVENUE BONDS (CARSON-TAHOE HOSPITAL PROJECT) SERIES 2002 TO FINANCE A PROJECT FOR THE NONPROFIT CORPORATION CARSON-TAHOE HOSPITAL CONSISTING OF ITS ACQUISITION OF A HEALTH AND CARE FACILITY, ADDITIONAL EQUIPMENT THEREFOR AND ADDITIONAL LAND AND DEVELOPMENT COSTS FOR A NEW HEALTH AND CARE FACILITY AND SUPPLEMENTAL FACILITIES FOR A HEALTH AND CARE FACILITY; DELEGATING TO CITY OFFICIALS THE AUTHORITY TO EXECUTE AND DELIVER THE PURCHASE CONTRACT AND TO DETERMINE CERTAIN FINAL TERMS OF SUCH BONDS; AUTHORIZING THE EXECUTION AND DELIVERY BY THE CITY OF A LOAN AGREEMENT, AN INDENTURE OF TRUST, A BOND PURCHASE AGREEMENT, SUCH BONDS, AND CLOSING DOCUMENTS IN CONNECTION THEREWITH; RATIFYING ALL CONSISTENT ACTIONS THERETOFORE TAKEN TOWARD THE ISSUANCE AND SALE OF SUCH BONDS; AND MAKING DETERMINATIONS AS TO THE SUFFICIENCY OF REVENUES AND AS TO OTHER MATTERS RELATED TO SUCH PROJECT AND SUCH BONDS (1-2435) - Bond Counsel Jennifer Stern - Discussion

indicated that the bonds will not be insured. Carson City is the conduit for the bonds. The State Finance Committee was involved in the process due to the lack of a five year operational history. The bonds are industrial development bonds. Carson City has the latitude and authority to act as the conduit. The City's name will always be attached to the bonds even though Carson City is not backing or insuring the bonds with any of its assets. The Hospital will be responsible for the repayment. Ms. Stern indicated that Section 9 includes this language. Mayor Masayko explained his willingness to have Carson City be the conduit due to the Hospital's financial position and belief that it would remain strong in the future. The City will be painted with the same brush if something unfortunate occurs at the Hospital. Public testimony was solicited but none was given. Mayor Masayko asked that the record show that Hospital Chief Executive Officer Ed Epperson and Hospital Board of Trustees Chairperson and Chairperson-elect for the 501c3 organization Caleb Mills were present. Supervisor Livermore moved that the Board of Supervisors adopt Resolution No. 2002-R-13, A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$50,000,000 PRINCIPAL AMOUNT OF CARSON CITY, NEVADA, HOSPITAL REVENUE BONDS (CARSON-TAHOE HOSPITAL PROJECT) SERIES 2002 TO FINANCE A PROJECT FOR THE NONPROFIT CORPORATION CARSON-TAHOE HOSPITAL CONSISTING OF ITS ACQUISITION OF A HEALTH AND CARE FACILITY, ADDITIONAL EQUIPMENT THEREFOR AND ADDITIONAL LAND AND DEVELOPMENT COSTS FOR A NEW HEALTH AND CARE FACILITY AND SUPPLEMENTAL FACILITIES FOR A HEALTH AND CARE FACILITY; DELEGATING TO CITY OFFICIALS THE AUTHORITY TO EXECUTE AND DELIVER THE PURCHASE CONTRACT AND TO DETERMINE CERTAIN FINAL TERMS OF SUCH BONDS; AUTHORIZING THE EXECUTION AND DELIVERY BY THE CITY OF A LOAN AGREEMENT, AN INDENTURE OF TRUST, A BOND PURCHASE AGREEMENT, SUCH BONDS, AND CLOSING DOCUMENTS IN CONNECTION THEREWITH; RATIFYING ALL CONSISTENT ACTIONS THERETOFORE TAKEN TOWARD THE ISSUANCE AND SALE OF SUCH BONDS; AND MAKING DETERMINATIONS AS TO THE SUFFICIENCY OF REVENUES AND AS TO OTHER MATTERS RELATED TO SUCH PROJECT AND SUCH BONDS. Supervisor Plank seconded the motion. Mayor Masayko commented that this is the correct process and is in accordance with our agreement. The hospital has more than \$50 million in assets to handle the defeasance. He hoped that a significant amount of deliberation is taken before the next issuance of the bonds. The bar may be higher the next time around. Carson City's name will remain with the bonds. Additional comments were solicited but none given. The motion to adopt Resolution 2002-R-13 was voted and carried 5-0.

B. ACTION ON A RESOLUTION AUTHORIZING CITY OFFICIALS TO EXECUTE AND DELIVER FOUR ESCROW AGREEMENTS DEFEASING AND PAYING ALL OUTSTANDING BONDS OF THE CITY ISSUED FOR ITS HOSPITAL ENTERPRISE; AND RATIFYING ALL CONSISTENT ACTIONS THERETOFORE TAKEN TOWARD DEFEASING SUCH BONDS (1-2692) -

Jennifer Sterns explained that the first bond is a General Obligation bond which the Hospital could have levied a tax rate to pay. Second is a General Obligation revenue bond. The last two bonds are straight revenue bonds. Mayor Masayko explained the establishment of an escrow fund for these funds which will be used to defease the bonds held by the City. Supervisor Livermore moved to adopt Resolution No. 2002-R-14, A RESOLUTION AUTHORIZING CITY OFFICIALS TO EXECUTE AND DELIVER FOUR ESCROW AGREEMENTS DEFEASING AND PAYING ALL OUTSTANDING BONDS OF THE CITY ISSUED FOR ITS HOSPITAL ENTERPRISE; AND RATIFYING ALL CONSISTENT ACTIONS THERETOFORE TAKEN TOWARD DEFEASING SUCH BONDS. Supervisor Plank seconded the motion. Motion was voted and carried 5-0.

C. ACTION ON APPROVAL OF A LEASE FOR SPACE IN DAYTON, LYON COUNTY, NEVADA, FOR MEDICAL AND COMMUNITY HEALTH SERVICES (1-2755) -

Chief Executive Officer Ed Epperson's introduction included thanking the Board for the previous actions and acknowledging the coordination and collaboration which had occurred between Hospital and City staff. Future bonds will have well done business plans as required by both the Board and the Bond Market. The Hospital will be transferred in the next eight days. Therefore, the Board must approve this lease. Reasons for providing health care services in the Dayton area were explained. This is the second phase of that commitment. The property owners will build the facility and need the signed leases before the end of the month. The Hospital Board had approved the lease last week with a revision to Section 24F. This section was revised so that if the land and building are sold the Hospital lease remains in effect. A copy of that revision was given to Mr. Glover. The revision is on Page 20 in Paragraph F. Supervisor Livermore explained the reasons for needing to establish a presence in the Dayton-Silver Springs area including the high service level required for that area. The lease will provide a facility which will protect the Hospital's market. The urgent care facility and the per diem suites for the physicians allow them to see their patients near their homes. The Hospital sublets to the physicians on an hourly basis. The Hospital will continue to recruit physicians for that area as they will attract individuals who cannot travel to Carson City and who shop in that vicinity. It is a competitive field which they do not wish to see eroded. Mayor Masayko noted that this is a second phase of the project.

Supervisor Staub noted the assignment and hold harmless provisions. Reference is included in the agreement indicating that it will be assigned and provides the names of the corporation as well as the Hospital. Liability concerns were expressed as the City is a signer on the agreement. The landlord should go against only the corporation. Hospital's Legal Counsel Mike Pavlakis indicated that an assignment will be drafted. If the landlord does not agree, he offered to indemnify the City under the transfer and assumption agreement. Supervisor Staub agreed with his offer(s). Supervisor Livermore indicated that the landlord had been present earlier in the meeting.

Supervisor Livermore moved that the Board of Supervisors approve a lease for space in Dayton, Lyon County, Nevada, for medical and community health related services for Carson-Tahoe Hospital, a county hospital as of today, with an amended agreement on Page 20 Paragraph 24 F with the verbiage as given to the Clerk to be amended to the lease. Supervisor Williamson seconded the motion. Motion was voted and carried 5-0. Mayor Masayko wished them success with their new corporation and ventures.

9. CHAMBER OF COMMERCE - SUMMARY REPORT PHASE I OF THE BUSINESS CONTACT REPORT (1-3020)

- Chamber of Commerce Board of Directors Member Bob Blank, Chamber Chief Executive Officer Larry Osborne - Phase I looked at the retail sector in Carson City. The teams and their assignments were limned. The quality of life and its livability are the City's greatest assets. These terms need to be better defined. The proximity to major markets creates a competition liability while providing an asset as it gets other vendors here. Another liability is the traffic. The survey covered the entire community and not just the downtown area. Concerns were related to the local government regulations, such as the City's sign ordinances, and their unequal enforcement. These issue should be addressed. Everyone liked the survey and hoped to continue it. Mr. Blank urged the Board to take the survey seriously and make modifications where possible. The next survey will be of the developers.

Mr. Osborne explained a desire to have a larger sample of participants and reasons some individuals did not wish to respond. The survey was felt to have been of a good cross section that represented various types and sizes of retailers. He recommended revisiting the sign ordinance as it had been five years since it was last revised. Freeway construction issues included the signage that will be allowed along its corridor. Livability and quality of life are things that relate to the small businesses within the community. The need to be understand why others relocate here and the population issues were pointed out. National chains do not consider these issues. The location does not need to be changed as it is considered both an asset and a liability. The survey also suggested better recognition of the businesses in the community by the Chamber and the City. Mr. Osborne invited the City to help with this program. Business growth is occurring. This growth could be a liability although it indicates an expanded customer base. RTC needs to continue looking for ways to improving the traffic flow as the freeway will not solve all of the issues. Work force and community development need to be improved and should include an inventory of the work force programs and education that is available. The business contact program will continue. The Chamber provides it and pays for the survey. City staff's involvement was explained. The business community likes doing business here and we will work on the problems which have been identified. The survey needs this effort to validate the survey and support its continuance. No formal action was not required or taken. Mr. Osborne also volunteered to assist with the sign ordinance if the Board desires a review be undertaken.

Mayor Masayko thanked the Chamber for its efforts and for including the City in it. The newer and younger members of the planning staff were and should be involved. His support had not changed from when he had served as the Chairperson on the Chamber of Commerce Board. He asked that the Board be advised as to what can be done to salute the business contributions. He acknowledged the transportation and transit issues. He volunteered to make a presentation to the Chamber Board and questioned how the business community can support the City's efforts. He also volunteered RTC Commissioners and RTC staff to attend such meetings. RTC is moving forward with projects. The sign ordinance was modified five years ago. Mr. Sullivan and Mr. Berkich may want to work on it and review those issues which had been raised by the survey. Evolution is necessary to be successful in the future. Response is also necessary. Any other issues requiring the City's attention should also be brought forward. Chamber items also need to be addressed. He offered to help if needed. He emphasized that the Board/City is listening.

Mr. Osborne explained that the participants in the survey will receive a copy of the summary and a notice of any action which is developed. Reasons for this policy were noted. Times and issues change. We should continue the program. Mayor Masayko agreed that enforcement sometimes requires education and illustrated the need for both. He hoped that such communication will occur. Mr. Osborne agreed that there is a good working relationship with the City staff and his intent to continue working together.

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Supervisor Williamson noted that 24 businesses had been contacted . Comments indicate that the City is both difficult and easy to work with. Eleven businesses plan to expand. The quality of life is hard to define but it had attracted and maintained the businesses.

Supervisor Livermore noted his involvement with the sign ordinance five years ago. He committed to working on it in the future. New businesses need signage and that it could be used to attract new customers. He agreed with the traffic issues. Mr. Osborne felt that mass transit was not the issue but the movement of goods and services into and out of the area and for customers to get to the business.

Mayor Masayko thanked them for the report and looked forward to the next report. It is a valuable tool and should be continued. No formal action was required or taken.

11. COMMUNITY DEVELOPMENT - Director Walter Sullivan - ORDINANCE - FIRST READING, ACTION ON Z-01/02-3 - AN ORDINANCE EFFECTING A CHANGE OF LAND USE FROM MOBILE HOME 12,000 (MH12) TO GENERAL COMMERCIAL (GC) ON PROPERTY LOCATED ON DORI WAY, APN 008-161-55, CARSON CITY, NEVADA, AND OTHER MATTERS PROPERLY RELATED THERETO (2-0001) - Lynn Hettrick - Discussion indicated for the record that Mr. Hettrick had brought this item forward. The parcel to the east is zoned for a mobile home and is not part of the request. The owner had been notified about this zone change request and could have participated with the applicant. Discussion with Mr. Hettrick indicated that NDOT has not yet acquired a right-of-way through that parcel to Lompa Lane. The change of land use could change the value of the right-of-way. This should not stop the zone change process. When NDOT is ready to move forward, contractors will give Mr. Hettrick bids for the access to the existing Dori Way. The zone change will be answered within the appraisal. NDOT owns the parcel to the east which had been referenced. It will not change. Mayor Masayko explained his reasons for wanting to make this part of the record. Mr. Hettrick explained that at the Planning Commission legal counsel had said this issue cannot be considered. He thanked staff for its assistance. Public comments were solicited but none given. Supervisor Plank moved to approve Z-01/02-3 and introduce Bill No. 108 on first reading, AN ORDINANCE EFFECTING A CHANGE OF LAND USE FROM MOBILE HOME 12,000 (MH12) TO GENERAL COMMERCIAL (GC) ON PROPERTY LOCATED ON DORI WAY, APN 008-161-55, CARSON CITY, NEVADA, AND OTHER MATTERS PROPERLY RELATED THERETO; no fiscal impact. Supervisor Williamson seconded the motion. The motion was voted and carried 5-0.

10. DEVELOPMENT SERVICES - City Engineer Larry Werner

A. ACTION TO ACCEPT AN AGREEMENT BETWEEN SILVER OAK DEVELOPMENT COMPANY, A NEVADA LIMITED PARTNERSHIP, BY AND THROUGH ITS GENERAL PARTNER, GTS PARTNERS, INC., A NEVADA CORPORATION, AND CARSON CITY, WHEREBY SILVER OAK DEVELOPMENT COMPANY AGREES TO SELL AND CONVEY ALL THAT CERTAIN REAL PROPERTY AND ANY AND ALL ABUTTER'S RIGHTS, INCLUDING ACCESS RIGHTS, APPURTENANT TO THE ADJACENT REMAINING PROPERTY OF THE OWNER IN AND TO A STORM DRAINAGE WATER DETENTION BASIN DESCRIBED AS PARCEL 1 (1-0121) - Mayor Masayko noted the items included in the agreement. NDOT's written approval of the proposed agreement is in staff's files. The appraisal was done by Dan Leck for the City and NDOT. Bill Kimball did the appraisal for the Children's Home. The value remained at \$3.54 a square foot. The detention basin and Eagle Creek are to be relocated to this site. Supervisor Staub explained a previous Board discussion regarding the value of this property. He felt that at one point someone had indicated that it was worth only \$2.50 a square foot. The need for consistency

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between the properties was expressed as being the reason for Supervisor Staub's concern. Supervisor Livermore explained his understanding that Mr. Leck's appraisal had included a larger area than that which the City is acquiring. Mr. Werner explained that for this specific purpose only the area required was considered in this appraisal. Supervisor Livermore pointed out that the price is the exact same amount as that which the hospital had paid Mr. Richardson. Mayor Masayko noted that that parcel is contiguous to this parcel. Public comments were solicited but none were given. Supervisor Williamson moved to accept the agreement between Silver Oak Development Company, a Nevada Limited Partnership, by and through its General Partner GTS Partners, Inc., a Nevada Corporation, and Carson City whereby Silver Oak Development Company agrees to sell and convey all that certain real property and any and all abutter's rights, including access rights, appurtenant to the adjacent remaining property of the owner in and to a storm drainage water detention basin described in Parcel 1; fiscal impact is \$590,000 from the General Fund Eagle Detention Basin. Supervisor Plank seconded the motion. Motion was voted and carried 5-0.

Mr. Werner explained that escrow will be filed tomorrow and should close next week. Therefore, the transfer of the property will occur before the Hospital changes hands. Mayor Masayko stressed the need to keep the process going for the freeway.

B. ACTION TO ACCEPT AN EASEMENT AND AGREEMENT BETWEEN THE SILVER OAK DEVELOPMENT COMPANY, A LIMITED PARTNERSHIP, AND CARSON CITY WHEREBY SILVER OAK DEVELOPMENT AGREES TO GRANT THE CITY A PERMANENT EASEMENT, DESCRIBED AS ASSESSOR'S PARCEL NUMBERS 8-062-09 (SILVER OAK DRAINAGE EASEMENT AREA 1) AND 8-062-06 (SILVER OAK DRAINAGE EASEMENT AREA 3), FOR THE PURPOSE OF CONSTRUCTION OF A REGIONAL DRAINAGE FACILITY (1-0228) - Mayor Masayko explained the importance of the site to the northwest drainage plan and the creative agreement with Silver Oak on the use of its golf course. It will be a shared regional basin. Mr. Werner described the lengthy process taken to reach this point. The proposal will save money for the City and is a win for Silver Oaks also. Supervisor Williamson moved to accept the easement and agreement between Silver Oak Development Company, a Limited Partnership, and Carson City, whereby Silver Oak Development agrees to grant the City a permanent easement, described as Assessor's Parcel No. 8-062-09, Silver Oak Drainage Easement Area 1, and 8-062-06, Silver Oak Drainage Easement Area 3, for the purpose of construction of a regional drainage facility. Supervisor Livermore seconded the motion. Comments pointed out that the proposal will provide a location for the drainage from University Heights, the College, and the surrounding property owners. Motion carried 5-0.

C. ORDINANCE - FIRST READING - ACTION ON AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND SILVER OAK DEVELOPMENT COMPANY, A LIMITED PARTNERSHIP, RELATED TO THE DEVELOPMENT OF SILVER OAK DEVELOPMENT LOCATED IN CARSON CITY, NEVADA, FOR CONSTRUCTION OF CERTAIN OFF-SITE PUBLIC STORM DRAINAGE IMPROVEMENTS (2-0295) - Discussion indicated that the agreement is a required part of the PUD plans. Supervisor Williamson moved to introduce on first reading Bill No. 109, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND SILVER OAK DEVELOPMENT COMPANY, A LIMITED PARTNERSHIP, RELATED TO THE DEVELOPMENT OF SILVER OAK DEVELOPMENT LOCATED IN CARSON CITY, NEVADA, FOR CONSTRUCTION OF CERTAIN OFF-SITE PUBLIC STORM DRAINAGE IMPROVEMENTS; fiscal impact is a portion of the Northwest Drainage Project. Supervisor Plank seconded the motion. Motion carried 5-0.

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REDEVELOPMENT AUTHORITY - Mayor Masayko recessed the Board of Supervisors session and passed the gavel to Redevelopment Authority Chairperson Robin Williamson. For Minutes of the Redevelopment Authority, please see its file for this date.

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12. ECONOMIC DEVELOPMENT/REDEVELOPMENT - Director Rob Joiner

A. ACTION ON AMENDMENT TO THE CARSON CITY REDEVELOPMENT PLAN, SPECIFICALLY BY ADDING OWNER PARTICIPATION RULES AS AN ADDENDUM FOR THE CARSON CITY REDEVELOPMENT PROJECT NUMBER ONE, ORIGINALLY ADOPTED FEBRUARY 20, 1986, AND AMENDED ON DECEMBER 16, 1999 (2-0625) - Supervisor Williamson moved that the Board of Supervisors adopt Resolution No. 2002-R-15, A Resolution amending the Carson City Redevelopment Plan, specifically by adding owner participation rules as an addendum for the Carson City Redevelopment Project Number One originally adopted February 20, 1986, and amended on December 16, 1999; the new rules are dated 2/21/02 as amended with the flow chart added. Supervisor Livermore seconded the motion. Supervisor Staub indicated that, as he may have a potential conflict, he would be abstaining from the vote. Motion was voted and carried 4-0-1 with Supervisor Staub abstaining.

B. ACTION TO APPROVE RECOMMENDATION TO PRIORITIZE PROJECTS FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDING (2-0660) - Street Operations Manager John Flansberg, Community Development Director Walter Sullivan, City Engineer Larry Werner, City Manager John Berkich - Discussion explained the proposal to undertake a study of the mobile home parks in the community that are in commercial zones and the Statutory requirement mandating relocating mobile homes. The study will point out all of the issues and develop a relocation plan. The Senior Citizen Center and its expansion plans were noted. The grant does not include redoing the kitchen floor as this water damage had not been known at the time the design was prepared and the grant application submitted. The grant must be matched. The North Deer Run Road area has been rejected by several commercial/industrial firms due to the lack of drainage and street improvements. Providing these improvements may bring economic advantages to the area. Mayor Masayko expressed his hope that the medians not include a lot of foliage. The development agreements that are in existence in that area will be called and their improvements will be made. The street has been reduced from the original 200 feet to the current 100 foot right-of-way. Justification for reducing the original right-of-way was provided. It was felt that the remaining roadway should be adequate for the improvements including curb, gutter and sidewalk. The abutting property owners should use the abandoned area to "spruce" up the area. The matching funds will be taken from Street Maintenance. The multi-use path will be included in the street improvements. The curbs will be extend from Morgan Mill and will tie it into Highway 50. Only a small portion of the area does not have development agreements mandating these improvements. It was felt that it would not be necessary to amend the bicycle master plan. Mr. Flansberg agreed to verify that the multi-use path is on the bicycle master plan. Mayor Masayko indicated that the path would not be included unless it is on the plan. Mr. Flansberg felt that the area would be approximately 5,000 feet although some of the improvements have already been put in, such as at BLM. Mr. Joiner indicated that CDBG staff has indicated these three projects qualify, therefore, priorities should be established. Staff could prioritize the other projects if the Board wished. Public comments were solicited but none were given. Mr. Joiner then explained how the projects had been developed. Only the application for low income housing assistance had been received in response to the staff's advertisements for projects. It, unfortunately, is not ready for submittal at this time. All of the other projects were developed by staff. Deer Run Road was felt to be an

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economic development and not a transportation item. The area is hard to market and difficult to attract developers due to its condition. Mr. Flansberg indicated that maintenance will be provided on it next spring. The grant will expand his ability to do additional amenities. Supervisor Staub pointed out the economic value to making the improvements between Koontz and Clearview on Curry. Mr. Werner explained the need to meet CDBG requirements regarding income and economic development. He suggested that staff include it in next year's application and expand it to include other RTC projects. Mayor Masayko suggested that as an entitlement community, the City should use some of the \$350,000 for those projects. Mr. Berkich explained the reasons Deer Run Road had been included as being its at the gateway to the community and has 200 acres of underdeveloped property. It was suggested that Curry from Koontz to Clearview be considered for an 4EDA grant of less than \$1.5 million although this may cause competition for the parking garage. It was felt that once the entitlement process is developed the City could finance or phase the projects. The lack of maintenance funds limits the City's ability to do something with Valley View at this time. It was also felt that Valley View did not meet the planning and economic criteria. Supervisor Williamson moved that the Board of Supervisors approve the recommended top three projects for Community Development Block Grants, CDBG, funding. Supervisor Plank seconded the motion. Motion carried 5-0.

There being no other matters for consideration, Supervisor Staub moved to adjourn. Supervisor Livermore seconded the motion. Motion carried 5-0. Mayor Masayko adjourned the meeting at 12:34 p.m.

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The Minutes of the February 21, 2004, Carson City Board of Supervisors meeting

ARE SO APPROVED ON April 18, 2002.

/s/
Ray Masayko, Mayor

ATTEST;

/s/
Alan Glover, Clerk-Recorder