A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, August 5, 1999, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 8:30 a.m.

PRESENT: Ray Masayko Mayor

Kay BennettSupervisor, Ward 4Robin WilliamsonSupervisor, Ward 1Jon PlankSupervisor, Ward 2Pete LivermoreSupervisor, Ward 3

STAFF PRESENT: John Berkich City Manager

Alan Glover Clerk-Recorder

Rod Banister Sheriff Al Kramer Treasurer

William Naylor Information Services Director

John Iratcabal Purchasing Director

Mark Forsberg Chief Deputy District Attorney William Milligan Chief Justice Court Admin.

Mahmood Azad Development Services Manager

Chuck Knowlton Assistant Street Superintendent

Katherine McLaughlin Recording Secretary Scott Royal GIS/PC Coordinator

(B.O.S. 8/5/99 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. Rev. Tom Rhame of the First Christian Church gave the Invocation. Mayor Masayko lead the Pledge of Allegiance.

**CITIZEN COMMENTS** (1-0075) - Clerk-Recorder Alan Glover explained his telephone conversation with former City employee Dorothy Smith who had requested he thank the Board for the City's increased contribution toward the retiree's insurance premium. She felt it had made a big difference in their monthly living. Mayor Masayko thanked him for relaying the comments and Ms. Smith for taking the time to make them. Additional comments were solicited but none made.

- 1. APPROVAL OF MINUTES 5/11, 5/12 and 5/17/99 Budget Sessions (1-0086) Mayor Masayko noted the correction to the May 17 Minutes which had been submitted to the Board prior to the meeting. Supervisor Livermore moved that the Board of Supervisors approve the Minutes of May 11, 1999, May 12, 1999, and May 17, 1999, with the amendments as presented. Supervisor Williamson seconded the motion. Supervisor Plank reminded the Board Members that the May 17th minutes included a personal \$300 commitment for the volunteers appreciation dinner. Motion carried 5-0.
- **2. AGENDA MODIFICATIONS (1-0115) -** City Manager John Berkich requested Contract 9900-032 be deferred.

**LIQUOR AND ENTERTAINMENT BOARD -** Mayor Masayko recessed the Board of Supervisors session and immediately convened the meeting as the Liquor and Entertainment Board. The entire Board, including Sheriff

Banister, was present, constituting a quorum.

3. TREASURER - Al Kramer - ACTION ON A CHANGE OF LOCATION FOR AN EXISTING FULL BAR LIQUOR LICENSE HELD BY GENE R. WALLACE, DOING BUSINESS AS CHEER'S FOOD AND SPIRITS (1-0132) - Gene Wallace explained the location. Member Banister noted the favorable Sheriff's Investigative Report. Member Plank moved to approve a change of location for an existing full bar liquor license held by Gene R. Wallace, doing business as Cheer's Food and Spirits, from 3475 Hot Springs Road to 3680 Goni Way, Carson City Municipal Code 4.13.120. Member Bennett seconded the motion. Motion carried 6-0.

**BOARD OF SUPERVISORS** - There being no other matters for consideration, Chairperson Masayko adjourned the Liquor and Entertainment Board and immediately reconvened the session as the Board of Supervisors. The entire Board was present constituting a quorum.

#### **4. CONSENT AGENDA (1-0169)**

- A. TREASURER
- i. ACTION ON REMOVAL AND ADDITION TO THE 1999-2000 REAL PROPERTY TAXES FOR PARCEL NUMBERS 8-683-03, 8-683-04, AND 8-683-09 DUE TO ASSESSOR'S OFFICE CORRECTION
- ii. ACTION ON REMOVAL OF 1999-2000 REAL PROPERTY TAXES FOR PARCEL NUMBER 1-201-26 DUE TO CARSON-TAHOE HOSPITAL ACQUISITION OF PROPERTY
- iii. ACTION ON REMOVAL OF 1999-2000 REAL PROPERTY TAXES FOR PARCEL NUMBER 10-363-25 DUE TO CARSON CITY ACQUISITION OF PROPERTY
- iv. ACTION ON REMOVAL OF THE 1999-2000 REAL PROPERTY TAXES FOR PARCEL NUMBER 8-441-06 DUE TO ASSESSOR'S OFFICE CORRECTION OF VALUES
- v. ACTION ON PARTIAL REMOVAL OF THE 1999-2000 REAL PROPERTY TAXES FOR PARCEL NUMBER 7-182-02 DUE TO ASSESSOR'S OFFICE CORRECTION OF VALUES
- B. JUSTICE COURT ACTION ON APPROVAL TO ADD SALLY ZOLA TO THE PANEL OF SUBSTITUTE JUSTICES OF THE PEACE AND TO REMOVE THOMAS SUSICH FROM THE PANEL OF SUBSTITUTE JUSTICES OF THE PEACE
- C. INFORMATION SERVICES DIRECTOR ACTION TO APPROVE CONTRACT BETWEEN CARSON CITY INFORMATION SERVICES AND NEVADA BELL FOR GEOGRAPHIC INFORMATION SERVICES
- D. FINANCE DIRECTOR ACTION ON RATIFICATION OF THE EXPENDITURE APPROVAL LISTINGS FOR THE MONTH OF JUNE 1999
- E. COMMUNITY DEVELOPMENT DIRECTOR ACTION ON H-99/00-2 A REQUEST FROM ROBERT MCFADDEN, PROPERTY OWNER AND APPLICANT, FOR HISTORICAL TAX DEFERMENT ON PROPERTY LOCATED AT 302 SOUTH THOMPSON STREET, APN 3-133-31
  - F. DEVELOPMENT SERVICES ENGINEERING
- i. ACTION ON FOUR SEPARATE PUBLIC UTILITY EASEMENT DEDICATIONS FROM THE HOT SPRINGS CENTER ASSOCIATES, ACROSS APNS 002-061-32 AND 33 LOCATED AT THE CORNER OF HOT SPRINGS AND NORTHGATE LANE FOR THE INSTALLATION AND MAINTENANCE OF PUBLIC UTILITIES AND APPURTENANCES, COVERING A TOTAL AREA OF APPROXIMATELY 4303 SQUARE FEET
- ii. ACTION ON APPOINTMENT OF WILLIAM MICHAEL DONOVAN, JR., P.L.S. NO. 2617, AS ACTING CITY/COUNTY SURVEYOR EXCLUSIVELY FOR THE REVIEW AND APPROVAL OF THE CERTIFICATE OF AMENDMENT FOR THE PARCEL MAP FOR JOHN C. SERPA, PARCEL MAP NO. 2252, FILE NO. 212705, CARSON CITY OFFICIAL RECORDS
- iii. ACTION ON DEDICATION OF A SEWER LINE EASEMENT FOR THE INSTALLATION AND PERPETUAL MAINTENANCE OF THE SEWER LINE AND ALL ITEMS APPURTENANT OR INCIDENTAL THERETO FROM ROSALINE M. CARVIN, ON APN 8-141-13, LOCATED AT THE WEST PROPERTY LINE OF 2620 E. NYE LANE, COVERING AN AREA OF APPROXIMATELY 7,000 SQUARE FEET

- iv. ACTION ON DEDICATION OF AN EMERGENCY ACCESS EASEMENT FROM SILVER OAK DEVELOPMENT COMPANY LIMITED PARTNERSHIP ON A PORTION OF APNS 7-461-28, 7-461-27, AND 8-061-69 THAT WILL PROVIDE EMERGENCY ACCESS BETWEEN GS RICHARDS BOULEVARD AND EAGLE VALLEY RANCH ROAD
- v. ACTION ON DEDICATION OF A PUBLIC UTILITY EASEMENT FROM SILVER OAK DEVELOPMENT COMPANY LIMITED PARTNERSHIP OVER A STRIP OF LAND 10 FEET WIDE ADJACENT TO THE BOUNDARY OF EAGLE VALLEY RANCH ROAD, NORTH CARSON STREET, AND SILVER OAK DRIVE ON APN 7-461-27 FOR THE INSTALLATION AND MAINTENANCE OF PUBLIC UTILITIES AND APPURTENANCES
- vi. ACTION ON DEDICATION OF A WATERLINE AND ACCESS EASEMENT FROM THE SILVER OAK DEVELOPMENT COMPANY LIMITED PARTNERSHIP ON A PORTION OF APN 002-061-70 SOUTH OF COLLEGE PARKWAY AND WEST OF ORMSBY BOULEVARD FOR THE INSTALLATION AND MAINTENANCE OF WATERLINES AND APPURTENANCES AND ACCESS WITHIN THE PARCEL COVERING AN AREA OF APPROXIMATELY 0.36 ACRES
- vii. ACTION ON DEDICATION OF A PUBLIC UTILITY EASEMENT AND PEDESTRIAN ACCESS FROM THE CARSON VALLEY OIL COMPANY, INC., ACROSS APN 003-063-08 FOR THE INSTALLATION AND MAINTENANCE OF PUBLIC UTILITIES AND APPURTENANCES COVERING AN AREA OF APPROXIMATELY 2,246 SOUARE FEET
  - G. PURCHASING DIRECTOR
- i. ACTION ON CONTRACT NO. 9899-290 1998-99 ASPHALT MAINTENANCE CONTRACT, AWARD
- ii. ACTION ON CONTRACT AMENDMENT NO. 9899-186 SEWER REPLACEMENT PROGRAM, DESIGN AGREEMENT
- iii. ACTION ON THE LEASE AGREEMENT FOR A PORTION OF UNIMPROVED LAND IN LONE MOUNTAIN CEMETERY
- iv. ACTION ON CONTRACT NO. 9899-249 CONFLICT COUNSEL LEGAL SERVICES, CONFLICT CASES FY 1999-2000, REQUEST FOR CONTRACT APPROVAL
- v. ACTION ON CONTRACT NO. 9900-027 ASH AND KINGS CANYONS STORM DRAIN ANALYSIS AND PRELIMINARY ENGINEERING DESIGN
- vi. ACTION ON CONTRACT NO. 9900-032 UTILITY RELOCATION FOR FREEWAY, PHASE 1A Discussion noted staff's request that Item G. vi., Contract No. 9900-032, be deferred. No other items were pulled. Supervisor Plank moved to approve the 21 items on the Consent Agenda with the removal of the 22nd item as presented. Supervisor Livermore seconded the motion. Motion carried 5-0.

#### 5. BOARD OF SUPERVISORS

NON-ACTION ITEMS - INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (1-0197) - Supervisor Williamson reported on her vacation, the Redevelopment Authority Citizens Committee meeting and a proposal to have historical window displays in buildings in the downtown area. Anyone interested in having a display should contact either herself or Redevelopment Director Rob Joiner. She had also received several telephone calls about the lack of traffic enforcement on various streets. She was attempting to work with the Sheriff's Department to improve enforcement and reduce the speeding. She then announced that the Open Space Advisory Committee's master plan had been circulated. Public workshops are scheduled for August 15 and 16. It is on the internet and copies are available at City Hall and the public library. Public feedback was solicited. She commended Judie Fisher on the success of the Silver Dollar Car Classic. She also noted the softball and swimming activities which were held the same weekend. She announced the High School Soccer Booster Club's car wash scheduled for Saturday. Supervisor Plank announced the Sertoma Club's funding raising activities and described its purpose. He reported on his tour of the Clear Creek area with Senior Planner Juan Guzman. A lot of work remains to be accomplished before the Board reconsiders the issue. He described Ann MacQuire's letter regarding the pedestrian element of the Transportation Master Plan which he is working with staff on. He then reported on his meeting with Mayor Masayko and NDOT representatives regarding V&T issues, WNDD's planning committee meeting and a staff meeting regarding its issues, his work on some fire hazard issues

which the Street Department is working on, the Senior Advisory Council meeting, the Parks and Recreation Commission's meeting, a meeting with Parks and Recreation Director Steve Kastens and RTC Engineer Harvey Brotzman regarding the Roop Street crossing and a possible demo signal for that intersection, his inability to respond to the late mail which he had received on the agenda item scheduled for this evening, his plan to attend the Public Safety Master Plan briefing on the 6th, and announced the RTC meetings scheduled for August 11. He then explained Bob Wolf from the Tahoe Rim Trail Association's contact soliciting valley residents to join the Association. Anyone interested in participating should contact Supervisor Plank for additional information. Mayor Masayko reported on the legislative luncheon and the purpose of these luncheons, his participation in the Korean-American Cultural Foundation presentation of the students from Seoul, and the NACO Executives Committee meeting. He announced the NACO mid-October annual conference which is scheduled for Las Vegas and its proposed meeting with Governor Guinn. He urged the other Board members to attend. He then reported on his tour of the aquatic facility, the scoreboard's use during the weekend swim meet, and his participation in the welcoming ceremony. He commended the Parks and Recreation staff on its work to make the facility usable during the meet. He explained his participation in the southern phase of the freeway's value engineering workshop, the importance of the workshop, the Silver Dollar Car Classic and thanked the Committee for allowing him to participate, and the Concerned Citizen's for Y2K Committee meeting. Supervisor Livermore reported on his participation in the Silver Dollar Car Classic and commended Convention and Visitors Bureau Executive Director Candace Duncan and her staff on their dedication, his attendance at the swim meet and tour of the aquatic facility, the impact created by the swim meet scoreboard, the lack of Highway 50 parking incidents in spite of all the activities going on in Mills Park that weekend, the Carson-Tahoe Hospital affiliation committee meeting, the Hospital Board meeting and its decisions on the Douglas County facility, its new diabetic education center, its Nevada Health Professional Assistance Foundation, the Nevada Healthy Communities/Health Smart first public assessment meeting, the Edmonds Park Phase II bid opening, the Youth Sports Association meeting, and his attendance at a neighborhood meeting on the item agendized for this evening. Supervisor Bennett reported on the TRPA meeting, her concern over its approach to the Bliss parking area, and the potential need for the Board to consider a resolution related to that project; the Nevada-Tahoe Conservation District meeting; the Subconservancy meeting; the Public Transportation Advisory Committee meeting; briefly highlighted a legal issue she and her husband had been involved with which had appeared in the newspapers; and announced her vacation plans.

#### **B. STAFF REPORTS (1-0955) -** None.

TCI CABLEVISION OF NEVADA - City Manager John Berkich - STATUS REPORT ON UPGRADE AND RESIDENT NOTIFICATION PLAN (1-0957) - Government Affairs Director Marsha Berkbigler, Home Project Manager Carol Eure, Project Coordinator Cheryl Chernisky, Engineering Director Tony Maraggos, Upgrade Project Manager Dave Shorrock - Copies of the slide presentation were given to the Board and Clerk. (A copy is in the file.) Ms. Berkbigler's introduction explained AT&T's acquisition of TCI and that the vehicles and buildings would have their names changed within a few months. The representatives who were present were introduced and their duties/functions described. Ms. Eure indicated that the Carson City customer service office would be relocated to an unnamed Carson City site in the near future. She thanked the Board and City staff for their support over the years. Discussion explained the plans to upgrade and expand the service. Board comments stressed the need to coordinate the program with the City Street Department. A hot line had been established. Its number is 888-376-4184. Communication techniques were described. Efforts to minimize the impact to customers were stressed. The actual construction date had not been established. Discussion explained the franchise agreement terms which allow TCI to provide the service and upgrade the system. Public Works standards dictate the quality of the repair work. Permits will be required. Ms. Berkbigler stressed that the firm will work with the City staff and comply with all Code requirements. Educational programs provided by the firm were noted. Ms. Berkbigler agreed to provide information on the communication program to the City, specifically, related to those programs which worked. Mayor Masayko thanked them for the presentation.

BREAK: A ten minute recess was declared at 10:10 a.m. The entire Board was present when Mayor Masayko reconvened the meeting at 10:20 a.m., constituting a quorum.

#### **7. TREASURER -** Al Kramer

A. ACTION ON DIRECTION AND ORDER TO SELL REAL PROPERTY FOR TAX DELINQUENCIES WHERE CARSON CITY HAS TAKEN A DEED (1-1731) - Supervisor Williamson moved to approve the direction to proceed with the sale of Real Property tax delinquent properties. Supervisor Livermore seconded the motion. Motion carried 5-0.

#### B. ORDINANCES - FIRST READING

ACTION ON AN ORDINANCE AUTHORIZING THE ISSUANCE BY THE CITY OF ITS NEGOTIABLE "CARSON CITY, NEVADA, GENERAL OBLIGATION (LIMITED TAX) CAPITAL IMPROVEMENT BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 1999A, "FOR THE PURPOSE OF FINANCING THE COST OF ACQUIRING, CONSTRUCTING, IMPROVING AND EQUIPPING CERTAIN PUBLIC PROJECTS; AUTHORIZING AND DIRECTING THAT THE CITY SHALL EFFECT SUCH PROJECT; RATIFYING ACTION PREVIOUSLY TAKEN TOWARD ISSUING THE PROPOSED BONDS AND EFFECTING THE PURPOSE OF THEIR ISSUANCE; AND PROVIDING OTHER MATTERS RELATING THERETO (1-**01801)** - Mr. Berkich reviewed the history of the bond proposal which would extend the life of the bonds for 20 years. Staff will return at the next Board meeting with a 15 year repayment schedule. Justification for this procedure was provided. Mayor Masayko agreed that this program is as had been represented during the meetings although the 20 year period defeated some of those representations. He preferred to consider the reasons for reducing the principal and interest payments. He agreed that the proposed business plan would work even though it is not simple or easy to make the payments. Discussion indicated that the bond issuance is the first step toward creation of the sinking fund. Supervisor Livermore expressed the hope that if the golf course becomes more successful than projected, the bonds will be repaid faster than proposed and before additional improvements are made. Mr. Berkich indicated that the lease agreement requires Board approval of any projects of any magnitude prior to construction. Discussion indicated that the first call date for the bonds is in ten years. The payments will be \$240,000 a year. The payments will be made from golf course revenue. The bonds are revenue backed which is similar to the Hospital bonds. This requires payment of the bonds prior to any other payments. Supervisor Williamson suggested the City develop a mechanism which would loan the golf course the money and accept repayment from the golf course revenue rather than incur the additional costs associated with the bonds. Clarification indicated that the other bond issues could be removed from the golf course bond, however, the cost to issue the bonds would be higher. Reasons the State water bond bank had not been used for this portion of the bonds were explained. Supervisor Livermore suggested room taxes be considered as an additional funding source due to the revenue generated by tournaments. Mr. Berkich indicated that this funding source had not been considered. He had been lead to understand that all room tax monies were committed and not available for this purpose. Supervisor Livermore pointed out that the City could increase the room tax and generate the additional sum that was required. Mr. Berkich indicated that staff had only considered staying within the golf course's revenue sources. Supervisor Livermore encouraged staff to analyze all revenue sources in the future. Mayor Masayko supported having the golf course live within its revenue rather than using other revenue sources. The proposed 15 year payback is only three years longer than the current bonds. The Corporation will be able to repay the bonds sooner if possible. Mr. Kramer explained that the bond issue was tax-free. The funds would be reinvested at a taxable rate. These funds will not be subject to arbitrage rules. The interest earned with the higher premium payments will reduce the bond payment schedule even more without a penalty. Corporation Chairperson Mark Sattler explained the repairs and trap improvements planned for the coming year from the savings created by the reduced bond payment. Funds will also be held in abeyance for future repairs as needed. Clarification indicated that the current bond payment of \$400,000 was difficult for the Corporation to make. Chairperson Sattler felt that enough revenue had been generated over the summer to carry the course through the winter and make the first reduced bond payment. Supervisor Plank moved to introduce on first reading Bill No. 118, AN ORDINANCE AUTHORIZING THE ISSUANCE BY THE CITY OF ITS NEGOTIABLE CARSON CITY, NEVADA, GENERAL OBLIGATION (LIMITED TAX) CAPITAL IMPROVEMENT BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 1999A, "FOR THE PURPOSE OF

FINANCING THE COST OF ACQUIRING, CONSTRUCTING, IMPROVING AND EQUIPPING CERTAIN PUBLIC PROJECTS; AUTHORIZING AND DIRECTING THAT THE CITY SHALL EFFECT SUCH PROJECT; RATIFYING ACTION PREVIOUSLY TAKEN TOWARD ISSUING THE PROPOSED BONDS AND EFFECTING THE PURPOSE OF THEIR ISSUANCE; AND PROVIDING OTHER MATTERS RELATING THERETO. Supervisor Bennett seconded the motion. Motion carried 4-1 with Supervisor Williamson voting Naye.

ACTION ON AN ORDINANCE OF THE BOARD OF SUPERVISORS OF CARSON CITY, NEVADA, DESIGNATED BY THE SHORT TITLE "1999 WATER BOND ORDINANCE"; PROVIDING FOR THE ISSUANCE OF ITS REGISTERED, NEGOTIABLE, GENERAL OBLIGATION (LIMITED TAX) WATER BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 1999B; PROVIDING THE FORM, TERMS AND CONDITIONS THEREOF AND COVENANTS RELATING TO THE PAYMENT OF SAID BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF ANNUAL GENERAL (AD VALOREM) TAXES FOR THE PAYMENT OF THE BONDS; ADDITIONALLY SECURING THEIR PAYMENT BY A PLEDGE OF REVENUES DERIVED FROM THE WATER SYSTEM OF WHICH THE FINANCED PROJECT IS PART; RATIFYING ACTION PREVIOUSLY TAKEN TOWARD THE ISSUANCE OF SAID BONDS AND EFFECTING THE PURPOSE OF THEIR ISSUANCE; AND PROVIDING OTHER MATTERS RELATING THERETO (1-2379) - Comments stressed that the bond payments would be made from the current revenue sources without an increase in fees. Supervisor Plank moved to introduce on first reading Bill No. 119, AN ORDINANCE OF THE BOARD OF SUPERVISORS OF CARSON CITY, NEVADA, DESIGNATED BY THE SHORT TITLE "1999 WATER BOND ORDINANCE"; PROVIDING FOR THE ISSUANCE OF ITS REGISTERED, NEGOTIABLE, GENERAL OBLIGATION (LIMITED TAX) WATER BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 1999B; PROVIDING THE FORM, TERMS AND CONDITIONS THEREOF AND COVENANTS RELATING TO THE PAYMENT OF SAID BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF ANNUAL GENERAL (AD VALOREM) TAXES FOR THE PAYMENT OF THE BONDS; ADDITIONALLY SECURING THEIR PAYMENT BY A PLEDGE OF REVENUES DERIVED FROM THE WATER SYSTEM OF WHICH THE FINANCED PROJECT IS PART; RATIFYING ACTION PREVIOUSLY TAKEN TOWARD THE ISSUANCE OF SAID BONDS AND EFFECTING THE PURPOSE OF THEIR ISSUANCE; AND PROVIDING OTHER MATTERS RELATING THERETO. Supervisor Bennett seconded the motion. Motion carried 5-0.

#### **8. PERSONNEL** - Manager Judie Fisher

- A. ACTION ON REAPPOINTMENT TO THE HISTORIC ARCHITECTURE REVIEW COMMISSION (1-2462) Mr. Baker had been advised that it would not be necessary for him to appear. Supervisor Livermore moved to reappoint Richard Baker to fill the Historic Architecture Review Commission "Architect" member vacancy; the term will expire in July 2003. Supervisor Bennett seconded the motion. Motion carried 5-0.
- B. ACTION TO ADOPT A RESOLUTION AUTHORIZING THE COOPERATIVE AGREEMENT CREATING NEVADAWORKS; ACTION TO ACCEPT THE COOPERATIVE AGREEMENT FOR THE CREATION OF NEVADAWORKS; AND ACTION TO CONTINUE MAYOR'S APPOINTED REPRESENTATIVE (1-2512) Ms. Fisher's introduction explained the renaming of Job Opportunities in Nevada (JOIN) and briefly described the program which provides more local control. She had served as the Mayor's representative for 13 years. She also introduced Private Industry Council and Job Training Board Executive Director Tina Nappe. Board comments complimented Ms. Fisher on the Silver Dollar Car Classic activities and her involvement with JOIN. Supervisor Bennett moved that the Board of Supervisors adopt Resolution No. 1999-R-37, A RESOLUTION AUTHORIZING THE COOPERATIVE AGREEMENT CREATING NEVADAWORKS. Supervisor Livermore seconded the motion. Motion carried 5-0.

Supervisor Bennett moved that the Board of Supervisors accept the Cooperative Agreement for the creation of

NEVADAWORKS. Supervisor Livermore seconded the motion. Motion carried 5-0.

Supervisor Bennett moved that the Board of Supervisors authorize Judie Fisher to continue as the Mayor's representative on the NEVADAWORKS Board, formerly known as the JTB-JOIN. Supervisor Livermore seconded the motion. Discussion indicated the motion would reappoint Ms. Fisher to the Board as the Mayor's representative. Motion carried 5-0.

Ms. Nappe thanked the Board for its actions and complimented Ms. Fisher on her dedication and efforts.

**DEVELOPMENT SERVICES - STREETS - Building Official Phil Herrington - ACTION ON A** RESOLUTION FOR 50/50 COST SHARE SIDEWALK AND CURB AND GUTTER PROGRAM (1-2695) -Discussion explained that the Code requires property owners to repair and maintain City sidewalks, curbs, and gutters which are located in the City right-of-way. The proposed program will split the cost of this repair between the City and the property owner. The Street Department will make the repairs. The property owner will be required to apply for the permit. The permit fee will be waived. Mayor Masayko explained his frustration with the program as it is City property on which the adjacent property owner is required to construct the improvements and deed them to the City. They are used by the public. Mayor Masayko questioned the requirement that the adjacent property owner must pay for the repairs and maintenance in the absence of negligence. He felt that it may be possible for the homeowners to support the sidewalk repair/maintenance but not the curbs and gutters. He requested a report and reconsideration of the program in a year or two. He indicated a willingness to support the sidewalk repair/maintenance and suggested that the curb and gutter repairs/maintenance be bore by the City. Discussion indicated that program will be advertised. Sidewalks which are included in the Master Plan as part of the walkways have purportedly been inventoried. Mr. Herrington also indicated that the physically challenged ramps would be constructed by the City at no cost to the adjacent property owner. He agreed to advise Street Superintendent John Flansberg about the need to aggressively advertise the program beyond the proposed CATF and news articles. Supervisor Livermore expressed his concern about requiring the adjacent property owner to make the repairs as he does not own the property. Mayor Masayko felt that he paid taxes on the sidewalk. Supervisor Plank pointed out that the sidewalk eliminated the need to plant, irrigate, and mow the area. He also suggested that AT&T's communication methods be considered. He urged staff to include the program/discussion within the sidewalk master plan element. The resolution could not be construed to mean that the City would help install new sidewalks as it is restricted to repair and enhancement of sidewalks. Supervisor Bennett supported Mayor Masayko and Supervisor Livermore's comments and requested consideration of the "Devil's Acre". She expressed the hope that the Governor's sidewalk is repaired. Clarification indicated that the policy would apply to residential, commercial, and school facilities. Supervisor Bennett moved that the Board of Supervisors approve Resolution No. 1999-R-38, A RESOLUTION FROM THE DEVELOPMENT SERVICES/STREET DIVISION REQUESTING APPROVAL FOR A 50/50 COST SHARE SIDEWALK AND CURB AND GUTTER PROGRAM FOR CARSON CITY RESIDENTS AND BUSINESSES. Following a request for an amendment, Supervisor Bennett amended her motion to be for a "... 50/50 cost share sidewalk and curb and gutter maintenance program for Carson City residents and businesses". Supervisor Plank seconded the motion. Supervisor Bennett again amended the motion to include "...and other public facilities" so that it read "for Carson City residents, businesses, and other public entities and the waiving of the permit fees". Supervisor Plank concurred. Motion carried 5-0. Mayor Masayko requested Mr. Forsberg analyze the resolution to be sure that the motion's intent is appropriately reflected prior to reconsideration.

#### 10. DISTRICT ATTORNEY

A. ACTION ON AN ORDINANCE AMENDING TITLE 5 (PUBLIC UTILITY FRANCHISES AND REQUIREMENTS) AMENDING CHAPTER 5.10 (CAPITAL SANITATION COMPANY) TO SOLID WASTE AND RECYCLABLE MATERIALS; AMENDING SECTION 5.10.020 (TEXT OF FRANCHISE) TO REFLECT TEXT IF FRANCHISE AGREEMENT WITH SOLID WASTE AND RECYCLABLE MATERIALS; REPEALING SECTIONS 5.10.025 (ADDENDUM TO FRANCHISE); 5.10.030 (SECOND ADDENDUM TO FRANCHISE); 5.10.035 (THIRD ADDENDUM TO FRANCHISE-

thanked Capital Sanitation for its community support throughout the years.

CURBSIDE RECYCLING PROGRAM) AND OTHER MATTERS PROPERLY RELATED THERETO (1-3123) - Deputy District Attorney Melanie Bruketta's introduction included a brief review of the franchise and its significant changes. She then introduced the Corporation's legal counsellor Todd Russell. Clarification indicated that the CPI reference should be standardized throughout the agreement as it is the same measurement. Discussion between the Board and Corporation's Representative Tom Green explained the apartment dweller's rental deposit. Property owners are not required to make the same deposit. The deposit is used as the first quarterly payment. If a timely payment is not made for the second quarter, the service is dropped. A refund is given to anyone who moves during the first quarter. The tenant is required to apply for the refund, otherwise the Corporation has no way of knowing she/he moved. A new tenant at the same address could continue to use the service if no one notifies the Corporation of the change. The new tenant should apply for service. If this occurs, the previous tenant's funds will be held until turned over to the State under the escheatment laws. Supervisor Plank explained his concern about the lack of different service requirements and fees. Mr. Green explained that the service for a 32 gallon container is the minimum rate. There is also a 90 gallon can rate. These are the industry standards. The fully automated system, which was described, restricts the amount of service provided as an attendant is not available to pickup any excess. It is a more expensive service. The service provided in Carson City is considered semi-automated as the containers on wheels are handled by machine. Mayor Masayko noted that the franchise terms are the same as the previous franchise agreement. Mr. Green then explained the reasons for requesting an extension to the original agreement. WRM is planning to construct a new facility in Carson City. Supervisor Bennett thanked Mr. Green for the firm's support of the Pinenut Mountain Trail Association's cleanup efforts. She urged him to explore other programs with the City's environmental engineers and Deputy Public Health Director Ken Arnold and expand the service. Mr. Green indicated that the previous programs will be continued. The firm's staff in Carson City remains the same. Bill Fields is still the manager for the area. Supervisor Bennett commended him on his willingness to reinvest in the community. Board comments also

Supervisor Williams moved to introduce Bill 120 on first reading, AN ORDINANCE AMENDING TITLE 5 (PUBLIC UTILITY FRANCHISES AND REQUIREMENTS) AMENDING CHAPTER 5.10 (CAPITAL SANITATION COMPANY) TO SOLID WASTE AND RECYCLABLE MATERIALS; AMENDING SECTION 5.10.020 (TEXT OF FRANCHISE) TO REFLECT TEXT IF FRANCHISE AGREEMENT WITH SOLID WASTE AND RECYCLABLE MATERIALS; REPEALING SECTIONS 5.10.025 (ADDENDUM TO FRANCHISE); 5.10.030 (SECOND ADDENDUM TO FRANCHISE); 5.10.035 (THIRD ADDENDUM TO FRANCHISE--CURBSIDE RECYCLING PROGRAM) AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Livermore seconded the motion. Motion carried 5-0.

Public Health Officer Daren Winkelman gave a report on Deputy Public Health Officer Ken Arnolds' health. Mr. Berkich commended Mr. Winkelman and his staff and WRM for their efforts and team work. He also indicated that a card had been sent to Mr. Arnold.

B. ORDINANCE - SECOND READING - ACTION ON BILL NO. 117 - AN ORDINANCE AMENDING CHAPTER 11.20 (REGIONAL STREETS AND HIGHWAY COMMISSION) AMENDING SECTIONS 11.20.030 (CREATION AND ORGANIZATION OF REGIONAL STREETS AND HIGHWAY COMMISSION); AND 11.20.035 (TERMS AND REGULATIONS OF COMMISSION); AMENDING ORDINANCE TO CONFORM WITH STATE LAW AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO (2-0065) - Chief Deputy District Attorney Mark Forsberg - Supervisor Plank moved to adopt on second reading Bill No. 117, Ordinance No. 1999-18, AN ORDINANCE AMENDING CHAPTER 11.20 (REGIONAL STREET AND HIGHWAY COMMISSION) AMENDING SECTIONS 11.20.030 (CREATION AND ORGANIZATION OF REGIONAL STREET AND HIGHWAY COMMISSION); AND 11.20.035 (TERMS AND REGULATIONS OF COMMISSION); AMENDING ORDINANCE TO CONFORM WITH STATE LAW AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. Supervisors Bennett and Livermore seconded the motion. Motion carried 5-0.

#### 11. **CITY MANAGER** - John Berkich

ACTION TO APPROVE FUNDING OF THE ESTIMATED COSTS OF THE CITY'S YEAR 2000 CONTINGENCY PLAN (2-0105) - Mr. Berkich's introduction included compliments to the team who had worked on the plan and its benefits. The plan will provide housing for 1200 people at the High School. The estimated costs and funding sources were also noted. Board comments indicated that a majority of the program could be used for other emergencies. Reasons for using school facilities included the food stock which is available and the District's willingness to allow the City to use this inventory. The City will reimburse the School District for its usage. Supervisor Bennett pointed out that the City's own facility--the Public Safety Complex--could be used for the same purpose. Mr. Berkich responded by indicating that its primary use is for inmates and as a backup to the Juvenile Facility. The jail is on the list as a backup facility. Facilities Superintendent Larry Nair explained the procedure used to determine which generators would be acquired and which ones would be leased. Mr. Berkich emphasized the attempt to maintain a balance in the list and not go overboard. The program to inventory and maintain the readiness status of the equipment had been assigned to Emergency Management Battalion Chief Dan Shirey. Clarification indicated the generator and connection for the Utility Billing and Meter Reading and the Utility Office for water systems are permanent installations. A water trailer may be used instead of a water tender truck. The need for the 40 KW generator is to be determined. Mayor Masayko agreed that there are several areas which need the equipment but felt that some conservation opportunities should be considered. He also questioned whether the proposed 60 KW generators would be usable at the schools without additional connecters and transfer equipment. Mr. Berkich assured the Board that the entire list had been the subject of extensive discussion and that the onsite equipment will convert the generated power. The School District is responsible for the conversion equipment. Mayor Masayko emphasized that this equipment is very expensive. He also questioned whether the jail and National Guard Armory had been considered in the inventory and the need for \$133,000 or if \$90,000 would be adequate. Mr. Berkich indicated that this was part of the decision regarding the amount of housing which should be provided. The equipment will be stored at the Corporate Yard. The agreement with the School District is in draft form and may be presented at the next Board meeting. He agreed that there would be routine startup costs involved with maintaining the equipment which will be absorbed by the staff and assigned to the appropriate individuals. It should not be a significant cost. A request for additional personnel for this purpose should not be contained in the next budget documents. Supervisor Williamson expressed a desire to delay action on the plan until additional information is provided. Mr. Berkich explained the concern about time being of the essence due to the stiff competition in the marketplace for the equipment. He was willing to return with the additional information if the Board desired. Supervisor Plank pointed out the amount of emergency equipment which is now maintained by the Fire Department and expressed his feeling that Battalion Chief Shirey would maintain the equipment. The program should be considered an insurance policy which may never be needed but if it is, it is great to have. Discussion indicated that the City could not afford to meet the maximum amount of coverage required. Reasonableness must be used in determining the amount of preparedness which should be provided. Supervisor Bennett pointed out the winnowing which had occurred between the original list and the proposed list. Her attendance at the FEMA school on emergency preparedness was described to support the need to maintain a level of preparedness which would eliminate the feeling of being overwhelmed. She urged Mr. Berkich and the Emergency Management Team to conduct a demonstration to illustrate this need. Mr. Berkich explained that Battalion Chief Shirey is currently working on an exercise which would use the proposed equipment. He agreed to expand the exercise to include the Board. Supervisor Livermore also suggested that some of the public be involved in the exercise as a method of assurance concerning the City's preparedness. Public comments were solicited but none given. Supervisor Bennett moved that the Board of Supervisors approve funding of the estimated costs of the City's Year 2000 Contingency Plan, the General Fund amount is \$132,650 and the Utilities Fund amount is \$39,400, the funding source is the Contingency Account. **Supervisor Plank seconded the motion.** Discussion explained the funding sources and indicated that there would be a balance in the contingency fund of \$167,350. Mayor Masayko agreed that the City needed to do the plan but questioned the amount and its approach which dictates having three of everything. He felt that a lower level should be provided. He reiterated his concern that the equipment should be maintained, operational, and have trained personnel to operate, which is expensive to do. Supervisor Livermore indicated he would support the motion and requested that additional information on the plan be brought to the Board as quickly as possible so that a good understanding could be provided of the implications. Supervisor Plank also indicated he would support the motion even though he understood the suggestion to delay the action until additional detail is provided. He did not

wish to delay the decision too long as it could impede the City's program. Mayor Masayko reiterated his concern that only two pieces of equipment should be acquired instead of the proposed three. Supervisor Williamson suggested that the motion indicate that the amount is the maximum amount which is to be spent and that methods to reduce the cost should be pursued. Mayor Masayko indicated a willingness to accept this covenant which would indicate that this is the entire Y2K budget and that Mr. Berkich should make it work within that figure. Board consensus supported his statement. Mr. Berkich expressed his willingness to live within the constraint indicated with the except of the unknown cost for the food which would be included in the School District agreement. Mayor Masayko agreed and indicated that reconsideration if the prices change or if additional electrical connections are required would not be accepted. Mr. Berkich felt that staff could live within the established budget. The motion was voted and carried 4-1 with Mayor Masayko voting Naye due to the amount as he did not feel comfortable with the amount of General Fund support. Supervisor Livermore then indicated that the Hospital had sold as surplus a military generator. They had not known the City was interested in one. Top dollar had been paid for it as it was a highly contested item.

**B.** STATUS REPORT ON TRANSIT OPERATIONS (2-0710) - Paratransit General Manager Marc Reynolds - Discussion ensued concerning the ridership, the unserved needs of the community, the revenue stream, and the Public Transportation Advisory Committee's role. Supervisor Bennett requested an analysis of the service be conducted to determine the resource availability and expansion potentials. It may be time to begin considering a fixed route service. Mr. Reynolds reiterated the graph on ridership and the reduction in denials. No formal action was required or taken.

BREAK: A lunch recess was declared at 12:40 p.m. The entire Board was present when Mayor Masayko reconvened the meeting at 1:40 p.m., constituting a quorum.

#### 11. **CITY MANAGER** - John Berkich

- C. ACTION TO RECESS INTO CLOSED SESSION PURSUANT TO NRS 241.030 TO CONSIDER THE PROFESSION COMPETENCE OF THE CITY MANAGER (2-1049) Mayor Masayko explained the procedure and indicated that the Closed Session may last 1-1/2 to 2 hours. Supervisor Livermore moved that the Board of Supervisors go into closed session to consider the professional competence of the City Manager. Supervisor Williamson seconded the motion. Motion carried 5-0.
- **D. RECESS INTO OPEN SESSION (2-1081) -** Mayor Masayko reconvened the Open Session at 4:10 p.m. (The entire Board was present constituting a quorum.)

BREAK: A seven minute recess was declared. The entire Board was present when Mayor Masayko reconvened the meeting at 4:17 p.m., constituting a quorum.

E. ACTION REGARDING BOARD REVIEW OF THE CITY MANAGER'S PROFESSIONAL COMPETENCE AND SETTING OF COMPENSATION (2-1087) - Mayor Masayko briefly described the ranking process which had established an overall rate of 34. He felt that Mr. Berkich was performing his job in a very commendable manner with very few areas needing improvement. Supervisor Livermore noted this is the first time he had participated in the process. Reasons he had ranked Mr. Berkich at 34 were stated. Supervisor Bennett indicated her ranking had been 34 and her feeling that he reflected all of the qualities which she expected of an individual with his experience, professionalism, and development, and that the City was fortunate to have him. Supervisor Williamson explained her ranking had been at 38 and her feeling that the community was well served by Mr. Berkich. Supervisor Plank rationalized his ranking of Mr. Berkich at 30 as being in the middle of the commendable rating. Mayor Masayko again noted that the average ranking was 34. Supervisor Livermore moved that the Board of Supervisors accept the rating of the performance of City Manager John Berkich as qualified at 34 points on the scale represented in the packet that makes it the high side of commendable. Supervisor Bennett seconded the motion. Motion carried 5-0.

Mayor Masayko then reviewed the salary rating chart which indicated that a rating of 34 earns 95 percent of the salary range. He had calculated this at \$90,250. If the same rating is obtained next year, the salary would be adjusted by a cost-of-living only. Mr. Beller indicated that the calculations had been correct. Discussion indicated that the cost-of-living consideration for next year could be either a change in the control point or as the result of another salary survey rather than an increase to the base pay. Discussion indicated that Mr. Berkich is currently earning approximately \$83,000. Supervisor Williamson moved that the salary be \$90,250. Supervisor Bennett seconded the motion. Supervisor Livermore expressed the desire to have the motion include the finding that the 34 control point is his success factor rating and that the plan set the salary equal to that. Discussion also pointed out the need for an effective date. Supervisor Williamson amended her motion to include that the salary would be effective on July 1, 1999. Supervisor Bennett concurred. Motion carried 5-0.

(2-1307) Discussion ensued concerning the bonus program, its goals, and the ranking of each item. The maximum bonus was \$5,000. Mr. Berkich and each Board member provided rationale for the bonus he/she gave for each goal. Mr. Berkich recommended \$4875. Mayor Masayko recommended \$4275. Supervisor Williamson recommended \$4625. Supervisor Plank recommended \$3875. Supervisors Livermore and Bennett provided numerical ratings for each goal rather than the total bonus amount. The rankings were used to develop an average and a bonus of \$4250. Consensus supported this figure. Supervisor Livermore then moved that the Board of Supervisors by using the criteria to rate the City Manager's progress toward desired outcomes reflect a \$4,250 bonus. Supervisor Bennett seconded the motion. Motion carried 5-0.

**F.** ACTION TO ADOPT THE CITY MANAGER'S PERFORMANCE PLAN FOR FISCAL YEAR 1999-2000 (2-1839) - The performance plan contained six suggested outcomes and a total bonus package of \$10,000. Each Board member vocalized his/her feelings as to the appropriateness of the outcome, the suggested bonus, and/or suggested revised outcomes/bonuses. Discussion increased the plan to seven items and \$11,000 as follows: Y2K - \$2,000; public awareness for Y2K - \$500; freeway phase 2 for June 30, 2000 - \$3,000; regional meetings - \$1500; 12 month strategic plan for the organizational development team - \$1,000; implementation of 12 months communication strategic plan - \$1,000; and budget process modifications - \$2,000. Supervisor Williamson moved that the Board adopt the City Manager's performance plan for fiscal year 1999-2000 and amend it to a possible total of \$11,000 for a bonus with what is on the record and increase the outcome to seven items with the maximum bonus as allowed by the discussion. Supervisors Bennett, Plank, and Livermore seconded the motion. Motion carried 5-0.

BREAK: A recess was declared at 5:05 p.m. The entire Board was present when Mayor Masayko reconvened the meeting at 6 p.m. constituting a quorum. Staff members present were: City Manager John Berkich, Development Engineering Manager Jay Ahrens, Deputy District Attorney Melanie Bruketta, Senior Planner Sandra Danforth, Senior Engineer John Givlin, RTC Engineer Harvey Brotzman, and Recording Secretary Katherine McLaughlin.

12. COMMUNITY DEVELOPMENT DIRECTOR - ACTION ON U-98/99-63 - FOUR APPEALS OF THE REGIONAL PLANNING COMMISSION'S DECISION TO APPROVE A SPECIAL USE PERMIT APPLICATION FROM PONDEROSA BIBLE CHURCH (PROPERTY OWNER: FAYLOR FAMILY TRUST AGREEMENT) TO ALLOW AS A CONDITIONAL USE A CHURCH ON PROPERTY ZONED SINGLE FAMILY ONE ACRE (SF1A), LOCATED ON THE SOUTHEAST CORNER OF SOUTH EDMONDS DRIVE AND DAMON ROAD, APN'S 10-133-11 AND 12 (2-2030) -

Senior Planner Danforth, Applicant Rev. James Ranspot, Mike Burgoon, Bill Presswood, Paul Sinnott, (2-3033) Wallace Clark, Mike Hellar, Bob Hilderbrand, Harry Butts, Mary Handelin, Bob Duggan, Rose Clark, Richard O. Martinez, Debbie Hilderbrand, (3-0012) Janet Riggs, Roxanne Presswood, Merle Riggs - Supervisor Livermore disclosed his attendance at a neighborhood meeting held on July 26 concerning this item. If there had been a similar proponent meeting on this item, he would have attended it. He had not made a decision on the issue. His decision would be made based on the discussion this evening. Mayor Masayko explained the purpose of the meeting and the protocol which would be followed.

Following Mrs. Danforth's introduction, Rev. Ranspot explained his meeting with the neighborhood and the

resulting changes in the plans, which had been made in an effort to work with the neighbors. He agreed to reduce the building to 8,920 square feet. The design is the same as originally submitted. Grade composition shingles will be used instead of the green metal roof. The reduced building size decreased the amount of parking required. There will now be an 80 foot buffer between the church parking lot and the adjacent southern neighbors. The wooden fence would be erected and landscaped to provide additional buffering and to reduce the noise. He was willing to install the five foot chain-link fence with vinyl slats on the eastern side of the property if permitted by Code. There will be 81 parking spaces provided. A ten foot landscaped island will be placed between every ten parking spaces. All lighting will be affixed to the building and shielded to shine downward. Outside lighting would not be required in the summertime. During the winter, lighting will be restricted to 6 p.m. to 7:30 p.m. on Sundays and from 7 p.m. to 8:30 p.m. on Thursdays. Lights would not be on during the remainder of the week. Downsizing the building and parking should provide additional open space. Mr. Bronsema had agreed to leave one acre of his parcel open. The Church would, at its expense, install no parking signs in the appropriate positions as designated by the City along Damon. The sidewalks and curbing and traffic requirements were left up to the City.

Mayor Masayko explained the policy to return items when such changes have been proposed to the Planning Commission for reconsideration. He also explained the desire to allow the public to place their comments on the record regarding the suggested modifications.

RTC Engineer Brotzman explained that a traffic study had not been required by the size of the facility. A south bound left turn lane on Edmonds may be necessary although the traffic volume would not impact the area during peak day periods. The Board could require the traffic study if desired.

Mayor Masayko then asked for comments from proponents, none were made. Protocol was again described. Mr. Burgoon described the traffic, its speed on Edmonds, and problems encountered turning onto Damon. Adding 81 more vehicles to this traffic volume warranted a signal as well as a traffic study. The increased traffic also impacted his rural lifestyle. Any building other than of a residential nature would detract from the rural setting. Drainage and flooding/silting problems were also described. Mr. Presswood described the problems he had in accessing his driveway on Edmonds. He requested the Board return the application to the Planning Commission for additional study. He then expressed concerns with the noise and lighting. He also felt that the six foot fence would not be adequate in some areas of his backyard. He questioned the value of the sight obscuring fence if its was only three feet high and the sign's lighting plan. He acknowledged that he had signed the petition of acceptance, however, since that time he had learned more about the project. He would not have opposed a 2,000 square foot building but could not accept 12,000 square feet. He invited Rev. Ranspot to contact him so they could discuss his concerns. Mr. Sinnott had taken the photographs which the Board purportedly had to illustrate the area if the Board had not toured the area. He objected to the size of the building, the size of its parking area, and the activities which would occur there. The size of the building would have a negative impact on the rural neighborhood. He felt that there were enough churches in the vicinity. Other potential sites were listed. He also felt that the left turn lane should be required due to the projected traffic volumes. Graves Lane/Edmonds will become the bypass until the freeway is constructed. The soccer and increased usage of Edmonds Park was explained to illustrate the high traffic volume on weekends and in the evenings on South Edmonds. The traffic problems at the church on Edmonds was also described to illustrate his perception of the impact the proposed church would have accessing Damon. He suggested that Damon not be the access driveway for the church and recommended access in the middle of the proposed parcel. This would keep the traffic off his residential street. The list of groups who would be using the facility indicated to him that it would be a high use structure with more impact than had been indicated. He then questioned the reasons for such a large structure when it only has 71 members and what would happen if the church failed. The church should be located in a transitional area adjacent to commercial development. Mr. Clark supported the comments on flooding/silting on Damon and traffic problems on Edmonds. He also pointed out the loss of revenue created by having the church takeover ownership of the parcels and removing them from the tax rolls. This would increase the other property taxes. He urged the Board to retain the single family residential use. Mr. Hellar further defined Damon's slick winter road conditions. He urged the Board to consider this safety issue. Mr. Hilderbrand questioned the legality of the special use permit process regardless of the proposed use in a residential neighborhood. He polled the audience to determine the

number of individuals opposing the project. He also requested more definitive answers be given to the residents than that given in response to the lack of a traffic study. Mr. Butts pointed out that, as time goes on and the church grows, additional impacts will be created on the rural residential neighborhood. He questioned who would enforce the conditions restricting the lighting, usage, etc., in five or ten years. The usage may allow encroachment by others non-compatible commercial developers. Mayor Masayko indicated that the conditions would run with the special use permit and be enforceable forever. Ms. Handelin opposed a commercial venture in her rural neighborhood. Mr. Duggan opposed the building's size and its placement in a residential area. He also explained his reasons for signing the petition supporting the church and clarified the record to indicate that he opposed it. Clarification further indicated that he opposed both the 9,000 square foot and 12,000 square foot buildings. Ms. Clark felt that Rev. Ranspot was a smooth talker. She did not want a church in the neighborhood. Mr. Martinez opposed the church regardless of the size. His letter of opposition had listed some of his concerns. This included the traffic. He then voiced his concern about the applicant's lack of involvement with the neighborhood in the planning of the building. He urged the Board to return the application to the Planning Commission which would allow this to occur. He felt that the church would impact the rural quality of life.

Mayor Masayko described the notification process mandated by the Statutes. He also indicated that if the Board/City staff had been aware of the concerns, more notifications could have been given. Public input is welcome. Additional comments were solicited.

Ms. Hilderbrand thanked Supervisor Livermore for attending the neighborhood meeting and clarifying several of She then described her concern with the Edmonds Street traffic, specifically during soccer tournaments/activities. The church's additional traffic was not felt to be a good idea. Improvements should be made to Damon if it is to be used for access to the church. Clarification for Ms. Riggs indicated that Rev. Ranspot's indication that a school would not be part of the church activities would be included in the conditions on the special use permit. The conditions could only be modified by the Planning Commission and Board of Supervisors after public hearings had been conducted. Ms. Riggs then questioned how the second parcel owned by Mr. Bronsema could remain as open space as Rev. Ranspot had indicated. Mayor Masayko agreed that this could not be part of the conditions. Ms. Riggs felt that if the church acquired that parcel the use could further impact the rural residential neighborhood. She also pointed out that Supervisor Bennett was the Ward's representative and commended Supervisor Livermore on his willingness to attend the meeting. Edmonds is used as a bypass and a public street to reach the soccer fields and prisons. The proposed use, therefore, impacted all of the community. Ms. Presswood thanked Supervisor Livermore for attending the meeting and apologized to Supervisor Bennett for failing to invite her. Supervisor Livermore briefly described the ward boundaries. Supervisor Bennett indicated that if she had known about the meeting, she would have attended. Ms. Presswood felt that the residential area should be allowed to remain as it is. The church is closer to being a commercial use than her residential use and should be located in a commercial transitional zone. Traffic concerns were reiterated. She also opposed the sidewalks, curbs and gutters as the rural area does not have them. Mr. Riggs reiterated the traffic concerns and requested that the intersection of Damon and Edmonds be improved if the permit is authorized. This should include both a left turn lane and a culvert.

Mayor Masayko summarized the comments as being incompatibility with the neighborhood, the need for traffic improvements and a traffic study, as well as drainage improvements on Damon and at Edmonds. There had also been a suggestion requiring the church access be from Edmonds as well as a left turn stacking lane. Comments indicated that the incompatibility issue between the current residential uses and the proposed church could not be addressed by the Board. Supervisor Bennett felt that the comments had repeatedly indicated there is a traffic problem on Edmonds and specifically at the intersection of Damon and Edmonds and that the Board and RTC should study the impact Graves Lane would have on Edmonds and the residential area. Mitigation measures should be included and funded. She volunteered to work with staff on this issue. She urged the public to attend when these hearings are conducted. A traffic study, the building elevations, a landscaping plan, a drainage plan, and a signage plan would be required before she could consider the special use permit. Her understanding of the compatibility issue was described. Supervisor Livermore then described his unsuccessful efforts to have a traffic study conducted. He felt that the comments had supported the need and that a policy change was warranted. The developer should have recognized this need and done it on his own which would have mitigated a conflict

situation. The special use permit would create a conflict zone which should have been considered by staff and a transitional area proposed. He questioned the reasons City staff had required commercial development standards for a rural residential area. This would create even more of a conflict between uses. He urged staff to consider such issues when future projects are presented. Mr. Brotzman explained the traffic study which develops the base year and its projections. The traffic master plan had only projected traffic volumes until 2015. This timeframe would be requested of any developer. Criteria used within the master plan to establish its projected traffic volume and the factors used in the traffic analysis for the church were described. The property owner could provide an access from Edmonds or use the proposed Damon access route.

Supervisor Plank explained his policy to respond to correspondence. He had not received the correspondence on this topic early enough to have done so. He thanked the individuals for taking the time to write as it had been beneficial. He hoped that Rev. Ranspot and City staff had heard all of the concerns. The City's traffic model should be used to analyze the traffic issues. Mr. Brotzman indicated that Edmonds could be analyzed, however, a traffic count on Damon would have to be conducted before the model could analyze its issues. He also suggested that the traffic counters be placed on Edmonds to determine the unique impact of the Edmonds Sports Complex on the traffic pattern. Traffic counts are traditionally done during the week and not on weekends. Board consensus supported this approach.

Supervisor Plank felt that a majority of the concerns had dealt with traffic. A special use permit is a privilege and its conditions should be complied with. Churches on similar streets in other areas of the community were noted and should be used to analyze the impact on the neighborhood. Comments had indicated the need for a left turn stacking lane on Edmonds. As the church was willing to modify the application, the Board should remand the item back to the Planning Commission for reconsideration. The church should not be required to pay a second filing fee.

Supervisor Williamson explained that there are only four soccer tournaments and not the plethora indicated by the comments. Other recreational activities were noted which also impact the residential area and usage of Edmonds Park. Mr. Brotzman agreed that the traffic study should include the impact the Graves Lane extension will have on South Edmonds as well as the impact of the northern leg. Supervisor Bennett complimented the public on its demeanor and presentations this evening as well as the amount of correspondence which had been received.

Mayor Masayko noted Rev. Ranspot's ten revisions and the three which the Board had added. These items may be costly, however, the Board and residents were not willing to accept the project without them. Based on these revisions, he felt that the application should be returned to the Planning Commission. Rev. Ranspot explained that he could not make a decision at this time without discussing the requirements with his board. He felt that the City should be responsible for widening Edmonds based on the current traffic volume. The community should assist the church in developing alternatives and paying for same as the church would be an enhancement to the community. His attempt to have a traffic study conducted had been too late in the process to be beneficial for the meeting. Sunday traffic is not generally considered of a magnitude to create a negative impact. He did not plan to compete with the sports complex. He was willing to accept the Board's recommendation to return to the Planning Commission and to attempt to work with it and the community. Mayor Masayko felt that the issues should be addressed by Rev. Ranspot although he was willing to consider them if the Board is asked to do so. Discussion among the Board clarified the reasons for returning the application to the Planning Commission. If all of the issues are resolved at the Planning Commission and an appeal is not made to its decision, the issue will not return to the Board. The one year timeframe for the special use permit does not commence until after the appeal issues are resolved.

Supervisor Plank moved that the Board of Supervisors remand the appeal and special use permit that was being appealed for the Ponderosa Bible Church to the Regional Planning Commission under Section 18.02.040 Subsection ab for their review and action based on 12 items that combine nine which were brought forward by the Ponderosa Bible Church and the three items which were brought forward to the Board by the public during the public hearing on this issue. Following clarification, Supervisor Plank amended his motion to indicate Subsection 4b. Supervisor Livermore seconded the motion. Motion carried 5-0.

BREAK: A recess was declared at 7:42 p.m. The entire Board was present when Mayor Masayko reconvened the session at 8:05 p.m., constituting a quorum.

13. PARKS AND RECREATION DIRECTOR - Steve Kastens - ACTION ON A PROPOSAL FROM SIERRA PACIFIC POWER COMPANY (SP) TO LOCATE AN UNDERGROUND 120 KV POWER LINE ALONG THE WEST PROPERTY LINE OF THE EDMONDS SPORTS COMPLEX (3-0785) - Mayor Masayko disclosed that he had retired from the power company and that he had been the district manager for the Carson City area from 1984 until his retirement in 1995. The project had been under his purview from 1987 to 1995 and as part of his duties he had presented the project to the Board of Supervisors and other mandatory agencies. Due to his relationship, he indicated his intent to abstain from voting on the issue, however, would serve as the presiding officer.

Mr. Kastens began his introduction by explaining the reasons for submitting this item before consideration of the following item occurred. The project had been reviewed and approved by the Youth Sports Association (YSA) as well as the Parks and Recreation Commission (PRC). He commended YSA, PRC and the power company on their efforts to work together for the good of the community.

Supervisor Livermore disclosed his involvement as the Youth Sports Association President and explained the Association's participation and support of the revised plan. He did not feel that his volunteer activities on YSA would impact his ability to consider the item fairly. He also felt that Sierra Pacific had resolved all of YSA's concerns.

Supervisor Plank disclosed his involvement with the application as the Board's representative to the Parks and Recreation Commission. He also explained that the only outstanding item relating to the plan is the actual location proposed for the northern pole. Sierra Pacific had committed to placing that pole as far from the park as is possible.

Project Leader Mike Pidlypchak explained the need for a backup power source in the southern segment of Carson City. He also described the instruction given to the design engineer to place the northern pole as far west of the complex boundary as is possible. Drawings will be given to the Parks and Engineering Departments as soon as they are available.

Supervisor Williamson disclosed her husband's involvement with YSA and her involvement with the Capitol Soccer Club and that she had also attended several meetings on the project.

Washoe Tribe's Stewart Community Chairperson Jackie Steele introduced Washoe Tribe Vice Chairperson Wanda Battcher and expressed her concern with having the line above ground south of the Edmonds Sports Complex as there are plans to develop that area into a residential community. Mr. Pidlypchak then described the distance between the property line and the center of the pole as being 35 feet. He also responded to the "EMF" issue by explaining SP's belief that there is no scientific proof to indicate that "EMF" causes cancer or has any other ill effects. News articles were cited indicating that the individual who had made these allegations had done so as a hoax. Both he and Supervisor Livermore described the proposed route. Supervisor Bennett gave Ms. Steele her packet of information which had been provided by SP.

Julie Linstrom pointed out that the proposed route would be in her backyard. Clarification indicated that the line would be approximately 800 feet from her residence.

Mr. Bean requested that the line be underground in his area. His research on his health concerns and the "EMF" was described. He felt that as subdivisions are required to place the lines underground, Carson City should have the same requirement and mandate that SP install all of its lines underground. Clarification further explained the location of Ms. Linstrom's residence and the powerline. Additional comments were solicited but none given.

Supervisor Williamson moved that the Board approve the Parks and Recreation Commission's recommendation to allow Sierra Pacific Power Company to locate an underground 120 KV power line along the west property line of Edmonds Sports Complex with the following requirements: 1. Install a reclaimed water line with City provided materials in the same trench as the underground power line and install a reclaimed water line approximately 225 feet from said trench to the south restroom building connecting to an existing reclaimed water line; 2. Provide the necessary funding for labor and materials to install an additional 800 feet of reclaimed waterline pipe directly underneath the Edmonds Sports Complex Phase 1 project; and 3. Place the above ground south 120 KV power pole a minimum of 50 feet from the existing south fence and the north pole as far as possible west of the existing fence; fiscal impact is none. Supervisor Livermore seconded the motion. Motion carried 4-0-1 with Mayor Masayko abstaining.

#### 14. COMMUNITY DEVELOPMENT DIRECTOR

- A. ACTION ON A REQUEST BY SIERRA PACIFIC POWER COMPANY TO APPROVE AN AMENDED ROUTE FOR THE CARSON CITY ELECTRIC SYSTEM UPGRADE, SOUTHERN PORTION, FOR THE INSTALLATION OF A 120 KV TRANSMISSION LINE AND TO DIRECT THE CITY ENGINEER TO ISSUE AN AMENDED PERMIT TO DESIGN AND CONSTRUCT THE LINE (3-1325) Development Engineering Manager Jay Ahrens Mayor Masayko made the same disclosure and indicated he would again abstain from voting. Lumos and Associates Planner Carol Dotson noted that the project had been described previously and that public input had been considered throughout the process. Additional public comments were solicited but none given. Supervisor Bennett suggested that the Board consider the issue of requiring underground power utilities. Supervisor Bennett moved that the Board of Supervisors approve an amended route for the Carson City Electric System Upgrade, southern portion, as proposed by Sierra Pacific Power Company and as delineated in Exhibit A for the construction of a 120 KV transmission line in Carson City and to direct the City Engineer to issue an amended permit to design and construct the line. Supervisor Livermore seconded the motion. Motion carried 4-0-1 with Mayor Masayko abstaining.
- B. ACTION TO DIRECT THE CITY MANAGER TO BRING FORTH A POLICY AND PROCESS FOR THE FUTURE CONSIDERATION OF ISSUANCE OF ENGINEER'S PERMITS IN ACCORDANCE WITH THE FRANCHISE OF UTILITIES (3-1485) Senior Planner Juan Guzman Discussion listed the type of utilities which would be impacted, the team members who would work on the process, the need to establish preferred utility corridors including its definition for placement in the master plan, and the need for other utilities to participate in the process. Mr. Berkich agreed to include other communities' policies in the review process. Supervisor Plank moved to direct the City Manager to bring forth a policy and process for future consideration of issuance of Engineer's Permits in accordance with the franchise of utilities. Supervisor Williamson seconded the motion. Motion carried 5-0.

There being no other matters for consideration, Supervisor Livermore moved to adjourn. Mayor Masayko seconded the motion. Motion carried 5-0. Mayor Masayko adjourned the meeting at 8:50 p.m.

The Minutes of the August 5, 1999, Carson City Board of Supervisors meeting

1999.	ARE SO APPROVED ONNovember_4,
_/s/	Ray Masayko, Mayor
ATTEST:	

_/s/		
Alan Glover,	Clerk-Recorder	