A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, September 15, 1994, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 1 p.m.

PRESENT: Marv Teixeira Mayor

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

Tom Tatro Supervisor, Ward 3

STAFF PRESENT: John Berkich City Manager

Kiyoshi Nishikawa Clerk-Recorder Ted P. Thornton Treasurer Sally Herman Librarian

Katherine McLaughlin Recording Secretary

Cheryl Adams Purchasing Office Supervisor

(B.O.S. 9/15/94 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.

Mayor Teixeira called the meeting to order at 1 p.m. Rev. Roy Parker of the Full Gospel Church gave the Invocation. Supervisor Tatro lead the Pledge of Allegiance. Roll call was taken. The entire Board was present constituting a quorum.

1. APPROVAL OF MINUTES FOR SPECIAL JULY 18, 1994, AND REGULAR July 7, 1994, MEETING (1-0035) - Supervisor Tatro moved to approve. Supervisor Ayres seconded the motion. Motion carried 5-0.

CITIZEN COMMENTS (1-0049) - Bryan McCurdy explained an incident at the Community Center where a youth karate group had scheduled and began an overnight activity and the State Forest Service had used the gym for inmate housing. He requested a better explanation than he had been given by City and State staff and that action be taken to eliminate a reoccurrence. Mayor Teixeira also explained his surprise to learn that this had occurred. Mr. Berkich was unaware of the dates when the uses were booked. He agreed to meet with Mr. McCurdy on this situation.

2. LIQUOR BOARD MATTERS - Mayor Teixeira then recessed the Board of Supervisors session and immediately reconvened the session as the Liquor and Entertainment Board. A quorum was present although Sheriff McGrath was absent. - TREASURER - Ted P. Thornton - ACTION ON AN ENTERTAINMENT PERMIT WITH WAIVER OF THE APPLICATION FEE OF \$100 AND THE PERMIT FEE OF \$500 FOR THE NEVADA DAY COMMITTEE, LTD., TO BE HELD OCTOBER 29 - 31, 1994 (1-0301) - Mr. Ed Blanchard, representing the Nevada Day Committee, was present to answer questions. None were posed. Member Tatro moved that the Liquor and Entertainment Board approve an Entertainment Permit and a waiver of fees for the Nevada Day Committee to be held on October 29 through 31, 1994. Member Ayres seconded the motion. Motion carried 5-0-1 with Member McGrath absent as noted.

BOARD OF SUPERVISORS (1-0332) - Mr. Thornton noted the need for the Board of Supervisors to act on this issue rather than the Liquor and Entertainment Board. There being no other matters for consideration by the Liquor and Entertainment Board, Chairperson Teixeira adjourned the Liquor and Entertainment Board and immediately reconvened the session as the Board of Supervisors. - ACTION ON REINSTATEMENT OF

REVOKED BUSINESS LICENSES (1-0342) - All penalties and fees had been paid. Supervisor Tatro moved to approve reinstatement of the revoked Business Licenses as listed on the submittal from the Treasurer's Office, fiscal impact is \$379.20. Supervisor Ayres seconded the motion. Motion carried 5-0.

3. CONSENT AGENDA (1-0384)

- A. SHERIFF
- i. ACTION ON A RESOLUTION APPROVING GRANTS OF MONEY TO PRIVATE ORGANIZATIONS. NOT FOR PROFIT
- ii. ACTION ON CONTRACT FOR FORENSIC SERVICES WITH WASHOE COUNTY SHERIFF'S OFFICE
- B. CLERK-RECORDER ACTION ON A RESOLUTION AUTHORIZING THE DESTRUCTION OF COURT CASE FILES
- C. INTERNAL AUDITOR ACTION ON APPROVAL OF THE CHECK DISBURSEMENT REGISTER FOR THE MONTHS OF JUNE AND JULY 1994
 - D. PUBLIC WORKS DEPARTMENT
- i. ACTION ON DEDICATION OF PUBLIC UTILITY EASEMENTS RUNNING ADJACENT TO PROPERTY LINES ON PROPERTY AT THE SOUTHEAST CORNER OF NORTH CARSON STREET AND WEST COLLEGE PARKWAY (GRAVES LANE) ON APN'S 08-81-29 AND 30 FROM JAMES AND NANCY LEE ROBERTSON
- ii. ACTION ON DEDICATION OF STREET RIGHT-OF-WAY FOR THE EAST HALF OF THE GONI ROAD EXTENSION FROM EAST COLLEGE PARKWAY (GRAVES LANE) TO HOT SPRINGS ROAD ON APN 08-132-10 FROM SIERRA TECHNOLOGY CORPORATION
- iii. ACTION ON DEDICATION OF A DRAINAGE EASEMENT FOR N. CARSON STREET CULVERT EXTENSION ON APN 08-081-13 FROM KELLY-MOORE PAINT COMPANY, INC.
 - E. PURCHASING AGENT
- i. ACTION ON CONTRACT NO. 9495-49 EAGLE VALLEY GOLF COURSE HYDRO AERATOR
- ii. ACTION ON CONTRACT NO. 9495-061 PONY EXPRESS PAVILION READER BOARD SIGN
 - iii. ACTION ON CONTRACT NO. 9495-66 TANK WAGON FUEL CONTRACT
- F. HOUSING AUTHORITY ACTION ON APPROVING HOUSING AUTHORITY RECOMMENDATION TO APPROVE REQUEST OF FOUR BANKS TO PARTICIPATE AS AUTHORIZED LENDING INSTITUTIONS FOR THE CARSON CITY AFFORDABLE HOUSING PROGRAM Item E. ii., Contract 9495-061, had been pulled. None of the remaining items were pulled. Supervisor Tatro moved that the Board approve the Consent Agenda as presented including Resolution No. 1994-R-77, A RESOLUTION APPROVING GRANTS OF MONEY TO PRIVATE NON-PROFIT ORGANIZATIONS, NOT-FOR-PROFIT, and 1994-R-78, A RESOLUTION AUTHORIZING THE DESTRUCTION OF Court Case Files. Supervisor Bennett seconded the motion. Motion carried 5-0.
- 4. LIBRARY Librarian Sally Herman ACTION ON APPOINTMENT OF BERNARD L. SEASE, RETIRED CARSON CITY FIRE CHIEF, TO FIRST FOUR-YEAR TERM (1994-1998) ON CARSON CITY LIBRARY BOARD OF TRUSTEES, PER N.R.S. 379.020.1 (1-0415) Supervisor Smith moved that the Board of Supervisors appoint Bernard L. Sease to first four-year term, 1994-1998, on the Carson City Library Board of Trustees. Supervisors Ayres and Bennett seconded the motion. Motion carried 5-0. Both Mayor Teixeira and Ms. Herman thanked Mr. Sease for applying.
- 5. HOUSING AUTHORITY ACTION TO APPROVE PARTICIPATION OF CARSON CITY IN THE WEST CENTRAL NEVADA HOUSING CONSORTIUM AS LEAD AGENCY AND AUTHORIZING THE CITY MANAGER TO SIGN THE INTERLOCAL CONSORTIUM AGREEMENT (1-0475) Purchasing Office Supervisor Cheryl Adams Discussion noted the Counties who had agreed to enter the consortium. Supervisor Tatro moved that the Board adopt Resolution No. 1994-R-79, A RESOLUTION APPROVING PARTICIPATION OF CARSON CITY IN THE WEST CENTRAL NEVADA HOUSING

CONSORTIUM AS LEAD AGENCY and authorize the signing of the Interlocal Agreement by the City Manager. Supervisor Bennett seconded the motion. Motion carried 5-0.

COMMUNITY DEVELOPMENT DIRECTOR - Senior Planner Juan Guzman - ORDINANCE -FIRST READING - ACTION ON Z-94/95-1 - AN ORDINANCE EFFECTING A CHANGE OF LAND USE ON APPROXIMATELY 198.92 ACRES OF LAND, LONG RANCH ESTATES PLANNED UNIT DEVELOPMENT, FROM CONSERVATION RESERVE (CR), SINGLE FAMILY ONE ACRE (SF1A), AND SINGLE FAMILY 12,000 (SF12000) TO SINGLE FAMILY 21,000 PLANNED UNIT DEVELOPMENT (SF21000-PUD), ON PROPERTY LOCATED WEST OF ORMSBY BOULEVARD AND IMMEDIATELY NORTH AND SOUTH OF KINGS CANYON ROAD, APNS 7-321-01, 05, 06, 07, 09, 10, 11, 12, 13, 16, 17, 9-014-21, 22, 23, 7-381-01 THROUGH 17, 7-382-01 THROUGH 28, 7-382-01 THROUGH 28, 7-391-01 AND 7-401-01 AND OTHER MATTERS PROPERLY RELATED THERETO (PLANNING **COMMISSION APPROVED 5-0-0-2) (1-0538)** - Discussion noted the need for an ordinance revision had been overlooked and had just now been discovered and questioned whether there were other methods to implement this change. Supervisor Bennett and Mayor Teixeira directed Mr. Berkich to bring this issue back. Supervisor Tatro moved that the Board introduce on first reading Bill No. 147, AN ORDINANCE EFFECTING A CHANGE OF LAND USE ON APPROXIMATELY 198.92 ACRES OF LAND FROM CONSERVATION RESERVE (CR), SINGLE FAMILY ONE ACRE (SF1A), AND SINGLE FAMILY 12,000 (SF12,000) TO SINGLE FAMILY 21,000 PLANNED UNIT DEVELOPMENT (SF21,000-PUD) ON PROPERTY LOCATED WEST OF ORMSBY BOULEVARD AND IMMEDIATELY NORTH AND SOUTH OF KINGS CANYON ROAD, APNS 7-321-01, 05, 06, 07, 09, 10, 11, 12, 13, 16, 17, 9-014-21, 22, 23, 7-381-01 THROUGH 17, 7-382-01 THROUGH 28, 7-391-01 AND 7-401-01, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Ayres seconded the motion. Motion carried 5-0.

7. **PUBLIC WORKS DIRECTOR** - Acting Public Works Director Tim Homann

ACTION ON REQUIREMENT FOR STREET PAVING IMPROVEMENTS ON BIGELOW DRIVE SOUTH OF CLEARVIEW DRIVE AND REQUEST FOR CITY FUNDING PARTICIPATION FOR PAVING IMPROVEMENTS (1-0796) - Mr. Homann, Denise and Eugene Lepire, Deputy District Attorney Lipparelli, and Mr. Berkich - Copies of a map of the area were distributed to the Board but not the Clerk. Ms. Lepire briefly detailed her research on paving in her area, the meeting with Mr. Lipparelli, and agreed to abide by the offer to pay half of the cost even though they did not feel that they could be required to do so. Her map was then explained. Mr. Lipparelli reviewed the information contained in staff's files, the legal parameters, and options. These options and the dilemmas posed were discussed with the Board at length. Supervisor Smith briefly noted his reasons for making the motion and moved that the Board of Supervisors require the developer of Assessor's Parcel No. 09-185-12, Lot A of Parcel Map 885, to pave Bigelow Drive from Clearview Drive to approximately 245 feet south to minimum Carson City standards as shown on the approved improvement plans submitted by the developer and approve City participation for not more than one-half of the required street paving improvements up to a maximum of \$5500 participation, funding source will be from RTC Road Construction funds as approved by the RTC. Supervisor Bennett seconded the motion. Supervisor Tatro explained his reasons for supporting the motion which were that the owners did not have prior notice of the paving requirement at the time the building permit was issued, this parcel map requirements were spelled out in an ambiguous manner which is not found on any other parcel maps that the City is aware of, and that the parcel does not front on Bigelow Drive. Supervisor Smith then requested the motion be modified to include these comments. Supervisor Bennett continued her second. Mr. Lipparelli indicated that staff's best efforts to determine whether this language was contained on other maps indicated this language was not on other parcel maps. Not all of the other parcel maps had been pulled and checked but a random check had been made. Secondly, staff did not have evidence which would indicate the Lepires were aware of the paving requirement. They claim they did not have this knowledge. He again reiterated that this was the best staff had been able to determine. These comments were discussed and Mr. Lipparelli noted other parcel map requirements and Board direction to require developers to pay developing costs and not utilize RTC funds for infill projects. The language will be "tightened" in the near future. The motion to require the paving and for RTC to pay for half of the cost was voted by roll call with the

following result: Avres - Yes; Tatro - Yes; Bennett - Yes; Smith - Yes; and Mayor Teixeira - Before I will vote I will make a statement; I haven't said one thing which is uncharacteristic of me; the key here is that this parcel is different in a lot of ways and it is also pretty evident that it is completely surrounded by asphalt with the exception of this one side parcel; I believe that is also in Mr. Lepire's best interest; that is why I believe this offer for half, where basically if you wanted to hold the line, you could hold it for zero, and then we would have one patch of mud out there where you couldn't even remove snow, it would be rotten for the whole area, and you built just a block away; so I think this is a good faith gesture; and you can understand some of the other parcels that were built on, there is not a piece of asphalt anywhere near those homes that were built as late as, maybe, 1992; the key here, is, I think, something was brought up and Mrs. Ayres alluded to it, I personally resent having this Board set down here as the judge and jury and whether somebody knows or doesn't know, whether a parcel map says this, this really should not be in our purview; I think this is a lack of "having our act together" in ordinances and other tools necessary for the Public Works Department to mitigate this front end and not give Building Permits out; if a realtor does it, he says, Hey, you have to pay for the whole thing, probably if Mr. Lepire had bought it through a realtor, if he wanted that parcel, he would have known front end, guess what you have a \$10,000 tab on this thing, and that changes the whole prospective, so we can't be arbitrary, but you are putting us in a tough spot here, and I think this Board votes very fairly and even handed, and I think that the comment by Mrs. Lepire that there was anything to do with the name, I think this negates that; now would I be correct in this assumption; thank you; okay with that I will vote Yes. Motion carried 5-0. Mr. Homann expressed his appreciation for the Board's decision. Mayor Teixeira directed him to bring back an ordinance so that the Board would not have to deal with this issue again. Mr. Homann agreed.

B. ORDINANCE - SECOND READING

- i. ACTION ON BILL NO. 145 AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND JAMES AND NANCY LEE ROBERTSON REGARDING ASSESSOR'S PARCEL NO. 8-081-29 AND 30 LOCATED AT 3427 NORTH CARSON STREET, CARSON CITY, NEVADA (1-1949) Mr. Homann explained the changes made to the agreement. Mr. Lipparelli advised the Board to bring the matter back for first reading as these were major changes. Discussion noted the project is now under construction and explained the storm drain system. Supervisor Smith moved that the Board of Supervisors continue the item and not take action on a Development Agreement between Carson City and James and Nancy Lee Robertson regarding Assessor's Parcel Numbers 08-081-29 and 30 located at 3427 North Carson Street, Carson City, Nevada. Supervisor Tatro seconded the motion. Discussion indicated failing to act on the agreement would not slow the project. The motion was voted and carried 5-0.
- ii. ACTION ON BILL NO. 146 AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY, THE MEXICAN DITCH COMPANY, AND ALEX AND LENORE BERNHARD, REGARDING ASSESSOR'S PARCEL NO. 10-035-05 LOCATED SOUTH OF EAST FIFTH STREET AND EAST OF EAGLE VALLEY JUNIOR HIGH SCHOOL, CARSON CITY, NEVADA (1-2238) Supervisor Tatro moved that the Board of Supervisors adopt Bill No. 146 on second reading, Ordinance No. 1994-51, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY, THE MEXICAN DITCH COMPANY, AND ALEX AND LENORE BERNHARD, REGARDING ASSESSOR'S PARCEL NO. 10-035-05 LOCATED SOUTH OF EAST FIFTH STREET AND EAST OF EAGLE VALLEY JUNIOR HIGH SCHOOL, CARSON CITY, NEVADA. Supervisors Ayres and Bennett seconded the motion. Motion carried 5-0.

BREAK: A five minute recess was declared at 2:05 p.m. When the meeting reconvened at 2:10 p.m. the entire Board was present constituting a quorum.

8. CARSON-TAHOE HOSPITAL - PRESENTATION AND ACTION ON APPROVAL IN CONCEPT OF CARSON VALLEY MEDICAL MALL PROJECT WITH DISCUSSION OF FINANCING OPTIONS (1-2292) - Carson-Tahoe Hospital Administrator Steve Smith and Director of Planning and Marketing Kevin

Musico explained the need, support for, and the expansion plans in Douglas County. Supervisor Bennett moved that the Board of Supervisors approve in concept the Carson Valley Medical Project as presented. Supervisor Ayres seconded the motion. Discussion noted the project included a large parking area and financing options. The motion to approve the project in concept was voted and carried 5-0.

- DISTRICT ATTORNEY ACTION TO APPROVE LEGAL ACTION BY CARSON-TAHOE HOSPITAL AND CARSON CITY INCLUDING BUT NOT LIMITED TO THE FILING OF A DECLARATORY RELIEF ACTION, IF NECESSARY, TO OBTAIN LEGAL OR JUDICIAL DETERMINATION OF THE LEGALITY OF OWNERSHIP OR A LONG-TERM LEASE OF PROPERTY BY CARSON-TAHOE HOSPITAL IN DOUGLAS COUNTY FOR THE PURPOSE OF CONSTRUCTION AND OPERATION OF A HEALTH CARE FACILITY (1-2714) - Mr. Musico, Mr. Smith, and Mr. Lipparelli explained the legal concerns and reasons for seeking a court ruling prior to funding and construction. This discussion further defined the service demands from Douglas County. Mr. Lipparelli's comments included advising the Board that the action would be filed only if no other means can be used. If other options are found viable, the staff would return for Board consideration. Supervisor Bennett noted the hard work involved to reach this point and thanked the Finance Committee, Hospital and City staff, and Bond Counsel for their efforts. She also informed the Board that the interlocal agreement with Douglas County may be modified and considered by the Board next month. Supervisor Bennett then moved that the Board of Supervisors approve legal action by Carson-Tahoe Hospital and Carson City including, but not limited to, the filing of a declaratory relief action, if necessary, to obtain a legal and judicial determination of the legality of ownership or a long-term lease of property by Carson-Tahoe Hospital in Douglas County for the purpose of construction and operation of health care facility. Supervisor Tatro seconded the motion. Motion carried 5-0.
- 10. CITY MANAGER ORDINANCE FIRST READING ACTION ON AN ORDINANCE AMENDING CHAPTER 5.04 OF THE CARSON CITY MUNICIPAL CODE GRANTING SOUTHWEST GAS CORPORATION THE RIGHT, PRIVILEGE AND FRANCHISE TO LAY AND USE PIPES AND APPURTENANCES FOR TRANSMITTING AND DISTRIBUTING GAS FOR ANY AND ALL PURPOSES UNDER, ALONG, ACROSS OR UPON THE PUBLIC STREETS, WAYS, ALLEYS, AND PLACES AS THE SAME NOW OR MAY HEREAFTER EXIST WITHIN SAID MUNICIPALITY (1-3334) Mr. Berkich Supervisor Tatro moved that the Board introduce on first reading Bill No. 148, AN ORDINANCE AMENDING CHAPTER 5.04 OF THE CARSON CITY MUNICIPAL CODE, GRANTING SOUTHWEST GAS CORPORATION THE RIGHT, PRIVILEGE AND FRANCHISE TO LAY AND USE PIPES AND APPURTENANCES FOR TRANSMITTING AND DISTRIBUTING GAS FOR ANY AND ALL PURPOSES UNDER, ALONG, ACROSS OR UPON THE PUBLIC STREETS, WAYS, ALLEYS AND PLACES AS THE SAME NOW OR MAY HEREAFTER EXIST, WITHIN SAID MUNICIPALITY. Supervisor Ayres seconded the motion. Motion carried 5-0.

11. BOARD OF SUPERVISORS

- B. ACTION ITEMS RESOLUTIONS, PROCLAMATIONS AND OTHER ACTION ITEMS -- MAYOR TEIXEIRA ACTION ON A RESOLUTION DECLARING "HALLOWEEN" ACTIVITIES ON SUNDAY, OCTOBER 30, 1994, AND "NEVADA DAY" ACTIVITIES ON MONDAY, OCTOBER 31, 1994 (1-3445) Mayor Teixeira expressed concern about having Halloween activities on Sunday, which was discussed. Due to this concern, the item was continued until the next meeting.
- A. NON-ACTION ITEMS INTERNAL COMMUNICATION AND ADMINISTRATIVE MATTERS (2-0010) Supervisors Tatro, Bennett, and Ayres did not have a report. Supervisor Smith briefly explained his appointment as the NACO representative to the Earthquake Council and a meeting in Las Vegas. Comments noted the quake felt in the area this morning. Mayor Teixeira explained the \$8 million funding from NDOT for the Bypass. He also expressed his concern about the recent flower thefts from the cemetery. Mr. Berkich encouraged the public to contact the Sheriff's office if they observe anything.

BREAK: There being no other matters for consideration at this time Mayor Teixeira recessed the meeting at 2:32 p.m. When the meeting reconvened at 6:05 p.m. the entire Board was present constituting a quorum. Staff members present included: City Manager Berkich, Treasurer Thornton, Community Development Director Sullivan, Utilities Director Timian-Palmer, Deputy District Attorney Lipparelli, Assistant Sheriff Austin, Environment Control Manager Arnold, and Recording Secretary McLaughlin.

LIQUOR AND ENTERTAINMENT BOARD MATTERS (2-0065) - Mayor Teixeira convened the Board of Supervisors meeting and immediately recessed the Supervisors session and convened the Liquor and Entertainment Board. A quorum was present although Sheriff McGrath was absent. Discussion questioned whether Assistant Sheriff Austin was representing the Sheriff, which he indicated he was not. TREASURER -Ted P. Thornton - ACTION ON APPROVAL OF AN ADDITIONAL NATURE, WHICH IS TO HAVE A DINING ROOM WITH LIQUOR CONSUMPTION TO AN EXISTING LIQUOR LICENSE FOR EUGENE LEPIRE, DOING BUSINESS AS LAUNDRY LOUNGE, LOCATED AT 1300 EAST FIFTH STREET (2-0071) - Mr. Thornton noted the status of the Departmental reports. Scott Heaton, an attorney representing Mr. Lepire, reviewed the application request and his reason for feeling that the request should be approved. As the Municipal Code does not define a dining room or restaurant, he felt the two tables and eight chairs would meet the definition as meals would be served. Alcoholic beverages would not be served over the counter. This prohibition would negate the potential conflict with the Code definition of a bar. The kitchen equipment and food were explained. Liquor would be served as an accessory to that food service. The Board's discretion in issuing the license was restricted to the Health and Sheriff Departments' approvals and zoning issues. As the Health and Sheriff Departments had approve the requests, he encouraged the Board to issue the license. Zoning and the special use permit concerns were mute at this time. Should any of the conjectures or speculative concerns occur after the license is issued, the Board could revoke the license. Therefore, these issues should not be considered in the process. Clarification indicated the request was to add to the current liquor license which would be based on the construction of a partition between the laundry and the present bar and installation of two tables and eight chairs. This would create a separate "dining room". The Health Department letter was given to the Board by Mr. Heaton. Clarification indicated beer, wine and hard liquor may be sold. Mr. Heaton explained Mr. Lepire's acquisition of the property and its conversion. He planned to continue to sell packaged liquor. Member Bennett expressed her feeling that if he discontinued the sale of packaged liquor, Mr. Lepire could better control its use and consumption. Mr. Heaton indicated Mr. Lepire was open to discussion on restricting the sales to beer and wine. Construction of the partition would be delayed until after the Board action. Future plans for the site were briefly noted which included the potential of it being a restaurant only. Member Ayres expressed her concern about having a laundromat and children's play area adjacent to a place where liquor is served. Mr. Lipparelli explained that the children could not be in a bar but could go into a restaurant where liquor is served. Chairperson Teixeira expressed his concern if the Board approved a microwave and two tables with eight chairs as a dining room, that other establishments, including a 7-11, could become one. He did not feel that this was the original Code intent but rather was a way around the Code. Mr. Lipparelli explained the City Code would allow a restaurant in the zone. The questions, therefore, were whether the prescribed use was a restaurant under the zoning ordinances and a dining room under the liquor ordinances. Mr. Heaton requested the Board "tell them what the operation is if it is not a restaurant" as the Business License indicates it is a restaurant and it meets the Health requirements. Reasons he felt that the City Code did not include the restaurant definition were based on the City's adoption of the State Statutes which define food establishments. Under this definition, the request meet the requirements. Chairperson Teixeira pointed out that this definition had been on the books for a long period and that this was the first time a dictionary had been used to obtain a liquor license. He then opened the hearing for public comments and requested the comments be restricted to liquor license issues.

(2-0920) Marie Blanchard questioned why the "battle", which is 3-1/2 years old, must continue. Descriptions of the bar in the laundromat had been described throughout that period as inappropriate by staff, Planning Commission, and Board of Supervisors. The petition signed by 65 plus residents requesting notification of any consideration for this site had been overlooked. She also questioned how a microwave oven, bar sink, refrigerator, plastic plate, and frozen burrito could be classified as a restaurant. A liquor license was purportedly a privilege and, therefore, should not be granted automatically. She encouraged the Board to use its precedence, which was

established in 1980, to deny the request. If not, the new precedence would allow any florist, clothier, toy store, etc., located in a RC zone to be granted a liquor license by purchasing a microwave and installing a sink. She also reminded the Board that mixing alcohol and children could create an accident for which the Board may be responsible by granting the request (2-1075) Mark Roland, as a property owner of three sites in the vicinity, questioned the controls over the sale of liquor without food. He urged the Board to consider requiring the sale of food to obtain liquor. (2-1120) Carol Kyle expressed her feeling that the sale of liquor for off-site consumption was more dangerous than liquor consumed within the establishment which could be controlled. She felt Mr. Lepire was a "strict law-abiding citizen" who would control activities on site. She also felt that denial would be vindictive especially if the term restaurant is not defined correctly. (2-1165) Tom Hall explained his knowledge of the operation as an employee. The petitioners supporting the proposal had been aware of the request and that the proposal had been the result of requests for on-site sales. He also felt that better control could be maintained if onsite consumption is allowed. He had not had a problem with minors attempting to obtain liquor or with individuals not having the proper identification cards. (2-1225) Marilyn Koschella, representing the Carson Park Condo Homeowners Association, requested the record reflect the 150 homeowners of Carson Park opposed the request. (2-1240) Fran MacClain questioned whether the restaurant needed a separate entrance and if the bar would be used once the two tables are occupied or if the clients would be told to wait.

(2-1276) Mr. Heaton cited an example of a similar facility in Reno. He conceded that liquor would not be sold without a food purchase. He pointed out similar dining room operations in Carson City which he felt did not meet the conventional definition of a restaurant. He read the Health Department letter into the record defining what the requirements would be if the facility is a restaurant. Discussion ensued between the Members and Mr. Heaton on the service procedures and the plan to prohibit drink purchases without food and drinking/service at the bar. Member Bennett expressed her feeling that the proposal would meet the technical requirements of the law, however, suggested the packaged liquor sales be eliminated. Mr. Heaton agreed if the on-site sales is granted. Member Bennett then suggested that the sales be limited to beer and wine which she felt would be a reasonably fair method of dealing with the issue.

(2-1545) Mr. Lipparelli noted the Health Department's letter stipulating its requirements, Mr. Heaton's comments concerning the lack of a restaurant definition in the City Code, and the State definition of food establishments. If the facility were merely a restaurant, it could open tomorrow once those requirements are fulfilled. In order to meet the definition for a dining room, however, a separate analysis is required. The liquor license is tied to this definition. He referenced Mr. Forsberg's letter concerning this topic. The Board still had discretion in issuing the liquor license outside of the dining room issues. It should not be restricted solely to the Health and Sheriff Departments' concerns. The Code also indicates the Board may prohibit the sale of liquor in places where, in the Liquor Board's judgement, such sale or disposition may tend to create or constitute a special law enforcement problem or public nuisance. This discretion could be used in the Board's deliberations on the request. He also expressed his feeling that it was not accurate to say that the Board was prohibited from examining the general conditions of the neighborhood to determine whether or not, in this instance and based on these facts, this license would tend or constitute a law enforcement problem or public nuisance. He did not feel that the Board was restricted to just the Health or Sheriff's determinations as to fitness.

Member Smith then expressed his feeling that Mr. Heaton and the applicant had seen what they perceived to be a crack and tried to explode it into a gaping hole. He did not see the crack. He had been looking for a good faith effort in trying to establish a dining room. He understood that a dining room did not have to be 100 tables while, he supposed, it is possible for a dining room to consist of two tables and eight chairs. When Mr. Heaton indicated that the partition would not be constructed until the license is approved, Member Smith felt that this would lead one to believe that it is a way to beat the Code, a way to beat the system, a way to beat the citizens of the community and what they have already spoken. He read the definition of a dining as found in the Code. It says "a 'dining room' means a place which is regularly and in a bona fide manner used and kept open for the serving of meals to guests for compensation which has suitable kitchen facilities connected therewith complying with all regulations of the Departments of Health of the City and State." Words are open to interpretation and the word dining room will probably meet 100 or more places in this town but "sure does not meet it at that facility". Mr. Heaton requested an explanation of how it does not meet that interpretation. Member Smith responded by stating

that he would not get into an argument with him but in his interpretation he did not believe that there was a good faith effort in creating a dining room at that facility. He felt that it was a way to try to put a couple of tables off in a corner, build a wall, and get a liquor license. He did not agree with it. Member Smith moved to deny the additional nature request which is to have a dining room with liquor for Eugene J. Lepire, doing business as the Laundry Lounge, located at 1300 East Fifth Street, based on the following findings: That the facility is not a bona fide dining room and does not meet the intent of the Code and the use as described does not constitute a restaurant or dining room as defined in Carson City Municipal Code 4.13.010, and I also, further find that the situation, if approved, would create a public nuisance. Member Ayres seconded the **motion.** Member Tatro added that he did not agree with Mr. Heaton's description of the authority of this Board to use its discretion as being limited to approving everything that the Health and Sheriff's Departments say is appropriate. He felt that if this was the case, there would not be a Liquor and Entertainment Board. It would be just like a Business License which would be granted by the staff and there would not be a public hearing or Board involvement. He felt that the Municipal Code and the State Statutes create a Liquor and Entertainment Board for a reason as there is discretion which can be exercised. He felt that the motion which Member Smith had made exercises that discretion. Mr. Heaton requested the Board tell him what a dining room is, if this is not. He requested the Board tell him what a restaurant is, if this is not. He also requested the Board tell him what it will be, if it is not a dining room or restaurant because we do not intend then to be subject to any of the requirements of dining rooms and restaurants. He did not think that you could have it both ways. You can't say that we are not a dining room and we are not a restaurant for purposes of your action here tonight but then turn around and subject us to the requirements of dining rooms and restaurants in this town. He felt that it was incumbent for purposes of setting forth your reasons for denial, that you tell us why we are not a dining room, which necessarily means that you tell us what is a dining room. Chairperson Teixeira and Mr. Heaton noted that there is a Business License on the property and a Liquor License for the same property which state what it is. The motion to deny the request was voted by roll call with the following result: Tatro - Yes; Ayres - Yes; Bennett - No; Smith - Yes; and Chairperson Teixeira - Yes. Motion carried 4-1-0-1 with Member McGrath absent.

There being no other matters for consideration by the Liquor and Entertainment Board, Chairperson Teixeira adjourned the Liquor and Entertainment Board and immediately reconvened the session as the Board of Supervisors. The entire Board was present constituting a quorum.

BREAK: A ten minute recess was declared at 6:55 p.m. When the meeting reconvened the entire Board was present constituting a quorum.

UTILITIES DIRECTOR - Dorothy Timian-Palmer - ACTION TO DIRECT UTILITIES STAFF REGARDING PROPOSED ORDINANCE CHANGES INVOLVING SEPTIC SYSTEM DESIGN CRITERIA, SEPTIC ABATEMENT AND CONNECTION POLICY, AND WELLHEAD AND WATERSHED PROTECTION POLICY REGARDING HIGH DENSITY SEPTIC SYSTEMS; AND, 14. FINANCE DIRECTOR - Mary Walker - ACTION ON APPROVAL IN CONCEPT ON EMÉRGENCY SEWER CONNECTION PROGRAM FOR NEW EMPIRE AND SOUTHEAST CARSON CITY AND DIRECT STAFF TO PROCEED WITH NEIGHBORHOOD HEARINGS (2-1878) - Mr. Berkich reviewed the history of the water contamination problem and the recommendations. Ms. Timian-Palmer stressed the desire to work with the community and the request as being for Board direction/approval in concept. Her comments included reasons for the current problem, temporary nature of the septic systems, the report as contained in the Board packet (a copy is included in the Clerk's file), and the recommendations. Nevada State EPA Technical Services Branch Supervisor John Nelson noted the industrial problem is statewide. He stressed the need for industrial waste to comply with the Safe Drinking Water Standards. Discussion ensued on the location of the industrial septic tanks, attempts to work with the industries, the proposed compromises, the size and areas contaminated, connection timetables, the costs, the Northeast Carson Special Assessment District, the southeast moratorium area, budgetary constraints, and the mobile home parks which are on septic systems. (2-3295) The Minimum Security Prison is on sewer. The Indian Colony has a mixture of septics and sewer. Supervisor Bennett requested additional details on this area.

(3-0015) Dave Hampton questioned whether experimental septic systems which meet or exceed the City's own standards will be allowed to be used. Ms. Timian-Palmer indicated this matter was still under investigation. She then explained for Hal Mitchell the area included in the moratorium. Under the concept this area would be the first to be connected to the City system. She then discussed with Wayne Winsor the proposed timetable for connecting and the notification process. (3-0125) State Health Division Representative Jeff Fontaine discussed with Fran MacClain her contention that individuals who obtained their permits in the late 1960s and early 1970s do not have a statement concerning the temporary nature of the systems should not now be required to connect. Ms. MacClain contended that her system was viable and she should not now be forced to connect. Mr. Fontaine did not feel that her system could be "grandfathered" or the connection requirement waived. The legal question would be whether her system was contributing to a health problem. The temporary nature of the septic systems was adopted by the Board in 1972. The grandfathering question is a legal question for any system installed prior to that date. Ms. Timian-Palmer also pointed out that Ms. MacClain's system was polluting as are all the other systems.

Ms. Timian-Palmer then reviewed the proposed ordinance change which would mandate a minimum lot size of three acres for a septic system to be considered. She would continue to allow one acre parcels to have septic systems if previously approved by the Board, however, they will be notified of the connection requirements. Supervisor Bennett requested the ordinance be brought forward and that it include a prohibition against subdividing the three acre parcels without a sewerline.

(3-0350) Ms. Walker then reviewed the Guastella report on the sewer utility fee programs. The need for equity in those fees as well as the fact that the utility is a self-funded enterprise utility were stressed. Supervisor Smith stressed that the two areas where there had been emergencies declared had been selected by studies as having the greatest potential health hazards. Ms. Walker stressed that if were not for this emergency, incentives would not be offered. The City could not afford to offer the program to all the residents. The projected costs were for a worse case scenario. Ms. Timian-Palmer explained the notifications given to the New Empire residents when the sewerline was extended and the incentives offered to get them to stub. The cost to stub now was noted. Deputy Utility Director Jay Ahrens explained the savings/incentives which were given to those individuals. The proposal would also waive the same fees/services. Reasons for requiring the septic tank to be filled with sand were discussed. Ms. Walker, Ms. Timian-Palmer and the Board then discussed the Guastella report, reasons for the \$2450 connection fee, the estimated cost of \$11,250 for extension and connection, the proposed \$5,000 incentive, the \$2.4 million sewerline extension program, a developer's responsibility for extending the sewerline in new subdivisions, the connection and user fee rate structure analysis as developed by Guastella, and (3-1038) the different options. They were: have the property owners pay in accordance with the current ordinances which is estimated at \$11,250 per residential unit; establish an assessment district or have the City bond for all the private property improvement costs and collect from the property owners over time--both of these proposals are illegal; use the subconservancy ad valorem tax to defray the costs--which is illegal as the tax can only be used for water; have the sewer system pay \$5,000 for the line extensions which are in public right-of-way and not on private property; use a grant program to provide funding to the low and moderate income property owners; septic abatement program--grants were not received for this program; sewer user rebate program for low income seniors; private bank loans for all or a portion of the connection fee and private property improvements except for the sewerline extension and (3-1309) the possibility of having the City cosign for these loans; waiver of connection fees to the sewer system--\$2,226--or a five year, five percent repayment program for the connection fee; (3-1388) offer a reduced connection fee for those who connect within 12 months of notification of the extension and provide a payment program for the connection fee over five years or upon sale of the property with a five percent interest; lower the connection fee for anyone connecting within six months of the extension; establish a credit against the extension costs for the value of the existing septic system; and allow the property owners to pay for the connection costs at the time the property is sold through the use of a lien against the property. Staff's recommended options are: that the sewer system pay for the line extensions which would save each residence \$5,000; use the sewer rebate program for the low income seniors; provide a bank loan including co-signing if possible; and amortize the payments of connection fees over a five year period or until sale of the property whichever occurs first at a five percent interest rate provided the property is connected within 12 months of the notification. (3-1287) Mr. Berkich explained the private bank loan program. Discussion noted the Treasurer's ability to lien the property. (3-1575) Property values would be increased when the sewerline is connected. Discussion noted the proposed waiver of the

\$250 inspection fee had not been included on the list as it was felt that these fees could be waived. Staff stressed that the incentives were to be for only the two emergency areas under discussion this evening--the New Empire area and the Southeast Carson moratorium area. Mayor Teixeira noted the Board had the discretion to establish the program citywide. He felt that the incentive program should be open to all residents. He also noted that some people on fixed incomes regardless of the incentives would still be unable to afford to connect. Ms. Walker cautioned the Board about expanding the program due to inequities which could be created and lack of a funding source.

(3-1725) Mr. Nelson noted the federal requirements for the sewer plant mandate equity throughout the system. If equity is not maintained the grant funds could be jeopardized. The funds totalled \$32 million. Discussion indicated the Board could reduce the connection fees to the \$1200 originally assessed. The fee would have to be the same for the entire city. Mr. Nelson stressed that these fees were those related to the plant and not the user fees. He was unaware of any flexibility which would allow senior citizens to have a reduction. Comments indicated the General Fund may be used to provide the funding for other programs. Mr. Nelson agreed to analyze a program where the fees would be spread over five years at five percent and waive all inspection fees citywide with a \$200,000 General Fund account to support this program for eligible seniors/low income residents on a 75/25 participation match. He felt that a lien was an acceptable procedure to postpone the fees. Ms. Walker pointed out the inequity in this program as the fee may not be repaid for 30 years when the connection fees may be more. She urged the Board to use General Fund monies for this program. Mr. Nelson also agreed that if the General Fund established a grant program and the Sewer Funds were not used, his equity concerns would be addressed. This was the exact reason the General Fund supports the Senior Citizen Rebate Program. Supervisor Bennett expressed her support for utilizing the General Fund for the incentive program based on the long-term failure of the City to address the situation. She supported extension of the sewerlines as well as the connection fees, plus the use of General Fund monies for those who cannot afford it. A poll of the individuals who are not on septics was taken. Mayor Teixeira also stressed the need to address the situation before the City's water source is contaminated.

BREAK: A five minute recess was declared at 8:40 p.m. When the meeting reconvened at 8:45 p.m. the entire Board was present constituting a quorum.

(3-2105) Wayne Winsor discussed with Ms. Timian-Palmer the requirement to fill the septic tank with sand or its equivalent. The City would install the stubs and the residents will pay for the stub when a permit is pulled. Mr. Ahrens reviewed the ordinance change which had allowed this procedure. The contractor who installs the stub is under contract with the City for a set fee to do the stubs. His fee is passed on to the resident. Mr. Winsor also suggested an additional incentive be offered to those who connect within the first year rather than the second year. He suggested that the stub be the incentive. His investigation for a personal loan was explained. He felt this was too expensive. He suggested a 4-1/2 percent rate. When connections occur, the property taxes would raise and could generate funds for other incentives. Also, the utility revenues would be increased and could be used. The sewerline may be installed in the winter in his area. Mr. Winsor then noted the comments which he had encountered during the Board's discussion on rate increases at a previous meeting. (3-2438) Dick Hutson questioned the reasons the fees had increased so drastically since the first meeting on the nitrate problem. Ms. Timian-Palmer indicated that the only figure which is firm is the connection fee as the balance are estimates. Reasons were discussed for the fluctuation in the total price, the number of impacted residents, the \$2.4 sewerline extension loan and its repayment by the utility, and reasons septic permits were granted in the area. Mr. Hutson's permit was issued in 1971 and did not note that the system was temporary. (3-2825) Dave Hampton suggested "sealed bed systems which are aerobic". These systems do not contaminate the groundwater. Ms. Timian-Palmer noted the cost of such systems and the need to monitor them. The line extension is less expensive and does not require monitoring. Mayor Teixeira noted that Sunchase would be required to extend the infrastructure. He also noted the City's ability to upgrade the line for other users. Mr. Hampton suggested the Board consider compensation for the remaining life of any usable systems. (3-3035) Ms. Timian-Palmer explained the proposal for Fran MacClain which would waive the \$5,000 line extension cost and the \$250 permit fee. Ms. MacClain pointed out that this would still leave the property owner responsible for landscaping repairs in addition to the other fees which she could not afford. Clarification indicated she would not be allowed to connect to the

transmission main which is in Hillview but the sewerline when it is extended to her area. Ms. MacClain was also concerned about having both the water and sewer mains in Koontz. Mr. Ahrens explained that the City has a 50 foot right-of-way and must maintain a ten foot separation. There is adequate space for both lines. (3-3340) Phil Hutson expressed his concern about the contamination of the groundwater source for the entire City and urged the Board to do something. He felt that he was being doubly assessed as he had paid for his own system and now must connect to the City's system. As he has his own system, he felt that the City should fund the entire cost for the other system. Clyde Lippincott, who represented Joe and Lisa Taylor and Wayne Matthews, questioned the impact the proposals would have on homesteaded property and questioned the total fee. One family he was representing had requested the lowest possible terms. Mayor Teixeira noted the purpose of the meeting was to provide staff with direction and for staff to work with the community and return with a ultimate proposal. Mr. Lippincott requested clarification on the final costs. Mayor Teixeira indicated the final costs had not been established. The request was for an equitable system for community discussion. Mr. Lippincott felt that the figures which had been distributed had frightened people. He recommended a per foot figure be advertised and the residents could then measure their own distances. Mr. Berkich indicated these figures should be available at the workshops. Ms. Timian-Palmer noted the reasons for differences in the actual costs including the different bids which contractors give. (4-0075) H. J. Sarnowski had three letters which had been written in 1991 about the dropping water table. He questioned the reasons similar notices had not been sent regarding the sewer problem. Both Mr. Berkich and Ms. Timian-Palmer explained the request for the Board's conceptual approval of a program. Notices for workshop meetings will be sent to all impacted property owners. Public service ads will also be run. (4-0121) Jim Reinschmidt had obtained a permit on 6/4/92. He questioned the reasons for allowing the permit to be issued if the system is temporary as the City should have known about the problem long ago. He had had his water tested and it was below the maximum nitrate level. He then explained his problems with the drainage ditch along Hickory Drive which had forced him to locate his house over 200 feet from the front property line. He suggested that the sewerline be located in Hickory Drive as he could not afford to run the line from the front of the property. He could not obtain a loan. (4-0215) Marcia Greybeck expressed her feeling that as a hydrologist the septic tanks had performed as manufactured--as a recognized sewage disposal system which pollutes. These pollutants, however, are utilized by plants or removed by soils. She acknowledged that any areas where the groundwater tables had been contaminated, the systems should not have been used. The density and soil factors had helped create this Mayor Teixeira explained that the City had lost a well to this contamination and stressed the importance of the well to the entire City system. Ms. Greybeck supported having the residents connect whenever a system fails. She disagreed with the policy of forcing people to connect when their system is working. She also expressed her feeling that there could be other causes for the contamination other than from private septic systems. Mr. Fontaine explained the law which prohibits groundwater contamination throughout the State. The City Utility Director and the State Environmental Protection Division had determined that this was the source of the groundwater contamination found in the City. Even if this is not the case, it is likely to occur. He agreed that septic systems are a recognized form of sewage disposal. Density factors and wrong soil conditions can make them a source of groundwater contamination. Ms. Greybeck then questioned the emergency situation which was being declared for one area when there are "many, many other similar areas in Carson City". Ms. Timian-Palmer agreed with this comment, however, the difference is the location of sewerlines. Discussion then noted that although the staff had not informed the public of the temporary nature of the septic permit, staff had told the public that connections would not be required until the system failed. Discussion noted that the City Code does not comply with State regulations mandating connections. Ms. Greybeck did not feel that she should be required to connect. She also requested a discount/break be given to existing home owners. Estimates for the stub had not matched the actual contractor's estimate. Discussion indicated future bids will include this item and that the contractor will be required to perform the work in accordance with the contract. Ms. Greybeck felt that she should not connect until the system fails nor could she afford to extend the sewerline from her home to the stub. (4-0638) Mayor Teixeira indicated for Bonnie Newmont that the \$5,000 sewerline cost would not be an issue for the residents. He also indicated that the workshops would be with the homeowners in the areas impacted and address the costs. He also directed staff to obtain bids from five or six contractors so that the public would be aware of all of the factors. (4-0735) Julia Mitchell questioned reasons the water utility was not being considered in the financing. Mayor Teixeira explained the reasons funds could not be mixed. Ms. Mitchell felt that a savings would be created by using the City water system and additional revenue generated which was why those funds should be considered as a revenue source. She then explained her need for a "pumping station" at an additional cost, an issue

on which Ms. Timian-Palmer will meet with her. (4-0822) Mayor Teixeira noted for Norma Rutherfurd that the golf course effluent irrigation program had been addressed in the nitrate issue. Ms. Timian-Palmer explained the nitrate level of the effluent which is lower than that found in the well contaminations as well as the EPA requirements which prohibit contamination and mandate the monitoring program. Drinking water is very expensive to treat for nitrate contamination. Supervisor Smith then read Tonya Brown's letter into the record urging the Board to consider waiver of some fees and financing of the remaining portion. Benefits of the additional connections were noted to support her suggestions and provide funding for them. Reasons for granting the waivers when others had paid for the connection were also indicated. She also pointed out the illegal installation of a leach line to support her feeling that something needs to be done. Public testimony was then closed.

(4-0951) Discussion ensued between the Board and staff on the options which staff had analyzed. This included waiving the inspection fee for the first two years, term of the incentive program, notification procedures, (4-1335) whether to limit the \$5,000 extension waiver to areas identified as emergencies, pursuit of the CDBG grant and septic abatement programs, reasons private notes could not be co-signed, (4-1548) requested contractors provide quotes which could be used during the workshops, loan terms and the need for the staff to have these figures during the workshops, the need for a resolution declaring a criteria credit need area like had been done for the downtown area, amount of General Fund monies which should be allocated to the connection fee subsidy program which would utilize the Federal poverty guidelines with a 75/25 participation figure, the current stubbing program, waiver of the \$750 stubbing fee, and (4-2080) credit for the remaining life of septic tanks specifically those installed during the last five years in the emergency areas which are mandated to connect. From this discussion it was established that the incentive program would be valid for a period of one year after the sewerline is extended to an area and would be valid for the entire City. The sewerline should be adjacent to the property line. The program would be available to existing septic system users as of the effective date of the program and not new developments. The sewer system would pay the \$5,000 extension cost in all areas identified as an emergency area. (4-1423) User rebate program would apply to low income seniors. Amortized connection fees for five years at five percent. Established a \$200,000 General Fund Account for a connection fee subsidy program using the Federal poverty guidelines with a 75/25 participation figure. Rentals will not be considered. Homeowners will be considered. Staff was directed to obtain a not to exceed price for stubbing which will be credited against the costs.

(4-2236) Supervisor Smith moved that the Board of Supervisors direct staff to prepare ordinance changes regarding Carson City Municipal Code Sections 12.05 and 17.08 involving septic systems design criteria, septic abatement, and connection policy, and wellhead and watershed protection policy regarding high density septic systems. Supervisor Bennett seconded the motion. Motion was voted and carried 5-0.

Supervisor Bennett then moved that the Board approve in concept the emergency sewer connection program in the New Empire and Southeast Carson City and direct staff to proceed with neighborhood hearings and based upon the testimony we heard tonight to include emphasis on the staff recommendations number 4, 5, 6, and 8 as well as in recommendation 5 pursuing the Community Development Block Grants as well as the septic abatement system, the waiver of the \$290 inspection fee, including a one year window of opportunity for notification, including a General Fund subsidy not to exceed \$200,000 for eligible applicants that will fall within the criteria of the Federal government guidelines with an approximate 75/25 grant program to be in place in fiscal year 95-96, and any other recommendations that are generated by the and through the public workshops and come back to the Board with the final recommendations. Supervisor Tatro seconded the motion. Clarification indicated the program would pertain to any existing septic system as of the date of the implementation of the program. Bank loans will be recorded. The program will be citywide. Staff will coordinate with banks on loans for private property owners to encourage low cost bank loans and that City staff would work with private contractors to obtain quotes for the property owners for the cost to improve the private property. Supervisor Bennett accepted these amendments to her motion. Supervisor Tatro continued his second. Supervisor Bennett also included in the motion having City staff cap the stub fee, and that the property owners would have one year from notification to the property owners for utilization of the five year amortization program which will be open citywide and that the sewer system line extension would be in the areas of emergencies only. Supervisor Tatro continued his second. Discussion ensued concerning

whether to include a credit for the life of new septic systems. Discussion indicated staff would consider this point and that it would have to be funded by the General Fund. The motion as modified was voted and carried 5-0.

Mayor Teixeira thanked all for attending and staff for its work. He also indicated that staff would work on some of the technical aspects of the proposals. A dialogue would be established which would result in a valid program considering the community's best interest.

Supervisor Bennett moved to adjourn. Supervisor Ayres seconded the motion. Motion carried 5-0. Mayor Teixeira adjourned the meeting at 10:20 p.m.

The Minutes of the September 15, 1994, Carson City Board of Supervisors meeting	
	ARE SO APPROVED ON_October_20, 1994.
	/s/ Marv Teixeira, Mayor
ATTEST:	
_/s/ Kiyoshi Nishikawa, Clerk-Recorder	