



funding source is Building Improvements Fiscal Year 9192. Supervisor Bennett seconded the motion. Motion carried 5-0.

**A. ACTION ON CONTRACT NO. 9293-141 - DISPOSAL OF SURPLUS LOADER (1-0215) -** Mr. Moreto and Mr. Iratcabal responded to Board questions on the disposal plans and procedures. Discussion included reasons the City was not keeping the equipment until after the winter storms end. Supervisor Ayres moved that the Board accept the Purchasing Department's recommendation and declare the 1971 Allis Chalmers Loader as surplus property and authorize the Purchasing Department to dispose of said property. Supervisor Tatro seconded the motion. Motion carried 5-0.

**4. TREASURER - Ted P. Thornton**

**A. ACTION ON REVOCATION OF DELINQUENT BUSINESS LICENSES FOR 1993 (1-0354)** - Discussion among the Board and Mr. Thornton noted that approximately half of the businesses on the list had already gone out of business but had failed to notify the Department. This is the only procedure for removing such businesses from the list. Penalties, reinstatement costs, notification and verification procedures were also detailed. Supervisor Smith moved that the Board approve the request to revoke the attached list of Business Licenses that are not current for 1993 as of 5 p.m. this afternoon. Supervisor Ayres seconded the motion. Motion carried 5-0.

**B. ACTION ON ADDENDUM TO INVESTMENT POLICY 1990-91 AUTHORIZING THE TREASURER TO HIRE AN INVESTMENT MANAGER (1-0475)** - Discussion among the Board and Mr. Thornton included the diversification program, Shearson and Lehman Brothers program, the commission rate, and benefits of assessing a commission rate versus a set fee. At this time Shearson and Lehman is the only purveyor which meets City policy and the Statutes, however, if and when others can offer the program, Mr. Thornton was willing to consider them. At this time Mr. Thornton was investing ten percent of the City's portfolio in accordance with policy. Mr. Thornton requested a policy modification be drafted which would allow the procedure to be used as the current policy, Code, and Statutes are silent on this program. Benefits of the program and the desire to receive the best interest rate possible were noted. (1-0902) Richard Waiton expressed his support for the policy. Supervisor Ayres moved that the Board adopt an Addendum to Investment Policy No. 1990-P-1 authorizing the Treasurer to hire an Investment Manager. Supervisor Bennett seconded the motion. Following clarification of the motion, Supervisor Ayres corrected her motion to be to adopt Policy No. 1993-P-1. Supervisor Bennett continued her second. Motion carried 5-0.

**5. PUBLIC WORKS DIRECTOR - City Engineer Tim Homann - ACTION ON A DEVELOPMENT AGREEMENT RELEASE AND CANCELLATION FOR THE REESE FAMILY TRUST (APN 9-263-01) LOCATED AT 449 WEST ROVENTINI WAY FOR WATER MAIN OVERSIZING IMPROVEMENTS (1-0955)** - Supervisor Bennett moved that the Board cancel the Development Agreement between Carson City and the Reese Family Trust regarding water main improvements on Clearview Drive and authorize the Mayor to sign the Formal Release and Cancellation. Supervisor Tatro seconded the motion. Motion carried 5-0.

**6. LEGISLATIVE MATTERS - DISCUSSION AND POSSIBLE ACTION ON LEGISLATIVE MATTERS (1-1001)** - Chamber of Commerce Executive Vice President Larry Osborne expressed the Chamber's opposition to AB 146 which would allow issuance of Marriage Licenses at satellite offices. He felt the Bill would economically hurt Carson City by reducing the number of licenses sold. Clarification between Mayor Teixeira and Mr. Osborne explained his statistics on the number of weddings performed at the Victorian Chapel and reasons Mr. Osborne felt Carson City would lose 50 percent of the licenses. Mr. Osborne continued to stress the Chamber's feeling that the Bill "did nothing for Carson City". Victorian Chapel Owners Eileen and Don Summa explained the fiscal impact created when Douglas County had had a satellite office at Lake Tahoe in 1989. The economic impact the chapel had on the community was also explained. Both stressed their hope that they would

be able to survive. Marriage Supervisor Dorothy Smith explained the tourist promotion and licenses sold to people from out-of-state. Mayor Teixeira commended all of the participants on these tourism activities. Ms. Smith's statistics were discussed. The pros and cons of the proposal as well as the California Confidential Licenses were discussed at length. Ms. Smith felt that advertising and marketing would increase tourism. Supervisor Bennett urged all involved parties, including Tourism, exert the necessary effort to promote the City.

(1-1595) Barbara Reid distributed advertisement brochures and statistical reports reflecting the continuing decline in Licenses. She felt that some of this flow could be stemmed with a satellite office at Lake Tahoe. She expressed a willingness to assist Carson City with its marketing efforts. She was willing to include the Victorian Chapel on the list of chapels and any brochures with mailings provided by Douglas County Chamber of Commerce. Discussion with the Board included the Bill sponsors, potential for passage, and reasons only one satellite was being requested at this time. Ms. Reid stated that the advertisements would be provided at not cost to Carson City. Mayor Teixeira explained his reasons for discussing the issues and support for the program based on the commitments Ms. Reid had made. He felt that the Bill would be approved. Supervisor Smith then moved that the Carson City Board of Supervisors direct you (Mayor Teixeira) to speak in support of the passage of Assembly Bill 146. Mayor Teixeira passed the gavel to Mayor Pro-Tem Bennett and seconded the motion. Mayor Pro-Tem Bennett solicited public comments and/or discussion on the question. Upon hearing none, she suggested the motion be amended to indicate a neutral position on the Bill. Both Supervisor Smith and Ms. Reid felt that such a position would eliminate the funding and advertising commitment. Ms. Reid expressed her feeling for Mr. Osborne that a written commitment could be drafted keeping the commitment in effect for perpetuity. Mr. Osborne felt that the offer was an attempt to placate the City and urged the Board to get the best deal possible. The motion to support AB 146 was voted by roll call with the following results: Ayres - Yes; Tatro - No; Smith - Yes; Mayor Teixeira - Yes; and Mayor Pro-Tem Bennett - Yes. Motion carried 4-1.

(1-2458) Utility Director Dorothy Timian-Palmer then explained the purpose of BDR 48 and the impact Federal court rulings would have on the City's conjunctive use management program if BDR 48 is not adopted. Discussion with the Board clarified the term beneficial uses and reasons the wells were not being used at this time. Mayor Teixeira and Ms. Timian-Palmer explained the reasons for bringing the Bill to the Board's attention in more detail. Discussion noted the Honey Lake ruling and without the Bill growth in Carson City would be effectively stopped. Supervisor Smith moved that the Board of Supervisors support BDR 48. Supervisor Tatro seconded the motion. Motion carried 5-0.

**BREAK:** A ten minute recess was declared at 10:25 a.m. When the meeting reconvened at 10:35 a.m. the entire Board was present constituting a quorum.

**OTHER MATTERS (1-2901)** - Supervisor Bennett announced that today is the Mayor's birthday. She invited all to join her in singing "Happy Birthday, cut the cake and invited all to enjoy. Mayor Teixeira thanked the sponsor and threatened to "get even".

**7. AUTOMATION DIRECTOR** - Bill Naylor - **DISCUSSION REGARDING AUTOMATION REQUIREMENT IN CARSON CITY PUBLIC SAFETY DEPARTMENTS (NO ACTION) (1-2995)** - Mr. Naylor introduced the item and Project Leader Brent Wendell. He then reviewed Page 6 of the study. His comments stressed the need for the system to be integrated with the District Attorney's office and Justice Court. He felt the system included current and ongoing analysis of systems. (2-0045) Discussion ensued on the District Attorney's automation needs including costs and funding requirements, the Sheriff's need for an upgrade and potential funding source, PC's versus mainframe usage, and reasons for the delay in transmissions. Mayor Teixeira commended Mr. Naylor on the report. Mr. Naylor invited the Board to contact him if questions should arise.

**8. COMMUNITY DEVELOPMENT DIRECTOR** - Principal Planner Rob Joiner

**A. PLANNING COMMISSION REFERRALS - REVIEW AND APPEAL MATTERS - ACTION ON M-92/93-13 REGARDING A REQUEST FROM CARSON CITY REGARDING A POLICY ON CONSTRUCTION OF STRUCTURES ON PROPERTY WHERE FINAL MAP APPROVAL OR PARCEL MAP RECORDATION IS PENDING - PLANNING COMMISSION APPROVED 5-0-2-0 (2-0412)** - Following Mr. Joiner's introduction, Mark Rotter expressed his concern that if street, water, and sewer improvements are already installed, a developer could develop two acre parcels without recording a parcel map. He acknowledged that it would delay the sale of these lots until the map is recorded. Mr. Joiner explained that the major concern was related to areas where the improvements have not been installed. He acknowledged the potential that construction could occur in areas where the improvements are already completed, however, stressed that until the final map is recorded, project would not be completed. He was willing to remain flexible on those projects. Discussion among the Board, Mr. Joiner, and Mr. Lipparelli indicated the policy would clarify existing procedures, a possible amendment would restrict development to one model home prior to recording the final map, the importance of filing final maps, and potential coercion created by developers constructing buildings prior to approval of the final map. Discussion noted that buildings constructed between the tentative and final maps are addressed administratively and not by the Planning Commission or Board. Mr. Rotter continued to stress his concern about the potential for a developer to split a two acre parcel and develop them without filing the final map. Clarification indicated he had not discussed his concerns with the Planning Commission. Mr. Joiner responded by outlining the reasons for having a period of time between the tentative and final map which resolves any conflicts in the plans. He did not feel that the period required for a two acre parcel split to be processed was prohibitive. There being no other comments, Supervisor Tatro moved that the Board adopt Policy No. 1993-P-2, **GUIDELINES AND POLICY REGARDING CONSTRUCTION OF STRUCTURES ON NON-SUBDIVIDED SITES**. Supervisor Bennett seconded the motion. Motion carried 5-0.

**B. ORDINANCES - FIRST READING (2-0765)**

**i. ACTION ON A-92/93-3 REGARDING A REQUEST FROM THE NEVADA RAM CORPORATION TO AMEND THE CARSON CITY MUNICIPAL CODE TITLE 18 (ZONING), CHAPTER 18.03 (DEFINITIONS) TO ADD A DEFINITION FOR A BREW PUB** - Clarification indicated a brew pub as defined is not a "stand alone place to dispense alcohol but must have an eating facility with it". Supervisor Smith moved that the Board introduce Bill No. 103 on first reading, **AN ORDINANCE ADDING SECTION 18.03.135 TO THE CARSON CITY MUNICIPAL CODE TO ADD A DEFINITION OF A BREW PUB**. Supervisor Ayres seconded the motion. Motion carried 5-0.

**ii. ACTION ON A-92/93-1 REGARDING A REQUEST FROM THE NEVADA RAM CORPORATION TO AMEND THE CARSON CITY MUNICIPAL CODE TITLE 18 (ZONING), SECTION 18.06.155 (PRIMARY PERMITTED USES IN RETAIL COMMERCIAL) TO ALLOW A BREW PUB AS A PRIMARY PERMITTED USE IN THE RETAIL COMMERCIAL (RC) ZONING DISTRICT - PLANNING COMMISSION APPROVED 4-0-2-1 (2-0815)** - Supervisor Smith moved that the Board introduce Bill No. 104 on first reading, **AN ORDINANCE AMENDING SECTION 18.06.155 OF THE CARSON CITY MUNICIPAL CODE TO ALLOW A BREW PUB AS A PRIMARY PERMITTED USE IN THE RETAIL COMMERCIAL DISTRICT**. Supervisor Tatro seconded the motion. Motion carried 5-0.

**iv. ACTION ON Z-92/93-9 REGARDING A CHANGE OF LAND USE/CORRECTION REQUEST FROM CARSON CITY TO AMEND THE ZONING MAP DESIGNATION FROM GENERAL COMMERCIAL (GC) TO SINGLE FAMILY 6000 (SF6000) FOR APN 8-281-05 - PLANNING COMMISSION APPROVED 5-0-2-0 (2-0845)** - Supervisor Ayres moved that the Board of Supervisors approve Z-92/93-9, a change of land use/correction request from Carson City to amend the zoning map designation from General Commercial (GC) to Single Family 6,000 (SF6000) for APN 8-281-05 on first reading. Following clarification of the motion, Supervisor Ayres amended her motion to include: **AN ORDINANCE TO CORRECT**

THE LAND USE DESIGNATION CODE, ASSESSOR'S PARCEL NUMBER 8-281-05, TO ACCURATELY REFLECT THE PROPER CODE ON THE CITY'S OFFICIAL ZONING MAP, which is Bill 105. Supervisor Bennett seconded the motion. Motion carried 5-0.

**iii. ACTION ON Z-92/93-6 REGARDING A CHANGE OF LAND USE REQUEST FROM ROBERT BOLES (PROPERTY OWNER: DAN MCCARTY) TO REZONE APPROXIMATELY 3.31 ACRES OF LAND FROM SINGLE FAMILY 6000 (SF6000) TO MOBILE HOME 6000 (MH6000) LOCATED ON THE NORTH SIDE OF SHERMAN LANE APPROXIMATELY 172 FEET WEST OF PANAMINT ROAD (APN 8-281-05) - PLANNING COMMISSION APPROVED 4-2-1-0 (2-0895) -** Mr. Joiner's introduction included Mr. James Pierce's letter of February 16 indicating he had not received the notice sent to his address. He opposed the request due to his feeling that it would negatively impact his land value. Carson City Assessor indicated to the Planning Commission that there was no difference in the land value for Mobile Home 6000 and Single Family 6000. Robert Boles explained his plans for a "high class" 16 lot subdivision which would have CC&R's that would restrict residences to new, double wide, gabled roofs, composition roofs, with masonite siding, eaves, and permanent foundations. He then responded to Board questions on the number of units which could be developed under either the SF6000 or MH6000 zoning, and the need for additional low cost housing and mobile homes in Carson City. Wayne Tetrault explained his support for the proposal and noted that the mobile homes/manufactured houses were constructed to meet the National Building Code. The homes would "look and act" the same as "site built homes" and generate the same revenue to the City as "site built homes". He displayed and explained photographs of the homes. He explained the process to "set the homes to grade". Comments noted that 90 percent of the homes are never moved once they are set and that the homes were on the real property tax rolls. Supervisor Tatro moved that the Board approve Z-92/93-6 and introduce Bill No. 106 on first reading, AN ORDINANCE EFFECTING A CHANGE OF LAND USE DISTRICT ON ASSESSOR'S PARCEL NUMBER 8-281-05, APPROXIMATELY 3.31 ACRES OF LAND, LOCATED ON THE NORTH SIDE OF SHERMAN LANE, APPROXIMATELY 127 FEET WEST OF PANAMINT ROAD, FROM SINGLE FAMILY 6000 (SF6000) TO MOBILE HOME 6000 (MH6000). Supervisor Bennett seconded the motion. Motion carried 4-1 with Supervisor Smith voting Naye based on his desire to see the land use remain as it currently is. This was no reflection on the Applicants. He wished the Applicants every success.

**C. DISCUSSION AND POSSIBLE ACTION ON S-91/92-5 REGARDING A FINAL SUBDIVISION MAP FROM C. B. MADDOX (PROPERTY OWNER: JOHN SERPA) TO DEVELOP A 44-LOT SUBDIVISION (NORTH CANYON ESTATES) ON APPROXIMATELY 49 ACRES OF LAND ZONED SINGLE FAMILY ONE ACRE (SF1A) AND CONSERVATION RESERVE (CR) LOCATED SOUTH OF KELVIN ROAD AND EAST OF GONI ROAD (APN 8-011-63) - PLANNING COMMISSION APPROVED 6-0-1-0 (2-1200) -** Following Mr. Joiner's introduction, Mark Rotter outlined the status of the 44-unit project, that standard plans had already been submitted to the Planning Department, and the contractor, Pete Howe, who had constructed the homes on the Dayton Golf Course. He was not sure of the price range. Supervisor Bennett moved that the Board of Supervisors approve S-91/92-5, a final subdivision map from C. B. Maddox (Property Owner: John Serpa) to develop a 44-lot subdivision (North Canyon Estates) on approximately 49 acres of land zoned Single Family One Acre and Conservation Reserve located south of Kelvin Road and east of Goni Road, APN 8-011-63, subject to the original conditions of approval to be fulfilled as the project is carried out. Supervisor Smith seconded the motion. Comments were solicited but none made. Motion carried 5-0.

**9. DISTRICT ATTORNEY - Deputy District Attorney Paul Lipparelli - ACTION ON AGREEMENT FOR PROFESSIONAL SERVICES WITH THOMAS BEKO, ESQUIRE, AS COUNSEL IN THE IBARRA-GARCIA VERSUS CARSON CITY SHERIFF'S DEPARTMENT, ET AL. (2-1310) -** Mr. Lipparelli briefly highlighted the case and explained the request to utilize Mr. Beko's services. Mr. Lipparelli would continue to retain as much of the work as possible. Discussion noted the City had not had many of these cases in the past, however, this is a "growing area of the law". The threat of additional cases was noted.

Supervisor Bennett applauded the District Attorney's efforts to utilize special counsel in such cases. Supervisor Smith moved that the Board approve the Agreement for Professional Services with Thomas Beko to associate as counsel in the Ibarra-Garcia versus Carson City Sheriff's Department, et al., fiscal impact will be \$92.50 per hour to a maximum of \$5,000, funding source being the Insurance Fund. Supervisor Tatro seconded the motion. Motion carried 5-0.

**CITIZENS COMMENTS (2-1435) - None.**

**10. CLOSED SESSION - MEETING WITH CHARLES P. COCKERILL, GOVERNMENT MANAGEMENT REPRESENTATIVE (2-1441)** - Supervisor Ayres moved that the Board of Supervisors recess to a Closed Session pursuant to NRS 288.220 in order for the Board of Supervisors to meet with its Management Representative regarding the status of collective bargaining. Supervisor Smith seconded the motion. Motion carried unanimously. Mayor Teixeira then recessed the session into Closed Session. When the meeting reconvened the Open Session a quorum was present. Mayor Teixeira then recessed the meeting.

**BREAK:** A lunch recess was declared at 12:12 p.m. When the meeting reconvened at 1:36 p.m. the entire Board was present constituting a quorum.

**11. CITY MANAGER - John Berkich**

**A. DISCUSSION AND POSSIBLE ACTION REGARDING REDESIGN OF THE PROPOSED FIRE STATION HEADQUARTERS ON STEWART STREET (2-1470)** - Mr. Berkich's introduction included Architect Jack Sheehan and Robin. Mr. Sheehan and Mr. Berkich discussed with the Board the modifications proposed, the size of the facility, justification for the color and brick facade, removal of the skylight, museum lighting, roofing material, roof pitch and guarantee, seismic requirements for the roof/building, the building exhaust system, the alternate exhaust system, which Fire Chief Buckley urged the Board to retain, the living quarters, the asbestos removal required in the old building on the site, State's tank mitigation project, City's share of this mitigation, project manager fees, and projected completion date. Mr. Sheehan indicated that if or when funding allows it, the alternate exhaust system could be added to the building. Mr. Sheehan's comfort zone with the estimated cost was discussed. Clarification ensued on the "A and E" cost figures and the Architect's fees. Mr. O'Brien explained the proposals for the project manager services, the testing estimate, and internal service charges. Additional comments were solicited but none made. Supervisor Tatro then moved that the Board direct staff to rebid the Carson City Headquarters Fire Station with the changes in design as indicated by the Architect. Supervisor Bennett seconded the motion. Clarification indicated the added alternates would be bid with the base project. The Board could select those items it wished to add to the project if the bids are low enough. The motion to approve the modified design was voted by roll call with the following results: Ayes - Smith, Ayres, Tatro, Bennett, and Mayor Teixeira. Nays - None. Motion carried 5-0.

**B. ACTION ON INTERLOCAL AGREEMENT BETWEEN CARSON CITY AND CARSON CITY SCHOOL DISTRICT REGARDING THE ALTERNATIVE SENTENCING PROGRAM (2-2755)** - Discussion ensued between Mayor Teixeira and Mr. Berkich on the Program Coordinator, original funding, need for additional funding which will be discussed during the budget process, and purpose of the agreement. Supervisor Smith moved that the Board approve the cooperative agreement to use the services of an Alternative Sentencing Coordinator between Carson City and the Carson City School District. Supervisor Tatro seconded the motion. Motion carried 5-0.

**12. REDEVELOPMENT AUTHORITY (2825)** - Mayor Teixeira then recessed the Board of Supervisors session and passed the gavel to Redevelopment Chairperson Tom Tatro. For Minutes of the Redevelopment Authority, see its folder. Following adjournment of the Redevelopment Authority, Chairperson Tatro passed the

gavel to Mayor Teixeira who reconvened the Board of Supervisors. A quorum was present as noted.

**13. CITY MANAGER REPORTS, RESOLUTIONS, AND BOARD DIRECTIVES - ORDINANCE - SECOND READING - ACTION ON BILL NO. 102, AN ORDINANCE REPEALING CHAPTER 2.20 OF TITLE 2 (HISTORICAL COMMISSION) OF THE CARSON CITY MUNICIPAL CODE AND OTHER MATTERS PROPERLY RELATED THERETO (4-0251)** - Supervisor Smith moved to adopt on second reading Ordinance No. 1993-3, AN ORDINANCE REPEALING CHAPTER 2.20 OF TITLE 2 (HISTORICAL COMMISSION) OF THE CARSON CITY MUNICIPAL CODE AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Tatro seconded the motion. Motion carried 5-0.

**14. BOARD OF SUPERVISORS REPORTS, RESOLUTIONS, AND PROCLAMATIONS (4-0262)**

**A. ACTION ON APPOINTMENT OF ONE OF CARSON CITY'S REPRESENTATIVES AND ALTERNATE REPRESENTATIVE TO THE WESTERN NEVADA DEVELOPMENT DISTRICT'S COUNCIL OF REPRESENTATIVES** - Supervisor Tatro moved that the Board of Supervisors reappoint Supervisor Greg Smith as the Representative and Dan O'Brien as his Alternate to the Western Nevada Development District's Council of Representatives. Supervisor Bennett seconded the motion. Motion carried 5-0.

**F. SUPERVISOR BENNETT (4-0272); D. SUPERVISOR AYRES (4-0291)** - None.

**E. SUPERVISOR TATRO (4-0275)** - Community Council on Youth is advertising for an Executive Director.

**C. SUPERVISOR SMITH (4-0295)** - The Park and Recreation Commission's recommendation of Pony Express Pavilion for the name of the Events Center was explained.

**B. MAYOR TEIXEIRA (4-0320)** - Indicated Board packets for the Saturday, March 20th, meeting had been distributed. Mr. Berkich was directed to extend an invitation to the Planning Commission to attend the meeting and present its goals and objectives. He felt that the Board's major strategic plan should be established during the Fall. Saturday's meeting should commence at 9 a.m. and terminate at noon.

**BREAK:** A recess was declared at 4 p.m. When the meeting reconvened the entire Board was present constituting a quorum. Parks and Recreation Commissioners present were: Chairperson Livermore, Kuester, Mayo, Marrone, and Smith. Roll call was taken and a quorum was present although Commissioner Meierdierck had not yet arrived and Commissioners Leck, Moran, and Najima were absent. Staff members present included City Manager Berkich, Clerk-Recorder Nishikawa, Deputy City Manager Sorenson, Parks and Recreation Director Kastens, Deputy District Attorney Lipparelli, and Recording Secretary McLaughlin.

**15. ACTION ON SELECTION OF TWO COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATIONS FOR SUBMISSION TO THE STATE OF NEVADA (4-0387)** - Mayor Teixeira introduced the Item.

(4-0425) Yolanda Garcia-Tella expressed her support for the Boys and Girls Club.

(4-0435) WNCC Representative Connie Denham expanded on her previous comments about the program. Family Service Center Advisory Board Member Lynn Heller urged the Board to support the program and emphasized the range of services planned for the Center. WNCC Student Michelle Clark stressed the need for the Center as a parent and student. Ms. Denham explained for the Board the Center's priority for enrollment in the daycare center which would be licensed for 100 children. It may provide services for 150 to 200 students as some will utilize the

facility on a part-time basis. She also thanked the Board for its support.

Executive Director of the Nevada Network Angela Schmidt outlined the services provided by her Agency. She explained that she represented her Board and expressed its support for the CARE program. She urged the Board to continue supporting the project.

(4-0605) Pete Bachstadt explained the need for sewer improvements in the northeast section of Carson City.

Mayor Teixeira explained that the Board was to prioritize two of the applications. Each Board Member explained his/her support for and prioritized his/her top two applications. Mr. Sorenson then explained the State's April grant review process. Supervisor Tatro then moved that the Board select and submit to the State as its priorities the Community Action Renovation Efforts Project and Western Nevada Community College Family Services Center Project, ranking them one and two, for the CDBG Selection Committee. Supervisor Bennett seconded the motion. Motion carried 4-1 with Supervisor Ayres voting Naye. Mayor Teixeira thanked all for their participation and wished them well in their endeavors. Mr. Sorenson gave the applications to Mayor Teixeira for his signature as the grants had to be submitted tomorrow.

**16. ACTION ON A RESOLUTION PROVIDING NOTICE AND AUTHORIZING THE LEASE OF CARSON CITY REAL PROPERTY LOCATED AT CARSON CITY FAIRGROUNDS (FUJI PARK) AND REQUEST FOR SEALED/ORAL BIDS THROUGH THE PROCESS DETAILED IN NRS CHAPTER 244**

**(4-0925)** - Following Mayor Teixeira's introduction, Pam Case apologized for not providing the information at the last meeting as well as the vocal comments made by various coalition members after the meeting. She then explained that although a majority of the audience were members of the coalition, only she and Debby Feyder would make a presentation on behalf of the coalition. She then explained the coalition. She gave the Board a petition containing 1166 signatures of people who are concerned about this issue. She then reviewed a report on what she felt was the economic impact of the activities and functions members of the coalition had on the City. A copy of this report was given to the Board and Clerk. Her comments also noted that the various users were working together and that the Parks and Recreation Commission felt the coalition was important enough to assign Commissioner Linda Marrone as its representative to the coalition. (At this point Commissioner Jay Meierdierck arrived--6:30 p.m. A quorum was present as previously noted.) She felt that the coalition's momentum would be jeopardized by leasing the property as well as create a negatively impact on the size and number of activities which are occurring at the Fairgrounds. The fees paid to Carson City for these activities exceed the proposed \$10,000 lease.

(4-1195) Coalition of Events Committee Vice Chairperson Debby Feyder explained the features which make the Fairgrounds attractive to users, the lack of development which had occurred until the users took on the project due to expansion of their activities, and the activities which had been undertaken to expand the Fairground usage including a newspaper article indicating the Reno Livestock Events Center was discouraging small users from renting its facilities. She felt that any lease would again jeopardize the economic opportunity for the development of both the Fairgrounds and the City. The proposed lease would effectively curtail the Fairgrounds parking. She urged the Board to recognize the Fairgrounds potential and allow it to wake up and come alive.

Ms. Case used the conceptual site plan to explain the location of the RV spaces proposed in the Master Plan. These spaces would be acquired when the Bypass is constructed and would be part of Comstock RV Park which NDOT would purchase and transfer to Carson City. She then explained the reasons RV's needed to park/camp at the Fairgrounds. She did not feel that the additional 150 spaces which Mr. Lepire proposed to develop would provide any benefit to the Fairgrounds participants. Her comments included the need for additional spectator parking and the impact the lease would have on the parking currently available at the Fairgrounds. She then responded to Supervisor Smith's questions about the whether the drawing was to scale, the parking lot topography,

distance to the fence, and Supervisor Bennett's questions about whether the entire Fairgrounds were included in the drawing. She then explained the average Fairground site and the need for 3,000 parking spaces. Supervisor Bennett felt that the area depicted for lease was a disproportionate amount of the Fairgrounds whereas in reality it was only one-eighth of the area. Ms. Case then responded to Board questions concerning other parking options, the feasibility of these options, surrounding property owners, requests for State and local tourism funds, and advertising and marketing efforts. Supervisor Ayres commended her on the Fairgrounds growth and usage. Supervisor Tatro suggested the booking of all Park facilities be given to the Convention and Visitors Bureau. Ms. Case emphasized that the coalition would not oppose Mr. Lepire's if located at any other site. The coalition opposed the project due to the efforts expended on the Fairgrounds and the major improvements made. The granting of the lease would be "like taking the wind from their sails after all these years". She then expressed their feeling that Mr. Lepire had "not been a good neighbor" and noted several specific problems. Also, if the lease is granted, recreational vehicles would be camped directly across from all the Fairground activities which would be a major incapable use. Reasons for feeling that the Fairgrounds was located in an ideal area for these activities were iterated. She also noted NDOT's concerns about the financial impact such a use would create. She also noted Mr. Lepire's ever-changing areas, sizes, and statements about the project.

(4-2236) Commission Chairperson Livermore noted his packet of information related to Mr. Lepire's desire to lease/purchase property at the Fairgrounds which had been given to the Board prior to the meeting. (The Clerk did not have a copy.) He then reviewed the calendar of events including the development of the Fairgrounds Master Plan, the title search, boundary marking, desire for a "ring road", Mr. Lepire's repeated change in plans, and the ultimate Board decision to have staff draft a lease agreement. He then questioned the benefits which would be gained from such a lease. He stressed the Commission's desire to continue to develop the Fairgrounds, the development plans, the funds allocated toward the Fairground development, funding allocated for additional improvements, and then explained the revenue generated from leases of the facilities. He hoped that the packet illustrated the commitment to the Fairgrounds, its increased usage, and as Chairperson of the Commission, he urged the Board to reconsider the issue and looked forward to working with the Board to make the Fairgrounds what it could be.

(4-2940) Mr. Lepire's attorney Ed Bernard responded by expressing his feeling that he had not been given proper notice of the rehearing and noted that Mr. Lepire could not be present this evening. He felt that Ms. Case had opposed all three of Mr. Lepire's projects which Mr. Bernard had presented to the Board. He felt this was a clear indication of personal matters. Additionally, he had made his best case presentation at the last meeting and the rehearing was unnecessary and misquoted Mayor Teixeira's statement about a presentation. Mayor Teixeira explained that his comment had been that he was to make his best case to the Planning Commission before coming to the Board. (During Mr. Bernard's presentation, Commissioner Meierdierck left the meeting. A quorum of the Commission was still present.) Mr. Bernard stated his opposition to having the coalition make a new presentation at this time and having a rehearing without his client's presence. He felt that Ms. Case had not presented any facts related to Mr. Lepire's poor neighbor attitude. He then stated his feeling that his presentation had illustrated how the lease would enhance the Fairgrounds and that the adverse had not been indicated during this evening's discussions. He then noted that a majority of the Fairground users were non-profit organizations who had benefitted from the low rental rates allowed to such organizations. He had presented to the Board at its last meeting the benefits which the City overall would receive from the lease.

Supervisor Bennett expressed her dismay at the lack of notice provided to Mr. Bernard, however, she felt that this had been the understanding reached at the conclusion of the last meeting. Mr. Bernard then indicated that he had not received the copy of the lease which had purportedly been mailed to him. Discussion among the Board and Mr. Bernard ensued on methods which could be used to mitigate any noise complaints created by Fairground activities, which Mr. Bernard felt had been covered in the lease. Mr. Bernard agreed that there had been different discussions and proposals throughout the negotiations, however, was not sure of the reasons for these different proposals. Mayor Teixeira then reviewed the terms of the lease. Mr. Bernard reiterated his reasons for his surprise

at having to rehear the issue. He ultimately indicated that the presentation made this evening had been a "regurgitation" of previous testimony while Mayor Teixeira felt it was "a restatement of facts".

**BREAK:** A ten minute recess was declared at 7:25 p.m. When the meeting reconvened at 7:35 p.m. the entire Board was present constituting a quorum.

Supervisor Smith then advised that he had discussed with Deputy District Attorney Suglia his desire to amend the lease, who had indicated this was possible at this time. He then outlined his desire to modify the lease to reflect a payment of \$20,000 with a four percent cost-of-living factor, that the term was appropriate, that the Board have the option of accepting the improvements or requiring the land be returned to its original condition at the termination of the lease, development of the parcel as a complete "stand alone parcel", mandate the maintenance of all the improvements throughout the lease period, allocation of monies generated from the lease toward Fuji Park improvements, prohibition against any ingress/egresses on the west side of the parcel, that funds generated through NDOT's condemnation process for the parcel be dedicated to Fuji Park and that the lessee not benefit from such NDOT condemnation, establish a minimum level for the improvements and use of the parcel, and detailed reasons for his recommended modifications. He then explained his feeling that although the Board and Commission had dedicated funding for Fuji Park, it is in actuality the volunteers, many of whom were present this evening, who make the Park work. The question posed this evening was the benefits of the lease versus the benefits of having the volunteers. Although he believed in the plan and lease, he did not wish to lose the volunteers and their support. Therefore, he was changing his opinion and withdrawing his support for the lease.

(5-0585) Supervisor Ayres explained her involvement with the volunteers and the Fairgrounds since its first fair. She stressed that money cannot pay for the volunteer efforts and cited several examples. She also felt that an RV park was not a compatible use next to a fairground. In view of the volunteer efforts at the Fairgrounds, she was going to support the volunteers.

Supervisor Bennett expressed her feeling that the last one-and-a-half years had seen the development of a cohesive coalition of users. She cited changes created after the smog got so bad at Lake Tahoe that in 1990 the factions finally joined forces to support the benefits of such a cohesive coalition. Unfortunately she did not feel that the polarization which had occurred at Fuji Park was in the best interest of the City. A compromise between the two groups was clearing needed. She felt that the RV park was compatible with the Fairgrounds. Her economic research indicated it could be beneficial to the Park which she explained. A copy of this research was distributed to the Board and Clerk. The figures were very conservative and based on information from Chamber of Commerce. She felt the Park would benefit economically from the lease and that the lease should be amended to mandate the revenue be dedicated toward the Park. Additionally, any windfall created by the enhancement of the City's property should also be returned to the Park. She supported Supervisor Smith's amendments mandating that the site be used for an RV park and that it be returned to the City at the end of the lease. She suggested the lease also include dedication of a specified number of RV sites for Park users at a reduced rate provided two weeks notice is given. She also felt that the 395 Bypass alignment would require reconsideration of the conceptual site plan as she did not feel that the cloverleaf proposed for the Bypass had been thoroughly evaluated in the drawing. She questioned whether its impact on an access route to the Fairgrounds had been correctly depicted. She also indicated her reluctance to accept the conceptual site plan without having "expert professionals critique the drawing" and cited the access route to stress her feeling that the plan needed to be carefully re-evaluated. She felt that the two fractions needed to work together and achieve a mutually acceptable goal.

(5-1098) Mr. Lipparelli then explained the Statutory requirements mandated for the lease. All of the suggested amendments could be included in the lease. These same requirements made it improper for the Board to consider any facts or allegations regarding Mr. Lepire, his statements, or acts as they are not relevant to the issue about the desirability to lease the property.

Mayor Teixeira then passed the gavel to Mayor Pro-Tem Bennett and moved that the City of Carson City not offer to lease any parcel of land contained within the 47 acres of the Carson City Fairgrounds Master Plan based upon the following reasons: 1. It would be counterproductive to the potential economic benefit of this facility; 2. It would be counterproductive to the efforts of the people who have dedicated their time and effort to development and use of this facility and the three-quarters of a million dollars that has been spent on the enhancement of this facility; and, 3. Any lease could present potential significant additional cost to the taxpayers for the expressway right-of-way acquisition. Supervisor Ayres seconded the motion. Comments were solicited but none made. Motion was voted by roll call with the following results: Smith - Yes; Ayres - Yes; Tatro - Yes; Mayor Teixeira - Yes; and Mayor Pro-Tem Bennett - No. Motion carried 4-1. Mayor Pro-Tem Bennett returned the gavel to Mayor Teixeira.

Mayor Teixeira commended the audience on its participation this evening and expressed his feeling that it had been democracy in action.

Commissioner Kuester moved to adjourn the Parks and Recreation Commission session. Commissioner Mayo seconded the motion. Motion carried 5-0. Chairperson Livermore adjourned the Commission.

Supervisor Bennett moved to adjourn the Board of Supervisors session. Supervisor Tatro seconded the motion. Motion carried 5-0. Mayor Teixeira adjourned the meeting at 8:10 p.m.

The Minutes of the February 18, 1993, Carson City Board of Supervisors meeting

ARE SO APPROVED ON \_\_\_\_\_April\_1\_\_\_\_\_, 1993.

\_\_\_\_\_/s/\_\_\_\_\_  
Marv Teixeira, Mayor

ATTEST:

\_\_\_\_\_/s/\_\_\_\_\_  
Kiyoshi Nishikawa, Clerk-Recorder