

CARSON CITY BOARD OF SUPERVISORS
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A regular session of the Carson City Board of Supervisors was held on Thursday, April 18, 1991 at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 9 a.m.

PRESENT: Marv Teixeira Mayor
Tom Feticc Supervisor, Ward 2
Greg Smith Supervisor, Ward 1
Tom Tatro Supervisor, Ward 3

STAFF PRESENT: John Berkich City Manager
Kiyoshi Nishikawa Clerk-Recorder
Mary Walker Administrative Services Director
Jack Fralinger Health Director
Charles P. Cockerill Chief Deputy District Attorney
Don Davis Fleet Manager
Katherine McLaughlin Recording Secretary
Mary Ford Personnel Technician
Cheryl Adams Purchasing Office Assistant
(B.O.S. 4/18/91 Tape 1-0015)

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

Mayor Teixeira called the meeting to order at 9:05 a.m. Rev. Bruce Henderson of the Airport Road Church of Christ gave the Invocation. Mr. Cockerill led the Pledge of Allegiance. Roll call was taken. A quorum was present although Supervisor Bennett was absent.

APPROVAL OF MINUTES - Special Session of November 10, 1988; Regular Sessions of November 17, 1988 and March 21, 1991 - Supervisor Feticc moved to approve the Minutes as presented. Supervisor Tatro seconded the motion. Motion carried 4-0.

CITIZEN COMMENTS (1-0065) - None.

1. SPECIAL PRESENTATIONS (1-0068)

A. ACTION ON RESOLUTION OF COMMENDATION AT RETIREMENT OF GERALD COOPER - Personnel Technician Mary Ford introduced Mr. Cooper. Mayor Teixeira commended him on his dedication, presented him with a plaque, and wished him well in his future endeavors. Mr. Cooper thanked him and explained his retirement plans. Supervisor Feticc moved that the Board adopt Resolution No. 1991-R-18, RESOLUTION COMMENDING RETIREMENT for Gerald Cooper and read the Resolution into the record. Supervisor Tatro seconded the motion. Motion carried 4-0.

B. ACTION ON RESOLUTION OF COMMENDATION AT RETIREMENT OF DORIS HAYDEN (1-0142) - Ms. Ford introduced Ms. Hayden. Mayor Teixeira presented her with the plaque, commended her on her dedication, and wished her well in her future endeavors. Ms. Hayden explained her plan to tour the world. Mr. Cockerill thanked her for her assistance during his tenure at the District Attorney's Office. Supervisor Tatro moved that the Board adopt Resolution No. 1991-19, A RESOLUTION COMMENDING RETIREMENT of Doris Hayden and read the Resolution into the record. Supervisor Feticc seconded the motion. Motion carried 4-0.

2. ADMINISTRATIVE SERVICES DIRECTOR - Mary Walker - ACTION ON RENEWAL OF

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PROPERTY AND LIABILITY INSURANCE COVERAGE (1-0195) - Ms. Walker explained the correct rate, reasons for the premium increase, and introduced Wayne Carlson. Mr. Carlson reviewed the diagram and reasons for the premium increase. He also responded to Board questions on the coverage and limits. Reasons the Senior Citizens van was not under the City's coverage were discussed. Mr. Carlson agreed to submit a proposal to the City for this coverage. Discussion explained the bond coverage, the pool coverage, the change in premium, the City's claims, the liability coverage maintained through other carriers, the procedures for processing claims, the premium increase, the premium comparison, staff's positions on the Board of Directors for the pool, and advantages of the pool. Supervisor Tatro urged the staff to analyze the market annually to be sure the City was receiving the best/most for its money. Sedwick James Executive Vice President Gary Roberts acknowledged the fact that there are various other excess liability carriers, however, their rates were above those quoted. The pool prices were competitive. He felt that rate increases would occur throughout the market during the coming year. He discussed with the Board the market changes which had occurred over the last several years. Supervisor Smith also urged the staff to evaluate the market annually. Supervisor Smith moved that the Board approve the Nevada Public Agency Insurance Pool of 1991-92, Insurance Renewal Proposal for Carson City. Supervisor Feticc seconded the motion. Following a request for amendment, Supervisor Smith continued the motion to include at a fiscal impact of \$338,784 with the funding source of the Insurance Fund. Following staff's clarification of the correct premium, Supervisor Smith amended the motion to be for the fiscal impact of \$332,477.43. Supervisor Feticc continued his second. Motion carried 4-0.

3. HEALTH MANAGER - Jack Fralinger - ACTION ON REQUEST FOR APPROVAL OF DISINTERMENT OF BODY FOR OUT-OF-STATE RE-BURIAL (1-0195) - Supervisor Tatro moved that the Board approve the request by Walton's Funeral Home for disinterment of a body for out-of-state re-burial. Supervisor Smith seconded the motion. Motion carried 4-0.

4. PURCHASING AGENT - Cheryl Adams.

A. ACTION ON CONTRACT 9091-253 - REQUEST TO DECLARE CITY PROPERTY AS SURPLUS FOR DISPOSAL (1-1032) - Discussion noted the garage sale scheduled for April 27. Supervisor Tatro moved that the Board declare the property on the Fixed Assets Current Operations Report and Fixed Assets Inventory Status Change Forms as surplus and authorize the Purchasing Assistant to dispose of said property. Supervisor Smith seconded the motion. Motion carried 4-0.

B. ACTION ON REQUEST TO DECLARE THE 1948 MACK FIRE TRUCK AS SURPLUS AND SALE OF SAME TO THE WARREN ENGINE COMPANY (1-1081) - Clarification noted that the sale was to the volunteers and their planned use. Supervisor Tatro moved that the Board declare the 1948 Mack Fire Truck as surplus property and authorize the Mayor to sign the sale agreement, Contract 9091-230, in the amount of \$1 with Warren Engine Company with a buyback provision. Supervisor Smith seconded the motion. Motion carried 4-0.

C. ACTION ON THE AWARD OF CONTRACT 9091-101 (RE-BID) - SEWER DEPARTMENT OFFICE BUILDING ADDITION - REQUEST FOR FINAL PAYMENT (1-1115) - Ms. Adams explained that the correct title should have been for review and action on the Request for Final Payment on Contract 9091-101 (Re-Bid) for the Sewer Department Office Building Addition. Discussion noted the change order for \$812. Supervisor Tatro moved that the Board accept the request for final payment as presented by the Purchasing Assistant to Eureka Builders, Contract 9091-101, in the amount of \$13,416.20 and accept the Contract Summary as presented with fiscal impact as stated and funding source 510-000. Supervisor Smith seconded the motion. Motion carried 4-0.

5. DEPUTY CITY MANAGER - Pat Sorenson.

A. ACTION ON RESOLUTION ESTABLISHING NEW NON-RESIDENT GOLF FEES

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AT EAGLE VALLEY GOLF COURSES (1-1160) - Pulled.

B. ORAL STATUS REPORT REGARDING ACTIVITIES AT EAGLE VALLEY GOLF COURSES (1-1168) - Mr. Sorenson reviewed the status of the cart maintenance/storage facility; the restrooms; and the maintenance facility.

C. REQUEST FOR BOARD DIRECTION REGARDING UTILIZATION OF THE ROOP STREET DUPLEX (1-1295) - The revenue, maintenance, expenditures, present usage, wisdom of the City being in the rental business, community service requests to utilize the facility, duplex size, and other potential uses were discussed among the Board and staff. Board comments indicated the desire to find other uses for the facility and staff was directed to provide proper notification to the current tenants.

D. UPDATE OF STATUS REPORT SUBMITTED FEBRUARY 11, 1991, AND POSSIBLE ACTION REGARDING THE ISSUES CONCERNING COMO STREET (1-1556) - Mr. Sorenson noted his February 11 and April 2 memos. The Board's goals and objectives meeting had provided staff direction on how the manner was to be addressed. Supervisor Smith reminded the Board of the reasons a procedure to address this type of emergency had to be established. He stressed the need to learn from the situation and eliminate a reoccurrence. He acknowledged his original criticism of the Health Department and feeling that they were failing to respond appropriately. In retrospect, however, the limited staff had been endeavoring to address the situation in a compassionate manner and not force the occupants to live on the streets. He commended Mr. Berkich on his fast action once he became involved. Supervisor Tatro then moved that the Board direct staff to develop a pro-active housing enforcement program, to outline it, and report back to the Board with the structure of that program. Supervisor Feticc seconded the motion. Discussion ensued on whether the Board should have a special hearing to discuss the parameters before staff drafted the program. It was felt that staff should compose the program and the Board critique it. Supervisor Tatro also suggested that the low cost housing loan be pursued also. The motion to direct staff to develop a pro-active program and report back was voted and carried 4-0.

BREAK: At 10:05 a.m., a fifteen-minute recess was taken. When the meeting reconvened at 10:20 a.m., a quorum of the Board was present as noted.

Mayor Teixeira then recessed the Board of Supervisors session and passed the gavel to Redevelopment Chairperson Tom Feticc. For Minutes of the Redevelopment Authority, see its folder. Following adjournment of the Redevelopment Authority, Chairperson Feticc passed the gavel to Mayor Teixeira who reconvened the Board of Supervisors. A quorum was present as noted.

Mayor Teixeira explained that if there were more comments under Redevelopment Item C, the Board would return to it later.

7. DISCUSSION AND POSSIBLE ACTION REGARDING 1991 LEGISLATIVE MATTERS (2-2577) - Mayor Teixeira explained the news report indicated that the Governor had written his proposal to have the Counties assume the Medicaid programs.

BREAK: A lunch recess was declared at 12 noon. When the meeting reconvened at 1:15, a quorum was present although Supervisor Bennett was absent as noted.

9. BOARD OF SUPERVISORS REPORTS, RESOLUTIONS, AND PROCLAMATIONS (2-2600)

B. SUPERVISOR SMITH - DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF AN AGREEMENT WITH U.S. OPEN BASEBALL FOR USE OF THE GOVERNOR'S FIELD COMPLEX - Supervisor Smith explained his reasons for bringing this matter to the Board's attention and

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introduced Roy Porterfield, Director of U.S. Open Baseball. Mr. Porterfield then explained his Board's composition, its conception, the Association's history, and teams which would be in the tournament. He commended the staff and YSA on their cooperation. He suggested that a pamphlet be created outlining the procedures and requirements which were to be addressed in order to have a similar event. He had spent a lot of time on various types of contracts until one week ago when it was determined that the entire process could be handled by a permit. Supervisor Smith supported his proposal. He then responded to Board questions concerning the players' ages; several locations which normally play in the tournament; and steps taken to avoid a conflict with Little League, Babe Ruth, and soccer games. Supervisor Smith outlined the concern about the deed restrictions on Governor's Field. This matter had been investigated. The fields usage was restricted to recreational activities only and not ages. Mr. Porterfield then explained the fence which would be installed at the field adjacent to Roop as a result of negotiations with YSA. Discussion included the tourist potential, housing commitments, prepayment for the fence, and the utility bill for the fields. Mr. Porterfield agreed to prepay the utility bill. Jack Lane responded to Board questions concerning the need for Governor's Field and normal baseball usage. Mr. Porterfield explained the playing hours, fields, and "hurry up rules." Mr. Lane requested a \$1500 utility fee and noted that YSA would not be assisting with manpower. Mr. Porterfield explained his staffing and improvements he was willing to make to the fields. Mr. lane explained irrigation problems which occur when the Capital Classic is played, the Babe Ruth tournaments, Little League schedule, and the field sizes. Discussion also included the terms and conditions of the permit, U.S. Open's commitment for restroom and concession stands, statements made to the Convention and Visitors Bureau about City staff and cooperation, U.S. Open's recognition by the IRS and filing of Articles of Incorporation, its sponsors, and Mr. Lowe's health. Mr. Kastens questioned whether the fields were appropriate for the proposal level of play. Mr. Porterfield felt that after his firm makes its improvements, it would be. Mr. Kastens expressed his reservations about being able to bring the fields to the level required and to maintain that level throughout the tournament. Mr. Porterfield responded that he was aware of this concern. Discussion noted problems which had occurred at other tournaments, the process and time frame for the permits. Mr. Berkich noted that staff was working on a pamphlet and Code problems. Mayor Teixeira supported a "one stop" shop for this procedure. A press conference could be held at any time Mr. Porterfield felt appropriate as long as a "show stopper" did not occur.

10. PUBLIC WORKS DIRECTOR - Dan O'Brien, City Engineer Tim Homann, and Utility Manager Dorothy Timian-Palmer.

A. ORDINANCE - FIRST READING - ACTION ON AN ORDINANCE AND DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND WILLIAM J. AND LOUISE M. GONI (3-0825) - Supervisor Fetic moved that the Board introduce on first reading Bill No. 120, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND WILLIAM J. AND LOUISE GONI REGARDING ASSESSOR'S PARCEL NO. 8-821-13 LOCATED IN GONI CANYON ESTATES SUBDIVISION, PARCEL A, CARSON CITY, NEVADA, FOR WATERLINE CONSTRUCTION. Supervisor Tatro seconded the motion. Following Mr. Cockerill's request for amendment, Supervisor Fetic continued his motion to include that the fiscal impact will be for a total cost of the project of \$7,720 with the City's share being \$6,948 and Mr. and Mrs. Goni's share being \$772, funding source being 520-854-534-456544. Supervisor Tatro continued his second. Motion carried 4-0.

B. ORDINANCES - SECOND READING

i. ACTION ON BILL NO. 113 - AN ORDINANCE AND DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND SECURITY PACIFIC BANK REGARDING PROPERTY LOCATED AT 1001 NORTH STEWART STREET (3-0938) - Supervisor Smith moved to adopt on second reading Ordinance No. 1991-13, AN ORDINANCE APPROVING A SEWERLINE REIMBURSEMENT AGREEMENT BETWEEN CARSON CITY AND SECURITY PACIFIC BANK REGARDING ASSESSOR'S PARCEL NO. 2-171-5, 2-171-8, AND 2-171-9, LOCATED AT 1001 NORTH STEWART STREET, CARSON CITY, NEVADA, FOR SEWERLINE CONSTRUCTION, fiscal impact for

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the City of approximately \$7,250 with the funding source of sewer account no. 510. Supervisor Tatro seconded the motion. Motion carried 4-0.

ii. ACTION ON BILL NO. 114 - AN ORDINANCE AND DEVELOPMENT AGREEMENT FOR STEPHEN G. HALEN REGARDING PROPERTY LOCATED AT 4520 OAK STREET (3-0998) - Supervisor Tatro moved that the Board adopt on second reading Ordinance No. 1991-14, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND STEPHEN G. HALEN, REGARDING ASSESSOR'S PARCEL NO. 9-163-13, LOCATED AT 4520 OAK STREET, CARSON CITY, NEVADA. Supervisor Smith seconded the motion. Motion carried 4-0.

iii. ACTION ON BILL NO. 115 - AN ORDINANCE AND DEVELOPMENT AGREEMENT FOR THE SUPPLY ONE REGARDING PROPERTY LOCATED AT 3800 SOUTH CARSON STREET (3-1038) - Supervisor Tatro moved that the Board adopt on second reading Ordinance No. 1991-15, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND THE SUPPLY ONE, REGARDING ASSESSOR'S PARCEL NO. 9-151-44, LOCATED AT 3800 SOUTH CARSON STREET, CARSON CITY, NEVADA. Supervisor Smith seconded the motion. Motion carried 4-0.

C. OTHER MATTERS (3-1065)

i. ACTION ON STREET DEDICATION OF CLEARVIEW DRIVE AND MULDOON STREET AS OFFERED BY EUGENE LEPIRE, JR. - Supervisor Tatro moved that the Board the Planning Commission recommendation and accept the dedication of those portions of the Clearview Drive and Muldoon Street rights-of-way as offered by Eugene Lepire, Jr. Supervisor Smith seconded the motion. Motion carried 4-0.

ii. ACTION AUTHORIZING E. JAMES CROMPTON TO CONDUCT A BICYCLE RACE ON ROBINSON, DIVISION, TELEGRAPH, MINNESOTA, PROCTOR, NEVADA, AND CURRY STREETS ON SATURDAY, MAY 18, 1991 (1-1125) - Following Mr. Homann's introduction, Jim Crompton gave a flyer to the Board and Clerk announcing the activity, which he explained. The Certificate of Insurance was given to the Clerk. He was willing to use only a portion of the streets and intersections if the Board was unwilling to close the streets. For safety reasons, he preferred closure. Both Search and Rescue and the Kiwanis Club would provide security. He then responded to Board questions on the event time table, notification to the residents and businesses, access to the area by residents and emergency vehicles, and desire to use the City barricades. Supervisor Tatro moved to approve the authorization to conduct a bicycle race on May 18, 1991, by E. James Crompton within the downtown area as depicted on the map with no fiscal impact and direct the Public Works Department to cooperate in providing barricades as available subject to all the conditions listed in the staff report. Supervisor Smith seconded the motion. Motion carried 4-0. The Board wished them well.

D. REGIONAL TRANSPORTATION COMMISSION MATTERS (3-1442)

i. ACTION ON FINAL PAYMENT TO CONTRACT NO. 8990-203 FOR CONSTRUCTION OF INTERSECTION IMPROVEMENTS LOCATED AT ROOP STREET AND WINNIE LANE - Supervisor Smith moved to approve the release of Final Payment on Contract No. 8990-203, Roop Street and Winnie Lane Intersection Improvements, to Eagle Valley Construction Company in the amount of \$4,346.41, funding source RTC 250-250 account. Supervisor Feticc seconded the motion. Motion carried 4-0.

ii. ACTION ON COOPERATIVE AND INTERLOCAL AGREEMENT FOR ENGINEERING SERVICES BETWEEN THE NEVADA DEPARTMENT OF TRANSPORTATION, CARSON CITY, AND J.H.K. ASSOCIATES (3-1498) - Mr. Homann outlined the purpose of the

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agreement, funding, and the State's involvement. RTC has approved the agreement. Supervisor Tatro moved that the Board approve the Cooperative and Interlocal Agreement for Engineering Services for the Vehicle Management System between the Nevada Department of Transportation, Carson City, and J.H.K. Associates, fiscal impact is \$13,327 with a funding source of RTC. Supervisor Smith seconded the motion. Motion carried 4-0.

BREAK: At 2:10 p.m., a five-minute recess was taken. When the meeting reconvened at 2:15 p.m., a quorum was present as noted.

11. COMMUNITY DEVELOPMENT DIRECTOR - Walt Sullivan and Principal Planner Rob Joiner.

A. PLANNING COMMISSION REFERRALS - REVIEW AND APPEAL MATTERS

i. ACTION ON M-90/91-8 - AN APPLICATION FROM WILLIAM AND KENNETH RAMOS TO ABANDON A PORTION OF PUBLIC RIGHT-OF-WAY, SPECIFICALLY EAST EIGHTH STREET BETWEEN FALL AND STEWART STREETS - PLANNING COMMISSION APPROVED 5-0-2-0 (3-1607) - Supervisor Tatro expressed his feeling that he would not have a conflict of interest on this issue even though his wife works for Northern Nevada Title Company. Applicant's representative Paul Thome responded to Board questions concerning owners of the adjacent properties, present usage, planned usage, and the City's proposal for superblocks. Mayor Teixeira explained his reservation about selling a street without knowledge of its proposed usage. Mr. Thome felt that the street would be more valuable if sold. Mr. Joiner noted that the applicant was aware of the utilities found in the street and would be prohibited from constructing a building over same. Supervisor Smith expressed his feeling that a traffic study may be warranted before the closure is approved. Discussion ensued among the Board and staff concerning the type of conditions which could be placed on the abandonment. Mr. Thomas' and Mr. Millard's letters of concern were noted. Mr. Thome felt that this right-of-way was unique and was willing to accept any stipulations. Discussion ensued concerning the abandonments to the Carson Station, Ormsby House, and State. The Board felt that a clear proposal should be submitted with abandonment requests. Mr. Thome agreed to a continuance. Supervisor Feticc moved that the Board continue any action on M-90/91-8 until after Paul Thome has had an opportunity to meet and consult with staff and bring back a more definitive proposal. Supervisor Smith seconded the motion. Mr. O'Brien questioned who was to pay for the traffic study. He felt that this should be a cost borne by the Applicant. Mayor Teixeira felt that this issue was to be left to the staff and that if the issues could be mitigated without a study, staff should so indicate. If one street is done, three should be as the cost would be less. He felt that a definitive plan was needed upon which a final decision could be made. Mr. Thome agreed. Supervisor Smith explained the type of report he wanted concerning the number of cars utilizing the street. Mr. O'Brien noted that the City had counters which could be used, however, questioned the priority. Supervisor Feticc and Mayor Teixeira noted this was an administration issue. Supervisor Smith expressed his feeling that the business may need the same type of information as it could affect the ultimate plan. The motion to continue the matter was voted and carried 4-0.

ii. ACTION ON M-90/91-19 - AN APPLICATION FROM WILLIAM AND MARION LEWIS AND DOUGLAS AND KATHLEEN HONE TO ABANDON A PORTION OF PUBLIC RIGHT-OF-WAY, SPECIFICALLY VALLEY STREET BETWEEN EAST JOHN AND EAST WILLIAM STREETS - PLANNING COMMISSION APPROVED 5-0-2-0 (3-2730) - Mayor Teixeira noted his previous ownership of one of the parcels. He no longer has a financial interest in the property and did not feel that the proposal would be affected by his previous ownership. Staff reviewed the applicant and stressed that the concept shown at the Planning Commission meeting should not be considered as the ultimate design. Nevada Department of Transportation's and the Commission's recommendations and conditions were explained. Applicant's attorney, George Keele, explained the superbloc proposal and responded to Board questions on the concept. Discussion noted the proposal may mean the demise of the

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Snivelers Inn, would have restricted ingress from Highway 50 (William Street), (4-0015) examples of superblocks which had been abandoned over the last 30 years, the conceptual plan which the Board had felt needed to be included in street abandonment requests, and the ability to develop the site as proposed in the concept. (4-0185) Architect Casey Jones reviewed the conceptual designs. Under his plan, there would be limited egress/ingress from 50. Staff comments noted that if the concept is for office retail functions, special use permits would not be required. Citizen comments were solicited but none made. Clarification noted that a written agreement was not finalized, however, even Mr. Keele did not have a written agreement for his services. The joint use agreement was pending the Board's decision. CC&R's will be completed upon Board action. Significant improvements will occur on the property in three months. The statutory requirements on the street abandonment were reviewed. The Applicant could hire an MIA to appraise the property if it is felt the City's MIA appraisal is wrong. Mr. Jones suggested that some of the street improvements required of the project be utilized as an offset in the appraisals. Mr. Keele felt that the public benefits derived from the improved traffic circulation should reduce the appraisal as well as Mr. Lewis' dedication of a portion of the right-of-way and that the original property owners had dedicated the remaining portions. Additional comments were solicited but none made. Supervisor Feticc then moved that the Board uphold the Planning Commission recommendation on M-90/91-19 regarding an application from William and Marion Lewis and Douglas and Kathleen Hone to abandon a portion of public right-of-way, specifically Valley Street between East John and East William Streets, that the Board order the District Attorney's office to prepare an abandonment order and direct an appraiser be appointed to determine a reasonable consideration of value to subject property, that this abandonment be subject to the conditions noted in the Planning Commission report. Supervisor Smith seconded the motion. Motion carried 4-0.

BREAK: At 3:10 p.m., a five-minute recess was taken. When the meeting reconvened at 3:15 p.m., a quorum was present as noted.

B. GROWTH MANAGEMENT MATTER - ACTION ON GM-90/91-5 - A REQUEST FROM CHROMALLOY TO EXCEED GROWTH MANAGEMENT ORDINANCE REQUIREMENT 18.82.150 AND RESOLUTION NO. 1989-R-58 WHICH LIMITS WATER USAGE AT 7500 GALLONS PER DAY (4-0475) - Board discussion with Ms. Timian-Palmer noted that the City could provide the water required by the firm. Chromalloy was given a copy of her conditions. The size of the treatment facility was indicated as the minimum. Chromalloy Representative Mike Holcomb acknowledged the desire to utilize low flow features in the plant. He requested a Board commitment that the City could provide 20,000 gallons should the state of the art indicate all attempts to use low flow features had been implemented. He agreed with Items 1, 2, "C-scape", and 4 and noted that it was mandated that his firm meet all the requirements spelled out by the State and Carson City. Ms. Timian-Palmer felt that she could deliver and that they could meet the wastewater treatment standards. Board discussion ensued concerning the 15 gallon per minute waste treatment requirement; Mr. Holcomb's review of the area; the facility, its employment needs, training, and benefits. Additional comments were solicited but none made. Supervisor Tatro moved that the Board approve GM-90/91-5, a request by Chromalloy to exceed Growth Management limits of 7500 gallons per day. Supervisor Feticc seconded the motion. Motion carried 4-0.

C. ORDINANCES - SECOND READING (4-0725)

i. ACTION ON BILL NO. 112 - AN ORDINANCE EFFECTING A CHANGE OF LAND USE ON ASSESSOR'S PARCEL NO. 8-316-18, SAID PARCEL BEING 14 ACRES LOCATED AT THE NORTH AND EAST ENDS OF FERGUSON RANCH ROAD IN CARSON CITY, NEVADA, FROM LOW DENSITY RESIDENTIAL SF21000/PUD TO PUBLIC (P) AND OTHER MATTERS PROPERTY RELATED THERETO (Z-90/91-10) - Supervisor Tatro moved that the Board adopt on second reading Ordinance No. 1991-16, AN ORDINANCE EFFECTING A CHANGE OF LAND USE ON ASSESSOR'S PARCEL NUMBER 8-361-18 SAID PARCEL BEING 14 ACRES LOCATED AT THE NORTH AND EAST ENDS OF FERGUSON RANCH ROAD IN CARSON CITY, NEVADA, FROM LOW DENSITY RESIDENTIAL SF21000/PUD TO PUBLIC (P) AND OTHER

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MATTERS PROPERLY RELATED THERETO. Supervisor Smith seconded the motion. Motion carried 4-0.

ii. **ACTION ON BILL NO. 116 - AN ORDINANCE ADDING SECTIONS 18.06.250 - 18.06.267 (BUSINESS PARK ZONE) TO CHAPTER 18.06 (INDUSTRIAL USE DISTRICT PROVISIONS) OF THE CARSON CITY MUNICIPAL CODE AND OTHER MATTERS PROPERLY RELATED THERETO (A-88/89-2) (4-0775)** - Supervisor Tatro moved that the Board adopt on second reading Ordinance No. 1991-17, AN ORDINANCE ADDING SECTIONS 18.06.250 - 18.06.267 (BUSINESS PARK ZONE) TO CHAPTER 18.06 (INDUSTRIAL USE DISTRICT PROVISIONS) OF THE CARSON CITY MUNICIPAL CODE AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Smith seconded the motion. Motion carried 4-0.

iii. **ACTION ON BILL NO. 117 - AN ORDINANCE ADDING CHAPTER 18.08 (MOBILE HOME PARK DEVELOPMENT PLAN REVIEW ORDINANCE) TO TITLE 18 (ZONING) OF THE CARSON CITY MUNICIPAL CODE AND OTHER MATTERS PROPERLY RELATED THERETO (4-0795)** - Supervisor Tatro moved to adopt on second reading Ordinance No. 1991-18, AN ORDINANCE ADDING CHAPTER 18.08 (MOBILE HOME PARK DEVELOPMENT PLAN REVIEW ORDINANCE) TO TITLE 18 (ZONING) OF THE CARSON CITY MUNICIPAL CODE AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Smith seconded the motion. Motion carried 4-0.

iv. **ACTION ON BILL NO. 118 - AN ORDINANCE REPEALING CHAPTER 15.26 (MOBILE HOME PARKS) OF TITLE 15 (BUILDINGS AND CONSTRUCTION) OF THE CARSON CITY MUNICIPAL CODE AND OTHER MATTERS PROPERLY RELATED THERETO (4-0811)** - Supervisor Tatro moved that the Board adopt on second reading Ordinance No. 1991-19, AN ORDINANCE REPEALING CHAPTER 15.26 (MOBILE HOME PARKS) OF TITLE 15 (BUILDINGS AND CONSTRUCTION) OF THE CARSON CITY MUNICIPAL CODE AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Smith seconded the motion. Motion carried 4-0.

v. **ACTION ON BILL NO. 119 - AN ORDINANCE AMENDING CHAPTER 18.03 (DEFINITIONS) TO DELETE, ADD, AND AMEND VARIOUS DEFINITIONS WITHIN TITLE 18 (ZONING) (4-0828)** - Supervisor Smith moved that the Board adopt on second reading Ordinance No. 1991-20, AN ORDINANCE AMENDING CHAPTER 18.03 (DEFINITIONS) TO DELETE, AND ADD AMEND VARIOUS DEFINITIONS WITHIN TITLE 18 (ZONING). Supervisor Tatro seconded the motion. Motion carried 4-0.

7. **DISCUSSION AND POSSIBLE ACTION REGARDING 1991 LEGISLATIVE MATTERS (4-0845)** - Nevada Association of Counties Executive Director Bob Hadfield elaborated on the Governor's decision to withdraw his proposal to transfer the welfare care to the Counties, the cuts which would have occurred under this proposal, the Assembly's recent request that State budgets be resubmitted with a ten percent cut, cuts which may occur as a result of this request forcing those programs upon the Counties, and the NACO policy statement on human services. Mr. Hadfield's comments stressed that the Counties could ill afford the cost of these changes. Board comments included the potential cut in rural senior centers, commended NACO on its efforts, potential loss of all Federal funding, and the impact on County hospitals. Supervisor Smith noted the Business Week article on the nationwide State budget problems. Federal legal recourses if Counties do not fund the programs. Ms. Walker explained the long-term impact of the cuts. Mr. Hadfield then explained his request for support of the NACO policy statement. Supervisor Tatro then noted that the agenda included potential action and moved that the Carson City Board of Supervisors support the NACO Policy Statement on Human Services. Supervisor Smith seconded the motion. Supervisor Smith expressed his feeling that the State proposal to "pass the buck" was not responsible government by any measure. The motion to support the NACO Policy Statement was voted and carried 4-0.

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Mr. Hadfield stressed that support for the policy would not cut off negotiations on the long-term solutions. Comments expressed the feeling that communications needed to be opened on such changes and a study conducted. Mr. Hadfield felt that dialogues were continuing on the original AB 285 proposal and hoped that a solution would eventually be found.

8. CITY MANAGER REPORTS, RESOLUTIONS, AND BOARD DIRECTIVES - STATUS REPORTS REGARDING: CITY AGREEMENT WITH KLEINFELDER, INC., FOR A SOLID WASTE MANAGEMENT PLAN; INTEREST FREE LOANS FOR RENTAL UNITS; CITY STAFF INTERPRETERS AND HISPANIC COMMUNITY; STUDY OF THE PROCEDURES FOR THE TAKING OF PURCHASE DISCOUNTS; CONSTRUCTION OF DOWNTOWN SUPER PARKING LOT; AND, CITY COLLECTION POLICIES AND PROCEDURES (4-1950) - Reports should be available in May.

9. BOARD OF SUPERVISORS REPORTS, RESOLUTIONS, AND PROCLAMATIONS (4-1972)

D. SUPERVISOR TATRO, B. SUPERVISOR FETTIC (4-1975); C. SUPERVISOR SMITH (4-1980) - None.

6. REDEVELOPMENT AUTHORITY AGENCY MATTERS - C. DISCUSSION AND BOARD DIRECTION REGARDING REDEVELOPMENT GOALS INCLUDING PROJECTS, PROGRAMS, AND FINANCIAL MATTERS - CONTINUED (4-1983) - Chairperson Feticc expressed his feeling that the goals had been established around parking and superblocks.

BREAK: A recess was called at 4 p.m. When the meeting reconvened at 6 p.m., Mayor Teixeira, and Supervisors Feticc, Smith, and Tatro were present constituting a quorum. Staff present included: City Manager Berkich, Clerk-Recorder Nishikawa, Community Development Director Sullivan, Chief Deputy District Attorney Cockerill, City Engineer Homann, Principal Planner Joiner, and Recording Secretary McLaughlin. (4-2075)

12. ACTION ON U-90/91-21 - SPECIAL USE PERMIT REQUEST FROM RICHARD SCOTT TO ALLOW MULTI-FAMILY RESIDENTIAL (MFR) IN GENERAL COMMERCIAL (GC) ZONING DISTRICT AS A CONDITIONAL USE ON PROPERTY LOCATED ON NORTHEAST CORNER OF PANAMINT ROAD AND SHERMAN LANE (APN 8-795-19) - PLANNING COMMISSION DENIED 6-0-1 - Mr. Joiner distributed copies of uses allowed under the zoning to the Board and Clerk and explained the Applicant's attempts to mitigate the residential concerns, however, as the residents did not have a delegate who could represent all, this failed. Mayor Teixeira pointed out the Board policy to return any item to the Commission should new information be presented to the Board. Discussion noted the Airport Authority had not reviewed the proposal as the site was not in its new flight path. (A copy of the path was given to the Board and Clerk.) (4-2390) Airport Authority Chairperson Bob Thomas expressed the Authority's willingness to review any site under the traffic pattern. He did not feel that there was a problem with this site.

(4-2455) Richard Scott expressed his willingness to establish a committee to negotiate with the residents' representative, however, as the residents did not have an individual delegated as their representative, this could not occur. He felt that there had been no evidence presented at the Commission meeting upon which the denial could have been based. There had been a lot of opinions. He requested Board assistance in determining the reasons for the Commission's action. Supervisor Smith explained that it was his responsibility to prove that the proposal would comply with the Code rather than for the residents to show how it failed. Mr. Scott then reviewed his 1972 request and feeling that this had been denied based upon the residential desire to maintain the status quo. He then reviewed his plan and expressed his lack of understanding regarding the reasons his latest proposal was denied. He reviewed his mother's acquisition of

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the property, its zoning, construction of the tract, and 1985 subsequent down zoning of the site now owned by his mother and sister. His comments stressed that he did not have any plans to develop this site at this time. (5-0003) Clarification noted that this information had not been submitted to the Commission. Mayor Teixeira explained the reasoning behind the policy. Mr. Scott explained that he had verbally presented this information to the Commission. He did not have the documentation. Mr. Joiner agreed with this statement. Mayor Teixeira then requested that the presentation continue. Mr. Scott then explained his reasons for not having appealed the down zone as that portion could be used as a buffer between the single family lots and the commercial parcels. He then reviewed the opposition to his present proposal, his reasons for feeling that there were adequate water and sewer facilities available, his willingness to meet the Growth Management requirements, dedicate water rights if so required, mitigate traffic concerns if needed, and provide parking. Lumos and Associates Representative Kelly Garcia had performed a traffic analysis and was present to answer any questions. He then refuted the traffic problems on Sherman Lane, expressed a willingness to provide space for a park if the Commission requests and feeling that his proposal would not create an adverse effect on adjacent property values. His proposal would reduce the commercial density, meet the architectural and landscaping requirements of the area, would not increase the criminal element, would include reasonable CC&R's to maintain the landscaping and building exteriors, and provide accesses to the area. He outlined his four-plex concept. The units would be available for low and moderate income tenants. His comments continually expressed his feeling that his project would not create a negative impact on the neighborhood and his willingness to address legitimate concerns. He did not feel that the street width after it leaves his property was his concern. His proposed ingress/egress routes were explained. He felt he had met all the requirements necessary to support his request. Mr. Scott then responded to Board questions concerning his development of the Empire Estates, reasons for his proposal, his willingness to consider single level family four-plexes, reasons he felt that the owners/tenants would have pride of ownership in the facilities, would not create more of a crime potential than other uses, plan to retain of two units and sell the balance, CC&R enforcement procedures, construction plans, and unit floor plans.

(5-0945) Randy Trujillo explained the area residents' opposition to the application including the petition. He compared the original request with the present request and explained the feeling that both were the same. He could support a project which would be an asset to the area such as single family homes. A majority of the residents could support a single level high quality duplex. Several realtors and investors had indicated the proposal would affect the single family residential values and salability. This in turn could affect the quality of life in the neighborhood. He opposed the eight parcels as proposed. He felt the tenants would fail to maintain the facilities and would in turn further affect the value of the residential properties. Likewise, the low rental rate would affect the landlords' willingness to maintain the facilities. The traffic problems, lack of adequate parking area, school children safety concerns, lack of space in nearby schools, and security concerns were outlined. He felt the reasons for the Planning Commission's denial had been based on fact and not emotions as insinuated in Mr. Scott's appeal. He then responded to Board questions concerning the willingness to discuss single level family residential uses and other commercial uses which could be developed on the site. Supervisor Feticc suggested that the residents meet with Mr. Scott and attempt to reach a compromise to the betterment of all. Mr. Trujillo felt that Mr. Scott was not willing to do this due to the loss of profit such a compromise would create. Mayor Teixeira expressed his feeling that the residential issues should be mitigated in view of the fact that the developer for the residential area was the same person as the developer of the commercial zone. He supported addressing the issue rather than continuing the matter. Mr. Trujillo expressed the residents' willingness to mitigate the issues and objection to allowing only one individual to negotiate. Supervisor Smith commended Supervisor Feticc on his willingness to work a compromise, however, supported Mayor Teixeira's position that the merits of the issue be addressed this evening. Mr. Trujillo then explained an application submitted to the Parks and Recreation Commission for a park in the neighborhood. This would exchange City property for Mr. Scott's property, which would allow him to develop a site in another area. Mayor Teixeira explained that this was not the issue at hand this evening. Supervisor Smith outlined this request in more detail.

(5-1878) May Ruth French expressed her feeling that there was not adequate space in the elementary schools

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to meet the influx which would be created by Mr. Scott's proposal. Mayor Teixeira noted that the Board could not use the number of children who would have to be bussed as a basis for a denial. Ms. French's opposition to the Special Use Permit was noted.

(5-1965) Brian Campbell expressed his concern about the flight path and feeling that in spite of the residential turnover, they were still opposed to the project. Therefore, he urged Mr. Scott to carefully consider the proposed single level development suggested. His personal experience with condos and the necessary parking space was outlined to support the feeling that adequate parking space had not been allowed. He stressed that apartment life styles would increase the impact on the Sheriff's Department more than the present single family dwellings now found in the area. He could not support Mr. Scott's position that the landscaping and aesthetics would be maintained. Clarification indicated that Mr. Scott was interested in retaining ownership of two buildings. Mr. Campbell did not feel that a rental fee of \$400 would be adequate or realistic in comparison with adjacent house payments. He supported the park issue. He felt that too much of a "trust me" syndrome was being presented in the plan.

(5-2407) Dana Apalategui acknowledged that the surveys and reports prepared to rebut Mr. Scott's expert testimony had not been prepared by experts, however, felt they were experts in their own fields. Examples of such experts were the school bus driver, County street/road employee, realtors, and the School District. Reasons for the park proposal were noted. He then noted that the project is continually being changed as indicated by the original two-bedroom proposal which grew to three and four bedrooms.

(5-2564) Denise Hill felt that Mr. Scott should have been aware of the potential conflict with the commercial property at the time he constructed the homes on Panamint. Her reasons for feeling that Mr. Scott has development plans for the other parcel were outlined. The ingress/egress for Panamint were outlined. She also expressed her concern about his failure to express a willingness to compromise until the meetings. Her desire to have a park were outlined.

(5-2681) Ms. French then noted that she was a member of the Watch Dog Association.

(5-2695) Randy Harris, a contractor, explained his knowledge of a four-plex in Minden, the rents assessed, and tenants there. He did not feel that the rents would be in the \$400 range but rather the \$550 to \$600 range and that the landscaping would be maintained as indicted by a four-plex behind K-Mart. Clarification noted that a Special Use Permit for his four-plex had not been required and it had not been constructed adjacent to a subdivision.

(5-2820) Jim Pierce expressed his feeling that the request should be denied.

(5-2840) Mr. Scott agreed to raise the rents if necessary. He felt that an appraiser should be contacted for real estate values rather than realtors. He felt the density for the site was the same regardless of the number of bedrooms constructed. He had utilized the zoning laws when he had commented on the split zoning and utilization of the higher zoning. He was willing to consider the single story issue, however, felt that the present plan would not detrimentally affect the adjacent property owners. He felt that the adjacent property owners should have considered the commercial utilization of his property. He again reiterated his desire to meet with one of the residents and his reluctance to meet with any more. He then questioned the staff's position if he sought to develop the site as a motel/hotel commercial venture if a special use permit was not required. Mr. Sullivan explained that retail commercial uses allowed motels. This would not require a special zoning permit. Supervisor Feticc then explained his reasons for feeling that the burden of proof was upon the Applicant that the project would not adversely impact the surrounding and existing uses. While he felt the project was "good looking", there were meaningful concerns in the homeowners' response. Supervisor Feticc then moved that the Board uphold the Planning Commission recommendation to deny the Special Use Permit request on U-90/91-21, a Special Use Permit request from Richard Scott to allow multi-family residential use in the General Commercial Zoning District as a conditional use located on the

