

CARSON CITY BOARD OF SUPERVISORS
Minutes of the July 17, 1997, Meeting
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A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, July 17, 1997, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 8:30 a.m.

PRESENT:	Ray Masayko	Mayor
	Greg Smith	Supervisor, Ward 1
	Jon Plank	Supervisor, Ward 2
	Kay Bennett	Supervisor, Ward 4
STAFF PRESENT:	John Berkich	City Manager
	Alan Glover	Clerk-Recorder
	Michael Griffin	District Court Judge
	Rod Banister	Sheriff
	Al Kramer	Treasurer
	Mary Walker	Finance Director
	Judie Fisher	Personnel Manager
	Barney Diehl	Undersheriff
	Paul Lipparelli	Deputy District Attorney
	Annette Mankins	Judicial Assistant
	Colleen Glover	Chief Deputy District Ct. Clerk
	Tim Homann	Deputy Public Works Director
	Steve Mihelic	Assistant Fire Chief
	Ken Arnold	Environmental Control Manager
	Katherine McLaughlin	Recording Secretary
	(B.O.S. 7/17/97 Tape 1-0001.5)	

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

CALL TO ORDER, ROLL CALL, INVOCATION, AND PLEDGE OF ALLEGIANCE - Mayor Masayko convened the meeting at 8:33 a.m. Roll call was taken. A quorum was present although Supervisor Tatro was absent. Father Chuck Durante of St. Teresa's Catholic Church gave the Invocation. Mayor Masayko lead the Pledge of Allegiance.

CITIZEN COMMENTS (1-0072.5) - Clerk-Recorder Glover indicated he had received Hospital Trustee Paul Saucedo's resignation. A copy was placed in the record and given to each Board Member. Mayor Masayko indicated his reason for resigning had been due to his moving from his district. Additional comments were solicited but none given.

1. ACTION ON APPROVAL OF MINUTES (1-0288.5) - None.

2. SPECIAL PRESENTATIONS - Personnel Manager Judie Fisher

A. ACTION ON A RETIREMENT RESOLUTION FOR RUTH DECKER (1-0103.5) - Mayor Masayko read the entire Resolution into the record. Supervisor Plank moved to adopt Resolution No. 1997-R-28, A RESOLUTION COMMENDING RUTH DECKER. Supervisor Bennett seconded the motion. Motion carried 4-0. Mayor Masayko presented the plaque and resolution to Sheriff Banister. Sheriff Banister indicated Ms. Decker would be missed by his Department.

B. PRESENTATION OF LONGEVITY AWARDS TO CITY EMPLOYEES (1-0153.5) - Mayor

Masayko presented the following employees with longevity awards and commended each on his/her dedication and service. The awards and employees were: 10 Years - Fred Schoenfeldt, James McCurdy, Darren Selby, Karen Finnegan, Rick Beckerdite, Frank Rahm, Leanna Stevens, and Richard Dodds; 20 Years - Ruth Vaughan, Russel Howard, John Bergstrom, Larry Berg, and Scott Burau; 25 Years - Gurney Gordon, Maria Rodriguez, and Frank Urbani; and 30 Years - Colleen Glover. Employees who were not present to receive the awards were: 10 Years - Richard Pope, Robert Gautschi, and Adrienne Weintz; and, 25 Years - Joan Fetic and Kani Shannon.

LIQUOR AND ENTERTAINMENT BOARD - Mayor Masayko recessed the Board of Supervisors session and immediately reconvened the session as the Liquor and Entertainment Board. A quorum of the Board was present including Member Banister, however, Member Tatro was absent.

3. TREASURER - Al Kramer - ACTION TO REVOKE ALL DELINQUENT LIQUOR LICENSES FOR NON-PAYMENT OF THE QUARTERLY FEE (1-0289.5) - Member Smith moved that the Liquor and Entertainment Board revoke the two delinquent licenses for non-payment of the quarterly fees pursuant to CCMC 4.13.030 and 4.13.110. Member Plank seconded the motion. Motion carried 5-0-0-1 with Member Tatro absent.

BOARD OF SUPERVISORS (1-0312.5) - There being no other matters for consideration as the Liquor and Entertainment Board, Chairperson Masayko adjourned the Liquor and Entertainment Board and immediately reconvened the session as the Board of Supervisors. A quorum was present although Supervisor Tatro was absent.

4. CONSENT AGENDA (1-0314.5)

A. TREASURER

i. ACTION ON RE-INSTATEMENT OF REVOKED BUSINESS LICENSES

ii. ACTION ON A SPECIAL EVENT SHORT-TERM BUSINESS PERMIT WITH WAIVER OF THE \$50 PER DAY PROMOTER FEE FOR THE SILVER DOLLAR CAR CLASSIC

B. CLERK-RECORDER

i. ACTION TO DIRECT THE DRAFTING OF AN ORDINANCE TO REPEAL CARSON CITY MUNICIPAL CODE 2.04.060, CAMPAIGN CONTRIBUTIONS

ii. ACTION ON THE ESTABLISHMENT OF THE GUARDIANSHIP OF AN 85 YEAR OLD FEMALE

iii. ACTION ON THE ESTABLISHMENT OF THE GUARDIANSHIP OF AN 89 YEAR OLD FEMALE

iv. ACTION ON THE ESTABLISHMENT OF THE GUARDIANSHIP OF A 71 YEAR OLD FEMALE

C. PURCHASING DIRECTOR

i. ACTION ON CONTRACT NO. 9495-148 - GRAVES LANE ENGINEERING DESIGN SERVICES, AMENDMENT NO. 2

ii. ACTION ON CONTRACT NO. 9596-129 - SEWER AND WATER LINE REPLACEMENT PROGRAM DESIGN ENGINEERING, CONTRACT APPROVAL

iii. ACTION ON CONTRACT NO. 9697-125 - TEST WELL DRILLING AND PRODUCTION WELL INSTALLATION, AMENDMENT II

iv. ACTION ON CONTRACT NO. 9697-272 - 1997 SEWER AND WATER LINE REPLACEMENT PROJECT AWARD

v. ACTION ON CONTRACT NO. 9697-276 - PARKS DEPARTMENT GROUNDSMASTER 580-D LAWN MOWER

vi. ACTION ON CONTRACT NO. 9798-012 - LAND TRANSFER AUDIT, CONTRACT APPROVAL

vii. ACTION ON CONTRACT NO. 9798-17 - SURPLUS VEHICLES

viii. ACTION ON CONTRACT NO. 9697-284 - SHERIFF'S DEPARTMENT NEW OR USED 1997 CROWN VICTORIA POLICE INTERCEPTOR VEHICLE - Purchasing Director John Iratcabal pulled Contract 9697-272. Supervisor Bennett pulled Contract 9798-012. Environmental Control Manager Ken Arnold

explained the purpose of Contract 9798-012. Supervisor Smith moved that the Board accept the Consent Agenda as presented with the exclusion of action on Contract 9697-272. Supervisor Plank seconded the motion. Motion carried 4-0.

C. iv. (1-0370.5) Purchasing Director Iratcabal explained Richard Trachok's letter of protest, legal counsel for Gerhardt and Berry Construction. Gerhardt and Berry's bid had contained math errors which, when corrected, increased the bid amount and made someone else the low bidder. Yesterday Mr. Trachok's office called and withdrew the protest. Supervisor Plank then moved to accept the Purchasing Department's recommendation and award Contract No. 9697-272 to Bidder No. 4, Joe Suter Construction Company, Inc., Box 3000, Truckee, California 96160 as the lowest responsive and responsible bidder pursuant to the requirements of NRS Chapter 332, 338, 339, and 624 for a contract amount of \$472,785 and a contingency amount of \$47,278.50. Supervisor Bennett seconded the motion. Motion carried 4-0.

5. BOARD OF SUPERVISORS

A. ACTION TO REAPPOINT JANICE AYRES TO THE TRI-COUNTY RAILROAD COMMISSION (1-0408.5) - Mayor Masayko introduced the request and explained the Commission's recommendation that Ms. Ayres be reappointed and her absence. Discussion indicated the appointment was for a four year term and explored options to a four year term. Supervisor Plank recommended review of the appointment in January. Supervisor Smith expressed his feeling that, if the financing problems are not resolved, the Commission may not be in existence next year. Ms. Ayres role in this program was noted. Mayor Masayko noted that he was the other Board appointee and expressed his willingness to discuss the appointment if Supervisor Plank wished to serve after January. Supervisor Plank then indicated his support for Ms. Ayres' reappointment. Supervisor Plank moved to reappoint Janice Ayres as the Citizen-at-Large to the Tri-County Railroad Commission representing Carson City, which is a four year term. Supervisor Smith seconded the motion. Motion carried 4-0.

B. ACTION ON LEGISLATIVE MATTERS (1-0535.5) - During Mr. Berkich's introduction Ms. Walker distributed a memo on the 1997 legislative fiscal impacts to the Board and Clerk. (A copy is included in the packet.) Ms. Walker indicated the net impact to the City would be \$4.9 million. She then reviewed the report in depth. The \$10 sentencing fee will be analyzed and may be implemented during the following budget session. The revenue difference between AB 102 and SB 461 is due to the different number of individuals who would be assessed the \$5 mandatory fee under SB 461. Discussion indicated the collection fee for business licenses had not been modified. The need for AB 508 was described. Ms. Walker indicated that the bill regarding domestic violence would be watched as it may impact the budget by as much as \$15,000. An augmentation may be required. Discussion then explored the utility deregulation bill, AB 508, and the amendments which cable television had attempted to obtain targeting governmental competition. Supervisor Smith commended her on her efforts to protect the City. Other Board comments also commended her on her expertise and professionalism in representing Carson City. Mr. Berkich further elaborated on these comments including her continuing involvement with several of the legislative committees on behalf of the City. Mayor Masayko reported on AB 291. He felt that the Board should be cautious in its approach of this enabling legislation. Ms. Walker supported his comments and expressed her feeling that the proposed 1/4 cent tax increase could create a negative impact on the economy. Mayor Masayko felt that the electorate should be involved with its implementation as it had with the Open Space Tax initiative. Ms. Walker then explained her memo on AB 525 and her recommended budget revisions. Formal action will be requested at the next meeting. Supervisor Bennett encouraged the staff to analyze the neighborhood street lighting needs and its retrofit program. She also urged her to include funding to match federal grants for transit in the allocations. Ms. Walker responded by expressing her feeling that 525 had also included other road maintenance funding which could provide other RTC funds for transit. Supervisor Smith expressed his support for the funding allocations in her memo. Mayor Masayko explained the selection process used to establish the priority listing. He encouraged the Board Members to analyze it carefully and add/delete from it. No formal action was taken as the recommendations will be reconsidered at the next meeting.

6. PERSONNEL MANAGER - Judie Fisher - ORDINANCE - SECOND READING - ACTION ON BILL

NO. 140 - AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE 2.04.400 (PUBLIC OFFICERS) ADDING, DELETING AND CHANGING TITLES (1-1220.5) - Supervisor Bennett moved that the Board adopt Ordinance No. 1997-41 on second reading, Bill No. 140, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE 2.04.400 (PUBLIC OFFICERS) ADDING, DELETING AND CHANGING TITLES. Supervisor Plank seconded the motion. Motion carried 4-0.

7. SHERIFF - Undersheriff Barney Diehl - ORDINANCE - FIRST READING - ACTION ON AN ORDINANCE REPLACING EXISTING CHAPTER 8.28 GOVERNING WORK PERMITS TO COMPLY WITH STATE LAW; ADDS LOCKSMITHS AND SAFE MECHANICS TO WORK PERMIT REQUIREMENTS; DELETES THE WORK PERMIT REQUIREMENTS FOR PERSONS WHO SERVE ALCOHOLIC BEVERAGES ON PREMISES WHEREIN OR WHEREON GAMING IS DONE; PROHIBITS EMPLOYERS FROM ALLOWING PERSONS TO WORK WITHOUT PERMITS; PROLONGS EXPIRATION OF MOST WORK PERMITS FROM 1 YEAR TO 3 YEARS; REQUIRES FINGERPRINTING EVERY 6 YEARS; CHANGES PERMIT FEE FROM FIXED AMOUNT TO SERVICE CHARGE; ADDS SERVICE CHARGE FOR CHILD CARE WORKERS; SETS FORTH GROUNDS FOR DENIAL OR REVOCATION OF WORK PERMITS; ALLOWS FOR SUSPENSION, LIMITATION OR CONDITIONING OF WORK PERMIT; PROVIDES FOR HEARING OFFICER ON APPEALS; GOVERNS CARRYING OF WORK PERMIT; PROHIBITS CARRYING OF CONCEALED WEAPON EXCEPT AS ALLOWED BY LAW; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO (1-1265.5) - Discussion explored the proposed ordinance and the positive changes it implemented.

(1-1445.5) Donna Price explained her concern related to the cost of the workcard for daycare employees. She felt that it would prevent many from obtaining the permit or from entering the field. She could not afford to pay the additional cost for the prospective employee. Her operational costs were explained to support her contention that she could not afford the cost. Likewise, the parents could not afford to pay an increased fee for her service. Mayor Masayko indicated Ms. Price was one of three contacts he had had about the proposal. Additional public comments were solicited but none given.

Discussion ensued between Undersheriff Diehl and the Board concerning the fees for childcare employees. The ordinance allows the Sheriff to waive the \$10 service charge. The FBI and State fees could not be waived. The State regulations for bartenders employed in gaming establishments was explained. Large gaming establishments have change persons who are required to have workcards. Renewals may cost \$5 and are done every three years. A renewal after six years will be at the full cost as the FBI and State requirements must be met. Gaming work cards are not valid if you relocate without notifying the Department or do not work for 90 days. If an individual works at more than one location, the Department lists them and does not require a second card. Carson City has an agreement with Washoe County which allows the other entity to accept the criminal record obtained from the fingerprint investigation without recharging the fee. The complainants should have told Washoe County that her fingerprints were on record in Carson City. She would then not have had to repay the fee nor undergo a second investigation. Mayor Masayko suggested discussing with Sheriff Banister a written policy on the fee waiver. Supervisor Bennett supported his suggestion. Supervisor Smith felt that it was an administrative issue and that the current Sheriff's Department administration had a history of working with the community and being sensitive to the people whom they serve. He, too, felt that it was the overall price increases which cause a business close its doors. He also pointed out the competition between private and public child care facilities found within the community. Ms. Price indicated that for three years she had had zero net income when preparing her income tax statements. The FBI check had doubled two years in a row, however, failed to perform all of the investigations required by the Sheriff's Department. She then expounded on her feeling that good people would become hard to obtain in the daycare field and further elaborated on her financial problems. Supervisor Plank pointed out that the Sheriff must meet his business costs, however, if Ms. Price is not careful she will price herself out of the business. This may force additional providers to become unlicensed and "go underground". Hazards with this type of a facility were briefly noted. Supervisor Smith then moved that the Board introduce on first reading Bill No. 141, AN ORDINANCE REPLACING EXISTING CHAPTER 8.28 GOVERNING WORK PERMITS TO COMPLY

WITH STATE LAW; ADDS LOCKSMITHS AND SAFE MECHANICS TO WORK PERMIT REQUIREMENTS; DELETES THE WORK PERMIT REQUIREMENTS FOR PERSONS WHO SERVE ALCOHOLIC BEVERAGES ON PREMISES WHEREIN OR WHEREON GAMING IS DONE; PROHIBITS EMPLOYERS FROM ALLOWING PERSONS TO WORK WITHOUT PERMITS; PROLONGS EXPIRATION OF MOST WORK PERMITS FROM 1 YEAR TO 3 YEARS; REQUIRES FINGERPRINTING EVERY 6 YEARS; CHANGES PERMIT FEE FROM FIXED AMOUNT TO SERVICE CHARGE; ADDS SERVICE CHARGE FOR CHILD CARE WORKERS; SETS FORTH GROUNDS FOR DENIAL OR REVOCATION OF WORK PERMITS; ALLOWS FOR SUSPENSION, LIMITATION OR CONDITIONING OF WORK PERMIT; PROVIDES FOR HEARING OFFICER ON APPEALS; GOVERNS CARRYING OF WORK PERMIT; PROHIBITS CARRYING OF CONCEALED WEAPON EXCEPT AS ALLOWED BY LAW; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Bennett seconded the motion. Motion carried 4-0.

Mayor Masayko then suggested that the Sheriff develop a policy statement allowing the current fees to remain intact which would be submitted for consideration at the next meeting. Supervisor Bennett suggested that Ms. Walker participate in developing a policy for consideration by the next Legislature.

BREAK: A ten minute recess was declared at 10:10 a.m. A quorum of the Board was present when the meeting was reconvened although Supervisor Tatro was absent as indicated.

8. TREASURER - Al Kramer - ORDINANCE - FIRST READING - ACTION ON AN ORDINANCE DESIGNATED BY THE SHORT TITLE "1997 HOSPITAL REVENUE BOND ORDINANCE" CONCERNING THE CARSON-TAHOE HOSPITAL FACILITIES; AUTHORIZING THE ISSUANCE BY THE CITY OF ITS NEGOTIABLE "CARSON CITY, NEVADA, TAXABLE HOSPITAL REVENUE BONDS, SERIES 1997A" AND "CARSON CITY, NEVADA HOSPITAL REVENUE BONDS, SERIES 1997B" FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING AND IMPROVING THE CITY'S HOSPITAL FACILITIES; AUTHORIZING AND DIRECTING THAT THE HOSPITAL SHALL EFFECT SUCH PROJECT; PROVIDING THE FORM, TERMS AND CONDITIONS OF THE BONDS, THE METHOD OF PAYING THEM AND THE SECURITY THEREFORE, AND OTHER DETAILS IN CONNECTION THEREWITH; SECURING THEIR PAYMENT BY A PLEDGE OF NET REVENUES DERIVED FROM THE OPERATION OF SUCH FACILITIES; PROVIDING FOR THE COLLECTION AND DISPOSITION OF REVENUES TO BE DERIVED FROM THE OPERATION OF SUCH FACILITIES; RATIFYING ACTION PREVIOUSLY TAKEN TOWARD ISSUING THE PROPOSED BONDS AND EFFECTING THE PURPOSE OF THEIR ISSUANCE; PROVIDING OTHER MATTERS RELATING THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF (1-1908.5) - Hospital Administrator Steve Smith and Hospital Legal Counsel Mike Pavlakis - The bond will construct a medical mall in Douglas County. The importance of having a hospital facility in Douglas County was noted. The bonds are revenue supported and could not come back against the taxpayers. Enabling legislation had been granted approving the project. The facility is currently 90 percent leased and should be 100 percent leased on opening day. Supervisor Bennett moved to introduce on first reading Bill No. 142, AN ORDINANCE DESIGNATED BY THE SHORT TITLE "1997 HOSPITAL REVENUE BOND ORDINANCE" CONCERNING THE CARSON-TAHOE HOSPITAL FACILITIES; AUTHORIZING THE ISSUANCE BY THE CITY OF ITS NEGOTIABLE "CARSON CITY, NEVADA, TAXABLE HOSPITAL REVENUE BONDS, SERIES 1997A" AND "CARSON CITY, NEVADA HOSPITAL REVENUE BONDS, SERIES 1997B" FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING AND IMPROVING THE CITY'S HOSPITAL FACILITIES; AUTHORIZING AND DIRECTING THAT THE HOSPITAL SHALL EFFECT SUCH PROJECT; PROVIDING THE FORM, TERMS AND CONDITIONS OF THE BONDS, THE METHOD OF PAYING THEM AND THE SECURITY THEREFORE, AND OTHER DETAILS IN CONNECTION THEREWITH; SECURING THEIR PAYMENT BY A PLEDGE OF NET REVENUES DERIVED FROM THE OPERATION OF SUCH FACILITIES; PROVIDING FOR THE COLLECTION AND DISPOSITION OF REVENUES TO BE DERIVED FROM THE OPERATION OF SUCH FACILITIES; RATIFYING ACTION PREVIOUSLY TAKEN TOWARD ISSUING THE PROPOSED BONDS AND EFFECTING THE PURPOSE OF THEIR ISSUANCE; PROVIDING OTHER MATTERS

RELATING THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF. Supervisor Plank seconded the motion. Motion carried 4-0.

9. CARSON-TAHOE HOSPITAL - Administrator Steve Smith - ACTION ON SUBLEASE CONTRACT BETWEEN CARSON-TAHOE HOSPITAL AND PREMIER CARE HEALTH SERVICES FOR THE MANAGEMENT OF COTTONWOOD CARE CENTER (1-2085.5) - The Hospital Board of Trustees had approved the sublease. The entire financial risk involved with the facility will be assumed by Premier Care Health Services. Supervisor Bennett indicated the Trustees' involvement with the management of the facility and urged the Board to approve the sublease. Supervisor Smith commended the Hospital on its response to the financial problems in a professional manner. Supervisor Bennett felt that the actions had been a clear indication of the Trustees' involvement and dedication to the success of the entire operation. Mayor Masayko noted that the Hospital was assuming the risk and would reap any reward from the operation. Supervisor Bennett moved that the Board of Supervisors approve the sublease contract between Carson-Tahoe Hospital and Premier Health Care for the management of Cottonwood Care Center as presented. Supervisor Smith seconded the motion. Motion carried 4-0.

Mr. Smith then commended the City staff for repairing the trailhead parking lot damaged by the flood.

10. PARKS AND RECREATION DIRECTOR - ACTION TO APPROVE A LEASE WITH THE NEVADA LANDMARK SOCIETY, A NON-PROFIT ORGANIZATION FOR THE ROBERTS HOUSE PROPERTY LOCATED AT 1207 NORTH CARSON STREET, CARSON CITY, NEVADA (1-2235.5) - Deferred.

12. COMMUNITY DEVELOPMENT DIRECTOR - Walter Sullivan

E. ACTION ON GM-96/97-2 - A RESOLUTION FIXING THE NUMBER OF RESIDENTIAL BUILDING PERMITS UNDER THE CITY'S GROWTH MANAGEMENT ORDINANCE FOR 1998 AND 1999, ESTIMATING THE NUMBER OF RESIDENTIAL BUILDING PERMITS FOR 2000 AND 2001, ESTABLISHING NUMBERS WITHIN CATEGORIES AND OTHER MATTERS RELATED THERETO (PLANNING COMMISSION APPROVED 6-0-0-1) (1-2238.5) - Senior Planner Sandra Danforth, Utilities/Public Works Director Dorothy Timian-Palmer, Deputy District Attorney Paul Lipparelli, Steve Hartman, Dwight Millard, - Discussion between the staff and Board explored reasons for granting the two-for-one water permit allowance to apartments and mobile home parks and the impact on other utilities created by apartment and mobile home park residents. As of this date water is the only Board approved limiting resource. Reasons for this restriction were noted. Board comments indicated a desire to analyze other issues and establish additional limiting resources. Allegations that permits could be carried over and used at a time which would provide for a greater growth rate than allowed by the ordinance were noted. Mrs. Danforth indicated that the alleged loop hole does not exist. She emphasized that when the permits and entitlements are taken, the developer must pay for them at a cost for approximately \$4,000 apiece. Mayor Masayko noted for the record that the program had worked for 18 years as "government works best with the consent of those governed". This indicates that there is an established process by which give and take occurs. The ordinance must work for both the City, the building community, and the residents of the community. This allows creative ideas to be explored and the give and take to occur. The Growth Management Committee is still working on this process. He indicated that the Committee had not achieved all of his expectations this year but will have an opportunity to continue to do so. There is a perception of unfairness and inequity in the treatment on the allocation of the entitlements at the 2-for-1 program under the Growth Management Ordinance. The perception is that once the one permit becomes two permits, the three percent growth rate is exceeded. The 1996 year had had a large draw and could have been the "watershed year" which meant that water could not be used to restrict the allotment process--it would be a "you can't use that as it 'doesn't make any difference scenario' any more as once the building permits were gone, you would be over the limit". He agreed that all of these permits are in one project which has not been constructed. It's a matter of perception, fairness, and trying to stay within the three percent figure. He reiterated his statement that government is best performed with the consent of those governed. The nonessential resources have been handled. Water and sewer

are less impacted by the program. There are five or six other resources which suffer equal or almost equal impacts. He felt that the subjectiveness of the criteria should not be considered until the final deal is reached as this would supersede a workable deal. He wanted the record to clearly indicate that the Board was aware, as are the other parties, that there are impacts on the other community resources. He was not indicating that these impacts had not paid their fair share as he lacked knowledge about their costs. Everyone pays taxes and contributes to the economy. The Nevada economy takes the new resident right into the economy by paying sales taxes from day one--vehicle registration fee, gasoline taxes--we do not wait until the end of the year when Mr. Kramer sends out the tax bills and wait for the payments on property taxes as a great portion of those taxes are paid by everyone who operates in the economy here in Carson City and all over Nevada. So those fees are immediately generated. That is a complex issue and must be considered in the impact and who pays for what. Carson City is in good shape because of its position in the economy. He believed that the City handles those things that the additional population requires. Priority items--public safety, health and welfare--yes, they get the funding from this Board. That is a matter of policy from this Board and not from a formula. This is the process by which the community is governed. The Growth Management process is perceived to provide what is called growth management incentives at a two-for-one for apartments or mobile homes. Part of these incentives were items we have discussed during the Housing Element Master Plan. These items may have been lacking in the community. He was unsure whether the people wanted these additional incentives, however, as the policy-making moves forward, we must consider not only how water and sewer are managed but the other items which are linked and discussed in the vision of the City. The Housing Element Master Plan is one of those items. The current ordinance does not give us a strong link to that system. It makes it appear as though we will do it as we have done it before. That, in his view, is say "yeah, but, I think we can do it better". Today we are sending a strong message to the Community Development Department, Planning Commission, and Growth Management Commission to consider doing it differently in the future, to work with us on it, and make it so that we can all set down and agree that this is the right thing to do for the community without getting into a dog fight, without accusations, and without going to court. He knew that we can do it but we must make some changes and handle it in a different method in the future than we have in the past. The past method no longer fits the future needs. That is where all of the Board members are coming from at this point in time. He suggested that the crux of the issue was the two-for-one, the entitlements for water and sewer users in mobile homes and apartments. He then referenced Line 22, Page 3, which establishes the two-for-one entitlement for projects containing five or more multi-family residential or mobile homes. The balance of the resolution was felt to be appropriate. He recommended the Commission/Department study this section for 60 to 90 days or for the necessary period of time required to involve all of the stake holders and public. The review should respond to all of the comments and perceptions now coming from the community on this matter. He further defined the hearing process that should followed.

(1-2875.5) Mr. Lipparelli then explained the Commission's review of the resolution and its function. The Board of Supervisors acts on its recommendations and could modify, delete, or add to that recommendation. The Growth Management Ordinance mandates that this all occur by the second Board meeting in July. Discussion indicated that the Board could modify the resolution later in the year if desired. This process may, however, require modification to the enabling ordinance. Mayor Masayko indicated a desire to address his concerns without upsetting the predictability of the process. Supervisor Bennett encouraged the Board to accept the Commission's recommendations, however, the final decision is the Board's responsibility. She felt that the time to do this would be when the Commission completes its study of the entire process and the Board has had an opportunity to be involved and understands the Commission's rational for those recommendations. This may not occur until next year. Mayor Masayko cautioned against making decisions which may tie the ordinance up in court for a long period of time. Clarification by Mr. Lipparelli indicated that resolutions are effective upon adoption unless a different date is specified within it.

(1-3030.5) Steve Hartman indicated he had worked with the Commission and the ad hoc committee. The ordinance is based upon resource issues which is the only legally defensible method under which it could have been adopted. The Committee/Commission has received a lot of testimony. Ms. Walker's report on fiscal management and its impact was cited to support this statement. The two-for-one issue had been debated at length. Its geniuses is in affordability and making the housing element compatible with the law. When growth is restricted so are the issues related to supply and demand. The price is increased automatically. This impacts affordability.

The Housing Element and Master Plan mandate legal requirements from the Feds to provide affordable housing for every member of the community. It is an ongoing process. The Committee/Commission needs to determine a process by which the growth management issues can be dovetailed into the housing element. The incentive program is such a process. The Committee had also established the policy of "if it ain't broke, don't fix it". The current program has worked for 18 years. Carson City is a good model for growth management with all of its complexities. Two-for-one is an area which needs adjusting. It is a proposal to help establish a better looking product. Resource issues work, however, when tied to visioning and family design standards. They create a better product. These issues are ongoing and need to be tied together. The Committee had attempted to consider the overall picture. The school, police, library, etc., also must be considered, however, impact fees mandate the use capital infrastructure inventory by Statute. This study is very costly. Mr. Hartman encouraged Mayor Masayko to add "informed" to his statement about governing by consent. The Committee/Commission has not finalized its entire study. When the other Master Plan elements are completed, a final all inclusive recommendation may be made. The Board may wish to delay considering this recommendation until next year. He urged the Board not to rush into something. The uniqueness of the program causes it to be in constant flux and evaluation. He then indicated that if the entitlements are changed to one-for-one, the permit fees will remain the same. The Sheriff and Fire personnel needs are money issues which should be addressed within the City's budget process. He then questioned whether a current resident who relocates within the community is growth. He also noted that the number of individuals who live in that person's former residence could not be controlled. The Committee/Commission had considered all of the these issues. He, too, urged the community to be involved in the process rather than remain on the sidelines and criticize the efforts.

Supervisor Bennett recommended having a workshop with the Commission/Committee on the findings and issues and explained her reasons for the request. Mr. Hartman suggested that either there be more than one workshop or that a Board member assigned as a liaison to the Commission/Committee. Supervisor Bennett then listed several of the issues which the Commission/Committee had been analyzing to indicate her knowledge of the work which had been occurring. Discussion pointed out the use of CATF to televise the meeting. Mr. Berkich agreed to furnish a copy of the packets and minutes to the Board Members. Mr. Hartman suggested a fall workshop. Both Supervisor Bennett and Mayor Masayko indicated this should be an evening session.

(1-3478.5) Dwight Millard agreed that the two-for-one concept is misunderstood and to removal of the two-for-one concept from the resolution. The ordinance may have to be modified before the end of the year as it allows for the two-for-one taking within the next year. He also felt that this change would eventually have been implemented anyway. If everyone, including the builders, are cognizant of what is going on, there should be little, if any, impact. He also felt that if Growth Management ties the permits to the housing element, it is the correct process.

Additional comments were solicited but none made. Supervisor Smith expressed his feeling that the development community often receives knocks which are unfair and undeserved. He felt that the community was fortunate to have the Dwight Millards, Edd Furgersons, Silver Oaks, John Andersons, James Bawdens, and Steve Hartmans who live here and attend/participate in hundreds of meetings and work with the community to be sure that both the community interest and their livelihood is preserved. Mayor Masayko supported his comments. Mayor Masayko then passed the gavel to Acting Mayor Pro-Tem Bennett and moved that the Board of Supervisors adopt Resolution No. 1997-R-29, A RESOLUTION FIXING THE NUMBER OF RESIDENTIAL BUILDING PERMITS UNDER THE CITY'S GROWTH MANAGEMENT ORDINANCE FOR 1998 and 1999, ESTIMATING THE NUMBER OF RESIDENTIAL BUILDING PERMITS FOR 2000 and 2001, AND ESTABLISHING NUMBERS WITHIN CATEGORIES with the exception that Paragraph E shown on Page 3, beginning at Line 22 and ending on Page 4 at Line 1 be stricken from the Resolution, this is the mobile home/apartment two-for-one issue, this is Option No. 1 which provides for a three percent growth rate. Supervisor Plank seconded the motion. Discussion between Mayor Masayko and Mr. Lipparelli indicated that mobile homes and apartment units will draw permits the same as other residential units. The three percent gross numbers contained in Option 1 will be in effect for the years 1998 and 1999 and estimated for the years 2000 and 2001. Supervisor Plank expressed his desire to maintain, as close as possible, the three percent growth rate based on the funding needs required to retire the bonds. If this does not occur, there will be an impact on the property/ad valorem tax rate. The motion to adopt Resolution No. 1997-R-29 as amended was voted by roll call with the

following result: Ayes - Mayor Masayko, Supervisors Plank and Smith, and Acting Mayor Pro-Tem Bennett. Nays - None. Absent - Supervisor Tatro. Motion carried 4-0-1.

F. ORDINANCES - FIRST READING

i. **ACTION ON A-96/97-14 - AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 18.82 GROWTH MANAGEMENT TO AMEND 18.82.040 (DEFINITIONS), TO PROVIDE A GENERAL PROPERTY OWNER DEFINITION; TO AMEND 18.82.150 TO ALLOW REGIONAL PLANNING COMMISSION REVIEW OF COMMERCIAL/INDUSTRIAL PROJECTS EXCEEDING 7,500 GALLONS PER DAY WATER USAGE; TO AMEND 18.82.120 TO ALLOW A DEVELOPMENT PROJECT TO SELL LOTS TO A GENERAL PROPERTY OWNER WITH PERMIT DEDUCTIONS FROM THE GENERAL PROPERTY OWNER CATEGORY, AND OTHER MATTERS PROPERLY RELATED (2-0043.5)** - Senior Planner Sandra Danforth - Supervisor Smith moved that the Board of Supervisors introduce Bill No. 145 on first reading, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 18.82 GROWTH MANAGEMENT TO AMEND 18.82.040 (DEFINITIONS), TO PROVIDE A GENERAL PROPERTY OWNER DEFINITION; TO AMEND 18.82.150 TO ALLOW REGIONAL PLANNING COMMISSION REVIEW OF COMMERCIAL/INDUSTRIAL PROJECTS EXCEEDING 7,500 GALLONS PER DAY WATER USAGE; TO AMEND 18.82.120 TO ALLOW A DEVELOPMENT PROJECT TO SELL LOTS TO A GENERAL PROPERTY OWNER WITH PERMIT DEDUCTIONS FROM THE GENERAL PROPERTY OWNER CATEGORY, AND OTHER MATTERS PROPERLY RELATED. Supervisor Bennett seconded the motion. Motion carried 4-0.

A. INTRODUCTION OF CARSON CITY'S NEW HALF-TIME COMPLIANCE OFFICER (2-0103.5) - Principal Planner Rob Joiner introduced James Michaels by noting his background. Mr. Michaels indicated he had graduated in May from Fresno State and was glad to be in Carson City. Mayor Masayko and Supervisor Bennett welcomed him to the City team.

B. ACTION ON S-94/95-1(F9) - A FINAL MAP SUBDIVISION APPLICATION FROM STANTON PARK DEVELOPMENT, INC., TO DEVELOP MOUNTAIN PARK UNIT IX, CONSISTING OF 47 LOTS ON APPROXIMATELY 8.2 ACRES OF LAND ZONED SINGLE FAMILY 6,000 (SF6000), LOCATED APPROXIMATELY 2,000 FEET WEST OF LOMPA LANE AND SOUTH OF NORTHRIDGE DRIVE, A PORTION OF APN 2-101-64 (2-124.5) - Supervisor Plank moved that the Board of Supervisors approve a final subdivision application from Stanton Park Development, Inc., to develop Mountain Park Unit IX, consisting of 47 lots, subject to the original conditions of approval to be carried out as the project develops. Supervisor Bennett seconded the motion. Motion carried 4-0.

C. ACTION ON S-96/97-1(F) - A FINAL MAP SUBDIVISION APPLICATION FROM COLLEGE PARKWAY ASSOCIATES (PROPERTY OWNER: COLLEGE TOWN ASSOCIATES) TO DEVELOP A 15-LOT 67-UNIT APARTMENT PROJECT (COLLEGE PARK VILLAGE) ON APPROXIMATELY 3.59 ACRES OF LAND PRESENTLY ZONED MULTI-FAMILY APARTMENT (MFA), LOCATED ON THE WEST SIDE OF NORTH ROOP STREET, BETWEEN HOT SPRINGS ROAD AND EAST COLLEGE PARKWAY, APN 8-127-01 (2-0150.5) - Deputy Public Works Director Tim Homann, Applicant's Representative Glen Martel - Discussion indicated the project contains 68 units. A traffic study had been performed. The project required full curb, gutter, and sidewalk improvements as well as widening of Roop Street and a portion of Hot Springs Road. The driveway locations and turning restrictions were explained. A contract has been awarded for the signal at Roop and College Parkway which will enhance the traffic flow. College Parkway will become a major arterial to the Bypass. The City currently owns enough right-of-way on Roop to provide dual stacking lanes, however, will not develop this entire width at this time. The project will not create a significant sound problem along Roop Street. Mr. Martel described the two types of sound walls proposed for the project. Mr. Joiner corrected the number of units to be 58. Mr. Homann explained the flood mitigation benefits provided by the project. Mr. Joiner commended Mr. Martel on his willingness to work with staff on the berm and inset sidewalk proposed along Roop Street. Supervisor Plank moved that the Board of Supervisors approve a final map

application, S-96/97-1(F), from College Parkway Associates, property owner: College Town Associates, to develop a 15-lot 58-unit apartment project, College Park Village, on approximately 3.59 acres of land presently zoned Multi-Family Apartment, MFA, located on the west side of North Roop Street, between Hot Springs Road and East College Parkway, Assessor's Parcel Number 8-127-01. Supervisor Bennett seconded the motion. Motion carried 4-0.

D. ACTION ON AB-96/97-13 - A REQUEST FROM WESTERN VENTURES GROUP, INC. (PROPERTY OWNERS: WESTERN VENTURES GROUP, INC., INTERNATIONAL SOUNDEX REUNION, MANUEL AND CAMILA MELANO, ARRON BIBER AND MARY BENNETT, MONTGOMERY ASSOCIATES, INC., BRUNELLE FAMILY TRUST) TO ABANDON AN APPROXIMATELY 8 FOOT WIDE BY 510 FOOT LONG PORTION OF PREVIOUSLY DEDICATED PUBLIC RIGHT-OF-WAY ON PROPERTY ZONED GENERAL OFFICE (GO), LOCATED ON THE EAST SIDE OF SOUTH PRATT AVENUE, BETWEEN EAST SECOND AND EAST FIFTH STREETS, ADJACENT TO APN'S 4-092-05, 06, 07, 20, 21, 22 AND 23, BASED ON TWO FINDINGS AND SUBJECT TO FOUR CONDITIONS OF APPROVAL (PLANNING COMMISSION APPROVED 5-0-0-2) (2-0295.5) - Supervisor Smith moved that the Board of Supervisors approve an abandonment request from Western Ventures Group, Inc., property owners: Western Ventures Group, Inc., International Soundex Reunion, Manuel and Camila Melano, Arron Biber and Mary Bennett, Montgomery Associates, Inc., Brunelle Family Trust, to abandon an approximately eight foot wide by 510 foot long portion of previously dedicated right-of-way on property zoned General Office located on the east side of South Pratt Avenue between East Second and East Fifth Streets adjacent to APN's 4-092-05, 06, 07, 20, 21, 22, and 23 based on the two findings and subject to the four conditions of approval as contained within. Supervisor Bennett seconded the motion. Motion carried 4-0.

F. ii. ACTION ON A-96/97-15 - AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 18 (ZONING), SPECIFICALLY SECTION 18.06 (INDIVIDUAL USE DISTRICT PROVISIONS) BY AMENDING SECTION 18.06.207 (PRIMARY PERMITTED USES) AND OTHER MATTERS RELATED THERETO (2-0335.5) - Supervisor Smith moved that the Board introduce Bill 146 on first reading, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 18 (ZONING), SPECIFICALLY SECTION 18.06 (INDIVIDUAL USE DISTRICT PROVISIONS) BY AMENDING SECTION 18.06.207 (PRIMARY PERMITTED USES) AND OTHER MATTERS RELATED THERETO. Supervisor Bennett seconded the motion. Motion carried 4-0.

13. CITY MANAGER - John Berkich

A. ACTION TO APPROVE AN ADDENDUM TO THE LEASE OF EAGLE VALLEY GOLF COURSE TO THE CARSON CITY MUNICIPAL GOLF CORPORATION TO INCORPORATE CHANGES REQUESTED BY THE BLM (2-0385.5) - Mr. Berkich's introduction included verbal amendments to the contract--insertion of a clause indicating that: "any capital improvement plans to the golf course will be submitted to the City and approved by the City prior to any construction occurring" and that the maintenance plan be submitted to the City and "approved by the City". BLM had indicated verbal approval of the agreement if these two items are inserted. Mr. Lipparelli explained Bond Counsel's review of the IRS letter of approval had indicated that the IRS had failed to indicate whether the corporation's bonds would be taxfree. Corporation President Wes Meyers accepted the BLM changes. He felt that the Corporation would takeover the operation on August 1. Golf Pro Gary Bushman indicated that his services will be terminated August 1. The Corporation is entertaining the proposal to buyout his contract. He requested the Board direct staff to participate in these negotiations. Mayor Masayko thanked him for his service and for bringing the issue forward. Supervisor Bennett moved that the Board of Supervisors approve an addendum to the lease of Eagle Valley Golf Course to the Carson City Municipal Golf Corporation to incorporate changes requested by the BLM including those relative to the Capital Improvement Program and maintenance of the course and those comments made by Mr. Lipparelli regarding the IRS findings. Supervisor Plank seconded the motion. Mayor Masayko indicated that the motion would allow him to sign the addendum. The motion was voted and carried 4-0.

BREAK: A three minute recess was declared at 12:10 p.m. At 12:13 p.m., Mayor Masayko reconvened the session and immediately declared a lunch recess until 1:18 p.m. A quorum was present when Mayor Masayko reconvened the session. Supervisor Plank was absent due to a family medical emergency. Supervisor Tatro was absent as indicated earlier.

11. PUBLIC WORKS/UTILITIES DIRECTOR - Deputy Public Works Director Tim Homann

A. ACTION ON AN AGREEMENT BETWEEN CARSON CITY AND LORRAINE H. WEIKEL, AN UNMARRIED WOMAN, AND LORRAINE H. WEIKEL AS SOLE TRUSTEE OF THE MAURICE M. WEIKEL RESIDUAL TRUST FOR THE PURCHASE OF A PORTION OF PROPERTY LOCATED AT 2180 CHALLENGER WAY (APN 08-133-11) FOR USE IN THE REALIGNMENT OF GONI ROAD (1-0569.5) - Deputy District Attorney Lipparelli explained the agreement. He was unsure whether the Weikels would sign the agreement as written. Negotiations tomorrow may require revisions. Discussion indicated the developer proposes to connect Challenger Way to College Parkway. Reasons Hot Springs Road had not been connected to College Parkway were noted. NDOT will consider all of these issues as College Parkway is owned by the State. Supervisor Smith expressed the hope that this issue could be resolved. A signal will be installed at Goni and College Parkway. The importance of having Goni realigned was noted. Supervisor Smith then moved that the Board of Supervisors approve an agreement between Carson City and Lorraine H. Weikel, an unmarried woman, and Lorraine H. Weikel as sole trustee of the Maurice M. Weikel Residual Trust Fund for the purpose of a portion of property located at 2180 Challenger Way, known as Assessor's Parcel Number 08-133-11, for the use in the realignment of Goni Road, fiscal impact is \$18,800, funding source is the RTC Construction Account. Mayor Masayko seconded the motion. Supervisor Smith amended the motion to include with the knowledge that there may be some minor changes involved in the agreement as the parties go forward. Mayor Masayko indicated that this is the best offer made as of this meeting date and continued his second. Motion was voted and carried 3-0.

B. ACTION TO APPROVE AMENDMENT NO. 1 TO CONTRACT NO. 9495-212, AN INTERLOCAL AGREEMENT WITH NEVADA DEPARTMENT OF TRANSPORTATION (NDOT) FOR THE CARSON CITY STORM WATER MASTER PLAN (2-0712.5) - Special Projects Engineer Jay Aldean described the contract and its funding. Discussion explained the reasons Voltaire Canyon had been included in the project. Mr. Aldean indicated that a report had already been completed and received by staff. RTC funding would be used as the original study had been paid by RTC. Supervisor Bennett moved to approve Amendment No. 1 to Contract Number 9495-212, an Interlocal Agreement with NDOT for the Carson City Storm Water Master Plan, fiscal impact is a decrease in the RTC Construction Account in the amount of \$22,450, funding source is the RTC Construction Account. Supervisor Smith seconded the motion. Discussion indicated RTC would review the agreement at its next meeting. Mr. Homann explained for the record the reasons RTC funds were being used. The motion to approve the amendment was voted and carried 3-0.

C. ORDINANCES - FIRST READING

i. ACTION TO ADOPT THE 1996 EDITION OF THE "STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION", AND TO ADOPT AN ORDINANCE AMENDING SECTION 15.20.010 OF THE CARSON CITY MUNICIPAL CODE RELATING TO THE ADOPTION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION AND OTHER MATTERS PROPERLY RELATED THERETO (2-0835.5) - Comments briefly noted several different types of items included in the booklet. Supervisor Bennett requested a copy of the index be left at the City Manager's office. Supervisor Smith moved that the Board introduce Bill No. 143 on first reading, AN ORDINANCE AMENDING SECTION 15.20.010 OF THE CARSON CITY MUNICIPAL CODE RELATING TO THE ADOPTION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Bennett seconded the motion. Motion carried 3-0.

II. ACTION ON AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND CARSON-TAHOE HOSPITAL, A COUNTY PUBLIC HOSPITAL AND

POLITICAL SUBDIVISION OF CARSON CITY, NEVADA, AND EVAN L. ALLRED REGARDING ASSESSOR'S PARCEL NOS. 1-201-25 AND 1-201-23 LOCATED AT 775 FLEISCHMANN WAY AND 913 MOUNTAIN STREET, CARSON CITY, NEVADA, FOR SEWER MAIN PARTICIPATION AND REPLACEMENT (2-0918.5) - Supervisor Bennett moved that the Board of Supervisors introduce on first reading Bill No. 144, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND CARSON-TAHOE HOSPITAL, A COUNTY PUBLIC HOSPITAL AND POLITICAL SUBDIVISION OF CARSON CITY, NEVADA, AND EVAN L. ALLRED REGARDING ASSESSOR'S PARCEL NOS. 1-201-25 AND 1-201-23 LOCATED AT 775 FLEISCHMANN WAY AND 913 MOUNTAIN STREET, CARSON CITY, NEVADA, FOR SEWER MAIN PARTICIPATION AND REPLACEMENT, fiscal impact is \$24,356.25 which includes a 15 percent contingency, funding source is 515 Participation. Mayor Masayko seconded the motion. Motion carried 3-0.

D. ORDINANCES - SECOND READING

i. ACTION ON BILL NO. 138 - AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND MILLS PARK CENTER, LLC REGARDING ASSESSOR'S PARCEL NOS. 2-442-04 AND 2-442-05 LOCATED AT 1410 AND 1442 EAST WILLIAM STREET, CARSON CITY, NEVADA, FOR WATER MAIN REPLACEMENT (2-0969.5) - Discussion indicated notices will be given to all the businesses before construction occurs. Attempts will be made to schedule the work after normal work hours. Supervisor Smith moved that the Board of Supervisors adopt Ordinance No. 1997-42 on second reading, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND MILLS PARK CENTER, LLC REGARDING ASSESSOR'S PARCEL NOS. 2-442-04 AND 2-442-05 LOCATED AT 1410 AND 1442 EAST WILLIAM STREET, CARSON CITY, NEVADA, FOR WATER MAIN REPLACEMENT, fiscal impact is \$44,946.41, funding source is 520 Replacement Account. Supervisor Bennett seconded the motion. Motion carried 3-0.

ii. ACTION ON BILL NO. 139 - AN ORDINANCE AMENDING SECTIONS 9.04.010 (DEFINITIONS), 9.04.040 (PERMITS, APPROVALS AND OTHER REQUIREMENTS--FEE SCHEDULE) AND 9.04.050 (REVOCATION OF SUSPENSION) OF THE CARSON CITY MUNICIPAL CODE TO UPDATE AND CORRECT THOSE SECTIONS, IN ORDER TO STANDARDIZE WITH STATE REGULATIONS (2-1005.5) - Health Officer Daren Winkelman and Deputy District Attorney Lipparelli - Mr. Winkelman and Mr. Lipparelli explained the duties which he would perform. A new definition of "Health Officer" will be drafted. Dr. Dankworth will continue to serve in this capacity. The Health Code will also be revised to grant Dr. Dankworth the ability to delegate his authority to the Health Department and Health Director, who will be Mr. Winkelman. Mr. Winkelman will then carryout the day-to-day functions of the Department. Section 2.04 will also be revised at a future meeting. Supervisor Bennett cautioned that, although these steps seemed easy to do, Dr. Dankworth may have some concerns due to the medical implications involved in the performance of the Health Officer's duties. It may be necessary for Mr. Winkelman to request that he be named the Health Director and Dr. Dankworth be named the Health Officer. Mr. Winkelman indicated the proposed process is found throughout the State. Dr. Dankworth would have final review of any health investigations and be the individual indicating a quarantine is required. Mr. Winkelman then explained minor revisions to the definitions of Health Authority and Permits. Also, the reference material which had been included would be eliminated from the final draft. The temporary permits can only be issued for 14 days in accordance with the Statutes. It is not a burdensome process and should not impact the Farmers' Market unduly as it is held once a week for a period which is equal to 14/15 days. Mr. Lipparelli indicated that the changes were not considered substantive, are all of a typographical nature, and that the ordinance could be adopted on second reading. Supervisor Smith moved that the Board adopt on second reading Ordinance No. 1997-43, AN ORDINANCE AMENDING SECTIONS 9.04.010 (DEFINITIONS), 9.04.040 (PERMITS, APPROVALS AND OTHER REQUIREMENTS--FEE SCHEDULE) AND 9.04.050 (REVOCATION OF SUSPENSION) OF THE CARSON CITY MUNICIPAL CODE TO UPDATE AND CORRECT THOSE SECTIONS IN ORDER TO STANDARDIZE WITH STATE REGULATIONS. Mayor Masayko seconded the motion. Clarification corrected the title to "9.04.050 (Revocation of Suspension)" as indicated on the original which the Clerk had. The motion

was voted and carried 3-0.

13. B. STATUS REPORT ON LAND TRADE WITH STANTON PARK DEVELOPMENT (2-1230.5) - Mr. Berkich explained that the final documents had been recorded and that the land trade had been completed. The lot line adjustment remains to be completed. The issue related to payment of the difference in the land values was explained. The appraisals indicated that the City owes Stanton Park \$100,000. Staff has suggested that the Open Space tax initiative be used to pay the difference. Timing issues for the payment were described. Stanton Park has agreed to allow the City to make the payment at the end of December. Mr. Berkich indicated that there will be an amendment for the Board to consider in the near future regarding the amount of effluent which will be used by the Empire Ranch Golf Course as well as a note memorializing the debt to Stanton Park. Ultimately the Board will be asked to approve expending the Open Space funds for the property. Mayor Masayko noted that the Open Space Committee has yet to establish criteria for the acquisition of property. This will eliminate the possibility of giving this property special consideration. The debt should be formalized. Mr. Berkich indicated the effluent would be consistent with the amount being provided to Eagle Valley and Silver Oaks Golf Courses. Discussion further indicated that a certain amount of effluent would be provided gratis, however, the total amount required for a 27-hole course had not been determined.

14. BOARD OF SUPERVISORS

B. STAFF COMMENTS AND STATUS REPORTS - STATUS REPORT FROM THE CARSON CITY MUNICIPAL GOLF CORPORATION (2-0550.5) - The transfer should be completed on August 1. (2-1378.5) Mr. Berkich indicated that the golf course employees were being transferred to vacant positions in other Departments effective at the close of business today. The Corporation has retained its own employees who will commence work tomorrow. There will not be any layoff or bumping. The positions had been held open by using temporary employees. This process had allowed the Departments to continue to function without a personnel shortage. There are several items which have yet to be addressed, however, a majority of the issues related to the transfer have been resolved.

A. NON-ACTION ITEMS - INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (2-1448.5) - Supervisor Smith reported on the Subconservancy meeting and the RTC discussion concerning Arizona Pipeline/Southwest Gas' five-year line replacement program. The temporary patches are the ones which cause headaches for drivers. The permanent patches are of high quality and highly praised by staff. Reasons for needing the temporary patches were noted. Difficulties encountered on Curry Street were also described. Mayor Masayko noted that Southwest Gas would remain in the City long after the work is completed. Southwest Gas is ultimately responsible for the work performed by Arizona Pipeline. Both have Carson City businesses employ local residents. Supervisor Bennett encouraged both Southwest Gas and Arizona Pipeline to establish "hot lines". Mr. Berkich indicated that both firms had responded promptly to his office when contacted. He agreed to follow-up on Supervisor Bennett's suggestion. Supervisor Bennett explained a recent Truckee-Carson Irrigation District meeting and its issues. She emphasized the need for all of the Carson River users to make a united presentation to deter encroachment on its water rights. She indicated she would be participating in another Presidential Pre-Conference Summit at UNR on Saturday. The work conducted on the designation for Highway 28 National Scenic Byway will be exhibited at that summit. Use of the Highway 28 shuttle service had been disheartening. The no parking signs had not been enforced. Efforts which will be undertaken to obtain compliance were described. Her efforts to include several budgetary items in the reconciliation act were explained. Reasons for her involvement were noted. Mayor Masayko indicated Senator Bryan's Breakfast would not be on August 19th as he had stated in an earlier memo due to a conflict in his schedule. A revised date will be announced as soon as possible. He expressed a willingness to encourage both Senator Reid and Congressman Gibbons to conduct similar meetings. He then reported on the RSVP Advisory Council commitment to a TRIAD program. He requested Mr. Berkich advise the Fire Department and Emergency Medical Services to consider the program. RSVP is also seeking a foster grandparent grant for Nevada. The program and grant were briefly described. Discussion indicated the moving date for the Northgate offices would be July 25 through 28. The new City Hall will open for business on July 28. A reception/open house will be scheduled later.

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There being no other matters for consideration, Supervisor Bennett moved to adjourn. Supervisor Smith seconded the motion. Motion carried unanimously and Mayor Masayko adjourned the meeting at 2:30 p.m.

The Minutes of the July 17, 1997, Carson City Board of Supervisors meeting

ARE SO APPROVED ON__November_6____, 1997.

_____/s/_____
Ray Masayko, Mayor

ATTEST:

_____/s/_____
Alan Glover, Clerk-Recorder