

CARSON CITY BOARD OF SUPERVISORS
Minutes of the May 4, 2000, Meeting
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A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, May 4, 2000, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 8:30 a.m.

PRESENT:

Ray Masayko	Mayor
Kay Bennett	Supervisor, Ward 4
Robin Williamson	Supervisor, Ward 1
Jon Plank	Supervisor, Ward 2

STAFF PRESENT:

John Berkich	City Manager
Alan Glover	Clerk-Recorder
Al Kramer	Treasurer
Daren Winkelman	Health Director
Judie Fisher	Personnel Manager
Cheryl Adams	Deputy Purchasing Director
Neil Rombardo	Deputy District Attorney
Ray Saylo	Lieutenant
Katherine McLaughlin	Recording Secretary

(B.O.S. 5/4/00 Tape 1-0001)

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

CALL TO ORDER, ROLL CALL, INVOCATION, AND PLEDGE OF ALLEGIANCE - Mayor Masayko convened the meeting at 8:30 a.m. Roll call was taken. A quorum was present although Supervisor Livermore was absent due to illness. Rev. Elaine Morgan of the Episcopal Diocese of Nevada gave the Invocation. Mayor Masayko lead the Pledge of Allegiance. Board comments provided a status report on Supervisor Livermore and wished him a speedy recovery.

CITIZEN COMMENTS (1-0061) - Mr. Van Pelt explained his feeling that the public was being denied access to the Courthouse due to a "judicial ruling" against cellular telephones. Signs on the front doors announcing this prohibition are illegal. He was purportedly denied both identification and a business card from the individual who stopped him. The judges should only be allowed to prohibit the telephones within their courtrooms and not throughout the public safety complex. Mayor Masayko explained that both the City Manager and the Deputy District Attorney had heard his comments and would respond at an appropriate time. Additional comments were solicited but none given.

1. APPROVAL OF MINUTES - MARCH 13, 2000, BUDGET HEARING (1-0119) - Supervisor Plank moved to approve the Minutes for the March 13, 2000, Budget meeting of the Carson City Board of Supervisors. Supervisor Bennett seconded the motion. Motion carried 5-0.

2. AGENDA MODIFICATIONS (1-0134) - None.

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3. **SPECIAL PRESENTATION - Personnel Manager Judie Fisher - ACTION ON RETIREMENT RESOLUTION COMMENDING DALE CROWLEY (1-0136)** - Supervisor Bennett moved to adopt Resolution 2000-R-19, A RESOLUTION COMMENDING DALE CROWLEY ON RETIREMENT and read the resolution into the record. Mayor Masayko seconded the motion. Motion carried 4-0. Health Director Daren Winkelman explained Mr. Crowley's dedication to the community.

LIQUOR AND ENTERTAINMENT BOARD (1-0200) - Mayor Masayko then recessed the Board of Supervisors and immediately convened the Liquor and Entertainment Board. A quorum of the Board was present including Sheriff's Representative Ray Saylo. Member Livermore was absent as noted.

4. **TREASURER - Al Kramer**

B. ACTION ON AN ASSEMBLY PERMIT WITH WAIVER OF THE \$100 PERMIT FEE AND THE \$25 APPLICATION FEE FOR CARSON CITY CONVENTION AND VISITORS' BUREAU AND CARSON CITY RENDEZVOUS (1-0202) - Member Saylo noted the favorable Sheriff's Report. Member Bennett reminded all that the Healthy Communities event would be occurring in the Pony Express Pavilion during the Rendezvous. Maxine Nietz highlighted the weekend activities and invited the public to participate. Comments also explained Fred Nietz' medical status. Member Bennett moved to approve an assembly permit with waiver of the \$100 permit fee and the \$25 application fee for Carson City Convention and Visitors Bureau and Carson City Rendezvous; fiscal impact is \$20.50 per day plus \$2.05 per booth per day. Member Plank seconded the motion. Motion carried 5-0. Ms. Nietz urged everyone to attend.

C. ACTION ON THREE (3) ASSEMBLY PERMITS WITH WAIVER OF THE \$100 PERMIT AND \$25 APPLICATION FEE FOR THE RETIRED SENIOR VOLUNTEERS PROGRAM (1-0268) - Chairperson Masayko announced the assembly dates and activities. RSVP Executive Director Janice Ayers highlighted the Fun Fair activities and announced the parking program on Highway 50 (William Street). Comments noted that liquor would be sold during the events. Member Saylo noted the favorable Sheriff's Report. Member Williamson moved that the Liquor and Entertainment Board approve three assembly permits with waiver of the \$100 permit and \$25 application fee for the Retired Senior Volunteers Program under Carson City Municipal Code 4.04.075 and 4.28.050; fiscal impact is \$20.50 per day plus \$2.05 per booth per day. Member Plank seconded the motion. Motion carried 5-0. Chairperson Masayko explained the Nevada Department of Transportation's act to waive the Highway 50 parking prohibition during the Fun Fair.

A. ACTION ON A FULL BAR LIQUOR LICENSE FOR SES NEVADA, LLC, DBA RED'S OLD 395 GRILL, JACK STERLING AND JAMES V. STERLING, III, MEMBERS OF THE LLC, TO BE LIQUOR MANAGERS (1-0348) - LLC Partners Jack and James Sterling, General Manager Anthony Posius - Chairperson Masayko stressed that the liquor license is a privilege in Carson City and the importance that they adhere to the State and City liquor laws. They assured the Board that they would do so. Jack Sterling indicated the establishment would open in early June. Member Saylo noted the favorable Sheriff's Report. Member Williamson moved to approve a full bar Liquor License for SES Nevada, LLC, dba Red's Old 395 Grill, located at 1055 South Carson Street, Jack Sterling and James V. Sterling, III, members of the LLC, will be the designated Liquor Managers,

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under the Carson City Municipal Code 4.13, with the fiscal impact of \$1,000 new fee, \$575 investigation fee, and \$200 per quarter. Member Plank seconded the motion. Motion carried 5-0. Chairperson Masayko wished them success in their new venture.

BOARD OF SUPERVISORS (1-0420) - 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 Board of Supervisors. A quorum of the Board was present although Supervisor Livermore was absent as previously indicated.

5. CONSENT AGENDA (1-0430)

A. FINANCE DIRECTOR - ACTION RATIFYING THE EXPENDITURE APPROVAL LISTINGS FOR THE MONTH OF MARCH 2000

B. DEVELOPMENT SERVICES - ENGINEERING - ACTION DEDICATING STREET RIGHT-OF-WAY FOR BUZZY'S RANCH ROAD BETWEEN UNIT NO. 1 AND UNIT NO. 2 OF HIDDEN MEADOW SUBDIVISION FROM ALEXANDER AND LENORE BERNHARD CONSISTING OF A STRIP OF LAND CONTAINING APPROXIMATELY 18,391 SQUARE FEET

C. DEVELOPMENT SERVICES - UTILITIES - ACTION ON A NOTICE OF SATISFACTION OF A DEVELOPMENT AGREEMENT FOR CLEARVIEW LLC AND ALBERTSON'S INC., APN 9-262-08, LOCATED AT 4348 SOUTH CARSON STREET

D. PARKS AND RECREATION DIRECTOR - ACTION ON A RESOLUTION MODIFYING THE CARSON RIVER ADVISORY COMMITTEE MEMBERSHIP REQUIREMENTS AND NEW STAGGERED TERMS

E. PURCHASING DEPARTMENT

i. ACTION ON CONTRACT NO. 9900-219 - WASTEWATER GRIT CLASSIFIER, AWARD

ii. ACTION ON CONTRACT NO. 9697-188 - CARSON CITY PUBLIC SAFETY COMPLEX, REQUEST FOR FINAL PAYMENT

iii. ACTION ON CONTRACT NO. 9900-210 - REQUEST TO CONTRACT WITH SIERRA OFFICE SOLUTIONS BY JOINDER BID WITH STATE PURCHASING TO PROVIDE PERIPHERALS

iv. ACTION ON CONTRACT NO. 9900-121 - SEWER RELOCATION FOR BROADLEAF LANE BOX CULVERT PROJECT, AMENDMENT NO. 2, REQUEST FOR CONTRACT APPROVAL

v. ACTION ON CONTRACT NO. 9900-252 - DISPOSAL OF SURPLUS PROPERTY -
Board comments pulled the Resolution modifying the Carson River Advisory Committee membership and staggering the terms. Supervisor Bennett moved that the Board of Supervisors approve the Consent Agenda as presented with the exception of the issue regarding the Carson River Advisory Committee. Supervisor Williamson seconded the motion. Motion carried 4-0.

D. (1-0475) Board discussion with Parks and Recreation Director Steve Kastens indicated the members are not required to be registered Carson City voters. This requirement is made of other City committee and commission members. Mr. Kastens explained the Board's action in December which had extended Claire Clift's appointment to July 2000. Staff recommended her term was to be extended to August 2000. In order to maintain consistency with the other terms, the Board recommended her term expire in July. Mayor Masayko also pointed out the need to appoint individuals who are filling an unexpired term to be appointed for the remainder of that unexpired term. Without this ability, the terms may not remain staggered. He requested that the motion include language to this effect. Mr. Rombardo opined that failure to be a registered voter may eliminate a Carson City resident from the selection process. Supervisor Plank pointed out that other committees

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and commissions had the requirement, i.e., Shade Tree Council. His reasons for wishing to include the requirement were provided. Mayor Masayko directed Mr. Rombardo to research the legal concerns. Public comments were solicited but none given. Supervisor Plank moved to approve the Carson River Advisory Committee's recommendations to modify the Carson River Advisory Committee membership requirements and new terms as presented with a change in b. that one citizen-at-large's term is to expire in the seventh month of the year 2000 and add a Section h that all vacancies that occur will be filled to complete the unexpired term when such vacancies are arise and that it is a requirement that every member of the Carson River Advisory Committee be an active registered voter in Carson City. Supervisor Williamson seconded the motion. Following a request for an amendment, Supervisor Plank amended his motion to number the resolution 2000-R-20. Supervisor Williamson concurred. Motion carried 4-0.

6. BOARD OF SUPERVISORS

A. ACTION ON A RESOLUTION CONCERNING THE MULTI-USE/BIKE PATH AND OTHER MATTERS RELATED TO THE FREEWAY FOR PRESENTATION TO THE STATE TRANSPORTATION BOARD ON MAY 9, 2000 (1-0684) - City Manager John Berkich, Sue Newberry, Terrill Ozawa, David Ruff, Parks and Recreation Director Steve Kastens, Anne MacQuarie - Mr. Berkich summarized the meeting with Nevada Department of Transportation (NDOT) Director Tom Stephens and NDOT's recommendations to the State Transportation Board (STB). Where possible eight feet of right-of-way will be available for the City to utilize at a future date for a bicycle path. This will occur after the freeway is constructed. Landscaping is not included in the recommendations. Staff's feeling that 400 trees had been included in the plan was incorrect. Top soil for landscaping will be applied at the interchanges and wherever possible along the corridor for native plants. Mr. Stephens also felt that neither State nor City transportation master plans would have to be changed and the freeway could proceed as proposed in Phase 1. The City will be responsible for all construction and funding of the bicycle path. Photographs of the Las Vegas bicycle path were distributed to the Board and Clerk. (A copy is in the file.) The City had not yet received a copy of the NDOT briefing memo. The budget for the freeway is to be discussed under the STB's agenda item 7. (A copy of its agenda is in the file.) NDOT Deputy Director Jeff Fontaine had purportedly indicated that NDOT is recommending a 30 percent increase in the freeway budget. This amount does not include any funding for the multi-use path, however, the bridge over Highway 50 is included. Item 11 refers to the multi-use trail. State concerns regarding the use of the term "park" to describe the trail and the inability to use federal funds for construction of a "park" were noted. Efforts have been made to clarify the term and eliminate the concerns. The resolution in the packet should be amended to remove the portion regarding the trees. Mr. Berkich thanked the various citizen groups who had been working with the City on the issues. A meeting had been held with them last night that included discussion on the draft resolution.

Mayor Masayko supported his summary of the meetings with NDOT. He also summarized the numerous meetings on the City's willingness to partner with the State and others for funding the path and its consideration of alternate routes. Mr. Stephens had agreed to dedicate the designated areas for a path

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along the freeway. There had never been a commitment by the City to permanently remove the path from the freeway corridor. Discussion indicated that as no written comments had been received, the City could only react to verbal comments/impressions. STB may have received written comments with its packets which may have been distributed. Reasons NDOT representatives were not present were noted.

Supervisor Williamson read and explained her draft of the resolution created by yesterday's meeting with various community groups. (A copy is in the file.) Discussion ensued on the resolution terms regarding the City's funding and construction commitment. It was felt that this made the City responsible for the entire \$3.5 million project. Mayor Masayko felt that it indicates a compromise of a cost sharing between the City and NDOT. Supervisor Williamson felt that the funding source should not be limited. Private and public funds as well as state and federal funds should be included. The State position on funding, however, remains to be made by the STB. Mayor Masayko pointed out the additional funding proposed for the project. Without this funding, the City may lose the project or its phasing may be extended. If the project receives this funding, the State may not be willing to consider funding for the trail/path. A policy may, however, be developed which would allow additional funding for the trail. The City could then determine whether to fund the entire trail. To Mayor Masayko's knowledge, NDOT's only commitment had been to grant a permit to the City for the available right-of-way for the trail. Mr. Stephens had purportedly indicated that the City would not be required to build the trail to AASHTO standards. The pros and cons of having the trail meet AASHTO standards were iterated. Supervisor Williamson felt that the walls must be constructed as part of the freeway, otherwise, the cost may be prohibitive. Mayor Masayko felt that Mr. Stephens had committed to constructing a bicycle lane from Lompa to Northridge. He then suggested as a compromise that the City asked NDOT to construct the wall as its minimal share of the trail in those locations where the space is limited and grant a permit for the other portions of the right-of-way. The City could then commit to construction of the remainder of the trail and would work with the land owners to obtain the remaining right-of-way for the trail. He felt that the City should not take on the most expensive part of the trail--the retaining walls. Supervisor Williamson expressed her willingness to pursue his suggestions.

Supervisor Bennett complimented all of the participants on their efforts to find a reasonable compromise. The importance of communicating to NDOT and STB the value of continuing the process of the multi-use trail and to commit the necessary resources for it was stressed. Discussion indicated the desire to include within the resolution an intent to continue to search for funding for the retaining walls which would include cost sharing between the City and State. Mayor Masayko suggested that the final Whereas on page 1 be changed to require the State to fund the retaining walls in already built-out areas where 16 feet is not available. As an alternative, it could be shared between the City and NDOT. Supervisor Bennett felt that the resolution should offer to share the cost and that the STB be the one to deny the funding. Mayor Masayko accepted the revision. He pointed out the need to make a decision on the design due to final design timeline which is rapidly approaching and the cost sharing program for sound walls which NDOT has been providing in other areas. This may help leverage the retaining

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wall cost sharing proposal. His reasons for wishing to include this language in the resolution were to allow the City to ask while being prepared to foot the bill if the answer is no. Supervisor Plank suggested that the terminology avoid using the word "cost" and use "negotiated shared responsibility". This would allow more latitude in the discussion process. Mayor Masayko supported his suggestion. In order to finalize the resolution today, Supervisor Plank suggested a recess be taken to allow time to do the necessary wordsmithing when the Board is ready to consider a motion on the the resolution. Mayor Masayko agreed.

(1-1560) Public comments were solicited. Ms. Newberry questioned whether the resolution should reference the State's "proposal" as one had not been provided to the public and may not be in writing at this time. She suggested including "conceptual" or "recommended" in reference to the proposal.

Ms. Ozawa suggested the term "landscaping" be replaced with "aesthetic erosion control using environmentally appropriate vegetation and materials".

Mr. Ruf explained his work with NDOT on other landscaping plans in the vicinity. This had included private cost sharing agreements. He supported the concept of having landscaping along the freeway. He offered 500 plants a year for the next four years to accomplish this endeavor. The plants will not all be trees and would need care. He had been unsuccessfully attempting to contact NDOT regarding maintaining the trees. He then expressed his opposition to having children bicycling on College Parkway. He urged the Board to maintain the freeway corridor for a bicycle trail. Similar trails are a successful part of other communities. Supervisor Bennett thanked him for his offer. Mr. Kastens then explained the bicycle path. A copy of the map is in the file. This route followed the City's bicycle lanes. They are not bicycle pathways. The community does not feel that the bicycle lanes are the same as the proposed bicycle paths. The desire is to have the bicycle path environment along the freeway. The bicycle lanes will be striped on the designated streets. Mayor Masayko noted that NDOT had not been happy with the bicycle lanes on College Parkway. It is their highway and they make the final decisions regarding it. Comments noted the safety issues. The bicycle plan provides riders with different skill levels a choice in routes. Mr. Kastens then described his understanding of the bicycle lane which would be on 395 going north. Supervisor Bennett voiced her safety concerns with this concept. The City master plan does not include bicycle lanes on 395. Mr. Ruf noted that NDOT estimates indicate that after the freeway is constructed traffic on Carson Street will remain the same as encountered today. Only the through traffic will be removed. The commuter traffic will increase and replace it. Mr. Ruf reiterated the need for bicycle paths based on these safety concerns. Supervisor Plank pointed out that the concept does not replace the original plan. It does, however, develop some of it. He agreed with the safety concerns expressed regarding the bike lanes. The need to recognize bicycles as a transportation mode was indicated. Additional public comments were solicited but none given.

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BREAK: A recess was declared at 10:20 a.m. A quorum of the Board was present when Mayor Masayko reconvened the meeting at 10:50 a.m. Supervisor Livermore was absent as previously indicated.

Supervisor Williamson indicated she had distributed copies of her revised resolution to the Board and Clerk. (A copy is in the file.) As the STB's agenda references a February 3 resolution, her copy was revised to include "Whereas Carson City adopted Resolution No. 2000-R-6 on February 3, 2000, a resolution of support for the current concept of a landscaped linear park and multi-use trail along the Carson City freeway; and...". She also revised the fifth whereas to read: "Whereas, construction, paving, signing, and maintaining the multi-use path and aesthetic erosion control will be the shared responsibility of NDOT and/or the City using private and public contributions; and...."; the last whereas on Page 1 to read: "Whereas, in those already built-out areas where existing right-of-way is not sufficient to.....with the costs of those walls the shared responsibility of NDOT and/or the City; and...."; and the next whereas to read: "Whereas, the City will work with NDOT to adopt procedures proven to restore slopes in related industries to facilitate the aesthetic erosion control of environmentally appropriate vegetation and materials along the freeway to enhance the visual presence of the freeway for residents and motorists." Following discussion the final sentence of the resolution was revised to read: Now, therefore, be it resolved that with the foregoing proposals Carson City Board of Supervisors can support the State's recommendation concerning the multi-use bike path". Comments expressed the feeling that the resolution provided flexibility and a willingness to negotiate further on a workable compromise. It does not mandate that the State make the improvements based on the FHWA requirements and the community's desires. The 16 feet right-of-way requirement meets the AASHTO Standards by providing ten feet for the pathway and three feet on each side for clearance. Consensus indicated that if the STB refuses to fund any portion of the pathway but grants the right-of-way permit, Mayor Masayko had the authority to indicate that the City would move forward with the proposal and construct the trail. This will not delay the freeway design and will keep the overall project on schedule. It was suggested that the State be reminded that someone must be the first individual when changes in guidelines begin. The City was willing to take on this role and do whatever is necessary to accomplish the goal of making the freeway impact more tolerable for the future. Public comments were solicited.

Ms. MacQuarie explained her original reluctance to support the resolution. The Board's amendments had eliminated her some of her reluctance. She supported the proposed resolution as amended. Her disappointment in the State and its attitude was noted. She complimented the Board on its open, responsive government and willingness and ability to work with the community to develop such community desired projects. She hoped that the State's non-elected officials would listen to the desires of the community.

Ms. Newberry explained the community-wide support for the trail which she felt was stronger than she had experienced elsewhere. She also noted that there are many wonderful State employees who cannot speak their feelings on the issue. The highway construction standards and community transportation

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methods are changing. It is important for the State to recognize this cultural change.

Mayor Masayko noted for the record that there were advocates in the audience and a discussion he had had with individual who was no longer in attendance but purportedly represented the City taxpayers. He then indicated his objection to having the taxpayers foot the bill for the project through either an increase in the ad valorem rate or an extension of the gas tax. The Quality of Life initiative had both the flexibility and resources for the project. He also noted the limitations on both the State and Federal highway funds. Increased costs and expanded projects delay the construction dates and priority schedules. Additional public comments were solicited but none given.

Supervisor Williamson moved that the Board of Supervisors adopt Resolution No. 2000-R-21 as amended, A RESOLUTION CONCERNING THE MULTI-USE BIKE PATH AND OTHER RELATED MATTERS. Supervisor Bennett seconded the motion. Motion carried 4-0.

Mayor Masayko encouraged the Board to contact him regarding any thoughts they wished to have included on the STB/NDOT record. Discussion then indicated that Supervisors Williamson and Plank should accompany Mayor Masayko when the presentation to the STB is made. The meeting may be noticed for a possible quorum, however, no decision/action will be taken by the Board.

B. SUPERVISOR BENNETT - ACTION TO ACCEPT THE PUBLIC TRANSIT ADVISORY COMMITTEE'S RECOMMENDATION AND APPROVE AN INTERLOCAL AGREEMENT BETWEEN THE NEVADA DEPARTMENT OF TRANSPORTATION, WASHOE COUNTY REGIONAL TRANSPORTATION COMMISSION AND THE CARSON CITY REGIONAL TRANSPORTATION COMMISSION TO PROVIDE JOB ACCESS RELATED, FIXED-ROUTE TRANSIT SERVICE BETWEEN RENO AND CARSON CITY, NEVADA (1-2405) - NDOT Statewide Transit Coordinator Sandy McGrew Stanio, Washoe County RTC Representative David Jickling - Supervisor Bennett indicated that modifications had been made in the agreement during the discussion by the Public Transit Advisory Committee. Final details are still being developed. Ms. Stanio described the interlocal agreement between Carson City, Carson City RTC, Washoe County RTC and her agency. Carson City's RTC will review the agreement at its next meeting. The operator bids are to go out next week. The closing date is early June with service beginning in August. The service will be provided between Reno and Carson City beginning at 5 a.m. and ending at 8 p.m. five days a week. The tentative plans call for four stops in Carson City. The sites for the stops are still be developed. Washoe County RTC is making the transfer to its system "seamless" which will allow Carson City riders to transfer at no additional cost. Efforts are underway to establish a similar program in Carson City. Mr. Jickling expressed their enthusiasm regarding the program and welcomed the opportunity to work with the City to provide the service. Mayor Masayko thanked them for their willingness to work with the City to develop the program. Discussion ensued on the shelters and signage provided in Reno and those planned for Carson City and the City's responsibility for maintenance costs. Shelters will be provided by NDOT. A funding commitment will be asked of RTC. Matching funding for the NDOT commitment requires in-kind services, i.e., trash pickup, etc. Washoe County RTC's

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administration of the program included its marketing. City participation in this effort was solicited. The need for parking at the stops was noted. Efforts will be made to develop agreements with the property owners for this usage. The buses must be handicapped accessible. Attempts are being made to find stop locations off the main streets to avoid traffic congestion problems. Reality, however, makes main street usage almost unavoidable. Stopping off the main street increases the transit period which makes the private automobile more appealing to the riders. Shoulder opportunities will be utilized wherever possible. A commitment had been made to prohibit bus stops between William and Stewart. These details remain to be developed. The Public Transit Advisory Committee is working to coordinate the Paratransit operation with this service. The timetable for developing the entire program including having the signed interlocal agreement was limned. Supervisor Bennett indicated that updates to the Committee will also be provided to the Board. No formal action was taken.

C. NON-ACTION ITEMS - INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (2-2308) - Supervisor Plank reported on meetings regarding the freeway. He announced the May 10th RTC and May 9th Western Nevada Development District meetings. The May 2 Parks and Recreation Commission meeting had been cancelled. Its next meeting is on May 16. He pointed out that the bicycle path had been relocated along the north side of Mills Park. Mayor Masayko noted that RSVP Executive Director Ayers was happy with NDOT's decision to allow parallel parking along William Street. Supervisor Williamson reported on her meetings regarding Costco and the freeway's multi-use trail and with the Carson River Advisory Committee. The Committee's Silver Saddle master plan draft is available for public review and comments. Its open house was scheduled for September 23. She then complimented the soccer players on the tournament and its success. She also thanked the Parks and Recreation employees for their assistance and support. Supervisor Bennett reported on her TRPA activities and meetings of the Public Transit Advisory Committee; Health Smart; Carson Water Subconservancy District; and TEAM Tahoe. She explained her plans to participate in the Children's Museum celebration. Mayor Masayko asked her to participate in the Foundation for the Betterment of Carson City Parks activities on May 20. Supervisor Bennett also indicated she had devoted a lot of time to the Costco and freeway issues. Mayor Masayko noted his activities regarding Costco and the freeway. He then reported on his involvement with the National Day of Prayer at the State Capitol; U.S. Forest Service meeting on Kings Canyon and Clear Creek areas regarding land management, road repairs, and public access issues; the aquatic facility and Arbor Day activities; the Chamber of Commerce's program on the Teachers Union Business Tax Over-ride; and the Parks and Recreation Department and public on the Long Ranch Estates issues. Supervisor Bennett then announced the Northern Nevada Nurses Achievement Awards ceremony scheduled for May 12 and the awards/recognitions which would be made to Carson City residents at that ceremony. She requested the Board give these individuals certificates of achievements at a future Board meeting. No action was taken or required.

D. STAFF COMMENTS AND STATUS REPORTS (2-2687) - None.

7. CARSON-TAHOE HOSPITAL - Property Manager Jennifer Walsh - **ACTION ON APPROVAL OF LEASE FOR SPACE AT CARSON MALL (1-2975)** - Discussion explained

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the Hospital's need for additional space and the reasonableness of the rental rate. Supervisor Bennett encouraged the use of the facility to interact with the public and provide information on the many and varied health services found in the community. Supervisor Bennett moved that the Board of Supervisors approve the lease of space for the Carson-Tahoe Hospital at the Carson Mall. Board discussion urged Hospital Administrator Smith to use the Board's Action Form. Supervisor Williamson seconded the motion. Following discussion on the agreement, Supervisor Bennett amended her motion to include The Carrington Company. Supervisor Williamson concurred. The motion was voted and carried 4-0.

9. CONVENTION AND VISITORS BUREAU - Executive Director Candace Duncan - ACTION TO APPROVE AN ORDINANCE AMENDING CHAPTER 4.08 OF THE CARSON CITY MUNICIPAL CODE (ROOM RENTAL TAX) TO AMEND SECTION 4.08.180, PENALTY FOR DELINQUENT PAYMENT OF TRANSIENT LODGING TAX, BY AMENDING SECTION 1 TO ADD A MONTHLY INTEREST RATE OF 1.5 PERCENT FOR ALL DELINQUENCY PAYMENTS, BY AMENDING SECTION 2 TO PREVENT THE EXECUTIVE DIRECTOR OF CCCVB FROM WAIVING DELINQUENCY PAYMENTS IF THE VENDOR ACTS FRAUDULENT, INTENTIONAL, OR EVASIVE IN NOT PAYING THE LODGING TAX OWED, AND BY AMENDING SECTION 4 TO ADD A \$75 PENALTY FOR FAILURE TO FILE A RETURN REGARDLESS OF TAX LIABILITY AND BY ADDING SECTION 5 WHICH MAKES A PERSON WHO CONDUCTS A RENTAL BUSINESS WITHOUT A LICENSE GUILTY OF A MISDEMEANOR (1-3125) - Deputy District Attorney Neil Rombardo, Treasurer Al Kramer - Mr. Rombardo noted a typographical error in the second line of the title. New ordinance drafts were distributed. Justification for making the modifications was provided. An individual who raised concerns to Supervisor Plank will be given an opportunity to discuss his concerns when the ordinance is considered on second reading. Supervisor Bennett moved to introduce on first reading Bill No. 117, AN ORDINANCE AMENDING CHAPTER 4.08 OF THE CARSON CITY MUNICIPAL CODE (ROOM RENTAL TAX) TO AMEND SECTION 4.08.180, PENALTY FOR DELINQUENT PAYMENT OF TRANSIENT LODGING TAX, BY AMENDING SECTION 1 TO ADD A MONTHLY INTEREST RATE OF 1.5 PERCENT FOR ALL DELINQUENCY PAYMENTS, BY AMENDING SECTION 2 TO PREVENT THE EXECUTIVE DIRECTOR OF CCCVB FROM WAIVING DELINQUENCY PAYMENTS IF THE VENDOR ACTS FRAUDULENT, INTENTIONAL, OR EVASIVE IN NOT PAYING THE LODGING TAX OWED, AND BY AMENDING SECTION 4 TO ADD A \$75 PENALTY FOR FAILURE TO FILE A RETURN REGARDLESS OF TAX LIABILITY AND BY ADDING SECTION 5 WHICH MAKES A PERSON WHO CONDUCTS A RENTAL BUSINESS WITHOUT A LICENSE GUILTY OF A MISDEMEANOR AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Plank seconded the motion and explained his contact with Ms. Duncan who had committed to working with the Deputy District Attorney and the Treasurer's office on the enforcement program. Mr. Kramer noted their ability to work together on other items and his willingness to work with Ms. Duncan on his issue. The motion as indicated was voted and carried 4-0.

8. PERSONNEL MANAGER - Judie Fisher - ACTION TO FILL "ENGINEER WITH WATER RESOURCES" VACANCY ON THE STORM DRAINAGE ADVISORY COMMITTEE (31-3391) - Supervisor Williamson moved to fill the "Engineer with Water Resources" vacancy on the Storm Drainage Advisory Committee with Mr. Robert Saunders and to thank him for volunteering with the term to expire on August 2000; no fiscal impact. Supervisor Bennett seconded the motion. Motion carried 4-0.

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BREAK: A recess was declared at 11:55 a.m. A quorum of the Board was present when Mayor Masayko reconvened the meeting at 1:35 p.m. Supervisor Livermore was absent as previously indicated.

10. BOARD OF SUPERVISORS - ACTION TO SUSTAIN OR REVERSE THE DECISION OF THE CARSON CITY SHERIFF TO DENY WORK PERMITS FOR JACLYN MINTON AND TONYA CARDINALE (2-0001) - Public comments were solicited but none given. Supervisor Bennett moved that the Board of Supervisors sustain the decision of the Carson City Sheriff to deny work permits for Jaclyn Minton and Tonya Cardinale. Supervisor Plank seconded the motion. Motion carried 4-0. Mayor Masayko noted for the record that both individuals had been notified of the meeting by certified, return receipt mail.

11. PARKS AND RECREATION DIRECTOR - Steve Kastens - ACTION ON LEASE AGREEMENT WITH THE FOUNDATION FOR THE BETTERMENT OF CARSON CITY PARKS AND RECREATION, INC., A NON-PROFIT NEVADA CORPORATION, FOR REAL PROPERTY LOCATED IN THE SOUTHEAST CORNER OF MILLS PARK, 844 NORTH SALIMAN ROAD, AND COMMONLY KNOWN AS ASSESSOR'S PARCEL NO. 002-181-01 AND IN PARTICULAR, A HISTORIC BUILDING COMMONLY KNOWN AS THE WUNGNEMA HOUSE (2-0054) - The foundation has been in existence for 14 years and had been the sponsor for the wall at the Pony Express Pavilion which recognizes people who have made an outstanding effort for the community. The plan is to use the building for the foundation's office. The foundation is a private non-profit organization that does not receive any City support. The bid for reconstruction of the house will be considered by the Board at the next meeting. The Corporation's President Fred Stanio had agreed to serve as the City's Clerk of the Works during the building's restoration. The Quality of Life Capital Account and a State Department of Historic Preservation and Cultural Affairs grant are paying for the restoration. Board comments thanked Mr. Stanio for his services. Supervisor Plank moved to approve the Parks and Recreation Commission's recommendation to enter into a lease agreement with the Foundation for the Betterment of Carson City Parks and Recreation, Inc., a non-profit Nevada Corporation, for real property located in the southeast corner of Mills Park, 844 North Saliman Road, and commonly known as Assessor's Parcel No. 002-181-01, and in particular, a historic building commonly known as the Wungnema House. Supervisor Williamson seconded the motion. Motion carried 4-0.

Mayor Masayko and Mr. Kastens indicated that donations for the bicycle trail could be made to the foundation.

12. ENVIRONMENTAL HEALTH DEPARTMENT (2-0172) - Director Daren Winkelman

A. ACTION ON ADOPTION OF CARSON CITY'S WELLHEAD PROTECTION PROGRAM AS ENDORSED BY THE NEVADA DEPARTMENT OF ENVIRONMENTAL PROTECTION - Deputy Health Director Ken Arnold, Development Services Manager Mahmood Azad, Nevada Department of Environmental Protection Representative Nevin Cain - Board comments indicated there had been a binder submitted with their documents. (A copy had not been given to the Clerk.) Mr. Arnold gave a computer enhanced slide presentation highlighting the program. (A copy of the slides is in the file.) Mr. Arnold introduced the team members who had worked on the program and thanked them for their services. Discussion indicated that a majority of the work had been conducted over the last

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several years. The map shows the locations of the wellhead sources. The program spells out the remediation solutions and timeframes for responding to hot spots. Education programs were noted and are reaching all different age groups in the community. A presentation will be made to the Board at its next meeting. Funding for various programs were limned. Comments indicated that there are a lot of residences on septic systems which need to be abated. Board comments complimented staff on their work to develop a long-term strategy. The program is comprehensive and could/would be revised as times and conditions warrant. Mr. Azad described the area of greatest concern at this time as being in the Arrowhead, Ruby Drive, Bonanza area. Discharges in this area go straight into the groundwater. The staff is looking for similar soil conditions in other areas of Carson City and will sample the water to determine if it is contaminated. Individuals in the Arrowhead/Ruby Drive/Bonanza area are on private wells with septic tanks. Staff is also working on a policy regarding the west side and locations where wells/septic tanks may be allowed as areas of development are being proposed within the watershed areas. These efforts will determine which types of discharge systems should be allowed and where they could be placed. Supervisor Williamson requested an opportunity to discuss this program before the developers come forward with a project so that the developers will understand the requirements before construction commences. Mr. Azad had already begun the public information process and agreed to follow through on her request.

Mr. Cain complimented the City Health Department for taking the initiative and developing a plan with State funds. This was felt to be a precedent setting program particularly in view of the program to use the funds to offset hookup fees. Board comments thanked the Department for its willingness to partner with the City and solve the problem.

Discussion between the Board and Mr. Azad indicated the City's wastewater treatment plant had been designed to accept, in the future, approximately 95 percent of the community's discharge. Reasons for designing in this manner were noted. The plans at this time call for having this occur by 2020.

Supervisor Williamson moved to adopt Carson City's Wellhead Protection Program as endorsed by the Nevada Division of Environmental Protection. Supervisor Bennett seconded the motion. Motion carried 4-0. (The binders were returned to the Department.)

B. STATUS REPORT ON BID PROCESS FOR THE OPERATION OF CARSON CITY SANITARY LANDFILL (2-0575) - Deputy Health Director Arnold, SECOR Representative Doug Martin - The goal is to provide the community with the most economical solid waste management system for the longest period possible. Staff and SECOR have developed a performance based bid document. This will allow maximizing the landfill to its highest potential at the most cost effective price for the community. The bonus incentive helps motivate the contractor to perform at the highest ratio possible when compacting the materials. A penalty will be assessed for failure to meet specified ratios. The compaction density of 1250 pounds is achievable. This ratio is used and achieved at other locations around the nation. Specialized equipment and skills are required to meet this standard. The protection standards for the City were described. If 1400 pounds are achieved, the landfill life will be extended

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by two years. The penalty is two times the amount lost by not meeting the 1250 poundage. The bids will be open to all Nevada licensed excavation operators if the personnel requirements are met. The phasing program must be adhered to. The operation will be verified by using aerial surveys to determine the amount of usage. Scales will determine the amount of input allowed. Alternative daily cover will be used instead of the top soil due to the scarcity of top soil in the vicinity. Top soil will be applied once a week. Types of alternative cover were noted. The operator must specify the type of alternative daily cover he plans to use. NDEP will be asked to verify whether this material could be used prior to implementation. NDEP has agreed to review the applications within one week of submittal by the City. The bid will require the operator to provide the equipment and manpower to meet the performance standards required by the City--a turn key operation. Mr. Martin had not reviewed the current operator's standards. He felt that the operation should be in the 11 to 1400 pound range depending on the number of passes made and type of material covered. The contract is for a seven year term with two - five year renewals. Waste densities in a cubic yard were described. The importance of adhering to the program was stressed. The less percolation ratio provided in the landfill the better it is for the environment. For this reason the higher the density, the tighter the material and the less percolation occurs. Adverse compaction impacts on the generation of methane gas was unknown to Mr. Martin. Methane gas will be addressed when the facility is closed. It is used commercially to generate co-firing generation plants in areas with large volumes of the gas. When the landfill is closed, it could be beneficial for the City to collect and use the methane gas in a similar operation. The City is monitoring the landfill for methane gas and has yet to detect any outside of the very center of the facility. Moisture content creates more methane than the dry arid conditions found in Carson City. The landfill will be considered built-out when an elevation of 5207 feet is reached. This is 250 feet above the existing grade. The process used to develop this elevation was described. Discussion noted the different weight densities and questioned whether there should be fee assessed based on these differences or providing a source reward to keep certain materials out of the landfill. The current program separates wood waste, white goods, metals, etc. These materials are recycled. Source separation activities were also described including working with local builders to separate their waste materials and for reprocessing. Concerns were also expressed about the lack of adequate control over the use of the landfill by nonresidents. Mr. Arnold explained that the "tipping fee" for residents is the same as the fees charged by Capital Sanitation to collect the waste at the residences. Efforts are made to determine residents and nonresidents. Mayor Masayko encouraged staff to determine the point when the landfill operational costs equal or surpass the cost to transfer the material. Mr. Arnold indicated that they are tracking these costs. Supervisor Plank encouraged staff to develop a fee which would discourage all nonresident usage. Mr. Arnold indicated that the zip codes are used to determine the residency and that free dump days had seen a decrease in usage. The cost for Douglas County's transfer station was felt to be \$63 a ton. This price may be due to the transportation costs. The bid is to be sent out on May 15 and for the operator to be on line by October. Public comments were solicited but none given. No formal action was required or taken.

13. COMMUNITY DEVELOPMENT DEPARTMENT - Director Walter Sullivan

A. ACTION REGARDING CARSON CITY'S PROCESS FOR THE PLACEMENT OF MANUFACTURED HOMES IN SINGLE FAMILY RESIDENTIAL AREAS AND CONVERSION TO REAL PROPERTY PURSUANT TO SENATE BILL 323 AND NRS 278.02.095 (2-1210) - Building Official Phil Herrington, Principal Planner Rob Joiner - Discussion indicated that Section H dealt with verifying the CC&Rs and explained the terms "permanently affixed", "elevated foundations" and "architecturally compatible". Manufactured housing code requirements are controlled by HUD. Supervisor Bennett felt that the Federal regulations did not allow manufactured homes to be constructed at lesser standards than that required for stick built homes or by the UBC. If the City adopts more restrictive single family housing standards, then more restrictions could be placed on the manufactured houses. She believed that manufactured homes are now being constructed to UBC standards and should be required in Carson City. Mr. Herrington explained that these structures are factory built structures and are to be consider under the following item. Supervisor Bennett indicated her objection to allowing two different standards for housing. Manufactured homes must be developed on a foundation which is the same as other foundations found throughout the community. The State Department of Manufactured Housing has taken on the responsibility for the units and the foundations. Therefore, the City is not going to inspect the foundations. The State Manufactured Housing's main office is in Las Vegas. She questioned the number and adequacy of the branch offices. Mr. Herrington explained that the State had contracted with local entities for these services. The City will not be issuing a foundation permit. The utilities will be inspected. Supervisor Bennett continued to expound her belief that the City should be responsible for the inspections for the protection of the health, safety and welfare of the residents. Mr. Herrington explained that the State had preempted the City's standards and that manufactured housing did not have to meet UBC. The city could require a foundation permit, however, during a natural disaster the foundation would be all that is left of the structure. Staff supported Supervisor Bennett's contentions, however, had been unsuccessful in making the presentation to the Legislature. Comments also indicated that if the manufactured home is placed in a zoning district with a mobile home overlay, the same conditions as those proposed would be followed. The proposal is not a question of health, welfare, and safety but rather where the units could be located. Mayor Masayko felt that the Board must be careful and not discriminate in the application of Federal laws related to manufactured homes, zoning and building inspections. Mr. Sullivan limned the State Manufactured Housing commitment to perform all of the inspections. The request for the City to issue foundation permits could be perceived as discriminatory as it would require an extra step in the process. Although he and staff understood Supervisor Bennett's points, the Legislature had denied their efforts to point out the concerns. The Bill effectively limited local government's control over manufactured housing in single family residential zones. Supervisor Bennett indicated she had no objection to the placement of manufactured/mobile homes in single family multi-division but the playing field must be level. This does not appear to be happening. Supervisor Plank limned the Board's efforts to point this out to the Governor. He complimented staff on its efforts to develop an acceptable regulation process within the bounds of the Statutes. Mr. Sullivan explained staff's

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efforts to work with the industry in developing the process. Discussion indicated that the process will be effective tomorrow if approved by the Board. No applications had been received to date, however, inquiries have been received. These individuals had been given copies of the draft. Supervisor Williamson agreed that the "fight" had been lost. It was now time to make the process work and to work within the process to modify the rules when the Legislature reconvenes. Mr. Herrington noted the difficulty to train inspectors in the HUD requirements. For this reason the inspections had been left to the State. Discussion indicated that UBC manufactured homes are currently found in single family residential neighborhoods. These homes were felt to be more compatible than mobile homes and manufactured houses which are built to HUD standards. Part of the dislike for mobile homes is created by the building standards used for older mobile homes/trailers. Supervisor Williamson explained complaints she had received concerning stick built homes which were in the freeway right-of-way that purportedly had not met Codes. These homes were less than five years old. Supervisor Plank pointed out that it is the law and that the Board must comply with it. The option is to approach the Legislature and attempt to make revisions. He complimented staff on its efforts to develop a workable program within the legal boundaries as established by the Legislature. Supervisor Plank moved that the Board of Supervisors accept Carson City's process as recommended by staff regarding the placement of manufactured homes in single family residential areas and conversion to real property pursuant to Senate Bill No. 323 and NRS 278.02.095; no fiscal impact. Mayor Masayko seconded the motion. Supervisor Bennett explained her intent to vote against the motion as she felt the Board had not gone far enough in requiring UBC certified manufactured units. She was sure that they exist and the standard is there. They are a standard that she felt would be more appropriate in those zoning districts. Supervisor Plank responded by indicating he understood her contention. He had felt that way but he believed that it is against the law to make requirements which are not in the Nevada Revised Statutes. To do so, would be in violation of the law which the Board should not do. The motion to approve the process as recommended was voted and carried 3-1-0-1 with Supervisor Bennett voting Naye and Supervisor Livermore absent.

B. ACTION REGARDING CARSON CITY'S PROCEDURES FOR THE ISSUANCE OF BUILDING PERMITS FOR FACTORY BUILT STRUCTURES PURSUANT TO SENATE BILL 177 AND NRS 461.170 (2-1795) - Discussion indicated that these structures are constructed to UBC standards. Supervisor Bennett indicated that she could support this process. Supervisor Plank moved that the Board of Supervisors accept Carson City's procedures as recommended by staff regarding the issuance of building permits for factory built structures pursuant to Senate Bill 177 and Nevada Revised Statutes 461.170; no fiscal impact. Supervisor Williamson seconded the motion. Motion carried 4-0.

C. ORDINANCE - SECOND READING - ACTION ON BILL NO. 116 - AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE (CCMC) TITLE 18 (ZONING), CHAPTER 18.02 (GENERAL PROVISIONS), SPECIFICALLY SECTIONS 18.02.035(2), 18.02.064, 18.02.083, AND 18.02.106, REPLACING "LATEST EQUALIZED ASSESSMENT ROLLS" WITH "LATEST ASSESSOR'S RECORD"; AND CHAPTER 18.05 (PROVISIONS APPLYING TO ALL USE DISTRICTS), SPECIFICALLY SECTION 18.05.020 (PARKING) BY DELETING THIS SECTION, SECTION 10.05.022 (NUMBER OF SPACES REQUIRED) BY CHANGING THE TITLE

TO "NUMBER OF PARKING SPACES REQUIRED", SECTION 18.05.026 (TRASH STORAGE) TO INCLUDE RECYCLING BINS AND CALLING FOR THE APPROVAL OF THE DIRECTOR UNDER CERTAIN CONDITIONS, AND SECTION 18.05.070 (NONCONFORMING USES) BY DELETING THIS SECTION, AND OTHER MATTERS PROPERLY RELATED THERETO (2-1858) - Mayor Masayko noted the corrections which were made in the original draft as requested at the last meeting. Supervisor Plank moved to adopt on second reading Bill No. 116, Ordinance No. 2000-16, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE (CCMC) TITLE 18 (ZONING), CHAPTER 18.02 (GENERAL PROVISIONS), SPECIFICALLY SECTIONS 18.02.035(2), 18.02.064, 18.02.083, AND 18.02.106, REPLACING "LATEST EQUALIZED ASSESSMENT ROLLS" WITH "LATEST ASSESSOR'S RECORD"; AND CHAPTER 18.05 (PROVISIONS APPLYING TO ALL USE DISTRICTS), SPECIFICALLY SECTION 18.05.020 (PARKING) BY DELETING THIS SECTION, SECTION 10.05.022 (NUMBER OF SPACES REQUIRED) BY CHANGING THE TITLE TO "NUMBER OF PARKING SPACES REQUIRED", SECTION 18.05.026 (TRASH STORAGE) TO INCLUDE RECYCLING BINS AND CALLING FOR THE APPROVAL OF THE DIRECTOR UNDER CERTAIN CONDITIONS, AND SECTION 18.05.070 (NONCONFORMING USES) BY DELETING THIS SECTION, AND OTHER MATTERS PROPERLY RELATED THERETO; no fiscal impact. Supervisor Bennett seconded the motion. Motion carried 4-0.

BREAK: A recess was declared at 3:25 p.m. A quorum of the Board was present when Mayor Masayko reconvened the meeting at 3:30 p.m. Supervisor Livermore was absent as previously indicated.

14. DEVELOPMENT SERVICES - ENGINEERING - Senior Engineer John Givlin

A. ACTION TO ADOPT A RESOLUTION TO REALIGN HOT SPRINGS ROAD THROUGH A LAND EXCHANGE AND OTHER MATTERS PROPERLY RELATED THERETO (2-1943) - Supervisor Plank explained the RTC's consideration and action on this item. Ms. Weikel's attorney Scott Heaton indicated that she would not sue the City if in ten years it is determined that the City did not own Hot Springs Road. Supervisor Plank moved that the Board of Supervisors adopt Resolution No. 2000-R-22 to realign Hot Springs Road through a land exchange and other matters properly related thereto; the fiscal impact is unknown, (however, is at least) the cost of the appraisal and a potential cost of at least \$10,000 if the Carson City property (which is) to be exchanged, is less than the appraised value of the Weikel property (which is) to be exchanged. Supervisor Bennett seconded the motion. Motion carried 4-0.

B. ORDINANCES - FIRST READING

ii. ACTION ON AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND LORRAINE WEIKEL REGARDING ASSESSOR'S PARCEL NO. 08-133-11 LOCATED ON CHALLENGER WAY (2-2108) - Discussion indicated that the ordinance would resolve all of the legal issues related to the property. Supervisor Plank moved to introduce on first reading Bill No. 118, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND LORRAINE WEIKEL REGARDING ASSESSOR'S PARCEL NO. 08-133-11 LOCATED ON CHALLENGER WAY; fiscal impact is \$120,000. Supervisor Williamson seconded the motion. Motion carried 4-0.

i. ACTION ON AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND CINDERLITE ROCK AND SAND REGARDING ASSESSOR'S PARCEL NO. 08-683-09 LOCATED AT 1665 SOUTH SUTRO TERRACE (2-2162) - A copy of a map

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illustrating the location was distributed to the Board during the previous discussion. (A copy was not given to the Clerk.) Comments noted the delay in processing the ordinance and urged staff to expedite the process if at all possible. Supervisor Plank expressed his support for the agreement and moved to introduce on first reading Bill No. 119, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND CINDERLITE ROCK AND SAND REGARDING ASSESSOR'S PARCEL NO. 08-683-09 LOCATED AT 1665 SOUTH SUTRO TERRACE; there is no fiscal impact. Supervisor Williamson seconded the motion. Discussion noted the location. The motion to introduce Bill No. 119 on first reading was voted and carried 4-0.

iii. ACTION ON AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY, THE U.S. POSTAL SERVICE AND AL BERNHARD REGARDING ASSESSOR'S PARCEL NO. 04-015-05 LOCATED AT THE SOUTHEAST CORNER OF ROOP STREET AND LITTLE LANE (2-2248) - Discussion pointed out the benefits of the agreement and the need for a signal at the intersection due to the traffic volume generated by the post office. Mr. Bernhard was present but did not wish to speak. Supervisor Plank moved to introduce on first reading Bill No. 120, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY, THE U.S. POSTAL SERVICE AND AL BERNHARD REGARDING ASSESSOR'S PARCEL NO. 04-015-05 LOCATED AT THE SOUTHEAST CORNER OF ROOP STREET AND LITTLE LANE; fiscal impact is \$90,000. Supervisor Williamson seconded the motion. Motion carried 4-0.

BREAK: There being no other matters to consider until 6 p.m., Mayor Masayko recessed the Board of Supervisors session at 4:08 p.m. A quorum of the Board was present when Mayor Masayko reconvened the meeting at 6 p.m. Supervisor Livermore was absent as previously indicated. Staff members present included: City Manager Berkich, Parks and Recreation Director Kastens, Chief Deputy District Attorney Forsberg, Park Superintendent Scott Fahrenbruch, and Recording Secretary McLaughlin.

15. PARKS AND RECREATION DIRECTOR - Steve Kastens - ACTION ON REVISED FAIRGROUNDS PLAN DEVELOPED BY THE CARSON CITY FAIRGROUNDS USERS COALITION (2-2703) - Coalition President Jack Anderson, Barbara Alexander, Gary Hunt, Jay Daggart, Chief Deputy District Attorney Forsberg - The 1991 Fairgrounds Master Plan and the proposed master plan were displayed and explained. Comments stressed that the cost estimates were rough at best and were not engineer's estimates. Better figures will be provided when the projects are brought to the Board later in the process. A petition expressing concerns about the future of Fuji Park was displayed. It allegedly measured 14 feet in length. The signers wanted the Park to remain, the funds from the sale of the parking lot to be used to improve the Park, and for it to become a site of pride for the community. Discussion indicated the Pony Express Pavilion may not be the appropriate site for a go-cart race although the facility could be used for such an event. The parking areas contained approximately 550 spaces. The original parking spaces were listed. The amenities proposed for the livestock events center and its versatility were enumerated. If possible, without violating the Codes, paving will not be part of the plan. Reasons for not paving the area were provided. Temporary striping will be used to designate parking spaces and has been successfully used by the Bonanza Kennel Club. Future events will utilize this program as it provides additional parking through organization. (3-0004) The flood

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plain requirements will be addressed when engineered drawings are developed. Board comments complimented Mr. Anderson on his dedication and efforts on behalf of the Park. Justification for the showers in the restrooms was provided. Any approval given by the Board this evening is to be for a conceptual plan which could be changed in the future as needs and uses warrant. Mr. Anderson requested an opportunity to participate in any decisions to revise or relocate the Park. Supervisor Williamson assured Mr. Anderson that she had no plans to do anything with Fuji Park beyond making it so that it could peacefully coexist with its new neighbor--Costco. She also noted her commitment to use the funds from the sale for that activity. These funds are not yet available. Efforts have been undertaken to retain a consultant to look at the highest and best use of the City parks/properties.

Supervisor Bennett justified the decision to evaluate the highest and best use of City properties including parks by explaining the need to consider the community's economic needs and its well-being while utilizing the City property to its highest and best use. This may include the relocation of the fairgrounds to a more suitable area. She also expressed her support for allocating a good portion of the funds from the sale of the land to Costco to improving the fairgrounds or to its relocation. This would not be \$3 million.

Mr. Anderson did not feel that the coalition would fight the relocation, however, asked that adequate warning be given before closing the facility. The loss of one year would eliminate the activities totally. He hoped that it would be possible to develop the new location prior to closing the fairgrounds. Supervisor Bennett felt that staff would continue to work with the users on the plan.

An unidentified female responded that the feasibility studies would cost more than they would benefit. The money should be put into the park and not into studies.

Supervisor Plank indicated that the opportunity to relocate should be undertaken in a fashion which would not interrupt the normal schedule of events and their quantities. He was certain that it could be done with appropriate planning and cooperation.

Mayor Masayko agreed that improvements were needed at the park. This had been his number one commitment to the users and community. This may include the items listed on the plan as one through eight. The business decision will be made during open meetings with public participation encouraged. He objected to undertaking another deal like Costco's which had a mandatory 120 day closing requirement. The alternatives should be analyzed. He supported the request to build the new facility and then move the users. This could be a long-range plan. The public must participate in the planning and decision-making process. He also indicated that there would not be \$3 million from the Costco sale. For this reason he could not commit to the large projects in the proposed plan. The events center should be constructed so that it could be relocated if warranted at a future date. Mr. Anderson agreed that the \$2 million events center may not be a reality. Funding had included improvements to the current cart track. Without paving

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the figures totalled approximately \$750,000 and are items which the Board should commit to as soon as possible as it will improve the facility.

Mr. Kastens explained the coalition's work to find a site to relocate the fairgrounds. He hoped to develop a pro-active plan on relocation for use when or if this decision is made. Mayor Masayko supported this plan as it would put the issue on the table and allow public participation in the decision. Comments felt that a 20 to 25 acre site was needed. The process would also allow the users to develop justification for rejecting inappropriate sites prior to consideration and not require dropping everything to analyze potential sites at the last minute. BLM property is being considered for acquisition among the sites. Board comments complimented the coalition on its organization, foresight, and dedication. Supervisor Plank also pointed out that when the adjacent property owners commence selling their property, the City will know the true value of the property and its economic potential. He was not in a big rush to start doing anything at this time. Mr. Anderson felt that the longer the decision is delayed, the more valuable the property will be. This will provide funding for a true asset. Supervisor Williamson explained the original public comments concerning the decision to sell the parking lot had pointed out various needs at the fairgrounds. Her awareness of the need to keep the events going once started was also noted. She recognized the delayed maintenance which had occurred at the Park. This warranted the commitment to make it more usable. Discussion then explained the location of the cemetery and options to relocating it. Public comments were then solicited.

Ms. Alexander felt that relocation should not be considered unless the funding is dedicated to replace the facilities. Carson City, as the State Capitol, deserved to have a fairgrounds. Mr. Hunt indicated he is a member of the Karson Kruzers but was not speaking for the Club. The relocation plan called for moving the building and acreage. The trees were being ignored. How will they be replaced? The users did not need more desert. Mayor Masayko responded by explaining that this issue would have to be analyzed as the amount/functions could be split, development could occur around the trees, etc. Mr. Kastens explained that the discussion on relocating the fairgrounds had included consideration of options if a shady area could not be found. One such option is the use of temporary shade covers/shelters which had been used in the past. Mayor Masayko also pointed out that shade is not a prerequisite for all of the users. Mr. Hunt continued to elaborate on his justification for keeping trees in the facility. Supervisor Bennett noted that she may not be on the Board when the decision to relocate is made. She encouraged the Board to find a location which would be materialistically compatible with what the users currently have. She also encouraged the Board to consider the natural setting provided by the facility when economic development plans are designed. Supervisor Williamson explained her position on the fairgrounds/Park. At this time she was willing to commit funding to improving Fuji Park. She was willing to wait to determine what the future would hold. She did not at this time have an agenda to replace the facility. It could be that within two years surrounding development will make the facility untenable for the users. The studies now underway are a prudent use of time. The ultimate decision will be made in an open public meeting. A solution could be developed that would sensible to all of the

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users and the public while meeting both the current and future needs. At this time she was supporting making the Park as nice as possible for the current users. Mr. Daggart, a member of the Outlaw Cart Racers, felt that the users wanted a commitment that they would not be forced out of the park or a date when they should be expected to relocate. His club was interested in developing a winter program which he felt would draw both local participants as well as out-of-towners and tourists. He urged the Board to make a final decision on the location now. Additional public comments were solicited but none given.

Supervisor Plank moved to approve the Parks and Recreation Commission's recommendation to revise the Fairgrounds Plan as developed by the Carson City Fairgrounds Users Coalition and presented by the staff and the Coalition; fiscal impact is none at this time. Supervisor Williamson seconded the motion. Mayor Masayko indicated that the discussion had attempted to provide staff with direction but was unsure whether staff understood the timeframe for it. Mr. Berkich also congratulated Mr. Anderson and the users on their hard work on the plans. He agreed that the Board's interest is to make the facilities successful with Costco as a neighbor. The money decisions if and when escrow closes remain to be made. Mr. Kastens indicated that the coalition planned to continue working on the location question. The concept had been to provide the Board with a plan illustrating the need and funding commitments required to better the facility. The Commission had directed staff to develop the short range conceptual plan under consideration this evening and a long range plan which could include relocation. Mr. Forsberg reminded the Board that the agenda called for action approving the conceptual plan. There are a lot of steps between it and eventual implementation and adoption of the plan. He urged the Board not to spend a lot of time on other issues. Mayor Masayko indicated that the intent was to provide direction to staff to not forget the plan once the concept is approved. Mr. Berkich indicated that staff would pursue the plan and its short and long term issues. This will be done with participation from the users through the Parks and Recreation Commission. Mayor Masayko requested a timeline be developed indicating when more formal plans will be considered and alternatives provided. Following a request for an amendment to the motion, Supervisor Plank amended the motion to approve the conceptual plans. Supervisor Williamson concurred. Discussion then explained the work undertaken to abate the asbestos in the caretaker's residence. The contract cannot be issued until funding is available. The plan includes accommodations for the caretaker during the relocation process. Staff understood the need to accommodate both the users and Costco in a timely fashion. Mayor Masayko pointed out that if the conceptual plan is approved, staff needed to commence working on priority items one through nine and firm up the estimates as much as possible. Final approval can then be requested from the Board. The motion to approve the conceptual plans as indicated was voted and carried 4-0.

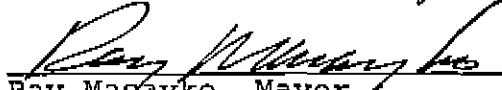
Mayor Masayko thanked all of the participants for their dedication and efforts and urged them to stay active with Parks and Recreation. Together the community could successfully accomplish the objectives.

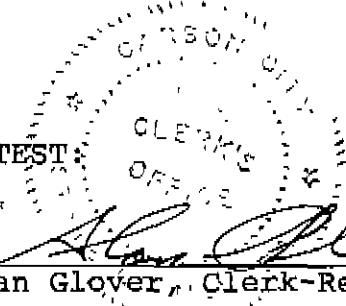

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There being no other matters for consideration, Supervisor Plank moved to adjourn the meeting. Mayor Masayko seconded the motion. Motion carried 4-0. Mayor Masayko adjourned the meeting at 7:30 p.m.

The Minutes of the May 4, 2000, Carson City Board of Supervisors meeting

ARE SO APPROVED ON Sept 7, 2000.


Ray Masayko, Mayor

ATTEST:


Alan Glover, Clerk-Recorder