

CARSON CITY BOARD OF SUPERVISORS
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A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, December 20, 2001, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 8:30 a.m.

PRESENT:	Ray Masayko	Mayor
	Jon Plank	Supervisor, Ward 2
	Robin Williamson	Supervisor, Ward 1
	Pete Livermore	Supervisor, Ward 3
	Richard S. Staub	Supervisor, Ward 4

STAFF PRESENT:	John Berkich	City Manager
	Alan Glover	Clerk-Recorder
	Al Kramer	Treasurer
	Daren Winkelman	Health Director
	William Naylor	Information Services Director
	Judie Fisher	Personnel Manager
	Steve Kastens	Parks and Recreation Director
	Mark Forsberg	Chief Deputy District Attorney
	Barbara Singer	Recreation Superintendent
	Ray Saylo	Lieutenant
	Larry Nair	Skilled Trades Technician
	John Flansberg	Transportation Manager
	Gayle McCulloch	Employee Benefits Coordinator
	Rob Fellows	Senior Engineer
	Liz Teixeira	Administrative Assistant to the City Manager
	Katherine McLaughlin	Recording Secretary

(B.O.S. 12/20/01 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. Rev. Pat Propster of the Carson City Christian Fellowship gave the Invocation. Mayor Masayko led the Pledge of Allegiance.

CITIZEN COMMENTS (1-0039) - Mayor Masayko encouraged Ed Silsby to talk to City Manager John Berkich or Streets Operations Manager John Flansberg regarding the maintenance of drainage ditches in the City. A storm drainage utility is being established and will handle it in the future. Mr. Silsby explained that he is attempting to obtain a building permit on a lot located in an "A" flood zone. He asked that the City come to the area and dig some ditches to avoid another flooding incident. Mayor Masayko again asked him to contact the City Manager. Additional comments were solicited but none were given.

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1. **APPROVAL OF MINUTES (1-0074)** - None.
2. **AGENDA MODIFICATIONS (1-0076)** - Mayor Masayko indicated that Item O under Planning and Community Development Item 14 will be heard as the first item under this heading. The item may be heard at 3:25 p.m.
3. **SPECIAL PRESENTATIONS** - Personnel Manager Judie Fisher
 - A. **PRESENTATION OF "ESSENTIALS OF MANAGEMENT CERTIFICATE PROGRAM" TO WILLIAM "BOB" KEITH (1-0085)** - Mayor Masayko congratulated William Keith on his successful completion of the program and read the plaque into the record. Mr. Keith thanked the Board for supporting the program and encouraged other City employees to participate in it. Supervisor Williamson explained her personal knowledge of Mr. Keith's enrollment and attendance in the classes and encouraged others to participate. Ms. Fisher described the program. Both she and Supervisor Williamson stressed that it is a community program and urged the public to participate. No formal action was required or taken.
 - B. **PRESENTATION ON EMPLOYEE HEALTH AND WELLNESS AWARD PROGRAM (1-0155)** - Mayor Masayko congratulated and presented awards to the City Employees who were deemed to be the "Most Fit" and "Most Improved" with \$100 checks being given to the highest overall in each category. No formal action was required or taken.
 - C. **PRESENTATION AND RECOGNITION OF CARSON-TAHOE HOSPITAL'S FLU SHOT PROGRAM (1-0312)** - Supervisor Livermore explained the Hospital's flu shot program and its purpose. He introduced Hospital Board Chairperson Caleb Mills, Chief Executive Officer Ed Epperson, Board Member Jo Saulsberry, and the staff members who had made it happen - April Lucas and Terry Long. Thirteen thousand flu shots were given through the program. He read the plaque into the record and presented it to Chairperson Mills. Chairperson Mills thanked the Board for the recognition. Mayor Masayko congratulated him on the program. Mr. Epperson explained the vaccine cost and thanked the employees who had given them. He also thanked the Board for the recognition. Mayor Masayko recognized the significant contribution which had been made to the community. He also thanked the Hospital staff for their service to the community. No formal action was required or taken.
 - D. **RECOGNITION OF THE PUBLIC INFORMATION TEAM'S ACTIVITIES AND PRESENTATION OF THE FIRST CARSON CITY ANNUAL REPORT (1-0440)** - Administrative Assistant Liz Teixeira, Administrative Assistant Dan Nevins, Health Director Daren Winkelman, Transportation Manager John Flansberg - The program was described. It includes a speakers' bureau, the City's website, the City's logo, and the annual report. It is hoped that some day the public will be able to obtain forms over the internet. Mayor Masayko directed the City Manager to have a replica of the City seal placed behind the dias in the Sierra Room. Other Committee members who were not in attendance were introduced. Copies of the annual report are to be distributed throughout the community. Supervisor Livermore explained the compliments he had received on the annual report when he presented copies to the Subconservancy members. The Board and Mr. Berkich complimented the Team on their efforts. No formal action was required or taken.

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LIQUOR AND ENTERTAINMENT BOARD (1-0833) - Mayor Masayko recessed the Board of Supervisors session and immediately convened the Liquor and Entertainment Board. The entire Board was present including Sheriff's Representative Ray Saylo, constituting a quorum.

4. TREASURER - Al Kramer - ACTION TO APPROVE THE REISSUE OF A LIQUOR LICENSE VOLUNTARILY RELINQUISHED FOR LESS THAN ONE YEAR FOR CUBIX ORMSBY, LLC, DOING BUSINESS AS ORMSBY HOUSE, LOCATED AT 600 SOUTH CARSON STREET (1-0833) - Partners Allan Fiegehen and Donald Lehr and General Manager Larry Tiller were present. Their familiarity with the Liquor Laws were noted. Discussion explained the location and operation of the Winchester Club. Mr. Lehr felt that the Winchester Club should open by the end of March. Member Livermore moved to approve the reissue of a Liquor License voluntarily relinquished for less than one year to Cubix Ormsby, LLC, DBA Ormsby House, 600 South Carson Street, Carson City Municipal Code 4.13.135, fiscal impact is \$100 reactivation fee and \$200 quarterly fee. Member Plank seconded the motion. Motion carried 6-0.

BOARD OF SUPERVISORS (1-0915) - 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 session. The entire Board was present, constituting a quorum.

5. CONSENT AGENDA (1-0910)

5-1. TREASURER - ACTION ON REMOVAL AND PARTIAL REFUND OF TAXES TO THE 2001-2002 REAL PROPERTY TAX ROLL ON PARCEL NO. 2-571-32, 3000 NORTH LOMPA LANE, DUE TO THE PROPERTY NOW BEING TAX EXEMPT

5-2. DEVELOPMENT SERVICES - CONTRACTS

A. ACTION TO ACCEPT THE WORK AS COMPLETE AND APPROVE THIS RELEASE OF FINAL PAYMENT ON THE LONG RANCH PRODUCTION WELL NO. 48 PROJECT, CONTRACT NO. 2000-106, AS SUBMITTED BY DEVELOPMENT SERVICES TO RDC, INC., DOING BUSINESS AS RESOURCE DEVELOPMENT COMPANY, 2305 GLENDALE NO. 10, SPARKS, NV 89431, FOR A FINAL PAYMENT AMOUNT OF \$7,161 AND ACCEPT THE CONTRACT SUMMARY AS PRESENTED

B. ACTION TO ACCEPT THE WORK AS COMPLETE AND APPROVE THIS RELEASE OF FINAL PAYMENT ON THE LINEAR PARK BIKE PATH - PHASE 3B IMPROVEMENTS PROJECT, CONTRACT NO. 2001-021, AS SUBMITTED BY DEVELOPMENT SERVICES TO PARAGON ASSOCIATES, INC., P.O. BOX 20130, CARSON CITY, NV 89721, FOR A FINAL PAYMENT AMOUNT OF \$6,464 AND ACCEPT THE CONTRACT SUMMARY AS PRESENTED

C. ACTION ON REQUEST FOR CONTRACT APPROVAL FOR THE CARSON CITY SEWER COLLECTION MASTER PLAN - PHASE I, CONTRACT NO. 2001-071, TO CAPITAL ENGINEERING, INC., FOR AN AGREEMENT COST NOT TO EXCEED \$36,352 AND AUTHORIZATION FOR THE CONTRACTS DIVISION TO EXECUTE AMENDMENTS FOR A NOT TO EXCEED AMOUNT OF \$5,000

5-3. PERSONNEL - ACTION TO FILL THE SENIOR CITIZENS CENTER VACANCY ON THE CARSON CITY PUBLIC TRANSIT ADVISORY COMMITTEE WITH ROBERTA DOWELL

5-4. PARKS AND RECREATION

A. ACTION TO ALLOCATE \$75,000 FROM PARK BOND FUND FOR THE CONSTRUCTION OF PERMANENT PARKING ON HIGHWAY 50 EAST ADJACENT TO MILLS PARK

B. ACTION TO ALLOCATE \$25,000 FROM THE PARK BOND FUND FOR THE PURCHASE OF DASHER BOARDS AT THE PONY EXPRESS PAVILION

C. ACTION TO APPROVE THE LIMITED INDEMNITY AGREEMENT AND THE AMENDED EASEMENT, GRANT OF LIMITED PARKING RIGHTS AND RECOGNITION OF COLLATERAL AGREEMENTS, WITH HARRY R. EBERLIN AND HRE PROPERTIES, INC., TO UTILIZE PARKING SPACES AT GOVERNOR'S FIELD PURSUANT TO PREVIOUS AGREEMENT WITH CARSON CITY

5-5. DEVELOPMENT SERVICES - ENGINEERING

A. ACTION TO ACCEPT AN AGREEMENT BETWEEN R. L. SHAHEEN BUSINESS PARKS, LLC, A NEVADA LIMITED LIABILITY COMPANY, AND CARSON CITY, WHEREBY THE R. L. SHAHEEN BUSINESS PARKS, LLC, AGREES TO: 1. DONATE AND CONVEY ALL THAT CERTAIN REAL PROPERTY AND ANY AND ALL ABUTTER'S RIGHTS, INCLUDING ACCESS RIGHTS, APPURTENANT TO THE ADJACENT REMAINING PROPERTY IN AND TO US 395 FREEWAY, DESCRIBED AS PARCEL U-395-CC-007.161; AND 2. TO DONATE TWO PERMANENT EASEMENTS FOR THE PURPOSE OF DRAINAGE DITCHES FOR STORM WATER LOCATED UPON, OVER, AND ACROSS CERTAIN ALL THAT REAL PROPERTY DESCRIBED AS PARCELS U-395-CC-007.161PE1 AND U-395-CC-007.161PE2 TO THE CITY

B. ACTION TO ACCEPT AN AGREEMENT BETWEEN GARY G. STOKES AND DONNA J. STOKES, TRUSTEES OF THE STOKES FAMILY TRUST DATED JUNE 28, 1989, AND CARSON CITY, WHEREBY THE STOKES FAMILY TRUST AGREES TO: 1. DONATE AND CONVEY ALL THAT CERTAIN REAL PROPERTY AND ANY AND ALL ABUTTER'S RIGHTS, INCLUDING ACCESS RIGHTS, APPURTENANT TO THE ADJACENT REMAINING PROPERTY, DESCRIBED AS PARCEL U-395-CC-007.160 IN AND TO US-395 FREEWAY, AND 2. TO DONATE A PERPETUAL EASEMENT AND RIGHT-OF-WAY, FOR THE PURPOSE OF A DRAINAGE DITCH, LOCATED UPON, OVER AND ACROSS ALL THAT REAL PROPERTY DESCRIBED AS PARCEL U-395-CC-007.160PE TO THE CITY - Item 5-3 was pulled for discussion. Mayor Masayko recognized for the record Supervisor Plank's work on parking for the north side of Mills Park. He had obtained the necessary \$75,000 match for the project. Supervisor Plank moved to approve the nine items on the Consent Agenda with the exception of Item 5-3 which will be discussed later. Supervisor Williamson seconded the motion. Motion carried 5-0.

5-3. (1-0952) Supervisor Plank explained Roberta "Bobbie" Dowell selection as the Senior Citizens Center's Representative on the Public Transit Advisory Committee. Supervisor Plank moved to fill the Senior Citizens Center vacancy on the Carson City Public Transit Advisory Committee with Roberta Dowell with no fiscal impact. Supervisor Livermore seconded the motion. Motion carried 5-0.

6. BOARD OF SUPERVISORS

A. ACTION TO AUTHORIZE THE FUNDING OF CERTAIN RETIREMENT

BENEFITS FOR CARSON CITY'S FULL TIME ELECTED OFFICIALS AND POSSIBLY THE MEMBERS OF THE BOARD OF SUPERVISORS (1-0997) - Board comments noted the lack of Legislative action to increase the full time elected officials' wages. The proposal will mitigate a small amount of the concern regarding being able to retain long time elected officials. This is a one time recognition of the inequity. Reasons for the lack of action by the last Legislature and the support for an increase were noted. Comments also noted that when an individual runs for office they should understand and know what the salary is. The cost-of-living has substantially reduced their buying power since the last increase was made in 1995. The majority of the public employees receive annual salary increases. These increases can at times make an employee's wages more than that of the elected officials over them. It was also felt that the need to attract quality individuals to the elected positions, supported providing just compensation. The proposal provides a small amount of equity. Supervisor Staub urged the Board to consider granting a similar increase more often than every seven to eight years. The annual budget consideration includes the salary for the other City employees. Supervisor Staub also expressed his desire to "opt out of the benefits package". Mayor Masayko noted for the record that the five elected officials are present. He also explained that as President of the Nevada Association of Counties he had lobbied the issue and helped craft some of the legislation. The Bill Draft had included some of the issues the Board is considering today. The proposed 26%-27% increase was to have been compensation for six years of no increases. There was also a mechanism that would have adjusted the salaries periodically and kept them whole through a survey of industrial wages throughout the entire State. It is necessary to separate the political perceptions from the reality of the individuals who are department heads and have the job as their occupation. He hoped that at sometime in 2003 the Legislature recognizes this need and addresses the issues. The Legislature should set the salaries at a reasonable level and allow it to be increased according to some level of parity without waiting for six years or to opt the Legislature out of the process and allow the Board of Supervisors to set the wages. Mayor Masayko then indicated his belief that none of the other Board members felt they were in the same circumstance as the other full time elected officials. Comments were solicited on both points.

Supervisor Plank felt that the Board should opt out of the salary increase. The Board is part time workers. The full time workers should receive some compensation. Mayor Masayko also pointed out that in 1999 the Board approved a Charter amendment which prohibited the four full time elected officials from holding any outside employment. The District Attorney is addressed under a Statute. The Board of Supervisors has the ability to hold outside employment. The elected officials are expected to work eight hours a day. Supervisor Livermore pointed out that the Board's salary is not for full time employment. The elected officials are equal to Department Heads who have a labor agreement with ongoing salary demands. He supported the proposal to grant the five elected officials an increase. He also wanted to "opt out of the program". Additional comments were solicited but none were given. **Supervisor Plank moved that any activity with respect to funding certain retirement benefits for Carson City's full time elected officers exempt any such activity for the members of this Board including the Mayor. Supervisor Livermore seconded the motion. Motion carried 5-0.**

Mayor Masayko noted his awareness of the media coverage and his attendance at the Legislative discussions on the need to increase full-time elected officials' salaries. Many agencies have employees who exceed the salaries of the Department Head. The proposal lets the public and the elected officials know that the Board appreciates their contributions, accountability, and accomplishments for Carson City. He had encouraged the five elected officials to attend the Board meeting. The original proposal to increase their salaries would have

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cost the City more than \$145,000 a year for the next two years and would escalate beyond that. The proposal before the Board equates to approximately \$17,500 for each individual. It could be used to acquire some time in the Public Employees Retirement System (PERS). Proof of the purchase should be required. Deferred compensation should also be allowed. Mayor Masayko suggested that 25 days be the deadline for completion of the purchase. This is a one shot, one time expenditure. It could be revisited again in the future. He also noted that the events of 9-11 had created a downturn in the State budget. He was not certain that this trend will continue. He thanked the auto dealers, Costco and Lowes for helping to keep Carson City's sales tax receipts high. The City's sales tax receipts for the first ten months of 2001 had increased approximately 10.5%. This should provide extra revenue over the fiscal year beyond the 2.5% that was predicted during the budget session.

Supervisor Plank supported allowing the individual to combine the purchase with a 401 or PERS plan, if desired. Supervisor Williamson pointed out the discomfort created by having to discuss salaries, however, it is a reality. Individuals who select a career in public service do it for a variety of reasons. It is not done for financial gain. She acknowledged that there are other benefits which may provide some balance to the financial incentive. Career elected officials often receive blame for things which are beyond their control and are given little credit for what they do. They work seven days a week and always represent the office when in public places. The Nevada Constitution does not allow the Board to increase the salaries for them. The proposal is legal and long overdue. The elected officials should be compensated when they are qualified for their position. She indicated that she would support the program.

Mayor Masayko pointed out that next year is an election year and that the individuals must make a decision regarding whether to run again or not. His decision today will be based on their past performance and contributions and not the future elections or budget abilities.

Treasurer Al Kramer expressed the elected officials belief that it was fair to ask for the recognition. It is a way for the community to provide some parity. They each pull our own work load and have individuals working for them that may make more money than they do. They are talented people. The methodology used to establish the funding request was described. Discussion indicated that the proposal will not acquire the same amount of time in PERS for each individual due to the difference in salaries. It was a conservative amount.

Clerk-Recorder Alan Glover indicated that the five elected officials are all comfortable with the \$17,500. It would be a complicated process to attempt to develop another funding mechanism based on the salaries and pay schedules. Carson City's elected officials are fairly conservative financially and fiscally prudent. Even the salary compensation sent to the Legislature was conservative. Our argument is not to be the highest paid people in the County but we are tired of being the lowest paid. The middle range is more acceptable. He thanked the Board for considering the matter.

District Attorney Noel Waters thanked the Board for considering the proposal. As the highest paid County elected official, he had no problem with the amount. He agreed that they had signed on for other reasons and knew the salary range. The proposal is a significant recognition of their service and the lack of action by the Legislature and the pace of the economy. They will be happy with whatever the Board sets. Public comments were solicited.

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Tom Keeton found it reprehensible that the Legislature should set the salary. The public should set it. It elects the officials and should pay for their services. It should be a fair salary. He supported the concept and believed that the Board should have been included in the program. He urged the Board to reconsider the program in the future. Additional comments were solicited but none were given.

Mayor Masayko reiterated his request for a report in 25 days on the allocation. He asked that the motion include this direction. The number of \$17,500 is the one that is acceptable to each of the officials. If the City can afford it, it should be granted. Supervisor Plank moved that the Board of Supervisors authorize the funding of certain retirement benefits for Carson City's full-time elected officers; those five offices and officers are: Kit Weaver, the Carson City Assessor; Alan Glover, the Clerk-Recorder for Carson City; Noel Waters, the District Attorney for Carson City, Rod Banister, the Sheriff for Carson City, and Al Kramer, the Treasurer for Carson City, in the amount of \$17,500 each that can be invested in the Public Employees Retirement System or a retirement mode or a combination of both and ask them to report back on how they opted by the second Supervisors' meeting in January 2002. Supervisor Williamson seconded the motion. Following a request for an amendment, Supervisor Plank concurred with an amendment that would require a written document (report) and not an agenzized item. Supervisor Williamson also concurred by nodding her head. The motion was voted and carried 5-0.

B. NON-ACTION ITEMS - INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS AND C. STAFF REPORTS (1-1605) - Deferred.

RECESS: A recess was declared at 10:05 a.m. The entire Board was present when Mayor Masayko reconvened the meeting at 10:13 a.m., constituting a quorum.

7. CARSON CITY AIRPORT AUTHORITY - Legal Counsel Steve Tackes - ORDINANCES - SECOND READING

A. ACTION TO APPROVE BILL NO. 118 - AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE 19.03.060, AIRPORT THROUGH-THE-FENCE AIRCRAFT OPERATIONS TO CHANGE FEES FROM \$250 PER YEAR TO AN AMOUNT THAT DEPENDS ON THE SQUARE FOOTAGE OF THE HANGAR FOR WHICH THE ACCESS IS PERMITTED AND BASED ON THE AIRCRAFT FOR WHICH ACCESS IS PERMITTED WITH A MINIMUM FEE OF \$250 PER YEAR (1-1610) - Mayor Masayko stated for the record that during the two-week period between the first reading and the second reading he had received no public comments on the ordinance. Mr. Tackes indicated that the Airport Authority had not received any negative comments on the ordinance during the last two weeks or prior to that. Supervisor Plank moved to adopt on second reading Bill No. 118, Ordinance No. 2001-17, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE 19.03.060, AIRPORT THROUGH-THE-FENCE AIRCRAFT OPERATIONS TO CHANGE FEES FROM \$250 PER YEAR TO AN AMOUNT THAT DEPENDS ON THE SQUARE FOOTAGE OF THE HANGAR FOR WHICH THE ACCESS IS PERMITTED AND BASED ON THE AIRCRAFT FOR WHICH ACCESS IS PERMITTED WITH A MINIMUM FEE OF \$250 PER YEAR as set forth in the amendment attached hereto as Exhibit A; the fiscal impact and funding source are no change to the City as the fees continue to be paid to the Airport and used for annual maintenance. Supervisor Livermore seconded the motion. Mayor Masayko noted for the record that during the first reading the business impact statement was considered with a

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determination that it is an insignificant impact on businesses and only a small number of businesses are impacted. Motion carried 5-0.

B. ACTION ON BILL NO. 119 - AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE 19.02.020, AIRPORT OPERATIONS, TO INSTITUTE A NEW FEE FOR DEVELOPMENT PLAN CHECKING IN THE AMOUNT OF \$0.0175 PER SQUARE FOOT OF THE CONSTRUCTION PROJECT TO OFFSET THE ENGINEERING REVIEW COSTS INCURRED BY THE AIRPORT AUTHORITY (1-1675) - Supervisor Plank moved to adopt on second reading Bill No. 119, Ordinance No. 2001-18, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE 19.02.020, AIRPORT OPERATIONS, TO INSTITUTE A NEW FEE FOR DEVELOPMENT PLAN CHECKING IN THE AMOUNT OF \$0.0175 CENTS PER SQUARE FOOT OF THE CONSTRUCTION PROJECT TO OFFSET THE ENGINEERING REVIEW COSTS INCURRED BY THE AIRPORT AUTHORITY; the fiscal impact is no change to the City as the fees are paid to the airport and used to defray actual engineering expenses charged to the Airport Authority. Following discussion, Supervisor Plank amended his motion to indicate that the amount is \$0.0175. The word "cents" was removed. Supervisor Livermore seconded the motion. Mayor Masayko reiterated that a business impact statement had been prepared. It was determined that there is no significant impact and that only a small number of businesses are impacted. Motion carried 5-0.

8. TREASURER - Al Kramer - ORDINANCES - SECOND READING

A. ACTION ON BILL NO. 130 - AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE (CCMC) TITLE 4 LICENSES AND BUSINESS REGULATIONS AMENDING CHAPTER 4.04 BUSINESS LICENSES TO ADD OTHER CATEGORIES OF BUSINESSES TO THE LIST OF THOSE EXEMPT FROM BEING REQUIRED TO HAVE A BUSINESS LICENSE AND OTHER MATTERS PROPERLY RELATED THERETO (1-1734) - Mayor Masayko indicated for the record that this is the second reading of the ordinance. The first reading was held two weeks ago. He had not had received any comments either pro or con regarding the ordinance. A business impact statement was determined to be unnecessary by the District Attorney's Office. The ordinance is a minor change in policy. Supervisor Plank moved to approve on the second reading of Bill No. 130, Ordinance No. 2001-19, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 4 LICENSES AND BUSINESS REGULATIONS, AMENDING CHAPTER 4.04 BUSINESS LICENSES TO ADD OTHER CATEGORIES OF BUSINESSES TO THE LIST OF THOSE EXEMPT FROM BEING REQUIRED TO HAVE A BUSINESS LICENSE AND OTHER MATTERS PROPERLY RELATED THERETO; the fiscal impact is none. Supervisor Livermore seconded the motion. Motion carried 5-0.

B. ACTION ON BILL NO. 131 - AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 5 PUBLIC UTILITY FRANCHISES AND REQUIREMENTS, DELETING CHAPTER 5.12, OTHER PUBLIC UTILITIES, SECTION 5.12.020 TELEPHONE COMPANIES, WHICH IS A 3% BUSINESS LICENSE FEE ON TELEPHONE COMPANIES AND OTHER MATTERS PROPERLY RELATED THERETO (1-1771) - Mayor Masayko stated for the record that between first and second reading he had not received any comments, either pro or con, on the proposed ordinance. Supervisor Livermore moved to approve on second reading Bill No. 131, Ordinance No. 2001-20, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 5 PUBLIC UTILITY

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FRANCHISES AND REQUIREMENTS, DELETING CHAPTER 5.12, OTHER PUBLIC UTILITIES, SECTION 5.12.020 TELEPHONE COMPANIES, WHICH IS A 3% BUSINESS LICENSE FEE ON TELEPHONE COMPANIES AND OTHER MATTERS PROPERLY RELATED THERETO; no fiscal impact. Supervisor Williamson seconded the motion. Motion carried 5-0.

9. FINANCE - Director David Heath

A. ACTION TO ACCEPT THE CARSON CITY FISCAL YEAR 2000-01 COMPREHENSIVE ANNUAL REPORT (1-1818) - Kafoury Armstrong Representative Amy Allen and Lindsey Hendrix - Ms. Allen thanked City staff for their cooperation and assistance. Mayor Masayko stated for the record that Kafoury Armstrong is an outside, independent entity. They have the freedom to examine and test any of the records and entries and make any personal observations or findings that are necessary to ensure what is represented in the report is accurate and correct. Ms. Allen concurred. A copy of the annual report is in the file. Copies of her slides are also in the file. Ms. Allen reviewed the slides. Mayor Masayko complimented Mr. Heath and his staff on their ability to maintain the high level of excellence in reporting that enables the City to be awarded the Certificate of Excellence in Reporting. Ms. Allen reviewed Pages 1, 34, 193, 194, 202, and 205 of the Annual Report. Mayor Masayko indicated for the record that if the staff had been aware of year end extraordinary expenses in time to have amended the budget, the violations would not have occurred. These expenses were not anticipated. The City did not spend more revenue than it had. Ms. Allen explained that 99% of the time these items were pulled back from the following fiscal year as the services were provided before June 30. Augmentations cannot be made once June 30th is passed. Mayor Masayko explained that the City's assets versus liabilities is on a ratio of approximately four or five to one. Discussion noted the shift in amounts created by the bonds; the City's ability to grow its sales tax income; that depreciation is not included in the Federal grant amounts; justification for leaving depreciation in the audit report; and the reasons a graph was not provided for the Building Permit Enterprise Fund. Mayor Masayko echoed her compliments to the Finance Department and City staff. Ms. Allen explained that a new governmental accounting standard will be implemented during fiscal year 2003. It will take some work to implement and will drastically change the nature of the information that they report on. Mayor Masayko concurred. Supervisor Livermore moved to accept the Carson City Fiscal Year 2000-01 Comprehensive Annual Financial Report as presented and complimented Ms. Allen on her work. Supervisor Plank seconded the motion. Motion carried 5-0.

B. ORDINANCE - FIRST READING - ACTION ON AN ORDINANCE AUTHORIZING THE ISSUANCE BY THE CITY OF ITS NEGOTIABLE "CARSON CITY, NEVADA, GENERAL OBLIGATION (LIMITED TAX) ENERGY RETROFIT BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES) SERIES 2001" FOR THE PURPOSE OF FINANCING THE COST OF ACQUIRING, CONSTRUCTING, IMPROVING AND EQUIPPING CERTAIN PUBLIC PROJECTS; AUTHORIZING AND DIRECTING THAT THE CITY SHALL EFFECT SUCH PROJECTS; RATIFYING ACTION PREVIOUSLY TAKEN TOWARD ISSUING THE PROPOSED BONDS AND EFFECTING THE PURPOSE OF THEIR ISSUANCE; AND PROVIDING OTHER MATTERS RELATING THERETO (1-2379) - Discussion explained that the Board had approved a total bond issue of \$7.250 million earlier in the year. Only \$4.725 million of that total has been issued. The request is for up to \$1.5 million. The energy study supports issuance of \$1.3 million. Mayor Masayko indicated for the record that the proper noticing process had been done. The interest rate should be in the range of 4.3%. Board

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action on the following item will determine the actual amount of the bond issue. A correction to the ordinance was distributed to the Board and Clerk. It corrected the date of the first interest payment to be October 28, 2002, rather than August 28, 2002. Justification for the change was provided. Public comments were solicited but none were given. Supervisor Williamson moved to adopt AN ORDINANCE AUTHORIZING THE ISSUANCE BY THE CITY OF ITS NEGOTIABLE "CARSON CITY, NEVADA, GENERAL OBLIGATION (LIMITED TAX) ENERGY RETROFIT BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES) SERIES 2001" FOR THE PURPOSE OF FINANCING THE COST OF ACQUIRING, CONSTRUCTING, IMPROVING AND EQUIPPING CERTAIN PUBLIC PROJECTS; AUTHORIZING AND DIRECTING THAT THE CITY SHALL EFFECT SUCH PROJECTS; RATIFYING ACTION PREVIOUSLY TAKEN TOWARD ISSUING THE PROPOSED BONDS AND EFFECTING THE PURPOSE OF THEIR ISSUANCE; AND PROVIDING OTHER MATTERS RELATING THERETO; and the Ordinance No. is 2001-21, Bill No. 132; and the fiscal impact is the proposed bonds will provide funding for approximately \$1,300,866 in energy conservation measures as outlined in the energy conservation agreement with CMS Viron Energy Services. Mayor Masayko indicated that the amount could be changed or modified depending on the Board's action on the following item. Supervisor Plank seconded the motion. He noted that the bond is for 12 years. Mr. Heath indicated that the payback period is estimated to be for ten years. The proposed bond is the cheapest method of financing the projects. It is much shorter than normal for general obligation bonds. Mayor Masayko pointed out that the energy projects are to provide a certain amount of return on the investment project. The shorter the term of the contract, the higher the return. The 12-year term relates to 7 or 8% which may make good investment sense. Supervisor Livemore pointed out that Viron's commitment was that if the energy improvements do not generate the savings necessary, they will make the difference up. He hoped that discussion on the next item indicates that a tracking or reporting mechanism will be provided. Mr. Heath indicated that there will be an annual verification process included with the program. The motion to adopt Ordinance 2001-21 was voted and carried 5-0.

10. DEVELOPMENT SERVICES - ENGINEERING

A. ACTION ON THE ENERGY CONSERVATION RETROFIT AGREEMENT FOR PHASE 2 - CONSTRUCTION IMPLEMENTATION PROJECT, CONTRACT NO. 2000-138, AMENDMENT NO. I AND AUTHORIZE THE PARKS AND RECREATION DEPT. TO ISSUE PAYMENTS TO CMS VIRON ENERGY SERVICES, 3131 EAST CAMELBACK ROAD, SUITE 200, PHOENIX, ARIZONA 85016, FOR A NOT TO EXCEED AMENDMENT AMOUNT OF \$1,300,866 (1-2555) - Finance Director David Heath, City Manager John Berkich, Viron Area Manager Jay Johnson, Skilled Trades Technician Larry Nair - Mr. Berkich introduced the Team that worked on the program. He noted the current and future savings that may be generated by the program. The program was focused on General Fund buildings. The number of buildings was restricted due to contractual limitations and not legal parameters. The staff will continue to aggressively seek other buildings and potential savings. Mr. Johnson listed other clients in the vicinity; summarized the firm's history and energy fields, and highlighted the executive summary. He justified phasing the project instead of giving them all of the buildings at one time. The performance will be audited monthly. A formal energy audit will be presented the Board on an annual basis. Advantages of the program were noted. Excess savings should be generated and can be used for additional savings. The energy rates were estimated at a conservative five percent growth rate. Local contractors who were involved were noted. Discussion noted the reasons for not including the Sheriff's Administrative building at this time. It may be added in the future. An RFP had been circulated for a

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contractor. Concern was expressed that funding is being committed to buildings that may not be owned by the City for a long period of time. Mr. Nair explained the reasons the Sheriff's Administrative building and the Northgate were added to the RFP. The Sheriff's building has since been removed as it took longer to obtain the payback. The amount of work to be done on the Sheriff's building totaled \$100,000. The payback period for the items were three to four years. If the Sheriff remains in the building for a longer period, the savings will be used for other items/projects. Supervisor Livermore felt that it was the City's number one priority and should be dealt with. Mr. Nair explained that the items which will be done to the building were ones that the Capital Improvement Program must pay to do unless this program is utilized. The same is true of the Northgate building's roof and air conditioners. They must be replaced. Mayor Masayko felt that these improvements must be made. A bad roof will be discounted from the sale price. The City must face this problem at some point. Discussion explained that the technology for the energy retrofits have been on the market for some time. None of their technology is new. Most of it has been used in buildings throughout the area. Supervisor Staub questioned the need to make some of the improvements to the Public Safety Complex and the aquatic facility. They are relatively new structures and should have had the technology included in the construction. He urged the Board to require staff and the engineers to incorporate this technology in new buildings in the future. Mr. Johnson felt that the designers are not aware of the Board's goals and objectives, therefore, do not include these items in the structure. He also indicated that if the building is over its budget, cuts are made and these items are eliminated. He expressed a willingness to work with the City to add these items to future buildings. Mayor Masayko explained his original belief that the aquatic facility should have included cogeneration as part of the construction project and that it may be added in the future. Supervisor Williamson questioned whether the savings will be long term. She also pointed out that the equipment at the aquatic facility included mufflers due to neighborhood noise concerns. The energy savings should be such that people can live with them. Mr. Nair explained that the lighting retrofit for all buildings and the cogeneration at the pool are the large "cash cows". The lighting retrofit for the Sierra Room was described to illustrate the program. It will not create a "weird glow". He also supported the comments regarding cutting "flashy" items to make bids meet the funding. In most cases when this occurs, the size of the building remains but the more efficient items are removed. He indicated he would not allow cogeneration to occur at the aquatic facility if it creates a noise problem. He supported including it at this time as the noise problem can be mitigated. It is another "cash cow". He was convinced that the list of items will work. Any of the items with a low payback that are on the list were items that the capital improvement program would have paid for and are required now. Supervisor Williamson cautioned that if the item has a "weird glow" and the employees cannot live with it, there will be no energy savings. Discussion indicated that low sodium lighting will not be used in the offices. Supervisor Plank reminded the Board of the efforts expended attempting to sell the Northgate Complex. He also encouraged the Board and staff to utilize energy efficiencies in new buildings in the future. He reminded the Board of RTC Engineer Brotzman's suggestion that had changed the lighting in traffic signals. Mayor Masayko pointed out several changes which improved efficiencies. He then stated for the record that he had, when he first read the proposal, "put the finger on" Mr. Heath and Mr. Nair. A 100-year payback on a roof at Northgate does not seem to wash. Staff has stated the air handling system must be replaced. That is a little out there too. That means the air conditioner and the roof need to be replaced. There are 14 projects on the list. Some of those, if you get too stringent or strict with the approach and kick those long year payback projects out, items appear to be deferred maintenance. They are items that we need to replace as they are broken, worn out, or needs to be done. You can't sell a building with worn out equipment to someone who woke up and opened their eyes this morning. It is pay me now or pay me later. There is some cost subsidization included. He recognized the sensitivity of the noise over near the swimming

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pool but the engine is similar to running an automobile. It is not a large gas breathing, belching, diesel setting outside the aquatic facility. He recognized the cost subsidization. Some of the things need to be done. Overall the package looked okay. He did not see anything that was "star wars". Some of it is just common sense. Some of the things are things that the City probably needs to do anyway. If we can pay for it within these savings and cost subsidy, he would support them. Staff should be aware of the fact that he had recognized them. Staff's recommendation is for \$1,300,866 worth of capital improvements. Supervisor Plank moved to accept Development Services recommendation on the Energy Conservation Retrofit Agreement for Phase 2 - Construction Implementation Project, Contract No. 2000-138, Amendment No. 1 and authorize the Parks and Recreation Department to issue payment to CMS Viron Energy Services, 3131 East Camelback Road, Suite 200, Phoenix, AZ 85016, for a not to exceed amount of \$1,300,866 and the funding source will be provided through the issuance of General Obligation Bonds to be repaid with guaranteed energy savings. Supervisor Staub seconded the motion. Mayor Masayko noted that there are 12 to 14 projects shown on the spread sheet. The motion was voted and carried 5-0. Mayor Masayko directed that progress and savings reports be provided to the Board.

B. ACTION ON THE REQUEST FROM THE NEVADA DEPT. OF TRANSPORTATION (NDOT) FOR CARSON CITY TO PLACE AS THEIR FIRST PRIORITY FOR FEDERAL 2002 LAKE TAHOE EROSION CONTROL GRANT FUNDS, ADDITIONAL PHASES FOR MONITORING AND ANALYZING STORM WATER RUNOFF IN THE TAHOE BASIN ALONG STATE ROUTE 28 IN CARSON CITY AND AUTHORIZE THE US FOREST SERVICE TO COORDINATE DIRECTLY WITH NDOT FOR THE GRANT (1-3524) - Administrative Assistant Laura Beckerdite, NDOT Project Coordinator for the Tahoe Basin Project Theresa Jones, NDOT Project Manager for Environmental and Water Quality Projects Bill Gull - Discussion indicated the funds could not be used for other projects along Highway 28 in the designated area. The funds must be used for the Tahoe area. There is no hidden agenda. It will not eliminate the roadside parking or prohibit access to any of the beaches. The request is for the second year of a grant program. The proposal will be contracted to DRI. The information gained from the work will be placed on a system wide data base and will help adapt better designs for its total effectiveness. Supervisor Plank moved to approve the request from the Nevada Dept. of Transportation, better known as NDOT, for Carson City to place as their first priority for Federal 2002 Lake Tahoe Erosion Control Grant Funds, additional phases for monitoring and analyzing of storm water runoff in the Tahoe Basin along State Route 28 in Carson City and authorize the US Forest Service to coordinate directly with NDOT for the grant; and there is no fiscal impact to Carson City. Supervisor Williamson seconded the motion. Comments also noted that Ms. Jones and Mr. Gull are working on the Highway 50 erosion control issues above Clear Creek. Motion carried 5-0. Ms. Jones indicated that they hope to be successful and will be providing quarterly reports.

REDEVELOPMENT AUTHORITY (2-0052) - Mayor Masayko then recessed the Board of Supervisors session and passed the gavel to Chairperson Williamson who convened the Redevelopment Authority. For Minutes of the Redevelopment Authority, see its folder.

BOARD OF SUPERVISORS (2-0901) - Following adjournment of the Redevelopment Authority, Chairperson Williamson returned the gavel to Mayor Masayko who reconvened the Board of Supervisors session. The entire Board was present, constituting a quorum.

11. REDEVELOPMENT MANAGER - Rob Joiner - ACTION REGARDING THE ACCEPTANCE OF A RECOMMENDATION FROM THE REDEVELOPMENT AUTHORITY CITIZENS COMMITTEE TO RECEIVE THE REDEVELOPMENT AUTHORITY STRATEGIC PLAN AND ANNOUNCE A 30 DAY PUBLIC COMMENT PERIOD PRIOR TO FORMAL ADOPTION AND PRIOR TO EMBARKING UPON COMPLETION OF THE OPERATIONS PLAN (2-0905) - Supervisor Livermore moved that the Board of Supervisors accept a recommendation from the Redevelopment Authority Citizens Committee to receive the Redevelopment Authority Strategic Plan and announce a 30-day public comment period prior to formal adoption and prior to embarking upon completion of the operations plan. Supervisor Williamson seconded the motion. Motion carried 5-0.

RECESS: A lunch recess was declared at 12:30 p.m. The entire Board was present when Mayor Masayko reconvened the meeting at 1:35 p.m., constituting a quorum.

13. PERSONNEL - Manager Judie Fisher

A. ACTION TO APPOINT ONE MEMBER TO THE CARSON CITY ADVISORY BOARD TO MANAGE WILDLIFE (2-0918) - Bill Allyn - Discussion pointed out that none of the applicants are registered Carson City voters. Mayor Masayko disclosed his personal familiarity with Mr. Allyn. He had informed Mr. Allyn of the requirement to be a registered Carson City voter. The Board had recommended Mr. Allyn's appointment. Mr. Allyn indicated that he became a registered voter on December 13. He did not bring his receipt with him. He noted his experience on the Nye County Board to Manage Wildlife. Mayor Masayko indicated that Mr. Allyn had originally lived on August Drive which is in Ward 2. Mr. Allyn indicated that he was a registered voter at that time and was registered when he lived in Tonopah. He relocated to Carson City in August. Reasons he had not registered at that time were provided. He then indicated that he has been concerned about the Sage Grouse issue for many years. The Governor has established a task force to look into the issue. Supervisor Livermore expressed his hope that if Mr. Allyn is seated on the Board that the Board will stay informed about this task force and its study. Mr. Allyn indicated that there had been representatives at the Winnemucca meeting and there is a plan to have someone at the Yerington meeting. Mayor Masayko disclosed that the representative was Gil Yanuck and that the Regional Board to Manage Wildlife plans to participate in the study. He had advised Mr. Yanuck that the Carson City Board should determine the number of members who should be in attendance at those meetings. It was felt that it was important for the City's representative be in attendance and participate. Supervisor Livermore felt that the Board could make an appointment based upon the representation that Mr. Allyn had registered on the 13th. The Clerk should be asked to verify the registration prior to swearing Mr. Allyn into the office. Clerk-Recorder Glover explained that registrations had not been entered into the new computerized system for two months. They will look for the affidavit. This is the reason that Supervisor Plank was informed that he had not registered. He hoped to have everything entered in a week or so. Mr. Allyn indicated that he has a receipt if needed. Supervisor Livermore moved to appoint one applicant to the Carson City Advisory Board to Manage Wildlife to fill the vacancy left by Larry Blank, and moved for the appointment of Bill Allyn to fill the vacancy left by Larry Blank's resignation. Supervisor Plank seconded the motion. Mayor Masayko indicated that the term will expire in July 2003. Motion carried 5-0. Mayor Masayko thanked Mr. Allyn for his interest.

B. ACTION TO APPOINT TWO "CITIZEN-AT-LARGE" MEMBERS TO THE

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REGIONAL TRANSPORTATION COMMISSION (2-1065) - The Board interviewed: (2-1080) Bob Kennedy; (2-1248) Shirley Faiella; (2-1413) David Barber; (2-1646) Tom Keeton; (2-1845) Frank Page; (2-2158) Shelly Aldean; (2-2468) James Bagwell; and (2-2812) Anne Macquarie. Lisa Sheppard did not appear. The Board thanked each for applying. The Board's policy to reappoint individuals who have served honorably was noted. Supervisor Plank moved to reappoint Robert Kennedy to the Regional Transportation Commission. Supervisor Williamson seconded the motion. Mayor Masayko indicated that the motion reappoints Mr. Kennedy to a two year term on the Regional Transportation Commission. Motion carried 5-0.

The Board then used its Round Robin process to select the second appointee. Comments regarding the reasons for supporting an individual were sometimes given. Board statements indicated the difficulty encountered making the selection due to the quality of the applicants and, again, thanked the applicants for applying. Supervisor Livermore moved to appoint Shelly Aldean to the two year term on the Regional Transportation Commission. Supervisor Plank seconded the motion. Motion carried 5-0.

RECESS: A recess was declared at 3:23 p.m. The entire Board was present when Mayor Masayko reconvened the meeting at 3:30 p.m., constituting a quorum.

14. COMMUNITY DEVELOPMENT - Director Walter Sullivan

O. ACTION ON BILL 129 - AN ORDINANCE APPROVING A THIRD ADDENDUM TO A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND SILVER OAK DEVELOPMENT COMPANY LIMITED PARTNERSHIP TO MODIFY PARAGRAPH 2.4 OF THE DEVELOPMENT AGREEMENT TO INCLUDE THREE ACRES TO BE GIVEN TO THE BOYS AND GIRLS CLUB OF WESTERN NEVADA AND OTHER MATTERS PROPERLY RELATED THERETO (2-3448) - Boys and Girls Club Executive Director Kathy Blankenship and Board Member Roger Williams were present. Mayor Masayko indicated that this is the third time this matter has been considered by the Board. He also stated for the record that he had not had any contacts regarding the item from anyone between first and second readings. Public testimony was solicited but none was given. Supervisor Plank moved that the Board of Supervisors approve M-01/02-2 and adopt on second reading Bill No. 129, Ordinance No. 2002-22, AN ORDINANCE APPROVING A THIRD ADDENDUM TO A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND SILVER OAK DEVELOPMENT COMPANY LIMITED PARTNERSHIP TO MODIFY PARAGRAPH 2.4 OF THE DEVELOPMENT AGREEMENT TO INCLUDE THREE ACRES TO BE GIVEN TO THE BOYS AND GIRLS CLUB OF WESTERN NEVADA AND OTHER MATTERS PROPERLY RELATED THERETO; there is no fiscal impact to the City. Supervisor Williamson seconded the motion. Discussion and/or comments were solicited but none were given. The motion to adopt Ordinance No. 2001-22 was voted and carried 5-0.

A. ACTION REGARDING AN APPEAL OF THE PLANNING COMMISSION'S DECISION TO DENY A SPECIAL USE PERMIT APPLICATION (U-01/02-11) FROM MICHAEL D. AND MARGARET KATHLEEN HARRIS TO ALLOW THE OPERATION OF A DAYCARE FACILITY FOR UP TO EIGHT CHILDREN ON PROPERTY ZONED SINGLE FAMILY 6,000 (SF6000) LOCATED AT 1823 NORTH NEVADA STREET, APN 001-103-07 (2-1621) - During the interviews for the RTC vacancies, an unidentified individual indicated that "there is no opposition to the Special Use Permit application and that he did not wish to remain until the item is heard". Mayor Masayko

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explained that this item may be heard at approximately 3:30 p.m. and suggested that the individual return at that time.

(2-0062) Mayor Masayko indicated for the record that the Board had been provided with a copy of the Planning Commission's packet. He assumed that the Board members had read the information and hoped to expedite the hearing. Senior Planner Lee Plemel's introduction included an explanation of the letter of appeal and noted a letter of support from a property owner who resides in the vicinity. (A copy was given to the Board and Clerk.) Discussion between Board and Michael and Margaret "Kathy" Harris indicated their awareness of the need to have handicapped accommodations if a Special Use Permit for more than six children is approved. A license is not required for less than five children. The Applicants have had their TB tests. The "FBI" background check is not required until after the Special Use Permit is approved. The Special Use Permit is required for more than four children. They were aware of the size requirements for a handicapped restroom facility. Staff had recommended to the Commission that they be granted a Special Use Permit for eight children. The Commission denied the application based on concerns with the amount of space within the home for the children. The opposition had supported six children but not eight. Clarification between the Board and staff indicated that a citation was issued to the Applicants and that a court date has been scheduled. Staff will monitor the establishment to ensure compliance with the restrictions and the number of children at the home. Supervisor Plank reminded the Board that it had approved a childcare facility on the west side of the City for a reduced number of children for a year. It then granted an increase based on the lack of problems during the year. Clarification by Mr. Harris indicated that, at the time the Health Department was at the residence and a warning was issued, there were more than four children present. There has not been more than four since that time. The Applicants had not been aware of the requirement that a Special Use Permit was required for more than four children. They had two adults at the house at that time. They had believed that was the only requirement. Comments were solicited from supporters. None were given. Mayor Masayko disclosed for the record that he had received a telephone call from Shirley Whitcome, who may be present, before the last Board meeting. His comments to her relayed information that the Harris' Special Use Permit was not on the December 6 agenda. It was scheduled for the December 20th meeting. Public comments in opposition to the application were solicited.

Wilbur Wieprecht felt that granting the Special Use Permit would begin the encroachment of businesses in a subdivision whose's CC&Rs prohibit businesses. There are commercial sites nearby that could be used for this purpose without encroaching on their quiet neighborhood. Granting the request would be spot zoning. He also indicated that he had not personally been impacted by the child care facility, however, the traffic volume has increased.

Shirley Whitcome felt that the Applicants knew businesses are not allowed in the subdivision when they moved into the home. She opposed allowing them to have more than four children. She believed that only the tenants living on the north side of the home were contacted regarding the child care facility. She resides on the south side. She alleged that they had not contacted her or the property owner across the street. She also felt that failure to notify her was a disservice to the longtime residents in the area. She believed that the noise from the facility would be detrimental to the peace and quiet enjoyed by the seniors who live in the area. Anna Smith, who resides in the same block, cares for her two grandchildren. Due to the noise concerns, she asked that the Special Use Permit be denied for both six and eight children. The location of the individuals who had signed the petition of opposition was limned. They opposed having a childcare facility in the neighborhood as it opens the area to other businesses. Discussion indicated that if the Applicants move, the

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Special Use Permit also leaves.

Supervisor Livermore felt that new information that would overturn the Commission's denial had not been provided. Therefore, he would support the Commission's action. Discussion between Supervisor Williamson and Ms. Harris indicated that Ms. Whitcome believed that the children arrive as early as 6:15 a.m. Ms. Harris indicated that they do not arrive until 6:30 or 6:45 a.m. The parents must be at work by 7 a.m. Ms. Whitcome allegedly shook her head "no" indicating the children arrive earlier than Ms. Harris had indicated. Supervisor Plank explained his problems with "boot legged daycare" facilities. He felt that it is better to have the establishment licensed and watched. Daycare has become a necessary "evil" today as both parents must work. Although he is an advocate for licensed daycare facilities, he was not comfortable with having eight children in a home. Staff has indicated that the space is adequate for eight. He preferred a limit of six children. Supervisor Staub explained his attempt to view the situation from both sides. He pointed out the "Not In My Back Yard" syndrome which appears to be involved with this situation. He believed that up to four children would not potentially impact the character of the neighborhood or their property values. Six or eight becomes a question of where to draw the line. Day care facilities with up to four children provide the care giver with the opportunity to potentially make money while caring for his/her own children. He felt that there is more than adequate childcare facilities in the community. He had always been able to find childcare for his two children which was not in a residential 6,000 square foot zoning district. He objected to allowing it to occur as you cannot stop it once the door is opened. It also adversely impacts the value of the neighboring property when efforts are made to sell it. The Commission had reviewed it. He was not willing to second guess their decision. He disclosed a discussion he had with one Commissioner about it. He had wanted to know what had happened and why it was denied. He was not willing to overturn their decision. Discussion explained the Board's options. Mayor Masayko agreed that in a year the Applicants could apply for an increase in the numbers if a smaller number is approved by the Board.

Mr. Harris alleged that they had a license and had been told that if more than four children are present, another adult must be present. They did not intend to have more than six children. He felt that the issue is between him and Ms. Whitcome. She purportedly had never complained about having any problems with the Harris. The children are outside for only 1½ hours a day as indicated in the schedule. Mayor Masayko explained that he could not "get inside people's heads to find out what is going on". Mr. Harris then explained that the traffic which people are complaining about is not related to their business. There are several people on the block who have constant stream of visitors. The traffic at their home occurs during pick up and drop off periods only.

Supervisor Livermore reiterated his belief that there had been no new information provided. The Commissioners take their responsibilities seriously. He had not participated in their debate. Overturning the Commission's decision requires undisputable evidence that the decision was wrong. He had not seen anything that would indicate this to be the case in this matter. **Supervisor Livermore then moved that the Board of Supervisors deny the appeal and uphold the Planning Commission's decision to deny a Special Use Permit application, U-01/02-11, from Michael D. and Margaret Kathleen Harris to allow the operation of a daycare facility for up to eight children on property zoned Single Family 6,000, SF6000, located at 1823 North Nevada Street, Assessor's Parcel Number 001-103-07. Supervisor Staub seconded the motion.** Mayor Masayko felt that the matter would be settled by the Board. He was persuaded that the City needs affordable daycare in as many places as are suitable by as many people as are suitable for providing it.

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He also pointed out that the same argument has been made to the Board previously that the noise level for a family with six or eight children in a house may cause a lot more disruption than the proposed daycare facility. He is strongly persuaded by the fact that the next door neighbor finds it to be objectionable. The Board has dealt with a number of similar requests. The first people who should be on board with the Applicant should be the surrounding neighbors—the ones located around the perimeter. The neighbors up and down the street may also have problems with it. In such cases, when he is persuaded that the immediate neighbors are okay with the proposed usage, he supports the Applicants. He was not as worried about the property values as he is about peace and enjoyment and what the neighbors expect from the neighborhood they have lived in for a long time. He did not believe that there were any winners or losers or right and wrong. He was willing to state that he was persuaded by the neighborhood including Ms. Whitcome and the neighbors. They will have to be tolerant of the fact that the Applicants will be providing a daycare for four children. This is not an issue of a business or property rights. It is an issue of quiet enjoyment of the home and the property. In this case the next door neighbor is not satisfied that she will be able to continue to enjoy the home and environment. He, therefore, had to look strongly at that and give her that peace of mind. Additional comments were solicited but none were given. **The motion to deny the appeal and uphold the Commission's decision was voted and carried 4-1 with Supervisor Plank voting Naye.** Mayor Masayko stated that the appeal is denied. They are to remain with four children and not increase the number. The matter can be reconsidered by the Planning Commission in the future.

B. ACTION ON MPA-01/02-2 - ADOPTION OF A RESOLUTION OF THE CARSON CITY BOARD OF SUPERVISORS AMENDING THE CARSON RIVER MASTER PLAN ELEMENT, SPECIFICALLY, CHAPTER THREE - THE WILDLIFE AND WILDLIFE HABITAT SECTION (3-0675) - Parks Planner Vern Krahn - The Element does not include any restrictions against motorized uses. Its purpose was limited. Mr. Krahn complimented the Intern who had worked on the Element for his dedication and service to the community. Supervisor Williamson thanked and congratulated the various groups and individuals who had worked on the Element. The wildlife listing includes what was seen in 2000 and is a base for the future. It completes the Carson City Master Plan. She urged the Board to adopt it. Mr. Krahn concurred with her comments regarding the Element being a “work of love” that was developed by groups and individuals. Supervisor Williamson moved to adopt Resolution No. 2001-R-63, A RESOLUTION OF THE CARSON CITY BOARD OF SUPERVISORS AMENDING THE CARSON RIVER MASTER PLAN ELEMENT, SPECIFICALLY, CHAPTER THREE - THE WILDLIFE AND WILDLIFE HABITAT SECTION. Supervisor Plank seconded the motion. Supervisor Livermore went on record complimenting the Carson River Advisory Committee on the detail contained in the report regarding the bird studies and counts. Supervisor Williamson indicated an intent to participate in the next bird count in December. The motion to adopt Resolution No. 2001-R-63 was voted and carried 5-0.

C. ACTION ON MR-01/02-1 - APPROVAL OF A MERGER AND RESUBDIVISION REQUEST FROM GLEN A. MARTEL, REPRESENTING LANDMARK HOMES AND DEVELOPMENT, INC., FOR NORTHRIDGE PHASE 6, CONSISTING OF LOTS 16 THROUGH 32, BLOCK K, ZONED SINGLE FAMILY 6,000 (SF6000), APNS 002-692-6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, AND 22, BASED ON THE ORIGINAL FINDINGS AND SUBJECT TO THE 28 ORIGINAL CONDITIONS OF APPROVAL AS CONTAINED IN THE STAFF REPORT (3-0810) - Principal Planner Skip Canfield, Glen Martel - Discussion indicated that two lots are being eliminated by the proposal. The lots “wrap around” the Steinheimer Park. Supervisor Staub disclosed that he had repre-

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sented Landmark Homes in actions on matters which are not relevant to this request or the following item. He noted for the record that he did not have a financial interest, impact, or any financial benefit that would result from the action taken by this Board on these two matters. He had not been consulted previously on these matters. Clarification by Mr. Martel indicated that the unit numbers are reduced by four. This is the only change that is going to be made on this section of the project. The original intent on the lots would have created a different product line. It did not work as configured. Therefore, they must increase the lot sizes in order to accommodate the models that are in the area. The process is simplified by going to the Board and not having to start from square one and go through the Commission. All of the lots are still under Landmark's control. Mr. Martel then stipulated for the record that there will be an abandonment of existing sewer laterals on a couple of the lots and a relocation of a couple of water meters to accommodate the new lot lines and to bring the locations into compliance with the Code. He had talked to staff and they had come to an agreement on the process. He stipulated for the record that the process will be monitored through the Building Permit Process and that the homes that are effected will not be constructed until such time as those changes have been completed. Public comments were solicited but none were given. Supervisor Plank moved that the Board of Supervisors approve MR-01/02-1, a merger and resubdivision request from Glen A. Martel, representing Landmark Homes and Development, Inc., for Northridge Phase 6, consisting of lots 16 through 32, Block K, zoned Single Family 6,0000, Assessor's Parcel Numbers 002-692-6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, and 22, based on the original findings and subject to the 28 original conditions of approval as contained in the staff report. Supervisor Livermore seconded the motion. Motion carried 5-0.

D. ACTION ON S-94/95-1 (F-8) - APPROVAL OF A FINAL SUBDIVISION MAP REQUEST FROM GLEN A. MARTEL, REPRESENTING LANDMARK HOMES AND DEVELOPMENT, INC., FOR NORTHRIDGE SUBDIVISION - PHASE 8, CONSISTING OF 37 LOTS (APPROXIMATELY 7.39 ACRES), ZONED SINGLE FAMILY 6,000 (SF6000) LOCATED NORTH OF NORTHRIDGE DRIVE, APN 002-104-04 (3-0950) - Principal Planner Skip Canfield, Parks Planner Vern Krahn, Glen Martel - Supervisor Staub disclosed that the statements he had made for the previous item also apply to this item. Mr. Krahn indicated that the Parks Department is pleased with the status of the parks and how they are being developed which is in compliance with the development agreement. He thanked Mr. Martel on his effort to keep it on track. Supervisor Plank moved that the Board of Supervisors approve S-94/95-1(F-8), a final subdivision map request from Glen A. Martel, representing Landmark Homes and Development, Inc., for Northridge Subdivision - Phase 8, consisting of 37 lots, approximately 7.39 acres, zoned Single Family 6,000 located north of Northridge Drive, Assessor's Parcel Number 002-104-04, based on the original findings and subject to the 28 original conditions of approval as contained in the staff report. Supervisor Livermore seconded the motion. Motion carried 5-0.

E. DISCUSSION AND ACTION REGARDING AN APPEAL OF THE PLANNING COMMISSION'S DECISION TO APPROVE A VARIANCE APPLICATION (V-01/02-2) FROM RICHARD L. REITNAUER TO VARY THE SETBACK ON THE WEST SIDE OF PROPERTY BY 30 FEET FROM 50 FEET TO 20 FEET ON PROPERTY ZONED SINGLE FAMILY 5 ACRES (SF5A) LOCATED ON OLD CLEAR CREEK ROAD, APN 007-042-11 (1-1002) - Assistant Fire Chief Steve Mihelic, Jerry and Julie Walker, Bill Schulz, Richard Reitnauer, National Best Sellers Realtor Collette Bureau, Rick Jordan, National Best Sellers Broker Bob Fredlund - Discussion explained the topography, the deed restriction, the area that is buildable, and the wild land building restrictions. Mr. Sullivan was uncertain of the exact location of the adjacent homes and the distance between them and the Applicant's buildable area.

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Clear Creek Road divides the five acres. Only one residence is allowed on it. It could be on either the north or the south side of Clear Creek Road under normal conditions. Mr. Sullivan then explained that the flood plain regulations restrict the ability to construct the house on the south side of the road and that the deed restriction requires the parcel to be developed on the north side of the road. Assistant Fire Chief Mihelic felt that logic would require the 30 feet between structures be on the property owner's land. The property owner must show how the 30 feet will be achieved prior to issuance of the building permit. If the adjacent property owner does not want to have the 10 feet on his property, then the Applicant and Assistant Fire Chief Mihelic must develop another method of providing the 30-foot buffer. Public comments were solicited.

Mr. Walker explained that he owns the property to the north of the Applicant's. The location of his home was explained with the use of a map. The elevation was limned. Putting the house further up the hill will destroy their views. Defensible space is necessary as indicated by a recent fire. The wild land fire code requirements were supported. He questioned how a house can be built within 20 feet of the property line and maintain the 30 feet of defensible space that is required. The neighbor had allegedly refused to provide the 10 feet that would be needed. The neighbor was purportedly present and should speak for himself.

Mr. Schulz explained that he owns the 40 acres abutting Mr. Reitnauer's property. The wild land ordinance requires a 30 foot clear space surrounding the home. More space may be required if the lot slopes as fires go uphill easier. The proposed 20-foot setback will require him to clear 10 feet on Mr. Schulz' property. He felt that Mr. Reitnauer should be able to meet the Code requirements on his own property and not his property. He urged the Board to require a 30-foot setback. He asked that the Fire Department visit the property and establish the parameters required by the wild land codes. There are a lot of trees on the property. He also felt that there are "creative" methods which could be used to meet the Code requirements. He reiterated his opposition to allowing the Applicant to use his property to meet the Wildland Code requirements. Supervisor Williamson explained that it is possible to keep the trees and provide for defensible space. It does, however, require the removal of the under brush. Mr. Schulz indicated that he did not understand all of the requirements, however, did not feel that the houses/trees should be that close. Mayor Masayko indicated that the 20-foot setback may require Mr. Reitnauer or his buyer to make some foliage changes to the trees and brush to provide the required 30-foot setback. Mayor Masayko also felt that a site plan, a building plan, and neighbors working together were needed to provide a clear picture of what is intended. Mr. Schulz indicated that he was not opposed to having the new owner construct a home on the lot.

Clarification by Mr. Walker indicated that a house constructed along the property line would interfere with his view. He did not oppose Mr. Reitnauer's ability to build a house. Mr. Jordan, the purported buyer, had allegedly indicated that he would acquire the lot regardless of the setback. Mr. Walker felt that there is an adequate building envelope on the property which should be utilized. He also felt that an exact plan should be provided before the decision is made. He was willing to talk to the buyer or Mr. Reitnauer.

Mr. Reitnauer explained for the record his acquisition of the property in 1985, his 1997 divorce, and efforts to sell the property since 1999. In July he received an offer from Mr. Jordan to purchase the property. The purchase was conditioned upon having the "County" indicate that there is a buildable site on the property. Following discussions with Jim Hadden, they decided to apply for a variance as it would provide a better building envelope. The Planning Commission granted the variance, however, on the last day to appeal the variance, Mr. Walker filed the appeal. They are now at the Board level. He read a statement from an unnamed source which indicated that Mr. Walker was under the impression that if the request is denied, the

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lot would be unbuildable and his view would not be obstructed. Mr. Walker allegedly believed that Mr. Reitnauer would not be able to sell or develop the property. The sale was finalized on November 9. Mr. Jordan purportedly believed that it is impossible to construct a structure on the lot. If the variance is not approved, the only building site left on the site is directly within view of the two neighbors. The variance will allow the structure to be placed on the west side and hidden from their view. He, therefore, suggested that Mr. Walker withdraw his appeal. If he does not, Mr. Reitnauer asked that the appeal be denied. If the variance is not approved, then Mr. Jordan must build the house higher on the property which will impact the Walkers' view.

Ms. Burau explained her relationship with Mr. Reitnauer, her involvement with the property, its zoning, the deed restriction, and the setback requirements. In 1999 a buildable site was found on the property with a 20 foot setback. The lot is very desirable to a lot of individuals. She also pointed out that several lots have been developed with ten foot setbacks. Mayor Masayko explained that the Board has no knowledge of this information. Ms. Burau explained that the 50-foot setback will push the structure higher on the lot and into the Walkers' view.

Mr. Jordan explained that there are other variances in the neighborhood and the reason Mr. Reitnauer had applied for the ten foot variance. They had agreed to the 20 feet as a compromise. He had lengthy discussions on the Wildland Fire Code requirements with Assistant Chief Mihelic. They included the driveway and the defensible space requirements. It will not be necessary to remove the trees. The branches below 15 feet will have to be removed. He must know the guidelines before he can develop a plan. Mr. Hadden has surveyed the land and drafted a preliminary plan with three different driveway plans. Until the setback issue is resolved, the final plan cannot be developed. The further he must move away from the western boundary, the higher he goes on the hill and the more encroachment into the neighbors' line of sight. He plans to build into the side of the hill as he does not want to see his neighbors nor does he want his neighbors to be able to observe him.

Mr. Sullivan explained that the area was developed through the use of five acre parcel maps. For this reason, the area was rezoned Single Family Five Acre. There have been several homes developed with only ten foot setbacks. One was approved approximately five or six months ago. He acknowledged that this occurred even though it may have required some defensible space to be located on the adjacent parcel.

Mr. Jordan explained that, if he is unable to provide the necessary ten feet of defensible space on his neighbor's property, he could construct a wall as an option. Assistant Fire Chief Mihelic concurred that there are other options that will provide the necessary fuel break. He was uncertain whether a wall is one of those options. He must visit the site and check the plans before committing to a different option. He emphasized an intent to work with the property owner. Defensible space will be required regardless of who owns the property.

Mr. Fredlund explained that he had represented Ed Sarman in the sale of four parcels on Clear Creek. Two of the parcels had ten foot sideyard setbacks. They had defensible space as the lots had already been cleared. They were required to bring in large boulders to compensate for any defensible space which they could not obtain. Mayor Masayko expressed his belief that individuals may not be providing as much defensible space as required or should have. This is an issue which should be addressed during another discussion.

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Mr. Walker was uncertain what his setback is. He used a map to explain the location of the lots referenced by Mr. Fredlund and the topography between those lots and his location. There are no ten, 20, or 30 foot setbacks in his area with the exception of "Marshall's" property. His is approximately 20 feet from the property line. "Marshall's" plot plan is allegedly blank. No one knows why or how this occurred. Mayor Masayko explained that this issue cannot be addressed at this time. Mr. Walker stressed the need for fire protection. Discussion between Mr. Walker and Supervisor Staub explained that the variance is for the west side of Mr. Reitnauer/Jordan's property. Mr. Walker is located on the north side of the property. The 50-foot setback requirement is not applicable to the north property line. Mr. Walker stressed that the closer the structure is built to the north property line, the higher the house will be, the more it will impact his viewshed, and the greater fire danger it will pose to his property. Ms. Walker felt that reducing the defensible space on the west side of the property would also increase their fire danger if a fire occurs. The fire that had occurred after the Planning Commission meeting was explained to illustrate how fires move uphill and increase the threat to their home. Mr. Walker urged the Board to require Mr. Reitnauer/Jordan to build within the established building envelope. He also welcomed Mr. Jordan to the neighborhood.

Mr. Reitnauer explained that the property had originally had a ten foot setback and not a 20 foot setback as indicated by Ms. Burau. He then stressed that the higher up the hill the structure is placed, the less defensible space between his home and the Walkers'. A request for a reduction in the 50-foot setback requirement for the north property line was not necessary. Mr. Reitnauer reiterated a desire to stay lower on the hill and to the west.

Discussion ensued between Mayor Masayko and Mr. Sullivan on the options available to the Board. Supervisor Plank suggested that the setback be modified to provide the 30 feet for defensible space as Mr. Schulz did not wish to allow any defensible space to be located on his property. This would require a 20-foot variance. **Supervisor Plank moved that the Board of Supervisors modify the Planning Commission's decision to approve a variance application from Richard L. Reitnauer to vary the setback on the west side of the property by 20 feet from 50 feet to 30 feet on property zoned Single Family Five Acre located on Old Clear Creek Road, Assessor's Parcel Number 007-042-11. Supervisor Livermore seconded the motion.** Following a request for an amendment to the motion, **Supervisor Plank amended his motion to include six conditions of approval as Community Development modifies them to fit the 30 foot setback. Supervisor Livermore concurred.**

Mr. Fredlund urged the Board to follow the Planning Commission's recommendation and grant a ten foot variance as had been allowed elsewhere in the vicinity. The defensible space can be handled in another fashion. The compromise had already been accepted by the parties and the Commission.

Mr. Walker claimed that the 20 foot compromise had not been included in the Commission's original options. It was to have been ten feet. The Commission provided the 20 feet as a compromise. He wanted the 50 foot and not 30 feet. Mayor Masayko felt that it was a second compromise.

The motion to grant a 20 foot variance subject to the six amended conditions of approval was voted and carried 5-0.

RECESS: A recess was declared at 5:20 p.m. The entire Board was present when Mayor Masayko reconvened

the meeting at 5:35 p.m., constituting a quorum.

F. ORDINANCE - SECOND READING - ACTION ON BILL NO. 120 - AN ORDINANCE AMENDING TITLE 18, ZONING, BY DELETING THE CURRENT CODIFIED ORDINANCE IN ITS ENTIRETY, ADOPTING NEW TEXT IN ITS ENTIRETY, EXCEPT THE PUBLIC (P) ZONING DISTRICT, AND MAKING THE CARSON CITY DEVELOPMENT STANDARDS A PART OF TITLE 18, ZONING, AND OTHER MATTERS PROPERLY RELATED THERETO (3-1910) - Deputy District Attorney Melanie Bruketta, Don Langson - Discussion pointed out that typographical corrections had been made to the ordinance after the first reading. Ms. Bruketta explained that the RV parks were listed as a conditional use in the Tourist Commercial district. The Planning Commission's intent was to allow it as a primary permitted use. This correction was not made. The District Attorney's office supported proceeding without the change in the ordinance and for staff to bring an ordinance changing the zoning district back at the next meeting. An alternative would be to begin the Title 18 revision over after making the change. Reasons for not allowing the change to be made at this time were listed. Mr. Sullivan apologized for the oversight. The Commission's draft ordinance included the usage as both a conditional and a permitted use. The Commission's decision was to have removed the conditional use from the ordinance. The wrong section was eliminated. He felt that the amount of testimony on the record clearly indicated the Commission's intent and that the Board could proceed based on that record. It is a clerical error. The only testimony on the use was provided by the Langsons. They are present. They want it as a permitted use. Mayor Masayko indicated that he did not wish to start the entire process at step one again. Discussion indicated that it would not be necessary to return to the Planning Commission to make the revision. Mayor Masayko supported bringing the one change in the ordinance to the next Board meeting. He felt that adopting on second reading a revised ordinance could be challenged in the future and would require reconsideration of the entire ordinance at that time. He also pointed out that all of the remaining ordinances for second reading are contingent upon this ordinance's adoption. Mayor Masayko assured the Langsons of the Board's intent to make the revision. Mr. Sullivan apologized to the Langson for the delay and stipulated to having the revision to the Board for the next meeting. Mayor Masayko explained a Code amendment requested by the Airport Authority which was revised by the Board and the public noticing that was provided regarding the change. He was not willing to start over or make the change without proper notification to the public. Supervisor Plank urged staff to not delay the revision. He was willing to support the delay in making the revision to the next meeting. An example to illustrate his point was provided. Mr. Sullivan indicated that the revision will be at the City Manager's office tomorrow. Supervisor Staub supported proceeding as indicated by Mayor Masayko and Ms. Bruketta. Mayor Masayko apologized to Mr. Langson for the delay and error. He also thanked Mr. Langson for catching the error.

Mr. Langson indicated that he understood the need to delay the revision. Discussion ensued between Mr. Sullivan and Mr. Langson on the reasons the RV park ordinance had not been revised to allow RV parks in the tourist commercial zone. Mr. Sullivan explained that the Title 18 revision will take precedence over the RV park ordinance and, as such, RV parks will become a permitted use in the tourist commercial district. Mr. Langson felt that an alleged former ruling by the Chief Deputy District Attorney Mark Forsberg would not allow this to occur. This would place him in jeopardy again and prevent his ability to proceed as he wished with his property. Mr. Sullivan reiterated his intent to bring the Title 18 ordinance revision back to the Board at the next meeting. It would not be necessary to go to the Planning Commission with the revision. Mayor Masayko pointed out that Mr. Forsberg's opinion was that the latest revision would take precedence. Under this concept, the Title 18 revisions were the most recent changes. Therefore, it would take precedence. The

need to allow the ordinance to remain as it was on the first reading on December 6 was explained. Mr. Langson agreed to the process. Mr. Sullivan again stated his intent to have the ordinance to the City Manager's office tomorrow. Ms. Bruketta explained her lack of knowledge regarding whether the ordinance must be considered by the Planning Commission before the Board can consider it. Mr. Sullivan indicated that the Commission had adopted a motion permitting the use in the tourist commercial zone. This eliminated the need for the Commission to consider it again. Mayor Masayko indicated that Mr. Forsberg should be contacted to verify whether it should be considered by the Commission or not. He, again, thanked Mr. Langson for bringing the matter forward. Supervisor Williamson moved to approve A-00/01-4a and adopt on second reading Bill No. 120, Ordinance No. 2001-23, AN ORDINANCE AMENDING TITLE 18, ZONING, BY DELETING THE CURRENT CODIFIED ORDINANCE IN ITS ENTIRETY, ADOPTING NEW TEXT IN ITS ENTIRETY, EXCEPT THE PUBLIC P ZONING DISTRICT, AND MAKING THE CARSON CITY DEVELOPMENT STANDARDS A PART OF TITLE 18, ZONING, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Livermore seconded the motion. Following a request for an amendment, Supervisor Williamson amended her motion to include with the stipulation that there is a clerical error in the tourist commercial section which will be corrected in January. Supervisor Livermore concurred. Motion carried 5-0.

G. ORDINANCE - SECOND READING - ACTION ON BILL NO. 121 - AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 2, ADMINISTRATION AND PERSONNEL, BY DELETING 2.12, PLANNING COMMISSION, FROM THE LISTING OF CHAPTERS AND BY DELETING THE TEXT OF CHAPTER 2.12, PLANNING COMMISSION, IN ITS ENTIRETY, AND OTHER MATTERS PROPERLY RELATED THERETO (3-2417) - Supervisor Williamson moved to approve M-01/02-8 and adopt Bill No. 121, Ordinance 2001-24, on second reading, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 2, ADMINISTRATION AND PERSONNEL, BY DELETING 2.12, PLANNING COMMISSION, FROM THE LISTING OF CHAPTERS AND BY DELETING THE TEXT OF CHAPTER 2.12, PLANNING COMMISSION, IN ITS ENTIRETY, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Livermore and Staub seconded the motion. Motion carried 5-0.

H. ORDINANCE - SECOND READING - ACTION ON BILL NO. 122 - AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 7, ANIMALS, CHAPTER 7.13, LICENSING AND REGULATIONS, SECTION 7.13.190, KEEPING OF ANIMALS IN ZONED AREAS; BY ADDING SUBSECTIONS 7.13.190(2) THROUGH (10), WHICH CLARIFIES ON WHICH PARCELS HORSES, SWINE, FOWL, SHEEP OR ANIMALS OF A SIMILAR NATURE MAY BE KEPT; DEFINES "ANIMAL UNIT EQUIVALENTS", DEFINES "ANIMAL DENSITY", CLARIFIES THE MAINTENANCE OF LIVESTOCK; DEFINES WHERE THE SLAUGHTER OF ANIMALS MAY BE ALLOWED; CLARIFIES STANDARDS REGARDING THE KEEPING OF HAZARDOUS OR OFFENSIVE ANIMALS; SETS STANDARDS FOR THE KEEPING OF BEES; AND OTHER MATTERS PROPERLY RELATED THERETO (3-2445) - Supervisor Williamson moved to approve M-01/02-9 and adopt Bill No. 122, Ordinance No. 2001-25, on second reading, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 7, ANIMALS, CHAPTER 7.13, LICENSING AND REGULATIONS, SECTION 7.13.190, KEEPING OF ANIMALS IN ZONED AREAS; BY ADDING SUBSECTIONS 7.13.190(2) THROUGH (10), WHICH CLARIFIES ON WHICH PARCELS HORSES, SWINE, FOWL, SHEEP OR ANIMALS OF A SIMILAR NATURE MAY BE KEPT; DEFINES "ANIMAL UNIT

EQUIVALENTS”, DEFINES “ANIMAL DENSITY”, CLARIFIES AND SETS STANDARDS FOR THE MAINTENANCE OF LIVESTOCK; DEFINES WHERE THE SLAUGHTER OF ANIMALS MAY BE ALLOWED; CLARIFIES STANDARDS REGARDING THE KEEPING OF HAZARDOUS OR OFFENSIVE ANIMALS; SETS STANDARDS FOR THE KEEPING OF BEES; AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Plank seconded the motion. Motion carried 5-0.

I. ORDINANCE - SECOND READING - ACTION ON BILL NO. 123 - AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE, TITLE 9, HEALTH AND WELFARE, CHAPTER 9.05, FOOD ESTABLISHMENTS, SECTION 9.05.050, INSPECTION OF FOOD ESTABLISHMENTS, BY ADDING SUBSECTIONS 9.05.050(4) THROUGH (10), WHICH ESTABLISH RULES AND REGULATIONS FOR THE OPERATION OF MOBILE CANTEENS, AND OTHER MATTERS PROPERLY RELATED THERETO (3-2478) - Supervisor Williamson moved to approve M-01/02-10 and adopt Bill No. 123, Ordinance No. 2001-26, on second reading, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE, TITLE 9, HEALTH AND WELFARE, CHAPTER 9.05, FOOD ESTABLISHMENTS, SECTION 9.05.050, INSPECTION OF FOOD ESTABLISHMENTS, BY ADDING SUBSECTIONS 9.05.050(4) THROUGH (10), WHICH ESTABLISH RULES AND REGULATIONS FOR THE OPERATION OF MOBILE CANTEENS, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Plank seconded the motion. Motion carried 5-0.

J. ORDINANCE - SECOND READING - ACTION ON BILL NO. 124 - AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE, TITLE 11, HIGHWAYS AND SIDEWALKS, BY ADDING CHAPTER 11.30, DEVELOPMENT STANDARDS, TO THE LISTING OF CHAPTERS; BY ADDING THE TEXT OF A NEW CHAPTER, CHAPTER 11.30, DEVELOPMENT STANDARDS, AND OTHER MATTERS PROPERLY RELATED THERETO (3-2498) - Supervisor Williamson moved to approve M-01/02-11 and adopt Bill No. 124, Ordinance No. 2001-27, on second reading, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE, TITLE 11, HIGHWAYS AND SIDEWALKS, BY ADDING CHAPTER 11.30, DEVELOPMENT STANDARDS, TO THE LISTING OF CHAPTERS; BY ADDING THE TEXT OF A NEW CHAPTER, CHAPTER 11.30, DEVELOPMENT STANDARDS, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Plank seconded the motion. Motion carried 5-0.

K. ORDINANCE - SECOND READING - ACTION ON BILL NO. 125 - AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE, TITLE 12, WATER, SEWERAGE AND DRAINAGE, BY ADDING CHAPTER 12.16, DEVELOPMENT STANDARDS, TO THE LISTING OF CHAPTERS; BY ADDING THE TEXT OF A NEW CHAPTER, CHAPTER 12.16, DEVELOPMENT STANDARDS, AND OTHER MATTERS PROPERLY RELATED THERETO (3-2518) - Supervisor Williamson moved to approve M-01/02-12 and adopt Bill No. 125, Ordinance No. 2001-28, on second reading, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE, TITLE 12, WATER, SEWERAGE AND DRAINAGE, BY ADDING CHAPTER 12.16, DEVELOPMENT STANDARDS, TO THE LISTING OF CHAPTERS; BY ADDING THE TEXT OF A NEW CHAPTER, CHAPTER 12.16, DEVELOPMENT STANDARDS, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Plank seconded the motion. Motion carried 5-0.

L. ORDINANCE - SECOND READING - ACTION ON BILL NO. 126 - AN ORDINANCE

AMENDING CARSON CITY MUNICIPAL CODE, TITLE 13, PARKS AND RECREATION, BY ADDING CHAPTER 13.08, DEVELOPMENT STANDARDS, TO THE LISTING OF CHAPTERS; BY ADDING THE TEXT OF A NEW CHAPTER, CHAPTER 13.08, DEVELOPMENT STANDARDS, AND OTHER MATTERS PROPERLY RELATED THERETO (3-2536)- Supervisor Williamson moved to approve M-01/02-13 and adopt Bill No. 126, Ordinance No. 2001-29, on second reading, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE, TITLE 13, PARKS AND RECREATION, BY ADDING CHAPTER 13.08, DEVELOPMENT STANDARDS, TO THE LISTING OF CHAPTERS; BY ADDING THE TEXT OF A NEW CHAPTER, CHAPTER 13.08, DEVELOPMENT STANDARDS, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Plank seconded the motion. Motion carried 5-0.

M. ORDINANCE - SECOND READING - ACTION ON BILL NO. 127 - AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE, TITLE 15, BUILDINGS AND CONSTRUCTION, BY ADDING CHAPTER 15.90, DEVELOPMENT STANDARDS, TO THE LISTING OF CHAPTERS; BY ADDING THE TEXT OF A NEW CHAPTER, CHAPTER 15.90, DEVELOPMENT STANDARDS, AND OTHER MATTERS PROPERLY RELATED THERETO (3-2551) - Supervisor Williamson moved to approve M-01/02-14 and adopt Bill No. 127, Ordinance No. 2001-30, on second reading, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE, TITLE 15, BUILDINGS AND CONSTRUCTION, BY ADDING CHAPTER 15.90, DEVELOPMENT STANDARDS, TO THE LISTING OF CHAPTERS; BY ADDING THE TEXT OF A NEW CHAPTER, CHAPTER 15.90, DEVELOPMENT STANDARDS, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Plank seconded the motion. Motion carried 5-0.

N. ORDINANCE - SECOND READING - ACTION ON BILL NO. 128 - AN ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE BY DELETING THE CURRENT CODIFIED TEXT OF TITLE 20, SIGN CONTROL, AND INDICATING THAT THE TEXT HAS BEEN MADE A PART OF DIVISION 4, SIGNS, OF THE CARSON CITY DEVELOPMENT STANDARDS, AND OTHER MATTERS PROPERLY RELATED THERETO (3-2577)- Supervisor Williamson moved to approve M-01/02-15 and adopt Bill No. 128, Ordinance No. 2001-31, on second reading, AN ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE BY DELETING THE CURRENT CODIFIED TEXT OF TITLE 20, SIGN CONTROL, AND INDICATING THAT THE TEXT HAS BEEN MADE A PART OF DIVISION 4, SIGNS, OF THE CARSON CITY DEVELOPMENT STANDARDS, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Plank seconded the motion. Motion carried 5-0.

Mayor Masayko complimented staff on its monumental effort to make the changes to Title 18 Zoning and Development. Mr. Sullivan indicated that it had taken on a life of its own. He had wanted to accomplish it some time. Mayor Masayko reiterated the commitment to Mr. Langson to make the one change he had requested.

The Board wished the public a Merry Christmas and Happy New Year. There being no other matters for consideration, Supervisor Livermore moved to adjourn. Supervisor Williamson seconded the motion. Motion carried 5-0. Mayor Masayko adjourned the meeting at 6 p.m.

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The Minutes of the December 20, 2001, Carson City Board of Supervisors meeting

ARE SO APPROVED ON July 7, 2005.

/s/
Robin Williamson, Mayor Pro-Tem

ATTEST:

/s/
Alan Glover, Clerk-Recorder