

B. ACTION ON AN ENTERTAINMENT PERMIT FOR THE NEVADA DAY COMMITTEE FOR THE NEVADA DAY FESTIVITIES HELD OCTOBER 30, 1993, THROUGHOUT CARSON CITY ALONG WITH A REQUEST FOR A WAIVER OF THE APPLICATION FEE AND ENTERTAINMENT PERMIT FEE (1-0196) - Nevada Day Representative Ed Blanchard was present and answered questions concerning the Saturday parade, the three day activities, attendance at a three day affair, promotion activities, the request for a short-term liquor license, and clarified the dates for the activities. Member Bennett moved that the Board of Supervisors approve an Entertainment Permit for the Nevada Day Committee for the Nevada Day Festivities to be held on 10/30/93 throughout Carson City along with a request for a waiver of the Application Fee and Entertainment Permit Fee. Member Ayres seconded the motion. Following a request for a correction, Member Bennett corrected the motion to have the Liquor and Entertainment Board approve the Permit. Member Ayres continued her second. Motion carried 5-0.

There being no other matters for consideration by the Liquor and Entertainment Board, Chairperson Teixeira adjourned the Liquor and Entertainment Board and immediately reconvened the session as the Board of Supervisors. (The entire Board was present constituting a quorum.)

CITIZEN COMMENTS (1-0388) - Helaine Jessie explained her resignation as Executive Director of the Community Council for Youth and distributed to the Board a copy of the Youth Services Resource Directory. She thanked the Board for its support of CCY. Mayor Teixeira thanked her for her dedication and caring of the youth. Supervisor Smith suggested she be recognized with a round of applause.

4. CONSENT AGENDA (1-0456)

A. DISTRICT ATTORNEY - ACTION TO APPROVE A SECOND RETAINER AGREEMENT WITH THOMAS P. BEKO FOR PROFESSIONAL LEGAL SERVICES

B. CLERK-RECORDER
i. ACTION ON PROPOSED GUARDIANSHIP OF 77-YEAR OLD FEMALE RESIDENT
ii. ACTION ON A RESOLUTION AMENDING MARRIAGE LICENSE BUREAU HOURS
iii. ACTION ON RESOLUTIONS AUTHORIZING THE DESTRUCTION OF ORIGINAL RECORDS - ELECTION RECORDS; COURT CASE FILES; AND TERMINATION AND UPDATED FILES

C. PUBLIC WORKS DIRECTOR - ACTION ON DEDICATION OF A SANITARY SEWER EASEMENT ACROSS A PARCEL OF LAND AT THE SOUTHWEST CORNER OF DEER RUN ROAD AND MORGAN MILL ROAD FROM JOHN C. SERPA

D. DIRECTOR OF PURCHASING AND CONTRACTS
i. ACTION ON CONTRACT NO. 9394-059 - REQUEST FOR CONTRACT APPROVAL FOR USED DUMP TRUCK
ii. ACTION ON CONTRACT NO. 9394-73 - DISPOSAL OF SURPLUS 1951 GMC TRUCK
iii. ACTION ON CONTRACT NO. 9394-51 - TANK WAGON FUEL CONTRACT
iv. ACTION ON CONTRACT NO. 9394-38 - EAGLE VALLEY GOLF COURSE RESTROOM (REBID)
v. ACTION ON CONTRACT NO. 9394-74 - REQUEST FOR CONTRACT APPROVAL

FOR SPARLING EFFLUENT FLOW METER

- vi. **ACTION ON CONTRACT NO. 9394-27 - CORPORATE YARD EFFLUENT FILLING STATION**
- vii. **ACTION ON CONTRACT NO. 9394-45 - IVY STREET SEWER REPLACEMENT**

F. COMMUNITY DEVELOPMENT DIRECTOR

i. **ACTION ON M-93/94-2 - AN ABANDONMENT REQUEST FROM ACTION ASSETS TO ABANDON A 20 FOOT BY 320 FOOT ALLEYWAY LOCATED NORTH OF EAST FIFTH STREET, EAST OF HARBIN AVENUE AND SOUTH OF SECOND STREET, ADJACENT TO 1012 EAST FIFTH STREET, ASSESSOR'S PARCEL NUMBER 4-093-16; AND A REQUEST FROM FRED SWANSON TO ABANDON A 20 FOOT BY 150 FOOT ALLEYWAY LOCATED NORTH OF EAST FIFTH STREET, EAST OF HARBIN AVENUE AND SOUTH OF SECOND STREET, ADJACENT TO 213 SOUTH HARBIN AVENUE, ASSESSOR'S PARCEL NUMBER 4-093-03 (PLANNING COMMISSION APPROVED 7-0-0-0)**

ii. **ACTION ON S-91/92-8 - A REQUEST FROM IRON MOUNTAIN ACQUISITION COMPANY FOR A ONE YEAR EXTENSION TO FILE A FINAL SUBDIVISION MAP FOR A 12 LOT SUBDIVISION (RIVER RIDGE SUBDIVISION) ON APPROXIMATELY 83 ACRES OF LAND ZONED SINGLE FAMILY 21,000 (SF21000) LOCATED SOUTH OF PHEASANT DRIVE, EAST OF NORTH EDMONDS DRIVE AND NORTH OF LEPIRE DRIVE ON THE EASTERN PORTION OF ASSESSOR'S PARCEL NUMBER 10-032-24 (PLANNING COMMISSION APPROVED 7-0-0-0)**

iii. **ACTION ON U-93/94-9 - A REFUND OF SPECIAL USE PERMIT FEES TO DAVE AND KRISTA GUSTAFSON (PLANNING COMMISSION VOTED TO WITHDRAW ITEM 7-0-0-0, PLANNING COMMISSION APPROVED 7-0-0-0) - Mr. Berkich indicated Item D. vi. had been removed from the Agenda. Supervisor Bennett pulled item F. ii. Resolution numbers were assigned to the Items under Heading B. Supervisor Tatro then moved that the Board approve the Consent Agenda as presented with the following Resolution Numbers, Action on a Resolution Amending Marriage License Bureau Hours to be 1993-R-80; Action on Resolutions Authorizing Destruction of Original Records - Election Records to be 1993-R-81, Court Case Files to be 1993-R-82, and Termination and Updated Files to be 1993-R-83; and deleting Contract 9394-27 Corporate Yard Effluent Filling Station and S-91/92-8, A Request from Iron Mountain Acquisition Company for a one year extension. Supervisor Ayres seconded the motion. Motion carried 5-0**

F. ii. (1-0535) - Supervisor Bennett read John Theis' letter regarding the Applicant's lack of dust control measures into the record. Community Development Director Walter Sullivan stated he would contact Mike Algers of the State Environmental Protection Agency concerning the complaint. A dust control plan should have been submitted and a dust control permit obtained from the State. He then explained the street improvement requirements. Supervisor Bennett expounded on her reasons for opposing the extension. Supervisor Smith explained his involvement with Mr. Algers and knowledge of the dust problems created by the site. Board discussion reiterated the need for a State permit and for the State to address the problem. The City could enforce the dust control measures under health and safety laws. Supervisor Bennett then moved that the Board of Supervisors continue action on S-91/92-8, Discussion and possible action regarding a request from iron Mountain Acquisition Company for a one year extension to file a final subdivision map for a 12 lot subdivision, River Ridge Subdivision, on approximately 8.3 acres of land zoned Single Family 21,000 located south of Pheasant Drive, east of North Edmonds Drive, and north of Lepire Drive on the eastern portion of APN 10-032-24. Supervisor Tatro seconded the motion. Clarification between Mayor Teixeira and Mr. Sullivan indicated he would contact the Developer and State and obtain a report on the non-compliance issue. The motion to continue the item was voted and carried 5-0.

5. PERSONNEL MANAGER - Judie Fisher - ACTION ON EMERGENCY CCEA CATASTROPHIC LEAVE POLICY EXTENSION (1-0978) - Supervisor Ayres expressed her desire to reconsider the Board's

policy of transferring one hour of sick leave for every three hours given rather than a one for one transfer. Supervisor Smith moved that the Emergency CCEA Catastrophic Leave Policy be extended through October 31, 1993. Supervisor Tatro seconded the motion. Motion carried 5-0.

6. HEALTH DIRECTOR - Jack Fralinger - ACTION TO APPROVE A COOPERATIVE AGREEMENT BETWEEN CARSON CITY AND THE STATE OF NEVADA TO PROVIDE PUBLIC HEALTH NURSING SERVICES (1-1092) - Mayor Teixeira explained that the Hospital is considering taking over this contract. Supervisor Bennett moved that the Board of Supervisors approve the agreement between Carson City and the State of Nevada for the Public Health Nursing Program for a period of two years, fiscal impact is \$45,000, funding source is the General Fund, and that the \$45,000 was approved in the budget process. Supervisor Tatro seconded the motion. Motion carried 5-0.

7. UTILITIES DIRECTOR - Dorothy Timian-Palmer and Water Superintendent Tom Hoffert

A. ACTION ON TASK ORDER NO. 32, QUILL RANCH PIPING MODIFICATIONS - DESIGNS (1-1152) - Discussion justified the need for the modifications. Supervisor Bennett moved that the Board of Supervisors approve action on Task Order No. 32, Quill Ranch Piping Modifications - Design, Contract 1986-021, with Carson City Water Consortium, in the amount of \$12,000, funding source is No. 520 - Quill Ranch Reservoir Upgrade. Supervisor Tatro seconded the motion. Motion carried 5-0.

B. ACTION ON CHANGE ORDER NO. 1 TO TASK ORDER NO. 29, CARSON VALLEY WELL NO. 45, AND WATERLINE TO SERVE MEDIUM SECURITY PRISON AND STATE OF NEVADA, STEWART FACILITIES (1-1292) - Discussion between the Board and Ms. Palmer included the funding source and problems encountered in finding an adequate water source in this area. Supervisor Ayres moved that the Board of Supervisors approve Task Order 29 with the Carson City Water Consortium for an amount not to exceed \$79,400, Task Order No. 29, providing the engineering services required to complete improvements to the Carson City Municipal Water System as outlined in the agreement between the State of Nevada and Carson City regarding the Northern Nevada Correctional Center, the items that the contract covers are installation of approximately 25,000 feet of 12 inch water line in Gibson Avenue; 2. Installation of approximately 1500 feet of 12 inch waterline on Snyder Avenue to NNCC; 3. Installation of a Carson Valley Production Well; funding provided in FY 92/93 will be brought forward to FY 93/94 and is in the amount of \$44,00. Supervisor Smith seconded the motion. Motion carried 5-0.

C. ACTION ON THE AQUEDUCT I WATER RIGHT APPLICATIONS REGARDING THE MUD LAKE STACKING (WATER STORAGE) ISSUE (1-1449) - Discussion between the Board and Ms. Timian-Palmer included the Subconservancy District's consideration of this issue; defined the terms "stacking" and "wet storage"; the State Water Engineer's ruling on City's acquisition of the Stokes' water rights; storage capacity of Mud Lake; and reasons for Ms. Timian-Palmer's no action recommendation. Resource Concepts and Consortium Representative Bruce Scott supported Ms. Timian-Palmer's recommendation. Supervisor Tatro moved that the Board take no action on the Aqueduct I Change Applications regarding the Mud Lake stacking issue. Supervisor Ayres seconded the motion. Supervisor Bennett thanked Mayor Teixeira for bringing the issue to and educating the Board about the issues. Mayor Teixeira reiterated the importance of the issue. The motion to take no action was voted and carried 5-0.

D. ORDINANCE - SECOND READING - ACTION ON BILL NO. 147 - AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE SECTION 12.05.050 RELATING TO EXTENSION OF SEWER MAINS TO PERMIT THE CITY TO ELECT TO INSTALL AND BE REIMBURSED FOR LATERAL EXTENSIONS TO THE CITY SEWER SYSTEM (1-2175) - Deputy Utility Director Jay Adhorns - Supervisor Smith moved that the Board adopt on second reading Ordinance No. 1993-48, AN ORDINANCE

AMENDING SECTION 12.05.050 OF THE CARSON CITY MUNICIPAL CODE BY (EXTENSION OF SEWER MAINS) TO PERMIT THE CITY TO ELECT TO INSTALL AND BE REIMBURSED FOR LATERAL EXTENSIONS TO CITY SEWER SYSTEM AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Tatro seconded the motion. Motion carried 5-0.

8. COMMUNITY DEVELOPMENT DIRECTOR - Walter Sullivan

A. PLANNING COMMISSION REVIEW ITEMS - ACTION ON MPA-93/94-2 - A MASTER PLAN AMENDMENT REQUEST FROM CARSON CITY TO AMEND THE MASTER PLAN LAND USE DESIGNATION FROM COMMERCIAL TO PUBLIC ON APPROXIMATELY 12.78 ACRES OF LAND, LOCATED NORTH OF OLD CLEAR CREEK ROAD AND FUJI PARK ON ASSESSOR'S PARCEL NUMBER 9-302-05 (PLANNING COMMISSION APPROVED 7-0-0-0)

B. ORDINANCE - FIRST READING - ACTION ON Z-93/94-2 - AN ORDINANCE EFFECTING A CHANGE OF LAND USE DISTRICT ON ASSESSOR'S PARCEL NUMBER 9-302-05 FROM COMMERCIAL TO PUBLIC ON APPROXIMATELY 12.78 ACRES OF LAND, LOCATED ON THE NORTH SIDE OF OLD CLEAR CREEK ROAD, APPROXIMATELY 425 FEET WEST OF THE INTERSECTION OF U.S. HIGHWAY 395 SOUTH AND OLD CLEAR CREEK ROAD (PLANNING COMMISSION APPROVED 7-0-0-0) (1-2242) - Discussion questioned reasons the City had not detailed the plans for the site as is normally required for private developers and explained the reasons for modifying the zoning at this time. Supervisor Tatro then moved that the Board approve MPA 93/94-2, a Master Plan Amendment request from Carson City to amend the Master Plan Land Use Designation from Commercial to Public on approximately 12.78 acres of land located north of Old Clear Creek Road and Fuji Park on Assessor's Parcel Number 9-302-05 based on the findings contained in the staff report and the Planning Commission recommendation. Supervisor Smith seconded the motion. Motion carried 4-1 with Supervisor Bennett voting Naye.

Supervisor Tatro then moved that the Board introduce Bill No. 148 on first reading, AN ORDINANCE EFFECTING A CHANGE OF LAND USE DISTRICT ON ASSESSOR'S PARCEL NUMBER 9-302-05 FROM COMMERCIAL TO PUBLIC ON APPROXIMATELY 12.78 ACRES OF LAND, LOCATED ON THE NORTH SIDE OF OLD CLEAR CREEK ROAD, APPROXIMATELY 425 FEET WEST OF THE INTERSECTION OF U.S. 395 SOUTH AND OLD CLEAR CREEK ROAD based on the findings in the staff report and the Planning Commission recommendation. Supervisor Ayres seconded the motion. Motion carried 4-1 with Supervisor Bennett voting Naye.

9. DISTRICT ATTORNEY - Deputy District Attorney Paul Lipparelli - ACTION ON ADOPTION ON A RESOLUTION OF THE BOARD OF SUPERVISORS JOINING IN THE DISTRICT ATTORNEY'S REQUEST FOR THE PRESENCE OF THE ATTORNEY GENERAL TO INVESTIGATE AND PROSECUTE A CASE WHERE THE DISTRICT ATTORNEY HAS A CONFLICT OF INTEREST (1-2504) - Supervisor Tatro moved that the Board adopt Resolution No. 1993-R-84, A RESOLUTION OF THE BOARD OF SUPERVISORS JOINING IN THE DISTRICT ATTORNEY'S REQUEST FOR THE PRESENCE OF THE ATTORNEY GENERAL TO INVESTIGATE AND PROSECUTE A CASE WHERE THE DISTRICT ATTORNEY HAS A CONFLICT OF INTEREST; fiscal impact is unknown, funding source is to be General Fund, no fiscal impact is anticipated. Supervisor Bennett seconded the motion. Motion carried 5-0.

10. CITY MANAGER - John Berkich

A. ACTION ON APPROVAL OF PROFESSIONAL SERVICES CONTRACT WITH NEVADA INFRASTRUCTURE IMPROVEMENT CORPORATION FOR A FEASIBILITY STUDY AND OTHER SERVICES RELATED TO THE FORMATION OF A PUBLIC/PRIVATE PARTNERSHIP FOR THE

DESIGN, FINANCING AND CONSTRUCTION OF THE HIGHWAY 395 BYPASS (1-2648) - Mr. Berkich distributed copies of the contract to the Board and Clerk. Mr. Lipparelli reviewed the terms of the Contract. Due to the Board's desire to review the terms, a 15 minute recess was declared at 10:20 a.m. When the meeting was reconvened at 10:35 a.m., the entire Board was present constituting a quorum. Supervisor Tatro noted that any records compiled would be open to the public in compliance with the Public Records Laws. Nevada Infrastructure Improvement Corporation Chairperson Steve Bilyeu and several of his professional staff members were present to answer any questions. Supervisor Bennett assured the public and more specifically, Mrs. Lompa, that this would "not be just one more study". It was part of a dynamic and serious process to determine a method by which a problem may/may not be resolved. Supervisor Ayres indicated that this was also her concern. There are many studies available at the State. Mr. Bilyeu explained the hope that the study could determine an alternative funding mechanisms to expedite completion of the bypass. As Chairperson of the Corporation, he assured the Board that if there is a feasible means of financing the project, it would be studied; otherwise, the work would be halted. Lobbying activities would not occur at this time and were not included in the contract. Supervisor Smith explained his dislike for studies, however, the need for the bypass and the unrealistic timetable currently being predicted for the bypass were creating the need for an alternative. Supervisor Smith then moved that the Board approve and authorize the Mayor to sign the proposed professional services contract with Nevada Infrastructure Improvement Corporation for a feasibility study and other services related to the formation of a public/private partnership for the design, financing, and construction of the Highway 395 Bypass under all the following conditions: 1. Before any duties or conditions of the contract are performed including the payment of any money by the City to the Corporation, the representatives of the Corporation will take all the legal steps necessary for the complete formation of the Corporation including the filing of the articles of incorporation and a list of officers with the Secretary of State and that the Corporation will be organized in the manner proposed in the attached Exhibit entitled Nevada Infrastructure Improvement Corporation by the people named as directors designate; 2. The Nevada Infrastructure Improvement Corporation and its representatives understand that further separate approvals of this Board are necessary before the City is committed to membership in the public/private partnership and that the agreement being approved today is a contract for the professional services necessary for a study and report of the feasibility of a public/private partnership; and, 3. The City's maximum financial obligation without further Board approve is \$35,000 of which \$17,500 is contingent upon approval by the Nevada Department of Transportation for the use of federal funds in that amount; the fiscal impact to be \$35,000; again, \$17,500 to come from the Regional Transportation Commission's Miscellaneous Professional Services Fund, and the other \$17,500 is contingent upon the Nevada Department of Transportation Board's approval of Carson City's portion of demonstration funds in that amount. Supervisor Bennett seconded the motion. Supervisor Ayres explained her reasons for voting for the agreement were based on the fact that NDOT would have the final say in the funding. If NDOT approves the money, it would prove to her that NDOT thinks there will be something new gleaned from the expenditure. The motion to approve the contract as indicated was voted and carried 5-0. Mayor Teixeira wished them well in their endeavors.

B. ACTION ON FILING AN APPLICATION WITH THE FEDERAL COMMUNICATION COMMISSION TO OBTAIN AUTHORITY TO REGULATE BASIC SERVICE TIER CABLE TELEVISION RATES (2-0031) - The fiscal impact was explained as being a potential need for a consultant to assist staff with the fee structure evaluation. Mayor Teixeira explained his opposition to The Nevada Appeal's editorial opposing City regulation of the service. A lengthy debate ensued among the Board, Carson City Television Commissioner Eugene Quarterson, and staff on the reasons for seeking regulatory authority from the FCC rather than allowing TCI to control its rates, the FCC regulations, amount of work which a consultant would have to perform, and the findings necessary to allow the FCC or TCI to control the rates. (2-0455) Supervisor Smith delineated his opposition to the request. Supervisor Bennett moved that the Board of Supervisors direct staff to submit the attached FCC application form that will obtain authority to regulate basic service tier for the cable television rates in Carson City. Mayor Teixeira seconded the motion. Motion was voted by roll call with the following results: Tatro - No; Smith - No; Ayres - No; Bennett - Yes; and Mayor Teixeira - Yes. The motion was

defeated on a 2-3 vote.

Discussion ensued on whether the Board could consider an alternative. Mr. Lipparelli did not feel that the Board could act on an alternative due to the terminology used on the agenda. He felt that the City Manager had adequate direction from the Board to write the necessary letter to the FCC. Mr. Berkich did not feel that staff could make the necessary findings of a financial hardship to request FCC handle the regulation of TCI. The Board's action would allow TCI to control its rates. He would contact the consultants and advise the Board.

11. SUPERVISOR COMMENTS AND REPORTS (2-0895) - Supervisor Tatro noted the Convention and Visitor's Bureau audit report. The Bureau would be considering the Pony Express Pavilion policy and various options soon. Redevelopment Authority Citizen's Committee consideration of the Children's Museum application and the \$50,000 grant recommendation were outlined. The Community Council on Youth's search for a new Executive Director was explained. He also pointed out that no action had been taken to alleviate the weed problem around the Sheriff's storage yard. Supervisor Bennett explained her activities as the City's representative to the Nevada Tahoe Conservation District. Her comments included Federal changes within the Soil Conservation District and potential impact on Carson City and Lake Tahoe. The Carson-Tahoe Hospital is considering having a health care facility in the vicinity of the Senior Citizens Center. The General Obligation Bond Commission had appointed Larry Osborne as its fifth member. Supervisor Smith summarized the Tri-County Railway Commission's last meeting including its selection of the second and fourth Thursdays as its normal meeting dates. The proposed tour of the old right-of-way was scheduled for September 26. Regional Transportation Commission is planning to have a public hearing on extending Airport Road to Butti Lane. RTC had also discussed the lack of a left turn lane at Highway 50 and Airport Road and the archaic signal at that intersection. Mr. O'Brien volunteered to relay the Commission's concerns to NDOT. Board input was solicited on the priority level and funding for Graves Lane to Highway 50 loop to Airport. Supervisor Ayres explained the excitement being generated for the V&T Railway proposal. She then announced the Easter Seal's fund raiser which would be held on Saturday at the Safeway Parking Lot. She also noted the length of the Parks and Recreation Commission's meetings. She commended the Silver Oaks Development on its trails and bike path plans, specifically, its plans to have the trails and paths open to the public. Mayor Teixeira then explained that the Senior Action Line had been installed and was working well. A survey of their telephone calls indicates there is a need for assistance with elderly parents similar to the R.S.V.P.'s Home Companion program. He then explained the need for the Board to begin considering ballot questions specifically ones considering the senior transportation issue and the V&T Train. Mayor Teixeira then directed the City Manager to arrange for something on the transportation issue including an 1/8 cent sales tax or the 1/4 cent sales tax.

CITIZEN COMMENTS (2-1669) - Mrs. Virginia Orcutt then pointed out to the Board that the State had constructed a skateboard park when it installed the handicapped ramp at the Attorney General's building. She was concerned that someone could be hurt--killed--as it drops straight into the street. Mayor Teixeira directed Mr. Berkich to contact the State about this situation.

11. SUPERVISORS COMMENTS AND REPORTS - CONTINUED (2-1750) - Supervisor Bennett explained the Carson River Corridor Steering Committee's meeting and its plan for a workshop in late September or early October.

BREAK: There being no other matters for consideration at this time, Mayor Teixeira declared a recess at 12:05 p.m. When the meeting reconvened at 6 p.m. the entire Board was present constituting a quorum. Staff members present included City Manager Berkich, Clerk-Recorder Nishikawa, Public Works Director O'Brien, City Engineer Homann, Deputy District Attorney Lipparelli, and Recording Secretary McLaughlin. (2-1782)

12. PUBLIC WORKS DIRECTOR - Dan O'Brien and City Engineer Tim Homann - **DISCUSSION AND**

POSSIBLE ACTION ON TRAFFIC REVISIONS IN THE PARK TERRACE AND STANTON PARK NEIGHBORHOODS - The audience was polled to determine the number of individuals present on this issue. Mayor Teixeira delineated procedures for discussion of this item and determined that there were two "spokespersons" present. Mr. Homann began by apologizing for not returning all of the telephone calls and thanking those he had reached. He then explained the purpose of the original program and stressed that it could be modified as determined necessary. The public hearing held on Wednesday was briefly outlined. A citizen's committee was established and will continue to work on the area's traffic problems. Comments indicated the barricades had merely relocated the traffic, created inconveniences for the residents, and created serious traffic concerns in front of the school. Mr. Homann then reviewed the recommendations contained in the staff report and added painting crosswalks adjacent to the school.

(2-2205) Dave Rapp thanked the Board for its support. He felt the inconvenience would be worked out. He wished to see the neighborhood remain united. (2-2262) Joan Brinklinger indicated a petition had been circulated which had been signed by 277 people opposing the barricades. She felt the barricades had isolated the area, created problems for emergency vehicles, would effect the property values, and had changed the school bus routes. She recommended the Board install undulations and designate Desatoya a school zone. She then questioned why traffic was placed on Ladera which is only 30 feet wide and why the apartments on Edmonds Drive could not access Graves Lane. She was aware of the hazards undulations create. Marcie Knighter delineated traffic problems she encountered taking her son to the elementary school. The following individuals opposed the barricades, supported installation of stop signs at various sites, and/or increased enforcement: Ms. Brinklinger, Ms. Knighter, (2-2751) Ken Nickols, (2-2858) Jim Stoups, (2-3351) Judy Lindberg, (2-3395) Don Biggs, (2-3465) Tammy Kerns, (3-0082) Chris Jones, (3-0112) Dan Mondragon, (3-0155) Brian Brentlinger, and (3-0410) Margaret Wampler. Ms. Brinklinger, Ms. Knighter, Mr. Nickols, and Mr. Stoups also urged the Board to widen Airport Road at Highway 50, install a longer left turning lane, extend the time for left turns, and/or extend Airport to Butti. (2-2962) Paula Hobdy urged retention of the barricades and opposed stop signs adjacent to her property. She suggested relocating the barricade currently located just past Airport and Shriver to in a spot in front of Shriver. She then reviewed the history on the narrower residential streets. Her personal survey of the traffic indicated the barricades had reduced the through traffic. She was willing to conduct a survey to keep the barricade at her corner. (2-3185) Monique Gonzales felt that the corner in front of her home on Desatoya attracted children and was a traffic hazard to them. She urged the Board to retain the barricade at Desatoya and Airport until a "proper solution" is determined. (3-0062) Darrell Knowlton acknowledged the problem created by the barricades, however, felt they should be given a chance. (3-0180) Eddie Chalmers suggested Stanton Drive be barricaded at Edmonds, Desatoya at Edmonds, and that Airport Road be opened to Butti. (3-0196) Rita Carmen felt the barricades should create one way exits until Airport is extended to Butti. She also felt that stop signs should be installed at Desatoya. (3-0262) Mary Bailey explained her need to repeatedly drive through the area during the day. She felt a majority of the traffic was still going through the area to get to Airport and 50. (3-0286) Loretta Newman felt the intersection at Graves Lane and Edmonds was dangerous. Mayor Teixeira noted that there had been an increased traffic demand on Edmonds and Graves created by the State construction. (3-0315) Jean Appion expressed her regret at seeing the issue split the neighborhood and expressed her desire to have their choice adopted. (3-0330) Matt Madeiros supported the barricades particularly at Desatoya and Airport. (3-0385) Glenn Eckert supported undulations and stop signs on Airport specifically if it is extended to Butti. (3-0452) Frank Papaanni noted no one had been aware of the proposed street extensions and that he had not been aware of the plans to install the barricades.

Supervisor Smith then explained the action considered at the Regional Transportation Commission yesterday. One consideration was to extend Airport Road which will require additional public hearings. This would increase the traffic on Airport. Additionally staff had been directed to notify NDOT about widening southbound Airport Road, installing a Highway 50 left turn lane, and modernizing the signal. He supported the stop sign proposals and noted the need for increased enforcement. He felt the barricades had been a bold innovative attempt to solve the

problem, however, they had failed. The Board supported his proposals. Supervisor Tatro felt that the barricades should remain until the stop signs are installed. Both Supervisors Tatro and Bennett felt it was necessary to keep the one barricade at Desatoya and Airport Road until another alternative is created. Mayor Teixeira then passed the gavel to Mayor Pro-Tem Bennett and moved that the Board instruct the Public Works Department to remove all the barricades in the area that are presently there and, 1. To install two stop signs on Woodside Drive at the best points, which the map indicates the ideal areas may be at Monte Rosa and a second point, 2. To install two stop signs on Desatoya, which could be Monte Rosa and Siskiyou, and due to the point that the traffic needed to be slowed down on the streets leading into the Empire School, 3. To install a stop sign at the intersection of Airport and Gordonia, which should slow the traffic prior to the left turn. He then directed staff to work with the community and return if additional changes are necessary. Supervisor Smith seconded the motion. Discussion ensued on the locations for stop signs. Supervisor Tatro suggested the motion be amended to include a three-way stop at Gordonia and Monte Rosa, however, following discussion felt it was not feasible. Mr. Homann indicated the barricades could be removed tomorrow, however, was unsure when the stop signs could be installed but felt that a week was possible. Supervisor Smith suggested the motion be amended to include Public Works to bring back other alternatives for resolving the problem for the entire area. Mayor Teixeira felt this had been addressed in his statement that it was a start and could be modified as time requires. Clarification for both Mr. O'Brien and Mr. Lipparelli indicated Mayor Teixeira's number of stop signs did not mean the number to be installed at one location but rather the number of sites to be located on that street--two separate sites on Woodside and two on Desatoya. Mr. O'Brien requested clear direction that the signs on Woodside be at Siskiyou and Monte Rosa. Mayor Teixeira agreed to "try it". Mr. O'Brien noted that none of the intersections warranted stop signs. Mayor Teixeira then amended his motion to place stop signs on Woodside at Monte Rosa and at Woodside and Siskiyou. He then clarified his motion to indicate there would be stop signs at La Loma and Monte Rosa. Supervisor Smith continued his second. Mayor Teixeira indicated the recommendations made by Mr. O'Brien would be the ones "we will go with". Supervisor Smith continued his second. The motion as amended was voted by roll call with the following results: Ayres - Yes; Tatro - No; Smith - Yes; Teixeira - Yes; and Mayor Pro-Tem Bennett - Yes. Motion carried 4-1.

BREAK: An eight minute recess was declared at 7:18 p.m. When the meeting reconvened at 7:26 p.m. the entire Board was present constituting a quorum. Mayor Pro-Tem Bennett returned the gavel to Mayor Teixeira.

13. COMMUNITY DEVELOPMENT DIRECTOR - Walter Sullivan, Parks and Recreation Director Steve Kastens, Senior Planner Juan Guzman, and Associate Planner Sandra Danforth

A. PLANNING COMMISSION REVIEW AND APPEAL ITEMS - ACTION ON MPA-93/94-1 - A MASTER PLAN AMENDMENT REQUEST FROM G.T.S. PARTNERS, INC. (PROPERTY OWNERS: SILVER OAK DEVELOPMENT COMPANY, MARSHALL ASHCRAFT AND NEVADA CHILDREN'S FOUNDATION) TO AMEND THE MASTER PLAN LAND USE DESIGNATION FROM COMMERCIAL AND SUBURBAN RESIDENTIAL AND LOW DENSITY RESIDENTIAL TO LOW DENSITY RESIDENTIAL AND COMMERCIAL, AND TO AMEND THE STREETS AND HIGHWAYS MASTER PLAN ELEMENT REGARDING THE REALIGNMENT OF THE PROPOSED GRAVES LANE TO COMBS CANYON ROADWAY TO CONNECT INSTEAD WITH WEST NYE LANE NEAR THE WESTERN NEVADA COMMUNITY COLLEGE, ON APPROXIMATELY 683 ACRES OF LAND LOCATED IN THE NORTHWEST PORTION OF CARSON CITY BETWEEN U.S. HIGHWAY 395 ON THE EAST, THE WESTERN NEVADA COMMUNITY COLLEGE CAMPUS AND THE UNIVERSITY HEIGHTS SUBDIVISION ON THE WEST, WINNIE LANE ON THE SOUTH AND THE EAGLE VALLEY CHILDREN'S HOME ON THE NORTH, ASSESSOR'S PARCEL NUMBERS 8-061-02, 8-061-17, 7-091-55, 7-091-56, 7-091-57, 7-091-58, AND 7-091-68 (PORTION) - (PLANNING COMMISSION APPROVED 7-0-0-0)

B. ORDINANCE - FIRST READING - ACTION ON Z-93/94-1 - AN ORDINANCE EFFECTING A CHANGE OF LAND USE ON ASSESSOR'S PARCEL NUMBERS 8-061-02 AND 17, 7-091-55, 56, 57, AND 7-091-68 (PORTION), SAID PARCELS BEING LOCATED IN THE NORTHWEST PORTION OF CARSON CITY, WEST OF HIGHWAY 395, SOUTH OF EAGLE VALLEY CHILDREN'S HOME, NORTH OF WINNIE LANE, EAST OF WESTERN NEVADA COMMUNITY COLLEGE AND UNIVERSITY HEIGHTS SUBDIVISION IN CARSON CITY, NEVADA, FROM SINGLE FAMILY TWO ACRE (SF2A), SINGLE FAMILY ONE ACRE (SF1A), SINGLE FAMILY 12,000 (SF12000), AND CONSERVATION RESERVE (CR) TO SINGLE FAMILY 12,000-PUD (SF12000-PUD), RETAIL COMMERCIAL-PUD (RC-PUD), TOURIST COMMERCIAL-PUD (TC-PUD), RESIDENTIAL OFFICE-PUD (RO-PUD), AND NEIGHBORHOOD BUSINESS-PUD (NB-PUD) ZONING (PLANNING COMMISSION APPROVED 7-0-0-0)

C. PLANNING COMMISSION REVIEW ITEMS

i. ACTION ON P-93/94-1 - A REQUEST FROM G.T.S. PARTNERS, INC. (PROPERTY OWNERS: SILVER OAK DEVELOPMENT COMPANY, MARSHALL ASHCRAFT AND NEVADA CHILDREN'S FOUNDATION) FOR A SF12000 PLANNED UNIT DEVELOPMENT (SILVER OAK PLANNED UNIT DEVELOPMENT) ON APPROXIMATELY 683 ACRES OF LAND; THE PROPOSED DEVELOPMENT WILL CONSIST OF APPROXIMATELY 308 ACRES OF OPEN SPACE; APPROXIMATELY 78.9 ACRES OF COMMERCIAL AREA; APPROXIMATELY 13.6 ACRES FOR PARK/SCHOOL SITE; APPROXIMATELY 225.2 ACRES FOR SINGLE FAMILY AND CLUSTER RESIDENTIAL DEVELOPMENT (FOR A TOTAL OF 1,181 LOTS); AND APPROXIMATELY 59.9 ACRES OF ROADWAYS; THE REQUEST ALSO INCLUDES VARIANCES FOR FRONT, SIDE AND REAR SETBACKS; BUILDING HEIGHTS; LOT SIZE AND WIDTHS; ROADWAY WIDTH; AND PERIPHERAL BOUNDARY SETBACKS; THE AREA IS CURRENTLY ZONED RETAIL COMMERCIAL (RC), SINGLE FAMILY ONE ACRE (SF1A), SINGLE FAMILY 12,000 (SF12000), SINGLE FAMILY TWO ACRES (SF2A), AND CONSERVATION RESERVE (CR); THE PROPERTY IS LOCATED IN THE NORTHWEST PORTION OF CARSON CITY BETWEEN HIGHWAY 395 ON THE EAST, THE WESTERN NEVADA COMMUNITY COLLEGE CAMPUS AND UNIVERSITY HEIGHTS SUBDIVISION ON THE WEST, WINNIE LANE ON THE SOUTH AND THE EAGLE VALLEY CHILDREN'S HOME ON THE NORTH; ASSESSOR'S PARCEL NUMBERS 8-061-02, 8-061-17, 7-091-55, 7-091-56, 7-091-57, 7-091-58, AND 7-091-68 (PORTION) - (PLANNING COMMISSION APPROVED 7-0-0-0)

ii. ACTION ON U-93/94-6 - A SPECIAL USE PERMIT APPLICATION FROM SILVER OAK DEVELOPMENT COMPANY TO ALLOW DEVELOPMENT OF A SUPER K-MART BUSINESS ON A PARCEL OF LAND DIVIDED BY FOUR ZONING DISTRICTS (RETAIL COMMERCIAL (RC), SINGLE FAMILY ONE ACRE (SF1A), SINGLE FAMILY 12,000 (SF12000), AND SINGLE FAMILY TWO ACRES (SF2A) ON APPROXIMATELY 540.88 ACRES OF LAND LOCATED IN THE NORTHWEST PORTION OF CARSON CITY BETWEEN U.S. HIGHWAY 395 ON THE EAST, THE WESTERN NEVADA COMMUNITY COLLEGE CAMPUS AND UNIVERSITY HEIGHTS SUBDIVISION ON THE WEST, WINNIE LANE ON THE SOUTH AND THE EAGLE VALLEY CHILDREN'S HOME ON THE NORTH ON A PORTION OF ASSESSOR'S PARCEL NUMBER 8-061-02 - (PLANNING COMMISSION APPROVED 7-0-0-0) (3-1265) - Steve Hartman, Traffic Engineer Gordan Shaw, Project Engineer George Thiel - Mr. Guzman noted for the record that the period for filing an appeal had passed without anyone filing an appeal. Mr. Hartman thanked staff and the community for its assistance throughout the process. Discussion among the Board, Mr. Hartman and staff included the (3-2389) (4-0525) ten-foot bike/park paths, the senior citizen housing cluster, (4-0105) inclusion of the V&T right-of-way in the open space calculations, reasons the commercial and cluster area open spaces were not included in the open space

calculations, signalization sites and plans for the intersection of Ormsby and Community College Drive, the location of other signals, K-Mart and the project's drainage plans, low glare lighting, project roofing and architectural design plans, maintenance of the bike/park areas, various terms in the Super K/K-Mart contract, the golf course's effluent irrigation plans, location of and access to the school/park site, the joint school/park use plans, the block wall fence and screening efforts between the school and K-Mart, (4-1025) the number and size of the "lakes", access routes from the southern developed areas including streets which would reach K-Mart, Kimberly Meadows Drive, arterials Ivy Baldwin Drive and Community College Parkway, and their signalization. (4-0975) Discussion between Mayor Teixeira and Mr. Guzman emphasized that the final project would be similar to the matrix.

(4-1328) BREAK: At 8:50 p.m. a ten minute recess was declared. When the meeting reconvened at 9 p.m. the entire Board was present constituting a quorum.

(4-1335) Doretta Brown expressed her concern that the block wall fence would not stop individuals at the school from reaching K-Mart. Jim Robertson supported the project. Walter Sullivan, representing several adjacent property owners in the Dartmouth Drive area, outlined the residents' concerns and thanked staff and the developer for resolving those issues. Mr. Sullivan noted that he had not participated in staff's review of the development due to the potential conflict of interest.

Discussion ensued among the Board, Mr. Hartman, and Mr. Kastens on the height of the block and the project's Residential Construction Tax program.

(4-1910) Supervisor Tatro noted his normal procedures for considering Board items. In this case, however, due to the magnitude of the project, he had previously heard and discussed the project. All of those concerns were contained within the supporting documentation. The Planning Commission's recommendations and the lack of community concern at this stage indicated the work the developer had undertaken to meet the needs and concerns of the community. He commended the developer on the quality and dedication of the project. Mr. Hartman noted there had been numerous meetings on the project. He felt that the project was acceptable due to the staff and the neighbors' knowledge of the issues and everyone's willingness to cooperate. He commended all of the participants on their efforts.

(4-2102) Discussion among the Board and Mr. Hartman returned to the bike path along Community College Parkway. Mr. Hartman agreed to put another four foot path along the south side of the street. Supervisor Ayres noted the Parks and Recreation Commission had considered this issue and would support Mayor Teixeira's request. Supervisor Smith noted that the project would take many years to develop and Growth Management's control. Mr. Hartman explained the developers' plans were to "sell lots" but they could construct some of the homes. It would have at least a ten year buildout/sellout. The project is subject to Growth Management. Mr. Guzman entered into the record the following: 1. A letter from the Army Corps of Engineers indicating the area did not contain any wetlands; 2. A letter from the current K-Mart Manager supporting the K-Mart project; and 3. A petition containing over 1,300 signatures supporting K-Mart.

(4-2507) Supervisor Tatro moved that the Board approve a Master Plan Amendment request from G.T.S. Partners, Inc., Property Owners: Silver Oak Development Company, Marshall Ashcraft, and Nevada Children's Foundation, MPA 93/94-1, to amend the Master Plan Land Use Designation from Commercial and Suburban Residential and Low Density Residential to Low Density Residential and Commercial and to amend the Streets and Highways Master Plan element regarding the realignment of the proposed Graves Lane to Combs Canyon Roadway to connect instead with West Nye Lane near the Western Nevada Community College campus and University Heights subdivision on the west, Winnie Lane on the south and the Eagle Valley Children's Home on the north; Assessor's Parcels Number 8-061-02 and 17, 7-091-55, 56, 57, 58, and 68 based on the findings and conditions contained in the staff report and the Planning Commission recommendation. Mr. Guzman noted there were no

conditions. Supervisor Bennett seconded the motion. Motion carried 5-0.

Supervisor Tatro moved that the Board introduce Bill No. 149 on first reading, AN ORDINANCE EFFECTING A CHANGE OF LAND USE ON ASSESSOR'S PARCEL NUMBERS 8-061-02 AND 17, 7-091-55, 56, 57, 58, AND 7-091-68 (PORTION), SAID PARCELS BEING LOCATED IN THE NORTHWEST PORTION OF CARSON CITY, WEST OF HIGHWAY 395, SOUTH OF EAGLE VALLEY CHILDREN'S HOME, NORTH OF WINNIE LANE, EAST OF WESTERN NEVADA COMMUNITY COLLEGE AND UNIVERSITY HEIGHTS SUBDIVISION IN CARSON CITY, NEVADA, FROM SINGLE FAMILY TWO ACRE (SF2A), SINGLE FAMILY ONE ACRE (SF1A), SINGLE FAMILY 12,000 (SF12000), AND CONSERVATION RESERVE (CR) TO SINGLE FAMILY 12,000-PUD (SF12000-PUD), RETAIL COMMERCIAL-PUD (RC-PUD), TOURIST COMMERCIAL-PUD (TC-PUD), RESIDENTIAL OFFICE-PUD (RO-PUD), AND NEIGHBORHOOD BUSINESS-PUD (NB-PUD) ZONING. Supervisor Bennett seconded the motion. Motion carried 5-0.

Supervisor Tatro moved that the Board approve a request from G.T.S. Partners, Inc.; property owners: Silver Oak Development Company, Marshall Ashcraft, and Nevada Children's Foundation; P-93/94-1 for a SF12000 Planned Unit Development, Silver Oak Planned Unit Development, on approximately 683 acres of land; the proposed development will consist of approximately 308 acres of open space; approximately 78.9 acres of commercial area; approximately 13.6 acres for park/school site; approximately 225.2 acres for single family and cluster residential development, for a total of 1,181 lots; and approximately 59.9 acres of roadways; the request also includes variances for front, side and rear setbacks; building heights; lot size and widths; roadway width; and peripheral boundary setbacks; the area is currently zoned Retail Commercial, Single Family One Acre, Single Family 12,000, Single Family Two Acres, and Conservation Reserve on property located in the northwest portion of Carson City between U.S. Highway 395 on the east, the Western Nevada Community College campus and University Heights Subdivision on the west, Winnie Lane on the south, and the Eagle Valley Children's Home on the north; Assessor's Parcel Numbers 8-061-02, 8-061-17, 7-091-55, 56, 57, 58, and 68 based on the findings and subject to the conditions and stipulations contained in the staff report and Planning Commission recommendation. Supervisor Ayres seconded the motion. Clarification noted that the total acreage was 651 acres and Supervisor Tatro so amended his motion. Supervisor Ayres continued her second. Motion carried 5-0.

(4-2735) Mr. Guzman requested the Board clarify Condition 20 of the Special Use Permit and explained the condition and amendment. Mr. Hartman agreed to the amendment. Supervisor Tatro then moved that the Board approve U-93/94-6, a Special Use Permit application from Silver Oak Development Company to allow development of a Super K-Mart business on a parcel of land divided by four zoning districts, Retail Commercial, Single Family One Acre, Single Family 12,000, and Single Family Two Acres, on approximately 540.88 acres of land located in the northwest portion of Carson City between U.S. Highway 395 on the east, the Western Nevada Community College campus and University Heights Subdivision on the west, Winnie Lane on the south, and the Eagle Valley Children's Home on the north on a portion of Assessor's Parcel Number 8-061-02, based on the findings and subject to the conditions as contained in the staff report and Planning Commission recommendation with the sentence being added to Condition No. 20: "No idling of engines when delivering nor noise producing operations will be conducted outside the building from 10 p.m. through 6 a.m.". Supervisor Smith seconded the motion. Clarification noted that Condition 20 also contained the delivery truck restriction. Motion carried 5-0. Mayor Teixeira commended the developers on their expertise and professionalism on the project. The community would receive a quality project based on the presentations made.

Supervisor Ayres then moved to adjourn. Mayor Teixeira seconded the motion. Motion carried 5-0. Mayor Teixeira adjourned the meeting at 9:35 p.m.

The Minutes of the September 16, 1993, Carson City Board of Supervisors meeting

ARE SO APPROVED ON _____October_21_, 1993.

_____/s/_____
Marv Teixeira, Mayor

ATTEST:

_____/s/_____
Kiyoshi Nishikawa, Clerk-Recorder