

CARSON CITY BOARD OF SUPERVISORS

Minutes of the July 18, 2002, Meeting

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A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, July 18, 2002, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 8:30 a.m.

PRESENT:	Ray Masayko	Mayor
	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
	Louis Buckley	Fire Chief
	Phil Herrington	Chief Building Official
	Larry Werner	City Engineer
	Mark Forsberg	Chief Deputy District Attorney
	Katherine McLaughlin	Recording Secretary
	Mary McAlister	Personnel Analyst Trainee
	(B.O.S. 7/18/02 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. Supervisor Plank was absent. Rev. Elaine Morgan of the Episcopal Diocese of Nevada gave the Invocation. Mayor Masayko led the Pledge.

CITIZEN COMMENTS (1-0030) - None.

1. APPROVAL OF MINUTES - MARCH 28, 2002, BUDGET SESSION AND APRIL 4 AND 18, 2002, REGULAR SESSIONS (1-0034) - Supervisor Williamson moved to approve the Minutes of March 28, April 4, and April 18, 2002, as presented. Supervisor Livermore seconded the motion. Motion carried 4-0.

2. AGENDA MODIFICATIONS (1-0048) - Mayor Masayko noted the status of the Supreme Court decision regarding the dedication of City streets and indicated that Item 7-F regarding abandonment of streets is deferred.

3. SPECIAL PRESENTATIONS (1-0060)

A. PRESENTATION BY SPARKS MAYOR TONY ARMSTRONG OF A PROCLAMA-

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TION IN RECOGNITION OF ASSISTANCE GIVEN TO THE CITY OF SPARKS BY CARSON CITY -

Mayor Masayko introduced and welcomed Sparks Mayor Tony Armstrong and City Manager Shaun Carey. Mayor Armstrong complimented the Board on having a well-attended meeting and explained that praise is not often given for good deeds. It is more common to receive negative comments. He read the proclamation into the record. He thanked the City, City Manager John Berkich, Mayor Masayko, and City staff for their assistance in transporting sand for the Marina. Mayor Masayko thanked him for the recognition. The two Cities and their Street and Public Works Departments should work together for the benefit of the taxpayers. This should include sharing resources and specialized equipment. Carson City stands ready to assist whenever possible. Mayor Armstrong invited the public to come to the Marina.

B. ACTION TO ADOPT A RESOLUTION COMMENDING CHARLES F. KELLER FOR HIS SERVICE AS MARSHALL FOR THE JUSTICE/MUNICIPAL COURT (1-0162) -

Mayor Masayko introduced Mr. Keller, explained his participation in Saturday's Chili Cookoff, and read the resolution into the record. Supervisor Livemore moved to adopt Resolution No. 2002-R-45, A RESOLUTION COMMENDING CHARLES KELLER ON HIS RETIREMENT. Supervisor Williamson seconded the motion. Board comments wished him success in his future ventures and described his effort to get the Alternative Sentencing Program started on strong footing. The motion to adopt Resolution 2002-R-45 was voted and carried 4-0. Mayor Masayko then read the plaque into the record and presented it to him. Mr. Keller explained that his tenure with the City had been short, fun and exciting. He had enjoyed working with everyone. He also indicated that he was going to have to work on his chili recipe.

C. PRESENTATION OF LONGEVITY AWARDS TO CITY EMPLOYEES (1-0239) -

Personnel Analyst Trainee Mary McAlister asked the recipients to wait outside the Sierra Room to have a group picture taken after the awards are presented. Mayor Masayko presented the awards and congratulated the recipients. Those receiving 10 year awards were: Albert Aikins, Timothy Allen, Jeffrey Carver, Mark Forsberg, Cynthia Gower, Sylvia Lopez, Jeff McGoodwin, Rebecca Neep, David Nielsen, Thomas Raw, Pat Robertson, Joyce Watkins, and Deborah Wiggins. Those receiving 15 year awards were: Rick Beckerdite, Karen Finnegan, Robert Gautschi, James McCurdy, Richard Pope, Frank Rahm, Mike Santos, Darren Selby, Adrienne Weintz, and Lorraine Baseel. Those receiving 25 year awards were: Larry Berg, John Bergstrom, Russell Howard, and Ruth Vaughan. Those receiving 30 year awards were: Maria Rodriguez and Kani Shannon. Mayor Masayko remarked that there is a cumulative total of 440 years of service to the community represented by these employees.

LIQUOR AND ENTERTAINMENT BOARD (1-0378) - Mayor Masayko recessed the Board of Supervisors session and immediately convened the Liquor and Entertainment Board. A quorum of the Board was present including Sheriff's Representative Lt. Bev Moltz. Member Plank was absent as indicated.

4. TREASURER - Al Kramer

A. ACTION TO APPROVE THE REVOCATION OF ALL DELINQUENT LIQUOR LICENSES NOT PAID FOR BY JULY 17, 2002, FOR NONPAYMENT OF THE QUARTERLY FEE (1-0389) - All of the delinquent licenses have been paid. No action was required or taken.

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B. ACTION TO APPROVE A FULL BAR LIQUOR LICENSE FOR RASP ENTERPRISES CORP., DOING BUSINESS AS MR. POOR'S ROADHOUSE LOCATED AT 2600 GRAVES LANE, RICHARD APPEGATE AS THE LIQUOR LICENSE MANAGER (1-0393) - Chairperson Masayko encouraged Mr. Applegate to read and be familiar with the applicable Codes and Liquor Laws. Mr. Applegate agreed to adhere to the liquor laws and to train his employees appropriately. Member Moltz noted the favorable Sheriff's Investigative Report and recommendation. Member Livermore moved to approve a full bar liquor license for RASP Enterprises Corporation, doing business as Mr. Poor's Roadhouse, located at 2600 Graves Lane, Richard Applegate will be the liquor license manager. Member Staub seconded the motion. Discussion indicated that the establishment is open under a short-term liquor license. Member Staub indicated that the Airport Authority had approved the parking lot improvements which they had discussed. The Airport Authority is to pay for the fog seal improvements. Chairperson Masayko wished Mr. Applegate success in the new venture. The motion to approve his liquor license was voted and carried 5-0.

BOARD OF SUPERVISORS - There being no other matters for consideration as the Liquor and Entertainment Board, Chairperson Masayko adjourned the Board and immediately reconvened the meeting as the Board of Supervisors. A quorum of the Board was present although Supervisor Plank was absent as indicated.

5. CONSENT AGENDA (1-0466)

5-1. TREASURER

A. ACTION TO APPROVE THE ADDITION OF TAXES TO THE 2001-2002 REAL PROPERTY TAX ROLL ON PARCEL NO. 1-021-18, 2814 NORTH CARSON STREET, DUE TO A CLERICAL ERROR

B. ACTION TO APPROVE THE PARTIAL REMOVAL AND REFUND OF TAXES TO THE 2001-2002 REAL PROPERTY TAX ROLL ON PARCEL NO. 2-155-03, 205 EAST JOHN STREET, DUE TO A CHANGE OF ACTUAL USE

C. ACTION TO APPROVE THE PARTIAL REMOVAL AND REFUND OF TAXES TO THE 2001-2002 REAL PROPERTY TAX ROLL ON PARCEL NO. 1-021-19, 2874 NORTH CARSON STREET, DUE TO A CLERICAL ERROR

5-2. ASSESSOR - ACTION TO APPROVE THE ADDITION OF TAXES TO THE 2002-2003 REAL PROPERTY TAX ROLL ON PARCEL NO. 9-752-22. 1120 PARTRIDGE DRIVE DUE TO THE PROPERTY OWNER'S REQUEST TO HAVE HIS VETERANS EXEMPTION BE REMOVED FROM HIS REAL PROPERTY AND APPLIED AS PERSONAL PROPERTY TO BE USED AT THE DEPARTMENT OF MOTOR VEHICLES

5-3. DEVELOPMENT SERVICES - CONTRACTS

A. ACTION TO ACCEPT DEVELOPMENT SERVICES RECOMMENDATION AND AWARD THE 2002 ASPHALT MAINTENANCE CONTRACT, CONTRACT NO. 2002-005, TO (BIDDER NO. 1) INTERMOUNTAIN SLURRY SEAL, INC., P. O. BOX 50085, WATSONVILLE, CA 95077 AS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER PURSUANT TO THE REQUIREMENTS OF NRS CHAPTERS 332, 338, 339, AND 624 FOR A CONTRACT AMOUNT OF \$319,411.24 AND A CONTINGENCY AMOUNT OF \$30,000

B. ACTION TO ACCEPT DEVELOPMENT SERVICES RECOMMENDATION AND AWARD THE 2002 SOUTHEDMONDS FOAM OIL PROJECT, CONTRACT NO. 2002-007 TO

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(BIDDER NO. 1) WESTERN STABILIZATION, 395 INDUSTRIAL WAY, DIXON, CA 95620 AS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER PURSUANT TO THE REQUIREMENTS OF NRS 332, 338, 339, AND 624 FOR A CONTRACT AMOUNT OF \$96,415.60 AND A CONTINGENCY AMOUNT OF \$3,583.40

C. ACTION TO ACCEPT THE WORK AS COMPLETE AND APPROVE THIS RELEASE OF FINAL PAYMENT ON THE CARSON CITY LIBRARY SIGN PROJECT, CONTRACT NO. 2001-119 AS SUBMITTED BY DEVELOPMENT SERVICES TO VALLEY CREEK ENTERPRISES, 2793 GORDON AVENUE, MINDEN, NV 89423 FOR A FINAL PAYMENT AMOUNT OF \$17,235.28 AND ACCEPT THE CONTRACT SUMMARY AS PRESENTED

D. ACTION TO ACCEPT DEVELOPMENT SERVICES RECOMMENDATION AND AWARD THE 2002 STREET OVERLAY CONTRACT, CONTRACT NO. 2002-006 TO (BIDDER NO. 3) GRANITE CONSTRUCTION COMPANY, P. O. BOX 50085, WATSONVILLE, CA 95077-5085 AS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER PURSUANT TO THE REQUIREMENTS OF NRS CHAPTERS 332, 338, 339 AND 624 FOR A CONTRACT AMOUNT OF \$867,867 AND A CONTINGENCY AMOUNT OF \$132,133

5-4. DEVELOPMENT SERVICES - ENGINEERING

A. ACTION TO APPROVE AN IMPROVEMENT AGREEMENT BETWEEN CARSON CITY AND NORTHRIDGE LLC REGARDING THE CONSTRUCTION OF PUBLIC IMPROVEMENTS RELATED TO NORTHRIDGE PHASE 10, KNOWN AS A PORTION OF ASSESSOR'S PARCEL NO. 2-101-80

B. ACTION TO ACCEPT AN AGREEMENT BETWEEN CARSON CITY AND ANGUS W. MCLEOD AND THE CAROLYN B. MCLEOD LIVING TRUST, DATED 12/29/2000, REGARDING PORTIONS OF LAND NEEDED BY CARSON CITY FOR ROADWAY IMPROVEMENTS, DRAINAGE, RIGHT-OF-WAY AND EASEMENTS LOCATED SOUTH OF SHERMAN LANE AND NORTH OF U.S. HIGHWAY 50 EAST AND ALSO KNOWN AS ASSESSOR'S PARCEL NO. 8-291-01

5-5. FINANCE

A. ACTION TO RATIFY THE EXPENDITURE APPROVAL LISTING FOR THE MONTH OF JUNE 2002

B. ACTION TO APPROVE THE APPLICATION TO REMOVE UNCOLLECTIBLE ACCOUNTS RECEIVABLE FROM THE RECORDS OF THE AMBULANCE FUND

5-6. PARKS AND RECREATION - ACTION TO APPROVE THE DESIGN CONCEPT FOR STANDARDIZING IDENTIFICATION SIGNAGE THROUGHOUT THE CARSON CITY PARKS AND RECREATION SYSTEM - Supervisor Livermore moved to approve the Consent Agenda consisting of 13 items as represented by the Mayor. Supervisor Williamson seconded the motion. Motion carried 4-0.

6. BOARD OF SUPERVISORS - NON-ACTION ITEMS

A. INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (1-0488) - Supervisor Williamson expressed the hope that everyone had a wonderful Fourth of July and reported on her participation in the following: Redevelopment Authority Citizens Committee meeting; the Carson Tomorrow meeting; the Subconservancy's tour of Lost Lakes and meeting; a sign ordinance committee meeting; and a staff meeting on

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CDBG funds and administration. She also announced the Chili Cookoff, the Friday at Third Street, and the Sunday concert activities which are held in the downtown area and Rob Joiner's resignation and acceptance of a position with the Sparks Planning Department. She wished him well in his future endeavors. Supervisor Staub reported on his participation in the following: the firefighting efforts at Topaz; a staff meeting regarding economic development on Curry Street and street improvements on Stewart and Roop Streets; the Little League Opening Day ceremonies; the RTC meeting; the Builders Association of Western Nevada golf tournament; the Airport open house, and the Airport Authority meeting. Mayor Masayko acknowledged the fire concerns at Walker, Coleville, and Topaz and complimented the emergency crews on their efforts. Supervisor Livermore reported on his participation in the following: the Hospital's Finance Committee meeting; the Chamber of Commerce Manufacturers Association meeting and complimented staff on its presentation of the City's storm drainage plan; Northern Nevada Development Authority's presentation to the Chamber of Commerce Manufacturers Association; his wife's 40th class reunion; the Carson Tomorrow workshop; his meeting with Open Space Manager Juan Guzman regarding a State Lands meeting; Chamber of Commerce Sign Ordinance Committee meeting; and the Subconservancy's meeting and its plans to have another strategic planning session in October or November. Mayor Masayko reported on his participation in the following events/meetings: the Republican Central Committee picnic on July 4th; the RSVP Fourth of July carnival and fireworks; the Little League's Opening Ceremonies and complimented the City Parks Dept. on the condition of the fields and John Simms, a local Little League Commissioner, on his efforts to make sure the tournament was successful; the dog agility trials at Fuji Park; the Convention and Visitors Bureau meeting; the NACO Trustees meeting on the Medicare funding including the discussion on the City's spread sheet on its medical welfare costs, the withdrawal of both Lyon County and Carson City's requests for supplemental funding, and the need for the Legislature to address this funding problem; the Chamber of Commerce Manufacturers Association meeting on the storm drainage program; Nevada Rural Housing's Senior Net Program and its volunteer recognition ceremony; the Airport open house; the Downtown Chili Cookoff; the five Russian exchange students/economic development individuals' welcome; and the RSVP Advisory Committee meeting.

B. STAFF'S COMMENTS AND STATUS REPORT (1-0991) - None.

7. COMMUNITY DEVELOPMENT - Director Walter Sullivan

A. ACTION TO APPROVE A RESOLUTION FIXING THE NUMBER OF RESIDENTIAL BUILDING PERMITS UNDER THE CITY'S GROWTH MANAGEMENT ORDINANCE FOR 2003 AND 2004, ESTIMATING THE NUMBER OF RESIDENTIAL BUILDING PERMITS FOR 2005 AND 2006 AND ESTABLISHING THE ENTITLEMENT NUMBERS WITHIN CATEGORIES (FILE NO. GM-01/02-3) (1-1000) - Mayor Masayko explained the need to check the State Demographer's figures against the census figures. The State Demographer's figures are estimated on June 30 whereas the census figures are taken in April. He also pointed out that it may be necessary to adjust them again next year. The Growth Management Ordinance was adopted in 1978. Since that time the building activities have never taken all of the building permits allocated in a year. The three percent figure is predictable. City services can match the demands for that level. Last year only 55 percent of the permits were taken. This means that the City grew at the rate of 1.5 percent. Unused permits are not held for future use or reissued. Discussion pointed out that only 21.45 percent of the permits have been taken so far this year. The program is on a calendar year basis as it matches the building season. Mayor Masayko reiterated for the record that the permit numbers had been adjusted based on the census

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from 676 for the 2002 to 642 for the year 2003 and will be at 662 in 2004. He also explained that the census figures were lower than that estimated by the State Demographer. Supervisor Williamson moved to adopt Resolution No. 2002-R-46, Option I, A RESOLUTION FIXING THE NUMBER OF RESIDENTIAL BUILDING PERMITS UNDER THE CITY'S GROWTH MANAGEMENT ORDINANCE FOR 2003 AND 2004, ESTIMATING THE NUMBER OF RESIDENTIAL BUILDING PERMITS FOR 2005 AND 2006 AND ESTABLISHING THE ENTITLEMENT NUMBERS WITHIN CATEGORIES; FILE NO. GM-01/02-3. Supervisor Livermore seconded the motion. Motion carried 4-0.

RECESS: A recess was declared at 9:40 a.m. A quorum of the Board was present when Mayor Masayko reconvened the meeting at 9:50 a.m. Supervisor Plank was absent as indicated.

B. ACTION REGARDING AN APPEAL OF THE PLANNING COMMISSION'S DECISION TO APPROVE A SPECIAL USE PERMIT APPLICATION FROM STEVE KASTENS, DIRECTOR, PARKS AND RECREATION DEPARTMENT (PROPERTY OWNER: CARSON CITY) TO ALLOW IMPROVEMENTS AT FUJI PARK, SPECIFICALLY TO IMPROVE THE EXISTING ELEMENTS AT THE PARK, AS WELL AS THE AREA IMMEDIATELY ADJACENT TO THE PARK TO THE WEST; NEW RESTROOM FACILITY ACCESSIBLE OFF THE WEST PARKING AREA WITH SHOWER STALLS, NEW PICNIC SHELTER WITH A WINDSCREEN, AND NEW STORAGE BUILDING, ON PROPERTY ZONED PUBLIC (P), LOCATED AT THE INTERSECTION OF OLD CLEAR CREEK ROAD AND U.S. HIGHWAY 395 SOUTH, APNS 9-303-02 AND 9-303-07 (FILE NO. U-01/02-35) (1-1152)- Associate Planner Jennifer Pruitt, City Engineer Larry Werner, Parks and Recreation Director Steve Kastens, Gene Lepire - Mayor Masayko noted for the record that Mr. Fellows' conditions of approval relating to the street improvements in Phase I or II will depend upon the traffic generated. Phase I may not require the improvements but Phase II could. This condition will remain for some time. It is an urban street design and will be there regardless of the November election item. The lengthy hearings on the rezoning of all public lands were noted. According to this program, all of the improvements to publicly zoned property must follow those rules. Therefore, the Deer Run Road residents should know that the City is following the regulations. Supervisor Staub explained the basis for Mr. Lepire's appeal. The hours of operation are not part of the special use permit. He also disclosed that he had met with Mr. Lepire and looked at the issues. Ms. Pruitt explained that the improvements do not change the park uses. The proposal only improves the facilities at the park. There is an opportunity to add them if he wishes to provide documentation that they are warranted. Mr. Werner explained his review of the need for a right turn lane and the decision that one was not warranted at this time. The pedestrian traffic issues had also been considered and those improvements will be required in Phase II. Due to the lack of information regarding the total impact that will be created by Phase I, a traffic study had not been required. It may be required for Phase II. Board discussion ensued with Mr. Kastens concerning the overnight parking which is allowed for specific events at Fuji Park and the rules and regulations controlling such events. The policy limits the use to specific events such as dog and horse shows. Overnight stays are also allowed for the security of merchandise for the Rendezvous and the carnivals at Mills Park. The event provider with assistance from staff polices the spacing between RVs. The vehicles are supposed to be located 12 feet apart due to concerns regarding the propane tanks. Mr. Kastens felt that the majority of the individuals who sponsor activities requiring overnight camping are aware of the rules and attempt to abide by them. Overnight parking is allowed approximately ten times a year, however, the demand for this service is increasing. It is proposed that the new fairgrounds will also allow overnight camping. Supervisor Livermore

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explained his study of fairgrounds and their uses which indicates that a majority of the fairgrounds allow this use. The Parks and Recreation Commission had established and approved the overnight camping fee. Although the National Australian Shepherd Dog Show was here for one week, the majority of the events only require overnight camping for two or three nights. Supervisor Livermore suggested that each camper be given a copy of the rules and regulations and be required to sign a liability waiver. Mr. Kastens explained that he is not in the RV business and does not advertise the camping ability as it is not allowed unless connected to an event. He felt that the individuals would not come to Carson City without the event. The participants are encouraged to utilize City restaurants, hotels, RV parks, etc. Dog shows are leaving Reno due to the lack of overnight camping. He also suggested that the policy be reconsidered by the Commission. Mayor Masayko supported this suggestion and urged the Commission to consider how to handle the liability to the City when these events occur. Supervisor Staub explained his reasons for raising the issue and supported having the Commission reconsider the policy. Showers at a day use facility promote overnight usage. Mr. Kastens explained the modification to the plan which eliminated permanent showers. This change was predicated on cost to construct the showers. Portable showers will be brought in when events require them. Clarification indicated that the Commission will discuss having the event sponsors be responsible for bringing in the showers. The hours for use of the park have been the same for the last five years. The arena use and outdoor activities stop at 11 p.m. which is the time when the users are to have the area. Use of the exhibit hall stops at 1 a.m. and the participants must be gone by 2 a.m. Park staff is onsite and enforces the hours. Mr. Kastens did not feel that they were losing any events due to the hours. Anyone staying overnight should not be disruptive to the neighbors. Mills Park closes at 10 p.m. except for special events when it is 10 or 11 p.m. Mills Park is a community park, therefore, it has different hours. Centennial Park's softball fields close at 11 p.m. Governors Field closes at 10 or 10:30 p.m. He also indicated his feeling that carnivals should be held at a fairgrounds and not at Mills Park. Supervisor Staub asked Mr. Kastens to reconsider the hours at Fuji Park as 1 or 2 a.m. is not appropriate. Overnight RV parking also allows individuals to continue recreating until the next day. These activities are creating a nuisance/problem for the adjacent property, such as Mr. Lepire's RV park. Mr. Kastens explained that the Exhibit Hall hours are the same as those allowed at the Community Center. Discussion indicated that the improvements to Fuji Park modernize what is there and address the irrigation and parking problems. The fairground area is not part of the improvements. Events in the park are limited to daylight hours as there is no lighting provided. Events in the Exhibit Hall are inside the building. Supervisor Williamson pointed out that the special use permit is for the items which the Board had promised to provide. She agreed that the hours and camping regulations should be reviewed by the Parks and Recreation Commission. Supervisor Staub explained that he was attempting to address the issues contained in Mr. Lepire's appeal. He agreed that the improvements should be provided as promised. Mayor Masayko encouraged the Board and staff to stay on the appeal items. It is reasonable that the issues should be discussed but the procedures, policies, and use factors need to be agenized and discussed in depth.

Mayor Masayko explained for Mr. Lepire that the Exhibit Hall is part of Fuji Park regardless of what happens with the fairgrounds. Mr. Lepire then explained that his clientele were allegedly leaving due to the disturbances caused at the Exhibit Hall as evidenced by 33 calls for assistance from the Sheriff's Office. The Sheriff's Office purportedly cannot do anything due to the lack of signage at the park. He felt that an 8 a.m. to 10 p.m. sign should be posted the same as is found at the other City parks and asked that one be posted. Mr. Kastens had made a note regarding this request. Mayor Masayko reminded Mr. Lepire that he needed to stay on the special use permit and its conditions. Mr. Lepire felt that conditions could be added to the special use permit. There should be 15 feet between vehicles. He then alleged that the fees were to be increased to \$9 and not be the indicated \$4. He also

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questioned where the funds are being kept/spent. Due to inflation since the fees were created, he felt that it was reasonable to increase the fee to \$15 as his fee is currently \$28. The showers create a facility similar to his without abiding by the ordinances. The lower fees attract individuals who should be staying in his facility. They need supervision to curtail the activities as recreating continues until 3 or 4 a.m. Mayor Masayko explained that these issues will be handled by the Parks and Recreation Commission. Mr. Lepire then requested a right turn lane and explained his feeling that a traffic study should have already been conducted. Mayor Masayko explained that the improvements will not create the necessary traffic warrants to justify the right turn lane. The City had offered to participate with Mr. Lepire in conducting the traffic count. Mr. Lepire felt that it was unfair to have him participate in the program when the City already owns a counter. He also alleged that he has had RVs cut across three lanes of traffic to enter his establishment. He asked that it be put on the record in case there is an accident at his site. He then reiterated his belief that the campers are parked too close together and should not be using old propane tanks. These safety issues need to be addressed. Mayor Masayko reminded Mr. Lepire that staff had indicated that the improvements will not increase the base traffic numbers to the extent that will meet the warrants and require an additional lane. Mr. Lepire asked for a copy of today's traffic count so that he could use it for a comparison after the new Walmart in Douglas County opens and reiterated that the Street Department has the equipment to conduct the traffic count.

Additional public comments were solicited but none were given. Public comments were then closed. Discussion between the Board and Mr. Kastens indicated that the showers could be removed from the special use permit. The issues which Mr. Lepire had raised were beyond the scope of the special use permit. They should be addressed by the Parks and Recreation Commission as quickly as possible. The impact of Walmart in Douglas County on Old Clear Creek Road could not be addressed by the City even though it is believed to be substantial.

Supervisor Livermore explained his involvement with the Parks and Recreation Commission and the development of the camping regulations. He was surprised to learn that the RV parking areas are not being chalked. There had also been a time when the sponsor submitted a plan delineating the placement of RVs. He was unsure whether there were any regulations which require fees for these facilities to be fifty percent of those assessed by commercial establishments. If such is the case, then the snack bars will have to match his prices. He urged the Commission to annually review the fees throughout the entire Parks system. The fees for the parks are reasonable and should be considered as provided in the current process.

Supervisor Williamson moved to uphold the Planning Commission's decision to approve a Special Use Permit application from Steve Kastens, Director of the Parks and Recreation Department, property owner is Carson City, to allow improvements at Fuji Park, specifically to improve the existing elements at the park as well as the area immediately adjacent to the park to the west; new restroom facility accessible off the west parking area, new picnic shelter with a windscreen, and a new storage building on property zoned P located at the intersection of Old Clear Creek Road and U.S. Highway 395 south, Assessor's Parcel Numbers 009-303-02 and 009-303-07, File Number U-01/02-35. Supervisor Livermore seconded the motion. Mayor Masayko directed that the record show the motion was made and seconded was that recommended by staff to the Board with the elimination of the shower stalls. Mr. Lepire's questions had been asked. They are not under the purview of the Planning Commission or the special use permit. The park improvements are for the accommodation of the users who are already there. The issues regarding road improvements will follow the regulations. This is Phase I of a two-phase project. November will decide the

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fairgrounds issue. The City will step up to the plate if the improvements increase the usage. The other items should be discussed by the Parks and Recreation Commission and brought back to the Board. The motion to uphold the Planning Commission's decisions was voted and carried 4-0. Mayor Masayko explained that Mr. Lepire's appeal was denied with passage of the motion. The information is on the record and followup is to occur by the Parks and Recreation Commission.

C. ACTION TO INTRODUCE ON FIRST READING AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 18, ZONING, SECTION 18.03.010, REVISING THE DEFINITION OF CHILD CARE FACILITY TO INCLUDE RESIDENTIAL AND COMMERCIAL FACILITIES; AND AMENDING SECTION 18.11.020, REVISING THE PROXIMITY OF RESIDENTIAL CHILD CARE FACILITIES TO COMMERCIAL CHILD CARE FACILITIES, AND ALLOWING SEPARATION BY A COLLECTOR STREET VERSUS AN ARTERIAL STREET; AND REVISING THE CARSON CITY DEVELOPMENT STANDARDS SECTION 1.6, LAND USE AND SITE DESIGN, CHILD CARE FACILITIES PERFORMANCE STANDARDS, RELATING TO COMMERCIAL AND RESIDENTIAL CHILD CARE FACILITIES, AND OTHER MATTERS PROPERLY RELATED THERETO (FILE NO. A-02/03-4) (1-2160) - Senior Planner Lee Plemel, Community Development Director Walter Sullivan, Chief Deputy District Attorney Mark Forsberg, Attorney Julian C. Smith, Attorney Chris MacKenzie representing the Gutzmans, Daren Selby, Carrie Henson - Mr. Plemel and Mr. Sullivan explained the correction made on Page 4 of the ordinance. Staff's recommendation of approval is in opposition to the Commission's recommendation. The Board normally accepts the Commission's recommendations but could uphold staff if desired, return the item to the Commission for additional information, or revise the recommendation as deemed appropriate. The current code requires the childcare operator to live on site. The proposed modification does not require the operator of a commercial childcare facility to live on site. It was felt that the proposal singled out one specific site. Mayor Masayko felt that the 500-foot rule should be reconsidered and better defined specifically regarding the street designation/uses and how the distance is to be measured. He suggested that consideration be allowed for the character of the neighborhood and mitigating factors.

Mr. Forsberg explained his meeting with Community Development staff and the history behind the 500-foot requirement. It was felt at that time that the distance would reduce the impact on residential neighborhoods from multiple daycare facilities. Staff had suggested removal of the 500-foot rule as it will allow two daycare facilities to be located near each other without impacting other facilities whose operator does not live at the establishment. Mayor Masayko indicated that staff had not been advised to create variances to the 500-foot rule but to establish a fair and equitable resolution. Mr. Forsberg explained that if the Board wished to consider each daycare on its own merits, removal of the 500-foot restriction would allow that to occur. Mayor Masayko pointed out that this will require the daycare operator to provide necessary findings that it will not harm the neighborhood. The proposed ordinance also establishes a difference between neighborhood and commercial daycare facilities. He felt that the proposed ordinance also impacted between one and three facilities as its scope is very narrow and establishes special circumstances. Mr. Forsberg explained that the effort had been to preserve the current policy and address an inequity that had been pointed out. Staff is willing to reconsider the 500 foot rule and the type of street where the facility is located. This may solve the problem with the current location while creating problems for other locations in the future.

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Discussion between Mr. Plemel and Supervisor Staub explained that the definition for a residential childcare facility is located under the residential zoning district as an accessory use. The primary use of the building must be as a residence. The operator still must reside at the location. Clarification indicated that the operator of the Gutzmans' facility does not have to live there as the special use permit originally issued allows him/her to live elsewhere. The 500-foot rule was implemented after the Gutzmans' special use permit was issued. The 500-foot rule only applies to the residential district. The proposed ordinance will preserve the Gutzmans' right to operate a daycare facility in their home without residing there and allow another daycare facility to operate inside the 500-foot radius as one will be a commercial establishment and the other will be a residential establishment. The owner/operator will have to live in the residence for the residential establishment. Mayor Masayko clarified for the record that if Ms. Henson chose to purchase a building in a commercial zone, she would not have to live there to operate a childcare facility. Her proposed site, however, is located next to the Gutzmans.

Public comments were then solicited. Attorney Smith supported staff's recommendation and the advice given by Mr. Forsberg. Mr. Smith was disappointed that the Commission had attempted to change the ordinance. He acknowledged the difficulty in distinguishing between personalities and the policy issues. The proposed ordinance does not impact the Gutzmans' special use permit. It will impact Ms. Henson who is going to be next door. A residential facility had evolved to allow a mother to stay home and operate a facility. A license is required if she has more than four children. The special use permit process determines the impact on the community. The 500-foot rule is not required by other communities. They use the special use permit process. All of her neighbors support her efforts to open a residential facility. The difference should be easy to distinguish as a residential facility has someone living there. It will not impact the neighborhood. A commercial establishment will have a sign and no one is there 24 hours a day. A resident shows pride in his/her facility as he/she lives there. A commercial operator wants the money. A commercial facility could be located next to a residential facility. Commercial establishments will have to go through a lot of hoops to get a license. This is not the only case where two establishments will be located adjacent to each other. It is not spot zoning. The commercial facility will remain and a residential facility will be there as the neighborhood supports it. The zone change establishes the policy which will allow it. There is a need in the community for more childcare facilities. He complimented staff for establishing the policy based on the difference in the two facilities. He supported staff's recommendation and not the Commission's.

Discussion between the staff and Board indicated that the Gutzmans' special use permit runs with the land and is considered a property right. Special use permits issued before 1992 are considered a property right and are transferred from one property owner to another. In 1992 special use permits were tied to the applicant. They expire when that person leaves the site. The new resident/owner is required to obtain a special use permit even if the use is the same. As the Gutzmans' special use permit runs with the land, a new operator/owner must come in and amend the permit. He/she then becomes the applicant on the special use permit. A new operator/owner could live on site without changing the license to a residential childcare facility. Clarification also indicated that a 24-hour a day childcare operation would have to meet the same mitigation requirements as other facilities, i.e., the noise and traffic concerns. Title 18 only considers the review of the special use permit and adverse impacts on the neighborhood. The Health Department may have other requirements for such an operation beyond these items. Staff was not certain when Ms. Henson had acquired the residence next door to the Gutzmans. This question is to be asked of her during public comments.

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Mr. MacKenzie indicated that the special use permit for a child care facility allows a commercial activity to occur regardless of the location. The Board's focus should be on where it will be allowed—in a residential or commercial area. He thanked the staff for its efforts to provide all of the information. He felt that there were other issues which the ordinance had not addressed. The proposal only addresses one person's concern. This person owns a childcare facility in a residential area. How do you designate that use? He could understand using the zoning to define the difference, i.e., commercial facility in a commercial zone or a residential facility in a residential zone. He did not feel that requiring the individual to live in the facility provided any distinction in the uses. (2-0001) There are children at the residence regardless of the location. The ordinance allows 30 parents to come and go from the one site. The proposed location is a residential area. The Gutzmans will be the only ones impacted by the ordinance. He questioned the reasons for designating the Gutzmans' facility as commercial when all childcare facilities are commercial and the basis for the zoning. The 500-foot rule is to protect the residential nature of the area. He questioned the impact of having two operations side-by-side in a residential area. The traffic impacts will be the same as that found with the Gutzmans'. He suggested that Roop Street be rezoned commercial or the 500-foot restriction be removed. The Gutzmans are being punished for having been there longer and being grandfathered. He asked the Board to approve the Commission's language. Clarification by Mr. MacKenzie indicated his belief that the proposal would be spot zoning including his understanding of the court definition of spot zoning. Discussion between Supervisor Staub and Mr. MacKenzie explained Mr. MacKenzie's belief that there is rationale for considering the traffic in determining the use. Children will be crossing the street. There is no rationale for eliminating the 500-foot rule for commercial establishments. No one else is subject to this rule. No one else will have someone next door competing with them for clientele. The proposal will devalue the property. The arterial issue was an existing condition in the Code and its rationale was understood. Additional public comments were solicited. Mayor Masayko polled the audience to determine the number of individuals wishing to speak.

Mr. Selby felt that the Planning Commission's concern with the original ordinance dealt with the potential for litigation based on spot zoning. Deputy District Attorney Woodbury had allegedly indicated it would not be spot zoning. He had purportedly used a Highway 50 and Nye Lane site to illustrate that it was not spot zoning. Mr. Selby suggested that the ordinance be reworded to allow the use to be on or separated by an arterial or collector street. This would allow two businesses to be across the street from each other rather than adjacent. This would create a conflicting traffic pattern whereas when the facilities are located on the same side of the street or adjacent to each other there would not be a conflict. Mayor Masayko pointed out that this turning movement could be a bane for traffic behind the vehicle turning when both facilities are located on the same side of the street. This argument could go either way.

Discussion between Ms. Henson and Supervisor Livermore explained that her residence before acquiring the Roop Street location had been on Thompson Street. The name of the childcare, Little Tykes, was hers and came with her when she leased the building from the Gutzmans. Everything had been fine until she purchased the property next door and opened it. She had looked for three years without success for a site where she could relocate the childcare facility. Little Tykes had always been on Roop Street. Her previous employment history was described. She had not needed to obtain a special use permit on Roop Street as it came with the property. She pointed out that the current ordinance would allow her to operate a childcare facility across the street and that the traffic and competition issues would still be there. Clarification by Mayor Masayko pointed out that the ordinance adds "collector street" to the Code. Additional public comments were solicited but none were given. Mayor Masayko then closed the public comment period.

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Discussion between Mr. Sullivan and Supervisor Livermore indicated that there are no other grandfathered special use permits within 500 feet. The two that they had discussed yesterday were more than 500 feet from each other. Mayor Masayko explained that if the ordinance as written is adopted, it would be possible for Ms. Henson to have a childcare facility in her home with a special use permit. The special use permit will stay with Ms. Henson as long as she remains in the building. If she leaves, the next occupant would not have the special use permit. The Gutzmans' next door childcare facility already has a special use permit and it remains even if the occupant changes. If the new buyer for Ms. Henson's property also wants a residential daycare facility, it would be the only location with a residential daycare and a commercial daycare side-by-side. The Board's options are to adopt the ordinance as recommended by the Commission or the one recommended by staff or to take no action and return it to the Commission in the hope that another method of handling the situation can be found. The 500-foot issue may need to be addressed. Mayor Masayko disclosed that he had talked by telephone to the majority of the parents who were present and with Mr. Gutzman. Discussion indicated that if the RTC and the Planning Commission change the zoning due to the change in the character of the Roop Street neighborhood and traffic, it could be possible to have five commercial childcare facilities to be side-by-side if the area is zoned general commercial. The area is on the list for consideration when the master plan is considered this summer. This process may take several months to a year to complete. If the area is rezoned to commercial, the issue will be moot. It was felt that if Ms. Henson had requested a zone change for her property, it would be spot zoned. The entire area needs to be rezoned due to the change in the character of the area.

Supervisor Staub indicated his empathy for the situation in which Ms. Henson found herself, however, he felt that she should have conducted additional research before purchasing her home. The proposal is spot zoning as it creates an exception for one situation. The Board should not make exceptions under any circumstances. Residential childcare facilities should have special use permits as it will allow their review on a case-by-case basis. He understood that the restriction had been felt to be a reasonable protection for the residential neighborhood when implemented but questioned its need today. A proposal to place two facilities side-by-side rather than across the street did not make any sense to him. The impact will be the same. He asked staff to consider repealing the 500-foot restriction. **Supervisor Staub then moved to defer the matter and refer it back to staff for further investigation to determine the priority and necessity of the 500 foot rule and other matters that may be properly related thereto. Supervisor Livermore seconded the motion.** Mr. Sullivan indicated that the ordinance also addresses other issues. Discussion indicated that the direction allows staff to review the need for the restriction citywide and to include it with those revisions. The issues of the arterial and collector streets had not posed a problem for the Board. The applicant for a special use permit should show that it does not impact the character of the neighborhood. If the applicant for a special use permit relocates, the use ceases at that location. Mayor Masayko was uncertain of the reasons a previous Board had decided to impose the restriction. He was willing to listen to the neighborhood input. Discussion ensued on the period of time that would be required for reconsideration. Mayor Masayko asked that late material not be provided when heard again and that adequate time be taken to do it right. Discussion indicated it may be back in September if it makes the August Planning Commission agenda. Mayor Masayko pointed out for the record that the lease is valid until the end of the year. Supervisor Williamson also asked that staff include a review of the 500-foot restriction. Mr. Sullivan committed to having the issue back to the Board in two months. The motion was voted and carried 4-0.

D. ACTION ON AN APPEAL OF THE PLANNING COMMISSION'S DECISION TO

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DENY A SPECIAL USE PERMIT APPLICATION FROM CARRIE HENSON TO ALLOW A CHILD CARE FACILITY FOR 30 CHILDREN ON PROPERTY ZONED SINGLE FAMILY 6,000 (SF6) LOCATED AT 2117 SOUTH ROOP STREET, APN 9-093-03 (FILE NO. U-01/02-27) (2-0480) - Mr. Smith indicated for the record that the applicant would waive the requirement of having a hearing today and asked for a continuance until the issue of the zone amendment is resolved. Mayor Masayko ruled that the request was granted. No formal action on the continuance was taken.

E. ACTION TO INTRODUCE ON FIRST READING AN ORDINANCE EFFECTING A CHANGE OF LAND USE FROM SINGLE FAMILY ONE ACRE (SF1A) TO MULTI-FAMILY APARTMENT (MFA) ON PROPERTY LOCATED AT 4870 OAK STREET, APN 009-191-13, AND OTHER MATTERS PROPERLY RELATED THERETO (2-0510) - Associate Planner Jennifer Pruitt - Discussion explained that the location is in the vicinity of the zone change to multi-family duplex. The multi-family apartment zoning allows double the density of the multi-family duplex zoning. The proposal is considered infill as it is the last parcel on the west side of Oak for development. The property owner Angela Brantingham-Clark was present to answer questions. None were asked. Public comments were solicited but none were given. Supervisor Livermore moved to introduce on first reading Bill No. 127, AN ORDINANCE EFFECTING A CHANGE OF LAND USE FROM SINGLE FAMILY ONE ACRE (SF1A) TO MULTI-FAMILY APARTMENT (MFA) ON PROPERTY LOCATED AT 4870 OAK STREET, APN 009-191-13, AND OTHER MATTERS PROPERLY RELATED THERETO, File No. Z-01/02-8. Supervisor Williamson seconded the motion. Motion carried 4-0.

F. DISCUSSION REGARDING THE STATUS OF PROPERTY PREVIOUSLY ABANDONED BY WIPFLI FAMILY TRUST AND G. AND R. KILTY, PROPERTY OWNERS, A PORTION OF THE RIGHT-OF-WAY OF EAST SPEAR STREET AND A PORTION OF ANDERSON STREET (APPROXIMATELY SEVEN FEET WIDE BY 198 FEET LONG) PROPERTY ZONED GENERAL OFFICE (G0), ADJACENT TO APN 004-231-04 AND A DETERMINATION BY THE PLANNING AND COMMUNITY DEVELOPMENT STAFF THAT SAID PROPERTY IS LOCATED WITHIN THE ORIGINAL "CORPORATE LIMITS" OF CARSON CITY, NEVADA (FILE NO. AB-01/02-06) (2-0602) - Mayor Masayko explained that this item had been deferred due to the fact that it is located in the 320-acre townsite. The Supreme Court has not yet ruled on the legal issues. Findings will have to be made and/or a conditional approval granted. No formal action was taken.

G. ACTION TO APPROVE A FINAL SUBDIVISION MAP REQUEST FROM JIM FESER, DEVELOPMENT COORDINATOR, NORTHRIDGE, LLC, FOR NORTHRIDGE SUBDIVISION, PHASE 10, CONSISTING OF 39 LOTS (APPROXIMATELY 17.35 ACRES) ZONED SINGLE FAMILY 6,000 (SF6), LOCATED GENERALLY NORTH OF NORTHRIDGE DRIVE AND EAST OF ROOP STREET, A PORTION OF APN 002-101-82 (FILE NO. S-01/02-2[F10]) (2-0610) - Community Development Director Walter Sullivan - Jim Feser was present. Supervisor Williamson moved to approve a final subdivision map request from Jim Feser, Development Coordinator, Northridge, LLC, for Northridge Subdivision, Phase 10, consisting of 39 lots, approximately 17.35 acres, zoned Single Family 6,000, located generally north of Northridge Drive and east of Roop Street, a portion of APN 002-101-82, File No. S-01/02-2[f10]. Supervisor Livermore seconded the motion. Motion carried 4-0.

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OTHER MATTERS: Mayor Masayko requested that the record indicate the Board had excused Mr. Berkich from the afternoon session in order for him to commence his vacation early. The Board wished him well on his vacation.

RECESS: A recess was declared at 12:18 p.m. A quorum of the Board was present when Mayor Masayko reconvened the meeting at 1:30 p.m. Supervisor Plank was absent as indicated.

8. BOARD OF SUPERVISORS

A. ACTION TO SUSTAIN OR REVERSE THE DECISION OF THE CARSON CITY SHERIFF TO DENY A WORK PERMIT FOR ROBERT LAURITZEN (2-072) - Considerable discussion ensued between the Board and Mr. Lauritzen regarding his arrest record and his rationale for not listing the items on the work card permit application. Mr. Lauritzen explained that he had been "clean" and through a lot of programs during the last 15-1/2 months. His involvement with Narcotics Anonymous and counseling was limned. He also contended that the April 2001 charges will be dropped when he completes the terms of his probation. Mayor Masayko explained that the Board could not consider this until one to three years after completion of the probation period. They will consider his application and make a decision based on his record at that time. Mr. Lauritzen indicated that a letter from his employer had been submitted indicating that he/she was aware of his record. Allegedly, Hearing Officer Joffee had the letter at the time of the hearing. Neither the Board nor the Clerk had a copy of the letter. Mayor Masayko explained that the Board may decide to uphold the Hearing Officer's denial but allow Mr. Lauritzen to submit additional information, such as the letter, and reapply at a future date. This will require that he submit a new application on which he should include the entire arrest record. Supervisor Staub asked that he also bring letters of reference from Alcoholics Anonymous/Narcotics Anonymous. Mr. Forsberg explained that at the hearing documentations showing his attendance at AA and NA meetings had been submitted. Mayor Masayko reiterated the need for Mr. Lauritzen to show extenuating circumstances for the Board to override the Hearing Officer and Sheriff's Department. It would not be necessary for him to wait until after he completes probation to commence the rehearing process. Staff will be asked to look for the missing letter from his employer. Supervisor Livermore moved to sustain the decision of the Carson City Sheriff to deny a work permit for Robert Lauritzen. Supervisor Staub seconded the motion. Motion carried 4-0.

B. ACTION TO SUSTAIN OR REVERSE THE DECISION OF THE CARSON CITY SHERIFF TO DENY A WORK PERMIT FOR CHANDRA NORKUNAS (2-1020) - A letter from her previous employer was included in the file. She had worked a few days for this person, however, was not now working for her as a work card is required. She occasionally accompanies the children on field trips as a parent volunteer. The previous employer is willing to rehire her if she can obtain a work card. Mayor Masayko indicated for the record that Ms. Norkunas' mother, Starlynne Dyer, was present. Ms. Dyer thanked the Board for considering the matter and expressed her feeling that her daughter should be given a second chance. The daycare employer and her employees purportedly enjoy working with Ms. Norkunas. Additional comments were solicited but none were given. Supervisor Livermore expressed his pleasure at seeing Ms. Norkunas and wished her well in her effort to turn her life around. Supervisor Livermore moved to reverse the decision of the Carson City Sheriff to deny a work permit for Chandra Norkunas. Supervisor Staub seconded the motion. Motion carried 4-0. Mayor Masayko congratulated Ms. Norkunas and wished her success in her effort to turn her life around.

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9. DEVELOPMENT SERVICES - City Engineer Larry Werner

A. ACTION TO APPROVE A REQUEST THAT A GRANT FOR THE CARSON CITY SENIOR CENTER TO PURCHASE AND INSTALL TWO ELEVATORS AND MISCELLANEOUS ACCESSABILITY IMPROVEMENTS BE RETURNED TO THE STATE OF NEVADA DEPT. OF ECONOMIC DEVELOPMENT (2-1210) - None of the funds from the grant had been used. The State is willing to consider the drawings once they are completed to determine if there are other areas that are eligible for a grant. The two elevators obtained when the plan was to have a two-story building will be sold. There are two prospective buyers. It may not be possible to get all of the money paid for the elevators back. Center funds will be used to makeup for any shortage. Board action to surplus and sell the elevators will be requested in the future. Returning the grant should not impact the Center's ability to obtain future grants. Supervisor Livermore moved to approve a request that a grant for the Carson City Senior Center to purchase and install two elevators and miscellaneous accessability improvements be returned to the State of Nevada Department of Economic Development. Supervisor Williamson seconded the motion. Motion carried 4-0.

B. ACTION TO APPROVE STAFF'S REQUEST ON THE 2000/2001 SEWER AND WATER REPLACEMENT PROJECT, CONTRACT NO. 2001-12, TO PERFORM ADDITIONAL SEWER REPLACEMENT ON ANDERSON STREET AND EAST SPEAR STREET (2-1326) - This area is scheduled for an overlay in 2003 or 2004. The replacement project was originally scheduled for 2005. The benefits of scheduling the replacement project to be in front of the overlay were noted. Adding the change order to the original contract should not create a problem. The final cost will be negotiated with the contractor. A final decision on whether to rebid this portion of the contract will be made later today. Mayor Masayko urged staff to be cognizant of the low bid and whether the project will keep the bidder lower than the other bidders. Community Development Director Andrew Burnham explained that the proposal will reduce the impact to the neighborhood. Supervisor Williamson moved to approve staff's request on Contract No. 2001-121, 2000/2001 Sewer and Water Replacement Project, to perform additional sewer replacements on Anderson Street and East Spear Street and additional water main replacements on Hillcrest Road, Ridge Street, Crest Drive, and Circle Drive by increasing the contract contingency amount by \$241,000.00 from the approved contingency amount of \$98,309.90 to a revised amount of \$339,309.90; fiscal impact is that the referenced accounts will be decreased by \$241,000, which is \$180,000 from 520-3505-435-73-06 Capital Expenditures/Main Replacement Program and \$61,000 from 515-0000-434-79-60 Sewer Capital Projects/Participation as provided for in Fiscal Year 2002/2003. Supervisor Livermore seconded the motion. Mayor Masayko stated for the record that he had found in his Board report that this is a project funded for \$985,000 and that this is an increase of more than 33 percent to the project. He urged staff to stay within the boundaries of the bid revisions for the successful contractor. He felt that this was the right thing to do. The motion was voted and carried 4-0.

There being no other matters for consideration, Supervisor Williamson moved to adjourn. Supervisor Livermore seconded the motion. Motion carried 4-0. Mayor Masayko adjourned the meeting at 2:13 p.m.

The Minutes of the July 18, 2002, Carson City Board of Supervisors meeting

ARE SO APPROVED ON November 7, 2002.

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/s/

Ray Masayko, Mayor

ATTEST:

/s/

Alan Glover, Clerk-Recorder