A regular session of the Carson City Board of Supervisors was held on Thursday, August 4, 1988, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 9 a.m.

PRESENT: Dan Flammer Mayor

E. M. "Doc" Scrivner Supervisor, Ward 4
Ron Swirczek Supervisor, Ward 1
Tom Fettic Supervisor, Ward 2
Marilee Chirila Supervisor, Ward 3

STAFF PRESENT: Alan Glover Clerk-Recorder

Paul McGrath Sheriff
Ted P. Thornton Treasurer

Gary Kulikowski Internal Auditor Jack Fralinger Health Director

Dan O'Brien Public Works Director
Bob Auer Deputy District Attorney
Bill Madigan Street Superintendent
Katherine McLaughlin Recording Secretary

(B.O.S. 8/4/88 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.

Mayor Flammer called the meeting to order at 9 a.m. by leading the Pledge of Allegiance. Roll call was taken. The entire Board was present constituting a quorum.

- D. APPROVAL OF MINUTES Agenda Sessions of 9/14/87, 7/18 and 8/1/88; Regular Session of 9/3/87; and, Special Sessions of 9/9 and 10/87 (1-0019) Supervisor Fettic moved to approve the Minutes as presented. Supervisor Scrivner seconded the motion. Motion carried 5-0.
- F. LIQUOR AND ENTERTAINMENT BOARD MATTERS STOKKE (CHAMBER OF COMMERCE) ENTERTAINMENT PERMIT FOR THE WORLD'S INTERNATIONAL WHISTLE-OFF (1-0039) Mayor Flammer recessed the Board of Supervisors session and immediately reconvened the hearing as the Liquor and Entertainment Board. A quorum was present including Sheriff McGrath.

Whistle-off Chairperson Jo Ann Kennedy explained the request for a fee waiver. Member Fettic moved that the Board approve the Entertainment Permit for the Carson City Chamber of Commerce World's International Whistle-Off and waiver of the Entertainment Permit Fee and Application Fee for the Permit. Member McGrath seconded the motion. Treasurer Thornton explained that the fees total \$200--\$100 each. Motion carried 6-0.

Chairperson Flammer adjourned the Liquor and Entertainment Board and immediately reconvened the session as the Board of Supervisors. A quorum was

present as noted.

G. PETITIONS AND COMMUNICATIONS (1-0093)

- STEWART APPEAL OF HEALTH DEPARTMENT ADMINISTRATIVE DECISION REQUIRING CONNECTION TO CITY WATER SYSTEM VERSUS CONSTRUCTION A NEW WELL AT **EXISTING RESIDENCE AT 160 OVERLAND STREET -** Bob Stewart explained the location of the property and house, the drop in the water table, the construction of a City well within 500 feet of his well, the distance to the City waterline and cost to construct a waterline to it, that there were no other residences with whom he could now or in the future share a portion of waterline costs, and other reasons for the request to construct a new well rather than deepen the existing well. Discussion noted that the new well would be 200 feet deep, that the distance to the City waterline from the edge of his property was within 400 feet, and Public Works' position on the request. Supervisor Scrivner moved that the Board approve the construction a new well by Robert E. Stewart due to his well having gone bad at 160 Overland Street. Supervisor Fettic seconded the motion. Upon request for amendment, Supervisor Scrivner amended his motion to include "that an exception was being granted". Supervisor Fettic requested withdrawing the motion due to the need to establish a clear record of the reasons for granting an exception. Mr. O'Brien further expounded on the Ordinance requirements and his position on the request. Discussion indicated that a precedence was not being established and Supervisor Fettic seconded the amended motion. motion was voted and carried 5-0.
- PARKER ASPECTS OF PUBLIC WORKS DEPARTMENT OPERATIONS (1-0404) R. G. Parker expounded at length his concern about Public Works procedures and requirements. He felt that there are too many levels of review and that their rules and requirements were arbitrarily enforced. The original 100 year flood channel was to have crossed his property through a 70 foot wide eight foot deep ditch. He felt that this had been an unnecessary burden. The issue was eventually resolved but not until after a great deal of expense and The latest storm drain fiasco was the result of the Shenandoah Heights project which undergrounded the water to his property. He then was required to underground the water on south at a great deal of expense which he did not feel could be included in the sale price for his homes. He then explained the type of questions asked at the Planning Commission of the Public Works Director which indicated that the drainage was not his problem and had been diverted to his property. Following discussion with Mr. O'Brien, Mr. Parker voluntarily agreed to give a 30 foot right-of-way through his property for an open drainage ditch, however, would not provide any riff-raffing. He then explained a problem he had encountered for the extension of a cul-de-sac. Purportedly he had submitted plans for another project last October which, to date, have not been approved. He felt that this amounted to blackmail and had no connection to the cul-de-sac. Attempts had been made to resolve some of these problems including the drainage requirements for this project with Bill Madigan and he thought they had been successful until he went to obtain his construction permit. The permit included the exclusion of the drainage

channel. He felt that this requirement had arbitrarily undermined the Board's direction at time of the map approval. He then expressed his feeling that he does not always agree with all the requirements from Planning, however, they were willing to be fair and square in their dealings. Reasons for bringing the matter to the Board were explained. His comments included his feeling that no one in the City was interested in determining the source or reasons for his complaint due to the Public Works Director's and City Manager's failure to contact him prior to this meeting. Supervisor Swirczek directed the City Manager to agendize a status report on the Shenandoah Heights drainage problem for the next meeting.

Mr. O'Brien then explained the requirements for the cul-de-sac and reasons for including the drainage channel. He had been the individual who placed the drainage requirement on the parcel map. Reasons for staff's continuing to require the channel were also explained. He felt that as Mr. Madigan and he had reached an agreement on the channel, the complaint had been resolved. Mr. O'Brien's involvement with the channel and compromises which he had reached were noted. Board comments stressed the feeling that until the drainage plan is completed for the entire area, problems would continue to haunt the City. Mr. O'Brien then outlined the progress made at the last meeting with the banks, who had repossessed the property, and the surrounding property owners on getting the drainage channel constructed. Mr. Parker's responsibility was restricted to that area involving his property and commitments he had made. Therefore, the channel on his property is to be constructed prior to any parceling.

Parker then explained his reasons for feeling that this was unreasonable requirement which would have been supported by the Planning Commission if he (Mr. Parker) had not voluntarily agreed with the compromise suggested by Mr. O'Brien. He also felt that the City already has an easement which could not be eliminated by the State acquisition of the property for He then expounded on his reasons for feeling that he was the 395 By-Pass. being held hostage by the requirement that the channel be constructed prior to parceling. Supervisor Scrivner explained his reasons for feeling that Mr. Parker had been very cooperative by agreeing to grant the easement and suggested that the parcel maps include the easement which would allow him to Mr. Parker then expressed his feeling that the cost could have been amortized over the project and was willing to construct the channel. stressed that he was willing to do the construction when he had equipment on site and not until, however, the City wants it as soon as possible. His comments included his reasons for feeling that the Board should restrict its employee's ability to arbitrarily change the requirement, e.g., a ditch to a cemented riffraff channel. He then questioned the reasonableness of the requirement that all the development conditions be meet prior to recording the map as the State is in the process of determining what it needs for the He then suggested redesigning the channel and eliminate the curves and explained his desire to pave Broadleaf. Attempts to discuss this with Mr. O'Brien and Mr. Hamilton had not been fruitful. Supervisor Swirczek suggested that the staff meet with Mr. Parker and resolve all of his concerns and report back to the Board at the next meeting.

Supervisor Fettic noted the number of meetings staff is required to attend to explain why Mr. O'Brien was unattainable and the reason for needing to add to his staff. Mr. Parker stressed that he should not have to meet with Mr. O'Brien if staff's attitude is adjusted and no new restrictions placed upon projects. He would support any personnel requests made for Public Works.

(1-02255) Discussion ensued between Mr. O'Brien and Supervisor Chirila concerning the need to investigate the allegations that new restrictions are being added to projects. Mr. O'Brien explained that the channel had been removed from the cul-de-sac and reasons for continuing to require the channel to be constructed or bonded as part of the original parcel. The area Mr. Parker wants to pave on Broadleaf is in the area where the channel would be placed. Supervisor Scrivner expressed his feeling that Mr. Hamilton had adequate direction to correct the problem.

Mr. Parker expounded further on his reasons for volunteering to construct the channel and feeling that the requirements had been changed.

Board discussion indicated that the voters were being asked to approve a funding issue which may help alleviate some of the staffing problems throughout the City.

BREAK: At 10:20 a.m. a ten minute recess was taken. When the meeting reconvened the entire Board was present constituting a quorum.

I. RESOLUTIONS (1-2610)

1. CLERK-RECORDER - Alan Glover.

9-1-88 HOSPITAL BOND SALE RESOLUTION - Hospital Board of Trustee President David Small explained the request and acknowledged the intent to repay the Bond from revenue generated by the Hospital. Hospital Administrator Tom Collier explained the intent to use the funds for remodeling, construction, and equipment rather than maintenance and repair as indicated on Page 3. Bond Counsel Jane Stanley explained that the Resolution could not be modified in any fashion and reasons for including the terms in the Resolution. Supervisor Swirczek felt that the Resolution should mandate that any funds leftover be used to retire the debt rather than operational activities. Ms. Stanley explained that this restriction could be placed in The Bond Ordinance will be considered on September 8. the Bond Ordinance. The Certificate of Need approved by the State had restricted the use of the funds to remodel, construction, and equipment. Ms. Stanley explained changes in the Resolution on Pages 9 and 11 and reasons for the changes.

The Board and Mr. Collier explained the Certificate of Need for Richard Waiton. Ms. Stanley explained that the ballot question explanation had indicated funding for operation and maintenance. Mr. Waiton expressed his feeling that the taxpayers should be aware of the fact that the funds could be used for operation and maintenance.

Ms. Stanley explained that the Bond Counsel would prepare the Ordinance as directed. Mr. Small agreed to narrowing the funding purposes and removing maintenance.

Supervisor Fettic moved to adopt Resolution No. 1988-R-47, A RESOLUTION DESIGNATED BY THE SHORT TITLE "9-1-88 HOSPITAL BOND SALE RESOLUTION"; AUTHORIZING THE PUBLIC SALE BY THE CITY OF CARSON CITY, NEVADA, OF ITS GENERAL OBLIGATION (LIMITED TAX) HOSPITAL BONDS, SERIES SEPTEMBER 1, 1988, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$6,900,000; PROVIDING FOR GIVING NOTICE OF THE SALE AND OTHER DETAILS RELATING THERETO; PROVIDING OTHER DETAILS CONCERNING THE BONDS, THEIR SALE AND THE GENERAL TAXES PLEDGED FOR THEIR PAYMENT; RATIFYING ACTION PREVIOUSLY TAKEN; PROVIDING OTHER MATTERS RELATING THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF; and that the Board direct the Bond Counsel to prepare the appropriate ordinance specifying the legitimate use of the bonds authorized by the Carson City electorate and that the word maintenance be deleted from the General Obligation Hospital Bond as it appears in the Hospital Bond question. Supervisor Scrivner seconded the Discussion indicated the term "repair" could be added to the Bond Ordinance at the time of first reading. The motion to adopt Resolution 1988-R-47, direct Bond Counsel to prepare the appropriate ordinance with the deletion of "maintenance" was voted by roll call with the following result: Ayes - Fettic, Scrivner, Chirila, Swirczek, and Mayor Flammer. Nayes - None. Motion carried 5-0.

Mr. Glover reminded the Board that a full Board is required for consideration of the Ordinance as an emergency measure. Ms. Stanley explained the reasons for requiring a full Board be in attendance. Discussion noted that September 8th would be a special meeting.

E. SCHEDULED ITEMS

- 1. GIFT FROM SMITH'S FOOD STORE FOR FENCING (2-0492) Librarian Sally Herman introduced the request. Supervisor Swirczek moved to adopt Resolution No. 1988-R-48, A RESOLUTION ACCEPTING A GIFT FROM SMITH'S FOOD STORE, specifically, a gift in the amount of \$5,676 which will be used to pay for a slotted chain link fence between Smith's Food Store and the Ormsby Library. Supervisor Fettic seconded the motion. Discussion noted that the City was to be responsible for construction of the fence. The motion to adopt Resolution No. 1988-R-48 was voted and carried 5-0.
- 2. GENERAL DISCUSSION AND REQUEST FOR BOARD DIRECTION REGARDING AMBULANCE SERVICES (2-0564) Mr. Collier explained the Board of Trustees' direction on the ambulance. Supervisor Swirczek explained the Board's direction at the last meeting. Discussion indicated the feeling that an ambulance review committee was needed. Ms. Walker explained the funding and her concern about the amount of employee involvement in and the parameters of the committee. Supervisor Swirczek responded by explaining his reasons for needing an experienced employee to provide the paramedical expertise. The pros and cons of having the employees involved, the different types of ambulance services,

the issues the committee should address, and the committee membership were discussed among the Board, Mr. Auer, Mr. Hamilton, and Ms. Walker. Mr. Hamilton was directed to establish the Committee and advise the Board of its composition within two weeks.

- (2-1295) Carson City Fire Fighters Association President Stacy Giomi expressed his reasons for feeling that the paramedics should be involved. Mayor Flammer responded by explaining that public input was welcome from all individuals and as an individual a paramedic could give testimony. Further discussion ensued among Mr. Hamilton, Mayor Flammer, Mr. Giomi, Supervisor Swirczek, and Mr. Auer on the composition of the committee. During the discussion Mr. Giomi volunteered to serve on the committee.
- (2-1632) Discussion ensued among Mr. Collier and the Board concerning the purpose of the committee, the amount of research which could be required, and whether a private contractor should be retained to identify the needs and alternatives.

No action was required or taken by the Board. (Mayor Flammer passed the gavel to Mayor Pro-Tem Scrivner and stepped from the room. A quorum was still present.)

I. 1. b. AUTHORIZATION FOR DISPOSAL OF PUBLIC RECORDS FOR: 1. DISTRICT COURT RECORDS, AND 2. MARRIAGE BUREAU RECORDS (2-1784) - Supervisor Fettic moved to adopt Resolution No. 1988-R-49, A RESOLUTION AUTHORIZING THE DESTRUCTION OF ORIGINAL RECORDS. Supervisor Swirczek seconded the motion. Discussion noted that the records had been microfilmed. The motion to adopt Resolution 1988-R-49 was voted and carried 4-0.

Supervisor Fettic moved to adopt Resolution No. 1988-R-50, A RESOLUTION AUTHORIZING THE DESTRUCTION OF ORIGINAL RECORDS which were marriage records. Supervisor Swirczek seconded the motion. Motion carried 4-0.

- 2. DISTRICT ATTORNEY Deputy District Attorney Bob Auer. (Mayor Flammer returned and took back the gavel. A quorum was present as noted.)
- a. A RESOLUTION REQUESTING ASSISTANCE FROM THE ATTORNEY GENERAL (2-1905) Mr. Auer briefly outlined the reasons for seeking the Attorney General's assistance. Supervisor Scrivner moved to adopt Resolution No. 1988-R-51, A RESOLUTION REQUESTING ASSISTANCE OF THE ATTORNEY GENERAL. Supervisor Chirila seconded the motion. Motion carried 5-0.
- b. AN ADDENDUM TO CORRECTED DEED OF TRUST BETWEEN CARSON CITY AND TORESON INDUSTRIES, INC. (2-1950) Supervisor Swirczek moved to approve the addendum to the corrected deed of trust and authorize the Mayor to sign that deed between the City and Toreson Industries, corrected deed of trust was recorded July 5, 1984, in Book 370 Page 553 of the official records of Carson City. Supervisor Fettic seconded the motion. Motion carried 5-0.

- c. REQUEST TO FILE AN OFFER OF JUDGMENT/LAWSUIT INVOLVING AYRES AND MAWHINNEY VERSUS CITY EMPLOYEES (2-2013) A trial date has been set for January 1989. Reasons for making a formal offer were outlined. Supervisor Swirczek moved that the Board authorize the District Attorney to file an offer of judgment in the amount of \$4,000 for Plaintiff Sue Ayres in an attempt to settle her lawsuit against the City and the Sheriff's Office as Defendants. Supervisor Scrivner seconded the motion. Motion was voted and carried 5-0. Supervisor Swirczek requested the motion be amended to include that the funding should be from the Insurance Defense Fund. Supervisor Fettic agreed.
- 3. SHERIFF Paul McGrath and Assistant Sheriff Greg Biggin SECRETARY II POSITION WITHIN ADMINISTRATIVE SERVICES DIVISION (2-2094) Supervisor Fettic moved that the Board approve a new position of Secretary II within the Administrative Services Division at the Carson City Sheriff's Office. Supervisor Scrivner seconded the motion. Funding was discussed. The motion to authorize the position was voted and carried 5-0.
- 4. FINANCE DIRECTOR Accountant Steve Bremer UPDATE OF COST ALLOCATION SYSTEM (2-2201) The cost-of-living and other reasons for a change in the allocation factors were discussed. The proposal had no bearing on any employee's salary. Supervisor Fettic moved that the Board approve modification of the cost rates made during fiscal year 87-88 reflecting current costs of providing the applicable services and to authorize the City Finance Director to make such periodic modifications of indirect and overhead rates as deemed necessary to reflect changes in departmental organization, personnel and costs so charged by the allocation system. Supervisor Swirczek seconded the motion. Motion carried 5-0.

5. PURCHASING AGENT - Ron Wilson.

CONTRACT 8889-14 - SENIOR CITIZENS CENTER DESIGN CONTRACT (2-2445) - Supervisor Fettic moved that the Board approve Contract No. 8889-14, Senior Citizens Center Design Contract, and declare the agreement not adapted to competitive bid pursuant to NRS 332.115, Local Government Purchasing Act, and Carson City Resolution 1983-R-36, a Professional Service Contract, and declare that the contract is not adapted to award by competitive bidding for the following reason: 1.2 Professional Service Contract in the amount of \$95,220, funding source 615-615 - Question 4 Funds. Supervisor Scrivner Following request for amendment, Supervisor Fettic seconded the motion. amended the motion to include to authorize the Mayor to sign Supervisor Scrivner continued his second. Discussion ensued with Ralph Isman concerning a the date construction will commence. Supervisor Fettic again amended his motion to include that the contract is being awarded to Isman-Supervisor Scrivner continued his motion. Completion date was discussed. The motion to award the contract as indicated was voted and carried 5-0.

Senior Citizens Center Advisory Board and Governing Board Representative Bob

Kennedy expressed the users' excitement that this stage had been reached. He hoped that groundbreaking could occur at the beginning of the New Year. Mr. Hamilton commended staff, the Seniors, the Isman-Pence firm, as well as the Advisory and Governing Board Members on their work.

- b. CONTRACT 8788-91 LIBRARY HVAC SYSTEM (2-2811) Supervisor Fettic moved that the Board award the contract to Bidder No. 6, Independent Sheet Metal, Inc., as the lowest responsive and responsible bidder pursuant to the provisions of the Nevada Revised Statute Chapters 332, 338, and 339, as well as the requirements set forth in the contract documents certified as Bid No. 8788-91. Supervisor Swirczek seconded the motion. Supervisor Fettic continued his motion to include: In the amount of \$51,511, Capital Acquisition Fund. Supervisor Swirczek continued his second. Motion carried 5-0.
- 6. PUBLIC WORKS DIRECTOR Dan O'Brien AGREEMENT BETWEEN CARSON CITY AND STANTON PARK DEVELOPMENT, INC., RELATIVE TO ACQUISITION OF WATER RIGHTS (2-2910) Mr. O'Brien's introduction included the need to determine the amount of water normally used by a residence, apartment, etc., (3-0011) and the terms of the agreement. Developer Dwight Millard felt that the well would be on line within 60 days, expressed his feeling that the well would be beneficial to the City, and commended staff on its work on this project. Supervisor Fettic moved that the Board approve the water agreement between Carson City and Stanton Development Inc. Supervisor Swirczek seconded the motion. Motion carried 5-0.

Supervisor Fettic commended Mr. Millard and Mr. Fergurson on their assistance.

BREAK: At 12:15 p.m. a recess was taken until 1:30 p.m. When the meeting reconvened the entire Board was present constituting a quorum.

J. ORDINANCES - FIRST READING (3-0140)

- 1. CARSON CITY MUNICIPAL CODE 17.44 (RESIDENTIAL CONSTRUCTION TAX) MODIFICATIONS ADDING SECTION 17.44.045 WHICH DESIGNATES CARSON CITY AS ONE NEIGHBORHOOD PARK AND PARK FACILITIES DISTRICT Supervisor Fettic moved to introduce Bill No. 120, AN ORDINANCE AMENDING CHAPTER 17.44 OF THE CARSON CITY MUNICIPAL CODE (RESIDENTIAL CONSTRUCTION TAX) BY ADDING SECTION 17.44.045 WHICH DESIGNATES CARSON CITY AS ONE NEIGHBORHOOD PARK AND PARK FACILITIES DISTRICT. Supervisor Swirczek seconded the motion. Motion carried 5-0.
- 2. CARSON CITY MUNICIPAL CODE 8.04 (PUBLIC PEACE, SAFETY AND MORALS PROHIBITED CONDUCT) MODIFICATIONS ADDING SECTION 8.04.045 MAKING IT UNLAWFUL TO WILLFULLY OR MALICIOUSLY DESTROY OR INJURE ANY REAL OR PERSONAL PROPERTY OF ANOTHER (3-0160) Supervisor Chirila moved to introduce on first reading Bill No. 121, AN ORDINANCE AMENDING CHAPTER 8.04 OF THE CARSON CITY MUNICIPAL CODE (PUBLIC PEACE, SAFETY AND MORALS PROHIBITED CONDUCT) BY

ADDING SECTION 8.04.045 MAKING IT UNLAWFUL TO WILLFULLY OR MALICIOUSLY DESTROY OR INJURE ANY REAL OR PERSONAL PROPERTY OF ANOTHER. Supervisor Scrivner seconded the motion. Motion carried 5-0.

M. BOARD OF SUPERVISORS RESOLUTIONS, REPORTS AND PROCLAMATIONS (3-0175)

2. SHEERIN - GOLF COURSE ADVISORY COMMITTEE

- REQUEST TO FINALIZE NEGOTIATIONS RELATIVE TO NEW WEST COURSE GOLF CLUBHOUSE - Golf Course Advisory Commission Member Gary Sheerin explained the Commission's recommendation that that the City reject Mr. Serpa's proposal to build a new clubhouse due to his fee structure. Negotiations on other alternatives were noted. If these negotiations are not successful, then he urged the City to seek other alternatives as a larger clubhouse is needed. Mr. Hamilton noted the frustration experienced by staff in attempting to negotiate with Mr. Serpa and supported the recommendation that the present clubhouse be expanded. Steps being taken to finance the expansion were Mr. Sheerin then noted Parks and Recreation Director Steve Kastens' attempts to obtain 60 acres from BLM on which a portion of the ninth hole, the parking lot, and the new clubhouse will be located. Mr. Kastens explained the progress made on obtaining the property. Board discussion supported expanding the clubhouse. It was felt that as the original clubhouse had been constructed by volunteers, they could be utilized for the Supervisor Fettic moved that the Golf Course Advisory expansion as well. Committee be instructed to come to an agreement with Mr. Serpa by two weeks from today or that they bring to the Board an alternate proposal addressing the possibility of expanding the current clubhouse. Supervisor Scrivner seconded the motion. Golf Course Advisory Chairperson Bob Tobias noted that the next meeting was on August 30. Discussion ensued with Mr. Sheerin and the Board on the viability of Mr. Serpa's proposal. Supervisor Fettic corrected his motion to have staff come to an agreement with Mr. Serpa within two weeks rather than the Committee. Supervisor Scrivner continued his Discussion noted that the motion would bring an agreement or second. alternative to the next meeting. he motion was voted and carried 5-0.
- c. REQUEST FOR RFP RELATIVE TO CART PATHS AND TURN AROUND AREAS AT THE NEW GOLF COURSE (3-0824) Mr. Sheerin explained the Commission's concerns about the cart paths and turnarounds, specifically at 10 and 14, due to the damage to the grass. Funding from the original bond is available. The direction needed for staff was explained. Mr. Sheerin and Mr. Hamilton felt that Golf Superintendent Tom Duncan supported the request. Purchasing Agent Ron Wilson explained the estimated cost of the new maintenance facility and funding allocated for the sewer. It was indicated that the Finance Director should establish whether funding was available. Supervisor Fettic moved that the Board direct the City Manager to have the appropriate staff prepare to go to bid for cart paths and turnaround areas at the new golf course subject to funding availability. Supervisor Swirczek seconded the motion. Motion carried 5-0.

- Mr. Sheerin then requested Board direction be given concerning a proposal to use bond monies to procure building materials for restrooms and have volunteers construct same. Mayor Flammer directed the City Manager to agendize this request for the next meeting.
- PROGRESS ON SEARCH FOR PRIVATE MAINTENANCE CONTRACTOR (3-1049) -Tobias explained his reasons for feeling the clubhouse should be aded. He then expounded on his and the Golf Course Advisory Committee's Mr. reasons for feeling that the maintenance should be privatized. Mr. Hamilton explained that he had performed an evaluation of the physical plant and would make a presentation at the next meeting. The Finance Director and Internal Auditor had reviewed the financial controls and will be making a report to Mr. Hamilton which would be included in his report to the Board. noted that the Golf Course Advisory Committee had recommended continuing Mr. Duncan's contract for another year. Therefore, he wished clear direction as Mr. Duncan's Golf Pro contract has three more years. Discussion indicated that the Mayor and Mr. Tobias wished to have staff evaluate the pros and cons on contracting the maintenance. Mr. Kastens clarified the management of the Golf Course employees and explained his efforts to seek bids on the maintenance. Mr. Tobias stressed his feeling that the Board had not acted on the subject regardless of the efforts expended to accomplish the contracting. The Board directed staff provide the contract requests to the Commission and to bring the matter back at the second meeting of September and have the Committee analyze the request for bids. Mr. Wilson explained some of the reasons for having the minor details included in the bid request which Mr. Tobias had indicated were not necessary. No formal action was taken by the Board.
- L. CITY MANAGER RESOLUTIONS, REPORTS, AND BOARD DIRECTIVES REQUEST FOR CHANGE OF REGULAR BOARD MEETING SCHEDULE FROM THE FIRST AND THIRD THURSDAYS TO THE FIRST AND THIRD WEDNESDAYS (3-1744) The Board discussed with Mr. Hamilton the pros and cons of the proposal. Mr. Hamilton explained his desire to split the meetings in September. Supervisor Scrivner moved that no change occur in meeting schedule. Supervisor Chirila seconded the motion. Motion was voted by roll call with the following result: Swirczek No; Chirila Yes; Scrivner Yes; Fettic No; and Mayor Flammer No. Motion lost 2-3.

Further discussion ensued on the pros and cons of the request. Mr. Hamilton was directed to again agendize the request for the next meeting. No action was taken by the Board.

Discussion ensued on the purpose and procedure which may be followed at this evening's session.

O. DETERMINATION/ANNOUNCEMENT OF FUTURE MEETING DATES AND TIMES - FULL BOARD REQUIRED 9/8/88 FOR HOSPITAL BOND ORDINANCE (3-2425) - The Board was polled to determine who would be present for this meeting. Supervisor Scrivner would not be present, however, four members would be which is the minimum

required.

- XI. ORDINANCE SECOND READING BILL NO. 119 CHANGE OF LAND USE Z-87/88-7 CARSON CITY REZONE APPROXIMATELY 2.15 ACRES FROM MH6000 TO MH12000 SOUTH OF CARMINE STREET AND WEST OF NICHOLS LANE PLANNING COMMISSION APPROVED 5-0-2-0 (3-2543) Supervisor Scrivner moved to adopt on second reading Ordinance No. 1988-20, AN ORDINANCE EFFECTING A CHANGE OF LAND USE ON ASSESSOR'S PARCEL NUMBER 8-161-13, SAID AREA BEING APPROXIMATELY 2.15 ACRES LOCATED ON THE SOUTH SIDE OF CARMINE STREET APPROXIMATELY 700 FEET WEST OF AIRPORT ROAD, IN CARSON CITY, NEVADA, FROM MOBILE HOME 6000 (MH6000) TO MOBILE HOME 12000 (MH12000) ZONING. Supervisor Fettic seconded the motion. Motion carried 5-0.
- N. CITIZEN COMMENTS (3-2609) None.
- M. 1. CITIZEN APPOINTMENTS TO PARKS AND RECREATION COMMISSION (3-2620) Supervisor Fettic moved to appoint Ed R. Moran to the Commission and explained his reasons. Supervisor Scrivner seconded the motion. Motion was voted by roll call with the following result: Ayes Fettic, Scrivner, Chirila, Swirczek, and Mayor Flammer. Nayes None. Motion carried 5-0.

Supervisor Scrivner moved to appoint Linda Navarro and explained his reasons. Supervisor Swirczek seconded the motion. Motion was voted by roll call with the following result: Ayes - Fettic, Scrivner, Chirila, Swirczek, and Mayor Flammer. Nayes - None. Motion carried 5-0.

- 3. SUPERVISOR COMMENTS MAYOR FLAMMER, SWIRCZEK, FETTIC, AND SCRIVNER (3-2759) None.
- **SUPERVISOR CHIRILA -** Explained her reasons for having Animal Services agendized for discussion at the next meeting in the evening.
- At 2:45 p.m. Mayor Flammer recessed the meeting until 7 p.m. When the meeting reconvened Mayor Flammer and Supervisors Swirczek, Fettic, Chirila, and Scrivner were present. Planning Commissioners present were: Chairperson Follmer, Baughman, Jones, Pozzi, Steele, and Tatro. Roll call of both the Board and Commission was taken and a quorum declared for both. Commissioner Pisiewski was absent. Staff members present included City Manager Hamilton, Community Development Deputy Director--Planning Toll, Deputy District Attorney Auer, Senior Planner Joiner, and Recording Secretary McLaughlin. (3-2865)
- A JOINT MEETING BETWEEN CARSON CITY BOARD OF SUPERVISORS AND THE CARSON CITY REGIONAL PLANNING COMMISSION WILL CONVENE AT 7 P.M. TO DISCUSS MATTERS PURSUANT TO THE FOLLOWING AGENDA WHICH WAS PROVIDED IN THE BACKUP DOCUMENTATION:
- 1. REFERRALS FROM THE BOARD TO THE PLANNING COMMISSION Topic: In cases of appeals or hearings before the Board when new information is presented at

the Board hearing that was not presented to the Planning Commission, should the Board automatically refer the matter back to the Planning Commission for a new recommendation? Discussion and possible action of policies. - Following Mr. Toll's introduction which explained reasons for making the request, (4-0001) the pros and cons of the proposal were discussed among the Board, the Commission, and staff. Mr. Auer cautioned against delaying some items which the Statutes mandate action within set time periods.

2. STANDARDS FOR APPLICATION SUBMITTALS - Topic: What detail of information do the Commission and Board want to see submitted by project applications in order to legally make the required findings established in the various land use ordinances and laws? Discussion and possible adoption of policies. (4-0987) - Mr. Toll's introduction included the reasons for making changes to the application and the process. The pros and cons of the proposal were discussed among the Board, the Commission, and staff. Direction was requested on the amount of detail requested and whether professional engineers were needed for all applications as well as the need to prove that the applicant has title to the property. Consensus indicated that any new information of a substantial nature should be returned to the Planning Commission for consideration at its next meeting. A notice to this affect is to be included on the application.

(4-1851) Richard Waiton explained his application for Cactus Jacks for an abandonment of the alleyway. He felt that the alleyway had been abandoned on two other occasions and that the taxes had been paid for years. The item is to be agendized for a future meeting (August 18) and is not a matter for discussion this evening.

Discussion ensued on the reasons for requesting proof of ownership at the time of application and why the City should not be responsible for enforcing deed restrictions. Discussion returned to concern about the amount and type of information the Planning Commission had been requesting from staff and providing to the Board and the proposed language found on Page 4 of the supporting documentation. Supervisor Fettic moved that the Board of Supervisors adopt and endorse the proposed policy language presented by the Community Development Department that the Board of Supervisors and the Regional Planning Commission direct the Community Development Department to prepare application forms and packets containing adequate information to insure that the Commission and Board are able to make legally supported land use decisions. Supervisor Swirczek seconded the motion and noted the attempt to formalize a forward looking direction.

(5-2710) Fran McLain explained her feeling that Colorado was to have been extended by Lewis Homes, however, this has never been accomplished. Stafford is now being developed and purportedly a condition is the opening of Sonoma to Edmonds. She questioned whose responsibility it is to see that the roads are completed.

The motion to adopt and endorse the language indicated was voted and carried

5-0.

Commissioner Baughman moved that the Commission adopt and endorse the proposed policy language presented by the Community Development Department and that the Regional Planning Commission direct the Community Development Department to prepare application forms and packets containing adequate information to insure that the Commission and Board are able to make legally supported land use decisions. Member Pozzi seconded the motion. Motion was voted and carried 6-0.

BREAK: At 8:30 p.m. a ten minute recess was taken. When the meeting reconvened at 8:40 p.m. a quorum of both the Commission and Board was present.

3. A-87/88-12 AMENDMENT TO TITLE 18 OF THE CARSON CITY MUNICIPAL CODE TO DELEGATE FINAL DECISION-MAKING AUTHORITY TO THE PLANNING COMMISSION FOR SPECIAL USE PERMITS, VARIANCES, AND APPEALS OF ADMINISTRATIVE DECISIONS. Topic: Should the Carson City Municipal Code Title 18, Zoning, be amended to permit the Planning Commission to render a decision on matters presently submitted to the Board on a Consent Agenda? If a concurrence is reached, the Commission may take formal action on a recommendation to the Board for the first reading of the Code amendment. A staff report and copy of a proposed ordinance are available at the Department of Community Development. (4-2881) - Following Mr. Toll's introduction, (5-0056) the Board's original direction and the pros and cons of the proposal were discussed at length. restriction on who could appeal was questioned due to the feeling that anyone who is interested in the issue should have the right to appeal even if he had not attended the Commission meeting or is involved. (5-0195) Gale Thomssen also expressed her concern about the restriction. Consensus indicated the Board's feeling that it should consider all these matters.

Discussion noted that there would be other joint meetings in the future and commended the process as having been fruitful and worthwhile. Clarification also noted that whenever there is new information which staff indicates has not been considered by the Commission, the Board will return the item to the Commission. Commissioner Tatro explained a change in terminology on Page 3 of the application which would reflect this policy. Mr. Toll then suggested that this terminology be that the "Board of Supervisors may at its discretion defer action on...". Commissioner Tatro preferred "shall" to "may". Supervisor Fettic moved that the Board adopt a policy with the following wording, "Be it therefore adopted as a policy of the Board of Supervisors that in the event significant information is presented by the Applicant to the Board of Supervisors that has not been previously submitted to the Planning Commission and if the Board of Supervisors finds that this new information may have had a bearing on the decision of the Commission, the Board of Supervisors may defer action on the proposal before it and may return the matter to the Commission for further consideration." Supervisor Following seconded the motion. discussion of the term "significant", Supervisor Fettic amended his motion to remove the term

"significant". Supervisor Scrivner continued his second. Public comment was solicited but none made. The motion as amended was voted and carried 5-0.

Supervisor Fettic moved to adjourn. Supervisor Chirila seconded the motion. Motion carried 5-0. Mayor Flammer adjourned the Board of Supervisors at 9:30 p.m.

Commission Jones moved to adjourn the Planning Commission. Supervisor Pozzi seconded the motion. Motion carried 6-0. Chairperson Follmer adjourned the Planning Commission at 9:31 p.m.

A tape recording of these proceedings is on file in the Clerk-Recorder's Office. This tape is available for review and inspection during the normal business hours.

The	Minutes	of	the	August	4,	, 1988, Carson City Board of Supervisors meeting	ľ
						ARE SO APPROVED ONSeptember_6, 1990	
						_/s/ Marv Teixeira, Mayor	_
ATTI	EST:						

Alan Glover, Clerk-Recorder