

A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, April 19, 1993, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 9 p.m.

PRESENT:	Marv Teixeira	Mayor
	Kay Bennett	Supervisor, Ward 4
	Greg Smith	Supervisor, Ward 1
	Janice Ayres	Supervisor, Ward 2
STAFF PRESENT:	John Berkich	City Manager
	Kiyoshi Nishikawa	Clerk-Recorder
	Paul McGrath	Sheriff
	Ted P. Thornton	Treasurer
	Bill Lewis	Chief Juvenile Probation Officer
	Basil "Butch" Moreto	Purchasing Agent
	Paul Lipparelli	Deputy District Attorney
	Ken Arnold	Environment Control Officer
	Scott Burau	Commander, Sheriff's Detective Div.
	Katherine McLaughlin	Recording Secretary
	(B.O.S. 4/1/93 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. 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.

Mayor Teixeira called the meeting to order at 9 a.m. Rev. Roy Parker of the Full Gospel Church gave the Invocation. Sheriff McGrath lead the Pledge of Allegiance. Roll call was taken. Mayor Teixeira explained Supervisor Tatro's absence. A quorum was present although Supervisor Tatro was absent.

2. SPECIAL PRESENTATION - PRESENTATION OF A CERTIFICATE OF APPRECIATION FOR TOM LA LONDE (1-0031) - Mayor Teixeira introduced and explained Mr. La Londe's volunteer painting of the Boys and Girls Club. Connie Easley elaborated on his work. Mayor Teixeira thanked him for his dedication and presented the Certificate of Appreciation. Ms. Easley then advised the Board of that the Club would be taking over the facility tomorrow. Construction commences on Saturday. She was confident that furniture could be moved in within two or three weeks. Membership drives will commence May 1. The Board commended her on her efforts and Mayor Teixeira again thanked Mr. La Londe for his volunteer service.

LIQUOR AND ENTERTAINMENT BOARD (1-0104) - Mayor Teixeira recessed the Board of Supervisors and immediately reconvened the session as the Liquor and Entertainment Board. A quorum was present including Sheriff McGrath, however, Member Tatro was absent as previously noted.

3. SHERIFF - Paul McGrath and Detective Commander Scott Burau - ACTION ON WHETHER TO LIFT "90 DAY" SUSPENSION PERIOD AND REVOKE THE LIQUOR LICENSE OF LARRY WILLENS AND TACY WILLENS, DOING BUSINESS AS THE CHATTER BOX, 301 NORTH CARSON STREET, CARSON CITY, NEVADA (1-0108) - Member McGrath introduced the item by outlining the Board's January 21, 1993, action and the serious situation which had occurred on March 12. He then introduced Commander Burau. Member McGrath distributed copies of the January 21, 1993, Minutes to the Board. Commander Burau reviewed the computer printout on calls to the establishment and elaborated on the March 12

incident which a patrol officer just happened to observe. His comments stressed the feeling that if the officer "had not have been in the right place at the right time, his office would never have been contacted about the incident". According to the officer, numerous fights occurred in the establishment throughout the evening. None of these were brought to the attention of the Department. Only when the fight progressed to the street and was observed by the patrolling officer, did it become known to the Department.

Member Smith then explained his contact with Assistant Sheriff Dennis Austin and his request for a comparison of calls to other similar bars. He felt that the number of calls had been reduced significantly from the previous reports. Commander Bureau indicated that bars "come to his attention as a result of the calls generated. None of the other bars had given rise to this type of observation by his Agency." He elaborated on the Board's direction at its January 21st meeting stipulating an exemplary period during the 90 day suspension period. He felt that the reason there had been a drop in calls for service was due to the establishment's decision not to make calls to the Sheriff's Office. Purportedly during the evening of January 21st, patrons had requested the bartender/owner to call the Sheriff's Office and was refused based on the reason that they would lose their license. Member Smith explained his concern that the Board had sent a message which supported this position. Commander Bureau felt that the Board had made it very clear that they "were not to not call for fear that it would be used against you".

Member Ayres then expressed her feeling that the owner had expressed an intent to retain a bouncer for the weekends, however, neither Mr. Willens nor a bouncer was present when the incident began. She was also concerned about the bartender's failure to call the police when requested due to his/her concern about the bar being closed down. She questioned the number of calls the Sheriff would have had if this policy had not been followed. Likewise, she believed that the City would have been unaware of the last serious incident had an officer not observed it in progress. After the owner was called, he did not call the Sheriff's office. She felt that the owner had failed to live up to any of his commitments and cited his failure to keep undesirable people out of the establishment as further evidence to support her feeling.

(1-0438) Lori Trevor, a Jager Meister employee, explained her position with Jager Meister promoting its product, her safety concerns about working at The Chatter Box, her decision to have her brother chaperone her at the party, the numerous fights which occurred during her "party", many of which were purportedly instigated by Victoria and Scott Morrisey, the bartender's refusal to call "911" or the policy due to the fear that the bar would lose its license, the owner's arrival and Ms. Morrisey's discussion with him about the occurrences at the bar, the owner's attitude when Ms. Trevor attempted to tell him about the fights, the verbal exchange with Ms. Morrisey, and alleged assault by the Morriseys outside the bar. Clarification indicated that the Sheriff's Office was not called but "just happened to" drive by. Ms. Trevor's partner had asked to use The Chatter Box's telephone to call the "police" but was refused by Mr. Willens. Mr. Willens had purportedly watched the fight and neither stopped nor done anything about the fight. Further clarification indicated that the party started at 10:30 p.m. Fights occurred at 11:20 p.m. The bartender, Connie, refused to sign the paperwork but did call Larry. He took 30 minutes to arrive.

Member McGrath stressed that the January 21 minutes stipulated an exemplary report during the 90 day suspension period. Although there had been six or seven calls for service at the location, none of these calls were felt to be "serious enough" to warrant a revocation. The last call was, however, and for that reason the request was made to the Board.

Robert Grayson, attorney for The Chatter Box licensee--Larry Willens, requested an opportunity to question the witness, however, Chairperson Teixeira explained that the proceedings are not a trial. Testimony is to be given and the Board is to ask questions. Cross examination does not occur.

Mr. Grayson then stressed that the Board should not consider any calls prior to January 21. The Chatter Box had called the Sheriff's Office for assistance when problems arose. There were no fights inside The Chatter Box. He felt that the Sheriff's letter notifying the Willens of the Board's January 21st action indicated the Sheriff's Office

was to be called if problems arose. The same letter did not stipulate an exemplary record but rather one of improvement was required. The printout supported a vast improvement. Purportedly all of the neighbors had been contacted and indicated they have no complaints. He did not have any supporting documentation of this statement. Chairperson Teixeira explained his contacts with these principals which indicated "they were not a bunch of happy campers" although "it is better, it still isn't good." (1-0847) Mr. Grayson then explained his meeting with the Sheriff which indicated that "but for the one incident, he felt the bar operation had no problems". Therefore, this was one isolated instance. He urged the Board to ignore the presumption that there were other incidents. He also expressed his feeling that the prior witness' statement was different from the statement written out at the Sheriff's Office the night of the incident. He also alleged that the witness' brother had been 86'ed from the bar and purportedly broken the bar's windows on two separate occasions. The witness' family harbored a great deal of resentment toward Mr. Willens which may have "something to do with the testimony given here today". He then expounded on the Code requirements to revoke a license. At the last meeting Mr. Willens had agreed to make numerous changes and with the exception of the one incident, things were doing well. The bar was being operated as the Board had requested. There had been a large party the night of the March 12/13 and that the bartender had done everything possible including threatening to call the police to maintain control. People were asked to leave and did so. Neither the bartender nor the Licensee can control what occurs on the street. Chairperson Teixeira expressed his feeling that if the police had been called at the appropriate time, the fight would not have occurred. Mr. Grayson felt that the fight was over and had been concluded. Case law would purportedly support his contention that neither the bartender nor the owner were responsible for the ensuing fight. He then emphasized that there was not a policy prohibiting call the police and that the employees had been instructed to call the police should a problem arise. Those of authority that evening had not refused to call the police because the license would be pulled.

(1-1081) Bartender Connie Pankey explained that the Jager girls were late arriving and were intoxicated as was Ms. Trevor's brother. Ms. Pankey 86'ed a male who had hit Ms. Morrisey. Mr. Morrisey also purported hit this individual which caused a fight which did not last more than five minutes. She called Mr. Willens and told him when the Jager girls arrived. The Jager girls had sprayed Jager into the mouths of the customers including Ms. Trevor's brother. After the fight broke out, she again called Mr. Willens. It took Mr. Willens between ten and 15 minutes to arrive. She had not been asked to sign the paperwork. The Jager girls were in the kitchen the entire time. Ms. Pankey had not been hit by anyone. If she had, she would have called the police.

(1-1138) Larry Willens explained that his wife had been called into to work and decided to babysit until she got off work. His wife had driven by the bar on her way home. She had indicated the place looked busy and everyone was having fun. He then called Ms. Pankey and informed her that he was on his way down. Everything was fine. Two minutes later he received a phone call indicating there was a problem. He advised that he would be there in "a second". He was not informed about the nature of the problem and, therefore, had not advised her to inform the police. Five minutes later and before he left home, Ms. Pankey called again and said everything was fine. It is a ten minute drive from his home in Indian Hills. Upon arriving, everything was calm. He did not see any victims of a brawl or anything broken. The Jager girls were in the kitchen. They asked him to sign their release form. Several people came into the kitchen to tell him what had occurred. He attempted to get everyone out of the kitchen as is the normal practice. While in the kitchen a verbal confrontation occurred between Ms. Trevor and Ms. Morrisey. He signed the paperwork and the Jager girls left through the back door. They had no sooner left than one of the Jager girls returned through the back door requesting assistance. One of his friends then accompanied him out the back door and saw two girls in the middle of the street fighting. Experience indicated he should stay out of the fight until help was needed. He and his friend separated the combatants. The bartender cannot see the street from the bar. Ms. Trevor was purportedly sitting in her truck watching the fight. When the girls were separated, Ms. Trevor got out of her truck and started kicking the girl on the ground and trying to get her brother Richard to join in. The girl who was on the ground husband then came out of the bar with a glass in his hand. Mr. Willens grabbed the glass from Scott's hand and tossed it into the bushes. Scott and Richard then squared off to fight. A squad car pulled up at this time. Mr. Willens then stepped back and watched.

Discussion ensued between Member Ayres and Mr. Willens about his commitment to be at the establishment on weekends and would retain a bouncer. Mr. Willens indicated he had not hired a bouncer as he felt he had not had any problems to warrant hiring a bouncer. He emphasized that his wife had been called to work on the spur of the moment. Babysitting arrangements had not been made. As his wife would get off at 10:30 p.m. and he would be at the bar shortly thereafter, he had elected to stay home. The problem had unfortunately occurred before he arrived. In response to Member Bennett's questions, Mr. Willens indicated that he felt the fight would still have occurred due to his feeling that the Morriseys were intent on causing a problem as evidenced by the fight which occurred in the street.

(1-1480) Sandra Alfonda stated she had worked at The Chatter Box for approximately four months. She had never been told not to call the police. She called them last night in order to 86 a lady. She had not been there the night the incident occurred. She had dated Ms. Trevor's brother, who had purportedly admitted to her that he had thrown the pipe through the window.

(1-1505) Kenneth Rogers Sams explained that he was in the back room talking to Mr. Willens. When "she" was there, he was more or less guarding the door so no one else could go into the back room. When they let them out, a lady ran back in and said there was a fight in the street. I grabbed one girl and Mr. Willens grabbed the other. We separated them. No one in the bar knew there was a fight going on outside. They would not know unless they went out the back door. He did not know how Ms. Morrisey found out she was out there. Neither one of these girls were involved in the fight. It was Ms. Trevor's brother's girl friend and another girl that were fighting. Neither of the Jager girls was involved as Ms. Trevor was in her truck and the other one was back in the bar. When Mr. Sams fell with the girl, Ms. Trevor jumped out of her truck and started kicking the girl. Then the police arrived.

(1-1562) Mr. Grayson then emphasized that Sheriff McGrath had agreed that the operation "was a good operation since the last Board meeting except for this fight". He had also purportedly requested records of other bars but had not received this report. By using the Nevada Appeal, however, he could establish that there had been fights at other bars as well as other convenience stores. He felt that Mr. Willens had meant all of the commitments made at the previous Board meeting as clearly indicated by the lack of calls. Mr. Willens had not been the cause of the fight and should not lose his business investment due to it. They had not refused to call the police. It was not the bar policy to refuse to call the police. Everyone understood there would be calls during the period. He requested the Board allow Mr. Willens to stay in operation and allow him until May 6 to show what he had done. The fight was an isolated instance and not Mr. Willens' fault.

Member Smith explained his personal visit to the bar on a Friday evening approximately one month after the January 21 meeting. His experience at the bar that night was contrary to the information he had been given on the bar. This may have been the result of changes instituted by Mr. Willens although did not have personal knowledge which would have indicate this was the case. During his three hour visit he felt that the other customers as well as himself personally had enjoyed the evening. Although he could understand the circumstances which had made it necessary for Mr. Willens to be home, Mr. Willens had committed to the Board that he would be at the bar on weekends. His contacts with the Sheriff's office until March 10 had indicated that there had been an improvement, a good working relationship had been established, communication was occurring, and it was hoped "that they could get on down the road". Up to that time all indications were that the owners were making every attempt to make the necessary changes to save their business. Although the occurrences creating the incident were interesting listening, he did not think they were germane to the issue under consideration. He was concerned about having the promotion during the probation period. It may have been better to have "laid low during the whole period". Since Mr. Willens could not be present and due to the promotion which would have occurred prior to the party, someone should have been hired to act as a bouncer. This would have recognized the importance of the commitment. It was unfortunate that this incident occurred in the middle of the probation period. Member Smith was also concerned about the failure to call the Sheriff's Office when the problem began. If a call had been placed,

he felt certain that the other Board Members would have been more willing to understand the situation. He was also concerned that the Board's message may have been to not call the Sheriff's Office and to control the situation on your own. Better judgement during the continuing/ongoing fights should have indicated help was needed. Member Smith reiterated his concern about the lack of a bouncer.

Member McGrath then moved that that the suspension as imposed by the Liquor and Entertainment Board on January 21, 1993, be lifted and that the License be revoked effective this date. Member Bennett seconded the motion. Comments were solicited but none made. The motion was voted by roll call with the following results: Ayres - Yes; Smith - A reluctant Yes; Bennett - Yes; McGrath - Yes; and Chairperson Teixeira - Yes. Motion carried 5-0-1 with Member Tatro absent.

Chairperson Teixeira then adjourned the Liquor and Entertainment Board and immediately reconvened the session as the Board of Supervisors. A quorum was present although Supervisor Tatro was absent as previously noted.

1. APPROVAL OF MINUTES - February 18, 1993, Regular Session and February 20, 1993, Special Session (1-1958) - Supervisor Bennett moved to approve. Supervisor Smith seconded the motion. Motion carried 4-0.

4. BOARD OF SUPERVISORS CONSENT AGENDA

A. TREASURER

- i. ACTION ON ACCEPTANCE OF THE CARSON CITY TREASURER'S REPORT FOR THE MONTH OF FEBRUARY 1993**
- ii. ACTION ON REMOVAL AND REFUND OF PARTIAL 1992-93 REAL PROPERTY TAXES ON PARCELS 8-081-26 AND 8-081-03 DUE TO BUILDINGS BEING DEMOLISHED**

B. CLERK-RECORDER

- i. ACTION ON DISPOSAL OF MARRIAGE APPLICATIONS**
- ii. ACTION ON DISPOSAL OF COURT CLERK RECORDS**

C. PURCHASING AGENT

- i. ACTION ON CONTRACT NO. 9293-143 - STEWART STREET WATER AND SEWER IMPROVEMENTS PHASE II**
- ii. ACTION ON CONTRACT NO. 9293-161 - ELECTION SYSTEM PURCHASES**
- iii. ACTION ON CONTRACT NO. 9293-163 - DONATION OF SURPLUS FENCING**
- iv. ACTION ON CONTRACT NO. 9293-29 - WELL NO. 34 AND NO. 40 REDEVELOPMENT (FINAL PAYMENT)**

D. PUBLIC WORKS DIRECTOR

- i. ACTION ON APPOINTMENT OF JIM HADDAN, P.L.S. NO. 5286, AS ACTING CITY/COUNTY SURVEYOR EXCLUSIVELY FOR THE REVIEW OF A CERTIFICATE OF AMENDMENT TO THE OFFICIAL PLAT OF NORTH CANYON ESTATES**
- ii. ACTION ON A DEVELOPMENT AGREEMENT RELEASE AND CANCELLATION CONCERNING WATER MAIN IMPROVEMENTS FOR JAMES J. AND SHARON NEWMAN FOR APN'S 8-031-01 AND 8-031-02 LOCATED IN COMSTOCK HILLS SUBDIVISION (1-1978)** - Following Mayor Teixeira's introduction, Supervisor Bennett requested Item C. ii. be pulled for discussion. Item B. i. was assigned Resolution No. 1993-R-30. Item B. ii. was assigned Resolution No. 1993-R-31. Supervisor Smith moved that the Board approve the Consent Agenda. Supervisor Bennett seconded the motion. Motion carried 4-0.

CITIZEN COMMENTS (1-2075) - None.

5. TREASURER - Ted P. Thornton

A. NO ACTION - READ INTO THE RECORD LETTER OF APPROVAL FROM THE DEPARTMENT OF TAXATION ON SHORT TERM FINANCING REQUEST (1-2089) - Mr. Thornton read the Department of Taxation Deputy Executive Director Janice Wright's letter of approval for the \$354,000 short-term financing of Public Safety equipment and infrastructure improvements into the record. No action was required or taken.

B. ACTION ON ACCEPTANCE OF BID ON SHORT TERM FINANCING IN THE AMOUNT OF \$345,000 FOR PUBLIC SAFETY EQUIPMENT AND INFRASTRUCTURE IMPROVEMENTS (1-2145) - Mr. Thornton explained the request for action by the Board to accept the bid from Smith Capital Markets, Nevada State Bank, the individuals in attendance at the bid opening, and the bids which had been received. Supervisor Smith moved that the Board accept the bid proposal of Smith Capital Markets, Nevada State Bank, as the low bidder for short-term financing in the amount of \$345,000 at a true interest rate of 5.6254 percent for a period of ten years, fiscal impact, again, is \$345,000, funding source is the Capital Acquisition and Gas Tax funds. Supervisor Ayres seconded the motion. Comments were requested but none made. Motion carried 5-0.

C. ORDINANCE - FIRST READING - ACTION ON AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CARSON CITY, NEVADA, GENERAL OBLIGATION (LIMITED TAX) HOSPITAL REFUNDING BONDS, SERIES MAY 1, 1993, AND PROVIDING OTHER MATTERS RELATED THERETO (1-2261) - Mr. Thornton briefly outlined the purpose of the Ordinance and introduced Bond Counsellor Mark Wood. Mr. Lipparelli distributed page 10 inserts to the Ordinance and explained that the insert may make the bonds more marketable. He requested the motion also include adoption of the insert. Supervisor Bennett moved that the Board introduce on first reading Bill No. 116, AN ORDINANCE DESIGNATED BY THE SHORT TITLE "1993 HOSPITAL REFUNDING BOND ORDINANCE"; PROVIDING FOR THE ISSUANCE BY CARSON CITY OF ITS NEGOTIABLE, GENERAL OBLIGATION (LIMITED TAX) HOSPITAL REFUNDING BONDS, SERIES MAY 1 1993; PROVIDING THE FORM, TERMS AND CONDITIONS OF THE BONDS, THE MANNER AND TERMS OF THEIR ISSUANCE, THE USE OF THEIR PROCEEDS, THE MANNER OF THEIR EXECUTION, THE METHOD OF PAYING THEM, THE SECURITY THEREFOR AND PROVIDING FOR THE SALE THEREOF; PROVIDING FOR THE LEVY AND COLLECTION OF ANNUAL GENERAL (AD VALOREM) TAXES FOR THE PAYMENT OF THE BONDS; PROVIDING OTHER DETAILS CONCERNING THE BONDS; RATIFYING ACTION PREVIOUSLY TAKEN AND PERTAINING TO THE FOREGOING BY THE CITY AND ITS OFFICERS; AND PROVIDING THE EFFECTIVE DATE HEREOF. Supervisor Smith seconded the motion. Following a request for an amendment, Supervisor Bennett amended her motion to include with the additions as recommended by counsel, "C. Mandatory Redemption. Certain Bonds are subject to mandatory sinking fund redemption if so provided in the 1993 Hospital Bond Award Resolution." Supervisor Smith continued his second. The motion was voted by roll call with the following results: Ayres - Yes; Smith - Yes; Bennett - Yes; and Mayor Teixeira - Yes. Motion carried 4-0-1 with Supervisor Tatro absent. Supervisor Bennett on behalf of the Hospital Board, of which she is the Board of Supervisors Representative, thanked the Board for its cooperation.

6. PURCHASING AGENT - Basil "Butch" Moreto - ACTION ON CONTRACT NO. 9293-140 - CLEARVIEW SEWER EXPANSION PROJECT (1-2421) - Assistant Utility Engineer Georgia Turner explained the reasons she felt the bid was below the other bids. Mike's Trenching had worked for the City previously. The construction area, justification for the installation, a map depicting the area, and the mandatory connection requirements were discussed by Ms. Turner and Supervisor Bennett. Supervisor Bennett moved that the Board accept the Purchasing Department's recommendation and award Contract 9293-140 to Bidder No. 5,

Mike's Trenching, 3725 Lyon Lane, Carson City, as the lowest responsive and responsible bidder pursuant to the requirements of NRS Chapter 332, 338, 339, and 624 for a contract amount of \$24,193.43 and a contingency amount of \$2,500.00, funding source is the Sewer Main Expansion, Fiscal Impact: If approved the above account would be decreased by \$26,693.43. Supervisor Ayres seconded the motion. Motion carried 4-0.

4. C. ii. ACTION ON CONTRACT 9293-161 - ELECTION SYSTEM PURCHASES (1-2735) - Clerk-Recorder Nishikawa responded to Supervisor Bennett's questions concerning the system, the rebuilt equipment, and the need for a backup system. Supervisor Bennett voiced her concern about the lack of a "fall back system" and the fact that the equipment was rebuilt. She also acknowledged the cost to commence an election program. Automation Services Director Naylor explained that the SPAN budget included funding for the equipment in this year's budget. New card readers are not being made. The budget and equipment it would acquire were explained. Supervisor Bennett then moved that the Board of Supervisors approve Contract 9293-161 and authorize the Purchasing Agent to issue a purchase order to Sequoia Pacific Systems Corporation, 1030 North Anderson Road, Exeter, California 93221, for a not to exceed amount of \$21,000. Following discussion of the need to amend the motion, Supervisor Bennett continued her motion to include for the record that it is a sole source purchase as provided in the supporting documents. Supervisor Smith seconded the motion. Motion carried 4-0.

11. BOARD OF SUPERVISORS - A. NON-ACTION ITEMS: INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS - CORRESPONDENCE TO THE BOARD OF SUPERVISORS; STATUS REPORTS AND COMMENTS FROM THE MEMBERS OF THE BOARD; FUTURE AGENDA ITEMS FROM THE BOARD OF SUPERVISORS; STAFF COMMENTS AND STATUS REPORTS (2-0082) - Mayor Teixeira introduced Nevada Appeal Correspondent Wendy Sinclair.

BREAK: A five minute recess was taken at 10:35 a.m. When the meeting reconvened at 10:40 a.m. a quorum was present although Supervisor Tatro was absent as previously noted.

8. PUBLIC WORKS DIRECTOR - City Engineer Tim Homann - ORDINANCE - SECOND READING

A. ACTION ON BILL NO. 112 - AN ORDINANCE CREATING IMPROVEMENT DISTRICT NO. 1 (2-0102)

B. ACTION ON BILL NO. 114 - AN ORDINANCE AUTHORIZING AND DIRECTING ISSUANCE OF A GENERAL OBLIGATION REGISTERED INTERIM WARRANT FOR IMPROVEMENT DISTRICT NO. 1 (2-0117) - Mr. Homann explained the purpose of the ordinances, noted previous deliberations on these ordinances, and briefly reviewed the remaining procedures. All of the principals involved with the ordinances were purportedly in the audience. Bond counsel was also present. Comments were solicited but none made. Supervisor Smith then moved that the Board adopt on second reading Ordinance No. 1993-10, AN ORDINANCE CREATING CARSON CITY, NEVADA, IMPROVEMENT DISTRICT NO. 1 (GRAVES LANE); PRESCRIBING DETAILS IN CONNECTION THEREWITH AND OTHER MATTERS RELATING THERETO. Supervisor Bennett seconded the motion. Comments were solicited but none made. Motion carried 4-0-1 with Supervisor Tatro absent.

Supervisor Smith moved that the Board adopt on second reading Ordinance No. 1993-11, AN ORDINANCE CONCERNING CARSON CITY, NEVADA, IMPROVEMENT DISTRICT NO. 1 (GRAVES LANE) AUTHORIZING AND DIRECTING THE ISSUANCE OF A GENERAL OBLIGATION REGISTERED INTERIM WARRANT IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$2,000,000 FOR THE PAYMENT OF THE COSTS AND EXPENSES IN SUCH DISTRICT; PRESCRIBING DETAILS IN CONNECTION THEREWITH; PROVIDING OTHER MATTERS RELATING THERETO. Supervisor Bennett seconded the motion. Comments were solicited but none made. Motion carried 4-0-1 with Supervisor Tatro

absent.

7. AUTOMATION SERVICES DIRECTOR - Bill Naylor - DISCUSSION ON GEOGRAPHICAL INFORMATION SYSTEMS OVERVIEW (2-191) - Mr. Naylor began the discussion by showing a ten minute video on the system. He then responded to Board questions on the cost to implement the program, plans to phase the program, and potential program uses. Mr. Berkich further expanded on the digital uses of the program and the phasing plans. Supervisor Bennett supported the program. Mr. Naylor then explained the GIS Subcommittee and its function. Discussion ensued among the Board, Mr. Naylor, and Mr. Berkich on the Departments and other Agencies who could use the system. A demonstration for the Board has been arranged at Carson Automated Mapping. Discussion also indicated a feeling that the program would eventually limit, if not reduce, the personnel needs of the future. Supervisor Ayres commended Mr. Naylor on his report. No formal action was required or taken on this Item.

9. PUBLIC UTILITY DIRECTOR - Environmental Control Supervisor Ken Arnold

A. ACTION ON APPROVAL TO ACCEPT \$4,705.40 IN GRANT MONIES FROM THE GOVERNOR'S OFFICE OF COMMUNITY SERVICES FOR PUBLIC EDUCATION REGARDING SOLID WASTE ISSUES (2-0885) - Mayor Teixeira suggested Channel 35 be utilized for airing the video. Supervisor Smith moved that the Board approve receipt by Carson City of \$4,705.40 in grant monies from the Governor's Office of Community Services, these monies will fund a public education campaign regarding solid waste management. Supervisor Bennett seconded the motion. Motion carried 4-0.

B. ORDINANCE - SECOND READING - ACTION ON BILL NO. 115 - AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE CHAPTER 12.06 TO DEFINE THE ENVIRONMENTAL CONTROL AUTHORITY; TO ESTABLISH ADDITIONAL ENFORCEMENT OPTIONS AND CORRESPONDING APPEALS PROCEDURES; TO REQUIRE SECONDARY CONTAINMENT OF TANKS AND DRUMS; AND, TO UPDATE LANGUAGE (2-0979) - Mr. Arnold's introduction included his contact with Collie Hutter. He stressed the desire to work with the business community and not "look for individuals to bust". Supervisor Bennett thanked him for following up on the letter. Supervisor Bennett then moved that the Board adopt on second reading Ordinance No. 1993-12, AN ORDINANCE AMENDING CHAPTER 12.06 OF THE CARSON CITY MUNICIPAL CODE TO DEFINE THE ENVIRONMENTAL CONTROL AUTHORITY; TO PERMIT THE ISSUANCE OF ADMINISTRATIVE VIOLATIONS AND CITATIONS FOR THE VIOLATION OF WASTEWATER DISCHARGE ORDINANCES; TO PROVIDE FOR APPEALS OF NOTICES OF VIOLATION AND CITATIONS; AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Ayres seconded the motion. Motion carried 4-0-1 with Supervisor Tatro being absent.

10. COMMUNITY DEVELOPMENT DIRECTOR - Principal Planner Rob Joiner - ORDINANCES - SECOND READING

A. ACTION ON BILL NO. 109 - AN ORDINANCE AMENDING SECTION 18.06.157 OF THE CARSON CITY MUNICIPAL CODE TO ALLOW A JANITOR AND BUILDING CLEANING SERVICE AS A CONDITIONAL USE IN THE RETAIL COMMERCIAL DISTRICT (2-1039) - Supervisor Ayres moved that the Board adopt on second reading Ordinance No. 1993-13, AN ORDINANCE AMENDING SECTION 18.06.157 OF THE CARSON CITY MUNICIPAL CODE TO ALLOW JANITOR AND BUILDING CLEANING SERVICE AS A CONDITIONAL USE IN THE RETAIL COMMERCIAL DISTRICT, fiscal impact - none. Supervisor Bennett seconded the motion. Motion carried 5-0.

B. ACTION ON BILL NO. 110 - AN ORDINANCE AMENDING SECTIONS 18.06.055, 18.06.065,

AND 18.06.085 OF THE CARSON CITY MUNICIPAL CODE TO PROVIDE CERTAIN MINIMUM REAR YARD SETBACKS IN THE SINGLE-FAMILY 6000, MOBILE HOME 6000 AND MULTI-FAMILY DUPLEX LAND USE DISTRICTS (2-1078) - Supervisor Ayres moved that the Board adopt on second reading Ordinance No. 1993-14, AN ORDINANCE AMENDING SECTIONS 18.06.055, 18.06.065, AND 18.06.085 OF THE CARSON CITY MUNICIPAL CODE TO PROVIDE CERTAIN MINIMUM REAR YARD SETBACKS IN THE SINGLE-FAMILY 6000, MOBILE HOME 6000 AND MULTI-FAMILY DUPLEX LAND USE DISTRICTS. Supervisor Bennett seconded the motion. Motion carried 4-0.

C. ACTION ON BILL NO. 111 - AN ORDINANCE DELETING SECTION 18.05.030 FROM THE CARSON CITY MUNICIPAL CODE (2-1115) - Supervisor Ayres moved that the Board adopt on second reading Ordinance No. 1993-15, AN ORDINANCE DELETING SECTION 18.05.030 FROM THE CARSON CITY MUNICIPAL CODE, fiscal impact - none. Supervisor Bennett seconded the motion. Motion carried 4-0.

Supervisor Bennett questioned the status of the hillside ordinance. Mr. Joiner indicated it may be to the Board by the middle of April.

11. BOARD OF SUPERVISORS

A. NON-ACTION ITEMS: INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS - CORRESPONDENCE TO THE BOARD OF SUPERVISORS; STATUS REPORTS AND COMMENTS FROM THE MEMBERS OF THE BOARD; FUTURE AGENDA ITEMS FROM THE BOARD OF SUPERVISORS; STAFF COMMENTS AND STATUS REPORTS (2-1150) - Supervisor Ayres explained her observation of the traffic at the school crossing on Edmonds Drive. Improvements are definitely warranted. Supervisor Bennett apologized to Patty Pruitt for her failure to meet her at the crossing on Tuesday afternoon. She appreciated Supervisor Ayres' attendance.

Supervisor Bennett explained a proposed plan to have light rail service from Sacramento to Reno along the Highway 80 corridor and from Sacramento to South Lake Tahoe along Highway 50. She had requested consideration of extending the Highway 50 line to Carson City. CalTrans is doing the planning in-house. The Hospital Board of Trustees had held a lengthy discussion at its meeting on reasons why Carson City residents were not paying more for indigent care. She suggested a special joint meeting be held on the topic in July. Expansion plans for the Carson Ambulatory Center were noted. The Hospital Board of Trustees "stipulated that the City would not be held as a party to a pending lawsuit". If this case is successful, memorandums of understanding delineating the financial responsibility of each party should be considered. The Hospital is operating between 90 and 95 percent of capacity. Retention of a new General Practice Physician who will accept ER referrals and specifically Medicare/Medicaid patients. Plans are to continue rotating a new physician annually. Supervisor Ayres urged her to be sure that the appropriate steps are being taken to announce this availability.

Supervisor Smith requested the Edmonds Drive school crossing be agendaized for a meeting within the next 30 days. He then announced that Parks and Recreation Chairperson Pete Livermore had been hospitalized last week. He was being released from the hospital today and as he was certain Mr. Livermore was watching, wished him well.

Supervisor Ayres also requested that the school crossing be painted. Mayor Teixeira explained that he had visited the site and had already requested the painting.

(2-1507) Mayor Teixeira then explained U. S. Forest Service's plans to remove the dead trees at Lake Tahoe. Benefits of the program were noted. He had also questioned the possibility of receiving some of the revenue generated from this sale and urged the Service to work with the Nevada Department of Transportation so as to

eliminate a conflict with the road construction programs planned for this summer. Supervisor Bennett explained her plans to contact the Service which controls the activities on the western slope and attempt to have them remove additional dead trees. Mayor Teixeira then explained his decision to pull an item from the Agenda and urged the Board to contact Parks and Recreation Director Kastens on how they feel about the matter. He then outlined his objection to having volunteers be interviewed by the Board on public television. Board direction was solicited. He acknowledged the importance of the Shade Tree Council, however, felt that some of the recommendations should be made by the committee. The Board should continue to interview the applicants for Parks and Recreation Commission, Convention and Visitors Bureau, and the Planning Commission. (2-1775) Supervisor Smith questioned whether the policy could be changed do his feeling that it was mandatory that the Board appoint its members and also why it was no longer a subcommittee of the Parks and Recreation Commission. He was willing to streamline the process. Mr. Lipparelli agreed to check into the situation and report back to the Board. Mr. Berkich agreed to work with the District Attorney on all the committees/commissions. The pros and cons of the Mayor's suggestion was debated by the Board. (2-1625) Mayor Teixeira briefly explained that the Board of Examiners had approved a proposal to modify the contract on the amount of effluent provided to the State. He also explained his dislike of the current Citywide telephone etiquette.

Mr. Berkich indicating testing for nitrates in the southeast section of the City had been completed. Mr. Reavis has indicated that the source of the problem should be announced either later this week or early next week. He then announced that Senator Bryan would present a Congressional recognition to the Hispanic Council Monday at 10:40 a.m. in the Sierra Room.

(2-1941) Supervisor Bennett explained the status of "Team Tahoe", which will be at TRPA on April 8. A demonstration project will be undertaken the end of May. The community was invited to participate.

BREAK: A lunch recess was declared at 11:40 a.m. When the meeting reconvened at 1:40 p.m. a quorum of the Board was present although Supervisor Tatro was absent as previously noted.

12. PERSONNEL MANAGER - Administrative Services Mary Walker - ACTION ON APPOINTMENT OF FOUR MEMBERS TO THE REDEVELOPMENT CITIZEN COMMITTEE (1-1955) - Ms. Walker reviewed her recommendation that the Committee membership be expanded so that all seven of the applicants could be members. Berry Harrison and Michael Derloshon would serve as the banking advisors. committee. All of the Applicants except Linda Johnson were present. Executive Director of the Chamber of Commerce Larry Osborne supported the recommendation and commended the Applicants for stepping forward. Discussion between Mr. Osborne and Mayor Teixeira indicated any other banking establishments wishing to support the incentive program could also have a member serve as a banking advisor. Supervisor Bennett expressed her support for the proposed concept. The Applicants present were then introduced by Ms. Walker. Mayor Teixeira thanked each for applying. Supervisor Smith moved that the Board appoint the following individuals to become the Board's representatives on the Redevelopment Authority Citizens Committee: Barbara Levy as a business or property owner from the Redevelopment District, Linda Johnson as a business or property owner from the Redevelopment District, Art Hannafin as an architect with expertise in historic preservation, Joe McCarthy as a citizen-at-large with no financial interest in the Redevelopment project. Clarification indicated it was not necessary to appoint the Chamber of Commerce and Mainstreet representatives. Supervisors Bennett and Ayres seconded the motion. Motion carried 4-0.

Clarification indicated that Supervisor Tatro would remain as the Redevelopment Authority Chairperson. Mayor Teixeira again thanked the Applicants for applying and expressed the hope that things would begin to happen. Supervisor Bennett requested periodic reports from the Committee.

13. DISCUSSION AND POSSIBLE ACTION ON LEGISLATIVE MATTERS (2-2558) - Mayor Teixeira

explained the status of the Motor Vehicle Privilege Tax Bill, the Park District Bill, the SIIS Bill, the one cent sales tax assessment by the Department of Taxation, Juvenile grants, the Non-funded Mandate, and NACO's Bill to increase the ad valorem tax rate for only capital projects if supported by the electorate. Supervisor Smith moved that the Carson City Board of Supervisors allow the Mayor to speak in support of SB 326. Supervisor Bennett seconded the motion. Motion carried 4-0.

Mayor Teixeira then explained Prevailing Wage Bills AB 325 and AB 414, and NACO's County fee bill. Ms. Walker explained the status of the Medicaid Provider Tax Update Bill. Mayor Teixeira then explained the Mobile Home Property Tax Bill SB 325 and potential funding for the V & T Train. He then explained an upcoming meeting on ISTEPA funding and the possibility that the Legislature may consider bonding for the Train. If this occurs, Board direction would be requested. (3-0049) Discussion ensued on the status of the "Honey Lake" Water Bill, Board direction on it, and whether Ms. Timian-Palmer had in fact given testimony on it. Mr. Berkich questioned the status of the proposal to expand Governor's Field, which Mayor Teixeira detailed. Assemblyman Heller had submitted a Bill making the Charter changes recommended by the Charter Review Committee and Statute changes the General Obligation Bond Commission recommended. Discussion ensued among the Board and Mr. Berkich on the proposed Public Records Bill.

Chamber of Commerce Executive Director Larry Osborne expressed his feeling that it had been a quiet session to date. There were several bills which should be considered shortly by the Senate Commerce and Labor Commissions. He felt that much of the Governor's reorganization plan would be approved. Bills supporting privatization were noted. Cooperation was occurring between the City and Chamber on the majority of the proposals. He was concerned about the requirement for Emission Controls. It was felt that this Bill was "dead", however, concern about such bills be resurrected during the closing days was stressed. There are several Business License Bills also being considered. Mayor Teixeira noted the help received from NACO. Mr. Osborne had recommended to NDOT that the Legislature be advised about the plans to commence work on Stewart Street in July. Discussion indicated Mr. Osborne felt the Legislature would adjourn in late June while Mayor Teixeira felt it would adjourn in late May. Mayor Teixeira thanked him for communicating with the City.

CITIZEN COMMENTS (3-0295) - None.

There being no other matters for discussion/action, Supervisor Ayres moved to adjourn. Mayor Teixeira seconded the motion. Motion carried unanimously. Mayor Teixeira adjourned the meeting at 2:12 p.m.

The Minutes of the April 1, 1993, Carson City Board of Supervisors meeting

ARE SO APPROVED ON ___May_6_____, 1993.

_____/s/_____
Marv Teixeira, Mayor

ATTEST:

_____/s/_____
Kiyoshi Nishikawa, Clerk-Recorder