A regular session of the Carson City Board of Supervisors was held on Thursday, July 20, 1989, at the Community Center Sierra Room, 851 East Williams Street, Carson City, Nevada, beginning at 9 a.m.

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| PRESENT: | Marv Teixeira | Mayor |
| | Ron Swirczek | Supervisor, Ward 1 |
| | Tom Fettic | Supervisor, Ward 2 |
| | Kay Bennett | Supervisor, Ward 4 |
| STAFF PRESENT: | Alan Glover | Clerk-Recorder |
| | Walt Sullivan | Community Development Director |
| | Charles P. Cockerill | Chief Deputy District Attorney |
| | Katherine McLaughlin | Recording Secretary |

(B.O.S. 7/20/89 Tape 1-0001)

Mayor Teixeira called the meeting to order at 9 a.m. Roll call was taken and a quorum was present although Supervisor Marilee Chirila was absent and Supervisor Ron Swirczek had not yet arrived. Church of Carson City Pastor Tom Avery gave the Invocation. Mayor Teixeira lead the Pledge of Allegiance.

**APPROVAL OF MINUTES - Special April 25, 1989, Meeting (1-0052) -** Supervisor Fettic moved approve the April 25, 1989, Minutes as submitted. Supervisor Bennett seconded the motion. Motion carried unanimously.

**1. LIQUOR AND ENTERTAINMENT BOARD MATTERS -** Moved to 11 a.m. due to a lack of a quorum.

**PETITIONS AND COMMUNICATIONS** - None.

**AGENDA MODIFICATIONS -** 7. FINANCE DIRECTOR - ACTION ON TENTATIVE APPROVAL OF CARSON CITY FISCAL YEAR 1989-90 AD VALOREM TAX RATES INCLUDING DISCUSSION OF LEGISLATIVE OPTIONS THAT AFFECT THE AD VALOREM TAX RATE - Scheduled for 7 p.m. after the Mainstreet Program.

**RESOLUTIONS**

**2. JUSTICE OF THE PEACE - DISCUSSION AND POSSIBLE ACTION ON THE SALARY FOR THE JUSTICE OF THE PEACE (1-0084) -** Discussion ensued concerning the salaries paid other Justices and the appropriate rate of increase. Supervisor Fettic moved to increase Judge Willis' salary to $46,500 to be funded from the General Fund. Supervisor Bennett seconded the motion. Motion was voted and carried unanimously.

**3. COMMUNITY DEVELOPMENT DIRECTOR (1-0214)**

**PLANNING COMMISSION REFERRALS - ACTION ON CONSENT MATTERS - SPECIAL USE PERMIT U-88/89-23 - STATE OF NEVADA - APPLICATION FOR CONSTRUCTION OF A 130,000 SQUARE FOOT LIBRARY, ARCHIVES, AND RECORDS STORAGE FACILITY WITH LOWER LEVEL PARKING ON PROPERTY ZONED PUBLIC (P) LOCATED WEST SIDE OF STEWART STREET BETWEEN MUSSER AND SECOND STREETS (APN 4-195-01) - PLANNING COMMISSION APPROVED 6-0-1 -** Mr. Sullivan read the item into the record and explained the request, the Planning Commission's and staff's recommendations. Discussion noted that the State and City were working together on the parking and traffic concerns. The City had not been involved with the architectural drafts of the facility. Construction should commence next Spring. A State representative was not present. Supervisor Bennett moved

that the Board of Supervisors uphold the Planning Commission recommendation and approve the Special Use Permit for the State of Nevada for construction of a 130,000 square foot library, archives, and records storage facility with lower level parking on property zoned Public (P) located at the west side of Stewart Street between Musser and Second Streets. Supervisor Fettic seconded the motion. Motion carried unanimously.

**PLANNING COMMISSION REFERRALS - APPEAL AND REVIEW MATTERS (1-0341)**

**ACTION ON MISCELLANEOUS M-88/89-14 - PETER AND ELIZABETH LAXALT, ALAN AND PAT DONDERO, AND RICHARD AND CLAUDYNE LEE - REQUEST ABANDONMENT OF DRAINAGE AND PUBLIC UTILITY EASEMENTS ON PROPERTY ZONED GENERAL COMMERCIAL (GC) LOCATED AT 4251 HIGHWAY 50 EAST (APN 8-292-24) - PLANNING COMMISSION APPROVED 6-0-1 -** Mr. Sullivan explained the request and recommendations. Supervisor Fettic moved that the Board approve M-88/89-14. Supervisor Bennett seconded the motion. Motion carried unanimously.

**ACTION ON MISCELLANEOUS M-88/89-13 - RESOLUTION SETTING ENTITLEMENTS FOR 1990, 1991, AND 1993 (1990: ALLOCATION TO CATEGORIES; 1991: FIXING THE NUMBER OF ENTITLEMENTS; 1992 AND 1993: ESTIMATING OF ENTITLEMENTS) FOR CARSON CITY GROWTH MANAGEMENT PROGRAM - PLANNING COMMISSION APPROVED 6-0-1 (1-0391) -** Mr. Sullivan explained the recommendation and reasons for fixing the growth management allotments at this time. This number was discussed. Water Engineer Dorothy Timian-Palmer explained her support of the proposal. The feeling was expressed that the reason for the slowdown in taking allotment was due to the requirement that all fees be paid at the time the allotment is taken. Supervisor Fettic moved to adopt Resolution No. 1989-R-58, A RESOLUTION FIXING THE NUMBER OF RESIDENTIAL BUILDING PERMITS UNDER CITY'S GROWTH MANAGEMENT ORDINANCE FOR 1990 AND 1991, ESTIMATING THE NUMBER OF RESIDENTIAL BUILDING PERMITS FOR 1992 AND 1993, ESTABLISHING NUMBERS WITHIN CATEGORIES, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Bennett seconded the motion. (1-0551) Mr. Sullivan and the Board explained for Dick Waiton that the allotments would remain under the three percent mandated in the Ordinance. Mr. Sullivan then complimented the Water Department on its presentation at the Commission meeting. Motion to adopt Resolution No. 1989-R-58 was voted and carried unanimously.

**ACTION ON REQUEST BY MITCH JORDAN FOR USE OF OFF-SITE PARKING FOR BAR AND RESTAURANT IN THE RINCKEL MANSION (1-0585) -** Mr. Sullivan distributed a memo outlining a traffic/parking survey he had conducted for six days to the Board. (None to the Clerk.) Mr. Sullivan explained the request and recommendation. He acknowledged there could be a parking problem after the lunch hour, however, felt there was adequate parking for the facility within reasonable walking distance. Utilization of private parking or the City lot would require a special use permit. The Board's options were outlined. Discussion indicated the feeling that in order to make the downtown area viable again it may be necessary to grant special concessions. Clerk-Recorder Alan Glover explained the present parking problems found at the Courthouse, Supreme Court, Administrative Offices of the Courts, and Attorney General's offices. (1-0992) Mitch Jordan explained that King Street between Curry and Division was City property rather than State. It could be designated two hour parking although it is not at this time. He felt that the stable and carriage shed could be removed to provide two additional parking spaces on site. He felt that his clientele would be coming from the various governmental agencies located in the area. Board comments urged Mr. Jordan to remove the shed, which he agreed to do if it is not considered an accessory to the historic significance of the main structure. Mr. Jordan agreed to support a parking facility.

(1-1362) Dick Waiton questioned the wisdom of having the City locate parking spaces for businesses in view of the denials made in the past when adequate spaces are not available. Additionally, if the V and T Railroad uses Curry Street, it would further impact the parking in that area. He was adamantly opposed to the allocation of

parking for a specific business. Mayor Teixeira pointed out the parking shortage created by the State. Mr. Waiton continued to stress his feeling that the Board was establishing a precedence for waiving parking requirements for the future businesses.

Supervisor Bennett moved that the Board approve a parking modification for the Rinckel Mansion pursuant to Carson City Municipal Code 18.05.023, Subsection 7, and pursuant to discussions with Community Development and the Historic Architectural Review Committee that an additional two parking spaces be considered with the removal of the shed on said property. Supervisor Fettic seconded the motion. Motion carried 3-0.

**4. PARKS AND RECREATION (1-1520)**

**ACTION ON PURCHASE OF UNINTERRUPTABLE POWER SOURCE (UPS) FOR THE EMERGENCY COMMUNICATION CENTER -** Parks and Recreation Director Steve Kastens explained the request for an emergency generator for the Emergency Communications Center and reasons for the request. Mayor Teixeira directed that other sources be considered rather than proceed with a sole source vendor. Supervisor Fettic moved that the Board approve the purchase of an uninterruptable power supply for the Emergency Communications Center in an amount not to exceed $7,225 and that it not be a sole source item so that, hopefully, a little break on the price may be obtained. Supervisor Bennett seconded the motion. Clarification noted that the motion was to put the item out to bid. Therefore, Supervisor Fettic amended the motion to be that the item was to be put out to bid. Supervisor Bennett continued her second. Motion carried unanimously.

**ACTION ON STAFF RECOMMENDATION FOR THE CITY TO PURSUE THE ACQUISITION OF APPROXIMATELY 20 ACRES ADJACENT TO CENTENNIAL SOFTBALL COMPLEX NO. 1 (1-1662) -** Mr. Kastens explained the request for direction concerning whether the City should pursue acquisition of the parcel. Potential uses were noted. The need for an additional buffer around the golf course due to the use of effluent as well as for noise abatement and safety reasons were explained. Chairperson of the Golf Course Advisory Commission Bob Tobias expressed the Commission's support for its acquisition. Board support was indicated. Supervisor Fettic requested that the matter be referred to Mr. Rody and brought back to the Board no later than August 3. Funding sources and control problems were noted.

**CITIZEN COMMENTS (1-1994) -** None.

**BREAK:** At 10:05 a.m., a five minute recess was taken. When the meeting reconvened at 10:15 a.m. a quorum of the Board was present although Supervisors Swirczek and Chirila were absent.

**ACTION ON STAFF RECOMMENDATION FOR THE CITY TO PURSUE THE ACQUISITION OF APPROXIMATELY 20 ACRES ADJACENT TO CENTENNIAL SOFTBALL COMPLEX NO. 1 - Continued (1-2015) -** Discussion indicated the feeling that clear direction to staff was needed and that a motion was required. Supervisor Fettic then moved that the Board approve the use and need of the 20 acres as outlined by staff and direct staff to review funding sources and bring a recommendation back to the Board of Supervisors on August 3, 1989, such recommendation to include the appropriate appraisal. Supervisor Bennett seconded the motion. Motion carried unanimously.

**5. PURCHASING AGENT**

**ACTION ON AWARD OF CONTRACT NO. 8788-41 - FUJI PARK EXHIBIT HALL - PHASE II (1-2075) -** Assistant Purchasing Agent John Iratcabal explained that the one and only bid which had been received was felt to be appropriate for the work, however, was over the budget. Attempts were made to reduce the bid so that it would come in within budget. At the time the request was submitted to the Board, the staff felt it had a bonafide

bid, however, staff was now requesting the bid be rejected and the project be put out for rebid. Mr. Kastens then explained in more detail the attempts to bring the project in under budget. The alternative was to use HVAC heating. Infra red heat is deflected by tables and chairs which would cause exhibitors to be uncomfortable. Therefore, the recommendation to reject the bid was recommended. Mr. Wilson explained reasons which the Board could use to reject the bid. (1-2346) Consulting Engineer E. Don Payne reiterated the reasons for rejecting the bid. Discussion indicated the feeling that additional savings may be recognized if the project is constructed during the winter time. Mr. Iratcabal noted that Central Sierra Commercial Construction had indicated a representative would not be present. Supervisor Fettic moved to reject the bid from Central Sierra Commercial Construction on Contract 8788-41 due to the fact that it was a single bid. Supervisor Bennett seconded the motion. Motion carried unanimously.

**ACTION ON CHANGE ORDER NO. 3 TO CONTRACT NO. 8788-49 - SOUTH EDMONDS ELECTRICAL AND LIGHTING PROJECT (1-2455) -** Following Mr. Iratcabal's explanation of the Change Order, Supervisor Fettic moved that the Board approve Change Order No. 3 to Contract No. 8788-49, South Edmonds Electrical and Lighting Project, in the amount of $925 to contractor Willis Electrical Inc. Supervisor Bennett seconded the motion. Motion carried unanimously.

**ACTION ON REQUEST FOR FINAL PAYMENT TO CONTRACT NO. 8788-49 - SOUTH EDMONDS ELECTRICAL AND LIGHTING PROJECT (1-2498) -** Following Mr. Iratcabal's introduction, Supervisor Bennett moved that the Board approve final payment on Contract 8788-49, the South Edmonds Electrical and Lighting Project, in the amount of $24,722.24. Supervisor Fettic seconded the motion. Consulting Engineer E. Don Payne commended Willis Electric on its work. Mr. Kastens echoed his comments. The motion to authorize final payment was voted and carried unanimously.

**ACTION ON CHANGE ORDER NO. 17 TO CONTRACT NO. 8788-63 - CENTENNIAL ADULT SOFTBALL COMPLEX NO. 2 (1-2570) -** Mr. Wilson explained Sierra Pacific's requirement mandating the Change Order. Supervisor Bennett noted the difficulty which arose due to the length of time taken to prepare and present the change order and requested changes in procedures to eliminate this situation. Supervisor Fettic moved that the Board approve Change Order No. 17 to Contract No. 8788-63 in the amount of $4,854, funding source 560. Supervisor Bennett seconded the motion. Motion carried unanimously.

**ACTION ON REQUEST FOR FINAL PAYMENT TO CONTRACT NO. 8788-63 - CENTENNIAL ADULT SOFTBALL COMPLEX NO. 2 (1-2715) -** Mr. Wilson's introduction included the penalty for delay in construction. Kennedy, Jenks, Chilton Consulting Engineer Ed Marlow explained the change in inspection requirements and reasons for the cost overrun. His comments stressed that the work had been accomplished which could be documented. He suggested that the City pay the additional inspection fees from the funds withheld as a penalty to the contractor. He then explained the out-of-scope services which had been required by the contractor. Mr. Kastens explained Kent Hurliman's review of the work, who had indicated that the work had been performed. Discussion ensued with the Board on the work which was accomplished and Mr. Wilson's feeling that without the inspections two major errors may have been missed. Mr. Wilson then requested direction from the Board as to whether the entire penalty or whether only that portion related to this cost should be withheld. Mr. Marlow explained the documentation available to support the work which was done. He continually stressed his position that the work had been performed and that the delay in completing the project was not his firm's fault. This delay had increased his firm's costs. (2-0325) Subcontractor Whipple Electric's Attorney Scott Brook explained the subcontractor's feeling that the retention funds were in fact monies owed to the Subcontractors and questioned the inspections performed on the electrical work. He requested the Board authorize release of the retention funds for immediate payment to the subcontractor. Mr. Wilson explained staff's position on the penalty. Supervisor Fettic moved that the Board release the penalty of $58,635.70 and deduct from that out-of-scope services claimed by Kennedy, Jenks, Chilton in the amount of $6,218.50, and that added back for Kennedy, Jenks, Chilton's oversight

the amount of $1,165.00 for a subtotal of $53,582.90, and a deduct for special inspection of $4,800.00, and that the recommended amount of $48,782.20 go to Oso. Supervisor Bennett seconded the motion. Motion was voted and carried 3-0.

Mr. Kastens then explained public comment on the Complex indicating that the project had been worth the undertaking in spite of the problems. (During his comments, Supervisor Swirczek arrived--11 a.m. A quorum was present as noted.)

**ACTION ON REQUEST FOR FINAL PAYMENT TO CONTRACT NO. 8889-37 - DEMOLITION AND SITE CLEARING PARK AND RECREATION YARD (2-0570) -** Assistant Purchasing Agent John Iratcabal explained the request. Supervisor Fettic moved that the Board approve final payment on Contract 8889-37 in the amount of $5,780.04 to King Construction of the Question 4 monies. Supervisor Bennett seconded the motion. Motion carried 4-0.

**ACTION ON CHANGE ORDERS NO. 1 AND 2 TO CONTRACT 8889-52 - SOUTH EDMONDS CONCESSION BUILDING (2-0589) -** Mr. Iratcabal explained the request, change orders, and recommendations. The project was now completed and had remained under budget. Supervisor Bennett moved that the Board approve Change Orders No. 1 and 2 to Contract No. 8889-052, South Edmonds Concession Stand Building, with a net increase of $7,121.00, funding source is the Park Bond Project. Supervisor Fettic seconded the motion. Motion carried 4-0.

**ACTION ON REQUEST FOR FINAL PAYMENT TO CONTRACT NO. 8889-52 - SOUTH EDMONDS CONCESSION BUILDING (2-0646) -** Mr. Iratcabal explained the recommendation. Supervisor Bennett moved that the Board approve final payment on Contract No. 8889-52, South Edmonds Park Concession Building, in the amount of $8,394.70, funding source is the Park Bond issue, to Daniels Construction. Supervisor Fettic seconded the motion. Motion carried 4-0.

Mr. Kastens then commended Daniels Construction on its expedient work on the project.

**ACTION ON ACCEPTANCE OF FINALISTS TO RFP No. 8889-70 - STREET MASTER PLAN (2-0693) -** Mr. Wilson explained the request and recommendation. Supervisor Fettic moved that the Board accept the finalists as presented by the Selection Committee and authorize the Purchasing Agent to proceed with negotiations of the first place finalist, that being JHK and Associates. Supervisor Bennett seconded the motion. Motion carried 4-0.

**1. LIQUOR AND ENTERTAINMENT BOARD MATTERS - CONTINUED (2-0723) -** Mayor Teixeira recessed the Board of Supervisors session and immediately reconvened the hearing as the Liquor and Entertainment Board. A quorum was present although Members Chirila and McGrath were absent.

**ACTION ON APPLICATION FOR LIQUOR LICENSE - PAUL LAU - NEW PARTNER FOR THE BUSINESS GENGHIS KHAN KITCHEN LOCATED AT 260 EAST WINNIE LANE -** Deputy Treasurer Merlene Alt explained the request. Paul Lau was present to answer questions. The Sheriff's investigative report was noted. Member Fettic moved that the Board approve the Liquor License Application for Paul Lau, new partner for the business known as Genghis Khan Kitchen at 260 East Winnie Lane. Member Bennett seconded the motion. Motion carried 4-0.

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

**AGENDA MODIFICATION (2-0818) - 6. TREASURER -** All items were rescheduled for 1 p.m. due to the Federal bonding limitation, which was explained. (Supervisor Swirczek then left the meeting. A quorum was present.) Supervisor Fettic then moved to continue the matters until 1 p.m. as the Treasurer needs to recalculate the numbers and advised the members of the audience wishing to testify on this matter to be present at that time. Supervisor Bennett seconded the motion. Motion carried 3-0.

**5. ACTION ON APPROVAL TO TERMINATE CONTRACT NO. 8889-11 - EAGLE VALLEY GOLF COURSE MAINTENANCE BUILDING WITH LIFE TIME STRUCTURES AND AUTHORIZATION TO PROCEED AGAINST PERFORMANCE BOND (2-0858) -** Mr. Wilson explained the request to terminate the contract and to proceed against the performance bond. A memo outlining his recommendation was distributed to the Clerk and Board. (2-0935) Attorney Richard Staub, representing Hap Snelling and Life Time Structures, explained the problems, corrections which had been made, and corrections which are to be made. Mr. Wilson then explained E. Don Payne's letter supplementing the conditions under which the contractor could proceed. Mr. Staub explained that Mr. Snelling had signed off on this letter also. He then agreed with Mr. Cockerill that the corrections would be made at the Contractor's cost and that the base contract was not being amended. Mr. Cockerill then recommended that any motion approving the Purchasing Agent's recommendation be conditioned upon the July 19 letter from Mr. Staub to Mr. Wilson and explained his reasons for the recommendation. Supervisor Fettic then moved that the Board accept the recommendation of the Purchasing Agent in the dispute on Contract No. 8889-11, that all costs of repairs be borne by the Contractor, that the base contract is not being amended in any manner, and that the documentations provided to the Board dated July 19, 1989, by Richard S. Staubs, Attorney, and the letter dated July 19, 1989, from E. Don Payne and Associates be followed through on. Supervisor Bennett seconded the motion. Supervisor Fettic continued the motion to include "and that all parties agreed". Supervisor Bennett continued her second. Mr. Staub and Mr. Payne stipulated their agreement. The motion was voted and carried 4-0.

**ACTION ON AWARD TO CONTRACT NO. 8889-222 - AQUATIC FACILITY SWIMMING POOL EQUIPMENT (2-1195) -** Mr. Wilson explained the typographical errors found in the report and the recommendations. Supervisor Bennett moved that the Board concur with the Purchasing Agent for the award of Items No. 1, 3, 4, 5, 19, and 20 to the lowest responsive and responsible bidders pursuant to NRS Chapter 332 and that the Board of Supervisors award a contract to Bensco on 3.4.1. by the Purchasing Agent in the amount of $14,663.14 and by the Board of Supervisors in the amount of $24,006.52, totaling $38,669.96; to Lincoln Equipment on 3.4.3 by the Purchasing Agent in the amount of $150.00 and by the Board of Supervisors in the amount of $5,555.00, totalling $5,705.00; and to Mac Ball on 3.4.5 by the Board of Supervisors in the amount of $14,848.00; for a grand total of $59.222.96. Supervisor Fettic seconded the motion. Motion carried 3-0.

**ACTION ON REQUEST FOR CONTRACT APPROVAL TO CONTRACT NO. 8990-76 - IBM AS400 COMPUTER (2-1482) -** Following Mr. Wilson's introduction, Automation Services Director Pam Case explained the request, the Board's action last year concerning leasing the equipment, and the lead time required to obtain the equipment. Mr. Wilson explained his request to amend the recommended action based on the financing. This would allow the Board to make a final determination of the funding source. Supervisor Fettic moved that the Board approve the request for contract approval on Contract No. 8990-76 and authorize the Purchasing Agent to issue a purchase order to IBM, the exact amount of the purchase order will be determined at a later date. Following clarification by Mr. Wilson and Ms. Case, Supervisor Fettic continued his motion to include in an amount not to exceed $144,000 for the value of the equipment and that the contract is a sole source for the following reason: Not adapted to award by competitive bidding for the following reasons: Sole Source; additions to and repairs and maintenance of equipment which may be more efficiently added to, repaired or maintained by a certain person; equipment which, by reason of the training of the personnel or of any inventory of replacement parts maintained by the local government is compatible with the existing equipment; software for computers; and other goods or services which may not be subject to the requirements of competitive bidding as determined by the

governing body or its authorized representative; funding source 260-000-534-355 84 pc. Supervisor Bennett seconded the motion. Motion carried 3-0.

**6. TREASURER (2-1743)**

**DISCUSSION AND POSSIBLE ACTION ON AMENDING RESOLUTION NO. 1988-R-31 ADOPTING A POLICY FOR THE WAIVER OF CERTAIN FEES FOR NON-PROFIT GROUPS -** Deputy Treasurer Merlene Alt explained the Resolution and reasons for amending 1988-R-31. Capital City Fair Chairperson Pam Case expressed her support for the modification including examples. Supervisor Fettic moved to adopt Resolution No. 1989-R-59, A RESOLUTION AMENDING RESOLUTION 1988-R-31 (POLICY FOR THE WAIVER OF CERTAIN FEES FOR NON-PROFIT ORGANIZATIONS). Supervisor Bennett seconded the motion. Motion carried 3-0.

**ORDINANCE - FIRST READING - ACTION ON ORDINANCE ADDING SECTION 4.04.075 (SHORT-TERM BUSINESS LICENSE) TO THE CARSON CITY MUNICIPAL CODE (2-2057) -** Following Ms. Alt's introduction, Supervisor Fettic moved to introduce Bill No. 118, AN ORDINANCE ADDING SECTION 4.04.077 (SPECIAL EVENT SHORT TERM PERMIT) TO THE CARSON CITY MUNICIPAL CODE. Supervisor Bennett seconded the motion. Motion carried 3-0.

**ACTION ON ORDINANCE ADDING SECTION 4.04.077 (SPECIAL EVENT SHORT TERM PERMIT) TO THE CARSON CITY MUNICIPAL CODE (2-2138) -** Following Ms. Alt's explanation of the Ordinance, Supervisor Bennett moved to introduce on first reading Bill No. 119, AN ORDINANCE ADDING SECTION 4.04.077 (SPECIAL EVENT SHORT TERM PERMIT) TO THE CARSON CITY MUNICIPAL CODE. Supervisor Fettic seconded the motion. Motion carried 3-0.

**CITIZEN COMMENTS (2-2255) -** None.

BREAK: At 11:48 a.m. a lunch recess was taken. When the meeting reconvened at 1 p.m. a quorum of the Board was present including Supervisor Swirczek.

**6. ACTION ON APPROVAL OF THE STATE DEPARTMENT OF TAXATION $2,650,000 SHORT-TERM FINANCING (SHORT-TERM BONDS) (2-2268) -** Mr. Thornton explained the delay and then read the Department of Taxation's letter authorizing the financing. Finance Director Mary Walker read a response to the Department of Taxation letter outlining the ten year projections for the Enterprise Funds and indicating that adequate funding was available to meet the financing commitments. Discussion ensued between staff and the Board on the projections and rates. Comments stressed the feeling that the revenue projections had been made conservatively. No action was required on the letter.

**ACTION ON ACCEPTANCE OF BIDS RELATIVE TO:**

**$2,650,000 CARSON CITY, NEVADA, GENERAL OBLIGATION (LIMITED TAX) SHORT-TERM BONDS SERIES AUGUST 1, 1989A (2-3001) -** Mr. Thornton noted that Moody's Investment Service had given the City an A rating for this series of bonds. He then explained the bid opening and read the five bids into the record. Supervisor Swirczek moved to accept the bid from Northern Trust Company at an interest rate of 6.7569 for the $2,650,000 Carson City, Nevada, General Obligation (Limited Tax) Short-Term Bonds Series August 1, 1989A. Supervisor Fettic seconded the motion. Motion carried 4-0-1 with Supervisor Chirila absent.

**$3,800,0000 (APPROXIMATELY) CARSON CITY, NEVADA, GENERAL OBLIGATION (LIMITED TAX) GOLF COURSE REFUNDING BONDS SERIES AUGUST 1, 1989B (3-0071) -** Mr.

Thornton explained the five bids which had been received and reasons for disqualifying one of them. He then read the five bids into the record. Supervisor Swirczek moved to accept the bid of Prudential Bache at an interest rate of 6.9949 percent with a discount of $33,250.80 for the $3,800,000 Carson City, Nevada, General Obligation (Limited Tax) Golf Course Refunding Bonds Series August 1, 1989B. Supervisor Fettic seconded the motion. Motion carried 4-0-1 with Supervisor Chirila absent.

**ORDINANCE - FIRST AND SECOND READING (3-0154)**

**$2,650,000 CARSON CITY, NEVADA, GENERAL OBLIGATION (LIMITED TAX) SHORT-TERM BONDS SERIES AUGUST 1, 1989A -** Mr. Thornton noted the pages which needed to be corrected in the Ordinance which were distributed to the Board and Clerk. Supervisor Swirczek moved to introduce Bill 116, Ordinance No. 1989-15, AN ORDINANCE DESIGNATED BY THE SHORT TITLE "7-20-1989A SHORT-TERM BOND ORDINANCE"; PROVIDING FOR THE ISSUANCE BY CARSON CITY OF ITS REGISTERED, NEGOTIABLE, GENERAL OBLIGATION (LIMITED TAX) SHORT-TERM BONDS, SERIES AUGUST 1, 1989A, IN THE AGGREGATE PRINCIPAL AMOUNT OF $2,650,000 PREVIOUSLY AUTHORIZED BY THE BOARD OF SUPERVISORS AND THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF TAXATION OF THE STATE OF NEVADA; PROVIDING THE FORM, TERMS AND CONDITIONS OF THE BONDS, THE MANNER AND TERMS OF THEIR ISSUANCE, 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 COVENANTS, AGREEMENTS AND OTHER DETAILS CONCERNING THE BONDS, THE PROJECT, THE GENERAL TAX PROCEEDS AND THE PAYMENT OF THE BONDS; RATIFYING ACTION PREVIOUSLY TAKEN AND PERTAINING TO THE FOREGOING BY THE CITY AND ITS OFFICERS; BY DECLARING THAT THIS ORDINANCE PERTAINS TO THE SALE, ISSUANCE AND PAYMENT OF THE BONDS, PROVIDING FOR ITS ADOPTION AS IF AN EMERGENCY EXISTS; AND PROVIDING THE EFFECTIVE DATE HEREOF. Mr. Thornton then explained the pages which needed to be completed to reflect the bid award to Northern Nevada Trust Company of Chicago, Illinois, premium, and rates of interest. Supervisor Swirczek then proposed the Ordinance as previously stated. Supervisor Fettic seconded the motion. The motion was voted by roll call with the following result: Ayes - Swirczek, Fettic, Bennett, and Mayor Teixeira. Nayes - None. Absent - Chirila. Motion carried 4-0-1. Mayor Teixeira then read into the record the final paragraph of this bond issue indicating that the presiding officer had declared the ordinance duly passed and adopted and that after all other agenda items had been address the meeting was duly adjourned.

**$3,800,000 (APPROXIMATELY) CARSON CITY, NEVADA, GENERAL OBLIGATION (LIMITED TAX) GOLF COURSE REFUNDING BONDS SERIES AUGUST 1, 1989B (3-0346) -** Mr. Thornton distributed and explained a financial analysis of the savings which would be incurred by refunding these bonds. Supervisor Bennett then moved to introduce Bill No. 117, Ordinance No. 1989-16, AN ORDINANCE DESIGNATED AS THE "7-20-1989B BOND ORDINANCE"; ACCEPTING THE BID SUBMITTED BY THE BEST BIDDER FOR THE PURCHASE OF THE CARSON CITY, NEVADA, GENERAL OBLIGATION (LIMITED TAX) GOLF COURSE REFUNDING BONDS, SERIES AUGUST 1, 1989B; SPECIFYING THE FORM, TERMS AND CONDITIONS OF SUCH BONDS, THE METHOD OF PAYING THEM, AND THE SECURITY THEREFOR; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL (AD VALOREM) TAX FOR THE PAYMENT OF THE BONDS; PROVIDING OTHER COVENANTS, AGREEMENTS AND OTHER DETAILS CONCERNING THE BONDS, THE REFUNDING PROJECT, THE GENERAL TAX PROCEEDS AND THE PAYMENT OF THE BONDS; RATIFYING ACTION PREVIOUSLY TAKEN AND PERTAINING TO THE FOREGOING BY THE CITY AND ITS OFFICERS; BY DECLARING THAT THIS ORDINANCE PERTAINS TO THE SALE, ISSUANCE AND PAYMENT OF THE BONDS, PROVIDING FOR ITS ADOPTION AS IF AN EMERGENCY EXISTS; AND PROVIDING THE EFFECTIVE

DATE HEREOF. Mr. Thornton then entered into the record the items which would complete the balance of the document including Prudential Bache Securities bid, discount, and interest rates. Supervisor Bennett proposed the ordinance. Supervisor Swirczek seconded the motion. Motion was voted by roll call with the following result: Ayes - Bennett, Swirczek, Fettic, and Mayor Teixeira. Nayes - None. Absent - Chirila. Motion carried 4-0-1. Mayor Teixeira then read the last paragraph of the document into the record declaring that the Ordinance had duly passed and that after considering the other agenda items the meeting was adjourned.

The Board commended Mr. Thornton and the staff on the accomplishment. Mr. Thornton then commended the other Departments who had worked to accomplish this savings. Refunding of water and sewer 1984 and 1985 bonds was being evaluated and may be presented to the Board in the near future.

**ACTION ON ADOPTION OF 1989 RESOLUTION OF INTENT TO ISSUE WATER BONDS ($4,300,000) (3-0591) -** Mr. Thornton then explained the Resolution of Intent. Supervisor Fettic moved to adopt Resolution No. 1989-R-60, A RESOLUTION OF INTENT, PROPOSING THE ISSUANCE OF, AND AUTHORIZING THE PUBLICATION OF A NOTICE RELATING TO GENERAL OBLIGATION (LIMITED TAX) WATER BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES) IN THE MAXIMUM PRINCIPAL AMOUNT OF $4,300,000 FOR THE PURPOSE OF FINANCING A WATER PROJECT FOR THE CITY; PROVIDING THE MANNER, FORM AND CONTENTS OF THE NOTICE THEREOF; RATIFYING ACTION HERETOFORE TAKEN NOT INCONSISTENT HEREWITH; PROVIDING OTHER MATTERS PROPERLY RELATED THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF. Supervisor Swirczek seconded the motion. Mr. Thornton explained for Mr. Dick Waiton that the funds would be used for water related items and would be repaid with enterprise funds, which are user fees. The motion to adopt the Resolution was voted by roll call with the following result: Ayes - Fettic, Swirczek, Bennett, and Mayor Teixeira. Nayes - None. Absent - Chirila. Motion carried 4-0-1. Mayor Teixeira then read the last paragraph of the packet declaring the Resolution duly carried.

**ACTION ON TREASURER'S FINANCIAL REPORT FOR THE MONTH OF JUNE 1989 (3-0720) -** Following Mr. Thornton's review, Supervisor Bennett moved to accept the Treasurer's Monthly Statement as submitted for the month of June 1989. Supervisor Swirczek seconded the motion. Motion carried 4-0. (Following the vote, Supervisor Swirczek left the meeting--1:50 p.m. A quorum of the Board was still present.)

BREAK: At 1:50 p.m. a five minute recess was taken. When the meeting reconvened at 1:55 p.m. a quorum was present although Supervisors Chirila and Swirczek were absent.

**7. FINANCE DIRECTOR (3-0784)**

**ACTION ON CHECK DISBURSEMENT REGISTER FOR THE MONTH OF JUNE 1989 -** Internal Auditor Gary Kulikowski explained his review of the register and the exceptions he had found. Steps had been taken to correct these situations. Supervisor Fettic moved to approve the Check Disbursement Register for June 1989 as presented. Supervisor Bennett seconded the motion. Motion carried 3-0.

**11. BOARD OF SUPERVISORS REPORTS, RESOLUTIONS, AND PROCLAMATIONS (3-0949)**

**ORDINANCE - FIRST READING - ACTION ON AN ORDINANCE ADDING CHAPTER 2.34 WHICH ADOPTS A CODE OF ETHICS FOR ELECTED AND APPOINTED OFFICIALS TO THE CARSON CITY MUNICIPAL CODE, ESTABLISHES CIVIL AND CRIMINAL PENALTIES FOR VIOLATION THEREOF AND OTHER MATTERS PROPERLY RELATED THERETO -** Mayor Teixeira explained the purpose of the ordinance. Mr. Glover and Mr. Cockerill responded to Board questions concerning the proposed ordinance, NRS requirements, those required to file the reports, the allowed amount of the gift before the

ordinance becomes effective, and definitions. Supervisor Fettic moved to introduce on first reading Bill No. 120, AN ORDINANCE ADDING CHAPTER 2.34 WHICH ADOPTS A CODE OF ETHICS FOR ELECTED AND APPOINTED OFFICIALS TO THE CARSON CITY MUNICIPAL CODE, ESTABLISHES CIVIL AND CRIMINAL PENALTIES FOR VIOLATION THEREOF AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Bennett seconded the motion. Mayor Teixeira and Supervisor Fettic explained for Mr. Waiton the limit which could be accepted without having to file the report. The motion to introduce on first reading Bill No. 120 was voted and carried 3-0.

**DISCUSSION AND ACTION ON NOMINATION OF A CANDIDATE FOR THE 1989 PUBLIC OFFICIAL OF THE YEAR AWARD (3-1387) -** Following Mayor Teixeira's introduction and recommendation that Supervisor Swirczek be nominated, Supervisor Fettic moved to nominate Ron Swirczek as our designee as the 1989 Public Official of the Year Award to be submitted to the Nevada League of Cities. Supervisor Bennett seconded the motion. Motion carried 3-0.

**PUBLIC WORKS DIRECTOR (3-1458)**

**ACTION ON WASTEWATER TREATMENT AND DISPOSAL FACILITIES CHANGE ORDER 1 TO CONTRACT W-4, TRICKLING FILTER REHABILITATION - PACIFIC MECHANICAL CORPORATION -** Public Works Director Dan O'Brien explained the change order and amount eligible for grant funds. Supervisor Fettic moved to approve Change Order No. 1 to Contract W-4, Trickling Filter Rehabilitation, with Pacific Mechanical Corp., in the amount of $3,380 from the Sewer Fund 510. Supervisor Bennett seconded the motion. Motion carried 3-0.

**ACTION ON ROBERTS DEDICATION OF STORM DRAIN EASEMENT - WEST WASHINGTON STREET (3-1531) -** Mr. O'Brien explained Board direction to obtain storm drain easements along West Washington and the easement. The channel would be an open ditch in compliance with the Roberts wishes. The other two residents would have the channel encased. Grates would be placed over these pipes to restrict entry. The project should be completed within two weeks. CES Consultant Don Tulloch felt this was a valid completion period and briefly outlined the work to be completed. Supervisor Fettic moved to accept the dedication for two twenty foot square storm drain easements in the frontage of 900 West Washington Street as offered by the property owners, James S. and Annie E. Roberts. Supervisor Bennett seconded the motion. Motion carried 3-0.

**ACTION ON DAVIS DEDICATION OF STORM DRAIN EASEMENT - WEST WASHINGTON STREET (3-1687) -** Following Mr. O'Brien's introduction, Supervisor Bennett moved to accept dedication of a 20 foot storm drain easement along the frontage of 812 West Washington Street as offered by the property owners Bill L. and Jane M. Davis. Supervisor Fettic seconded the motion. Motion carried 3-0.

**ACTION ON MENATH DEDICATION OF STORM DRAIN EASEMENT - WEST WASHINGTON STREET (3-1720) -** Following Mr. O'Brien's introduction, Supervisor Fettic moved to accept dedication of a 20 foot storm drain easement along the frontage of 800 West Washington Street as offered by the property owners James H. and Patricia H. Menath. Supervisor Bennett seconded the motion. Motion carried 3-0.

**ACTION ON PROJECT 1985-009(7) - MISCELLANEOUS WATER AND SEWER LINE PROJECT - WASHINGTON STREET - CONSULTING ENGINEERING SERVICES - TASK ORDERS NO. 7C (3-1735) -** Mr. O'Brien explained the Task Orders. Supervisor Bennett moved to approve Consulting Engineering Services' Task Order No. 7C in the amount of $1,924 for the Miscellaneous Water and Sewer Line Project No. 1985-009(7); fiscal impact is not to exceed $1,924.00; funding source 101-329. Supervisor Fettic seconded the motion. Motion carried 3-0.

**ACTION ON PROJECT 1985-009(7) - MISCELLANEOUS WATER AND SEWER LINE PROJECT - WASHINGTON STREET - CHANGE ORDER NO. 1 - A & K EARTHMOVERS, INC. (3-1792) -** Mr. O'Brien explained the change order and expressed the hope that the work could be accomplished before the State commences work. Mr. Tulloch again explained the timetable. Supervisor Fettic moved to approve Change Order No. 1 to A & K Earthmovers, Inc., Contract No. 1985-009(7), Miscellaneous Water and Sewer Line Project (Washington Street) in the amount not to exceed $30,839. Supervisor Bennett seconded the motion. Motion carried 3-0.

**ACTION ON CARSON CITY COMPREHENSIVE WATER PROGRAM - LAKEVIEW WATER STORAGE TANK - PROJECT 1986-021, TASK ORDER NO. 16, JOB NO. 015-03-961.16 -** Water Engineer Dorothy Timian-Palmer explained the task order and recommendation. Supervisor Fettic moved to approve the recommendation of Public Works Department and award Contract No. 1986-021 to Bidder No. 1, Resource Development Company in the amount of $168,870, funding source 420. Supervisor Bennett seconded the motion. Motion carried 3-0.

**ACTION ON GEORGE SOETJE WATER RIGHT PURCHASE - 6.175 ACRE FEET (3-1922) -** Ms. Timian-Palmer explained the reason for purchasing such a small amount of water rights as being due to the 1849 priority date and the purchase price. Supervisor Bennett moved to approve and authorize the Mayor to sign the George Soetje - Carson City Water Purchase Agreement, 6.175 net acre feet of 1849 Priority Carson River Water Rights located in Segment 7A of the Carson River for the amount of $15,437.50, funding source 520 - Water Acquisition Reserve. Supervisor Fettic seconded the motion. Motion carried 3-0.

**ORDINANCE - FIRST READING - ACTION ON AN ORDINANCE AMENDING TITLE 10 OF THE CARSON CITY MUNICIPAL CODE REGARDING PARKING TIME LIMITS FOR SPECIAL PARKING PERMITS OR LICENSE PLATES (3-2010) -** Mr. O'Brien explained the purpose of the ordinance. A handicapped sticker would be required in order to take advantage of this ordinance. Supervisor Fettic moved to introduce on first reading, Bill No. 121, AN ORDINANCE AMENDING SECTION 10.33.190 OF THE CARSON CITY MUNICIPAL CODE REGARDING PARKING TIME LIMITS FOR SPECIAL PARKING PERMITS OR LICENSE PLATES. Supervisor Bennett seconded the motion. Motion carried 3-0.

Mr. O'Brien then explained the progress on the golf course sewer project and new parking fine signs.

BREAK: At 2:35 p.m. a ten minute recess was taken. When the meeting reconvened at 2:45 p.m. a quorum was present as noted.

**9. CITY MANAGER REPORTS, RESOLUTIONS, AND BOARD DIRECTIVES (3-2085)**

**DEPUTY CITY MANAGER - STATUS REPORT, DISCUSSION, AND POSSIBLE ACTION REGARDING THE MASTER LEASE AT CARSON AIRPORT WITH HANGAR SEVEN, INC.**

**A. REVIEW AND POSSIBLE ACTION ON WHETHER THE CITY SHOULD PROCEED TO TERMINATE THE MASTER LEASE -** Deputy City Manager Mike Rody explained the assignment of Hangar Seven's lease, its present bankruptcy status, the conditions of the lease which were not being meant, and the City's motion which had been filed in the US Bankruptcy Court. This motion requested permission to discontinue the lease and allow the City to take over the function. If this is not allowed, the City requested permission to review any one taking over the assignment. The original lease had been assigned without the City's approval, which is a violation of the terms.

**B. REVIEW AND POSSIBLE ACTION ON WHETHER THE CITY SHOULD FILE A BID**

**WITH THE TRUSTEE IN BANKRUPTCY IN ORDER TO PURCHASE THE HANGAR SEVEN LEASE (3-2254) -** Due to the related nature of this matter, Mr. Rody then explained reasons the Board may wish to consider bidding for the lease, however, questioned whether the City should assume the "hundreds of thousands of dollars" of debt. As this did not appear to be a viable option at this time, he withdrew this request. Therefore, discussion returned to Item A.

Mr. Rody then explained his request of the District Attorney's office to terminate the lease and for Board support of that action.

(3-2316) Previous leaseholder Gretchen Redwine's Attorney David Small explained a misunderstanding on the stock ownership until financial commitments were completed and the City had approved the lease assignment. He felt that this misunderstanding would be resolved in the courts, however, the City would not be considered a participant in that activity. Due to the debts incurred by the new leaseholders, Ms. Redwine also questioned the wisdom of bidding. She was attempting to meet some of the lease requirements, which he explained. She supported the City's request of the bankruptcy court to review any assignee and establish adequate criteria for the assignment. At some future time, she may resume an active role in the Hangar Seven activities.

(3-2560) El Aero Attorney Bill Crowell expressed his feeling that Ms. Redwine had been aware of the entire transaction, that her interest should be terminated, and the lease cancelled. He then outlined several problems El Aero had had with Hangar Seven since the assignment and his feeling that his client should be allowed to take over the operation and the bankruptcy proceedings be allowed to follow its normal course.

Discussion ensued among the Board and staff concerning alleged illegal Unicom solicitations, the lack of competition between the FBOs, reasons for the "sweetheart" leases, the request before the bankruptcy court, and the action which the Board should take. Mr. Crowell explained that El Aero's Unicom was privately owned and had been utilized to "counter act" the illegal solicitations. Mr. Cockerill then explained the findings needed to terminate the lease. Mr. Small took exception to the finding that the lease was assigned without prior written approval by the City. He denied that an assignment had occurred without Board knowledge and stressed that there had been a usurpation of the lease.

(4-0137) Airport Advisory Board Member Mike Pavlakis expressed the Board's support for staff's recommendation and urged the Board to actively pursue the retaking of the lease.

(4-0155) Hale Bennett expressed his feeling that the last Airport Advisory Board meeting had indicated that the airport was an asset which should be protected, that the Hangar Seven lease should be acquired, and that a monopoly should be avoided at the airport.

Supervisor Fettic then moved that the Board approve Deputy City Manager Mike Rody continuation of the termination of the Master Lease with Hangar Seven pursuant to V. of the Master Lease in that: 1. Hangar Seven entered into bankruptcy; 2. That they had abandoned or discontinued operations; 3. Failed to provide fuel on a daily basis; 4. Failed to provide flight training on a daily basis; 5. Failed to provide Unicom service on a daily basis; and, 6. The possibility that the lease was improperly assigned without permission. Supervisor Bennett seconded the motion. Motion carried 3-0.

**MAYOR TEIXEIRA - DISCUSSION AND POSSIBLE ACTION CONCERNING FUNDING FOR THE "WHAT'S HAPPENING" PUBLICATION (4-0214) -** Parks and Recreation Director Steve Kastens explained the request for funding and letters of support from Librarian Sally Herman, Senior Citizens Executive Director Patricia Blake, and Cooperative Extension Agent-in-Charge Karen Hinton. (4-0372) Brewery Arts Executive Director Caren Jenkins outlined the purpose of "What's Happening" which was an attempt to advise the public of

activities at the Brewery, Senior Center, Library, Hospital, Community Center, etc., that was professional. Its distribution and successful "shelf life" was also noted. The format, funding request, advantages of the advertising, and distribution methods were discussed. Betty Ihfe also explained the Hospital's role. Mayor Teixeira explained his willingness to add the request to priority listing. Supervisor Bennett moved to approve funding. Upon clarification as to what could be considered as agendized, Supervisor Bennett amended the motion to be that the funding request for "What's Happening" in the amount of $6,000 be placed on the priority listing of the budget year 89-90 to be considered on August 3rd. Supervisor Fettic seconded the motion. Motion carried 3-0.

**10. DETERMINATION OF FUTURE MEETING DATES AND TIMES - ACTION ON REQUEST TO SET A BOARD MEETING DATE AND TIME TO INTERVIEW AND FILL POSITIONS ON THE REGIONAL PLANNING COMMISSION AND REDEVELOPMENT AUTHORITY AGENCY, AND TO INTERVIEW AND FILL THE POSITION OF THE REGIONAL TRANSPORTATION COMMISSION (4-0875) -** Due to the feeling that Supervisor Swirczek's schedule should be considered when establishing the date, this matter was continued to the evening session.

BREAK: There being no other matters for consideration at this time a recess was called at 3:35 p.m. until the noticed 7 p.m. hearing. When Mayor Teixeira reconvened the session at 7 p.m. Supervisors Swirczek, Fettic, and Bennett were also present, constituting a quorum. Staff members present included: Deputy City Manager Rody, Community Development Director Sullivan, Finance Director Walker, Chief Deputy District Attorney Cockerill, and Recording Secretary McLaughlin (4-0915)

**12. SUPERVISOR BENNETT**

**A. PRESENTATION AND REQUEST FOR ACTION ON RESOLUTION OF SUPPORT FOR THE CARSON CITY MAINSTREET PROGRAM -** Following Mayor Teixeira's introduction, Vice Chairperson of the Mainstreet Executive Board Jo Ann Sheerin explained her representation of the Committee and expressed her feeling that now was the time to address the downtown problem. She then introduced Vern Horton who gave a slide presentation on the Mainstreet Program in other areas and its accomplishments. Ms. Sheerin then explained how the Mainstreet Committee was formed, the cooperation it had received from other Committees working on the downtown area, the Mainstreet's survey on the workers in the downtown area, and the items which needed to be addressed to make the downtown area viable including cooperation between public and private businesses, promotion and advertising, design, potential economical incentives which may be necessary to bring about changes, and needed legislative action and support. (4-1574) Committee Member Art Hannafin then explained and responded to the Board questions concerning the Program's $95,875 budget, funding sources, and requested a $20,000 Board commitment. Supervisor Bennett explained her support of the request and recommended the other Board Members join her in funding the program. Mayor Teixeira expressed his reservations about the program and whether it would become reality without Citywide support. He, too, felt it was time for something to occur. Supervisor Swirczek acknowledged the work which had been accomplished, however, questioned whether the Mainstreet Program was a duplication of the Redevelopment efforts. Mr. Hannafin explained the different roles of each emphasizing that the Mainstreet was a privately sponsored group. Purportedly, all public supported Mainstreet Programs had failed. Reasons for having a joint, coordinated effort rather than numerous and sundry groups attempting to address the same problem were also explained. The Board's role was pointed out. Supervisor Swirczek also noted the budget item for a Redevelopment Senior Planner. Mr. Hannafin expressed his feeling that this individual would not be able to function as a project coordinator and cited examples of the jobs he would perform. The pros and cons of each view were elaborated upon at length. Mayor Teixeira expressed his feeling that the Board was helping make something happen citing Mr. Jordan's parking request as an example. Supervisor Bennett expressed the feeling that NNDA and WNDD should also be involved. She supported the project coordinator but felt that a senior planner was also essential. Discussion ensued on City

funding provided NNDA and WNDD and the Mainstreet request. Mr. Hannafin felt that the support for Mainstreet would be ongoing although the ultimate goal is to be self-sustaining. Discussion noted that $30,000 would be received from the private sector before City funds are requested. The senior planner's role and reasons for governmental failures when involved in Mainstreet were noted. Community support was also noted. (5-0011) Supervisor Swirczek then expressed his feeling that the Board needed to adopt a policy so that all community advisory groups and organizations, such as Mainstreet and NNDA, could be treated equally and fairly. He then cited a survey of 268 communities which indicated that community involvement in planning and development should not occur. Mr. Hannafin responded by noting the successful programs in 26 states and over 400 cities.

(5-0171) Gail Thomssen expressed her feeling that the job description of a coordinator mandated a private sector position rather than a government position. She also felt that if the program is successful in Carson City it could become the role model for the entire State.

(5-0225) Anna Koval explained the history of the Mainstreet Program including the role of the coordinator. Governmental funding, which is now available, was also noted. She urged the Board to allow the private sector to operate the Program due to this funding. State involvement would also reduce the City's funding requirements. Problems motivating the private sector were noted. Supervisor Swirczek felt that if the incentives were adequate, the private sector could be motivated. Ms. Koval felt that this was part of the coordinator's functions.

(5-0426) Richard Waiton expressed his feeling that it was impossible for a senior planner to function as a promoter, which the coordinator would be.

(5-0468) Ron Piersanti expressed his feeling that the Board needed to consider the "lost income expense" created by the present downtown situation. Supervisor Swirczek responded by expressing his feeling that this was why the Board needed to analyze the zoning, traffic, and parking and create the proper atmosphere to attract businesses.

(5-0545) Alice French expressed her feeling that Carson City was in a unique position of being both part of the Mainstreet Program and the State Capital.

(5-0557) Craig Steele expressed his support for the Program and its success. He felt that the area needed proper management by an executive director and economic revitalization. Access to the experience of the other 400 communities may avoid some of the problems they had encountered. He urged the Board to pass a resolution of support and fund the $20,000 as requested.

(5-0690) Steve Brown as the owner of Cactus Jack's expressed his feeling that cooperative action was needed in order to complete the Program. He also felt that the question of a senior planner or coordinator was not a question of either or but one of needing both.

Mayor Teixeira then closed the public comment session and expressed his feeling that without a cooperative effort the Program will not succeed.

**Supervisor Bennett then moved to adopt Resolution No. 1989-R-61, A RESOLUTION SUPPORTING THE CARSON CITY MAIN STREET PROGRAM. Supervisor Swirczek seconded the motion.** Mayor Teixeira noted the funding priorities, its total, and that a final decision would be made on August 3. **The motion to adopt Resolution No. 1989-R-61 carried 4-0.**

**Supervisor Fettic then moved that the Board approve the placing of this request for $20,000, for support of the Mainstreet Program on the August 3 priority list. Supervisor Bennett seconded the motion.** Supervisor Swirczek suggested staff be directed to return with a policy statement prior to August 3 which would develop a

balanced and equitable policy statement on the appropriate roles, uses, and methods of citizen group involvement in the total municipal planning process. Reasons for this suggestion were outlined. Mayor Teixeira directed Mr. Rody to address this matter. The motion to place the $20,000 request on the priority list for consideration on August 3 was voted and carried 4-0.

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

**7. ACTION ON TENTATIVE APPROVAL OF CARSON CITY FISCAL YEAR 1989-90 AD VALOREM TAX RATES INCLUDING DISCUSSION OF LEGISLATIVE OPTIONS THAT AFFECT THE AD VALOREM TAX RATE (5-0885) -** Finance Director Mary Walker explained that the State approved upper limit tax rate will not be available until tomorrow. Therefore, The City could not set the final rate this evening. She then requested Board direction on legislative bills. The final rate would be set at 5:15 on July 21. The final budget would then be considered on August 3 at 6 p.m. Mayor Teixeira then explained the need to add the $6,000 for "What's Happening" to the budget. Ms. Walker explained the four legislative bills and introduced Lorie Schlicker of the Nevada Association of Counties. Ms. Walker explained AB 45 which provides additional funding for indigent care and the actual increase/decrease in medical indigent costs since 1986. She estimated that this fiscal year she would need $523,269, which would be two cents of the optional four cents AB 45 allowed. Other Counties' rates were noted. She then explained the State's catastrophic health care fund is managed by the Nevada Association of Counties. NACO's policy to reimburse the Counties at a rate based on the amount of optional tax assessed was explained. Internal Finance supported Ms. Walker's suggested two cent rate. (5-1285) Ms. Schlicker then explained NACO's position on the rate and responded to Board questions on this position. Ms. Walker pointed out that if all of the funds collected are not needed, the following year the tax rate could be reduced and the funds carried forward. Ms. Schlicker then explained the City's $258,000 claim last year and that NACO had not acted on this claim. She also explained the City's liability when long term cases are presented to support the need to utilize the entire four cent tax rate. As a resident she preferred to have the Board increase her taxes one large amount periodically rather than a small amount every year. Supervisor Swirczek expressed the feeling that the Board should be prudent and assess only that amount which could be justified and that this feeling should be presented to the NACO Board to counter NACO's staff proposal. Mayor Teixeira expressed his problems with the proposal to tax to the upper limits. Ms. Schlicker again explained how the fund operated. Discussion noted that if the City did not pay the hospital for services provided indigents, the residents and hospital users would be forced to pick up the bill through either increased hospital rates or taxes. Ms. Schlicker also emphasized that fund allocations are all made at one time only and are not made on a "first come, first serve" basis. Mayor Teixeira commended Ms. Schlicker for her comments and attendance throughout the day.

Ms. Walker then explained AB 801 which Internal Finance recommended the Board not utilize. This Bill assesses a one cent tax rate for capital expenditures. Board consensus supported Internal Finance's recommendation. AB 851 provides funding for China Springs Juvenile Detention Facility and other regional detention facilities for children. It would cost the average homeowner $1.25 a year. Internal Finance supported it. AB 153 would cost the average homeowner $17.15. Due to the lack of a long range plan, Internal Finance recommended no levy at this time. Internal Finance's recommended assessing only 2.5 cents rather than the entire 12.5 cents. Discussion ensued concerning how the motion should be made. Ms. Walker explained that the increases would be two cents for to AB 845 - Indigent Care and approximately .005 cents depending on the actual tax rate authorized by the State for AB 851. Clarification by Supervisor Swirczek stressed that the Board was only addressing optional tax increases and not the mandatory increases which would also be included in the Resolution. The Board was only increasing the tax rate by 2.5 cents above that mandated. Supervisor Bennett then moved that the Board accept Internal Finance Committee's recommendation to increase the tax rate from AB 45 Indigent Care optional tax increase of two cents and from AB 851 Juvenile Justice Bill optional tax increase of approximately one-half cent, for a total optional tax to be approximately 2.5 cents and to direct staff to bring back a Resolution tomorrow for

finalization. Supervisor Fettic seconded the motion. Motion carried 4-0.

**10. DETERMINATION OF FUTURE MEETING DATES AND TIMES - ACTION ON REQUEST TO SET A BOARD MEETING DATE AND TIME TO INTERVIEW AND FILL POSITIONS ON THE REGIONAL PLANNING COMMISSION AND REDEVELOPMENT AUTHORITY AGENCY, AND TO INTERVIEW AND FILL THE POSITION ON THE REGIONAL TRANSPORTATION COMMISSION (5-2193) -** Mayor Teixeira suggested the second meeting in August with which the Board agreed.

Supervisor Fettic moved to adjourn. Supervisor Swirczek seconded the motion. Motion carried 4-0. Mayor Teixeira adjourned the meeting at 9:30 p.m.

The Minutes of the July 20, 1989, Carson City Board of Supervisors

ARE SO APPROVED ON___November_2___, 1989.

_/s/_____
Marv Teixeira, Mayor

ATTEST:

_/s/_____
Alan Glover, Clerk-Recorder