

A regular session of the Carson City Board of Supervisors was held on Tuesday, September 12, 1989, at the Community Center Sierra Room, 831 East William Street, Carson City, Nevada, beginning at 9 a.m.

PRESENT: Marv Teixeira Mayor
Ron Swirczek Supervisor, Ward 1
Kay Bennett Supervisor, Ward 4

STAFF PRESENT: Mike Rody Acting City Manager
Alan Glover Clerk-Recorder
Paul McGrath Sheriff
Gary Kulikowski Internal Auditor
Jack Fralinger Health Director
Judie Fisher Personnel Director
Charles P. Cockerill Chief Deputy District Attorney
Katherine McLaughlin Recording Secretary
(B.O.S. 9/12/89 Tape 1-0001)

Mayor Teixeira called the meeting to order at 9 a.m. Father Sam Caldwell of St. Peters Episcopal Church gave the Invocation. Supervisor Swirczek lead the Pledge of Allegiance. Roll call was taken and a quorum was present although Supervisor Tom Fettic was absent. (Supervisor Chirila had resigned effective September 1, 1989--see Minutes of August 17, 1989.)

APPROVAL OF MINUTES - Regular Sessions of 5/18/89, 6/1/89, 6/15/89; Special Sessions of 5/26/89 and 8/12/89 (1-0041) - Supervisor Swirczek moved to approve the Minutes as submitted. Supervisor Bennett seconded the motion. Motion carried 3-0.

SPECIAL PRESENTATIONS - ACTION ON RESOLUTION COMMENDING RETIRING PUBLIC SERVANT THOMAS NOBLE (1-0054) - Personnel Director Judie Fisher introduced Tom Noble and explained his tenure with the City. Mayor Teixeira commended him on his dedication. Supervisor Swirczek moved to adopt Resolution No. 1989-R-67, a RESOLUTION COMMENDING RETIREMENT OF THOMAS NOBLE and read the entire Resolution into the record. Supervisor Bennett seconded the motion. Motion carried unanimously.

LIQUOR AND ENTERTAINMENT BOARD MATTERS

Mayor Teixeira recessed the Board of Supervisors Session and immediately reconvened the session as the Liquor and Entertainment Board. A quorum was present including Sheriff McGrath although Member Fettic was absent as noted.

TREASURER

ACTION ON LIQUOR LICENSE REQUEST FROM FRANCISCO DELAPARRA, DOING BUSINESS AS TITO'S RESTAURANT AT 1101 NORTH VALLEY STREET (1-0118) - Deputy Treasurer Merlene Alt introduced the item. Francisco DeLaParra explained THAT the business was his alone. The Sheriff's Summary Transmittal Report was favorable. Identification cards would be required for anyone who appears to be under age. His staff members were all over 21. He would not serve any intoxicated individuals. Member Bennett moved to approve the Liquor License for Francisco DeLaParra for Tito's Restaurant located at 1101 North Valley Street, Carson City. Member Swirczek seconded the motion. Motion carried 4-0.

ACTION ON REQUESTS FOR RETIRED SENIOR VOLUNTEER PROGRAM RELATIVE TO

NEVADA DAY ACTIVITIES (1-0174) - SPECIAL EVENT SHORT-TERM BUSINESS LICENSE INCLUDING A REQUEST FOR WAIVER OF PER DAY FEES - Following Ms. Alt's introduction, RSVP Executive Director Janice Ayres entered her name in the record. Discussion noted the lack of a statistical report reflecting the number of man-hours donated to the City by her Agency. Member Swirczek moved to approve the Special Event Short-Term Business License for the RSVP Nevada Day Carnival and waiving the \$50 per day fees. Member Bennett seconded the motion. Motion carried 4-0.

ENTERTAINMENT PERMIT FOR THE CARNIVAL, INCLUDING A REQUEST FOR WAIVER OF THE APPLICATION AND PERMIT FEES ONLY - Following Ms. Alt's introduction, Member Swirczek moved the Board approve the Entertainment Permit for the RSVP Nevada Day Carnival waiving the application and permit fee. Member Bennett seconded the motion. Motion carried 4-0.

ACTION ON REQUEST FROM THE FOURTH OF JULY COMMITTEE RELATIVE TO REFUND OF ENTERTAINMENT PERMIT FEE (1-0238) - Following Ms. Alt's introduction, Chairperson Teixeira explained Fourth of July Committee Chairperson Paula Schofield's absence. He also noted the modified Ordinance which allowed the waiver for non-profit organizations, however, did not feel that the Board should make retroactive decisions. Member Bennett moved that the Board deny the request for refund of the \$200 entertainment fee for the Fourth of July Celebration based on the discussion. Member Swirczek seconded the motion. Motion carried 4-0.

SHERIFF - ORAL QUARTERLY REPORT RELATIVE TO THE SATIN LOUNGE (1-0301) - Sheriff McGrath reported that no problems had occurred at this location.

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

Mayor Teixeira then recessed the Board of Supervisors session and immediately reconvened the hearing as the Redevelopment Authority. A quorum was present although Member Feticc was absent as noted.

REDEVELOPMENT AUTHORITY AGENCY MATTERS (1-0321)

ACTION ON SELECTION OF CHAIRMAN - Member Teixeira recommended Member Feticc for Chairman. Following his explanation of support, Member Swirczek moved to approve the selection of Supervisor Tom Feticc as Chairman of the Redevelopment Authority. Member Bennett seconded the motion. Motion carried 3-0.

Member Teixeira noted that the Vice-Chairperson would be selected at the next meeting.

ACTION ON DESIGNATION OF STAFF COORDINATOR (1-0377) - Discussion ensued concerning having the City Manager make this appointment and whether the employee should be from Community Development. Member Bennett moved to continue the matter. Member Swirczek seconded the motion. Motion carried 3-0.

Discussion scheduled a meeting for September 20 from 12 noon to 2 p.m.

Member Teixeira adjourned the Redevelopment Authority and immediately reconvened the session as the Board of Supervisors. A quorum was present as noted.

CITIZEN COMMENTS (1-0548) - Richard Waiton explained some traffic signs which he felt were confusing and conflicting. He urged the Board to have staff correct these situations. He also requested a monthly status report be made on the Senior Citizen's Center. Mr. Rody explained that written reports are given to the Board

monthly. Supervisor Bennett explained the monthly Council meeting which is open to the public and its attempts to keep the public informed on the project. Sheriff McGrath explained that a study of traffic signage had been conducted in 1988 and changes were being made. The cost, however, was prohibitive for the City to make all the changes at one time.

RESOLUTIONS (1-0729)

TREASURER

ACTION ON A RESOLUTION TO CORRECT THE 1989-90 TAX ROLL - Following Ms. Alt's introduction, Supervisor Swirczek moved to adopt Resolution No. 1989-R-68, A RESOLUTION TO CORRECT THE 1989-90 TAX ROLL with corrections on Parcel No. 2-434-06 for credit or refund amount of \$506.98 and Parcel No. 4-055-03 for refund amount of \$116.84 for a total amount of \$623.82. Supervisor Bennett seconded the motion. Motion carried 3-0.

ACTION ON REFUNDS AND REMOVAL OF TAXES FROM THE 1989-90 TAX ROLL DUE TO THE STATE OF NEVADA ACQUISITION OF PROPERTIES (1-0775) - Following Ms. Alt's introduction, Supervisor Bennett moved that the Board approve refunds and remove taxes from the roll on Parcel 2-502-01 in the amount of \$133.32 and on Parcel No. 2-471-22 in the amount of \$110.06 for a total refund of \$243.38 due to the State of Nevada acquiring their property for the 395 By-Pass Project. Supervisor Swirczek seconded the motion. Motion carried unanimously.

SHERIFF (1-0813)

ACTION ON REQUEST TO PURCHASE "CARD SYSTEM" GAS PUMP - Sheriff McGrath explained the request for authorization to purchase an automated gas pump system which would automatically record all purchases, provide a computer printout of same, and assist with billing back to the Department/Agency. Discussion ensued among the Board, Internal Auditor Gary Kulikowski, and Purchasing Agent Ron Wilson on the present manual system, lack of adequate controls over that system, steps which could be taken to improve the controls, the funding, and that there are other systems on the market. Board consensus indicated the feeling that this item should be included in the normal budget process and directed the City Manager to have staff be sure to keep appropriate records of all usage and lock the pump when finished. Supervisor Swirczek moved that the Board deny the request for the allocation of \$8,000 for the purchase and installation of the Gasaway Card System Gas Pump for the Sheriff's Office at this time and for this item to be reconsidered during the normal budget process for the 90-91 fiscal year. Supervisor Bennett seconded the motion. Motion carried 3-0. The Board then directed the City Manager to notify all Department Heads of the established procedure, including the Internal Auditor, and remove the responsibility from the Sheriff's Office.

ACTION ON RESOLUTION AUTHORIZING THE USE OF VISA AND MASTERCARD CREDIT CARDS (1-1316) - Sheriff McGrath explained the Resolution which would allow the use of credit cards for bail on traffic offenses. Any service charges would be added to the bail. Supervisor Swirczek moved to adopt Resolution No. 1989-R-69, A RESOLUTION AUTHORIZING THE CARSON CITY SHERIFF AND JUSTICE OF THE PEACE TO ACCEPT MAJOR CREDIT CARDS AS A METHOD OF PAYMENT FOR FINES AND BAILS. Supervisor Bennett seconded the motion. Clarification noted that the request included the Justice Court as well as the Municipal Court. Sheriff McGrath also noted that if this proves to be a feasible program the balance of the City may wish to incorporate it. The actual cost of \$720 is for the equipment. If there are an adequate number of transactions, this fee may be waived by the bank. Supervisor Swirczek amended his motion to authorize the acceptance of major credit cards for the Sheriff's Department, Justice Court, and Municipal Judge. Supervisor Bennett continued her second. The motion as amended carried unanimously.

LIBRARY DIRECTOR - ACTION ON CONFIRMATION OF APPOINTMENT OF NEW MEMBER JOHN W. RAY TO THE ORMSBY PUBLIC LIBRARY BOARD OF TRUSTEES (1-1517) - Library Director Sally Herman explained the request to confirm the appointment of John Ray. Mr. Ray commended the Board on the credit card decision. Discussion indicated the feeling that it would be a good program for the library as well. Ms. Herman would evaluate its feasibility. Supervisor Bennett moved that the Board appoint Retired Former Justice of the Peace John W. Ray to the Board of Library Trustees. Supervisor Swirczek seconded the motion. Motion carried 3-0.

PUBLIC HEALTH DIRECTOR - ORDINANCE - FIRST READING - ACTION ON AN ORDINANCE AMENDING SCHEDULES A, B, AND C TO SECTION 9.04.040 OF THE CARSON CITY MUNICIPAL CODE BY INCREASING INSPECTION FEES OF THE CARSON CITY HEALTH DEPARTMENT (1-1618) - Health Director Jack Fralinger explained the Ordinance, the cost of an inspection, a comparison of the present fees, and decision to have the General Fund support some of this cost in view of the benefits received by the residents and tourists. This proposal, allocation of funds for a new inspector, and the number of inspections included in the schedule were discussed with the Board. Mr. Fralinger also explained that any inspections required over five would be assessed an additional charge. The businesses who would be affected by the proposal supported it. Supervisor Swirczek moved to introduce on first reading Bill No. 132, AN ORDINANCE AMENDING SCHEDULES A, B, AND C TO SECTION 9.04.040 OF THE CARSON CITY MUNICIPAL CODE BY INCREASING INSPECTION FEES OF THE CARSON CITY HEALTH DEPARTMENT. Supervisor Bennett seconded the motion. The funding mechanism was explained for Richard Waiton. The motion to introduce Bill 130 carried 3-0.

CLERK-RECORDER - ACTION ON A RESOLUTION AUTHORIZING THE DESTRUCTION OF ORIGINAL PERSONNEL RECORDS (1-2066) - Following Mr. Glover's introduction, Supervisor Swirczek moved to adopt Resolution No. 1989-R-70, A RESOLUTION AUTHORIZING THE DESTRUCTION OF ORIGINAL RECORDS, those records being termination of employee files through December 1985. Supervisor Bennett seconded the motion. Motion carried unanimously.

PURCHASING AGENT (1-2091)

ACTION ON GRANT AMENDMENT NO. 1 FOR AIP PROJECTS NO. 3-32-0004-04 - Following Mr. Rody's introduction, Supervisor Bennett explained her support and moved that the Board approve and concur with the action on Grant Amendment No. 1 for AIP Projects No. 3-32-0004-04. Supervisor Swirczek seconded the motion. Motion carried 3-0.

ACTION ON CHANGE ORDER NO. 4 TO CONTRACT NO. 8889-35 - AIRPORT APRON CONSTRUCTION (FAA PROJECT NO. 3-32-0004-04) - Following Purchasing Agent Ron Wilson's introduction, Supervisor Swirczek moved that the Board approve Change Order No. 4 to Contract No. 8889-35, Airport Apron Construction, FAA Project No. 3-32-0004-04, as presented by the Purchasing Agent and to authorize a net increase in the contract in an amount not to exceed \$21,900 and authorize the Mayor to sign same. Supervisor Bennett seconded the motion. Motion carried 3-0.

ACTION ON CONTRACT 8889-70 - STREET AND HIGHWAY ELEMENT OF THE CARSON CITY MASTER PLAN AGREEMENT (1-2269) - Mr. Wilson briefly explained the purpose of this contract. Discussion noted previous action and the selection process. Deputy Community Development Director--Planning Eric Toll explained that the consultant would provide specialized studies of the downtown area for the economic diversification program and should be ready for the State Department of Transportation to utilize in the State's planning for that area. The Contractor will be required to work with all governmental agencies so indicated by the City. Supervisor Bennett moved that the Board approve Contract No. 8889-70, the Street and Highway Element of

the Carson City Master Plan Agreement, award the contract to and authorize the Mayor to sign to JHK And Associates, 2702 North 44th Street, Suite 102A, Phoenix, Arizona 85008, for a not to exceed cost of \$63,588, funding source account no. 101-329-523-17316, and declare the contract not adaptable to competitive bidding under Nevada Revised Statute Chapter 332, Section 115. Supervisor Swirczek seconded the motion. Clarification for Mr. Waiton indicated the funding source as being the General Fund. The motion to award the contract as indicated carried 3-0.

ACTION ON CONTRACT 8990-78 - SUN ENGINE ANALYZER (1-2504) - Following Mr. Wilson's explanation including the tied bid definition and reasons for recommending the local area representative. Discussion with the Board indicated that the Public Works Bill on Performances did not affect NRS 332. It would, however, affect other items. Supervisor Bennett moved that the Board accept the recommendation of the Purchasing Agent and award Contract No. 8990-78 for a Sun Engine Analyzer to Sun Electric Corporation, care of Mr. Edward J. Bushey, 1262 Quarry Lane, Pleasanton, California, as the lowest responsive and responsible bidder pursuant to NRS Chapter 332, for a grand total of \$25,195.20, FOB Carson City, Nevada, funding source Capital Acquisition, 260-000-354-35581. Supervisor Swirczek seconded the motion. Motion carried 3-0.

BREAK: At 10:20 a.m. a fifteen minute recess was taken. When the meeting reconvened at 10:35 a.m. a quorum was present as noted.

PARKS AND RECREATION - ACTION ON REAL PROPERTY SALES AGREEMENT BETWEEN CARSON CITY AND NEWMAN CONSTRUCTION, LTD., RELATIVE TO 20 ACRE PARCEL ADJACENT TO CENTENNIAL SOFTBALL COMPLEX NO. 1 (1-2681) - Parks and Recreation Director Steve Kastens explained the proposed acquisition, its location, and funding, and responded to Board questions on the short-term financing proposal, and Parks and Recreation Commission's recommendation. Supervisor Bennett expressed her feeling that the closing costs should be shared with the seller or funded by another source other than the Parks and Recreation Fund. Discussion ensued on reasons for not purchasing the property many years ago as well as additional reasons for purchasing it now; (2-0001) Residential Construction Tax revenue and allocations for next year; and the pros and cons of the short-term financing proposal which included other items besides the property, however, would be repaid entirely by the Residential Construction Taxes. RCT funds can be used only for acquisition, improvement, and expansion of neighborhood parks or installation of facilities in existing neighborhood parks in the City or County, NRS 278.4983.5. Mayor Teixeira pointed out that the issue of using RCT funds for a \$1.2 million short-term loan would be addressed at a different meeting. The only consideration before the Board at this time was whether RCT funds should be used for the acquisition of this property. Mr. Rody explained that the recommendation was not to short-term finance the \$270,000 portion, however, future projects could be financed to that amount. Mr. Cockerill noted that this proposal conflicted with the original agreement. Mr. Kastens read Section 5C of the final draft which provided for short-term financing.

(2-0528) Jim Newman expressed his desire that the escrow not be held until the City obtains short-term financing due to the amount of time which had already elapsed since he first offered the property to the City. Mr. Cockerill noted that the final draft of the agreement allows for short-term financing on Page 3 even though Page 4 allows for the close of escrow on September 29 provided the contingencies are completed of which the short-term financing was a portion. Mr. Newman was willing to go along with short-term financing if it is accomplished by September 29. Mr. Cockerill stressed that compliance with the contingencies over-rode this closing date and that Mr. Newman had already signed the agreement. Mr. Newman continued to stress his desire to have the escrow close on September 29. Discussion ensued between Supervisor Bennett and Mr. Newman on his position and staff's recommendation on short-term financing.

(2-0831) Richard "Dick" Waiton expressed his opposition to committing the RCT funds for the procurement of property from an individual "with a closed mind" on its financing. He urged the Board to use other recourses to

prohibit the construction of homes on the property as well as other zoning measures. Mayor Teixeira noted that the property is currently zoned SF 6,000 and that building permits are currently available under the Growth Management Ordinance. Therefore, Mr. Newman could commence construction at once. Mr. Waiton continued to stress his feeling that it may not be financially feasible to construct homes adjacent to a park. Likewise, purchasing homes adjacent to a major baseball complex may not be a prudent decision.

Supervisor Bennett then moved that the Board approve the proposal to acquire a 20 acre parcel adjacent to Centennial Complex No. 1 in the amount of \$500,000, funding source to be: \$180,000 from a land exchange, \$50,000 from the golf course enterprise account, \$270,000 from Residential Construction Tax monies. After receiving advice from Mr. Cockerill, Supervisor Bennett continued the motion to include that the \$270,000 of Residential Construction Tax monies be paid immediately and that future financing of the Park Bond projects be explored through other means, i.e., short-term financing. Upon request for clarification of the closing costs, Supervisor Bennett continued the motion to include that the closing costs for the acquisition be divided equally between the Golf Course Enterprise Fund and the Residential Construction Tax Fund. Following further clarification by Mr. Cockerill, Supervisor Bennett continued her motion to include that the Mayor be authorized to sign the agreement with Newman Construction Limited. Due to a lack of a second, this motion died. Supervisor Swirczek then explained his feeling that the motion should be subject to the agreement which would allow the Board to consider financing within the next two months. Supervisor Bennett then withdrew her motion even though it had technically died for a lack of a second. Mr. Cockerill expressed a desire to have any motion to consider the financial arrangements include reconsideration on September 21.

Supervisor Swirczek moved that the Board approve the proposal to acquire the 20 acre parcel adjacent to the Centennial Softball Complex, that the funding sources are to be the \$180,000 land exchange, \$50,000 from the golf course, and the \$270,000 from the Residential Construction Tax as set forth in the real property purchase agreement which had been revised according to a note on the agreement on 9/6/89. Supervisor Bennett seconded the motion. Upon Mr. Cockerill's request for an amendment, Supervisor Swirczek continued the motion to include "and subject to coming back to the Board on September 21, 1989, to make a determination on exactly how much will be funded by short-term financing." Supervisor Bennett continued her second. Discussion ensued with Jim Newman which indicated that he understood the financing would be determined on September 21. Richard Waiton reiterated his feeling that recreational funds were needed in other areas of the City. Supervisor Swirczek responded by expressing his feeling that this property should have been purchased many years ago, however, as it had not, the present Board is in a position of having to make a hard decision. Mr. Waiton then expressed his regret that Mr. Kastens would not have adequate funding for other recreational purposes. Mayor Teixeira noted that this was the purpose of having the Board make the final decision. Mr. Newman also noted for the record that he had paid \$500,000 for the property and was not making a profit on the sale. The motion to acquire the property as stipulated was voted by roll call with the following result: Ayes - Swirczek, Bennett, and Mayor Teixeira. Nays - None. Motion carried 3-0-1 with Supervisor Feticc being absent.

COMMUNITY DEVELOPMENT DIRECTOR

ORDINANCE - FIRST READING - ACTION ON AN ORDINANCE RELATIVE TO Z-88/89-9 CHANGING THE LAND USE DESIGNATIONS ON PLANNED UNIT DEVELOPMENTS LOCATED AT SPRING MEADOWS, LAKE GLEN MANOR, TIMERLINE, WESTWOOD, CARRIAGE SQUARE, CARSON VILLAS NO. 1 AND CARSON VILLAS NO. 2 TO ACCURATELY REFLECT THE PUD NATURE AND DENSITY OF THESE PROJECTS AS SHOWN ON THE CITY'S OFFICIAL ZONING MAP (2-1165) - Deputy Community Development Director--Planning Eric Toll explained the Ordinance and responded to Board questions regarding it. Supervisor Swirczek moved to introduce on first reading Bill No. 131, AN ORDINANCE CHANGING THE LAND USE DESIGNATIONS ON PLANNED UNIT DEVELOPMENTS LOCATED AT SPRING MEADOWS, LAKE GLEN MANOR, TIMBERLINE, WESTWOOD, CARRIAGE

SQUARE, CARSON VILLAS #1 AND CARSON VILLAS #2 TO ACCURATELY REFLECT THE PUD NATURE AND DENSITY OF THESE PROJECTS AS SHOWN ON CITY'S OFFICIAL ZONING MAP. Supervisor Bennett seconded the motion. Motion carried 3-0.

ACTION ON APPOINTMENT TO FILL VACANCY ON THE HISTORIC ARCHITECTURE REVIEW@ COMMITTEE (2-1275) - Following Mr. Toll's introduction, Supervisor Bennett moved to appoint Richard Bernstein to replace Kathryn Kuranda as Architectural Historian and Representative of State Office of Historic Preservation and Archeology. Supervisor Swirczek seconded the motion. Motion carried 3-0.

ACTION ON ADOPTION OF SECTION THREE PLAN RELATIVE TO THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (2-1307) - Following Mr. Toll's introduction, Supervisor Bennett moved to adopt Section Three Plan to provide job opportunities and training to lower income persons and providing opportunities to small businesses owned by disadvantaged persons. Supervisor Swirczek seconded the motion. Motion carried 3-0.

BREAK: At 11:30 a.m. a lunch recess was taken. When the meeting reconvened at 1:30 p.m. a quorum was present as noted earlier.

PUBLIC WORKS DIRECTOR (2-1338)

ACTION ON REQUEST FOR WAIVER BY CHESTER AND DEBORAH BUNCH FROM THE WATERLINE EXTENSION REQUIREMENTS OF CARSON CITY MUNICIPAL CODE 12.01.210 (8) FOR 815 RUBY LANE - Public Works Director Dan O'Brien explained the request, Code requirement, and Department recommendation of denial. Mr. and Mrs. Bunch explained their reasons for requesting the waiver including the cost to extend the waterline, the surrounding wells, and their feeling that it would be many years, if ever, before other lots would need to tie into the waterline. Staff was not aware of any well failures in the area or that septic tanks were utilized in that area. State requirements were also discussed. Supervisor Swirczek moved that the Board chose the compromise alternative and require---. He then amended his motion to disallow the request for the waiver of the waterline extension requirements of Carson City Municipal Code 12.01.210 (8) for a new home constructed at 815 Ruby Lane. Supervisor Bennett seconded the motion. Supervisor Swirczek then discussed the motion with Mr. Cockerill, who explained the requirements of that Section of the Code. Supervisor Swirczek then corrected his motion to include waiver of the requirement to extend the waterline along the frontage of the property as the Board finds that it is physically improper to do so due to the facts outlined by the Public Works Director, and, therefore, the Bunches shall be required to extend the City water line and connect to it at the west portion of their lot. Supervisor Bennett continued her second. Motion carried 3-0.

ACTION ON PROJECT 19850-009(7) - MISCELLANEOUS WATER AND SEWER LINE PROJECTS - WASHINGTON STREET

CHANGE ORDER NO. 2 - A AND K EARTHMOVERS, INC (2-1801) - Following Mr. O'Brien's introduction, Supervisor Bennett moved to approve Change Order No. 2 to A & K Earthmovers, Inc., Contract No. 1985-009(7), Miscellaneous Water and Sewer Line Project (Washington Street) to reduce the contract in the amount of \$2,143.00. Supervisor Swirczek seconded the motion. Motion carried 3-0.

CHANGE ORDER NO. 3 - A AND K EARTHMOVERS, INC (2-1849) - Following Mr. O'Brien's introduction, Supervisor Swirczek moved that the Board approve Change Order No. 3, an increase to A & K Earthmovers, Inc., Contract No. 1985-009(7), Miscellaneous Water and Sewer Line Project (Washington Street) in the amount of \$954.00, for provision for fire protection and flushing of water supply lines, funding source Water Funds 420 and 520. Supervisor Bennett seconded the motion. Motion carried 3-0.

CHANGE ORDER NO. 4 - A AND K EARTHMOVERS, INC. (2-1826) - Following Mr. O'Brien's introduction, discussion noted the cooperation received from the State, that the project had been under budget and completed in a timely fashion in spite of the delays. Supervisor Bennett moved that the Board approve Change Order No. 4 to A & K Earthmovers, Inc., Contract No. 1985-009(7), Miscellaneous Water and Sewer Line Project (Washington Street), to reduce the contract in the amount of \$30,540.94. Supervisor Swirczek seconded the motion. Clarification of the fund increase and decrease were discussed. Motion to approve Change Order No. 4 carried 3-0.

FINAL PAYMENT REQUEST - RELEASE OF RETENTION AND ACCEPTANCE OF PROJECT - A & K EARTHMOVERS, INC. (2-2069) - Following Mr. O'Brien's introduction including an explanation of the work remaining, Supervisor Swirczek moved that the Board accept all work performed by A & K Earthmovers, Inc., under Contract No. 1985-009(7), Miscellaneous Water and Sewer Line Project (Washington Street), and to release the retention of \$30,854.92, plus interest, funding source 101-329, 410, 420, and 520. Supervisor Bennett seconded the motion. Motion carried 3-0. Mr. O'Brien then commended Phil Marshall and his staff on their work as well as the contractor and his crew. Mr. Marshall commended the City's staff and explained the complexity of the project. Mr. Tulloch, the Project Manager, expressed his feeling that this cooperative attitude had helped create the savings.

Discussion ensued on the next major infrastructure project on Carson Street which is scheduled for next summer.

WATER MANAGER MATTERS (2-2307)

ACTION ON ADOPTION OF POLICY REGARDING PREPARATION OF INDUSTRIAL AND COMMERCIAL WATER USAGE REPORTS (ASSEMBLY BILL NO. 333) - Mr. O'Brien explained the requirements of the Bill, fees, the City's share of that fee, purpose of the Policy, and responded to Board questions on the Policy. Water Engineer Dorothy Timian-Palmer explained the Water Department's role in the procedure. Mr. O'Brien requested a change on page 1, paragraph numbered 2 to add the words "Nevada Licensed" professional engineer. Supervisor Swirczek moved that the Board adopt Policy No. 1989-P-1, A POLICY THAT DEALS WITH INDUSTRIAL AND COMMERCIAL WATER USAGE, SPECIFICALLY RELATED TO ASSEMBLY BILL 333, specifically related to Industrial and Commercial Water Usage Reporting required by Nevada State Assembly Bill No. 333, shall be compiled and certified by a Nevada Licensed Professional Engineer, Architect, or Licensed Water Rights Surveyor. Supervisor Bennett seconded the motion. Motion carried unanimously.

Discussion ensued concerning the current industrial and commercial usage.

ACTION ON ACCEPTANCE OF DEDICATION OF UTILITY AND DRAINAGE EASEMENTS WITHIN THE TIMBERLINE SUBDIVISION SERVING STORM DRAINAGE FACILITIES LOCATED IN THE WESTWOOD SUBDIVISION (2-2856) - Following Ms. Timian-Palmer's introduction, clarification noted that the original developer was required to construct the improvements, however, the City would have to do the work. Funds are available for this work. Mr. O'Brien explained the need for a larger easement than the originally dedicated five foot. Concern was expressed that there were many other areas with the same problems. Supervisor Swirczek moved that the Board approve and authorize the Mayor to sign the Dedications for Easement for the construction of a drainage ditch on Lot Numbers 7, 8, 9, 25, 26, and 27 of the Timberline Subdivision; and further move to approve and authorize the Mayor to sign the Dedication of Easement to allow access to construct a drainage ditch on Lot 5 of the Timberline Subdivision. Supervisor Bennett seconded the motion. Supervisor Swirczek amended the motion to include in an amount not to exceed \$10,000 for construction. Clarification explained that the matter was not for authorization of funding as the contract is being prepared by the Purchasing

Department.

(3-0051) Mr. Cockerill explained for Mr. Waiton that the City could require builders to install the drainage facilities, however, due to its need, a piecemeal approach should be avoided.

The motion to approve and authorize the Mayor to sign the Dedications was voted and carried unanimously.

ACTION ON ACCEPTANCE OF GRANT EASEMENT FOR THE DAYTON VALLEY PRODUCTION SOURCE (3-0075) - Following Ms. Timian-Palmer's and Mr. O'Brien's introduction, Supervisor Swirczek moved that the Board approve and authorize the Mayor to sign the Grant Land Easement for the construction of the Dayton Valley Production Source by and between John C. Serpa and Carson City. Supervisor Bennett seconded the motion. Motion carried unanimously.

ACTION ON APPROVAL OF U.S.G.S. AND CARSON CITY JOINT FUNDING AGREEMENT (3-0135) - Following Ms. Timian-Palmer and Mr. O'Brien's introductions, discussion noted the cost of the two agreements. Discussion also indicated both Ms. Timian-Palmer and Mr. O'Brien would be present at the Carson Subconservancy Water District meeting. Supervisor Swirczek was invited to preview the figures which would be included in the report to the District. The Subconservancy had dropped the City from its joint funding program. Supervisor Swirczek then moved that the Board approve and authorize the Mayor to sign the 1989-90 Joint Funding Agreement between Carson City and the United States Geological Survey for Water Resource Monitoring, covering the following: 1. Monthly water resource conditions reporting of surface and groundwaters at a participation cost of \$500.00; 2. The operation and maintenance of ten (10) stream gages at a cost of \$5,190; and, 3. The recharge program monitoring and coordination of a cost of \$32,025, for a total cost to the City of \$35,991, funding sources to be 420 for a participation of \$30,301 and 520 for a participation of \$5,690. The costs were further clarified by Mr. O'Brien. Supervisor Bennett seconded the motion. Motion carried 3-0.

ORDINANCES - FIRST READING (3-0328)

ACTION ON AN ORDINANCE AND DEVELOPMENT AGREEMENT FOR CHARLOTTE W. SHABER FOR PROPERTY LOCATED AT 202 NORTH CARSON STREET (APN 3-213-03) - Following Mr. O'Brien's introduction, discussion ensued on the remodeling which would occur. Supervisor Swirczek moved to introduce on first reading Bill No. 132, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND CHARLOTTE W. SHABER REGARDING ASSESSOR'S PARCEL NO. 3-213-03 LOCATED AT 202 NORTH CARSON STREET, CARSON CITY, NEVADA. Supervisor Bennett seconded the motion. Motion carried unanimously.

ACTION ON AN ORDINANCE AND DEVELOPMENT AGREEMENT FOR A & B ASSOCIATES FOR PROPERTY LOCATED AT CENTENNIAL PARK DRIVE AND HIGHWAY 50 EAST (GOLF COURSE SEWER LINE) (APN 8-384-29 AND 8-387-01) - Following Mr. O'Brien's explanation of the agreement, costs, bidding and construction periods, Supervisor Bennett moved to introduce on first reading Bill No. 133, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND A & B ASSOCIATES REGARDING ASSESSOR'S PARCEL NOS. 8-384-29 AND 8-387-01, LOCATED AT HIGHWAY 50 AND CENTENNIAL PARK DRIVE, CARSON CITY, NEVADA, FOR SEWER LINE CONSTRUCTION, fiscal impact \$41,000 and funding source Golf Course Bonds 540-000-539-36043. Supervisor Swirczek seconded the motion. Discussion ensued on the bidding and the effect of the Davis Bacon Act on the process. The motion to introduce Bill No. 133 was voted and carried unanimously.

ACTION ON WATERLINE REIMBURSEMENT ORDINANCE AND AGREEMENT FOR PETE RASNER AT 1020 VALLEY VIEW (APN 9-137-14) (3-0685) - Following Mr. O'Brien's introduction,

Supervisor Swirczek moved to introduce Bill No. 134, AN ORDINANCE APPROVING A WATERLINE REIMBURSEMENT AGREEMENT BETWEEN CARSON CITY AND PETE RASNER, REGARDING ASSESSOR'S PARCEL NO. 9-137-14, LOCATED AT 1020 VALLEY VIEW DRIVE, CARSON CITY, NEVADA. Supervisor Bennett seconded the motion. Motion carried unanimously.

ORDINANCE - SECOND READING - ACTION ON BILL NO. 128 - SEWER MAIN REIMBURSEMENT ORDINANCE AND AGREEMENT FOR STANTON PARK DEVELOPMENT, INC. (SHADOW HILLS DEVELOPMENT II) (APN 10-061-75) (3-0739) - Following Mr. O'Brien's introduction, Supervisor Swirczek moved to adopt on second reading Ordinance No. 1989-27, AN ORDINANCE APPROVING A SEWER MAIN REIMBURSEMENT AGREEMENT BETWEEN CARSON CITY AND STANTON PARK DEVELOPMENT, INC., REGARDING ASSESSOR'S PARCEL NO. 10-061-75, KNOWN AS SHADOW HILLS DEVELOPMENT II. Supervisor Bennett seconded the motion. Motion carried unanimously.

BREAK: At 2:40 p.m. a ten minute recess was taken. When the meeting reconvened at 2:50 p.m. a quorum was present as noted originally.

GOLF COURSE ADVISORY COMMITTEE/GOLF PRO (3-0766)

PROGRESS REPORT RELATIVE TO EAGLE VALLEY GOLF COURSE EAST AND WEST - Pulled.

REVIEW AND POSSIBLE ACTION REGARDING IMPLEMENTING GOALS AND OBJECTIVES FOR EAGLE VALLEY GOLF COURSES - Pulled.

REVIEW AND POSSIBLE ACTION ON APPOINTMENT OF MEMBER TO THE GOLF COURSE ADVISORY COMMITTEE (3-0775) - Golf Course Advisory Committee Chairperson Bob Tobias explained Chuck Leonard's resignation and the Committee's nomination of Joe Mensini. Discussion noted that he had been interviewed by the Board at an earlier meeting. Supervisor Swirczek then moved that the Board appoint Joe Mensini as a member of the Golf Course Advisory Committee to replace Chuck Leonard, who had submitted a letter of resignation. Supervisor Bennett seconded the motion. Motion carried 3-0.

CITIZEN COMMENTS (3-0877) - None.

CITY MANAGER REPORTS, RESOLUTIONS, AND BOARD DIRECTIVES (3-0880) - ACTION ON REQUEST FOR ASSIGNMENT AND EXTENSION OF A LOAN TO MALCOLM D. GLOVER RELATIVE TO LOT 18 IN THE INDUSTRIAL AIRPARK - Following Mr. Rody's explanation of the addendum, Real Estate Broker Tom Johnson responded to Board questions on the proposal which would have Mr. Glover take over the property and would extend the loan to him. His financial commitment was also explained. Supervisor Swirczek moved that the Board approve the assignment and extension of a loan, which includes the note and deed of trust, to Malcolm D. Glover in the amount of \$130,800 until January 5, 1990, for the sale of Lot 18 in the Carson City Industrial Airpark subject to Title Company's preparation of the necessary documents which are also subject to the District Attorney's office approval. Supervisor Bennett seconded the motion. Motion carried 3-0.

BOARD OF SUPERVISORS REPORTS, RESOLUTIONS, AND PROCLAMATIONS (3-1000) -

MAYOR TEIXEIRA - DISCUSSION AND BOARD DIRECTION REGARDING THE POSITION OF CITY MANAGER - Following Mayor Teixeira's introduction, Supervisor Swirczek explained his contact with Sparks and that their advertising for a City Manager would be shared with Carson City. He felt that this would

eliminate some duplication of efforts. Supervisor Bennett requested an opportunity to review this process and make recommendations on it. She had been in contact with other cities/entities and would compare their advertisements. These items would be consolidated by the Personnel Manager and discussed at the next Board meeting and advertised the first part of October for interviews in November. The advertising period and salary were discussed at length also.

Discussion ensued concerning a date for interviews to refill the Supervisor, Ward 3, position. Mayor Teixeira scheduled it for Monday, September 25th, starting at 6 p.m. and explained the process to be followed at that time. Mr. Rody noted that the required disclosure statements would be included with the applications.

SUPERVISOR BENNETT (3-1285) - Requested the City Manager provide a follow-up report on the results of the Sheriff's action on the gas pump management problem. Mr. Rody indicated the report would also include the present management program for the Corporate Yard.

SUPERVISOR SWIRCZEK (3-1347) - Explained the progress accomplished on the Carson River Subconservancy District's goals and objectives and need to have staff prepared to address Carson City's future needs including financial position. Mayor Teixeira urged the City's representatives to be cognizant of its financial commitments and need for fair contribution by all involved. Supervisor Swirczek felt that this would be incorporated in the program.

CITIZEN COMMENTS (3-1575) - None.

Supervisor Swirczek moved to adjourn. Supervisor Bennett seconded the motion. Motion carried unanimously. Mayor Teixeira adjourned the meeting at 3:15 p.m.

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

The Minutes of the September 12, 1989, Carson City Board of Supervisors meeting

ARE SO APPROVED ON ____December_7_____, 1989.

_____/s/_____
Marv Teixeira, Mayor

ATTEST:

_____/s/_____
Alan Glover, Clerk-Recorder