A regular meeting of the Carson City Board of Supervisors was held on Thursday, December 7, 1989, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 9 a.m.

PRESENT: Mary Teixeira Mayor

Ron Swirczek Supervisor, Ward 1 Tom Fettic Supervisor, Ward 2

Tom Tatro Supervisor, Ward 3

Kay Bennett Supervisor, Ward 4

STAFF PRESENT: Mike Rody Acting City Manager

Alan Glover Clerk-Recorder Noel Waters District Attorney

Ted P. Thornton
Gary Kulikowski
Charles P. Cockerill
Katherine McLaughlin

Treasurer
Internal Auditor
Chief Deputy District Attorney
Recording Secretary

(B.O.S. 12/7/89 Tape 1-0001)

Mayor Marv Teixeira called the meeting to order at 9 a.m. Roll call was taken and a quorum was present. First United Methodist Pastor Bill McCord reminded everyone of the significance of this date and gave the Invocation. Supervisor Tom Tatro lead the Pledge of Allegiance.

APPROVAL OF MINUTES - September 12, 1989 (1-0051) - Supervisor Swirczek moved to approve the Minutes as presented. Supervisor Tatro seconded the motion. Motion carried 5-0.

SPECIAL PRESENTATIONS - None.

<u>LIQUOR AND ENTERTAINMENT BOARD MATTERS</u> - Mayor Teixeira recessed the Board of Supervisors session and immediately reconvened the hearing as the Liquor and Entertainment Board. A quorum was present although Sheriff Paul McGrath was absent.

TREASURER - ACTION ON LIQUOR LICENSE APPLICATION FROM GENE WALLACE FOR A COCKTAIL LOUNGE, DOING BUSINESS AS CHEERS, FOOD AND SPIRITS, LOCATED AT 1475 HOT SPRINGS ROAD (1-0061) - Following Treasurer Ted Thornton's introduction, Gene Raymond Wallis responded to questions concerning his purchase of the business and his arrest/citation record. The Board stressed that the Liquor License was a privilege rather than a right and concern about sales to minors. Clarification by Chief Deputy District Attorney Charles Cockerill noted that the license could be denied or conditioned if appropriate findings are made. Chairperson Teixeira stressed that if the license is approved conditionally, Mr. Wallis would loose his investment if an incident occurred. Member Fettic moved that Liquor and Entertainment Board conditionally approve the application for Gene Wallace for Cheers, Food and Spirit, 1475 Hot Springs Road, Carson City, for a period of six months with a review by the Board at the end of the six month period. Member Fettic then explained his desire to have a report from the Sheriff at the end of the third month. Member Fettic then withdrew his motion and moved to conditionally approve the Liquor License for Gene Wallace for a period of six months to be reviewed by the Board after a three month period. Member Swirczek seconded the motion. Member Bennett expressed her desire to have the license reviewed in three months followed by another three month review until a year had elapsed. Member Tatro expressed a desire to have conditional approval with increased health inspections and be subject to revocation upon any violation of liquor ordinances. Mr. Cockerill requested this revocation condition not be attached to the motion as the Code already contains this procedure. Mr. Wallace acknowledged that the Health and Sheriff's Departments would be watching his operation closely and that his license would be in jeopardy if a violation occurred. Member Fettic then clarified his motion to have a report at the end of three months and six months. Member Swirczek continued his second. Motion was voted by roll call with the following result: Ayes - Swirczek, Fettic, Tatro, Bennett, and Chairperson Teixeira. Nayes - None.

Absent - McGrath. Motion carried 5-0-1.

There being no other matters for consideration by the Liquor and Entertainment Board, Chairperson Teixeira adjourned the Liquor and Entertainment Board and immediately reconvened the session as the Board of Supervisors. A quorum was present as noted earlier.

RESOLUTIONS

2. DISTRICT ATTORNEY (1-0435)

ACTION ON DISTRICT ATTORNEY REQUEST FOR BOARD AUTHORIZATION TO MAKE AN OFFER OF JUDGMENT IN A LAWSUIT ENTITLED DOURTH VERSUS SHERIFF - Mr. Cockerill explained the lawsuit and offer of judgment. Supervisor Swirczek moved that the Board authorize the District Attorney to make an offer of judgment in the amount of \$100 in Federal Court on Case Number CV-N-88-279-HDM, Dourth versus Sheriff. Member Bennett seconded the motion. Motion carried 5-0.

ACTION ON SECOND ADDENDUM TO AIRPORT LEASE WITH EL AERO SERVICES AND FIFTH ADDENDUM TO AIRPORT LEASE WITH EL AERO SERVICES (ADJUSTMENT OF TIEDOWN AREAS) (1-0486) - Mr. Cockerill and Mr. Rody explained the lease, locations, and addenda. The Board was being requested to approve the addenda based on the fact that negotiations had been going on for several months. Mr. Rody also explained how an access had become restricted which would be corrected with these addenda. Some of the members of the Airport Authority had talked with Supervisor Bennett and expressed neutrality on this issue. Supervisor Bennett moved that the Board approve the second addendum to El Aero Lease, said lease being the former Mobill Lease, and approve the fifth addendum to El Aero Lease, said lease being the former Port-A-Hangar Lease. Supervisor Tatro seconded the motion. Upon request for an amendment, Supervisor Bennett continued the motion to include and to authorize the Mayor to sign same. Supervisor Tatro continued his second. Motion carried 5-0.

ACTION ON THE KPTL TRANSMITTER SITE LEASE (1-0662) - Mr. Cockerill and KPTL General Manager Craig Swope explained the lease and delay in bringing the contract to the Board. Supervisor Bennett moved to enter into a five year lease with M. B. Broadcasting Corporation for the KPTL Transmitter Site and authorize the Mayor to sign. Supervisor Tatro seconded the motion. Motion carried 5-0.

ACTION ON AGREEMENT TO ESTABLISH A BAD CHECK DIVERSION PROGRAM FOR THE DISTRICT ATTORNEY OF CARSON CITY, NEVADA (1-0769) - District Attorney Noel Waters introduced Don Mealing of American Corrective Counseling Services. They explained the program, the statutes allowing the program, and responded to Board questions on the proposal. Supervisor Fettic moved to approve the contract between Carson City and American Corrective Counseling Services for professional services. Supervisor Bennett seconded the motion. Motion carried 5-0.

ORDINANCE - SECOND READING - ACTION ON BILL NO. 143 - AN ORDINANCE ADDING CHAPTER 5.20 (OPERATION OF PUBLIC ACCESS CABLE TELEVISION CHANNEL) TO THE CARSON CITY MUNICIPAL CODE) (1-1241) - Following Mr. Cockerill's introduction which noted that Channel 35 may not always be available as a public access channel, Supervisor Swirczek moved that the Board adopt on second reading Ordinance No. 1989-44, AN ORDINANCE ADDING CHAPTER 5.20 (OPERATION OF PUBLIC ACCESS CABLE TELEVISION CHANNEL) TO THE CARSON CITY MUNICIPAL CODE. Supervisor Fettic seconded the motion. Motion carried 5-0.

3. CLERK-RECORDER - ACTION ON APPOINTMENT TO BOARD OF EQUALIZATION (1-1320) - Following Clerk-Recorder Alan Glover's introduction, discussion noted the experience needed for this position and Marvin T. Brown's short tenure on the Board. Supervisor Fettic moved that the Board approve the appointment of Marvin T. Brown to a four year term on the Carson City Board of Equalization. Supervisor

Bennett seconded the motion. Motion carried 5-0.

4. PERSONNEL DIRECTOR (1-1405)

ACTION ON APPROVAL OF THE CREATION OF THE EMERGENCY MEDICAL SERVICE MANAGER TO SUPERVISE THE EMERGENCY MEDICAL PROGRAM - Personnel Director Judy Fisher explained the request. In response to Supervisor Tatro's recommended changes, Mr. Cockerill explained the Charter stipulations that indicate only the Internal Auditor and City Manager were Board employees. Under the normal chain of command, this individual would be under the Fire Chief who is under the City Manager. Supervisor Tatro felt that the ambulance should not be under the Fire Department. Deputy Fire Chief Ted Berrum explained the role the Fire Department had played in obtaining the ambulance services and his concern regarding justification for having the fire personnel maintain/operate the ambulance service. Recruitment for additional personnel and career personnel's desire to be crossed trained for both fields were also noted. He also expressed his feeling that improvement in services had been occurring and explained how medical decisions are made. Mr. Rody explained that staff had been meeting and attempting to resolve the problems. He also explained the career opportunities if the services remain under the Fire Department.

(1-1859) Ambulance Review Committee Chairman Gail Thomssen expressed her feeling that only the Manager should be separated from the Fire Department and concern that the pay scale was inadequate. The battalion chief retirement program was discussed.

Supervisor Fettic expressed his opposition to having the position be under the direct control of the Board or be at the same level as the Fire Chief. He felt the present chain of command and cross training programs should be retained. If necessary changes could be made at any time in the future when a better alternative has been thoroughly evaluated. Discussion noted the staffing and services demanded of the ambulance. Supervisor Swirczek expressed his feeling that the problem was under control and moved that the Board approve the creation of the Emergency Medical Services Manager to supervise the Emergency Medical Program as presented by the Personnel Manager Judy Fisher. Supervisor Fettic seconded the motion. Motion was voted and carried 4-1 with Supervisor Tatro voting Naye.

ORDINANCE - FIRST READING - ACTION ON AN ORDINANCE AMENDING SECTION 2.04.400 (PUBLIC OFFICERS) OF THE CARSON CITY MUNICIPAL CODE BY ADDING THE POSITION OF FIRE MARSHALL AND BY CHANGING THE TITLE OF DEPUTY DIRECTOR, COMMUNITY DEVELOPMENT TO PRINCIPAL PLANNER (1-2121) - Following Ms. Fisher's introduction, Supervisor Fettic moved to introduce on first reading Bill No. 147, AN ORDINANCE AMENDING SECTION 2.04.400 (PUBLIC OFFICERS) OF THE CARSON CITY MUNICIPAL CODE BY ADDING THE POSITION OF FIRE MARSHALL AND BY CHANGING THE TITLE OF DEPUTY DIRECTOR, COMMUNITY DEVELOPMENT TO PRINCIPAL PLANNER. Supervisor Swirczek seconded the motion. Motion carried 5-0.

Supervisor Bennett then requested the District Attorney's office research the Statutes and determine if, in fact, the Fire Chief can be an employee of the governing body as allowed in other municipalities in the State.

5. TREASURER (1-2195)

ORDINANCE - FIRST AND SECOND READING - ACTION ON AN ORDINANCE AUTHORIZING ISSUANCE OF 4.3 MILLION IN WATER BONDS - Treasurer Ted P. Thornton explained the request and introduced Bond Counsellors John Swendseid and Jennifer Sterns, and Dorothy Roberts. He then noted the corrected pages, the bids, recommended award, and the bond market. Water Engineer Dorothy Timian-Palmer explained the list of items for which the funds would be used and how the bonds would be repaid. Discussion indicated the feeling that the City still had \$29 million in bonded capacity with \$10 million reserved. Supervisor Swirczek then moved to introduce Bill No. 148, Ordinance No. 1989-45, AN ORDINANCE OF THE

BOARD OF SUPERVISORS OF CARSON CITY, NEVADA, DESIGNATED BY THE SHORT TITLE "1989 WATER BOND ORDINANCE"; PROVIDING FOR THE ISSUANCE OF ITS REGISTERED, NEGOTIABLE, GENERAL OBLIGATION (LIMITED TAX) WATER BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES DECEMBER 1, 1989, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$4,300,000; PROVIDING THAT THE BONDS MAY BE EVIDENCED BY A SINGLE, REGISTERED BOND; STATING THE PURPOSES FOR WHICH THE BONDS ARE TO BE ISSUED; PROVIDING THE FORM, TERMS AND CONDITIONS THEREOF AND COVENANTS RELATING TO THE PAYMENT OF SAID BONDS AND THE HANDLING OF FUNDS; PROVIDING FOR THE SALE OF THE BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF ANNUAL GENERAL (AD VALOREM) TAXES FOR THE PAYMENT OF THE BONDS; ADDITIONALLY SECURING THEIR PAYMENT BY A PLEDGE OF REVENUES DERIVED FROM THE WATER SYSTEM OF WHICH THE FINANCED PROJECT IS A PART; RATIFYING ACTION PREVIOUSLY TAKEN TOWARD THE ISSUANCE OF SAID BONDS AND EFFECTING THE PURPOSE OF THEIR ISSUANCE; PROVIDING OTHER MATTERS RELATING THERETO; AND BY DECLARING THAT THIS ORDINANCE PERTAINS TO SALE, ISSUANCE AND PAYMENT OF THE BONDS, PROVIDING FOR ITS ADOPTION AS IF AN EMERGENCY EXISTS. There being no questions at this point, Supervisor Swirczek moved to adopt Bill No. 148, Ordinance No. 1989-45 as read into the record. Supervisor Fettic seconded the motion. Motion was voted by roll call with the following result: Swirczek - Yes; Fettic - Yes; Tatro - Yes; Bennett - Yes; and Mayor Teixeira - Yes. Motion carried 5-0. Mayor Teixeira then read from page 67 declaring that the motion had carried unanimously, to be signed by the Mayor, sealed and attested to by the City Clerk. Upon consideration of other matters not concerning the foregoing, and upon a motion duly made, seconded, and adopted, such meeting was adjourned.

ACTION ON TREASURER'S FINANCIAL REPORT FOR THE MONTH OF OCTOBER 1989 (1-2580) - Following Mr. Thornton's introduction, Supervisor Swirczek moved to accept the Treasurer's Financial Report for the month of October 1989. Supervisor Bennett seconded the motion. Motion carried unanimously.

BREAK: At 10:20 a.m. a five minute recess was taken. When the meeting reconvened at 10:25 a.m. a quorum was present as noted.

6. COMMUNITY DEVELOPMENT DIRECTOR

ACTION ON AUTHORIZATION TO HIRE SENIOR PLANNER AT A GRADE 35, STEP 7 (1-2627) - Community Development Director Walt Sullivan explained his recruiting problem due to the salary range. The salary savings within his budget was also noted. Surrounding salaries were explained. Mayor Teixeira outlined his reasons for feeling that all Departments were laboring under the same problem. Supervisors Swirczek and Bennett outlined their reasons for feeling that the request was justified at this time in view of the workload. Supervisor Bennett moved that the Board approve the hiring of a senior planner at grade 35 step 7 with a fiscal impact of \$31,941 and funding source being Planning Divisions Salaries Account No. 101-125-510-10110. Supervisor Swirczek seconded the motion. Motion was voted by roll call with the following results: Mayor Teixeira - No; Swirczek - Yes; Fettic - Yes; Tatro - Yes; and Bennett - Yes. Motion carried 4-1.

ACTION ON TENTATIVE MAP - SUNCHASE DIVISION - PHASE 3, 4, AND 5 (1-2984) - Mr. Sullivan explained the location, zoning, Planning Commission recommendation, findings, and conditions. The 1983 Master Plan had indicated that Sonoma Street would be a thoroughfare. Paving requirements extending thoroughfares were also noted. Public Works Director Dan O'Brien outlined the traffic report. He acknowledged the Developer's point that his subdivision would not generate enough traffic to warrant extending Sonoma, however, the extension was necessary for future development and traffic flows. Due to this future need he felt that as a minimum the Developer should be required to dedicate the street if the Board did not wish to require the Developer to make the improvements. Utility improvements were also noted.

(2-0118) Developer Jim Bawden explained that he had read the report, agreed with the recommendations, and was willing to dedicate the property for the street. Discussion ensued among the Board, staff, Mr. Bawden, and his

engineer Mark Rodder on the present dirt road which was an extension of Sonoma Street, its "illegal" use as a thoroughfare, when the utility improvements will be made, the dust problem with the dirt road, the rational used by the Planning Commission to require the improvements, reasons why the Developer felt he should not be required to make the improvements, the Developer's traffic study, the units in this phase of the project, the lack of east/west thoroughfares, fencing requirements of both phases, and the findings necessary to require the Developer to put in the street improvements. Mr. Bawden acknowledged that his firm owns all of the vacant land surrounding Sonoma and again requested justification indicating why he should be required to improve Sonoma.

(2-0870) Gene Milligan, a broker/agent for an adjacent developer, expressed his developer's support for the extension of Sonoma and that the same rational used to require his developer to extend Sonoma Street to its present location should be used to require MSB Properties to extend the street.

Mr. Cockerill reminded the Board that, if the improvements are required, findings be included in the motion. Supervisor Swirczek noted that the master plan was for the entire City rather than one small portion. Supervisor Swirczek then moved that the Board uphold the Planning Commission's recommendation to approve the tentative subdivision map S-88/89-3 with the listed conditions of approval which includes the extension and improvement of Sonoma Street to Highway 395. Upon request for amendment, Supervisor Swirczek continued his motion to include that the motion is based upon the fact that City approved the City Street and Highway, Street and Road, Master Plan, which may have been in 1983, at which time it was deemed necessary for the entire City to have this extension and not just for a particular development that may be located on this parcel of property. Upon request for further amendment, Supervisor Swirczek included in his motion that this was based on all the facts and testimony offered to the Planning Commission and Board on this subject. Supervisor Bennett seconded the motion. Mr. Bawden pointed out that there are some improvements already made to Highway 395 and that this motion only refers to the property which he owned. Clarification by Mr. O'Brien and Supervisors Swirczek, Bennett, and agreed that the motion referred to his property only and would require improvement to City standards. Motion was voted by roll call with the following result: Swirczek - Yes; Bennett - Yes; Tatro - Yes; Fettic - No; and Mayor Teixeira - Yes. Motion carried 4-1.

ORDINANCE - SECOND READING - ACTION ON BILL NO. 146 - AN ORDINANCE AMENDING CHAPTER 18.82 OF THE CARSON CITY MUNICIPAL CODE TO DELETE CLAUSES FOR WHICH REGULATIONS EXPIRED ON DECEMBER 31, 1989; TO CORRECT TECHNICAL ERRORS DEALING WITH TIME LINES; AND TO CHANGE THE REPORT OF THE GROWTH MANAGEMENT COMMISSION TO THE BOARD OF SUPERVISORS DUE DATE FROM THE FIRST MEETING IN JULY TO THE SECOND MEETING IN JULY (2-1022) - Following Mr. Sullivan's introduction, Supervisor Swirczek moved to adopt on second reading Ordinance No. 1989-46, AN ORDINANCE AMENDING CHAPTER 18.82 OF THE CARSON CITY MUNICIPAL CODE TO DELETE CLAUSES FOR WHICH REGULATIONS EXPIRED ON DECEMBER 31, 1989; TO CORRECT TECHNICAL ERRORS DEALING WITH TIME LINES; AND TO CHANGE THE REPORT OF THE GROWTH MANAGEMENT COMMISSION TO THE BOARD OF SUPERVISORS DUE DATE FROM THE FIRST MEETING IN JULY TO THE SECOND MEETING IN JULY. Supervisor Fettic seconded the motion. Motion carried 5-0.

7. PURCHASING AGENT (2-1065)

ACTION ON ACCEPTANCE OF BIDS ON HOSPITAL REAL PROPERTY (APN 8-403-17) -

Purchasing Agent Ron Wilson explained the statutory requirements for the disposal of real property. Mayor Teixeira opened the bid, read it into the record, and solicited oral bids. None were made. Supervisor Bennett moved that the Board of Supervisors accept the bid by Carson Valley Oil for Assessor's Parcel No. 008-403-17, Carson-Tahoe's property, in the amount of \$35,500. Supervisor Tatro seconded the motion. Motion was voted by roll call with the following result: Bennett - Yes; Tatro - Yes; Fettic - Yes; Swirczek - Yes; and Mayor Teixeira - Yes. Motion carried 5-0.

Supervisor Bennett then requested that all the items relating to the Airport be considered at one time.

REVIEW AND ACTION ON CHANGE ORDER NO. 1 CONTRACT NO. 8788-11 - EAGLE VALLEY GOLF COURSE MAINTENANCE BUILDING (2-1245) - Mr. Wilson explained the change order and recommendation. Supervisor Fettic moved that the Board approve the Purchasing Agent's recommendation and approve the change order to Contract No. 8889-11 to Eagle Valley Maintenance Building in the amount of \$1,700 to Lifetime Structures, 800 Old Clear Creek Road, Carson City, Nevada. Supervisor Bennett seconded the motion. Motion carried 5-0.

REVIEW AND ACTION ON CHANGE ORDER NO. 2 CONTRACT NO. 8889-11 - EAGLE VALLEY GOLF COURSE MAINTENANCE BUILDING (2-1275) - Following Mr. Wilson's explanation of the change order and recommendation, Supervisor Swirczek moved that the Board accept the Purchasing Agent's recommendation and approve Change Order No. 2 to Contract No. 8889-11 in the amount of \$569.00 to Lifetime Structures, 800 Old Clear Creek Road, Carson City, with the funding source being the Golf Course Fund No. 540. Supervisor Bennett seconded the motion and expressed her feeling the Board needed to consider the minimum standards required to have Board approval. The motion to approve Change Order No. 2 was voted and carried 5-0.

REVIEW AND ACTION ON TASK ORDER NO. 1 CONTRACT NO. 8788-55 AND 8889-6 RESPECTIVELY FOR AIP PROJECTS NO. 3-32-0004-04 (APRON) AND NO. 3-32-0004-05 (TAXIWAY) (2-1335) - Following Mr. Wilson's introduction, Consulting Engineer Phil Marshall, Finance Director Mary Walker, Mr. O'Brien, and Mr. Rody responded to Board questions on the work which was felt to be outside the original contract, reasons for the delay in bringing the matter to the Board, the City's accounting procedures, audit requirements, funding, the bidding process used for the fence improvements, and the grant time restrictions for use of the funds. During the discussion a desire was expressed by the Board to meet with staff and review the grant requirements as it related to the bidding process, construction requirements, and funding time limits. Supervisor Tatro moved that the Board accept the Purchasing Agent's recommendation and approve Task Order No. 1 to Consulting Engineering Services, Inc., 1105 Terminal Way, Suite 304, Reno, Nevada 89502; said task order was required for and directed additional services in the amount of \$3,676 for AIP Project 3-32-0004-04 (8788-55) and \$1,442 for AIP Project 3-32-0004-05 (8789-6) for an aggregate amount of \$5,118; funding source FAA Grant 93.75 percent and Airport Funds 6.25 percent. Supervisor Bennett seconded the motion. Motion carried 5-0.

REVIEW AND ACTION ON CHANGE ORDER NO. 4 TO CONTRACT 8889-36, AIRPORT TAXIWAY RECONSTRUCTION - FAA PROJECT NO. 3-32-0004-05 (2-2249) - Following Mr. Wilson's introduction, Supervisor Swirczek moved that the Board approve Change Order No. 4, Contract 8889-36, as presented by the Purchasing Agent and authorize a net increase in the contract of \$2447.36 and authorize the Mayor to execute same. Supervisor Fettic seconded the motion. Motion carried 5-0.

REVIEW AND ACTION ON CHANGE ORDER NO. 5 TO CONTRACT NO. 8889-35, AIRPORT APRON CONSTRUCTION - FAA PROJECT NO. 3-32-0004-04 (2-2286) - Following Mr. Wilson's introduction, discussion noted the 15 percent markup on the fence. Mr. Rody also explained FAA's requirement that the City approve the change order before they would sign it. The fence is completed. Supervisor Tatro moved to approve Change Order No. 5 to Contract 8889-35 for FAA Project No. 3-32-0004-04 as presented by the Purchasing Agent, authorize a net decrease in the contract of \$2,350, and authorize the Mayor to execute the same; funding source Airport Funds and FAA Grants. Supervisor Swirczek seconded the motion. Motion carried 5-0.

REVIEW AND ACTION ON ACCEPTANCE OF AND "RESULT FOR FINAL PAYMENT" CONTRACT NO. 8889-35, FAA PROJECT NO 3-32-0004-04, AIRPORT APRON CONSTRUCTION, AND CONTRACT NO. 8889-36, FAA PROJECT NO. 3-32-0004-05, AIRPORT TAXIWAY RECONSTRUCTION (2-2426) - Following Mr. Wilson's introduction, Supervisor Bennett moved that the Board approve the final payment for Contract No. 8889-35, FAA Project No. 3-32-0004-04, Airport Apron Construction, in the amount of \$48,89226 and Contract No. 8889-36, FAA Project No. 3-32-0004-05, Airport Taxiway Construction, in the amount of \$19,592.36; funding source is Airport Funds and FAA Grants. Supervisor Swirczek seconded the motion. Motion was voted and carried 5-0.

BREAK: At 11:50 a.m. a five minute recess was taken. When the meeting reconvened at 11:55 a.m., the entire Board was present constituting a quorum. Mayor Teixeira immediately recessed the meeting until 1:30 p.m. When the meeting reconvened at 1:30 p.m. the entire Board was present constituting a quorum.

10. FINANCE DIRECTOR (2-2541)

PRESENTATION OF CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING FROM THE GOVERNMENT FINANCE OFFICERS ASSOCIATION TO CARSON CITY -

Finance Director Mary Walker introduced Government Finance Officers Association President and Sparks Finance Director Robert Stout. Mr. Stout explained the purpose of the award, the criteria considered for the award, and commended Carson City on its financial reports. Mayor Teixeira accepted the award and thanked him and staff.

REVIEW AND ACCEPTANCE OF CARSON CITY'S FISCAL YEAR 1988-89 COMPREHENSIVE ANNUAL FINANCIAL REPORT (2-2822) - Mayor Teixeira introduced the item. Kafoury, Armstrong and Co. Manager Randy Kuckenmeister introduced Senior Carson City Auditor Eric Kronawetter. Mr. Kuckenmeister then pointed out the change in format and the opinion on the general purpose financial statement and explained with an overhead projector and slides several of the reports within the audit itself. These slides showed the changes in assets, liabilities, and fund equity, as well as the City's financial status during the last five years. (3-0211) He then explained the statements related to violations of the Statutes by Tourism and RSVP whereby cash overdrafts occurred and possible over expenditure of budgets by Automation, Fire Improvement Funds, Indigent Funds, Golf Course and Sewer Funds. Ms. Walker then explained that the over expenditure in the Airport Funds was due to the requirement that the City pay the contractor and then be reimbursed by FAA. The overdraft by Tourism occurred through its failure to reimburse the City for its payroll. In the future, Tourism will be required to give the City adequate funds to cover two weeks payroll. The RSVP shortage was discovered when the fund was closed. She acknowledged the Fire Improvement shortage. Indigent Funds and the augmentation were outlined. Golf Course and Sewer were due to depreciation for fixed assets. Supervisor Swirczek explained the Local Government Advisory Committee's feeling that if specified conditions are meet, an enterprise fund is not in violation of the statutes. Mr. Kuckenmeister then outlined the single audit reports found on page 168 on grants, page 169 on compliance with laws, page 171 on internal accounting controls, and page 175 noting the amount of federal monies received by the City. He then read the findings and recommendations found on page 176. This included previous recommendations and findings, and City action on those items. He then reviewed the management letter and acknowledged the award which was given to the City for its financial accounting report. Staff responded by explaining what actions had been taken to correct the items in the management letter. Supervisor Bennett requested Mr. Kulikowski provide a quarterly report to the Board indicating the status of the Justice Department trust account and that he advise the Justice Department of the need to comply with this request. Discussion also covered the present grant review process, the lack of a manager and centralized review process, and need to address this situation. Reasons for having the two District Attorney accounts and their purposes were discussed at length. It was felt that although these accounts were several years old, the external audit may not have been done for some time due to the rotation of Departments through the auditing process. Supervisor Swirczek felt that the Board should direct the termination of the accounts. Mr. Cockerill responded by explaining the statutory requirement to immediately pay for witness fees, etc. He felt that Mr. Waters could make a report in January. Assessor Kit Weaver explained the personal property assessment problems and stressed the need to rewrite his computer program which would eliminate this manual problem. His low priority status on the automation listing was noted. His "error" of \$577,000 had been based upon manual projections of the assessment over a 15 month period. He considered it to be a projection mistake and not an error. Supervisor Swirczek agreed that it was a projection error, however, stressed the need to be as accurate as possible due to the other tax considerations which used these projections. Clerk-Recorder Alan Glover explained the five accounts. He and his staff had not been aware of the federal requirement. In order to comply with the other recommendations additional personnel was needed. Mr. Kuckenmeister acknowledged that the number of points had decreased substantially since 1985 and felt that "Carson City had come a long ways in the last five years". He also noted that the City would be soliciting bids for an external auditor this year. Mayor Teixeira commended Kafoury, Armstrong on the audit and the working relationship which had been maintained between staff and the firm. No action was required nor taken on

this report.

11. REVIEW AND POSSIBLE ACTION ON STATUS REPORT ON TCI CABLEVISION OF

NEVADA (3-2457) - Carson City TCI Office Manager Carolyn Garrett distributed a brochure to the Board and Clerk. She then explained FCC ruling on SYNDEX which allows television stations to black out television programs and the affect of the ruling on local television programs. The brochure had been mailed to all customers. Notices were placed in the newspaper and articles have been announced on the radio as well as television stations. State Manager Brian Sullivan and State Marketing Director Ken Gordan were introduced. Mr. Sullivan responded to questions on what channels/programs may be blocked out and the need to evaluate the amount of blackouts versus customer programming to determine channel/programming retention/changes. Discussion included the rational used by the FCC in making the ruling and the mileage which was used to determine "local" viewing. No action was required nor taken on this report.

(4-0178) BREAK: At 3:15 p.m. a ten minute recess was taken. When the meeting reconvened at 3:25 p.m. the entire Board was present, constituting a quorum.

9. PARKS AND RECREATION DIRECTOR

ACTION ON CONVERTING PART-TIME CUSTODIAN AT THE RECREATION DIVISION TO FULL-TIME (4-0185) - Parks and Recreation Director Steve Kastens outlined Board direction on the request, the RFP's, and the feeling that a City employee could provide the service at a lower cost. Supervisor Swirczek moved that the Board approve the conversion of the part-time custodian at the Recreation Division to a full-time position. Supervisor Fettic seconded the motion. Supervisor Tatro expressed his feeling that the RFP's may have been provided for services which are above that currently provided by the City. Mr. Kastens explained the workload assigned custodians and their job performance standards. The motion to approve the conversion of a part-time custodian to full-time was voted and carried 5-0.

ACTION ON REQUEST BY VINEYARD CHRISTIAN FELLOWSHIP CHURCH TO DISPLAY A LIVE MANGER SCENE AT THE COMMUNITY CENTER ON DECEMBER 21, 22, AND 23 (4-0436) - Following Mr. Kastens' introduction, Supervisor Fettic moved that the Board approve the request from the Vineyard Christian Fellowship Church to display live manger scene at the Community Center on December 21, 22, and 23, 1989, which will also include certain secular items. Supervisor Swirczek seconded the motion. Motion carried 5-0.

ACTION ON AGREEMENT FOR TITLE AND CONTROL OF SPECIAL EVENTS EQUIPMENT (4-0486) - Following Mr. Kastens' introduction, Supervisor Swirczek moved that the Board approve an agreement for title and control of special events equipment formerly held by the Carson City Visitors and Convention Authority. Supervisor Bennett seconded the motion. Motion carried 5-0.

10. FINANCE DIRECTOR (4-0568)

REVIEW AND APPROVAL TO TRANSFER PRIOR YEAR INCREASE IN GENERAL FUND ENDING FUND BALANCE FOR SECOND YEAR CAPITAL REPLACEMENT AND UPGRADE PROGRAMS - Finance Director Mary Walker explained the request, the General Fund Ending Fund Balance increase, and reasons for her recommendation that these funds be used for only one time expenditures rather than on-going long term commitments. The Internal Finance Committee recommendations and an option were then outlined. Her explanation also noted a potential asbestos problem with the Community Center roof, which increased its repair cost from \$48,000 to more than \$200,000. Supervisor Bennett expressed her desire to have copies of the Agenda and Minutes for the Internal Finance Committee meetings and directed that this situation be corrected. Ms. Walker explained the purpose and composition of the Committee and reasons for having it. Discussion ensued on Supervisor Bennett's feeling that Board members were being excluded from the process. Supervisor Tatro then questioned whether the large amounts left in various accounts for equipment was due to a

lack of adequate Purchasing staff. He did not feel that additional staff should be hired with this money, however, recommended the use of a temporary consultant. Supervisor Swirczek noted that an assistant had been hired for this Department. Mr. Wilson expressed his feeling that he still needed additional personnel. He knew an individual, Jim Weston, who was willing to work under an hourly contract. Mayor Teixeira directed that supporting information be drafted so that the Board could consider the issue. Mr. Wilson then clarified the repair costs for the Community Center roof. Supervisor Fettic moved that the Board adopt Resolution No. 1989-R-80, RESOLUTION TO TRANSFER PRIOR YEAR INCREASE IN GENERAL FUND BALANCE TO PROVIDE FOR SECOND YEAR CAPITAL REPLACEMENT AND UPGRADE PROGRAMS AND FUTURE POTENTIAL LIABILITY CLAIMS, and to short-term contract City purchasing responsibilities. Clarification indicated that the Board would review the contract for purchasing responsibilities and that the Resolution Supervisor Fettic had read from indicated \$600,000 in one shot and had Attachment A. Supervisor Tatro seconded the motion. Motion was voted by roll call with the following result: Ayes: Fettic, Tatro, Bennett, Swirczek, and Mayor Teixeira. Nayes - None. Motion carried 5-0.

REVIEW AND APPROVAL OF RESOLUTION TO CLARIFY IMPOSITION AND ADMINISTRATION OF CARSON CITY TWO PERCENT ROOM TAX (4-1370) - Following Ms. Walker's introduction, which included SB 583, Supervisor Fettic moved that the Board approve Resolution No. 1989-R-81, A RESOLUTION CONTINUING THE IMPOSITION OF S. B. 583 TAX ON RENTAL OF TRANSIENT LODGING AT THE RATE OF TWO PERCENT, CHANGING THE METHOD OF ADMINISTERING THE PROCEEDS OF THE TAX, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Bennett seconded the motion. Motion carried 5-0.

8. PUBLIC WORKS DIRECTOR (4-1469)

STATUS REPORT ON VARIOUS PUBLIC WORKS PROJECTS (4-1787) - Mr. O'Brien introduced Deputy Public Works Director and City Engineer Tim Holman, Regional Transportation Commission Engineer Harvey Brotzman, and Water Engineer Mark Brethauer. A telephone conference interview would be held tomorrow with the applicants for the Sewer Engineer position. Discussion ensued on the Federal regulations for solid waste disposal and the compliance requirements. The Engineer Technician position had been reopened. Additionally, testing is being done on Lompa Lane. Once that is completed, the plans will be drafted, etc. Mr. O'Brien then gave a status report on the Westwood Drainage Project, handicapped parking requirements and compliance with same, and Downtown Holiday Parking Period. He then explained the status of the University Heights water pressure problems. The Water Engineer Dorothy explained the need for a valve, which requires adherence to the bidding process, and the time required to hire a contractor. Mr. O'Brien, Ms. Timian-Palmer, and Water Maintenance Superintendent Tom Hoffert explained the water pressure problems of University Heights including the need for policy direction on the amount of water pressure the City should guarantee and responsibility for providing water to homes in the higher areas surrounding the City. Discussion included potential construction delays, cost projections, reasons City employees could not do the work, and pipe/meter sizes. Mr. O'Brien explained a problem which had just become apparent wherein either the developer or his engineer had not installed the correct pipe sizes, valves, regulators, etc., as indicated on his "as built" plans. Supervisor Bennett requested a follow-up report on this matter. Recent changes in the Department now require Ms. Timian-Palmer's review of a developers' plans. Hopefully, this procedure will curtail future problems of this nature. Ms. Timian-Palmer also stressed that her Department was working hard to provide service to all residents. She felt it was unfair of the residents to circumvent her Department by complaining to the Board. Response was no quicker by following this process than to any other complaint. Mr. O'Brien then explained the progress which had occurred on the Storm Drain Master Plan and Policy Manual including reasons for the delay. A draft should be completed and ready for Mr. O'Brien's review next week. His comments included potential conflicts with other engineers which illustrated the need for criteria to spell out the details in the plan. Supervisor Bennett stressed her support for the Plan and concern based on recent flooding. Discussion also noted that it would be an expensive issue to address.

ACTION ON ACCEPTING DEDICATION OF STANFORD DRIVE WITHIN THE STANTON

PARK DEVELOPMENT AS OFFERED BY STANFORD PARK DEVELOPMENT, INC. (5-0115) - Mr.

O'Brien explained the request and noted that the streets had not been constructed but had been bonded. Discussion ensued on the widths of Cascade and Glacier Streets. Supervisor Bennett stressed her desire to be sure this issue had been rectified before accepting dedication of any other streets in this development. Mr. Cockerill noted that the City had already accepted other dedications in this development and cautioned against conditioning acceptance of this dedication based on Cascade and Glacier. Purportedly checks had been mailed to the affected residents. Supervisor Tatro moved that the Board accept the dedication of Stanford Drive and improvement plans for Stanton Park Phase X as offered by Stanton Park Development, Inc. Supervisor Fettic seconded the motion. Motion carried 5-0.

ACTION ON EXPANSION OF STORM DRAINAGE PIPE INSTALLATION (5-0285)

ACTION ON DEDICATION OF STORM DRAINAGE EASEMENT - J. W. POPHAM - Mr. O'Brien explained these items, the location, the Bankruptcy Trustee's and Mr. Popham's agreement, projected cost, and urged the Board to approve them. Supervisor Swirczek moved that the Board authorize the City to increase its share of the storm drainage installation from the Shenandoah Heights retention basins an additional 268 feet at a not to exceed cost of \$55,000. Supervisor Bennett seconded the motion. Motion carried 5-0. Mr. O'Brien then explained the funding.

Supervisor Swirczek then moved that the Board accept dedication of a storm drain easement along the north and west property lines of Assessor's Parcel No. 8-094-02 as offered by the property owner J. D. Popham contingent upon his signature on said document. Supervisor Bennett seconded the motion. Motion carried 5-0.

ORDINANCES - FIRST READING (5-0419)

ACTION ON AN ORDINANCE AMENDING SECTIONS OF CHAPTER 10.33 REGARDING SERVICE PARKING PERMITS - Following Mr. O'Brien's introduction, Supervisor Fettic moved to introduce on first reading Bill No. 149, AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER 10.33 REGARDING SERVICE PARKING PERMITS. Supervisor Bennett seconded the motion. Motion carried 5-0.

REVIEW AND APPROVAL OF WATERLINE REIMBURSEMENT ORDINANCE AND AGREEMENT FOR CHESTER AND DEBORAH BUNCH, APN 8-103-02 - 815 BUNCH WAY (5-0461) - Following Mr. O'Brien's introduction, Supervisor Bennett moved to introduce on first reading Bill No. 150, AN ORDINANCE APPROVING A WATERLINE REIMBURSEMENT AGREEMENT BETWEEN CARSON CITY AND CHESTER AND DEBORAH BUNCH, REGARDING ASSESSOR'S PARCEL NO. 8-103-02, LOCATED AT 815 RUBY LANE, CARSON CITY, NEVADA, and approval to execute the Development Agreement. Supervisor Fettic seconded the motion. Motion carried 5-0.

ORDINANCES - SECOND READING - None.

COMMUNICATIONS FROM EMPLOYEE ASSOCIATIONS - None.

CITIZEN COMMENTS - None.

12. BOARD OF SUPERVISOR REPORTS, RESOLUTIONS, AND PROCLAMATIONS (5-0498)

MAYOR TEIXEIRA, SUPERVISORS SWIRCZEK AND FETTIC - None.

SUPERVISOR TATRO - Expressed concern about the lost manhours spent while staff was waiting to discuss Agenda items and suggested that someone utilize the Board phone to notify staff when an item would be discussed. Discussion noted that timed agenda had been attempted and would be utilized again.

SUPERVISOR BENNETT (5-0536) - Mr. Rody was directed to have City policy on street lighting placed on a future agenda and requested a personnel session on the Deputy City Manager on handling of the FAA Airport Grant be held during the next meeting.

There being no other matters for consideration by the Board, Supervisor Fettic moved that the meeting adjourn. Supervisor Swirczek seconded the motion. Motion carried 5-0. Mayor Teixeira adjourned the meeting at 5:05 p.m.

The Minutes of the December 7, 1989, Carson City Board of Supervisors			
	ARE SO APPROVED ON	February_15	, 1990.
	/s/ Marv Teixeira, Mayor		·
ATTEST:			
_/s/ Alan Glover, Clerk-Recorder			