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LIQUOR AND ENTERTAINMENT BOARD MATTERS - Mayor Flammer then recessed the Board of Supervisors session and immediately reconvened the session as the Liquor and Entertainment Board. The entire Board was present, including Sheriff McGrath, constituting a quorum.

1. A. TREASURER - Ted P. Thornton - A-LB-TR-1 ACTION ON VICENTE-SAHAGUN - DOING BUSINESS AS THE BARN - 3439 NORTH CARSON STREET (1-0225) - Graciela I. Vicente-Sahagun was present to respond to questions. Member McGrath noted the Sheriff's investigation report and moved that the Board approve the Liquor License for Graciela I. Vicente-Sahagun, doing business as The Barn, 3439 North Carson Street. Member Feticc seconded the motion. Motion carried 6-0.

There being no other matters for discussion as the Liquor and Entertainment Board, Chairperson Flammer adjourned the Board and immediately reconvened the session as the Board of Supervisors. The entire Board was present constituting a quorum.

PETITION AND COMMUNICATIONS (1-0255)

1. B. JOHN HANCOCK (DC WEST) - DISCUSSION AND POSSIBLE ACTION REGARDING TASK ORDER NO. 10, CONTRACT NO. 1984-008, EAGLE VALLEY WEST GOLF COURSE UTILITY CORRIDOR - Following Mr. Hamilton's explanation of the reasons for agendizing the matter, Mr. Hancock expressed his appreciation for the Board's consideration. He then outlined his reasons for bringing the issue back to the Board, reasons he felt staff had directed the Task Order be accomplished prior to Board approval, the work involved, conflicting staff instructions, and the delay in bringing the Task Order to the Board. Supervisor Scrivner outlined his support for approving the Task Order. Mayor Flammer outlined reasons the previous Board denial had occurred. He supported Supervisor Scrivner's recommendation to approve the Task Order. Mr. Auer responded to his question that the statute of limitations on the payment had not expired. The amount is \$9,348.

(1-0535) - Richard Waiton explained his knowledge of the project. He felt that constant contact had been maintained by Mr. Hancock in an attempt to obtain payment. If the City had directed him to proceed with the work, then the City should pay him.

Mr. Hamilton noted that the Board had previously denied payment for this work. The delay in reconsidering the matter had been at Mr. Hancock's volition. Staff had not delayed the process. Mayor Flammer expressed his feeling that it was not a question of staff's lack of communication with the Board. Board discussion indicated information on this matter had just been distributed prior to the meeting. (None to the Clerk). Time to review the information was requested.

BREAK: At 9:20 a.m., a 30-minute recess was taken. When the meeting reconvened at 9:50 a.m., the entire Board was present constituting a quorum.

Supervisor Scrivner then moved that the Board authorize payment of

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\$9,348.08 to DC West Incorporated. Supervisor Fettic seconded the motion. Supervisor Fettic explained his support for the motion. Supervisor Swirczek requested a delay on the matter to allow for a comprehensive review of the facts. Discussion ensued among the Board and Mr. Hancock on reasons Mr. Hancock, as a previous City employee, had proceeded to do the work without Board approval. Mr. Hancock explained his opposition to and dislike for the task order process. Public Works Director Dan O'Brien noted that he had not reviewed the matter nor made a recommendation on it. He was notified late last week that it would be on the agenda. Five or six months ago, he had recommended that Mr. Hancock bring the issue to the Board. He had originally recommended payment. Internal Auditor Gary Kulikowski had not reviewed the item. Supervisor Swirczek recommended continuance until staff could provide a report. Supervisor Fettic then pointed out that at the time the work was performed, the City was operating on "other than normal circumstances." He could support a continuance, however, opposed to a two-week delay. Mr. Hamilton felt that all of the pertinent information was included in the Board packet. Supervisor Scrivner agreed to withdraw his motion if the matter is considered at 2 p.m. Supervisor Fettic then withdrew his second. Mayor Flammer scheduled the reconsideration for 2 p.m. Mr. Hancock was encouraged to meet with Mr. Kulikowski. If Mr. Kulikowski felt he could report to the Board on the issues prior to 2 p.m., the Board would consider the matter at that time.

ORDINANCE - FIRST READING

11. PUBLIC WORKS DIRECTOR - DAN O'BRIEN - A-01-PW-1 REVIEW AND ACTION ON AN ORDINANCE ESTABLISHING CLIENT PARKING ZONES (1-0825) - Mr. O'Brien's introduction reviewed previous Board direction on the proposed ordinance. Discussion among the Board and staff indicated the zones could be utilized in any area of the City, concern about the lack of adequate parking in the downtown area, new construction parking requirements, and the restriction on the number of spaces which would be issued to a business. (1-1092) Nannelle Thurman gave the Board a copy of her letter to Bill Madigan, Street Superintendent. (A copy was not given to the Board.) She explained her parking needs, support for the ordinance, and willingness to pay for additional spaces. Clarification by Mr. O'Brien ensued on the staff's ability to pro-rate the cost and permittee's responsibility for labor and material costs. Supervisor Scrivner felt that staff should have flexibility in assessing the permit fee in areas outside the downtown core. Mr. O'Brien did not feel that this would be a problem as all the timed zones are in the downtown area. Supervisor Scrivner explained the parking problems in his area due to the location of the State Industrial Insurance System and other State offices. Supervisor Swirczek felt that Supervisor Scrivner's questions could be resolved prior to the second reading. Supervisor Scrivner wished to have the change made at this time. Mr. O'Brien did not wish to have the fee be at the discretion of the staff. Reduced fees should meet specific criteria. He then explained that the \$200 fee had been reached by considering the average per year parking meter fee. Mr. O'Brien suggested the indicated fee be for metered parking spaces only and that unmetered areas have a separate fee. Supervisor Scrivner then moved that

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the Board introduced on first reading Bill No. 139, AN ORDINANCE AMENDING CHAPTER 10.33 BY ADDING SECTION 10.33.300 THROUGH 10.33.390 TO THE CARSON CITY MUNICIPAL CODE CHAPTER 10.33 CLIENT PARKING ZONE FEE RELATING TO CLIENT PARKING ZONES AND OTHER MATTERS PROPERLY RELATED THERETO with an amendment to Subsection 10.33.360 to add for metered parking spaces to Line 22 and another sentence of: A fee for a permit shall be \$100 per year or prorated portion of \$100 for periods less than one year for an unmetered parking space. Supervisor Swirczek seconded the motion. Discussion ensued among the Board, Mr. Waiton, Mr. O'Brien, and Mr. Auer clarifying that the parking zone would not affect resident parking zones, the fee for resident parking zones, the flexibility in limiting the number of permits to be issued, that the fee was per space, the need for amendment to the fee section, and that the permit would be issued only if an application is submitted. Supervisor Scrivner clarified his amendment to his motion to include a \$100 fee per parking space outside of the downtown area and \$200 per parking in the downtown area. Supervisor Swirczek continued his second. Motion carried 5-0.

12. FINANCE DIRECTOR - MARY WALKER - A-01-FIN-1 ACTION ON CARSON CITY MUNICIPAL CODE CHAPTER 5.10 ADDING A SECOND ADDENDUM TO CHAPTER 5.10 CAPITAL SANITATION FRANCHISE AMENDING RATES AND FRANCHISE FEE (1-1616) - Ms. Walker reviewed the addendum and impact of the proposed fee increases. (Copies of an Internal Finance Committee memo were distributed to the Board during her presentation on the CPI rates but not to the Clerk.) Capital Sanitation's Attorney George Allison commended staff on the work dedicated toward this amendment. He then explained Capital Sanitation's position on the CPI figure which should be utilized in the rate increases. His compromise was that an average between the two figures be utilized. If this average is between 3.5 and 6 percent, it would be utilized. The maximum amount would be capped at six. He included his reasons for supporting annual increases rather than large periodical increases or waiting until after a loss has occurred to seek an increase. Discussion ensued among the Board, Mr. Allison, Mr. Hamilton, Mr. Auer, and Ms. Walker on the national CPI increase, the need to compare rates with cities having a 40,000 population based, the location of Mr. Allison's amendment, need for the City Manager to verify the rate increases, how the cap would work, the attempt to establish a procedure for an annual review, the need for Nevada Tax Commission's approval of the rate, the fee increase if the Tax Commission does not agree with the modification, need for a clause reflecting this rate, the rental rate per square foot, the building at the landfill, need to change "may" to "shall" under the City Manager on page 5, and clarification added the adjustment to the CPI as discussed on page 3. Ms. Walker and Mr. Auer outlined the changes: Page 3, Line 8 would read: "as follows plus the adjustment for the CPI increase provided hereinafter in this section: If the Nevada State Tax Commission does not approve the City's fee increase, the base rate shall reflect a 3-1/2 percent increase plus the CPI adjustment."; Page 5, Line 6 change may to shall; and insert the paragraph indicated by Mr. Allison on Line 8. Supervisor Swirczek moved that the Board introduce on first reading Bill No. 140, AN ORDINANCE ADDING SECTION 5.10.030 (SECOND ADDENDUM) TO THE CAPITAL SANITATION FRANCHISE AMENDING THE RATES AND FRANCHISE FEE as adjusted and just read

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into the record by Finance Director and Deputy District Attorney and that on page 5 a provision be added as suggested by the Applicant that: Provided, however, commencing with the 12-month period beginning December 1, 1987, that the average of any three-year consecutive period of the index for all urban consumers -- other utilities and public services refuse collections -- exceeds six percent that the collection rates shall increase on the following March 1 by an amount equal to the preceding three-year average but in no event would such increase exceed six percent; such an increase will only be available once every three years. Supervisor Fettic seconded the motion.

(1-2970) Richard Waiton questioned the benefits which the residents would receive, specifically those on fixed incomes. Mr. Allison then explained for him that the CPI would include surveys of cities with a population similar to Carson City. The fees are not controlled by the Public Service Commission. Mr. Auer then explained the fee increase if the Department of Taxation doe snot agree with the increase.

The motion to introduce Bill No. 140 on first reading as modified was voted and carried 5-0.

BREAK: A 15-minute recess was taken at 11 a.m. When the meeting reconvened at 11:15 a.m., the entire Board was present constituting a quorum.

10. COMMUNITY DEVELOPMENT DIRECTOR

PLANNING COMMISSION REFERRALS - REVIEW AND APPEAL MATTERS

A-R-CDD-1 ACTION ON SUBDIVISION S-87/88-2 - PARKER - TENTATIVE SUBDIVISION MAP FOR SAGEBRUSH SUBDIVISION ON PROPERTY ZONED SF6000 AND MFD - NORTH OF BROADLEAF LANE - PLANNING COMMISSION APPROVED 7-0 (2-0032) - Mr. Hamilton explained Mr. Parker's request for a continuance. A copy of his request was given to the Clerk. Mr. Auer noted the legal limit on hearing such matters and explained that it could be continued if the Applicant requested. Supervisor Fettic moved that the Board continue Item 10 A-R-CDD-1 Action on Subdivision S-87/88-2 - Parker - Tentative Subdivision Map for Sagebrush Subdivision on property zoned SF6000 and MFD located north of Broadleaf Lane based on the communication received by the Board this morning from Mr. Parker, which requested the continuance. Supervisor Chirila seconded the motion. Motion carried 5-0.

9. WATER ENGINEER MATTERS - Dorothy Timian-Palmer - A-R-PW-4 DISCUSSION AND ACTION REGARDING THE STOKES WATER RIGHT PURCHASE OFFER (2-0030) - Mr. O'Brien noted the tri-county meeting planned for December 13 had been rescheduled for December 21. He also introduced Ted Stokes, Subconservancy District Representative Ira Rackley, and Consortium Consultant Bruce Scott. Mr. Hamilton explained his attempts to reach Douglas County Manager Adams. He had ultimately contacted the Douglas County Commission Chairperson Mike Fischer. Mr. Fischer's position is that if the City pursued acquisition of the water, it would jeopardize

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the tri-county proposal. Mr. Fischer purportedly supports the tri-county concept. Mr. Stokes then expressed his feeling that Douglas County was continuing to maintain its opposition. Merits of the cooperative tri-county concept, the original proposal for Douglas County to acquire the rights with the intent to lease to Carson City, justification for Carson City to acquire the rights including a potential transfer to the Subconservancy District, the failure by anyone to acquire the rights, and his pending application before the State Water Engineer were outlined. He questioned Douglas County's support for the tri-county concept as he felt it was merely a delaying tactic to prohibit his ability to sell the rights. He urged the Board to proceed with the acquisition and to indicate a willingness to transfer the water to the Subconservancy District once it is formalized. (2-0445) Discussion ensued among the Board, Mr. Rackley, and staff on the fragile status of the tri-county concept and how the acquisition may be viewed by Douglas and Lyon Counties. Mr. Rackley felt that the Subconservancy District would consider the acquisition if requested. Ms. Timian-Palmer suggested the Board action direct staff to proceed with the acquisition and include in the agreement a clause indicating that the water may be turned over to the tri-county agency or Subconservancy District once it is formalized. The bill draft formalizing the tri-county concept has been finished. Supervisor Chirila expressed her support for the acquisition and clause. Supervisor Chirila then moved that the Board direct the Public Works Department to proceed with the development of a water rights purchase agreement with Mr. Stokes, including a clause whereby the City would transfer such rights to the Subconservancy or ultimate tri-county agency if formalized, subject to necessary approvals. Supervisor Scrivner seconded the motion. Supervisor Fettic then outlined his desire to amend the motion. Supervisor Chirila amended her motion to include: 1. That all water rights acquired from the Stokes purchase have no restrictions on their use during the high demand period -- summer peaking -- and that no loss in priority occur; 2. That all parties will await the probable hearing and subsequent action by the State Engineer for finalization of water rights which are the subject of the permit and agreement; and 3. That, if the Stokes representations prevail before the Water Engineer, the water in question will become a part of any future agreements involving any tri-county agreement that may materialize and that staff continue to cooperate with the Subconservancy District in an attempt to bring the tri-county concept to realization and to the extent possible to continue to attempt to formalize a cooperative agreement with Douglas County. Supervisor Scrivner continued his second. (2-0701) Bruce Scott outlined his concerns about conditions which the State Engineer may place on the rights and their effect on the agreement. Supervisor Chirila felt that staff was being directed to develop an acquisition agreement. The final terms of the agreement would include the State Engineer's requirements which would require Board action. (2-0756) Mr. Stokes supported these comments. The motion to direct staff to develop an agreement as outlined was voted by roll call with the following results: Ayes - Chirila, Scrivner, Fettic, Swirczek, and Mayor Flammer. Nays - None. Motion carried 5-0. The Board commended Mr. Stokes, Mr. Rackley, and staff on their efforts.

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1. B. JOHN HANCOCK (DC WEST) - DISCUSSION AND POSSIBLE ACTION REGARDING TASK ORDER NO. 10, CONTRACT NO. 1987-008, EAGLE VALLEY WEST GOLF COURSE UTILITY CORRIDOR - CONTINUED (2-0791) - Mr. Kulikowski explained that the work had been performed at the direction of the then Mayor and Acting City Manager's direction and the practice to have the Board authorize such action following its completion. He also noted moral and legal obligations for same as well as the reasons the project was not constructed as designed. In view of the practice he recommended Board authorization of payment. Supervisor Scrivner rested his motion as being that the Board authorize the payment of \$9,348.08 from the construction fund to DC West for work performed under Task Order 10, Contract 1987-008, Eagle Valley West Golf Course Utility Corridor. Supervisor Feticc seconded the motion. Motion was voted by roll call with the following result: Scrivner - Yes; Feticc - Yes; Chirila - No, even though the work was apparently done, it was work that was not authorized by the Board of Supervisors, proper procedure was not followed, and she did not feel that the public should pay for improperly authorized work, the Applicant may argue he relied upon the go ahead given by the Mayor and Acting City manager, but all parties involved were fully aware that Board authorization was needed, despite this the Applicant proceeded with the work, and in her opinion, fully assumed the risk involved, therefore, she voted not; Supervisor Swirczek - No; and Mayor Flammer - Yes. Motion carried 3-2.

10. COMMUNITY DEVELOPMENT DIRECTOR (3-0922)

A-R-CDD-2 REVIEW AND ACTION REGARDING CARSON HOT SPRINGS RECREATIONAL VEHICLE PARKING - Community Development Director Sullivan distributed copies of a memo to the Board regarding a December 8 meeting with Mr. Langston's counsellor Wayne Chimarusti. (None to the Clerk.) He then outlined staff's public health concerns in the recreation vehicle park and the agreement reached on additional facilities. He noted the conflict between Deputy District Attorney Bob Auer and Mr. Chimarusti over the grandfathering clause. (2-1005) Mr. Chimarusti explained their position that the recreation park was allowed in this zone, the history of the park and that the park should continue to operate at the location as it was in operation before CCMC 15.24 was adopted. Further, as no charges were being made to that use, the staff's requirement that upgrading be made was unreasonable. Mr. Auer explained his reasons for feeling that the matter was not one of zoning but rather a health and safety concern. Grandfathering is allowed only under the zoning ordinances and not the health and safety codes. Legal precedence in Nevada had not established whether it was necessary to upgrade other code requirements which were adopted after the initial use was established. Mr. Chimarusti then explained the utilities available at the park. The clientele utilizing the facilities could ill afford the cost of other parks. If Mr. Langston makes the improvements and raises the rent to pay for those improvements, these tenants would return to the places along the river, casino parking lots, etc. Clarification indicated the park was on three acres and had 60 spaces. Preliminary cost and plans were considered at one time to comply with the City Code. Mr. Sullivan explained that the park license lapsed between 1981 and 1983. The Code

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requirements were adopted in 1975. Mr. Chimarusti explained how the lapse in the park business license occurred. Treasurer Office Supervisor Merlene Alt explained the licensing requirements. She had not determined when the park was originally licensed prior to 1978 even though she had searched as far back as 1963. Supervisor Scrivner expressed his feeling that the park had been in operation since the early 1960s. Richard Langston responded to Supervisor Scrivner's questions on his upgrading the buildings and installation of markers for spaces. There are plans to do asphalt work, plant trees along Hot Springs Road for a buffer, have some grading work done, and provide a place for the residents to obtain water. The dump station location was explained. Supervisor Swirczek acknowledged the need for a place for the homeless to reside, however, questioned the health and safety conditions of the facility. He urged Mr. Langston to make improvements within four months. If not accomplished, staff was directed to bring the matter back to the Board for further consideration. Mr. Langston explained that ten years ago the cost to meet all of the City requirements had been in the "hundreds of thousands of dollars." The tenants currently pay \$100 a month. The improvements would make the rent \$225 a month which is more than they can handle. He was willing to provide trees for screening and shade for the tenants. If he made major improvements to the pool area, the same would occur with those users. He expressed a willingness to make some improvements and work with Mr. Sullivan. Supervisor Swirczek continued to stress his feeling that the improvements were needed and urged Mr. Langston to continue to work with staff to resolve the problems. His problems with the park were related to the Code standards which are required of all parks, which he felt Mr. Langston should meet also. Mr. Langston then explained that his request was for the Board to allow him to work with staff and make minor improvements. Clarification indicated that although several responses indicated that if capital was raised, his willingness to raise it, and make the improvements, attempts had not been made to obtain the capital. If capital improvements are done, the rents would be raised. The present tenants could ill afford these increases. Clarification indicated that Mr. Langston resided on the premises. Supervisor Fetic stressed the desire to see the area improved, which Mr. Langston felt was being done. Mayor Flammer then directed the Community Development Director and the Health Director to continue checking into the situation and that the Board will make a decision on requiring conformity in the near future. Supervisor Swirczek suggested that this issue be considered at the second meeting in January due to the need to determine whether this is an RV park or place for the homeless and may require a different license. No formal action was taken.

BREAK: A lunch recess was declared at 12:15 p.m. When the meeting reconvened at 2:05 p.m., the entire Board was present.

13. CITY MANAGER REPORTS, RESOLUTIONS, AND BOARD DIRECTIVES (2-1931)

AMBULANCE REVIEW COMMITTEE - A-R-CM-4 DISCUSSION OF PRELIMINARY RECOMMENDATIONS CONCERNING AMBULANCE SERVICES IN CARSON CITY - Mr. Hamilton began the discussion by explaining the establishment of an Ambulance Review Committee, its composition, and the reasons a

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preliminary report was being submitted at this time. He noted the Committee's recommendation which would necessitate Board action extending the present Ambulance Contract for six months. He then introduced Ambulance Committee Chairperson Gale Thomssen. Ms. Thomssen briefly reviewed the report. She and Mr. Hamilton then responded to Board questions on potential funding mechanisms including a 318 District, potential bidders, current management problems, need for reorganizing the operation, desire to present alternatives in January, feasibility of having more than one service or private company in Carson City, problems incurred with past private services, current general fund support for the service, and reasons for needing a six-month extension on the contract. (3-0055) Deputy Fire Chief Ted Berrum explained his feeling that the management problems had been addressed. He recommended a coordinator be retained who could function between the Hospital, City, and Paramedics. Firefighter Paramedic Scott Johnson elaborated on the Medical Control Advisory Board and supported retention of a coordinator. Undersheriff Vic Freeman explained his role on the Committee and the role the Sheriff's Department was willing to take when minor medical emergencies arise which is conditioned upon adequate training being provided. He cautioned the Board about the cost of such a program and emphasized the duties a deputy is already required to perform when a call is received. Discussion ensued among the Board and staff on reasons a ballot question on a tax override was not being sought, potential funding from current taxes, the necessity to seek electorate approval if an increase is needed, and whether current staff could function as the coordinator. Ms. Thomssen outlined some of the concerns which the 318 would handle. Supervisor Fettic requested the Committee analyze the need for a coordinator and potential management problems which contribute to the ambulance's financial problems. He outlined his support for a 318. Supervisor Chirila suggested that an alternative funding mechanism be included in the report which would address the problem if a 318 is not authorized. Mr. Hamilton stressed that the report would include alternatives. Supervisor Chirila also requested the current tax funding be outlined in the report. No formal action was taken on this item.

A-R-CR-2 ACTION ON THIRD ADDENDUM TO AMBULANCE AGREEMENT TERM TO JUNE 30, 1989 (3-0490) - Mr. Hamilton introduced Carson-Tahoe Manager Tom Collier and Mr. Winnie. Discussion noted that if the six-month extension is not adequate, the Board would consider another extension. Supervisor Fettic moved that the Board approve the third addendum to the Ambulance Agreement to June 30, 1989. Supervisor Swirczek seconded the motion. Motion carried 5-0. Mayor Flammer commended all on the report.

2. CLERK-RECORDER - Alan Glover

A-R-CR-1 ACTION ON PA SYSTEM CONNECTIONS FOR THE MEDIA (3-0535) - Mr. Glover's introduction included the pros and cons of the request. Discussion ensued among the Board and Mr. Glover concerning Howard Cadot's request for a press connection to the PA system. Supervisor Scrivner voiced his objections. Mayor Flammer suggested the request be continued for the new Board. Comments noted this would provide a means of having the public be more aware of the Board and its decision-making

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process. Mayor-Elect Marv Teixeira and Supervisor-Elect Kay Bennett urged the Board to approve the request if the procedure would not affect the meeting as it would better inform the public. Supervisor Fetic moved that the Board approve the PA system connections for the media and that said connections be done at their own expense and under direction of the Board of Supervisors in a manner not to interfere with the orderly conducting of the public's business. Supervisor Swirczek seconded the motion. Motion carried 5-0.

A-R-CR-2 ACTION ON CLOSURE OF RECORDS RELATED TO THE GENERAL OBLIGATION BOND QUESTION FOR THE PUBLIC SAFETY COMPLEX AND THE PUBLIC SAFETY BUILDING PROJECT TAX OVERRIDE QUESTION (3-0755) - Supervisor Fetic moved that the Board adopt Resolution No. 1988-R-71, A RESOLUTION DESIGNATED BY THE SHORT TITLE "CANVASS RESOLUTION"; DECLARING THE RESULTS OF AN ELECTION HELD WITHIN CARSON CITY, IN THE STATE OF NEVADA, ON THE GENERAL OBLIGATION PUBLIC SAFETY BUILDING PROJECT TAX-OVERRIDE QUESTION, SUBMITTED AT THE SPECIAL ELECTION HELD AT THE SAME TIME AS AND CONCURRENTLY WITH THE GENERAL ELECTION ON TUESDAY, NOVEMBER 8, 1988, TO THE QUALIFIED ELECTORS OF THE CITY; PROVIDING OTHER MATTERS RELATING THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF and filling in all appropriate language. Supervisor Swirczek seconded the motion. Motion carried 5-0.

3. SHERIFF - Paul McGrath

A-R-SHF-1 DISCUSSION OF FUNDING FOR SHERIFF'S OFFICE RETROFITTING (3-0808) - Discussion among the Board and staff explained the current lack of available funding and possible funding from the State Tax Commission. Ms. Walker suggested the matter be continued until January 5th when a resolution directing staff to approach the State Tax Commission could be considered. No formal action was taken.

A-R-SHF-2 ACTION AUTHORIZE ONE (1) COOK POSITION FOR THE JAIL (3-0965) - Discussion emphasized the desire to have a competent cook, the current meal preparation procedure, the need for nutritional food to be served, correctness of the salary projections, the Sheriff's proposal to hire a part-time cook, and the Board's desire to consider the request during the budget process. Sheriff McGrath explained for Supervisor-Elect Bennett that the cost per inmate made it infeasible to contract with State Prison facilities for meals. Discussion also noted that the cost to contract with Carson-Tahoe Hospital was also prohibitive. Supervisor Swirczek moved that the Board approve the necessary funding for the remainder of fiscal year 88-89 to employ within the Technical Services Division a Jail Cook for meal preparation for confined inmates, this authorization is dependent upon salary savings in all sheriff's budget categories for fiscal year 88-89 with the understanding that the position is temporary and may become permanent depending upon available funding in the next budget year. Supervisor Scrivner seconded the motion. Motion carried 5-0.

4. TREASURER - Ted P. Thornton

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A-R-TR-1 ACTION ON REFUND AND REMOVAL OF TAXES FROM 1988-89 TAX ROLL DUE TO STATE OF NEVADA ACQUISITION OF PROPERTIES (395 BYPASS) (3-1278) - Supervisor Fettic moved that the Board approve refunding to the list of property owners due to the State of Nevada acquisition of a portion of their property through condemnation proceedings and remove the taxes from the roll on partial taxes due as well as approval of new billings to be sent for parcel numbers 2-391-20 for \$40.49, 2-391-22 for \$12.13, 2-391-23 for \$4.55, and 2-391-18 for \$57.17, for a total of \$114.34. Supervisor Swirczek seconded the motion. Motion carried 5-0. Mr. Thornton then outlined the legal process followed for condemnations.

A-R-TR-2 ACTION ON TREASURER'S MONTHLY REPORT FOR NOVEMBER 1988 (3-1368) - Discussion referenced the City's audit report which noted that the City is in control of the CDs. Supervisor Swirczek moved that the Board accept the Treasurer's monthly report as presented for November 1988. Supervisor Fettic seconded the motion. Motion carried 5-0. Mr. Thornton noted the interest income increase.

5. FINANCE DIRECTOR - Mary Walker - A-R-FIN-1 ACTION ON CHECK DISBURSEMENT REGISTER FOR NOVEMBER 1988 (3-1390) - Internal Auditor Kulikowski explained his review. Supervisor Swirczek moved that the Board approve the Check Disbursement Register for November 1988 based upon the review made by the Internal Auditor. Supervisor Fettic seconded the motion. Motion carried 5-0.

6. PURCHASING AGENT - Ron Wilson

A-R-PUR-1 ACTION ON CONTRACT 8788-91 - FINAL PAYMENT FOR LIBRARY HVAC CONSTRUCTION (3-1428) - Supervisor Fettic moved that the Board approve the Request for Final Payment to Contract No. 8788-91 and authorize the Purchase Agent to issue payment to Independent Sheet Metal, Inc., in the amount of \$16,331.52. Supervisor Swirczek seconded the motion. Motion carried 5-0.

A-R-PUR-2 ACTION ON CONTRACT 8889-79 - REQUEST FOR CONTRACT APPROVAL TO PURCHASE A USED MOTOR GRADER (3-1475) - Street Superintendent Bill Barker responded to Board questions on the need for another grader; mechanical problems, maintenance and use of the old grader; and condition of the used grader. Supervisor Fettic moved that in reference to Contract 8889-79 that the Board declare the request to purchase a used motor grader exempt from the competitive bidding requirements of Nevada Revised Statutes Chapter 332 and Local Government Purchase Act and the Carson City Resolution No. 1983-R-36 for reason No. 11 -- other goods and services which are not subject to the requirements of competitive bidding as determined by the governing body or its authorized representative as it is "Used Equipment." Supervisor Swirczek seconded the motion. Motion carried 5-0.

Following discussion between Supervisor Swirczek and Ms. Walker on the funding source, Supervisor Swirczek moved that the Board authorize the Purchasing Agent to issue a purchase order to Cashman Equipment Company, P.O. Box 7520, Reno, Nevada, for the purchase of the equipment, which is

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a used Motor Grader, Contract No. 8889-79, in an amount not to exceed \$59,500, funding for this purchase is from the Gas Tax Monies, particularly in line with SB 73 and restricted to this purpose. Supervisor Fettic seconded the motion. Motion carried 5-0.

7. AUTOMATION SERVICES DIRECTOR - Pam Case - DATA PROCESSING COMMITTEE - A-R-AUT-1 DISCUSSION OF ALTERNATIVES FOR PHASE NO. 1 FOR AUTOMATION NEEDS UNDER S.P.A.N. (3-2033) - Ms. Case explained the Board's November direction to analyze additional alternatives to the acquisition of an IBM AS400. (Supervisor Chirila stepped from the room at 3:35 p.m. A quorum was still present.) Reasons her staff felt the additional alternatives were not viable were outlined. Due to the desire to have the "New Board" act on the proposal, no action was taken. (Supervisor Fettic stepped from the room at 3:36 p.m. A quorum was still present.)

8. ANIMAL SERVICES DIRECTOR - Mike Conklin - A-R-ANI-1 STATUS REPORT ON ANIMAL SERVICES (3-2132) - Direction was sought as to whether the Board wished for Mr. Conklin to reinstitute his monthly activity reports. Mr. Conklin responded to Board questions on whether the City needed to have a 24-hour staff and his current staffing level. Mayor Flammer commended Mr. Conklin and his staff on their efforts. (Supervisors Chirila and Fettic returned at 3:38 p.m. A quorum was present as previously noted.) Mr. Hamilton commended him on the report illustrations. Discussion ensued on the need for cooperation between the Sheriff's Department and Animal Services, amount of training required for an officer, and staffing needs as indicated by the complaints and funding. Mr. Auer commended Mr. Conklin on his cooperation when responding to requests for assistance. (3-2775) Gale Thomssen explained her offer to serve on a volunteer committee when the animal problems arose last summer. Two others had also offered to serve. No one had ever contacted her about the committee. Mr. Conklin expressed his feeling that the committee had not been established. There was a status report only, therefore, no action was taken.

9. PUBLIC WORKS DIRECTOR - Dan O'Brien

A-R-PW-1 ACTION ON DEDICATION OF A PORTION OF LA LOMA, GORDONIA, AND MONTE ROSA DRIVES BY CARSON CITY SCHOOL DISTRICT (3-2825) - Pulled.

A-R-PW-2 ACTION ON DEDICATION OF GENTRY LANE EXTENSION AND DAWN CIRCLE (SHADOW HILLS, UNIT NO. 2) (3-2840) - Supervisor Fettic moved that the Board accept Dawn Circle and the portion of Gentry Lane, subject to the requirements and conditions placed on the Tentative Map of Shadow Hills Unit No. 2. Supervisor Swirczek seconded the motion. Motion carried 5-0.

WASTEWATER TREATMENT AND DISPOSAL FACILITIES MATTERS - A-R-PW-5 ACTION ON CHANGE ORDER NO. TO CONTRACT I-3, DARLING RANCH IRRIGATION SYSTEM (A AND K EARTHMOVERS) (3-2888) - Clarification indicated Lew Nagy and the Resident Inspector had verified the need for the Change Order. Supervisor Swirczek moved that the Board approve Change Order No. 3 to Contract I-3 to A and K Earthmovers, Inc., increasing the amount of the

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contract by \$8,590.08 and authorize the Mayor to sign such an agreement; funding source Sewer Fund 510, which is also eligible for grant reimbursement. Supervisor Scrivner seconded the motion. Motion carried 5-0.

10. PLANNING COMMISSION REFERRALS - CONSENT MATTERS - A-R-CDD-3 ACTION ON VARIANCE V-88/89-4 - CONESTOGA BUSINESS CENTER - VARY FROM MINIMUM REAR YARD SETBACK ON AIP - 2701 CONESTOGA - PLANNING COMMISSION APPROVED 7-0 (3-2999) - Mr. Hamilton read the item into the record. Supervisor Fettic moved to approve as read into the record by the City Manager. Supervisor Swirczek seconded the motion. Motion carried 5-0.

13. CITY MANAGER REPORTS, RESOLUTIONS, AND BOARD DIRECTIVES (3-3041)

OFFICE OF THE JUSTICE OF THE PEACE

A-R-CM-1 DETERMINATION OF SELECTION OF REPLACEMENT JUSTICE OF THE PEACE BY APPOINTMENT OR SPECIAL ELECTION

A-R-CM-2 DETERMINATION OF PROCEDURE FOR APPOINTMENT - Judge John Ray's resignation, the District Attorney's opinion, and District Court Judge Fondi's letter were noted. Discussion noted the effective date and time of the resignation, Juvenile Master Robey Willis' experience, cost to hold a special election, estimated turnout for a special election, and need for a temporary appointment who would serve until a special election is held. Supervisor Scrivner recommended Mr. Willis' appointment. Judge Ray also supported Mr. Willis. Mr. Willis had indicated a desire to serve. Supervisor Fettic moved to select the option of appointment to fill the vacant seat of Justice of the Peace John Ray which will be open at 12:01 a.m. January 1, 1989, and outlined his reasons. Supervisor Scrivner seconded the motion. Motion carried 5-0.

Supervisor Scrivner then moved that the Board appoint Robey Willis to fill Justice of the Peace John Ray's position effective January 1, 1989. Supervisor Swirczek seconded the motion. Motion was voted by roll call with the following result: Ayes - Swirczek, Fettic, Chirila, Scrivner, and Mayor Flammer. Nays - None. Motion carried 5-0.

BREAK: At 4:05 p.m., a fifteen-minute recess was declared. When the meeting reconvened at 4:20 p.m., the entire Board was present constituting a quorum.

GRAND JURY REPORT/RESPONSE - A-R-CM-3 FINAL REVIEW, DISCUSSION, AND ACTION REGARDING SECTION 5 (GENERAL FINANCIAL RECOMMENDATIONS) OF THE GRAND JURY REPORT AND STAFF RESPONSE (4-0275) - Mr. Hamilton noted the report and staff's responses. Discussion noted the Board had had the complete packet for some time. The public had had access to the same information since before the Board's first meeting on the responses last spring. (4-0325) Mayor-Elect Marv Teixeira agreed that the information was "old" and noted that a majority of the Grand Jury recommendations had already been addressed. He then elaborated on No. 15 which is on the

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golf cart improvements which he felt should have been addressed by the contractor. Mr. Auer noted that Mayor-Elect Teixeira's comments should be addressed under Citizen Comments and not under this item as it was not included in Section 5 of the Grand Jury Report. (4-0390) Tom Kunkle explained the changes made to No. 10's turnaround. No. 14 still needs to be addressed. All the cart paths will be modified in the near future with the remaining bond funds. He did not feel that the contractor should be held liable for the changes. Discussion ensued between Mayor-Elect Teixeira and Mr. Kunkle on the change order for these modifications. Supervisor Scrivner expressed his desire to do the cart paths and improve these two turnarounds during the off season. His comments stressed the liability concerns and damage occurring at these turnarounds. Mr. Kunkle outlined temporary resolutions. Mr. Wilson explained the status of getting the golf cart contract out to bid. Mr. Auer reminded the Board to attempt to stay with Section 5 of the report. Discussion ensued among the Board, Mayor-Elect Teixeira, and Supervisor-Elect Bennett on No. 75 about providing information to the new Board members and attempts to bring them up to speed. Mr. Hamilton noted that a final report would be compiled at the staff meeting tomorrow. Discussion noted that there were several items which need to be revisited as they had been "preliminary recommendations." Supervisor-Elect Bennett suggested that these items be included in the discussion for the goals and objectives session. Mr. O'Brien noted that staff was still working on some of the items and continuing to refine changes/recommended procedures. Clarification indicated that the City was no longer paying consultants to prepare task orders. Mr. Thornton referred to Items 63, 71, 72, 73, and 74. These emphasized the need for continued support for automation and warranted budget considerations. Supervisor Fettic suggested that the Board discuss the ramifications of Question 12's failure at the second meeting in January. Ms. Walker agreed to include this information on that Agenda and suggested that the budget sessions begin in mid-February. Discussion ensued on the Board's feeling that the file should not be closed, however, emphasized the need for the Board to accept the reports. Supervisor Fettic then moved that the Board accept the responses to the Grand Jury Questions and Recommendations as prepared to date and that there will be further discussions on these at a later date. Supervisor Scrivner seconded the motion. Following discussion of the need to discuss some of the items further, Supervisor Fettic withdrew his motion and Supervisor Scrivner withdrew his second. Supervisor Fettic then moved that the Board accept the staff's responses to the Grand Jury Questions and Recommendations and recognizing that there are various ones which are yet to be completed. Supervisor Swirczek seconded the motion. Motion carried 5-0.

VARIOUS BOARDS, COMMITTEES, AND COMMISSION - A-R-CM-6 STATUS REPORT ON VARIOUS BOARDS, COMMITTEES, COMMISSIONS, ETC., AND REQUEST FOR DIRECTION CONCERNING VACANCIES, BOARD AND STAFF ASSIGNMENTS, AND SOLICITATION OF LETTERS OF INTEREST FROM CITIZENS (4-0915) - Supervisor Fettic suggested the matter be continued until January so that the new Members can be involved. Clarification indicated it was a status report and would not involve Board action. Mayor-Elect Teixeira supported continuance and explained how he perceived the appointments would be

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handled. No action was taken on this item.

OTHER MATTERS (4-0995) - Mr. O'Brien informed the Board that the two hour parking time limit for metered areas would not be enforced between December 19 and January 2 under the annual Christmas policy. Handicapped spaces, fire lanes, and loading zones would be enforced.

CITIZEN COMMENTS (4-1005) - Bob Tobias, as a member of the Golf Advisory Committee, wished all a Happy Holiday. Supervisor Fettic noted that Richard Waiton had had to leave, however, had asked Supervisor Fettic to wish staff and the Board Happy Holidays for him.

DETERMINATION/ANNOUNCEMENT OF FUTURE MEETINGS, DATES, AND TIMES (4-1045)
- Discussion ensued on Board meetings/activities on January 2 and 5.

There being no other matters for discussion, Supervisor Fettic moved to adjourn. Supervisor Swirczek seconded the motion. Motion carried 5-0. Mayor Flammer adjourned the meeting at 5 p.m.

NOTE: The items scheduled for the evening session had been continued/pulled.

The Minutes of the December 15, 1988, Carson City Board of Supervisors meeting

ARE SO APPROVED ON January 30, 1992.

_____/s/_____
MARV TEIXEIRA, Mayor

ATTEST:

_____/s/_____
KIYOSHI NISHIKAWA, Clerk-Recorder