

CARSON CITY BOARD OF SUPERVISORS
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A regular meeting of the Carson City Board of Supervisors was held on Thursday, July 2, 1987 at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 9:00 a.m.

MEMBERS PRESENT: Dan Flammer Mayor
E. M. "Doc" Scrivner Supervisor, Ward 4
Ron Swirczek Supervisor, Ward 1
Tom Feticc Supervisor, Ward 2
Marilee Chirila Supervisor, Ward 3

STAFF PRESENT: L. H. Hamilton City Manager
Ted P. Thornton Treasurer
Paul McGrath Sheriff
Alan Glover Clerk-Recorder
Jack Fralinger Health Director
Charles P. Cockerill Chief Deputy Dist. Attorney
Katherine McLaughlin Recording Secretary
(B.O.S. 6/18/87 Tape 1-0005)

Mayor Flammer called the meeting to order by leading the Pledge of Allegiance. Roll call was taken and a quorum was present.

IV. APPROVAL OF MINUTES (1-0019) - March 19, 1987

Supervisor Scrivner moved to approve the Minutes of March 19, 1987, as presented. Supervisor Feticc seconded the motion. Motion was voted and carried 5-0.

AGENDA MODIFICATIONS (1-0025)

Items VII. A. 3. and 4., the Room Tax and Ad Valorem Tax, would be heard at 1:30 p.m. Items VII. F. 1. g. and i., Mentors Unlimited Special Use Permit, Wood Variance, Gump Variance, and VII. F. 2. b., K-Mart Amendments, had been pulled. Item IX. A. 3., El Aero Lease Addendum, and Item IX. C. Appointment of Golf Course Manager, had been continued. Item IX. B., Nevada Home Health Services Agreement, was scheduled for 10:30 a.m.

V. PETITIONS AND COMMUNICATIONS (1-0065)

Mayor Flammer recessed the Board of Supervisors Session and immediately reconvened the hearing as the Liquor and Entertainment Board. A quorum was present including Sheriff McGrath.

A. LIQUOR AND ENTERTAINMENT BOARD MATTERS

1. **PISIEWSKI (FOURTH OF JULY COMMITTEE) - ENTERTAINMENT PERMIT AND REQUEST FOR WAIVER OF FEES FOR FOURTH OF JULY ACTIVITIES AT MILLS PARK**

Lee Pisiewski explained the request for a waiver of fees due to the slow rate donations were being received. Part of this problem was the direct result of incorrect newspaper reports. Mr. Hamilton explained the problems encountered in attempting to establish a fee waiver policy. Mr. Pisiewski explained the feeling that the fireworks were a community benefit and function. Funds generated by this year's fireworks would be solely allocated toward next year's display. Member Feticc moved to approve the waiver of fees for the permit for the Fourth of July Committee as this is a community benefit. Member Swirczek seconded the motion. Clarification indicated the need to have the motion contingent upon receipt of the insurance certifications. Member Feticc amended his motion to approve the waiver of fees contingent upon presentation of the appropriate insurance endorsements and

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that the fee waiver be restricted to not exceed \$600. Member Swirczek continued his second. Clarification indicated that the Entertainment Permit was waived but not the Liquor Licenses nor the individual booth business licenses. Chairperson Flammer expressed his feeling that the Board itself should establish a fee waiver policy. The motion to grant a fee waiver of not more than \$600 was voted by roll call with the following result: Ayes - Fetic, Swirczek, Chirila, Scrivner, Chairperson Flammer, and McGrath. Nays - None. Motion carried unanimously and so ordered.

2. MAILLOUX (CARSON CITY SEARCH AND RESCUE) AND DAUGHTERY (GATTI PRODUCTIONS) - BUSINESS SHORT-TERM PERMIT FOR CIRCUS AT CARSON JUNIOR HIGH SCHOOL ON JULY 29-30, 1987

Bob Mailloux and Bill Daughtery noted that the circus was the same one that had performed the last five or six years. Member Fetic then moved to approve the Short-Term Entertainment Permit for a circus for the Carson City Search and Rescue. Member Swirczek seconded the motion. Motion was voted and carried 6-0.

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

B. CARSON CITY SCHOOL DISTRICT - NOTIFICATION OF RESOLUTION ESTABLISHING SEPARATE BUILDING AND SITE FUND ACCOUNT - (1-0476)

Mr. Thornton explained the request and that Board action was not required.

C. SHENE - REQUEST FOR WAIVER OF FEE FOR RESIDENT ONLY PARKING PERMIT - (1-05150)

Ms. Shene was not present. Mr. O'Brien explained that Senior Citizens could request a waiver of the fees for Resident Only Parking Permit; however, he was recommending that the \$25 costs be paid by the resident, a \$35 refund be issued, and that the Code be amended to \$25. Supervisor Scrivner moved to refund the amount as recommended by the Public Works Director of \$35 and directed that a true cost be determined and included in an ordinance modification. Supervisor Swirczek seconded the motion. Motion was voted and carried 5-0.

VI. RESOLUTIONS (1-0633)

A. TREASURER

1. REQUEST FOR PUBLIC RECORDS DISPOSAL (DATED 6-17-87 - MARRIAGE APPLICATIONS>)

Supervisor Fetic moved to adopt Resolution 1987-R-65,A RESOLUTION AUTHORIZING THE DESTRUCTION OF ORIGINAL RECORDS, Marriage Applications numbered 82332-087455, 87456-94075, 111045-120693, 120694-130941, 130942-142166, 142167-152799, and 76774-83133. Supervisor Swirczek seconded the motion. Motion was voted and carried 5-0.

2. SEWER AGREEMENT BETWEEN CARSON CITY AND CARSON INDIAN COLONY - (1-0703)

Treasurer Thornton, Chief Deputy District Attorney Cockerill, Tribal Representative Art Hannafin, and Washoe Tribal Chairperson Vernon Wyatt explained previous Board and Council discussions, the need to continue the matter, and the hope that the agreement would be the beginning of a long-term working relationship between the

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entities. Tribal Counselor Jim O'Reilly was introduced by Mr. Hannafin. The Tribal Council would review and, hopefully, approve the agreement on July 10. The Board would review and, hopefully, approved the agreement on July 30. The effective date would be August 7. The Board commended Mr. Hannafin and Mr. Wyatt on their efforts to resolve the matter. Supervisor Feticc moved to approve in concept the sewer agreement between the Carson Indian Colony and Carson City. Supervisor Swirczek seconded the motion. Motion was voted and carried 5-0.

B. HEALTH DIRECTOR - RENEWAL OF AGREEMENT BETWEEN CARSON CITY GARY DANKWORTH, M.D. - CITY PHYSICIAN CONTRACT - (1-0968)

Health Director Jack Fralinger explained the request to extend the contract for another year at the same terms. Supervisor Feticc moved to renew the Physician's Contract with Gary **Dankworth, M.D., for the period July 1, 1987 through June 30, 1988. Supervisor Swirczek seconded the motion. Motion was voted and carried 5-0.**

C. PURCHASING AGENT - LEASE PURCHASE AND DESIGNATION OF QUALIFIED TAX EXEMPT OBLIGATION (1-0997)

Purchasing Agent Ron Wilson explained First Interstate Leasing and Internal Revenue Services requirement for the lease/purchase of the golf carts and Toro maintenance equipment, which was authorized by the Board on June 25. Supervisor Scrivner expressed his concern about having to purchase the equipment when the opening date for the course and its financial position were unknown. Supervisor Feticc moved to adopt Resolution No. 1987-R-66, **A RESOLUTION RELATED TO AN DESIGNATION AS QUALIFIED TAX-EXEMPT OBLIGATION.** Supervisor Swirczek seconded the motion. Motion was voted and carried 5-0. Mr. Cockerill noted that he had reviewed the document and would sign as the City's legal counselor.

D. GOLF COURSE ADVISORY COMMITTEE - REQUEST FOR APPROVAL OF RECOMMENDED NAME FOR THE NEW GOLF COURSE (1-1151)

Following Parks and Recreation Director Steve Kastens' introduction, Supervisor Scrivner moved the name the courses Eagle Valley West and Eagle Valley East as indicated. Supervisor Swirczek seconded the motion and explained why the recommendations were made. Discussion ensued on these reasons. The motion was voted and carried 5-0.

E. PUBLIC WORKS DIRECTOR (1-1238)

1. REQUEST FOR PUBLIC RECORDS DISPOSAL (DATED 7-15-86 - VARIOUS)

Supervisor Swirczek moved to authorize the custodian of records to destroy the records designated in the "Schedule of Records to be Destroyed" and to adopt Resolution 1987-R-67, **1 A RESOLUTION AUTHORIZING THE DESTRUCTION OF ORIGINAL RECORDS, E.G., Supplemental Parking Tickets issued fiscal year 80-81, APWA Miscellaneous File 1984, APWA Miscellaneous File 1980, Miscellaneous Building Site Files, Miscellaneous Water Files, Miscellaneous Parking, Traffic, and Transportation Files, and Permanent Correspondence.** Supervisor Scrivner seconded the motion. Motion was voted and carried 5-0.

2. REGIONAL TRANSPORTATION COMMISSION ITEMS

a. DIAGNOSTIC EQUIPMENT FOR TESTING ROOP STREET SIGNAL SYSTEM (1-1295)

Following Street Superintendent Bill Barker's explanation, Supervisor Scrivner moved to authorize the purchase of testing equipment at a not to exceed total of \$12,875 from Regional Transportation Commission funds 250-000. Supervisor Feticc seconded the motion. Motion was voted and carried 5-0.

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b. IMPROVING THE ROADWAY SECTION ON KOONTZ LANE (1-1344)

Following Mr. Barker's explanation, Supervisor Scrivner moved to widen a 635 foot section of Koontz Lane to include paving, curb, gutter, and to extend the storm drain system at a not to exceed price of \$35,000. Supervisor Swirczek seconded the motion. Motion was voted and carried 5-0

c. PAVING OF INDUSTRIAL PARK DRIVE AND HAWAII CIRCLE

(1-1388) Following Mr. Barker's explanation, Supervisor Swirczek moved to approve the repaving of Industrial Park Drive and Hawaii Circle in an amount not to exceed \$10,000. Supervisor Feticc seconded the motion. Supervisor Swirczek amended his motion to including Regional Transportation Fund 250-000 as the funding source. Supervisor Feticc continued his second. Motion was voted and carried 5-0.

*Clarification indicated the funding was to come from Regional Transportation Fund 250-000.

Discussion noted that Colorado (*in front of the church", which was first identified as California" would be widened during the summer.

3. REQUEST TO APPROVE EXPENDITURE FOR WATERLINE OVERSIZING AT FUJI PARK (1-1479)

The request was explained by Mr. O'Brien. Supervisor Feticc moved to approve the oversizing of the Fuji Park waterline from six inches to twelve inches at a not to exceed amount of \$20,000. Supervisor Swirczek seconded the motion. Motion was voted and carried 5-0.

4. STATUS REPORT ON STORM DRAIN MASTER PLAN DEVELOPMENT

(1-1552) Mr. O'Brien, Jerry Hestor of RCI, and Paul Lumos of Lumos and Associates explained the need to have a comprehensive storm drain master plan. The consensus was that an updated consolidation of the various reports prepared during the last 25 years should be accomplished rather than "re-invent the wheel". The need to fund such a project was reiterated throughout the discussion. The feeling was that the lack of funds had been the primary reason none of the reports were adopted and/or constructed. Potential funding mechanisms were still felt to be viable. Public involvement throughout the planning was recommended. The cost for an updated master plan was projected at approximately \$100,000 and would take at least one year to complete. Supervisor Swirczek felt that the term "plan" should be replaced with "program" so that it would be implemented. The program should include upgrading present drains and start at the river. To continue delaying the program would only cost the City more when ultimately implemented. Mr. Lumos did not feel that the problem was creating a severe safety concern but was definitely a liability question. Mr. O'Brien stressed that the piece meal approach now being used to extend storm drains should be replaced with a firm policy and program with the good of the entire City in mind. Supervisor Swirczek read from the report paragraphs outlining historical reasons for the drainage problems. He stressed the need to address overall growth and planning concerns for benefit of Carson City and the downstream communities. Comments stressed the feeling that if the overall picture is not addressed, continuing to piece meal the drainage system will no adequately correct the situation. It, therefore, may be necessary to halt all building until the program is implemented. Due to construction's roll in the City's economy, it was not felt that this was a viable alternative. The pros and cons of hiring additional staff to perform the study versus hiring contractors were discussed. While acknowledging the need for an overall plan for sewer, water, streets and roads elements of the master plan, it was felt that the storm drain master plan should go forward on its own without delay. Mr. O'Brien explained that the matter was for discussion only and requested the opportunity to bring back a cost analysis when it could be determined how much funding the Board wanted to commit.

(2-0257) Developer Jim Newman expressed his feeling that developers were being required to make improvements addressing items not related to their projects. He felt that taxpayers should support the program as well.

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Discussion ensued concerning the need for an overall city-wide program and standards so that developers would know what their responsibilities are. Reasons for needing to know the overall impact created by any building within the City was explained. Mr. Newman stated that his request was that whatever policy, standard, or decision is finally made be kept simple as the builders could not afford to solve all of the City's ills.

BREAK: A recess was called at 10:50 a.m. When the meeting reconvened at 11:00 a.m. a quorum was present.

IX. CITY MANAGER RESOLUTIONS, REPORTS, AND BOARD DIRECTORS (2-0431)

Mr. Hamilton introduced Deputy City Manager Michael Dean Rody.

B. CONSIDERATION AND APPROVAL OF AGREEMENT BETWEEN CARSON CITY AND NEVADA HOME HEALTH SERVICES, INC. (2-0443)

Following Mayor Flammer's introduction, Mr. Hamilton explained that Deputy Finance Director Mary Walker had reviewed the last three financial statements. Her memorandum indicates that Nevada Home Health had encountered financial problems in the past but has been able to reverse this trend. With continued support from the various participating communities, it appears that the firm will be able to continue to provide services. Mr. Hamilton then explained that funds from a Community Service Block Grant in the amount of \$20,000 could be used for this purpose. Initially it had been felt that the use of this grant would conflict with Title III monies which Nevada Home Health receives, however, this problem was resolved. As the Board had indicated a desire to fund this service at a rate of \$13,500, Mr. Hamilton suggested allocation of \$3,660 from the General Fund and \$9,840 from the CSBG grant. Due to the financial problems encountered by the Agency, it was recommended that periodical reports to the Board concerning the number of individuals served locally and their financial status be required. This would support the use of the CSBG funds. The record keeping would be Nevada Home Health's responsibility and not the City's. Douglas County had placed this same requirement on the Agency. The reports could be made semi-annually or quarterly. Carson-Tahoe Hospital would definitely not fund the Agency.

Nevada Home Health Administrator Jan Miles explained that the Agency would identify the individuals by patient numbers to avoid a conflict with the confidentiality laws. She expressed a desire to have adequate record keeping and reporting which would not be lengthy, involved, expensive, or time consuming due to a desire to use City funding for patient services rather than bookkeeping. She felt that she could establish an adequate reporting system with the City Manager's assistance.

Supervisor Feticc then moved to enter into the Participatory Agreement with Nevada Home Health Services in the amount of \$13,500, of which \$3,360 would be funded from the General Fund and \$9,840 would be funded from the Community Services Block Development Grant, which is to be based on appropriate reporting of the services provided to Carson City to the Finance Department. Supervisor Swirczek seconded the motion. Motion was voted by roll call with the following result: Ayes - Feticc, Swirczek, Chirila, Scrivner, and Mayor Flammer. Nays - None. Motion carried 5-0 and so ordered.

VII. E. 5. STAFF AND WATER CONSORTIUM - REPORT AND UPDATE REGARDING WATER SYSTEMS, FEES, AGREEMENT, AND OTHER RELATED MATTERS (2-0649)

Mr. O'Brien and Mr. Cockerill explained the progress made evaluating the water system, fees, agreements, etc., and problems found when comparing the various water agreements and commitments entered into since 1966. Discussion noted the Stanton Park requirement that water rights be presented prior to construction and Mr. Millard's proposal to be reimbursed for the cost of those water rights. Bruce Scott explained his role on the evaluation, "firm resources" which the City should count on, and concerns voiced by the State Water Engineer. Without the proper data the State Water Engineer may not change his conservative estimate of the groundwater table, the number of water rights it can support, and the allocation of water rights to lots which have been parceled.

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Although a commitment had been made to these lots, not all of them would be developed in any one year. An average percentage which should be honored in any one year had never been determined. The City's position was that a certain percentage could not be developed due to terrain and other mitigating factors and should not be included in the commitments. Reserving water for those also placed an undue burden on the City's resources and construction. Mr. Scott urged the Board to continue acquiring water rights and make improvements to the system. By maintaining strict accounting, improving our reporting program, and continuing cooperation, it may be possible to rebuild the City's credibility with the State. Mr. Scott urged the Board to consider discussing the Dangberg water rights with Mr. Helms.

Discussion ensued concerning the amount of water which the City could count on during a drought and the basins included in the City's groundwater table. USGS' computer models will be used to evaluate the groundwater table to determine the amount of available water and its replacement rate. Discussion included the various subdivisions which were exempt from the Growth Management Ordinance, reasons for the exemptions, and their effect on the amount of water available to the City. Mr. Scott felt that the Board should have an additional well in the Carson Valley Groundwater Basin and equipment the Riverview well as soon as possible. The Riverview well could then be used to address the peak pumping problem forecast for this summer. He also supported allocating funds for the purchase of water rights and to begin development of a system to process secondary water rights, which the City currently owns. Throughout his comments he stressed the need for the Board to make the necessary financial commitments to support the program beyond the problem evaluation stage.

BREAK: At 11:55 a.m. a lunch recess was taken. When the meeting reconvened at 1:30 p.m. a quorum was present.

VI. A. 3. PUBLIC HEARING AND RESOLUTION TO APPROVE UP TO A TWO PERCENT INCREASE IN HOTEL/MOTEL ROOM TAX IN ACCORDANCE WITH S. B. 583

Following Mayor Flammer's introduction, Mr. Hamilton explained the purpose of Senate Bill 583 as allowing the City to increase the room tax to retire General Obligation Bonds for Eagle Valley West and for other recreation purposes. When the City asked Senator Charlie Joerg to propose the bill, the intent had been to retire the bonds. Assemblyperson Ernie Adler, however, modified the bill to allow other recreational uses. If adopted, the increase will generate \$140,000 a year. Discussion ensued concerning the desire for the record to clearly indicate that the funds would be used solely for Eagle Valley West's bond retirement or recreational purposes. It was also pointed out that revenue sources appeared to indicate that in two years to Courses would generate adequate funding to meet the bond requirement. Discussion also indicated the Board's desire to annually review the need for this two percent tax. It was pointed out that Tourism would make the final determination as to whether the tax would be imposed and where the funds would be allocated. Again, it was emphasized that the Minutes should clearly reflect the desire to allocate these funds for the retirement of the Golf Course bond retirement and recreational purposes.

Mr. Cockerill explained that the Resolution should be modified at line 6 of page two to mandate a review one year after adoption and annually thereafter.

Supervisor Feticc then moved to adopt Resolution 1987-R-68, A RESOLUTION IMPOSING AN ADDITIONAL TAX AT THE RATE OF TWO PERCENT (2%) OF GROSS RECEIPTS ON REVENUE FROM THE RENTAL OF TRANSIENT HOUSING PURSUANT TO S. B. 583, and that the use of the funds to assist in the retirement of the bonds for Eagle Valley Two, also known as Eagle Valley West, be reviewed in one year and annually thereafter. Supervisor Swirczek seconded the motion.

(2-2669) Francis Brooks expressed her gratitude for adding the annual review requirement in the Resolution due to her desire to have the funds used for recreational purposes other than the golf course. She then questioned when the course would open? Supervisor Swirczek explained that plans currently call for the course to open on August 15, however, it may be later. It was hoped that the course would be a tourist attraction and generate funds to be self-supporting as well as bolster the City's economy.

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Ms. Brooks then expressed her feeling that the City had not received a good return on its investment at the course. She expressed the hope that the funds would eventually be spent for other recreational purposes in the community. Purportedly two of her friends who had seen the course and expressed the feeling that the new course was a "rip off".

Supervisor Swirczek then explained that the tax would only generate \$140,000 a year whereas the principal and interest payment would be \$450,000 a year. Therefore, the course would have to help pay for itself.

Supervisor Scrivner expressed his feeling that the course would generate adequate funding to pay for itself once it is open. If the opening is not scheduled correctly, however, it could create revenue problems. He reiterated earlier comments that the Tourism Authority would have the final say as to where the funds would be allocated. He stressed that the funds were to be for recreational purposes only and could not be used for Tourism advertising. Purportedly, Tourism had allocated \$97,000 from its funds for advertising.

Mayor Flammer reiterated his comments that two years ago Tourism had committed the two percent room tax increase to retire the golf course bond. Based upon this commitment, the Board of Supervisors had approved the bond. He also noted that the United States Golf Association and the Nevada State Golf Association were in the process of rating the course. Indications at this time were that it would be a "championship" course.

The motion to adopt the Resolution as modified was voted by roll call with the following result: Ayes - Feticc, Swirczek, Chirila, Scrivner, and Mayor Flammer. Nays - None. Motion carried unanimously.

4. PUBLIC HEARING AND RESOLUTION TO RAISE THE PROPERTY (AD VALOREM) TAX RATE IN ACCORDANCE WITH AB 645 (NRS chapter 354 (3-0001))

(3-0001) Mr. Hamilton explained the Statute and the publication requirements. On July 1 the State Tax Commission had certified the maximum rate which the Board could set. This action was not an endorsement of that rate as the Board had the ability to set the rate at any figure under the maximum. Supervisor Swirczek explained that the Board could take advantage of the increase within this year or next. Finance Director Mary Walker explained that the proposal would increase the tax rate 7.1 percent and add \$25 to the tax on a \$100,000 home. When added to the school and park bond rates, the increase on a \$100,000 would be \$80. Discussion ensued concerning whether the funds should be allocated at this time and, if so, to what. The planning needs, the public safety tax override items, the liability insurance, and the General Fund's ending balance were included in this list.

(3-0683) Richard Waiton questioned why the storm drains had not been addressed while the unclassified personnel had been given a raise. He did not feel that the raises were a priority. He urged the Board to establish priorities and maintain them.

(3-0775) Nevada Taxpayer Association Executive Director Roy Nixon distributed a memo to the Board members. (A copy was not given to the Clerk or Recording Secretary.) He then explained his opposition to the advertisement which had been placed in The Nevada Appeal advising of this public hearing. Ms. Walker explained that the Appeal had changed the size and hearing of the ad without advising staff. When the paper came out, staff discovered the change and required a second printing in the correct size, wording, and print at no cost to the City. Mr. Nixon acknowledged that there were two ads. The first ad had indicated that the hearing would be 9:00 a.m. while the second ad said 1:30 p.m. He did not feel that the second ad, while in the correct legal size, had given the public enough advance notice and that another hearing should be held with correct notification.

Mr. Nixon then expounded on his feeling that the tax increase was not needed even though all of the City's projected revenue figures indicated a decrease. The projected ad valorem taxes and SCCRT tax indicated an increase which would create a positive position. Salary and personnel expenses evidently would benefit from

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these increases even though the CPI had not increased at the same rate. Fire Suppression and Fire Personnel were up 17 percent. He urged the Board to place the increase on the ballot and allow the public to make a decision. Supervisor Swirczek responded by explaining that the SCCRT increase would address some of the shortage created by the 1981 tax shift and the fluctuating national economy. He felt that the change would generate approximately the same amount of revenue as had been projected in 1981. It would not cover the shortage that had occurred since 1981.

(3-1106) Larry Shoufler questioned where the gasoline and sales tax increase for road repair would be spent? He urged the Board to keep exact accounting and not transfer the funds to other activities. Mr. Hamilton explained his intent to have a project management committee evaluate all of the roads and determine where the needs were the greatest before allocating funding. UNR would be working in cooperation with the City on this program. This program was explained.

(3-1275) Francis Brooks expressed her feeling that the public was responsible and should be allowed to determine whether the increase was warranted. The projects should be made known before the increase is authorized. Likewise, the City needed insurance and to plan a better economic base.

(3-1395) Jim Oddie, Sr., expressed his feeling that the increase should not be made until after the Grand Jury report is published. He then expounded on his belief that public funds are continuously wasted. He cited the "Camel" as an example. Likewise, the normal school program wasted personnel, facilities, and equipment as the buildings were not used year round. He felt that City employees were sleeping on the job, citing a case which had purportedly occurred on Deer Run Road. He then expounded on his feelings that public employees, specifically State employees, were over paid and received annual raises beyond the cost-of-living. He felt that employees should give some consideration to the fact that it does not take them three hours to drive to work and the lower housing cost. These advantages should be used to offset the salaries. He felt that the City's revenues had not been reduced by the 1981 tax reform. He, while acknowledging that his figures had included the School District's funds, felt that the revenues had doubled since 1981. Contractors should be used to provide public services wherever possible as they did not have an excessive number of personnel or allow time to be wasted. If the property taxes continue to increase, resident and senior citizens in specific would no longer be able to afford to live in Carson City. Mayor Flammer explained that the City had no control over the School District of State and directed Mr. Oddie to contact Mr. O'Brien concerning the allegations on Deer Run Road and the "Camel".

(3-1825) Frederick Johnson expressed his feeling that more than 30 percent of the City's new residents were retired and could not afford the increase. He felt that the money and efforts were wasted on the Saliman Road improvements as it was still unusable. Likewise, the improvements to 395 and Highway 50 were inadequate in relationship to the cost. Supervisor Swirczek again explained the intent of AB 645, how the property tax is assessed, and the increase created by 645 on a home on the west side of Carson City. He felt the funds should be allocated for insurance, ending fund balance, and to meet Planning and Public Works needs. Discussion ensued concerning the Planning and Public Works needs and the matter was scheduled for further discussion at another meeting.

(3-2075) Mildred Rosenquist expressed her support for the increase due to the need for road repairs. She then noted that the streets mentioned earlier were all owned and improved by the State. She urged the Board to take steps to keep heavy equipment off streets which could not support the weight. Mr. Hamilton explained for her how the street project management committee would work as he foresaw its function. It would take at least six months to evaluate the roads and compile a report. By the time the items are designed and bid, it may be next year. Adequate funding should then be available to make the repairs. Ms. Rosenquist again expressed her feeling that the increase was warranted. If it creates financial hardships for retired individuals, there are funds available to help them which should be utilized.

(3-2282) Supervisor Swirczek then moved to adopt Resolution No. 1987-R-69, **A RESOLUTION RAISE THE AD VALOREM TAX RATE PURSUANT TO A.B. 645**, which would increase the tax rate to the full amount,

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e.g., \$6559 by 7.1 percent to \$.7269 in accordance with the above provisions of A.B. 645 as certified by the Nevada Tax Commission, with the stipulation that the funds could only be used for \$75,000 for liability insurance, \$125,000 for the ending fund balance, and \$00,000 be set aside for Community Development and Public Works for coordinating future growth and planning, and that, before the expenditures are made for either capital improvements, studies, or increased staff, the Board must approve the expenditures and allow for public input. Supervisor Feticc seconded the motion. Discussion noted that the Community Development and Public Works allocations would be spelled out in the future. The other allocations would not require a second consideration by the Board. The motion was voted by roll call with the following result: Ayes - Swirczek, Feticc, Scrivner, Chirila, and Mayor Flammer. Nays - None. Motion carried unanimously and so ordered.

BREAK: A 20 minute recess was taken at 3:05 p.m. When the meeting reconvened at 3:25 p.m. a quorum was present.

E. 6. STATUS REPORT ON WATER AGREEMENT BETWEEN CARSON CITY AND STANTON PARK DEVELOPMENT INC. (MILLARD?FURGERSON) AND PUBLIC HEARING ON WAIVER OF WATER CONNECTION FEES

(3-2420) Mr. O'Brien read Mr. Lumos' memo into the record. It was felt that the proposal had merit, however, the effect it would have on the bond debt retirement was a major concern. Staff needed additional time to analyze Mr. Lumos' report and evaluate the effect. Discussion ensued concerning when a special meeting could be held on this matter. Clarification also pointed out the the Developers' Attorney David Nielson and Chief Deputy District Attorney Cockerill had been negotiating the agreement. A final draft was still pending.

<93-2758) Edd Furgerson expressed his hope that the Board would give staff direction today on the matter rather than continue it. His proposal had been based on the feeling that the hookup fees would be in the \$2,000 to \$2,374 range. His understanding was that the connection fees were to have been for debt retirement, capital expansion, and acquisition of water rights. Purportedly Mr. Lumos' report had addressed all of the issues, therefore, a continuation was not necessary. He had been attempting to resolve this matter since October. As he was working within the Growth Management Ordinance until the agreement is accepted, he felt that an undue financial burden had been placed upon his development. (4-0001) Supervisors Swirczek and Chirila explained their reasons for wanting complete information before making a decision of this magnitude.

(4-0055) Dwight Millard expressed his feeling that attempts had been made to respond to all the questions and concerns throughout the discussions which had been going on since October. Based on the information provided by Bruce Scott earlier today, he did not feel that it was reasonable to continue the matter as the City had four years to resolve the problems. Due to the delays which had been occurring since October, he felt that the agreement would never be finalized. Discussion noted Mike Darling's attempt to sell water rights to the City.

Discussion ensued between staff and the Board concerning reasons for having the matter on the Agenda. Supervisor Swirczek explained his contact with Mr. Lumos and the difficulty encountered in developing the questions and answers. His comments continually stressed the need to make a decision based solely on the facts and figures.

(4-0349) Mike Oliver expressed his support for the agreement and urged the Board to adopt it posthaste.

Further discussion ensued concerning when a special hearing could be held on this matter. Mr. Millard expressed a desire to have the entire Board present when the matter is reconsidered due to the feeling that Supervisors Swirczek and Chirila were opposed to growth. He felt that the State Engineer would begin signing subdivisions if the matter is ever finalized by the City. Mayor Flammer directed that this matter be made top priority. Mr. Hamilton agreed to give Mr. Millard a copy of the staff's report in time for him to review the City's concerns.

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**7. REQUEST FOR EXTENSION OF TIME FOR THE ORMSBY SANITARY
LANDFILL CONTRACT (4-0545)**

Following Mr. O'Brien's introduction, Supervisor Feticc moved to extend the Ormsby Sanitary Landfill Contract for 45 days. Supervisor Swirczek seconded the motion. Motion was voted and carried 5-0.

F. COMMUNITY DEVELOPMENT DIRECTOR (4-0652)

1. PLANNING COMMISSION REFERRALS - CONSENT MATTERS
 - a. SPECIAL USE PERMIT U-87-13 - ROSS/LEWIS HOMES ALLOW OFF-PREMISE SIGN ON RC - SOUTHWEST CORNER OF U.S. 395 SOUTH AND COLORADO STREET - PLANNING COMMISSION APPROVED 4-0
 - b. SPECIAL USE PERMIT U-86-8 - DI SALVO/GEROW - ALLOW OUTDOOR DISPLAY AND MOTORCYCLE SALES AND SERVICE IN RC - 2678 SOUTH CARSON STREET - PLANNING COMMISSION APPROVED 4-0
 - c. SPECIAL USE PERMIT U-87-42 - SLADE - ALLOW SIGN EXCEEDING HEIGHT REQUIREMENTS ON GC - 1000 NORTH CARSON STREET - PLANNING COMMISSION APPROVED 4-0
 - d. SPECIAL USE PERMIT U-87-43 - EATON - ALLOW CHILD DAY CARE FACILITY ON SF6000 - 3919 NORTHGATE LANE - PLANNING COMMISSION APPROVED 4-0
 - e. SPECIAL USE PERMIT U-87-44 - ORMSBY HOUSE HOTEL/CASINO - ALLOW SIGNAGE EXCEEDING REQUIREMENTS OF TITLE 20 ON GC - 600 SOUTH CARSON STREET - PLANNING COMMISSION APPROVED 4-0
 - f. SPECIAL USE PERMIT U-87-45 - CAPRIOTTI CONSTRUCTION COMPANY INC. - ALLOW OFF-PREMISE SIGN ON SF1A - NORTHEAST CORNER OF SALIMAN ROAD AND COLORADO STREET - PLANNING COMMISSION APPROVED 4-0
 - g. SPECIAL USE PERMIT U-87-47 - MENTORS UNLIMITED INC. - ALLOW CONSTRUCTION OF BUILDING ON P - CARSON AIRPORT - PLANNING COMMISSION APPROVED 4-0
 - h. VARIANCE V-87-7 - WOODGATE - VARY FROM SETBACK REQUIREMENTS ON SF6000 - 711 WESTVIEW AVE. - PLANNING COMMISSION DENIED 3-1
 - i. VARIANCE V-87-8 - GUMP - VARY FROM SETBACK REQUIREMENTS ON SF6000 - 1801 ALPINE STREET - PLANNING COMMISSION DENIED 3-1

Items g. and i. had been pulled. Item h was appealed. Supervisor Feticc moved to approve the Planning

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Commission Consent Agenda as presented with the exception of Items g., h., and i. Supervisor Scrivner seconded the motion. Motion was voted and carried 5-0.

2. PLANNING COMMISSION REFERRALS - REVIEW AND APPEAL MATTERS

- a. VARIANCE V-87-6 - PISIEWSKI - VARY FROM REQUIRED FENCE HEIGHT AND SETBACKS ON SF6000 - 2692 PINEBROOK DRIVE - PLANNING COMMISSION DENIED 4-2 (4-0682)

Community Development Director Sullivan explained the negotiated agreement and hardship found with the parcel. Supervisor Feticc moved to approve the Variance, V-87-6, Vary from required fence height and setbacks on Single Family 6000, in accord with the agreement reached between Community Development and Mr. Pisiewski. Supervisor Swirczek seconded the motion. Motion was voted and carried 5-0.

- c. DEDICATION D-87-12 - PORTION OF NORTH RICHMOND STREET - PLANNING COMMISSION APPROVED 4-0 (4-0784)

Mr. Sullivan explained the request and recommendations. Supervisor Feticc moved to approve Dedication D-87-12, Jones, for a portion of North Richmond Street. Supervisor Swirczek seconded the motion. Motion was voted and carried 5-0.

- d. DEDICATION D-87-13 - THORPE - PORTION OF LONE MOUNTAIN DRIVE - PLANNING COMMISSION APPROVED 4-0

(4-0835) Following Mr. Sullivan's explanation of the request and recommendation, Supervisor Feticc moved to approve the subject right-of-way exchanges as described below and in deeds provided by Mr. and Mrs. Thorpe relative to D-87-13. Supervisor Swirczek seconded the motion. Motion was voted and carried 5-0.

3. SKY RANCH - REQUEST FOR RENEWAL OF SUBDIVISION MAP S-86-1

(4-0868) Following Mr. Sullivan's explanation of the request and recommendation, Supervisor Feticc moved to approve a motion to renew the subject tentative subdivision map pursuant to NRS 278.360(3), S-86-1. Supervisor Swirczek seconded the motion. Motion was voted and carried 5-0.

4. FOERSCHLER - REQUEST FOR BUILDING ALLOTMENT EXTENSION

(4-0948) Mr. Sullivan explained the request, the staff's recommendation for denial, time restraints, time notifications given to the applicants, previous actions on extensions, and the penalty involved if denied. This request had been continued on several occasions at the Applicant or his attorney's request. MSB Properties Attorney Bill Crowell explained the developer's desire to have the State Water Engineer sign the tentative map rather than go forward with the parcel map. This, however, was delayed by the City's lack of action on resolving the water problems. He did not feel that his developer had been hoarding allotments in view of the work done on the project. He felt that 60 days was adequate for the developer to return to the parcel map process, receive all the necessary City approvals, and commence construction. Throughout his comments he stressed the lack of positive action by the City in resolving the water problems as the reason his developer had failed to begin construction. Mr. Sullivan explained that the developer had been aware of the time constraints when he applied for the allotments. Development could have occurred under the parcel map process. The Code does not allow for extensions. The Board's policy had been to grant extensions only when circumstances were beyond the builder's control. If the builder had filed the building plans, he would have had six months to work with the State Engineer before construction would have started. Mr. Crowell stressed his feeling that the parcel map process was not in the best interest for the City; however, if the extension is not granted, the developer would submit plans under that process. Mr Sullivan then explained the various extension requests received over the last several years and reasons

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for denial. He again stressed that the developer had been aware of the time restraints when he had applied for the allotments.

Supervisor Scrivner moved to approve the extension of the allotments due to his feeling that on the 30th a decision on the water will be made and that the extension will be until August 6, which is the second meeting from today, and the developer should be able in that time frame to have filed the plans to satisfy Public Works and Growth Management. He commended Mr. Sullivan on his presentation, however, felt strongly that the water situation would be addressed on the 30th. If the developer does not comply by August 6th, he would support Mr. Sullivan's position. Supervisor Feticc seconded the motion.

Mr. Auer explained the reason for having the time frames to prevent hoarding. If the Board felt that hoarding had not occurred and that adequate reasons had been given to support the extension, then it should be allowed. Mr. Sullivan explained that in his limited experience with Growth Management, he had not had a problem with Mr. Foerschler. Planning Technician Sandy Danforth explained that other developers had been unaware of the appeal process and had been penalized. Supervisor Scrivner expressed his feeling that in this instance the circumstances were relevant to the problem and the reason he had supported the extension.

The motion to authorize the extension until August 6 was voted by roll call with the following result: Scrivner - Aye; Chirila - Aye; Swirczek - Aye, however, he was concerned about the lack of precedence and the failure to offer the appeal process to other developer/builders. In response to his question, Ms. Danforth explained that the Growth Management Ordinance does not mention the appeal process. Appeals are only addressed when the developer goes straight to the Board. Clarification indicated that the developers are merely told the time frames. If they do not ask about appeals, no information is given. Feticc - Aye; and Mayor Flammer - Aye. Motion carried 5-0.

**VII. ORDINANCES - FIRST READING - CARSON CITY MUNICIPAL CODE SECTIONS
2.04.400 - MODIFICATIONS ADDING AND DELETING CERTAIN PUBLIC
OFFICERS**

(4-2069) Supervisor Feticc moved to introduce on first reading Bill no. 124, **AN ORDINANCE AMENDING SECTION 2.04.400 OF THE CARSON CITY MUNICIPAL CODE BY ADDING AND DELETING CERTAIN PUBLIC OFFICERS.** Supervisor Scrivner seconded the motion. Motion was voted and carried 5-0.

VIII. ORDINANCES - SECOND READING (4-2103)

- A. BILL NO. 122 - CARSON CITY MUNICIPAL CODE TITLE 17 (PARCEL MAP), SECTION 17.09.010 - MODIFICATIONS RELATIVE TO PARCEL MAP APPROVAL (AMENDMENTS A-87-4 - PLANNING COMMISSION APPROVED 6-0)

Supervisor Feticc moved to adopt Ordinance No. 1987-25, **AN ORDINANCE AMENDING SECTION 17.09.010 OF THE CARSON CITY MUNICIPAL CODE REGARDING PARCEL MAP APPROVAL.** Supervisor Swirczek seconded the motion. Motion was voted and carried 5-0.

- B. BILL NO. 123 - CARSON CITY MUNICIPAL CODE CHAPTER 15 (GROWTH MANAGEMENT), SECTION 15.01.050 - MODIFICATIONS RELATIVE TO BI-ANNUAL MEETING OF THE GROWTH MANAGEMENT COMMISSION (GM-87-2) - PLANNING COMMISSION APPROVED 6-0 (4-2128)

Supervisor Feticc moved to adopt on second reading Ordinance No. 1987-26, **AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 15, SECTIONS 15.01.050.** Supervisor Swirczek seconded the motion. Motion was voted and carried unanimously.

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IX. A. 1. REQUEST FOR CONSENT TO ASSIGNMENT OF LEASE FROM AEROHEAD AVIATION INC. TO EL AERO SERVICES INC. (4-2174)

Mr. Hamilton explained the request for consent to assign Aerohead Aviation's lease to El Aero Services. Financial documents had been submitted and reviewed. Mr. Hamilton explained a petition he had just received requesting the Board deny the assignment. His comments noted that of the 65 signatures, 15 were not City residents, and many did not reside within 5 miles of the airport. Mr. Auer gave reasons for denial. Mr. Hamilton noted for the record that the City Code did not distinguish between fixed wing aircraft and helicopters. Therefore, he did not feel that the petition could be used to deny the assignment. Supervisor Feticc moved that Carson City grant consent to the assignment and delegation of the City's lease with Aerohead Aviation dated 8-20-81 to the new tenant El Aero Services Inc. pursuant to Section 10 of the agreement, Number 2 - Assignment of Lease Sub A. which states: Lessee shall have the right to assign this lease, subject to assignee meeting the City's requirements concerning financial responsibility and the City's granting advance written approval. Any assignment of this lease will require that the assignee be subject to all conditions, items and provisions of this lease. Mr. Jewett, representing Aerohead Aviation, gave the lease assignment to Mr. Auer. Supervisor Feticc amended his motion to include that the agreement was to be effective upon the Mayor signing it. Supervisor Swirczek seconded the motion. Motion was voted and carried unanimously.

Mr. Hamilton then introduced El Aero Representative Joe Green.

D. STATUS REPORT ON AMBULANCE CONTRACT WITH CARSON-TAHOE HOSPITAL (4-2431)

Supervisor Scrivner explained his feeling that the negotiations should include the Fire Department budget overage created by the ambulance operation. If it is not, then he felt that contracting the service should be evaluated. Mayor Flammer acknowledged the need to address the overage. Supervisor Chirila pointed out that a majority of the overage was due to the minimum manning requirements of the contract. The Paramedics are used to meet this requirement. The Hospital contract reimburses the City \$220,000 for the ambulance costs. Ms. Walker briefly noted the overtime reduction methods used by the Sheriff's office to illustrate the possibility that the overtime costs could be reduced. She had been involved in attempts to resolve the overage, however, reasons for it should be discussed with the Fire Chief. Supervisor Scrivner expounded on his feeling that the overage was an indication of poor management particularly in view of the transfers made to cover it. He did not feel that the four additional employees approved by the Board earlier, but not hired at that time, would correct the problem. Supervisor Scrivner requested a staff report on the overtime situation within 30 days, which Mayor Flammer directed occur.

X. BOARD OF SUPERVISORS RESOLUTIONS, REPORTS, AND PROCLAMATIONS

A. CITIZEN APPOINTMENTS TO:

1. HISTORIC ARCHITECTURE REVIEW COMMITTEE (5-0056)

Supervisor Swirczek moved to reappoint Members John Copoulos and Kate Kuranda to the Historic Architecture Review Committee. Supervisor Feticc seconded the motion. Motion was voted and carried 5-0.

(Supervisor Chirila left the meeting at 5:05 p.m. A quorum was still present.)

2. PARKS AND RECREATION COMMISSION (5-0075)

Supervisor Swirczek moved to nominate Charles Selover and explained his reasons. Supervisor Scrivner seconded the motion and his reasons for supporting the nomination. Motion was voted and carried 4-0.

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Following Mr. Kastens' explanation of the legal advertisements, the terms Mr. Livermore and Ms. Dietrich had served, and the Commission's recommendation, Supervisor Feticc moved to reappoint Pete Livermore and Bonnie Dietrich to the Parks and Recreation Commission. Supervisor Swirczek seconded the motion. Motion was voted and carried 3-1 with Supervisor Scrivner voting Naye.

3. PLANNING COMMISSION (5-0285)

Supervisor Swirczek moved to appoint Lee Pisiewski to the Regional Planning Commission. Supervisor Feticc seconded the motion. Motion was voted and carried 4-0.

Supervisor Scrivner moved to reappoint Archie Pozzi to fill the unexpired term of Judi Scott. Clarification noted that this term had been completed. Supervisor Scrivner then moved to reappoint Archie Pozzi to the Regional Planning Commission. Supervisor Swirczek seconded the motion. Motion was voted and carried 4-0.

4. REDEVELOPMENT AUTHORITY AGENCY (5-0352)

Supervisor Swirczek moved to reappoint Tom Johnson and Phil Marshall to the Redevelopment Authority. Supervisor Scrivner seconded the motion. Motion was voted and carried 4-0.

- B. MAYOR FLAMMER (5-0359) - None.
SUPERVISOR SWIRCZEK - None.
SUPERVISOR FETTIC - None.
SUPERVISOR SCRIVNER

Supervisor Scrivner explained his concern about the actual cost for the unclassified employee raises and requested a report as soon as possible. He also requested a personnel session on July 30 to discuss Mr. Hamilton's job performance as required in his contract.

XI. CITIZEN COMMENTS (5-0435)

Mike Oliver expressed his feeling that the Millard/Furgerson project should be considered on its merits. He requested that a full Board be present as he felt the vote would be 2-2. Supervisor Scrivner and Mayor Flammer expressed their feeling that the issue would be judged on its merits and that a full Board would be present on July 30. Mr. Oliver then expressed his feeling that the project should proceed but should be done correctly.

There being no other matters for consideration, Supervisor Feticc moved to adjourn. Supervisor Swirczek seconded the motion. Motion was voted and carried 4-0. Mayor Flammer adjourned the meeting at 5:30 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 normal business hours.

The Minutes of the July 2, 1987, Carson City Board of Supervisors meeting

ARE SO APPROVED ON

April 7, 1988

/s/ _____
Dan Flammer, Mayor

ATTEST:

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/s/
Alan Glover, Clerk-Recorder