

**REDEVELOPMENT AUTHORITY CITIZENS COMMITTEE**

**Minutes of the February 9, 2000 Meeting**

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A regular meeting of the Redevelopment Authority Citizens Committee was held at 6:00 p.m. on Wednesday, February 9, 2000 in the City Hall Capitol Conference Room, 201 North Carson Street, Carson City, Nevada.

**PRESENT:** Chairperson Robin Williamson  
Steve Browne  
Arthur Hannafin  
Joseph McCarthy  
Fred Nietz  
Morey Tresnit

**STAFF:** Rob Joiner, Redevelopment Director  
Neil Rombardo, Deputy District Attorney  
Kathleen King, Recording Secretary  
(RACC 02/09/00; Tape 1-0001)

**NOTE:** Unless indicated otherwise, each item was introduced by Chairperson Williamson. A tape recording of these proceedings is on file in the Clerk-Recorder's Office and is available for review and inspection during regular business hours.

**A. CALL TO ORDER (1-0002)** - Chairperson Williamson called the meeting to order at 6:04 p.m.

**B. DETERMINATION OF QUORUM (1-0003)** - Roll call was taken; a quorum was present. Vice Chairperson Johnson was absent.

**C. APPROVAL OF MINUTES (1-0006)** - Member Hannafin moved to approve the minutes of the meeting of January 12, 2000 as submitted. Member Tresnit seconded the motion. Motion carried 6-0.

**D. MODIFICATION OF AGENDA (1-0021)** - Member Hannafin recommended addressing item F-3 first.

**E. PUBLIC COMMENTS ON NON-AGENDIZED ITEMS (1-0020)** - None.

**F. DISCUSSION AND ACTION ON:**

**F-1. ACTION ON REQUEST BY BEVERLY BUTLER TO WAIVE A PORTION OF INCENTIVE PAYBACK ON PROPERTY LOCATED AT 602 NORTH CURRY STREET, APN 3-285-04 (1-0650)** - This item was continued from the January meeting. Mr. Joiner referred the Committee members to the letter from the title company included in their packets, and he reviewed the staff report. Member Hannafin disclosed a conversation with David Gustafson, the former owner of the subject property. Chairperson Williamson advised that Vice Chairperson Johnson had expressed support for Ms. Butler's request. Mr. Joiner discussed his recommendation as set forth in the staff report.

Member Hannafin encouraged City staff to pursue the title company for their mistake which, in a sense, cost the City \$6,000. He expressed concern for the possibility of setting a precedent by granting the

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request, and suggested that any assistance by the Committee to Ms. Butler should be considered as a separate matter. Discussion ensued with regard to amortizing the amount; the fact that the property was purchased 33 days before the end of the sixth year; the amount of money paid out in incentives since the beginning of the program; and the specific rules, understandings and contracts governing the program. Member McCarthy requested that Mr. Rombardo clarify the issue. Mr. Rombardo expressed the opinion that Stewart Title Company is the liable party, and pointed out that the Committee has the authority to decide to waive the \$6,000 in view of the proposal made by Ms. Butler. He suggested that Chairperson Williamson write a letter to Stewart Title Company informing them that the Committee would overlook their mistake this time but that it cannot happen again. In response to a question, Mr. Rombardo advised that any other property owner objecting to the Committee's decision to waive the payback would have to prove an arbitrary and capricious standard.

(1-0908) - Gary List, Ms. Butler's real estate agent, advised that Ms. Butler was aware of the \$6,000 at the time of the purchase, and acknowledged that the title was not recorded until January for tax purposes. Member Browne discussed past criticism of the incentive program and his concern for additional criticism should the Committee waive the amount owed. Discussion followed regarding the language contained in the purchase agreement, and the reason for including the payback provision in the incentive program. Ms. Butler discussed her plans for the building.

Member McCarthy expressed the opinion that because of the error by the title company, the Committee could make a decision based upon the specific situation. Chairperson Williamson suggested that the owner be required to make at least \$6,000 worth of improvements on the property within the next ninety days. Member Hannafin suggested requesting Ms. Butler to pay back the \$6,000 and then apply for an incentive. Member Browne concurred with Member Hannafin's suggestion, and discussed the importance of addressing the matter as two separate issues. In response to a request for clarification by Chairperson Williamson, Ms. Butler acknowledged that she purchased the property knowing there was a possible outstanding liability she may have to assume. Member Hannafin moved that the Committee request that the owner of the property repay the amount of \$6,000, if that is the exact amount, back to the Redevelopment Authority Citizens Committee and if, indeed, the buyer wants to proceed with a request for assistance in her project in the future, that she proceed to submit a formal application. When no second was forthcoming, Member Hannafin withdrew his motion. Discussion ensued with regard to Ms. Butler's plans to remove the sign and the Committee's overall purpose. **Member McCarthy moved to approve the recommendation to the Redevelopment Authority granting the waiver of redevelopment incentive repayment in the amount of \$6,000 for David and Krista Gustafson on the property located at 602 North Curry Street, APN 3-285-04; this action is conditioned upon the existing free-standing sign being removed no later than March 15, 2000 and that any replacement signs be reviewed and approved by both the Downtown Design Guidelines Hearing Examiner and the Redevelopment Authority Citizens Committee for conformance with design standards; furthermore, the present owner will verify that a minimum of \$6,000 worth of improvements, including removal of the sign, has been made to the property no later than June 1, 2000 and that the Chairman of the Redevelopment Authority Citizens Committee write a letter to Stewart Title Company chastising them for their mistake in regard to this issue. Member Nietz seconded the motion.** Discussion ensued with regard to the reason for taking the action. **Motion failed 3-3.**

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Member Browne reiterated his position that waiving the \$6,000 sends the wrong message to the community about the Committee's administration of the incentive program. He assured Ms. Butler that he is in favor of assisting her with improvements to her property if there is another way to accomplish it. He expressed the opinion that the seller and the title company share complicity in the matter. Member Nietz pointed out that the title was recorded as a grant and not a lien.

(1-1425) - Peter Smith discussed the purpose of title insurance, and suggested that the buyer could return to Stewart Title to claim the \$6,000, return it to the Redevelopment Authority, and apply for an incentive, thus resolving the issue.

(1-1440) - Mr. List advised that Mr. Joiner had contacted Northern Nevada Title Company and was informed there was no lien on the title. Ms. Butler used Stewart Title and was informed there was no lien. Two clerical errors were made by two title companies. Mr. List advised that the escrow instructions clarify that the buyer is aware of the \$6,000, and that the title company is only liable to repay the money if they can show there is a loss. Technically, there is no loss to the title company because the buyer was aware of the \$6,000. He discussed the good faith motivation of Ms. Butler to approach the Committee with this matter rather than attempt to hide the fact that the \$6,000 is owed to the Redevelopment Authority.

**Member Browne moved to postpone action on the matter. Member Tresnit seconded the motion.** Chairperson Williamson advised that in the interim, the Committee will try to find a way to assist Ms. Butler within the incentive program rules. **Motion carried 6-0-1-0.**

Chairperson Williamson recessed the meeting at 7:25 p.m. and reconvened the meeting at 7:29 p.m. A quorum was present.

**F-2. ACTION ON REQUEST BY DR. MICHAEL ALMARAZ TO WAIVE THE REQUIREMENT OF TWO PARKING SPACES FOR A PROPOSED PROFESSIONAL OFFICE PROJECT LOCATED AT 303 FLEISCHMANN WAY, APN 1-172-01 (1-1570)** - This item was continued from the January meeting in order that Dr. Michael and Jorge Almaraz could be present. Mr. Joiner discussed his recommendations as contained in his staff report, referred to Member Hannafin's letter, and advised that there were members of the Historic Architecture Review Commission ("HARC") in attendance. Mr. Joiner explained that Dr. Almaraz purchased the property knowing that it was not within the historic district and that all the development standards could be met on site in the residential/office zoning district without having to appear before any public body. The property is on the edge of the redevelopment district which is the reason the Almarazes appeared before the Committee to request a parking waiver. The Almarazes also have the option of appearing before the Planning Commission and requesting a variance. Mr. Joiner recommended this course of action in order that the ingress and egress of traffic can be mitigated, and the tree that is within the public right-of-way can be saved.

Member Hannafin provided background information on the events leading up to his January 31, 2000 letter. He advised he had served on the original Historic Architecture Review Committee which defined the historic boundaries and developed the bylaws. He discussed the concern, 18-20 years ago, about the disappearance of many historic buildings in the downtown area, and the resulting ordinance, bylaws, and boundary line. He is not aware of the reason the subject property was excluded from the historic boundary at that time. He pointed out that Carson City is a small town with a limited number of historic structures,

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and expressed his regret that, because the historic boundary line excludes this property, the City will lose the presence of another historic building. He discussed various "battles" over the years, specifically over a medical office building on the corner of Caroline and Division Streets which was in worse condition than the subject building. He acknowledged that the HARC has no legal right to expect the owners to preserve the historic building, but explained that the HARC is considering expansion of the historic district. He inquired of the owners if there is anything that can be done to preserve even a portion of the building.

Jorge Almaraz, the architect, inquired as to the City's criteria for preserving portions of the building. He explained that the existing building is not safe, and that the building he is designing will house a technical operation which does not provide for subdividing spaces randomly. He further pointed out that the existing setbacks do not comply with the City's requirements, so the square footage needed for the office building is calculated to produce a good result. If he deviates from the design, Dr. Almaraz will not be able to accomplish his goals. He expressed sympathy for the issue, and advised that the building he is designing will not be a super structure which will deter from the aesthetics of the historic district. He expressed a willingness to cooperate with the City in any way possible, but saving a portion of the building is not feasible. Member Hannafin pointed out that other property owners have been in the same situation and have been able to accommodate preserving a portion of a historic building. Dr. Almaraz advised that he would have no problem with the structure being relocated, and explained that he would never have purchased the property if he could not build a contemporary surgical center.

(1-1843) - Rick Terrace suggested leaving the facade of the building and constructing the new building behind it.

(1-1865) - Louann Speulda, an Historic Architecture Review Commissioner, expressed concern for the heritage of the community and reiterated the oversight of not including the property in the historic district boundary. She pointed out that historic preservation is a dynamic target, that the historic building stock of Carson City is rather small, and that buildings within the downtown core area are irreplaceable. She suggested a solution for adaptive redesign, using the features of the 1870's house, or for the owners to assist with relocating the building.

Mr. Joiner explained that the historic district boundaries were established in 1981. They ended, in relation to this property, at John Street. The subject property is one block to the north, and the property in between was added to the historic district just a few years ago.

(1-1940) - Day Williams, Dr. Almaraz's attorney, inquired as to whether the Redevelopment Authority had money available to relocate the structure. Mr. Joiner advised that, in the past, it has been a common practice for a developer to be asked to offer a property for relocation at no expense if it did not hold up the time frame of the project. In response to a question, Mr. Almaraz advised that they would like to start on the project as soon as possible; that they are "running behind" schedule. He further advised that the Almarazes would be happy to donate the building to the City. Discussion ensued with regard to the feasibility of moving the structure, the square footage of the building, its original construction, the plans for the parking spaces, the request for the waiver, and staff's recommendation. Chairperson Williamson explained that the reason for asking the Almarazes to appear at the meeting was so they could understand the strong feelings for preservation.

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(1-2080) - Rebecca Ossa, an architectural historian with the State Historic Preservation Office, explained that the front third of the house is original with several additions to the back. She advised that it would be possible to determine which portion should be saved and move only that part of the building.

In response to a question, Mr. Almaraz advised that they would need one month in which to notify the tenants who are presently occupying the building. Discussion ensued with regard to the historic portion of the building, and Mr. Rombardo pointed out that the discussion had wandered off the agenda. **Member Nietz moved to recommend approval by the Redevelopment Authority for a request for a waiver of two parking spaces for a proposed professional office located at 303 Fleischmann Way, APN 1-172-01, subject to the proposed project receiving approval for building and site design by the Downtown Design Guideline Hearing Examiner. Member Browne seconded the motion.** Member Hannafin commented that modifying the parking lot design to save the tree was admirable. He expressed regret over the owner's unwillingness to attempt to save a portion of the existing historic building; however, he respected the fact that they have indicated a willingness to have the building relocated. Member McCarthy concurred with Member Hannafin's comments and encouraged the owners to consider the cultural heritage of the City and to do everything possible to maintain the historic building inventory. Chairperson Williamson called for a vote on the pending motion. **Motion carried 5-1-1-0.**

In response to a question, Member Hannafin suggested the newspapers would be an appropriate venue to publicize the fact that Dr. Almaraz had offered to allow the building to be relocated. Mr. Rombardo suggested asking the Almarazes' permission to publicize an announcement as they were leaving the meeting and the Almarazes gave their consent.

**F-3. ACTION ON LIMITING USE OF SKATEBOARDING AND ROLLERBLADING IN CERTAIN AREAS OF DOWNTOWN CARSON CITY (1-0030)** - Mr. Joiner noted that this item was continued from the last meeting and provided a brief overview of the discussion and direction provided to staff at that time. Mr. Rombardo distributed copies of statutes addressing citizens arrest and trespassing. He reviewed the trespass statute and necessary changes.

(1-0103) - Rebecca Beisenstein discussed the transportation aspect of inline skating and the motivation behind grinding rails and edges. She advised that the Mills Park skating facility lacks the degree of difficulty necessary to hold the attention of advanced skaters. She explained that the facility is in a good location, but has become too small because of the increase in popularity of the sport. She discussed the basic features of the skate park and compared them to features found throughout the community which are more of a challenge to the skaters.

Chairperson Williamson and Member Tresnit provided background information on the matter. Member Tresnit had been advised that Douglas County has three skate parks, and suggested that the City explore the possibility of building additional skate parks. He offered to assist in any fund raising effort.

(1-0234) - Joe Schmidt discussed the need for a larger, more challenging facility. He advised he had attended "all the public meetings four years ago" and that the skate park was not designed the way the users had anticipated it would be. He discussed the features of the skate park which have deteriorated because of too much use and not enough challenge. Member Tresnit inquired as to an example of a nearby, existing skate park which could serve as a model for the type of park the users would like to have. Mr. Schmidt

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referred to a park in Vista, California as an example, and Ms. Beisenstein offered to provide examples on video tape and to gather information. Mr. Schmidt described preferable features such as artificial street, rails, coping, stairs, angle iron, etc.

Chairperson Williamson discussed the \$85,000 in private donations raised to fund construction of the skate park, the preference of some Mills Park users that the park remain mostly grass, competing interests of government, and insurance liabilities. Mr. Joiner discussed the conflict of interest between the downtown business owners and the skaters, and the efforts which have been concentrated in the core area of downtown to generate more business. Member Browne explained the method by which revenue is generated for the redevelopment district, and the construction design of Telegraph Square. Chairperson Williamson offered to set up a meeting with Mr. Schmidt and the proper City staff to discuss his concerns.

(1-0440) - Betty Brinson discussed the rights of the skaters to skate downtown, and expressed concern for restricting any area of town.

(1-0501) - Tony Allison discussed the Huntington Beach Skate Park which is located in the parking lot of the high school. Chairperson Williamson advised that she would schedule a meeting with Parks and Recreation Director Steve Kastens and Virginia Orcutt to discuss possible solutions.

(1-0517) - Benny Howard advised that his father works for the Parks and Recreation Department. He has talked with Mr. Kastens, Parks Superintendent Scott Fahrenbruch and several other Parks and Recreation Department staff persons and has been informed that there are "insufficient funds" to address the matter. Chairperson Williamson assured Mr. Howard that identifying the problem is a step toward a solution.

Member Hannafin pointed out that the Committee members are not opposed to skateboarding or any form of skating. He discussed the concern of the Committee members for public and private property within the downtown area, and the safety of elderly people and other patrons. He explained that the purpose of the agenda item was to discuss limiting skating activity downtown, and inquired as to solutions for deterring destruction of downtown property. The consensus of the public present was to improve the existing skate park and/or build another one. Member Browne agreed that the skaters should have adequate facilities; however, the downtown streets and facilities have not been designed for, nor is the area compatible with, skating activities. **Member Hannafin moved to defer action on this issue until a City-scheduled meeting is held and a report is brought back to the Committee. Member Nietz seconded the motion.** Discussion ensued with regard to the meeting schedule of the Committee. **Motion carried 5-1-1-0.**

**F-4. ACTION ON RECOMMENDATION TO REDEVELOPMENT AUTHORITY ON POTENTIAL PROCEEDS OF SALE OF PROPERTY RECENTLY ADDED TO REDEVELOPMENT AREA LOCATED AT 700 OLD CLEAR CREEK ROAD, APN 9-302-02 (1-2225)** - Mr. Rombardo referred to the proposed Interlocal Agreement to be entered into between Carson City and the Carson City Redevelopment Authority. He explained that this is the next step in the future sale of the subject land to Costco. Carson City will convey the property to the Redevelopment Authority and the Redevelopment Authority will sell the property. The question to be considered by the Committee is the disposition of the proceeds of the sale. The Interlocal Agreement is based upon the condition that when Carson City conveys the property to the Redevelopment Authority to sell, the proceeds of the sale will be returned to Carson City. Chairperson Williamson advised that close of escrow is scheduled for April 25,

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2000. Mr. Joiner distributed a letter from Phil Lehrman, of the Voice of Seniors, and reviewed the same. At the request of Member Hannafin, Chairperson Williamson explained allocations for the three sources of revenue: the purchase price of the land, the property tax, and the sales tax. Member McCarthy suggested that the motion be more specific in recommending that the proceeds from the sale be allocated to the general fund for use by community services organizations. **Member Hannafin moved that the Committee recommend that the proceeds from the sale of the property be allocated to the general fund.** Mr. Rombardo pointed out that public comment had not yet been received and Member Hannafin withdrew his motion.

(1-2479) Jim Alexander, a representative of the Fuji Park Users Coalition, respectfully requested that the sale proceeds be left in the hands of the Board of Supervisors. (1-2513) Loretta Marson, a representative of the Fuji Park Users Coalition, reiterated the request to turn the sale proceeds over to the Board of Supervisors for allocation.

**Member Hannafin moved that the Committee recommend to the Redevelopment Authority that the money coming from the proceeds of the sale be allocated into the general fund. Member McCarthy seconded the motion. Motion carried 6-0-1-0.**

**F-5. DISCUSSION AND ACTION ON REQUEST BY DOUG CRAMER FOR FUNDING OF ADVERTISING AND ENTERTAINMENT FOR EVENTS PLANNED ON WEST THIRD STREET FOR SUMMER, 2000** (1-2600) - Maxine Nietz, of the Arlington Group, appeared on behalf of Mr. Cramer, who was also present at the meeting. Member Nietz advised that, as an owner of the Arlington Group, he could benefit directly from action taken on the proposal, and left the meeting room. Ms. Nietz presented a proposal for a series of summertime events tentatively called Tuesdays@Third. The purpose is to enhance the historic/redevelopment district and the investment made by the Committee in the area of Third Street and the St. Charles Hotel. She read three of the goals from the National Trust for Historic Preservation into the record, and advised that the proposal meets those goals. She discussed the public-private partnership aspect of the proposal and advised that permits have been granted to Mr. Cramer to hold the events over the summer on Tuesday afternoons. Funding was requested to assist with the start up of this event, and Ms. Nietz reviewed the goals, the proposed events, the budget, and the schedule. She referred the Committee members to letters from three of the local charities which will be beneficiaries of the event. In response to a question, Ms. Nietz acknowledged that other charities can benefit, and that the revenues for the charities will be generated from the vendor fees.

Discussion ensued with regard to promotion of the event and the cost. Member McCarthy pointed out the contribution to the community which is provided by the Brewery Arts Center, and suggested consideration of the Brewery Arts Center as one of the charity beneficiaries. Mr. Joiner discussed the lack of event sponsorship from the downtown merchants, the need to utilize vendor fees to cover costs, event funding in 1999, and objections to the proposal from the owner of Café Del Rio. He requested that the proposal be developed further. Discussion followed regarding the conflicting comments provided by representatives of Café Del Rio, the reasoning behind allocating the vendor fees to charities rather than cost reimbursement, and the success of downtown activities being dependent upon "buy-in" from all merchants. Chairperson Williamson suggested that Mr. Cramer attend the Mainstreet meeting the next day, attempt to build more support from the downtown merchants, and return with a revised proposal next month. Further discussion took place regarding the proposed event as compared to the Farmers' Market.

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In response to questions by Member Tresnit, Ms. Nietz advised that vendor fees would be approximately \$20 per booth and that 12-20 vendors could be scheduled per week. Mr. Cramer advised of two vendors and five farmers who have expressed an interest in setting up a booth each week. Discussion ensued with regard to any interest expressed by other business people on Third Street, generating interest at the Mainstreet Meeting, and other funding sources. Member Browne suggested that the proposal be resubmitted with commitments of support and matching funds from other downtown businesses. **Member McCarthy moved to postpone action on this matter until the March meeting. Member Tresnit seconded the motion. Motion carried 6-0.**

**F-6. DISCUSSION AND ACTION ON DATE FOR STRATEGIC PLANNING SESSION FOR THE REDEVELOPMENT AUTHORITY CITIZENS COMMITTEE (2-0400)** - Chairperson Williamson introduced Dan Mooney, President of Western Management Associates, and advised that he had volunteered to facilitate a strategic planning session. Mr. Mooney discussed his suggestions for developing a strategic plan, and provided background information on Western Management Associates and his experience. Discussion regarding the goals of the Committee followed, and **Member Nietz moved that the Committee obtain a proposal from Mr. Mooney and review it next month. Member McCarthy seconded the motion. Motion carried 6-0.** Chairperson Williamson thanked Mr. Mooney for his presentation. Discussion followed regarding the value of a strategic plan.

**F-7. DISCUSSION AND ACTION ON FUND RAISING AND PROMOTION ACTIVITIES (2-0750)** - Chairperson Williamson distributed a copy of an article from *U.S. News Online* and requested that the Committee members review the same. She discussed ideas for water color note cards, and discussion regarding souvenirs followed. No formal action was taken.

**F-8. DISCUSSION AND ACTION ON PRELIMINARY REDEVELOPMENT AUTHORITY BUDGET FOR FY2000/01 (2-0838)** - Mr. Joiner referred the Committee members to the budget materials included in their packets and requested that they review the same. He has been working with Finance Department and Assessor's Office staff regarding projections for the fiscal year. No formal action was taken.

#### **G. UPDATE OF REDEVELOPMENT PROJECTS**

**G-1. FORMER GOLDEN SPIKE BUILDING, 716 NORTH CARSON STREET (\$100,000 INCENTIVE FUND SET-ASIDE) (2-0856)** - Member Hannafin advised that the City's Engineering Department lost two key employees. Two new plan checkers have been hired who are not as familiar with the City, so several permit applications have been held up. Additional demolition work has been done on the project and a meeting is scheduled for February 10, 2000 with the structural engineer and the contractor to discuss window openings. Discussion ensued with regard to the involvement of the Division of State Lands.

**G-2. FORMER LUCKY SPUR BUILDING, 302 NORTH CARSON STREET (2-0915)** - Mr. Joiner advised that a proposal is being developed for this building.

**G-3. NEVADA STATE MUSEUM, FORMER FIRST INTERSTATE BANK BUILDING PLANS FOR RENOVATION (2-0918)** - Deferred.

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**G-4. RETAIL AND RESTAURANT PROJECTS (METCALF BUILDERS AND RJS INC.) AT SOUTH CARSON AND EAST TENTH STREETS (2-0919)** - Discussion ensued with regard to the name of the restaurant, the interior design, and the grand opening.

**G-5. TELEGRAPH SQUARE PARKING AND STREETScape IMPROVEMENTS (2-0932)** - Member Hannafin discussed the possibility of including brass plaques.

**G-6. 400 SOUTH CARSON STREET (2-0945)** - Mr. Joiner advised that this building, known as the Old Hunter's Lodge, will be imploded. Discussion ensued with regard to interior fixtures which may be available for bid prior to destruction of the building.

**H. STAFF COMMENTS (2-0965)** - Mr. Joiner referred the Committee members to the United States Bankruptcy Court document pertaining to the Downtowner Motel. According to the document, the City had a deadline of September 6, 1997 to file a proof of claim with the Bankruptcy Court. Mr. Joiner advised there is nothing in the file to indicate this ever took place, and he will be requesting Mr. Rombardo to review the situation to determine any recourse by the City.

**I. ADJOURNMENT (2-1022)** - **Member Browne moved to adjourn the meeting at 9:43 p.m. Member Nietz seconded the motion. Motion carried 6-0.**

The Minutes of the February 9, 2000 meeting of the Redevelopment Authority Citizens Committee are so approved this \_\_\_\_\_ day of April, 2000.

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ROBIN L. WILLIAMSON, Chairperson