

CARSON CITY BOARD OF SUPERVISORS
Minutes of the December 19, 1996, Meeting
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A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, December 19, 1996, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 8:30 a.m.

PRESENT:	Marv Teixeira	Mayor
	Greg Smith	Supervisor, Ward 1
	Janice Ayres	Supervisor, Ward 2
	Tom Tatro	Supervisor, Ward 3
	Kay Bennett	Supervisor, Ward 4

STAFF PRESENT:	John Berkich	City Manager
	Kit Weaver	Assessor
	Alan Glover	Clerk-Recorder
	Rod Banister	Sheriff
	Al Kramer	Treasurer
	Mary Walker	Finance Director
	Steve Kastens	Parks and Recreation Director
	Judie Fisher	Personnel Manager
	Jay Aldean	Public Works Director
	Dorothy Timian-Palmer	Utilities Director
	Paul Lipparelli	Deputy District Attorney
	Bill Milligan	Justice Court Administrator
	Tim Homann	Deputy Public Works Director
	Phil Herrington	Building Official
	John Iratcabal	Deputy Purchasing & Contrs. Dir.
	Daren Winkelman	Health Official
	Ken Arnold	Environmental Control Manager
	Juan Guzman	Senior Planner
	Liz Hernandez	Admin. Asst. to City Manager
	Katherine McLaughlin (B.O.S. 12/19/96)	Recording Secretary

NOTE: Unless otherwise indicated, each item was introduced by staff's reading/outlining/clarifying the Board Action Request and/or supporting documentation. Staff members present for each Department are listed under that Department's heading. Any other individuals who spoke are listed immediately following the item heading. A tape recording of these proceedings is on file in the Clerk-Recorder's office. This tape is available for review and inspection during normal business hours.

CALL TO ORDER, INVOCATION, PLEDGE OF ALLEGIANCE, AND ROLL CALL - Mayor Teixeira convened the session at 8:35 a.m. Rev. Roy Parker of the Full Gospel Church gave the Invocation. Supervisor Ayres lead the Pledge of Allegiance. Roll call was taken. The entire Board was present constituting a quorum.

1. ACTION ON APPROVAL OF MINUTES (1-0027.5) - None.

CITIZEN COMMENTS (1-0029.5) - None.

2. SPECIAL PRESENTATIONS - Personnel Manager Judie Fisher

A. ACTION ON RESOLUTION FOR MAYOR MARV TEIXEIRA (1-0032.5) - Ms. Fisher explained Mayor Teixeira's tenure with the City. Mayor Pro-Tem Smith presented a plaque to Mayor Teixeira and commended him on his dedication and hard work. Supervisor Ayres moved to adopt Resolution No. 1996-R-63, A

RESOLUTION COMMENDING THE MAYOR, and read the entire Resolution into the record. Supervisors Tatro and Bennett seconded the motion. Supervisor Tatro recognized Mayor Teixeira's hard work and accomplishments during his eight year tenure. He felt that more had been accomplished and that the City had moved forward more during his tenure than at any other time in its history. Mr. Berkich, on behalf of the City staff, also commended Mayor Teixeira on the great years under his leadership. Supervisor Ayres explained their relationship, thanked him for his guidance, and wished him success in his future endeavors. The motion to adopt Resolution 1996-R-63 was voted and carried unanimously. Mayor Teixeira pointed out that the five individuals involved with the Board make it run. There have been outstanding people during his tenure. The staff are the ones who make it work. They are responsible for the success of his tenure.

(1-0291.5) Sheriff Banister presented Mayor Teixeira with a plaque recognizing his vision, skill, tenacity, and persuasion toward the achievement of a new Carson City Jail. Mayor Teixeira thanked him for the recognition.

B. ACTION ON RESOLUTION FOR SUPERVISOR JANICE AYRES (1-0122.5) - Mayor Teixeira noted his pleasure at serving with Supervisor Ayres. Supervisor Tatro moved to adopt Resolution No. 1996-R-64, A RESOLUTION COMMENDING A SUPERVISOR, and read the Resolution into the record. Supervisor Bennett seconded the motion. Motion carried 5-0. Supervisor Ayres expressed her pleasure at having had the opportunity to work with the Board. They had each respected each other's positions. It was the first time that predictions on how the vote would be could not be made. The Board had had five independent thinkers who were interested in doing the best for the City. She hoped that this would continue with the next administration, which would continue to need the staff's help and support. She, too, felt that the administration had accomplished more than had ever been seen before. She indicated that she would be watching and participating in the positive growth of the City in whatever manner she could. She thanked all for being good to her over the last four years.

C. PRESENTATION OF LONGEVITY AWARDS TO CITY EMPLOYEES (1-0186.5) - Mayor Teixeira presented the longevity awards to the following individuals: 25 years - Mark J. Bowers and Christian Coleman; 20 years - Larry McPhail, Curtiss Fisher, Richard Carrillo, Kit Weaver, Paula Crum, and Philip Johnson; 15 years - Noel Waters, Randy Putzer, Ronald Johns, William Omnes, Katherine McLaughlin, and William Berge; and 10 years - Edward McCain, Lorraine Baseel, Sally Evans, Josephine Gallegos, Vicki Chittenden, Donna Fuller, and Lawrence Nair.

D. PRESENTATION OF MERIT ACHIEVEMENT AWARD TO BETH HUCK, COMPLIANCE OFFICER III (1-0273.5) - Mayor Teixeira presented the check and award to Ms. Huck and thanked her for her suggestion.

LIQUOR AND ENTERTAINMENT BOARD (1-0307.5) - Mayor Teixeira recessed the Board of Supervisors session and immediately convened the hearing as the Liquor and Entertainment Board. The entire Board was present including Sheriff Banister, constituting a quorum.

3. TREASURER - Al Kramer

A. ACTION TO APPROVE A FULL BAR LIQUOR LICENSE FOR MARTHA L. FRISBIE, DOING BUSINESS AS HEISS' STEAK AND SEAFOOD HOUSE (1-0308.5) - Ms. Frisbie indicated she had recently purchased the establishment. Member Banister noted the favorable Sheriff's Report. Ms. Frisbie indicated she would be serving the same food. Member Bennett moved that the Liquor and Entertainment Board approve a request for a full bar liquor license for Martha L. Frisbie, doing business as Heiss' Steak and Seafood House and wished her success. Member Ayres seconded the motion. Motion carried 6-0. Chairperson Teixeira also wished her success in her new endeavor.

B. ACTION TO APPROVE A FULL BAR AND PACKAGED LIQUOR LICENSE FOR THE CARSON CIGAR COMPANY, INC., STEVEN A. BROWNE, PRESIDENT (1-0342.5) - Mr. Browne explained his expansion plans. Member Banister noted the favorable Sheriff's Report. Member Smith moved to

approve the request for a full bar and packaged liquor license for The Carson Cigar Company, located at 318 North Carson Street, Steven A. Browne, President. Member Ayres seconded the motion. Motion carried 6-0. Mr. Browne thanked the City staff and the Board for their assistance during his eight year tenure in the City. He felt that the community was the best place in which to do business. He then thanked Mayor Teixeira and Supervisor Ayres for all that they had done on behalf of Carson City and requested his comments be made a part of the official record.

BOARD OF SUPERVISORS (1-0385.5) - There being no other matters for consideration as the Liquor and Entertainment Board, Chairperson Teixeira adjourned the Liquor and Entertainment Board and immediately reconvened the session as the Board of Supervisors. The entire Board was present constituting a quorum.

4. CONSENT AGENDA (1-0388.5)

A. TREASURER

i. ACTION ON TREASURER REPORT FOR THE MONTH OF NOVEMBER 1996

ii. ACTION ON REINSTATEMENT OF REVOKED BUSINESS LICENSES

B. PURCHASING DIRECTOR

i. ACTION ON CONTRACT NO. 9697-118 - CARSON CITY SOUTH LIFT STATION RELOCATION AWARD

ii. ACTION ON CONTRACT NO. 9697-126 - JOINDER CONTRACT FOR PURCHASE OF NEW VEHICLES WITH WASHOE COUNTY SCHOOL DISTRICT

iii. ACTION ON CONTRACT NO. 9495-218 - UTILITIES DEPARTMENT NEW FACILITY, REQUEST FOR FINAL PAYMENT

iv. ACTION ON CONTRACT NO. 9697-135 - FIRE DEPARTMENT PAGERS, AWARD

v. ACTION ON CONTRACT NO. 9596-160 - ENVIRONMENTAL MANAGEMENT, SHERIFF'S OFFICE MAINTENANCE YARD AGREEMENT (AMENDMENT NO. 2) - None of the items were pulled for discussion. Supervisor Tatro moved to approve the Consent Agenda as presented. Supervisor Ayres seconded the motion. Motion carried 5-0.

5. PUBLIC WORKS DIRECTOR - Jay Aldean - ORDINANCE - FIRST READING - ACTION ON AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND WYMAN-GORDON INVESTMENT CASTINGS, INC., REGARDING ASSESSOR'S PARCEL NO. 08-405-34 LOCATED AT 2727 LOCKHEED WAY, CARSON CITY, NEVADA (1-0402.5) - As a representative from Wyman-Gordon was not present, Mr. Aldean requested the item be pulled.

6. UTILITIES DIRECTOR - Dorothy Timian-Palmer

A. ACTION ON THE UTILITIES DEPARTMENT FINANCIAL SUPPORT FOR THE CARSON VALLEY CONSERVATION DISTRICT FOR CONTINUED ASSISTANCE TO CARSON CITY (1-0405.5) - Discussion pointed out the benefits of the District. The funding would be from the Utilities Enterprise Accounts. The Tahoe Conservation District, the RC&D, and the District's responsibilities, duties, and boundaries were explained. Carson City has a representative on the Carson Valley Conservation District Board. Supervisor Smith moved that the Board of Supervisors approve Utilities Department financial support of the Carson Valley Conservation District for continued assistance to Carson City in the amount of \$2500; fiscal impact is \$2500; and the funding source is 520 Professional Services Account. Supervisors Tatro and Ayres seconded the motion. Motion carried 5-0.

B. ORDINANCE - SECOND READING - ACTION ON BILL NO. 168 - AN ORDINANCE AMENDING SECTIONS 9.05.040 (FOOD SERVICE MANAGEMENT PERSONNEL TRAINING AND CERTIFICATION), 9.05.060 (ACCESS TO ESTABLISHMENTS--INSPECTION RECORDS--DEMERIT VALUES AND SCORES), 9.05.080 (GRADES OF ESTABLISHMENTS), AND 9.05.100 SUSPENSION, REVOCATION OF PERMITS--REINSTATEMENT OF SUSPENDED PERMITS--HEARINGS) OF THE

CARSON CITY MUNICIPAL CODE TO UPDATE AND CORRECT OUTDATED INSPECTION POLICIES AND TO STANDARDIZE WITH STATE REGULATIONS (1-0455.5) - Health Officer Daren Winkelman - Supervisor Ayres moved that the Board adopt Ordinance No. 1996-65 on second reading, AN ORDINANCE AMENDING SECTIONS 9.05.040 (FOOD SERVICE MANAGEMENT PERSONNEL TRAINING AND CERTIFICATION), 9.05.060 (ACCESS TO ESTABLISHMENTS--INSPECTION RECORDS--DEMERIT VALUES AND SCORES), 9.05.080 (GRADES OF ESTABLISHMENTS), AND 9.05.100 (SUSPENSION, REVOCATION OF PERMITS--REINSTATEMENT OF SUSPENDED PERMITS--HEARINGS) OF THE CARSON CITY MUNICIPAL CODE TO UPDATE AND CORRECT OUTDATED INSPECTION POLICIES AND TO STANDARDIZE WITH STATE REGULATIONS. Supervisor Bennett seconded the motion. Motion carried 5-0.

7. PURCHASING DIRECTOR - Deputy Director John Iratcabal

A. ACTION ON CONTRACT NO. 9596-019 - TRANSIT MANAGEMENT SERVICES, CORRECTION TO THE PREVIOUS BOARD ACTION (1-0480.5) - Discussion explained the funding source and correct contract amount. Supervisor Bennett moved that the Board of Supervisors accept the Purchasing Department's recommendation and authorize the correction to Contract No. 9596-019 to reflect the corrected amount from \$25,871 to \$49,564; funding source is Capital Acquisition Funding of \$30,000 in one shot money. Supervisor Smith seconded the motion. Motion carried 5-0.

B. ACTION ON CONTRACT NO. 9697-115 - EAGLE VALLEY RESTAURANT/BAR CONCESSIONAIRE, ACCEPTANCE OF CONTRACT (1-0530.5) - City Manager Berkich indicated that a conceptual agreement had been reached on all of the items of concern related to the contract with the exception of the odor problem. This is the reason a contract had not been provided. Staff's efforts to mitigate the odor problem were explained. A consultant had been retained to assistance in this effort. In spite of all of the efforts, the problem remains unsolved as of this morning. Work is continuing. Mr. Massad feels that he should not be required to commence operating at this time. Staff has considered other options for the service at the facility and will continue to do so, however, until a solution is determined, staff recommends interrupting the service during the projected slow month of January. ARA had indicated it lost between \$5 and \$6,000 providing service during the month of January. He committed to having staff continue to work on the problem and, hopefully, resolve the situation within the next week or so. This will, also, provide time to finalize the contract by the first Board meeting in January. Mayor Teixeira felt that the problem was getting worse and until it is resolved, a contractor could not serve food with the odor. He recommended putting coffee and donuts in the pro shop and interrupting the service until the problem is addressed. Mr. Iratcabal explained the work done to date in an attempt to resolve the problem. He felt that its resolution is close. It appears that the problem is a combination of sources. There had been broken lines in the building at one time. Supervisor Ayres expressed a willingness to interrupt the service but not to close it down. She questioned whether the problem could be resolved in such a short period. Mr. Berkich committed to working on the problem. He felt that the problem had been there since the building had been remodeled. Mr. Bushman had mentioned the problem periodically, however, ARA had never said anything. Mayor Teixeira felt that the odor had worsen over the last year. He felt that the high ground water table was part of the problem. Mr. Berkich committed to keeping the Board apprised of the situation. Mr. Lipparelli indicated the contract was ready for the Board to consider once the problem is resolved. Mayor Teixeira invited the public to contact Mr. Iratcabal with any ideas or suggestions. No formal action was taken.

8. FINANCE AND REDEVELOPMENT DIRECTOR - Mary Walker

C. SPECIAL RECOGNITION OF SIERRA PACIFIC POWER COMPANY AND CARSON CITY PUBLIC WORKS, PARKS, PURCHASING, UTILITIES, AND FINANCE EMPLOYEES FOR THEIR OUTSTANDING INDIVIDUAL AND TEAM EFFORT ON THE CARSON STREET BEAUTIFICATION PROJECT (1-0658.5) - Ms. Walker explained City staff's team effort and commended them on it. She pointed out that a majority of the work was accomplished at night which imposed an additional demand on the employees. Supervisor Tatro commended Ms. Walker on the project and announced that she had

received for Carson City Redevelopment Authority the Governor's Tourism Award for this work. He noted that the recognition received by the project was more than just in the community. He then presented achievement awards to the recipients. Ms. Walker then explained that Sierra Pacific had donated the removal of the cobra lights over Carson City gratis. Mayor Teixeira commended both Redevelopment Authority Chairperson Tatro and Ms. Walker on their efforts and acceptance of the "heat" which had occurred on the project.

9. COMMUNITY DEVELOPMENT DIRECTOR - Principal Planner Rob Joiner

C. ORDINANCE - FIRST READING - ACTION ON Z-96/97-3 - AN ORDINANCE EFFECTING A CHANGE OF LAND USE ON APPROXIMATELY 27,000 SQUARE FEET OF LAND FROM DOWNTOWN COMMERCIAL TO RETAIL COMMERCIAL ON PROPERTY LOCATED AT 1001 SOUTH CARSON STREET, ASSESSOR'S PARCEL NUMBER 4-055-04, AND OTHER MATTERS PROPERLY RELATED THERETO (PLANNING COMMISSION APPROVED 7-0) (1-0796.5) - Richard Staub explained the location and proposed project. Supervisor Smith moved to introduce on first reading Bill No. 172, AN ORDINANCE EFFECTING A CHANGE OF LAND USE ON APPROXIMATELY 27,000 SQUARE FEET OF LAND FROM DOWNTOWN COMMERCIAL (DC) TO RETAIL COMMERCIAL (RC) ON PROPERTY LOCATED AT 1001 SOUTH CARSON STREET, ASSESSOR'S PARCEL NUMBER 4-055-04, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Ayres seconded the motion. Motion carried 5-0. Comments indicated that he had acquired the adjacent parcel which had formerly been a gas station. The Board wished him success on his endeavors. Discussion indicated that the Nevada Department of Environmental Protection had said the second parcel had had a clean bill of health.

9. B. ACTION ON ACCEPTANCE OF CARSON CITY FISCAL YEAR 95-96-COMPREHENSIVE ANNUAL FINANCIAL REPORT (1-0865.5) - Kafoury, Armstrong Representative Randy Kuckenmeister began by noting the unqualified opinion and introducing Audrey Channey, who had worked on the report. He then used an overhead projector to show the graphs of the report. The graphs reflected the revenue sources, expenditures, and each of the operational trends. (A copy of the graphs is included in the packet.) Discussion pointed out that a majority of the City's revenue is generated from sales taxes; noted the impact which the Public Safety Complex bonds would have on the revenue picture; and stressed the need for a strong sales tax base. (1-1010.5) Mayor Teixeira commended Ms. Walker and her staff on their efforts to make the City financially sound. He also pointed the fiscal impact which would be created if the City lost this tax base. If this base is lost, the City will not be able to afford the necessary services for the community without a significant increase in the ad valorem rate. Mr. Kuckenmeister indicated that the cost to operate the Sheriff and Fire Departments is well in excess of the revenue stream generated by non-sales tax sources. Mr. Kuckenmeister then continued his graph report with the enterprise funds. (1-1086.5) Discussion ensued on the sewer rate decrease and how low the working capital should be allowed to drop. Comments indicated the golf course working capital would continue to decrease due to competition and that 1996 had not been a good year for tourism. The ambulance will continue to need General Fund support although the amount of support had decreased over the years. Comments noted the improvements which had occurred at the Cemetery since it became an enterprise. (1-1211.5) Mr. Kuckenmeister then reviewed the report's compliance section. Staff will respond to these issues at a future meeting. The management letter was then reviewed. Discussion indicated that the effected Departments will respond to the management points at a future meeting. Ms. Walker felt that this would occur in approximately 60 days as is required by the Local Government Budget Act. Discussion indicated that the issue related to allocation of interest income may be addressed during the Legislative session. Mr. Kuckenmeister then reviewed the reporting requirements section, which is a new section in the report. He pointed out the difficulty encountered determining what is required by the Statutes for this section and expressed the hope that the Legislature will address this problem. Discussion indicated that Kafoury Armstrong/Mr. Kuckenmeister had been involved with the City's external audit, with an exception of a three year period, for over 11 years. Mr. Kuckenmeister explained his experience with other entities and the status of their general fund. Carson City's General Fund is healthy which is a result of planning and staff efforts. The staff's expertise is highly regarded throughout the State.

(1-1358.5) Public comments were solicited. Ms. Walker commended her staff on its efforts. She also noted that the report covers a ten year span and is the result of a team effort which includes the Board and strong policies, programs, and procedures. This allows her to participate in other financial programs while her staff follows through with the daily functions. Supervisor Bennett pointed out that the change had begun during former Supervisor Swirczek's tenure and is a result of economic diversification. The City's commercial diversification program is causing it to become a center of commerce for the surrounding Counties which results in a lower ad valorem rate and higher public service standards. Eventually, the area will have to address the problems created by this growth such as the movement of people and commerce. She expressed the hope that the neighboring Counties will follow some of Carson City's examples to the benefit of all. Additional comments were solicited but none given.

Supervisor Tatro moved to accept the Carson City FY 95-96 Comprehensive Annual Financial Report. Supervisors Bennett and Ayres seconded the motion. Motion carried 5-0.

A. ACTION ON APPROVAL OF THE CARSON CITY AND REDEVELOPMENT AUTHORITY FISCAL YEAR 96-97 FIRST QUARTER FINANCIAL REPORTS (1-1448.5) - Ms. Walker reviewed the reports in depth. Discussion indicated that the water fund revenue/expenditures relate only to the monthly service fee. Concerns were expressed about the golf courses' continual decrease in revenue. The decrease in tourism throughout the area was pointed out. It was felt that the Board was taking the appropriate action to address the downturn at the golf course. Discussion reiterated the cemetery improvements including the plans to irrigate with effluent and its installation date. The ISTE A grant request of \$76,00 for Redevelopment had been approved. This will allow the work to continue further north on Carson Street. Mayor Teixeira thanked NDOT for its cooperation. Ms. Walker thanked Mayor Teixeira for his leadership and assistance during his tenure. She had enjoyed working with him. Supervisor Bennett moved that the Board of Supervisors approve the Carson City and Redevelopment Authority 96-97 First Quarter Financial Reports. Supervisor Ayres seconded the motion. Motion carried 5-0.

BREAK: Mayor Teixeira declared a recess at 10:15 a.m. Mayor Teixeira reconvened the session 10:24 a.m. The entire Board was present constituting a quorum.

9. COMMUNITY DEVELOPMENT DIRECTOR - Principal Planner Rob Joiner

A. ACTION ON MPE-95/96-3 - A RESOLUTION FROM THE CARSON CITY COMMUNITY DEVELOPMENT DEPARTMENT ADOPTING THE HISTORIC PROPERTIES MASTER PLAN ELEMENT (PLANNING COMMISSION APPROVED 7-0) (1-1712.5) - Mr. Joiner's introduction acknowledged the individuals and consultant who had worked on the element and were present. Discussion between Mr. Joiner and the Board indicated that the element would have had little control over Dr. Schnauser's project. The proposed element is for historic properties outside of the Historic District.

(1-1872.5) Larry Green distributed a letter and a copy of The Nevada Appeal article dated 11/15/96 to the Board and Clerk. He requested the Board defer action on the Resolution until after a workshop is held. Mr. Joiner explained the workshops and meetings which had been held by both HARC and the Planning Commission. The notices were made through the normal media programs. Individual notices had not been made nor are they required by Statute. Mr. Joiner then explained that the news article was regarding a Title 18 ordinance change and not the historic element. Mr. Green reiterated his request. He felt that the property rights were being usurped in the current Historic District and, if the element is adopted, the proposal would expand those requirements to cover the entire County. Clarification indicated that he opposed the entire document and not any one specific section. Mr. Joiner requested clarification concerning his specific concerns and expressed a willingness to work with him. He noted that the Planning Commission had held several meetings on the topic over a six to eight month period.

HARC Member Mike Drews urged the Board to adopt the Resolution posthaste to avoid the loss of historic areas as could have happened with the Sheehan project. The proposal would make the City pro-active and avoid

delaying projects.

(1-2058.5) Mark Amodei agreed that the program would be applied City-wide. The proposal attempts to implement already federally mandated requirements related to potential archeological and historical sites at the beginning a project rather than playing catchup in the middle or end of it. This had occurred with both the Silver Oaks, Sheehan, and Merchant projects. The same will occur with the Lompa project. Potential penalties/fines/loss of grants were explained to illustrate the need to implement the program. The proposal will make the developer aware of any potential requirements/sites before construction occurs. Discussion between the Board and Mr. Amodei indicated the program would level the playing field in Carson City for all developers and eliminate a potential for surprise. It will spell out Carson City's requirements and may eliminate other Federal requirements. The City already has rather generalized sensitivity maps. This will point out potential sites which will provide time for research and mitigation procedures to be established before construction occurs. There are no local requirements above that already required by the Federal government. The proposal will make Carson City proactive when a developer comes forward and will make the project comply with the mandated Federal regulations from the beginning. Mayor Teixeira iterated his concerns with having to following an ever moving Federal requirement. He felt that the City should not be forced to following any "whims" in a direction opposite that desired by the City. Mr. Amodei responded by explaining that this proposal has a rather dismal chance of succeeding, however, if the City's standards are established, the proposal will eliminate large changes having to be made at the end of a project. Mayor Teixeira then explained his concern was related to having another "FEMA Map". He expressed the hope that there could be some flexibility in the regulations without the need for the City to "take on" the Feds in order for development to occur. Mr. Amodei responded by reiterating that the proposal will make the requirements known at the beginning instead of at the end. This will allow the challenges to be made first rather than after a project is developed. Mr. Joiner explained how the proposal would have impacted the Sheehan project rather than requiring the project to halt construction until the archeological site cab be studied. The plan will provide the City with creditability. Mr. Amodei also explained the advantage for small property owners is that the process will allow the City to assist through the University or another entity to be sure that the right preservation and recordation procedures are followed. Mayor Teixeira thanked Mr. Amodei for participating and explaining the process.

Commissioner Drews also pointed out that the proposal will allow the City to investigate and determine if there are significant resources on a property which normally would not be discovered until development occurs. He felt that the Roundhouse may have been saved under this process. He complimented Steve Hartman for working with Redevelopment on his Silver Oak project.

(1-2360.5) SEA Engineering Consultant Karen Melby pointed out that the proposal would allow the staff to define what is important as not every archeological site is important. Mayor Teixeira questioned whether this would be a subjective decision. He did not wish to add another level of unnecessary bureaucracy to the process. Ms. Melby explained that staff would have records which indicate where the significant sites may be. This will be the trigger when an application is submitted. Mr. Joiner suggested that if funding is provided, a cursory survey could be conducted or another process could be developed to assist the property owners. Discussion indicated an appeal process had not been developed but that one would be considered by the future Board.

Supervisor Bennett moved that the Board of Supervisors approve Resolution No. 1996-R-63, A RESOLUTION OF THE CARSON CITY BOARD OF SUPERVISORS ADOPTING MPE-95/96-3, THE CARSON CITY HISTORICAL ARCHEOLOGICAL PROPERTIES PRESERVATION PLAN, AS AN ELEMENT OF THE CARSON CITY MASTER PLAN. Supervisor Ayres seconded the motion. Motion carried 5-0.

B. ACTION ON U-93/94-6 AND 6A - A REVIEW OF THE CONDITIONS OF APPROVAL AND OTHER MATTERS RELATED THERETO FOR THE KMART CORPORATION STORE NO. 4943 ON PROPERTY ZONED RETAIL COMMERCIAL-PLANNED UNIT DEVELOPMENT (RC-PUD), LOCATED ON THE WEST SIDE OF NORTH CARSON STREET APPROXIMATELY 200 FEET SOUTH OF WEST COLLEGE PARKWAY, 3456 NORTH CARSON STREET, APN 8-061-22

(PLANNING COMMISSION APPROVED 7-0) (1-02454.5) - Senior Planner Juan Guzman - Discussion indicated that there is a major project scheduled for review on January 8 for the proposed development to the west and south of this site. Supervisor Smith read Donna Kuester's letter of concerns into the record. A copy is included in the file. She indicated that the noise problem had not been resolved. The neighbors were not being difficult. The District Attorney's office had failed to respond to either her or her attorney's letters. The trash still blows into her yard. The landscaping has never been brought up to City standards. She urged the Board to protect the residents and mitigate these problems. Additional comments were solicited, however, none were made. Supervisor Ayres moved that the Board of Supervisors approve a review of the Conditions of Approval and other matters related thereto for the Kmart Corporation Store No. 4943 on property zoned Retail Commercial-Planned Unit Development located on the west side of North Carson Street, approximately 200 feet south of West College Parkway, 3456 North Carson Street, APN 8-061-22. The review had been approved by the Planning Commission. Supervisor Smith seconded the motion. Motion carried 4-1 with Supervisor Bennett voting Naye.

Mr. Guzman thanked Mayor Teixeira and Supervisor Ayres for working with staff and for their support.

10. PARKS AND RECREATION DIRECTOR - Steve Kastens - **ACTION ON A RESOLUTION AUTHORIZING A GRANT TO THE CARSON CITY RAILROAD ASSOCIATION TO PURCHASE A TRAIN FOR MILLS PARK (1-2576.5)** - Parks and Recreation Commissioner Larry Osborne and Ronald Santi - Commissioner Osborne questioned the proposal and indicated that neither he nor the Commission had not reviewed it. The need for a train in Mills Park was emphasized. Discussion between Mayor Teixeira and Commissioner Osborne indicated that the funds would be from the General Fund and not from the Commission's Residential Construction Tax. Mr. Kastens indicated that the agreement would not change the scope of the agreement between Carson City and the Association. It will not effect the Parks and Recreation budget. It is funding from the General Fund Contingency Account. The need for expediency was explained. Mayor Teixeira indicated that he had made the decision to bring the request forward and not involve the Commission. Supervisor Bennett felt that the Commission should have been informed.

Mr. Santi reviewed the history of the operation. The benefits of the acquisition versus the current lease and the cost of the insurance were explained to illustrate the need to acquire the equipment. It is necessary to act quickly or the equipment may be sold to someone else. Supervisor Smith supported the request based on the benefits provided to the community by the service. Supervisor Ayres explained her association with the Railroad Association during several RSVP fundraisers and her support for the request. RSVP has never charged the Association for the privilege of operating during those events. This is due to RSVP's feeling that it is another attraction to the park and her event. Time is of the essence and the offer may be cancelled. Mr. Santi indicated the hurry is due to the lease cancellation requirements. Mayor Teixeira also pointed out that the operation had barely broken even last year. He supported having the City fund the acquisition. The entire operation is done by volunteers. The City receives ten percent of the gross. Mayor Teixeira was concerned about the precedence granting the request outside the normal budget process would have. He recommended increasing the grant to \$6,000 due to the need to return the leased rolling stock to the lessor. He then suggested modifying the Resolution to add a new No. 4, renumbering the suggested No. 4 to 5. The new No. 4 would read: "This grant is to be repaid over a six year period at a minimum of \$500 a year and the balance to be paid at the end of six years." He added to No. 5: "As a condition of the grant, should Carson City Railroad Association sell the train in the future to someone other than the operator at Mills Park, the balance of the grant will be repaid to the City of Carson City." Reasons for these recommendations were then explained. Mr. Santi indicated that he agreed to the revisions. **Mayor Teixeira then passed the gavel and moved that the Board of Supervisors approve Resolution No. 1996-R-66, A RESOLUTION AUTHORIZING A GRANT TO THE CARSON CITY RAILROAD ASSOCIATION for the purchase of a train for Mills Park with the following amendments within the Resolution, Item No. 4 be changed to No. 5 and No. 4 to read: This grant to be repaid over a six year period at a minimum of \$500 a year and the balance to be repaid at the end of the six years" and the new No. 5 be as a condition grant that: "Should the Carson City Railroad Association sell the train in the future to someone other than the operator of the Mills Park riding train, the balance of the grant will be repaid to the City", and amended the amount of the grant from \$5,000 to \$6,000. Supervisors Ayres and Tatro seconded**

the motion. Mr. Lipparelli explained for Supervisor Bennett that the Statute allowing the City to make grants to non-profit organizations allows conditions to be placed on the grant. The repayment clause may be viewed as a condition. This makes the question one related to whether the "gift grant" is a "loan". He questioned whether there would be an absolute obligation to repay the money. If there is, then the document would have the characteristics of a loan. Discussion indicated that the Association is currently required to make lease payments to the City under its contract. Mr. Lipparelli suggested this contract be amended to handle the repayments. This could be a condition of the grant. Supervisor Bennett indicated she was not opposed to the concept, however, wished to be sure that it could be accomplished. She then requested the appropriate document be brought back to the Board for consideration. Mayor Teixeira explained the reasons time is of the essence. He suggested changing Condition 4 to indicate that the intent of the grant is that payments will be made if at all possible over a six year period at \$500 a year and the balance to be repaid at the end of the six years. Mr. Lipparelli indicated that this would make it closer to a grant. He then questioned whether interest should be charged. Mayor Teixeira indicated there would be no interest. Mr. Lipparelli indicated that Redevelopment grants contain conditions and repayment as an example. Therefore, repayment could be required. He recommended that the terms include a provision expressing the Association's intent to repay the grant to the extent possible and a provision that interest would not be charged. Supervisor Tatro suggested an amendment to the motion. **Mayor Teixeira then amended his motion to change No. 4 to be: The Carson City Railroad Association and the City, as a condition of the grant, shall renegotiate the existing operating agreement to increase the rent amount by \$500 annually for five years, for the years 1997 through 2001, and \$3500 for the year 2002. Supervisor Bennett seconded the motion.** Discussion ensued between Mayor Pro-Tem Smith and Mr. Santi about the cost of insurance for the operation. Originally, the Association had only carried a blanket policy and the concessionaire had provided the liability. When the Association leased the equipment, it was not required to carry the comprehensive. As the Association is now the equipment owner, comprehensive insurance must be provided. This is a substantial increase in the insurance rate. Mayor Pro-Tem Smith explained his concern about the Association's ability to continue to meet all of the operational costs. He was specifically concerned that the Association may not be able to repay the \$500 a year. He did not wish to be a part of the reason the ticket prices were increased to make the program work. Supervisor Ayres and Mr. Santi discussed the Association's non-profit status and the insurance carrier. Supervisor Ayres felt that the Association did a good job and supported Mayor Pro-Tem Smith. She suggested the funds be considered an "out-and-out" grant in the same fashion as grants to other organizations had been given. She agreed that the budget process may be the correct place for consideration of the funding, however, it is occurring now and time is of the essence. Supervisor Tatro indicated his support for both Mayor Teixeira and Mayor Pro-Tem Smith. The Association is an asset to the community. It is a well run operation. It is great to have it in the park. As Mayor Teixeira had indicated the Board had not previously given grants in the middle of the budget cycle. This may be one of those items for which it is better not to have a "first time". Therefore, he supported the compromise solution. He suggested that if a Supervisor wished to make it a grant, it should be added to the budget process and the application allowed to compete against all of the other requests. He urged the Board to consider the timing and the different atmosphere of the budget process. (1-3429.5) Mr. Santi responded by explaining that the Association had considered both options. He felt that the \$6,000 grant with a payback requirement would be beneficial as it would provide the necessary front money and the freight charges. The tickets may be increased by 25 cents this year. With no other changes to the current budget, the savings created by owning the equipment would more than enable the Association to meet its obligations and the grant. In six years, the Association should be in a good financial position so that the grant could be repaid. The railroad can be made to be self-sufficient. The Association had been able to make a \$37 profit in spite of all of the challenges encountered this year. He then indicated that the special events help the operation, specifically, the Kit Carson Rendezvous. The train is available to all of the event providers. **The motion to approve the \$6000 grant with the conditions as revised was voted by roll call with the following result: Mayor Teixeira - Yes; Supervisor Bennett - Yes; Supervisor Tatro - Yes; Supervisor Ayres - No; and Mayor Pro-Tem Smith - No. Motion carried 3-2.** Comments indicated the no votes were not against the Association/train but against the repayment requirement. Mayor Teixeira indicated his support for having the grant come back during the budget process.

Mr. Kastens then thanked Supervisor Ayres for her support with the Commission and on behalf of the Commission, Mayor Teixeira for his support of YSA. He looked forward to continuing to work with Supervisor

Ayres on her events and various projects. Mayor Teixeira's support had made it easier for him to perform his job as he knew the Board's "leader" supported his cause. He also had enjoyed the challenges, such as the ice skating rink, which Mayor Teixeira had presented over the years.

11. CLERK-RECORDER - Alan Glover - ACTION ON THE SELECTION AND APPOINTMENT OF A BOARD MEMBER TO BE ITS REPRESENTATIVE TO THE DEBT MANAGEMENT COMMISSION (1-3555) - Mayor Teixeira asked Mayor-Elect Masayko and Supervisor-Elect Plank if they wished to serve. Supervisor-Elect Plank volunteered. Supervisor Tatro explained his desire to leave the appointment to the new Board and moved to appoint Supervisor-Elect Jon Plank to be the Carson City Board of Supervisors representative to the Debt Management Commission. Supervisor Bennett seconded the motion. Motion carried 5-0.

12. DISTRICT ATTORNEY - Deputy District Attorney Paul Lipparelli - ORDINANCE - SECOND READING - ACTION ON BILL NO. 169 - AN ORDINANCE AMENDING CHAPTER 2.32 (SALE OR EXCHANGE OF SURPLUS PROPERTY) AMENDING A PORTION OF ORDINANCE TO ALLOW FOR THE EXCHANGE SURPLUS PROPERTY FOR SERVICES AND OTHER MATTERS PROPERLY RELATED THERETO (1-3617.5) - Supervisor Ayres moved to adopt on second reading Bill No. 169, Ordinance No. 1996-67, AN ORDINANCE AMENDING CHAPTER 2.32 (SALE OR EXCHANGE OF SURPLUS PROPERTY) AMENDING A PORTION OF ORDINANCE TO ALLOW FOR THE EXCHANGE SURPLUS PROPERTY FOR SERVICES AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Bennett seconded the motion. Motion carried 5-0.

13. CITY MANAGER - ORDINANCE - SECOND READING - ACTION ON BILL NO. 170 - AN ORDINANCE AMENDING SECTION 2.02.040 OF THE CCMC (MEETINGS OF THE BOARD) TO ADD A PROVISION PERMITTING THE BOARD OF SUPERVISORS TO CHANGE THE DATE OF A BOARD MEETING BY FINDING IT TO BE IN THE PUBLIC INTEREST AND BY PROVIDING 20 DAYS NOTICE AND OTHER MATTERS PROPERLY RELATED THERETO (2-0013.5) - Supervisor Bennett moved to adopt Ordinance No. 1996-68, AN ORDINANCE AMENDING SECTION 2.02.040 OF THE CCMC (MEETINGS OF THE BOARD) TO ADD A PROVISION PERMITTING THE BOARD OF SUPERVISORS TO CHANGE THE DATE OF A BOARD MEETING BY FINDING IT TO BE IN THE PUBLIC INTEREST AND BY PROVIDING 20 DAYS NOTICE AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Ayres seconded the motion. Mr. Lipparelli reminded the Board that the ordinance would change the January 1997 meetings dates to January 9 and 23. February meetings will be on the regular first and third Thursdays. The motion to adopt Ordinance No. 1996-68 was voted and carried 5-0.

14. BOARD OF SUPERVISORS

A. NON-ACTION ITEMS - INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (2-0036.5) - Mayor Teixeira reminded the Board that the Non-Profit Corporation interviews would commence at 2:30. There are a number of applicants. As the process will be televised, he felt that there could be an unfair advantage given to those later interviews as the applicants could be aware of the questions. He urged the public to attend the meeting and suggested it not be televised. No support was given by the Board.

BREAK: Mayor Teixeira declared a recess at 11:48 a.m. He reconvened the session at 2:30 p.m. The entire Board was present constituting a quorum. Staff members present included City Manager Berkich, Chief Juvenile Probation Officer Lewis, Personnel Manager Fisher, Deputy District Attorney Lipparelli, Golf Superintendent Mike Hair, and Recording Secretary McLaughlin.

15. PERSONNEL DIRECTOR - Judie Fisher

A. ORDINANCE - SECOND READING - ACTION ON BILL NO. 167 - AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE 2.04.400 (PUBLIC OFFICERS) ADDING JUVENILE SERVICES PROGRAM COORDINATOR (2-0069.5) - Supervisor Ayres moved to adopt on second reading

Bill No. 167, Ordinance No. 1996-69, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE 2.04.400 (PUBLIC OFFICERS) ADDING JUVENILE SERVICES PROGRAM COORDINATOR. Supervisors Tatro and Bennett seconded the motion. Motion carried 5-0.

B. ACTION TO APPOINT FOUR APPLICANTS TO THE NON-PROFIT CORPORATION FOR THE EAGLE VALLEY GOLF COURSE (2-0072.5) - The Board interviewed the following applicants: (2-0119.5) William Milligan, (2-0340.5) Robert McNeely, (2-0475.5) Milan Tresnit, (2-0715.5) Bill Davies, (2-1075.5) Steve McIntyre, (2-1315.5) Kenneth McBain, (2-1651.5) Wallace Murray, (2-1930.5) Nick Nicosia, (2-2187.5) Thomas Patten, (2-2550.5) Samuel Wattles, (2-2785.5) Michael Williams, (2-3027.5) Carl Perry, (2-3520.5) Eric Raeke, (3-0160.5) Mark Sattler, (3-0515.5) Wes Myers, (3-0792.5) Karen Kavanau, (3-1145.5) Phil Martin, and (3-1553.5) Roger Brenner. Ron Brown did not attend. Mayor Teixeira thanked each of the applicants for applying. He also noted the number of applicants and the few vacancies. Each applicant was asked if he/she wished to have the application submitted to the Corporation if not selected by the Board.

BREAKS: As all of the interviews scheduled for the afternoon session had been conducted by 4:28 p.m., Mayor Teixeira recessed the session. Mayor Teixeira reconvened the session at 6 p.m. The entire Board was present, constituting a quorum. Staff members present included City Manager Berkich, Personnel Manager Fisher, Deputy District Attorney Lipparelli, and Recording Secretary McLaughlin. Mayor Teixeira declared a recess at 6:52 p.m. Mayor Teixeira reconvened the session at 7:05 p.m. The entire Board was present, constituting a quorum. Mayor Teixeira declared a recess at 8:40 p.m. Mayor Teixeira reconvened the meeting at 8:46 p.m. The entire Board was present, constituting a quorum.

(3-1848.5) Consensus indicated that only those applicants who had indicated a desire to serve as Chairperson would be considered for that position. Those applicants were: Messrs. Murray, Nicosia, Sattler, Myers, and Martin and Ms. Kavanau. Procedures to be following during the nomination process were discussed. Each Supervisor/Mayor listed his/her nominee sometimes including reasons for this nomination. From this process Wes Myers was selected. Supervisor Tatro moved that the Board appoint Wes Myers as the Chairperson of the Non-Profit Golf Corporation. Supervisor Smith seconded the motion. Motion carried 5-0.

(3-2080.5) Mayor Teixeira iterated the difficulty encountered in selecting the three remaining individuals due to quality and number of applications.

Mayor-Elect Masayko suggested the Board appoint an alternate in case one of the selected individuals cannot serve. This would eliminate the need for the Board of Supervisors to reconsider the appointment. Another alternative would be to allow the Corporation's Board to select that individual. Mayor Teixeira felt that the applicant should have made this decision before applying. Selecting an alternate may impact the three appointments which the Corporation's Board is to make.

(3-2160.5) From this round of nominations the following were nominated: Messrs. Wallace Murray and Mark Sattler and Ms. Karen Kavanau. Supervisor Ayres moved that the Board appoint Wallace Murray, Karen Kavanau, and Mark Sattler to fill the remaining positions on the Board. Supervisor Bennett seconded the motion. Supervisor Smith noted for the record his feeling that from his ranking system, the choices were sound and that the Corporation could begin work. Mayor Teixeira pointed out that there are three vacancies open. There are outstanding applicants. All of the remaining applications will be forwarded to the Corporation. There is another applicant who is not a Carson City resident. The Corporation is not bound by the Board's policy. Supervisor Ayres felt that the Board could flip a coin and make a good appointment. Mayor Teixeira noted that the Corporation's Board would make the final three choices. The motion to appoint Mr. Murray, Ms. Kavanau, and Mr. Sattler was voted and carried 5-0.

14. BOARD OF SUPERVISORS - NON-ACTION ITEMS - INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS - CONTINUED (3-2314.5) - Mayor Teixeira indicated it had been a pleasure

CARSON CITY BOARD OF SUPERVISORS
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for him to have served on the Board. The Board is hard-working, dedicated, does its homework, does not have an agenda, and is genuinely interested in making the community a better place in which to live. Mayor-Elect Masayko is inheriting good talent. He wished him the best in his term.

ADJOURNMENT (3-2331.5) - Supervisor Ayres moved to adjourn. Mayor Teixeira seconded the motion. Motion carried. Mayor Teixeira adjourned the meeting at 9:28 p.m.

The Minutes of the December 19, 1996, Carson City Board of Supervisors meeting

1997. ARE SO APPROVED ON _____,

Ray Masayko, Mayor

ATTEST:

Alan Glover, Clerk-Recorder