

CARSON CITY BOARD OF SUPERVISORS
Minutes of the August 3, 1995, Meeting
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A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, August 3, 1995, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 1 p.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
 Alan Glover Clerk-Recorder
 Rod Bannister Sheriff
 Al Kramer Treasurer
 Walter Sullivan Community Development Director
 Paul Lipparelli Deputy District Attorney
 William Windle Automation Project Leader
 Jay Ahrens Deputy Utilities Director
 Ken Arnold Environmental Control Manager
 Katherine McLaughlin Recording Secretary
 (B.O.S. 8/3/95 Tape 1-0001)

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, ROLL CALL, INVOCATION, AND PLEDGE OF ALLEGIANCE - Mayor Teixeira convened the meeting at 1:02 p.m. Rev. Bill McCord of the First Methodist Church gave the Invocation. Sheriff Bannister lead the Pledge of Allegiance. Roll call was taken. The entire Board was present constituting a quorum.

1. ACTION ON APPROVAL OF MINUTES - May 18, 1995 Regular Session and May 30, 1995, Special Session (1-0038) - Supervisor Smith moved to approve. Supervisor Ayres seconded the motion. Motion carried 5-0.

AGENDA MODIFICATIONS (1-0048) - Mayor Teixeira announced the removal of Items 5. C. - the General Obligation Sewer Bond Ordinance for first reading - and 7. A. - the Special Use Permit from Alan and Christine Rushing. Supervisor Bennett announced her intent to bring to the Board in September the procedure which had been used by the Rushings and the need to address the development issues related to the sensitive areas, hillsides, and outlying areas. She indicated that the Master Plan update should include this discussion.

2. LIQUOR AND ENTERTAINMENT BOARD - TREASURER - Al Kramer - Mayor Teixeira recessed the Board of Supervisors session and immediately reconvened the session as the Liquor and Entertainment Board. The entire Board was present including Sheriff Bannister, constituting a quorum. - **ACTION ON A BEER AND WINE LIQUOR LICENSE FOR DOUG CRAMER, DOING BUSINESS AS POP'S BAR-B-QUE (1-0105)** - The applicant was not present, therefore, no action could be taken. Chairperson Teixeira then recessed the Liquor and Entertainment Board and immediately reconvened the Board of Supervisors. A quorum was present as previously indicated. (1-0157) Mayor Teixeira recessed the Board of Supervisors session and immediately convened the Liquor and Entertainment Board. The entire Board was present including Sheriff Bannister, constituting a quorum. Chairperson Teixeira noted the request was for a beer and wine license. Member Bannister noted the Sheriff's recommendation for approval. Mr. Cramer indicated he was not familiar with Nevada Liquor Laws at the time he had applied for the License. He has since reviewed them. He is not to serve individuals under

21 and could not employ individuals to serve liquor who are under 21. Hard alcohol could not be served under the beer and wine license. Chairperson Teixeira reminded him that a profile photograph indicates the individual is a minor. Member Smith moved that the Liquor and Entertainment Board approve the Beer and Wine License for Pop's Bar-B-Que for Mr. Doug Cramer located at 224 South Carson Street. Member Ayres seconded the motion. Motion carried 6-0. Chairperson Teixeira wished him well in his new endeavor and, based on his personal experience, commended him on his menu. 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 Board of Supervisors. The entire Board was present constituting a quorum.

3. CONSENT AGENDA (1-0115)

A. CLERK-RECORDER

i. ACTION ON RESOLUTION AUTHORIZING THE DESTRUCTION OF COURT CASE FILES

ii. ACTION ON RESOLUTION AUTHORIZING THE DESTRUCTION OF ELECTIONS CANCELLED AFFIDAVITS OF VOTER REGISTRATION

iii. ACTION ON RESOLUTION AUTHORIZING THE DESTRUCTION OF DISTRICT ATTORNEY 1991 URESA FILES

B. CITY MANAGER - ACTION ON APPROVAL OF PARTICIPATORY AGREEMENT BETWEEN CARSON CITY AND HOME HEALTH SERVICES OF NEVADA, INC.

C. COMMUNITY DEVELOPMENT DIRECTOR - ACTION ON APPROVAL OF AN OPEN SPACE USE ASSESSMENT FOR 300 SOUTH CARSON STREET, APN 3-113-09

D. PURCHASING DIRECTOR

i. ACTION ON CONTRACT NO. 9596-41 - CAMERA AND TRACTOR TELEVISION SYSTEM PURCHASE FOR SEWER, CONTRACT APPROVAL

ii. ACTION ON CONTRACT NO. 9495-217 - EAGLE VALLEY GOLF COURSE FUEL TANKS

iii. ACTION ON CONTRACT NO. 9394-210 - SOUTHEAST CARSON SEWER EXTENSION, PHASE I, FINAL PAYMENT

iv. ACTION ON CONTRACT NO. 9596-36 - AS/400 UPGRADE PROJECT - Deputy District Attorney Lipparelli explained that Contract 9596-36 relates to the City's mainframe. None of the items were pulled for indepth discussion. Supervisor Tatro moved that the Board of Supervisors approve the Consent Agenda as presented with the inclusion of Resolution No. 1995-R-63, A RESOLUTION AUTHORIZING THE DESTRUCTION OF COURT CASE FILES, 1995-R-64, A RESOLUTION AUTHORIZING THE DESTRUCTION OF ELECTIONS' CANCELLED AFFIDAVITS OF VOTER REGISTRATION, AND 1995-R-66, A RESOLUTION AUTHORIZING THE DESTRUCTION OF DISTRICT ATTORNEY 1991 URESA FILES. Supervisor Bennett seconded the motion. Motion carried 5-0.

4. CLERK-RECORDER - Alan Glover - ACTION ON SETTING A HEARING DATE FOR A NUISANCE COMPLAINT FILED BY ELIZABETH MAJOR (1-0225) - Mr. Lipparelli explained Attorney William Crowell's request for an evening meeting on the complaint. Supervisor Ayres moved that the Board of Supervisors establish August 17 as the hearing date on the complaint and direct staff to prepare the proper notices and do the posting as required in NRS 244.360. Supervisor Tatro seconded the motion. Motion carried 5-0.

5. TREASURER - Al Kramer

A. ACTION ON DIRECTION AND ORDER TO SELL REAL PROPERTY TAX DELINQUENCIES WHERE CARSON CITY HAS TAKEN A DEED ON APN'S 8-173-41, 8-175-31, 8-232-28, 8-241-03, 8-404-03, 8-404-13, 8-404-14, 8-404-14, AND 9-051-14 (1-0285) - Mr. Kramer expressed his feeling that the four of the property owners would pay the taxes before the property actually goes to auction. Two of the property owners had not been contacted. One property owner intends to have the City keep the parcel as it will eventually be used as a City street. The one parcel which is delinquent on a special assessment would have this amount added to the sale price. Supervisor Bennett moved that the Board of Supervisors direct and order the

sale of real property which are delinquent in their taxes and where Carson City has taken the deed on the property. Due to concern with this language, she withdrew the motion. Supervisor Bennett then moved that the Board of Supervisors direct the Treasurer to proceed with the order to sell real property for delinquent taxes where Carson City has taken the deed on the parcel. Following a request for an amendment, Supervisor Bennett continued her motion to include fiscal impact is \$39,626.77 in revenue to be generated as of July 31, 1995, funding source is delinquent taxes. Supervisor Tatro seconded the motion and noted that the list of parcels is included in the staff report. Supervisor Bennett agreed. The motion was voted and carried 5-0.

B. ACTION ON APPROVAL OF A RESOLUTION SETTING FORTH THE INTENT OF CARSON CITY TO REIMBURSE OUT OF BOND PROCEEDS CERTAIN EXPENDITURES RELATED TO CERTAIN SANITARY SEWER IMPROVEMENT PROJECTS (1-0386) - Supervisor Tatro moved that the Board approve Resolution No. 1995-R-66, A RESOLUTION SETTING FORTH THE INTENT OF CARSON CITY TO REIMBURSE OUT OF BOND PROCEEDS CERTAIN EXPENDITURES RELATED TO CERTAIN SANITARY SEWER IMPROVEMENT PROJECTS. Supervisor Bennett seconded the motion. Motion carried 5-0.

C. ORDINANCE - FIRST READING - ACTION ON AN ORDINANCE PROVIDING FOR THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION (LIMITED TAX) SEWER BOND (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES SEPTEMBER 1995 IN THE MAXIMUM PRINCIPAL AMOUNT OF \$2,120,000 (1-0455) - Pulled.

6. UTILITIES DIRECTOR - Deputy Director Jay Ahrens

A. ORDINANCES - FIRST READING

i. ACTION ON AN ORDINANCE APPROVING A WATERLINE REIMBURSEMENT AGREEMENT BETWEEN CARSON CITY AND MITCHELL D. SOWL (1-0482) - Supervisor Smith moved that the Board introduce Bill No. 140 on first reading, AN ORDINANCE APPROVING A WATERLINE REIMBURSEMENT AGREEMENT BETWEEN CARSON CITY AND MITCHELL D. SOWL, REGARDING ASSESSOR'S PARCEL NO. 9-174-05, LOCATED AT 4486 CENTER DRIVE, CARSON CITY, NEVADA, FOR WATER MAIN CONSTRUCTION; there is no fiscal impact except the 15 percent administrative fee to the City's General Fund upon any reimbursement to the applicant. Supervisor Ayres seconded the motion. Motion carried 5-0.

ii. ACTION ON AN ORDINANCE AND DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND GEORGE W. AND MELANIE F. WILLIAMS, ET AL. (1-0542) - Discussion ensued on the location, reimbursement procedures, the sewer extension program, reasons for making the improvements at this time instead of waiting until the five year program priority is reached, and reimbursement policy for developed parcels. Supervisor Ayres moved to introduce on first reading Bill No. 141, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND GEORGE W. AND MELANIE F. WILLIAMS, ET AL., REGARDING ASSESSOR'S PARCEL NO. 004-067-06, LOCATED AT 711 SOUTH CARSON STREET, CARSON CITY, NEVADA, FOR SEWER MAIN REPLACEMENT; fiscal impact is \$20,424 including a 15 percent contingency; funding source is 515 Replacement. Supervisor Smith seconded the motion. Motion carried 5-0.

B. ORDINANCE - SECOND READING - ACTION ON BILL NO. 136 - AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE CHAPTER 9.06 BY DELETING SECTIONS THAT ARE NOW UNDER THE ENFORCEMENT RESPONSIBILITY OF THE NEVADA DIVISION OF ENVIRONMENTAL PROTECTION AND UPDATING LANGUAGE (1-0743) - Environmental Control Manager Ken Arnold - Supervisor Smith moved that the Board adopt on second reading Ordinance No. 1995-38, AN ORDINANCE AMENDING CHAPTER 9.06 (AIR POLLUTION REGULATIONS) OF THE CARSON CITY MUNICIPAL CODE; AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisors Tatro

and Bennett seconded the motion. Motion carried 5-0.

CITIZEN COMMENTS (1-0768) - None.

7. COMMUNITY DEVELOPMENT DIRECTOR - Walter Sullivan

B. PRESENTATION OF THE FINAL VISUAL PREFERENCE SURVEY (VPS) DOCUMENT AND REVIEW OF THE COMPLETION STATUS OF VPS IMPLEMENTATION STRATEGIES (1-0773)

- Mr. Sullivan requested this item be held until his staff arrived. (1-0935) Mr. Sullivan introduced the request and noted Associate Planner Tara Hullinger's role. (During his introduction Supervisor Tatro returned--1:35 p.m. A quorum was present as previously indicated.) Mr. Sullivan distributed copies of the Document to the Board and Clerk. Ms. Hullinger briefly explained the document's organization and the status of implementation schedule. Discussion between staff and the Board included the delay in "back lighting" the Capitol and Courthouse, the efforts to get Sierra Pacific to replace the "cobra" lights on Curry and in the downtown area, and commended the community/Board/Department for its participation. The implementation efforts are to continue. Supervisor Bennett recommended the "Devil's acre" issue be addressed in the Code soon. No formal action was required or taken on this Item. (Supervisor Tatro left the meeting at 1:45 p.m. A quorum was still present.)

C. ORDINANCES - SECOND READING

i. ACTION ON BILL NO. 137 - AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BY AND BETWEEN CARSON CITY, JAMES F. BAWDEN, DOING BUSINESS AS LANDMARK HOMES AND DEVELOPMENT AND STANTON PARK DEVELOPMENT, INC., RELATING TO PROJECT ADMINISTRATION, PUBLIC SAFETY COMPONENTS, WATER AND WASTE WATER SYSTEM COMPONENTS, PARK AND RECREATION AND OPEN SPACE, TRANSPORTATION IMPROVEMENTS, PROJECT CONSTRUCTION REQUIREMENTS, DENSITY TRANSFER AND OTHER IMPROVEMENTS ASSOCIATED WITH THE NORTHRIDGE SUBDIVISION (1-0818) - Supervisor Bennett moved that the Board of Supervisors adopt on second reading Bill No. 137, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BY AND BETWEEN CARSON CITY, JAMES F. BAWDEN, D.B.A. LANDMARK HOMES AND DEVELOPMENT, AND STANTON PARK DEVELOPMENT, INC., RELATING TO 1) PROJECT ADMINISTRATION, 2) PUBLIC SAFETY COMPONENTS, 3) WATER AND WASTEWATER SYSTEM COMPONENTS, 4) PARKS AND RECREATION AND OPEN SPACE, 5) TRANSPORTATION IMPROVEMENTS, 6) PROJECT CONSTRUCTION REQUIREMENTS, 7) DENSITY TRANSFER, AND OTHER IMPROVEMENTS ASSOCIATED WITH THE NORTHRIDGE SUBDIVISION. Supervisor Tatro seconded the motion. Following a request for an amendment, Supervisor Bennett modified her motion to include Ordinance No. 1995-39. Supervisor Tatro continued his second. Motion carried 5-0.

ii. ACTION ON BILL NO. 138 - AN ORDINANCE, OPTION 2, APPROVING AN AMENDMENT TO CARSON CITY MUNICIPAL CODE 18.82.120 TO MODIFY THE TIME FRAMES FOR OBTAINING BUILDING PERMITS AND 18.82.180, UNSOLD BUILDING PERMITS/ENTITLEMENTS, AND OTHER MATTERS PROPERLY RELATED THERETO (1-0875) - Supervisor Ayres moved that the Board of Supervisors approve on second reading Bill No. 138, Ordinance No. 1995-40, AN ORDINANCE APPROVING AN AMENDMENT TO CARSON CITY MUNICIPAL CODE 18.82.120 TO MODIFY THE TIME FRAMES FOR OBTAINING BUILDING PERMITS AND 18.82.180, UNSOLD BUILDING PERMITS/ENTITLEMENTS AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Bennett seconded the motion. (Supervisor Tatro stepped from the room at 1:32 p.m. A quorum was still present.) Supervisor Ayres continued her motion to include there is no fiscal impact. Supervisor Bennett continued her second. The motion was voted and carried 4-0.

iii. ACTION ON BILL NO. 139 - AN ORDINANCE AMENDING CARSON CITY

MUNICIPAL CODE SECTION 18.05.024(2), OFF-STREET LOADING AND UNLOADING, AND OTHER MATTERS PROPERLY RELATED THERETO (1-0931) - Supervisor Bennett moved that the Board adopt on second reading Ordinance No. 1995-41, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE SECTION 18.05.024 (2) OFF-STREET LOADING AND UNLOADING, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Ayres seconded the motion. Motion carried 4-0.

9. BOARD OF SUPERVISORS

A. NON-ACTION ITEMS - INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (1-1942) - Mayor Teixeira explained the success of the American Heat activities conducted over the weekend. He then outlined various problems encountered with the Super K facility and Pavia Enterprises. He directed staff to proceed with the Planning Commission's decision and to refer any future requests by either firm to the Board for consideration regardless of the nature of the requests. The Post Office's signage request is to proceed but any other items were to come to the Board. Mr. Sullivan indicated he would notify Mr. Mommer of his direction. Supervisor Ayres explained the RSVP's fundraiser planned for the Senior Citizen's Meals on Wheels program, her becoming involved with this program, and her discovery of a need to find sponsors for senior citizens who could not afford the donation. Anyone wishing to participate was asked to contact her. The status of the public relations program and the fundraiser for the V&T Railroad were explained. Supervisor Smith announced the Community College Parkway opening scheduled for August 9th. Reasons for the delay were explained and felt to have been corrected. He invited everyone to participate in the ceremony. He also announced the first right-of-way acquisition for the Tri-County Railway. The July meeting of the Sub-Conservancy was not held. A subcommittee has been formed and is attempting to develop programs and procedures to acquire water and water rights for the Tri-County area. Discussion indicated that the Sub-Conservancy would be interested in acquiring water from its members, however, financing would have to be developed. Supervisor Bennett explained the Carson River Advisory Committee's progress on its master plan element. TRPA has closed its budget which had been reduced by ten percent. The Carson-Tahoe Hospital will be presenting to its Finance Committee and Board of Trustees a financial strategy program in the near future. Mr. Berkich explained the Legislative Council Bureau's trees and shrub donation to the City and School District. These trees are in the area slated for expansion of the current facility. They will be replanted. He announced his plan to be out of town next week as he would be attending the baseball games with the Nevada State Champions in Northern California. Supervisor Bennett also explained Carson-Tahoe Hospital's negotiations on the Bentley property and effort to enter a public/private partnership for a facility in Douglas County. Benefits of this proposal were noted.

(2-1485) Supervisor Tatro explained the success of the American Heat activities which was held last week. Discussion ensued among the Board members and Sheriff Bannister on this program including suggestions on how to improve it for next year including control over the number of parade entries and its location/date.

BREAK: A seven minute recess was declared at 2:15 p.m. When the meeting reconvened at 2:22 p.m. a quorum was present although Supervisor Tatro was absent as noted.

18. PERSONNEL DIRECTOR - Judie Fisher - ACTION ON APPOINTMENT OF ONE MEMBER TO THE GOLF COURSE ADVISORY COMMITTEE (1-2885) - Mayor Teixeira thanked each applicant for applying. The Board interviewed the following applicants: Ron Percivalle, (2-0001) Robert Conroy, and (2-0809) Donald Storey. The questions were: reasons for applying, view of the proposal to privatize, rate equity between the pass/punchcard holders and the private sector, physical improvements/policy needs at the courses, and ranking of the courses against others. The applicants were reminded that there may be some "heat" related to future development and potential policy/procedural changes which they should weigh carefully before deciding to accept the position. (2-0238) Gary Sheerin withdrew his application due to his feeling that there were several good candidates and that the Committee needed "new blood". Mayor Teixeira thanked him for his service on the Committee. Mr Sheerin responded to Board questions on the proposal to privatize the courses and problems/issues which need to be addressed to bring them to par with private courses which will be coming on line in the near future. Discussion with Mr. Sheerin also explained how the courses had been developed and original funding. Mr.

Storey also explained his position on the privatization proposal and questioned whether the bonds would prohibit this change. He commended Mr. Berkich on his selection of Mr. Hair as the Superintendent. He suggested a survey of rooms occupied by golfers be conducted. Each Board member then listed his/her first two choices for the vacancy and reasons for these selections. From this process Mr. Percivalle was selected. Supervisor Smith moved that the Board of Supervisors appoint Ron Percivalle to a two year term on the Golf Course Advisory Committee. Supervisor Bennett seconded the motion. Motion carried 4-0.

9. B. MAYOR TEIXEIRA - ACTION ON APPOINTMENT TO THE HOME HEALTH SERVICES OF NEVADA, INC., BOARD OF DIRECTORS (2-1108) - During Mayor Teixeira's introduction he volunteered to serve. (Supervisor Tatro returned during Mayor Teixeira's introduction. The entire Board was present constituting a quorum.) Supervisor Ayres expressed a desire to serve on this Board. Supervisor Tatro moved that the Board appoint Janice Ayres and Marv Teixeira to the Home Health Services of Nevada Board of Directors. Supervisor Smith seconded the motion. Motion carried 5-0.

C. SUPERVISOR BENNETT - ORDINANCE - FIRST READING - ACTION ON AN ORDINANCE TO AMEND THE CARSON CITY MUNICIPAL CODE SECTION 8.12.010 (FIREARMS) TO RESTRICT THE USE OF FIREARMS WITHIN CERTAIN AREAS OF THE CARSON RIVER (2-1172) - Supervisor Bennett explained the Carson River Advisory Committee's role in the modification. Sheriff Bannister supported the recommended modification. The Ormsby Sportsmen's Association had provided input. New signs will be posted. Supervisor Bennett indicated all of the individuals involved with the last revision had been contacted about this proposal. George Wilkerson had indicated he represented several of these groups. The proposal will enable the Sheriff's Office to enforce the shooting restrictions. Supervisor Bennett indicated the Board will soon be considering procedures which will address the vagrancy problem found in this area. Supervisor Bennett moved that the Board of Supervisors introduce on first reading Bill NO. 142, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE 8.12.010 (FIREARMS) TO RESTRICT THE USE OF FIREARMS WITHIN CERTAIN AREAS OF THE CARSON RIVER. Supervisor Smith seconded the motion. Motion carried 5-0.

(2-1665) There being no other matters for consideration/action, Supervisor Tatro moved to adjourn. Mayor Teixeira seconded the motion. Motion carried 5-0.

The Minutes of the August 3, 1995, Carson City Board of Supervisors meeting

ARE SO APPROVED ON__October_5___, 1995.

/s/_____
Marv Teixeira, Mayor

ATTEST:

/s/_____
Alan Glover, Clerk-Recorder