

CARSON CITY BOARD OF SUPERVISORS
Minutes of the November 3, 1994, Meeting
Page 1

A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, November 3, 1994, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 1 p.m.

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

STAFF PRESENT:	John Berkich	City Manager
	Kiyoshi Nishikawa	Clerk-Recorder
	Ted P. Thornton	Treasurer
	Bill Naylor	Automation Services Director
	Basil "Butch" Moreto	Purchasing & Contracts Director
	Dorothy Timian-Palmer	Utilities Director
	Paul Lipparelli	Deputy District Attorney
	Tim Homann	Deputy Public Works Director
	John Iratcabal	Purchasing & Contract Dep. Dir.
	Ken Arnold	Environmental Control Manager
	Katherine McLaughlin	Recording Secretary
	(B.O.S. 11/3/94 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 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.

Mayor Teixeira called the meeting to order at 1:05 p.m. Rev. Bruce Henderson of the Airport Church of Christ gave the Invocation. Supervisor Tatro lead the Pledge of Allegiance. Roll call was taken. A quorum of the Board was present although Supervisor Bennett had not yet arrived.

1. APPROVAL OF MINUTES FOR OCTOBER 6, 1994 (1-0060) - Supervisor Tatro moved to approve as presented. Supervisor Ayres seconded the motion. Motion carried 4-0.

2. SPECIAL PRESENTATIONS - PRESENTATION TO DIXIE MAY ON BEHALF OF CARSON CITY FOR HER CONTRIBUTION TO THE BOYS AND GIRLS CLUB OF WESTERN NEVADA (1-0068) - Mayor Teixeira introduced Dixie May, Rogers Williams, and Boys and Girls Club of Western Nevada Executive Director Cathy Blankenship. He presented Ms. May the first key to the City and explained the \$50,000 donation she had made. He noted Mr. Williams' role in the donation. Mr. Williams explained his role and personal involvement with Ms. May. He then outlined the purpose of the Wilbur May grant program and thanked Ms. May. (Supervisor Bennett arrived at 1:08 p.m. A quorum was present as previously indicated.) Ms. Blankenship explained that the funds were used for the "Smart Sports" and the "Smart Moves" programs. She also thanked Ms. May. Mayor Teixeira echoed the thanks which had been given. Ms. May thanked the Mayor for the Key and elaborated on the reasons her father had established the grant and its purpose. Mayor

Teixeira again thanked her for the contribution. No formal action was required or taken.

CITIZEN COMMENTS (1-0254) - Pete Bachstadt questioned the reasons the Animal Control Division was being transferred to the Sheriff. Mayor Teixeira indicated he was not aware of this proposal. Supervisor Smith and Nevada Appeal Correspondent Geoff Dornan were not aware of this proposal. Mr. Bachstadt expressed his feeling that he could not understand why such a change should be done. No formal action was taken or required.

3. CONSENT AGENDA (1-0272)

A. TREASURER - ACTION ON TREASURER'S REPORT FOR THE MONTH OF SEPTEMBER 1994

B. DISTRICT ATTORNEY - ACTION ON APPROVAL OF DONATION OF SET OF AMERICAN LAW REPORTS (ALR) TO NEVADA LEGAL SERVICES, A NON-PROFIT ORGANIZATION

C. CLERK-RECORDER - ACTION ON A RESOLUTION AUTHORIZING THE DESTRUCTION OF COURT CASE FILES

D. PUBLIC WORKS DIRECTOR

i. ACTION ON DEDICATION OF A PUBLIC UTILITY AND ACCESS EASEMENT 50 FEET WIDE BY 101.50 FEET LONG RUNNING NORTH TO SOUTH ON PROPERTY ON THE SOUTH SIDE OF PHEASANT DRIVE OPPOSITE MOCKINGBIRD DRIVE ON APN 10-351-36 FROM IRON MOUNTAIN ACQUISITION COMPANY, INC.

ii. ACTION ON DEDICATION OF A PUBLIC UTILITY EASEMENT 26 FEET WIDE BY 105 FEET LONG RUNNING WEST TO EAST ON PROPERTIES AT THE SOUTHEAST CORNER OF EDMONDS DRIVE AND PHEASANT DRIVE ON APN'S 10-351-32 AND 33 FROM NEVADA-JOHNSON INC.

iii. ACTION ON DEDICATIONS OF PUBLIC UTILITY AND SIDEWALK EASEMENTS ON PROPERTY ON THE EAST SIDE OF HOT SPRINGS ROAD OPPOSITE NYE LANE AND APN 2-051-05 FROM SIERRA SPRINGS APARTMENTS LIMITED PARTNERSHIP

E. PURCHASING AGENT

i. ACTION ON CONTRACT NO. 9495-55 - BUTTI WAY CULVERT CROSSING

ii. ACTION ON CONTRACT NO. 9495-104 - SHERIFF'S OFFICE AS400 COMPUTER

iii. ACTION ON CONTRACT NO. 949595 - LOCAL DISCHARGE LIMIT (DEVELOPMENT, CONTRACT APPROVAL

iv. ACTION ON CONTRACT NO. 9495-108 - WATER UTILITY FACILITIES DESIGN SERVICES - None of the Items were pulled for an in depth discussion. Supervisor Tatro moved to approve the Consent Agenda as present including Resolution No. 1994-R-83, A RESOLUTION AUTHORIZING THE DESTRUCTION of Court Case Files. Supervisor Ayres seconded the motion. Motion was voted and carried 5-0.

4. TREASURER - Ted P. Thornton - ACTION ON A RESOLUTION PROVIDING FOR THE SALE OF HIGHWAY REVENUE BONDS BY CARSON CITY, NEVADA; AUTHORIZING THE CITY TREASURER OR HIS DESIGNEE TO ARRANGE FOR THE SALE OF BONDS FOR THE PURPOSE OF FINANCING TRANSPORTATION IMPROVEMENTS FOR THE CITY AND PROVIDING OTHER DETAILS IN CONNECTION THEREWITH (1-0308) - Finance Director Mary Walker and Bond Counselor Jennifer Stern - Discussion noted the proposal would provide the funding for construction of the RTC priority list, defined the taxes which were being committed and the coverage provided, and the indicated the Board could bond for additional projects providing adequate coverage is available. There should be \$8 to 900,000 left in the RTC funds for other projects. Supervisor Bennett moved that the Board adopt Resolution No. 1994-

CARSON CITY BOARD OF SUPERVISORS
Minutes of the November 3, 1994, Meeting
Page 3

R-84, A RESOLUTION REQUESTING THE BOARD OF SUPERVISORS TO ISSUE HIGHWAY REVENUE BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$2,500,000, AND PROVIDING THE EFFECTIVE DATE THEREOF. Supervisor Smith seconded the motion. Motion carried 5-0.

5. COMMUNITY DEVELOPMENT DIRECTOR - Walter Sullivan - ORDINANCE - SECOND READING - ACTION ON BILL NO. 154 - AN ORDINANCE EFFECTING A CHANGE OF LAND USE ON APPROXIMATELY 46 ACRES OF LAND FROM SINGLE FAMILY 21,000 (SF21000) AND AGRICULTURAL (A) TO SINGLE FAMILY 6,000 (SF6000) LOCATED AT 4680 MORGAN MILL ROAD, KNOWN AS EMPIRE RANCH ESTATES SUBDIVISION, APN 8-297-04, 8-297-05, 8-361-29 AND 8-361-30, AND OTHER MATTERS PROPERLY RELATED THERETO (PLANNING COMMISSION APPROVED 4-3-0-0) (1-0565) - Comments were solicited but none made. Supervisor Ayres moved that the Board of Supervisors adopt Ordinance No. 1994-59 on second reading, AN ORDINANCE EFFECTING A CHANGE OF LAND USE ON APPROXIMATELY 46 ACRES OF LAND FROM SINGLE FAMILY 21,000 (SF21,000) AND AGRICULTURAL (A) TO SINGLE FAMILY 6,000 (SF6000), LOCATED AT 4680 MORGAN MILL ROAD, KNOWN AS EMPIRE RANCH ESTATES SUBDIVISION, APN 8-297-04, 8-297-05, 8-361-29, AND 8-361-30, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Tatro seconded the motion. Motion carried 5-0.

6. PUBLIC WORKS DIRECTOR - Acting Public Works Director Tim Homann - ACTION ON CHANGE ORDER NO. 1 TO CONTRACT NO. 9394-221 BETWEEN CARSON CITY AND Q AND D CONSTRUCTION, INC. FOR CONSTRUCTION OF THE CATCH BASIN CONVERSION PROJECT (1-0595) - Supervisor Smith moved that the Board approve Change Order No. 1 to Contract No. 9394-221, Catch Basin Conversion Project for a net increase in the amount of \$8,866, fund: Street Maintenance Miscellaneous Storm Drain Projects. Supervisors Tatro and Ayres seconded the motion. Motion carried 5-0.

8. UTILITIES DIRECTOR - Dorothy Timian-Palmer - ORDINANCES - FIRST READING

A. ACTION ON AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE CHAPTER 12.01 REGARDING WATER CONNECTION CHARGES AND USE RATES AND OTHER MATTERS PROPERLY RELATED THERETO (1-0710) - Discussion included the new noticing procedures for new commercial/industrial users, billing/delinquent noticing procedures for rentals, and deposits for a second site owned by the same individual. Additional comments were solicited but none made. Supervisor Smith moved that the Board introduce on first reading Bill No. 155, AN ORDINANCE AMENDING CHAPTER 12.01 OF THE CARSON CITY MUNICIPAL CODE REGARDING WATER CONNECTION CHARGES AND USE RATES AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Bennett seconded the motion. Motion carried 5-0.

B. ACTION ON AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE CHAPTER 12.03 RELATING TO SEWER CONNECTION CHARGES AND USE RATES AND OTHER MATTERS PROPERLY RELATED THERETO (1-1180) - Discussion explored the reasons for requiring an audit and having the Board act on any refunds. Additional comments were solicited but none made. Supervisor Smith moved to introduce on first reading Bill No. 156, AN ORDINANCE AMENDING CHAPTER 12.03 OF THE CARSON CITY MUNICIPAL CODE REGARDING SEWER CONNECTION CHARGES AND USE RATES AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Ayres seconded the motion. Motion carried 5-0.

7. FINANCE AND REDEVELOPMENT DIRECTOR - Mary Walker - ACTION ON RESOLUTION DESIGNATING THE SOUTHEAST CARSON AND NEW EMPIRE GROUNDWATER CONTAMINATION ZONES AS AN AREA OF CRITICAL CREDIT NEED IN REGARDS TO THE SEWER EMERGENCY CONNECTION PROGRAM (1-1328) - Bank acceptance of the resolution was noted and explained the Federal Community Reinvestment Act requirements. Financial concerns for the area were discussed. Mr. Berkich briefly explained the attendance and concerns voiced at the workshops. Supervisor Bennett expressed her concern that there is a lot of hostility still out there and staff needs to work to resolve same. Staff suggested a monthly newsletter be sent to the residents to keep them informed of the status. The residents would also be contacted before any final recommendations are submitted to the Board. Supervisor Tatro moved to adopt Resolution No. 1994-R-85, A RESOLUTION DESIGNATING THE SOUTHEAST CARSON AND NEW EMPIRE GROUNDWATER CONTAMINATION ZONES AS AN AREA OF CRITICAL CREDIT NEED IN REGARDS TO THE SEWER CONNECTION PROGRAM. Supervisor Bennett seconded the motion. Motion carried 5-0.

9. CITY MANAGER - John Berkich - ACTION TO APPROVE FUNDING THE PARKS MAINTENANCE POSITION AUTHORIZED WITHIN THE FISCAL YEAR 94/95 BUDGET FROM THE FUND BALANCE OF THE GENERAL FUND (1-1987) - Discussion noted the problems encountered with the telephone franchise fee increase. Supervisor Ayres moved to approve funding the Parks Maintenance position authorized within the Fiscal Year 94/95 budget from the fund balance of the General Fund; fiscal impact \$22,628. Supervisor Tatro seconded the motion. Motion carried 5-0.

10. BOARD OF SUPERVISORS

A. NON-ACTION ITEMS - INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (1-2135) - Supervisor Ayres noted the Park and Recreation Commission item which would be discussed this evening. She also explained her support for the railroad ballot question. Supervisor Smith gave a status report on the last Tri-County Railroad Commission and explained his support for the ballot question. Supervisor Bennett gave a status report on the transit ballot question, the Carson River Advisory Committee, and the Lake Tahoe coordinated management plan. Supervisor Tatro gave a report on the Carson City Redevelopment Authority Citizen's Committee meeting approving the "Peartree Court" proposal and on its Incentives Program as well as the Kit Carson Trail. He commended Don Thayer on his efforts to provide treats to the Halloween Trick or Treaters who had visited his home across from the Governor's Mansion. He also commended the Sheriff's Department and the Highway Patrol on their efforts to control the activities and eliminate any incidents. Discussion also noted the television coverage of the Nevada Day Parade and RSVP's advertisement of both the carnival and parade. Supervisor Ayres also commended the Sheriff's Office and its Reserves for their assistance particularly at the carnival. Mayor Teixeira announced the NDOT workshops on the at-grade arterial to be held on November 9 and 10 at the Carson City High School Quad Area from 4 to 8 p.m. He encouraged the public to attend one of the sessions.

B. ACTION ITEMS - REQUESTED BY MEMBERS OF THE BOARD OF SUPERVISORS - MAYOR TEIXEIRA - DISCUSSION ON BALLOT QUESTIONS - None.

CARSON CITY BOARD OF SUPERVISORS
Minutes of the November 3, 1994, Meeting
Page 5

BREAK: (1-2935) There being no other matters for discussion before 5 p.m., a recess was declared at 2:20 p.m. When the meeting reconvened at 5:20 p.m. a quorum of the Board was present although Supervisor Bennett was absent. Staff members present included City Manager Berkich, Deputy District Attorney Lipparelli and Recording Secretary McLaughlin.

11. CLOSED SESSION - ACTION TO RECESS INTO CLOSED PERSONNEL SESSION WITH MANAGEMENT REPRESENTATIVE TO DISCUSS STATUS OF LABOR NEGOTIATIONS PURSUANT TO NRS 288.220 (1-2948) - Supervisor Ayres moved that the Board of Supervisors recess into closed session pursuant to NRS 288.220 to discuss the status of the labor negotiations with management representatives. Supervisor Smith seconded the motion. Motion carried 4-0. The meeting was reconvened into open session at 5:50 p.m.

BREAK: There being no other matters for discussion before 6 p.m. a ten minute recess was declared. When the meeting reconvened at 6 p.m. the entire Board was present, including Supervisor Bennett. Staff members present included City Manager Berkich, Parks and Recreation Director Kastens, Deputy District Attorney Lipparelli, Recreation Superintendent Singer, Parks Superintendent Scott Fahrenbrush, Recording Secretary McLaughlin, and Recreation Supervisor Mitchell Ames.

12. JOINT SESSION WITH THE PARKS AND RECREATION COMMISSION (1-2985) - Roll call of the Commission was taken. Commissioners present were: Chairperson Pete Livermore, Vice Chairperson Jay Meierdierck, Janice Ayres, Dan Leck, Linda Marrone, and Donna Kuester. A quorum was present although Commissioners John Liveratti, Doug Martin, and Ed Moran were absent. - **ACTION ON RECOMMENDATIONS OF THE PARKS AND RECREATION COMMISSION FOR ALLOCATION OF THE 1994-95 RESIDENTIAL CONSTRUCTION TAX FUNDS - (1-3025)** Discussion noted the Commission's workshops and recommendations as well as explained several of the projects and the status of last years funding recommendations. Discussion also explored the potential use of bonds to fund completion of some of the projects and suggested seeking legislative approval of a transfer tax and/or elimination of the Residential Construction Tax. Additional comments were solicited but none made. Supervisor Ayres moved that the Parks and Recreation Commission's recommendations for the 1994/95 Residential Construction Tax funds be allocated as presented to the Board in the report, fiscal impact is \$215,000; funding source is the Residential Construction Tax. Supervisor Smith seconded the motion. Discussion indicated the projects included \$41,000 for the Pony Express Pavilion. The motion to approve the Commission's recommendation was voted and carried 5-0.

Commissioner Kuester then moved to adjourn. Commissioner Leck seconded the motion. Motion carried and Chairperson Livermore adjourned the Parks and Recreation Commission at 6:29 p.m.

Supervisor Ayres then moved to adjourn the Board of Supervisors. Mayor Teixeira seconded the motion. Motion carried 5-0. Mayor Teixeira adjourned the Board of Supervisors at 6:30 p.m.

The Minutes of the Carson City Board of Supervisors November 3, 1994, meeting

CARSON CITY BOARD OF SUPERVISORS
Minutes of the November 3, 1994, Meeting
Page 6

ARE SO APPROVED ON____December_15____, 1994.

____/s/_____
Marv Teixeira, Mayor

ATTEST:

____/s/_____
Kiyoshi Nishikawa, Clerk-Recorder