

## **CARSON CITY BOARD OF SUPERVISORS**

### **Minutes of the August 6, 1992 Meeting**

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A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, August 6, 1992 at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada beginning at 9 a.m.

<b>PRESENT:</b>	Marv Teixeira	Mayor
	Tom Fettic	Supervisor, Ward 2
	Greg Smith	Supervisor, Ward 1
	Tom Tatro	Supervisor, Ward 3
	Kay Bennett	Supervisor, Ward 4

<b>STAFF:</b>	John Berkich	City Manager
	Kiyoshi Nishikawa	Clerk-Recorder
	Ted P. Thornton	Treasurer
	Basil "Butch" Moreto	Purchasing Agent
	Mike Suglia	Deputy District Attorney
	Katherine McLaughlin	Recording Secretary
	(B.O.S. 8/6/92 Tape 1-0002)	

**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. A tape recording of these proceedings is on file in the Clerk-Recorder's Office. This tape is available for review and inspection during the normal business hours.

Mayor Teixeira called the meeting to order at 9:05 a.m. The Rev. Tom Hutson of the Stewart Baptist Church gave the Invocation. Supervisor Tatro led the Pledge of Allegiance. Roll call was taken and a quorum was present although Supervisor Smith had not yet arrived.

**APPROVAL OF MINUTES - May 21, 1992 Regular Session; May 12, 16, 18, 19, and 28, 1992 Special Sessions (1-0022)** - Supervisor Fettic moved that the Board approve the Minutes as presented. Supervisor Tatro seconded the motion. Motion carried 4-0.

**CITIZEN COMMENTS (1-0031)** - May Ruth French expressed her feeling that the City's budget had been growing faster than its population and inflation. (Supervisor Smith arrived during her comments. A quorum was present as previously indicated.) She also felt that "sweetheart" deals had been and were still being cut for industries and developers, which was supported by her examples. Mayor Teixeira expressed his desire that all future comments not be made in a political context.

**LIQUOR AND ENTERTAINMENT BOARD (1-0175)** - Mayor Teixeira recessed the Board of Supervisors session and immediately convened the session as the Liquor and Entertainment Board. A quorum was present including Sheriff McGrath.

**1. TREASURER - TED P. THORNTON - ACTION ON LIQUOR LICENSE FOR PATRICK JOHN CONNOLLY, DOING BUSINESS AS ARCO AM/PM AT 4340 NORTH CARSON STREET (1-0178)** - Patrick John Connolly responded to Board questions on his plans for the operation. Chairperson Teixeira cautioned him about the sale of liquor to minors. Member McGrath noted the Sheriff's Investigative Report. Member Smith moved to approve the Liquor License for Patrick John Connolly, doing business as ARCO AM/PM located at 4340 North Carson Street, subject to the Fire Department's report. Member Fettic seconded the motion. Motion carried 6-0.

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

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**BOARD OF SUPERVISORS - ORDINANCES, RESOLUTIONS, AND OTHER ITEMS**

**2. TREASURER - TED P. THORNTON**

**A. ACTION ON NOTICE AND ORDER FOR SALE OF REAL PROPERTY KNOWN AS APN 2-062-10, 2-091-20, 3-113-04, AND 8-175-31 TO RECOVER TAX DELINQUENCIES (1-0235)** - Parcel 8-171-31 had been redeemed. The remainder will probably be redeemed before the sale occurs. City costs will be reimbursed by the taxpayers. Supervisor Bennett moved that the Board of Supervisors approve notice and order to sell real property on parcels 2-062-10, 2-091-20, and 3-113-04 to recover delinquent taxes, fiscal impact \$4,077.93 in revenue to be generated as of July 27, 1992, funding source is delinquent taxes. Supervisor Tatro seconded the motion. Motion carried 5-0.

**B. ACTION ON THE TREASURER'S FINANCIAL REPORT FOR THE MONTH OF JUNE 1992 (1-0315)** - Supervisor Smith moved that the Board accept the Treasurer's Report for the month of June 1992. Supervisor Tatro seconded the motion. Motion carried 5-0.

**3. PURCHASING AGENT - Basil "Butch" Moreto**

**A. ACTION ON CONTRACT NO. 9192-225 - KINGS CANYON MAINLINE REPLACEMENT (1-0335)** - Clarification indicated Mr. Moreto's title change was being pursued through the legislative procedures. Following Mr. Moreto's introduction, Utility Manager Dorothy Timian-Palmer responded to Board questions on the reasons the City reimbursed the Contractor for the sales taxes. Mr. Berkich explained legal advice indicating the City's liability for these costs. Legislative remedy is being considered. Staff was directed to report back on this matter. Clarification by Ms. Timian-Palmer indicated the project was within budget even with the four change orders. Supervisor Bennett moved that the Board of Supervisors approve the request for final payment on Contract No. 9192-225 as presented by the Purchasing Assistant to Perata Excavation Co., Inc., P.O. Box 1896, Tahoe City, California, and accept the Contract Summary as presented, funding source is Water Capital Projects Retainage with funding provided in Fiscal Year 91-92. Supervisor Smith seconded the motion. Supervisor Bennett continued her motion to include in the final payment amount of \$18,096.69. Supervisor Smith continued his second. Motion carried 5-0.

**B. ACTION ON CONTRACT NO. 9192-222 - NEW EMPIRE SEWER EXPANSION (1-0530)** - Discussion ensued among Mr. Moreto, Ms. Timian-Palmer, and the Board on the change orders, original contract amount, and contingency in the original contract price. Supervisor Bennett moved that the Board approve the request for final payment on Contract 9192-222 as presented by the Purchasing Assistant to Mike's Trenching, 3725 Lyon Lane, Carson City, and accept the Contract Summary as presented, funding source is the Sewer Capitalization, funding provided in Fiscal Year 91-92, in the total amount of \$10,652.37. Supervisor Fettic seconded the motion. Motion carried 5-0.

**C. ACTION ON CONTRACT 9293-008 - CARSON CITY STREET OVERLAY PROJECT (1-0638)** - City Engineer Tim Homann responded to Board questions on the need for a contingency, reasons tonnage was bid rather than mileage, and need for a full-time, dedicated project engineer. Street Superintendent Bill Barker explained the funding source, the purpose of these funds, the street maintenance program, the street selection procedures, and the bids. Mr. Homann and Ms. Timian-Palmer explained the reasons the installation of manhole covers and installation of the valves had been included in the paving contract. Mr. Barker agreed to provide the Board with a list of the streets which would be overlaid. Supervisor Smith moved that the Board accept the Purchasing Agent's recommendation and award Contract No. 9293-008 to Bidder No. 3, Granite Construction Company, 5855 Sheep Drive, Carson City, Nevada 89701, as the lowest responsive and responsible bidder pursuant to the requirements of NRS Chapters 332, 338, 339, and 624 for a contract amount of \$870,973.50 with a contingency amount of \$50,000; funding source is Street Overlays Fund. Supervisor Bennett seconded the motion.

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(1-1050) Tom Quigley suggested the Contract include one-half mile of Deer Run Road. If these funds could not be used, then the chip sealing contract should be used. Mr. Barker responded to Supervisor Smith's question on the gas tax funding restrictions.

The motion to award the contract to Granite Construction as indicated was voted and carried 5-0.

#### **D. ACTION ON CONTRACT 9192-13 - JUVENILE FACILITY ROOF REPAIR (1-1135)**

- Supervisor Tatro moved that the Board approve the Request for Final Payment for Contract 9192-13 as presented by the Purchasing Agent to NRC Roofing of Carson City, Nevada, and accept the Contract Summary as presented; funding source is Building Improvements for Fiscal Year 91-92; the dollar amount of final payment is \$8,223.90. Supervisor Smith seconded the motion. Motion carried 5-0.

#### **E. ACTION ON CONTRACT 9293-27 - USED WATER TANK (1-1172) - Street**

Superintendent Barker and Fleet Manager Davis responded to Board questions on the budget and tanker. Supervisor Smith moved that the Board approve Contract 9293-27 and authorize the Purchasing Agent to issue a purchase order to Quincy Truck Body and Equipment, 1405 Glendale Avenue, Sparks, Nevada 89431, for a not-to-exceed amount of \$43,500; funding source is the Road Maintenance Sales Tax; funding provided in Fiscal Year 92-93. Supervisor Fettic seconded the motion. Motion carried 5-0.

#### **F. ACTION ON CONTRACT 9293-26 - AS 400 UPGRADE (1-1335) - Mayor Teixeira**

noted his retirement pension from the firm. Mr. Suglia felt there would not be a conflict of interest as it is a fixed pension. Automation Director Bill Naylor responded to Board questions on the upgrade and equipment. Supervisor Tatro moved that the Board approve the Request for Contract Approval for Contract 9293-26 and authorize the Purchasing Agent to issue a Purchase Order to IBM, Reno, Nevada, for a not-to-exceed amount of \$76,814; funding source is the Capital Outlay SPAN Fiscal Year 9293 Budget in an amount of \$62,619 and the AS 400 Upgrade and HTE Hardware in SPAN 91/92 Budget in the amount of \$14,195. Supervisor Fettic seconded the motion. Supervisor Bennett requested an update on the SPAN program. The motion to approve the upgrade was voted and carried 5-0.

#### **G. ACTION ON 9293-004 - COLLECTION SERVICE AGENCY (1-1489) - Discussion**

ensued among the Board, Mr. Moreto, and Credit and Receivables Worldwide Financial, Inc., Representative Pat Brown on the bidding procedure, contract terms, and need for a status report. Supervisor Bennett moved that the Board of Supervisors accept the Purchasing Agent's recommendation and award this Contract to Credit and Receivables Worldwide Financial, Inc., formerly T.R.W. Receivables Management Services, with a Regional Office located at 1580 East Desert Inn Road, Las Vegas, Nevada, and a Branch Office at Terminal Way, Reno, Nevada 89502, for a base amount of 30 percent contingent upon collection; funding source is additional collections from Ambulance, Parking Ticket Revenues; and the Collection Agent will provide for better revenue collections for ambulance and parking tickets. Supervisor Fettic seconded the motion. Motion carried 5-0.

## **4. UTILITY DIRECTOR - Dorothy Timian-Palmer**

#### **A. ACTION ON JOINT FUNDING AGREEMENT AMENDMENT BETWEEN CARSON**

**CITY AND U.S. GEOLOGICAL SURVEY (1-1675) - Discussion among the Board and Ms. Timian-Palmer stressed the reasons for utilizing U.S.G.S. Supervisor Tatro moved that the Board approve and authorize the Mayor to sign the Joint Funding Agreement Amendment to the 1992 water year between Carson City and the U.S. Geological Survey in the amount of \$4,925 with the funding source of the Ambrosetti Diversion Structure Line Item in the Water Utility Budget. Supervisor Fettic seconded the motion. Motion carried 5-0.**

#### **B. ACTION ON AMENDMENT NO. 1 TO TASK ORDER NO. 32 SERVICES DURING**

**CONSTRUCTION, CONTRACT W5 OF THE CARSON CITY WASTEWATER TREATMENT**

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**AND DISPOSAL FACILITIES (1-1775)** - Supervisor Bennett moved that the Board approve and authorize the Mayor to sign Amendment No. 1 to Task Order No. 32, Subtask 1, Observation of Construction in the amount of \$2,695; fiscal impact is \$2,695; funding source is the Sewer Capitalization Fund 515. Supervisor Tatro seconded the motion. Motion carried 5-0.

**C. DISCUSSION OF RECYCLING RATES (1-1840)** - Additional public hearings will be held on this proposal. Ms. Timian-Palmer stressed the reasons that mandatory collection would not occur at this time. Reasons for the recommended rates were outlined. Mr. Berkich felt the public hearing would be in the evening on September 3. Capital Sanitation Owner George Ballardini and his Attorney George Allison were present to answer questions. (1-2189) Forest Bauer questioned what would happen to the charitable recycling activities such as the newspaper recycling efforts, Boy Scout aluminum can recycling programs, etc. Ms. Timian-Palmer explained that it was a voluntary effort. Charitable contributions would be allowed. The users would still have to share the cost of the program even if they participate in charitable contributions. If the homeowner does not use the recycling containers, Capital Sanitation would collect them. Mr. Bauer did not feel that he should be charged if he does not use the service. Supervisor Bennett then explained a comment she had received about the landfill contracts with other entities. Ms. Timian-Palmer explained that if the other entities have a recycling program, they would not be assessed a second recycling fee at the gate. If there is no recycling program, then they would be assessed a recycling fee. Recycling would not be mandated at the landfill. (1-2378) Ms. Timian-Palmer explained the recycling program for Richard Waiton which would take the separated materials to the recycling plant in Sparks for bailing and resale. Mr. Waiton did not feel that the residents should pay for the services. Ms. Timian-Palmer explained that the demand for recycled products did not support the program at this time. For this reason, it was necessary for the residents to support the program. Mr. Berkich indicated that this revenue was factored into the rates. Discussion ensued among the Board, staff, and Mr. Allison on the legislative mandated curbside recycling program, benefits of the recycling program, the long-term goals of the program, and the proposed rates. Mayor Teixeira reiterated the plans to hold public hearings and reasons for considering the issue. No formal action was required or taken.

### **5. COMMUNITY DEVELOPMENT DIRECTOR - Walter Sullivan and Principal Planner Rob Joiner - PLANNING COMMISSION REFERRALS - REVIEW AND APPEAL MATTERS (1-2683)**

**A. ACTION ON M-91/92-24 REGARDING AN APPEAL OF AN ADMINISTRATIVE INTERPRETATION FROM RON BUTTERFIELD RELATIVE TO CARSON CITY MUNICIPAL CODE TITLE 18 (ZONING), SECTION 18.05.062(1), PROPERTY OWNER'S SIGNATURE ON SPECIAL USE PERMIT APPLICATIONS PURSUANT TO REQUIREMENTS - PLANNING COMMISSION DENIED 6-0-0-0** - Following Mr. Sullivan's introduction, Mr. Butterfield requested a 90-day continuation to allow him additional time to research what he felt were the legal issues related to a "99 year lease." Mr. Suglia outlined his contact with Mr. Butterfield on Mr. Butterfield's commitment to provide him with this legal research. To date, no legal points had been submitted which would support his contention that a "99 year non-restricted lease" was the same as "ownership." Mr. Suglia felt that the continuation would delay the issuance of citations on activities now occurring at the site. Mr. Sullivan explained reasons these citations had not been issued, the attempts to compromise/negotiate on the issues, and the difference in opinion on the activities which could occur under a continuation. The health concerns and lack of appropriate permits related to the recreational vehicle park were outlined. Mr. Sullivan emphasized his feeling that the staff had been reasonable in its attempts to obtain the "legal research" and that a continuation should not be granted. Board comments indicated the feeling that the "illegal RV uses" was not related to the appeal of the administrative decision concerning who could sign the Special Use Permit -- the owner or lessee. Mr. Sullivan expressed a willingness to consider at any time the legal research which Mr. Butterfield purported to have. Staff would re-evaluate its stand at that time. Mr. Butterfield responded by stressing his feeling that the recreational vehicle park and riding stable had been operating legally since 1983. This was purportedly prior to the Special Use Permit requirement. Supervisor Fettic reminded the Board how the issue was agendized, which Mayor Teixeira supported. Supervisor Smith then

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moved that the Board deny Mr. Butterfield's request for a 90-day extension. Supervisor Tatro seconded the motion. Motion carried 5-0.

Supervisor Smith then moved that the Board of Supervisors uphold the Planning Commission's decision on M-91/92-24, the appeal of an administrative interpretation from Ron Butterfield relative to staff interpretation of Carson City Municipal Code Title 18 (Zoning), Section 18.05.062(1), property owner's signature on Special Use Permit Applications. Supervisor Tatro seconded the motion. Mr. Butterfield then outlined his intent to file suit in District Court. Mr. Suglia noted that the time frame would be 25 days from today's hearing. Mr. Butterfield continued his explanation to note that he would attempt to prove that the recreational vehicle activities had been in operation since 1982. The sewer system was authorized and had been permitted. The electrical code had been followed. "There are no illegal uses there." (2-0170) May Ruth French indicated her feeling that small businesses were being "pushed around" and that the operation had been there for many years. She urged the Board to allow Mr. Butterfield time to present his case. The motion to uphold the Planning Commission's denial of his appeal was voted by roll call with the following results: Bennett - Yes; Fettic - Yes; Smith - Yes; Tatro - Yes; and Mayor Teixeira - Yes. Motion carried 5-0.

**B. ACTION ON S-91/92-4 REGARDING THE REVIEW AND APPROVAL OF A FINAL SUBDIVISION MAP AND IMPROVEMENT PLANS FROM STANTON PARK DEVELOPMENT (DWIGHT MILLARD AND EDD FURGERSON) TO DEVELOP A 78 LOT SUBDIVISION, MOUNTAIN PARK II, ON APPROXIMATELY 15 ACRES OF LAND ZONED SINGLE FAMILY 6000 (SF6000) LOCATED AT THE NORTH TERMINUS OF BEVERLY DRIVE AND MARIAN AVENUE (APN 8-151-18 AND 8-151-33) - PLANNING COMMISSION DENIED 3-2-0 (2-0225) -** City Engineer Tim Homann outlined the Public Works conditions which had since been completed. Supervisor Tatro moved that the Board approve S-91/92-4, Final Subdivision Map and Improvement Plans for Stanton Park Development to develop a 78 lot subdivision known as Mountain Park II on property zoned Single Family 6000 and located at the north terminus of Beverly Drive and Marian Avenue on Assessor's Parcel Numbers 8-151-18 and 8-151-33 based on the findings and subject to the conditions in the staff report, which was submitted to the Planning Commission. Supervisor Fettic seconded the motion. Motion carried 5-0.

**BREAK:** A five-minute recess was taken at 10:42 a.m. When the meeting reconvened at 10:47 a.m., the entire Board was present constituting a quorum.

## **6. PUBLIC WORKS DIRECTOR - City Engineer Tim Homann**

**A. ACTION ON REQUEST BY CACTUS JACK'S CASINO TO CLOSE THE ALLEY TO VEHICULAR TRAFFIC BETWEEN CARSON AND CURRY STREETS FROM SPEAR TO TELEGRAPH STREETS (2-0330) -** Cactus Jack's Owner Steve Brown and Director of Operations Bill Hissan had a signed statement from the abutting property owners supporting the request. The statement was given to the Clerk for the record. Mr. Hissan then outlined the plans for the alleyway for May Ruth French. Emergency vehicles would still have access to the area. Supervisor Fettic moved that the Board approve the request to close the alley to vehicular traffic between Carson and Curry Streets from Spear to Telegraph Streets. Supervisor Bennett seconded the motion. Motion carried 5-0.

**B. ACTION ON REQUEST FROM CACTUS JACK'S CASINO TO APPLY THE COSTS OF RIGHT-OF-WAY STREET IMPROVEMENTS ON SPEAR STREET TOWARDS THE FUTURE RENTAL OF ADDITIONAL CLIENT PARKING ONLY SPACES (1-0497) -** Board comments stressed the value and benefit of the 17 additional parking spaces. Mainstreet Executive Director Gary Rogers supported the proposal. Mr. Brown then noted a new concept which would provide 20 parking spaces and the benefits of this plan. He felt it was an example of the City staff, private enterprise, and Mainstreet's ability to work together on projects. He commended all on their efforts. He then explained his

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plans for the alley. Supervisor Smith moved that the Board authorize Cactus Jack's Casino use of the ten new on-street client parking only spaces with no rental charges until such time as the cumulative rental charges equal with the cost of Cactus Jack's funding of Spear Street right-of-way improvements, or in no event longer than three years; and direct staff to develop the appropriate agreement with Cactus Jack's which will be brought back to the Board of Supervisors for approval; with a small fiscal impact of \$1,000 for stripping and painting, funding source for that will be Street Maintenance Budget. Supervisor Tatro seconded the motion. Motion carried 5-0.

### **C. ORDINANCES - FIRST READING**

#### **i. ACTION ON STREET LIGHTING STANDARDS AND AN ORDINANCE**

**ADDING SECTION 17.24.210 TO THE CARSON CITY MUNICIPAL CODE RELATING TO STREET LIGHTING REQUIREMENTS IN CERTAIN SUBDIVISIONS (2-0745)** - Mr. Homann and Mr. O'Brien responded to Board questions on the effective date of the ordinance, the standards, contractors' responses to the proposal, zoning areas which would require the street lighting, and Sierra Pacific's role in the installation. Supervisor Bennett then moved that the Board adopt the Public Works Department Street Lighting Design Standards and introduce on first reading Bill No. 143, AN ORDINANCE ADDING SECTION 17.24.210 TO THE CARSON CITY MUNICIPAL CODE RELATING TO STREET LIGHTING REQUIREMENTS IN CERTAIN SUBDIVISIONS AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Fettic seconded the motion. Motion carried 5-0.

Discussion ensued between the Board and Richard Waiton indicating the ordinance would not force developed areas to install street lighting. The City would pay the electrical bill. Developed areas could be retrofitted if so desired on a voluntary basis.

#### **ii. ACTION ON AN ORDINANCE AND DEVELOPMENT AGREEMENT FOR EL**

**CAMINO DEVELOPMENT COMPANY (APNs 9-311-28 AND 9-311-33) CABALLEROS ACRES I AND II (2-1065)** - Following Mr. Homann's introduction, comments were solicited but none made. Supervisor Tatro moved that the Board introduce on first reading Bill No. 144, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND EL CAMINO DEVELOPMENT COMPANY REGARDING ASSESSOR'S PARCEL NOS. 9-311-28 AND 9-311-33, LOCATED AT CABALLEROS ACRES I AND II, CARSON CITY, NEVADA, FOR WATER LINE CONSTRUCTION; fiscal impact is not to exceed \$12,500, funding source will be Water Fund - Participation, funding provided in the 92/93 Water Budget. Supervisor Smith seconded the motion. Motion carried 5-0.

#### **iii. ACTION ON AN ORDINANCE AND WATER LINE REIMBURSEMENT**

**AGREEMENT FOR EL CAMINO DEVELOPMENT COMPANY (APNs 9-311-28 AND 9-311-22), CABALLEROS ACRES I AND II (2-1132)** - Clarification noted Item ii. above was related. Supervisor Tatro moved that the Board introduce on first reading Bill No. 145, AN ORDINANCE APPROVING A WATER LINE REIMBURSEMENT AGREEMENT BETWEEN CARSON CITY AND EL CAMINO DEVELOPMENT COMPANY REGARDING ASSESSOR'S PARCEL NOS. 9-311-28 AND 9-311-33, LOCATED AT CABALLEROS ACRES I AND II, CARSON CITY, NEVADA, FOR WATER LINE CONSTRUCTION, fiscal impact is a 15 percent administrative fee to be received by the City upon any reimbursement to the Applicant. Supervisor Fettic seconded the motion. Clarification for Mary Albrecht indicated the Applicant would be reimbursed by adjacent property owners when they connect to the system and the lines in that area. Mr. Homann did not feel that the City wells in the area were impacting private wells. Supervisor Fettic explained the City's well pumping program. Mayor Teixeira also pointed out the options available to residents located on the system's parameter. The motion to introduce Bill 145 on first reading was voted and carried 5-0.

#### **iv. ACTION ON AN ORDINANCE AND DEVELOPMENT AGREEMENT FOR THE**

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**REESE FAMILY TRUST (APN 9-263-01) LOCATED AT 449 WEST ROVENTINI WAY (2-1275) -** Supervisor Bennett moved that the Board introduced on first reading Bill No. 146, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND THE REESE FAMILY TRUST REGARDING ASSESSOR'S PARCEL NO. 9-263-01, LOCATED AT 449 WEST ROVENTINI WAY, CARSON CITY, NEVADA, FOR FUTURE WATER LINE CONSTRUCTION. Supervisor Fettic seconded the motion. Motion carried 5-0.

**v. ACTION ON AN ORDINANCE AND DEVELOPMENT AGREEMENT FOR CARSON CITY SCHOOL DISTRICT LOCATED AT 1111 NORTH SALIMAN ROAD (2-1355) -** Postponed until the next meeting.

**vi. ACTION ON AN ORDINANCE AND DEVELOPMENT AGREEMENT FOR THE NEVADA UTAH ASSOCIATION OF SEVENTH DAY ADVENTISTS REGARDING APN 2-052-09 LOCATED AT 405 EAST GRAVES LANE (2-1375) -** Supervisor Fettic moved that the Board introduce Bill No. 147 on first reading, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND THE NEVADA UTAH ASSOCIATION OF SEVENTH DAY ADVENTISTS REGARDING ASSESSOR'S PARCEL NO. 2-052-09, LOCATED AT 405 E. GRAVES LANE, CARSON CITY, NEVADA. Supervisor Tatro seconded the motion. Motion carried 5-0.

**vii. ACTION ON AN ORDINANCE AND DEVELOPMENT AGREEMENT FOR ALEXANDER BERNHARD (APNs 7-101-41/44) LOCATED ON ASH CANYON ROAD NEAR WINNIE LANE (2-1458) -** Mr. Homann clarified the extension requirements. Supervisor Smith moved that the Board introduce Bill No. 148 on first reading, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND ALEXANDER BERNHARD REGARDING ASSESSOR'S PARCEL NOS. 7-101-41, 7-101-42, 7-101-43, AND 7-101-44, LOCATED ON ASH CANYON ROAD, NEAR WINNIE LANE, CARSON CITY, NEVADA, FOR SEWER LINE CONSTRUCTION AND WATER SYSTEM PARTICIPATION. Supervisor Fettic seconded the motion. Mr. Homann clarified for Richard Waiton the reimbursement program and justification for the requirement that the sewer line be extended at this time. Supervisor Smith then amended his motion to include fiscal impact to the Sewer Utility is \$28,680 and to the Water Utility is \$1,250, funding sources are Sewer Fund - Main Extension and Water Fund - Participation; Mr. Bernhard's participation will be to 50 percent of the total construction cost but not to exceed \$1250 for the City's share. Supervisor Fettic continued his second. Motion carried 5-0.

**viii. ACTION ON AN ORDINANCE AMENDING SECTIONS OF THE CARSON CITY MUNICIPAL CODE RELATING TO THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION (1-1605) -** During Mr. Homann's introduction, Supervisor Bennett stepped from the room and returned prior to his conclusion. (A quorum was present throughout his introduction.) Discussion noted there were changes in the "Orange Book," which the contractors use. The new manual will be available after the Ordinance is adopted. The contractors had participated in drafting the manual and were aware of the proposal. Supervisor Bennett moved that the Board introduce on first reading Bill No. 149, AN ORDINANCE AMENDING SECTIONS 11.08.060, 15.20.010, AND 15.20.040 OF THE CARSON CITY MUNICIPAL CODE RELATING TO THE ADOPTION AND SALE OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Smith seconded the motion. Motion carried 5-0.

## **E. REGIONAL TRANSPORTATION COMMISSION ITEMS**

**i. ACTION ON CHANGES TO THE SCHOOL PEDESTRIAN CROSSING ON GRAVES LANE/EDMONDS DRIVE AT STANTON DRIVE (2-1765) -** Mr. Homann's introduction included the options which had been analyzed, the recommended changes, estimated costs, and justification for RTC funding. Discussion ensued with the Board on the distance of the compacted walkway, the delay in

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the development of the adjacent property, and reasons Permazyme would not be used on the walkway. (2-2120) Patty Pruitt explained her feeling that relocating the crosswalk would pose a traffic hazard to the drivers. The need for a permanent, year-round solution was stressed. She urged the Board to build a crossing bridge. Supervisor Smith echoed her comments concerning the speed limit compliance rate which he felt her campaign had helped improve. His comments indicated the City had exacerbated the situation by relocating Edmonds. He felt that the relocation site would make the crosswalk more visible, however, would not slow down the traffic. His comments also stressed his feeling that the amount of truck traffic made the crossing more unique than the other school crossing areas. He questioned whether all the children would utilize the crossing bridge. Ms. Pruitt explained her education campaign to get the kids to utilize the crossing bridge. Although the Sheriff's Office had responded to her requests, she did not feel that it was feasible for them to "babysit" the road for a year to enforce the speed limit. Supervisor Smith explained his support for relocating the crosswalk. He expressed his willingness to continue to support Ms. Pruitt's attempts to obtain an overpass. Ms. Pruitt explained her reasons for feeling that Carson City could paint its crosswalks yellow. Supervisor Bennett felt the proposal was only a "bandaid" for a larger problem. She urged the Board to establish a budget for addressing the total resolution. Supervisor Smith moved that the Board authorize Public Works to move the school pedestrian crossing on Graves Lane/Edmonds Drive from Stanton Drive to Pheasant Drive, fiscal impact is approximately \$8,000. Following clarification of the amount, Supervisor Smith corrected his motion to be for \$9,000, and continued the motion to include funding source to be RTC Contingency Account. Supervisor Tatro seconded the motion. Motion carried 5-0.

#### **ii. ACTION ON FINAL PAY REQUEST TO CONTRACT NO. 9192-020 - DORI**

**WAY IMPROVEMENTS** (2-2628) - Supervisor Tatro moved that the Board approve final payment for Contract 9192-020, Dori Way improvements, in the amount of \$2,077.50, funding source RTC Construction Account. Supervisor Smith seconded the motion. Motion carried 5-0.

**BREAK:** A five-minute recess was taken at 11:55 a.m. When the meeting reconvened at 12 noon, the entire Board was present constituting a quorum.

**7. REDEVELOPMENT AUTHORITY** (2-2701) - Mayor Teixeira then recessed the Board of Supervisors Session and passed the gavel to Redevelopment Chairperson Tom Tatro. For Minutes of the Redevelopment Authority, see its folder. Following adjournment of the Redevelopment Authority, Chairperson Tatro passed the gavel to Mayor Teixeira who reconvened the Board of Supervisors. A quorum was present as noted.

**8. DISCUSSION AND POSSIBLE ACTION REGARDING DEVELOPMENT INCENTIVES FOR SAINT CHARLES SQUARE** (3-2158) - Pulled.

#### **9. CITY MANAGER REPORTS, RESOLUTIONS, AND BOARD DIRECTIVES**

##### **B. STATUS REPORT REGARDING THE CITY MANAGER'S HISPANIC COUNCIL** (3-2160)

- Administrative Assistant to the City Manager Jeanette Sullivan introduced Rachel Knecht and Basil "Butch" Moreto. She reviewed her status report acknowledging many of the members and their efforts as well as community support for the Council and its program. She stressed the need for more volunteers and continued support for the program. She also encouraged the Board to expand its funding for the Council. (3-2576) Mr. Moreto stressed the interest and need for Council and outlined its role in equal housing activities. Reasons for his involvement including examples of his personal role were given. First Interstate Bank's active interest in an equal housing assistance program was explained. Ms. Knecht thanked the participants for their efforts to make the Council a link with the Hispanic community. The current level of support would allow the office to function on a part-time basis only. Even if the City is successful in getting office space for the Council in the former Children's Home facility, she did not feel that the office would be able to operate more than part-time. Demand indicated the need for a full-time service. Mr. Berkich thanked

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Ms. Sullivan, Mr. Moreto, and Ms. Knecht as well as the numerous other individuals, including the Board of Supervisors, who had made the Council happen. This unique approach is being studied statewide. Examples of the "unique approach" methods were provided. Supervisor Bennett noted her personal knowledge of the Council's activity, specifically commending all on their dedication and efforts. Mr. Moreto's bilingual abilities/knowledge was noted. Mayor Teixeira commended him on his willingness to become personally involved. Mayor Teixeira also commended Ms. Knecht, Ms. Sullivan, and Mr. Berkich on their efforts. He felt that the blending of efforts including that from private sources would benefit the entire community in the future.

**A. DISCUSSION AND POSSIBLE ACTION REGARDING SETTLEMENT AGREEMENT WITH E. DON PAYNE AND ASSOCIATES (4-0031)** - Clarification indicated the payment was for work which had been performed. Supervisor Smith moved that the Board approve the settlement agreement between Carson City and E. Don Payne and Associates, fiscal impact of \$4,630.58, funding source is the Golf Course Construction Projects Fund at \$1,855.58 and Parks Construction Projects Fund of \$2,775.00. Supervisor Bennett seconded the motion. Motion carried 5-0.

#### **C. STATUS REPORTS REGARDING:**

**i. FRANCHISE WITH T.C.I. OF NEVADA, INC. (4-0087)** - Discussion noted the delay in finalizing the contract. Mr. Berkich was hopeful that the contract could be finalized by the September 6 Board meeting.

**ii. CHANGEMASTERS (4-0115)** - None.

#### **10. BOARD OF SUPERVISORS REPORTS, RESOLUTIONS, AND PROCLAMATIONS - ISSUES REQUESTED BY MEMBERS OF THE BOARD OF SUPERVISORS**

##### **A. MAYOR TEIXEIRA** - None.

**B. SUPERVISOR SMITH - DISCUSSION AND POSSIBLE ACTION REGARDING SIGNAGE FOR TRUCK TRAFFIC ON ARROWHEAD DRIVE (4-0122)** - Public comments about the need for additional load limit signage on Arrowhead were explained. Heavy trucks are using it as a bypass. Supervisor Smith requested additional load limit signs as well as a properly signed route from the Airport Industrial Park. Mr. Homann agreed to install "Not a truck route" signs. Enforcement would be left to the Sheriff's Department. He had not considered signing the truck route but was willing to do so. He also pointed out the need on Silver Sage Drive. He suggested providing a City map with marked truck routes noting several streets which he felt should be designated as truck routes. Supervisor Smith delineated his reasons for requesting the route be signed. Mr. Homann noted the industry's need to inform its drivers of the routes which should be utilized. Mr. Homann then explained that his dedication for the next three weeks would be to the school areas. He was willing to address this problem after September 1. Mayor Teixeira felt that only signage and enforcement could stop the problem. He cited a previous problem with an illegal transfer station on Graves which had been moved to Silver Sage and Edmonds/Fairview, across from "Snap-On Tools". He also supported Supervisor Smith's recommendation. Mr. Homann agreed to discuss it with NDOT. Supervisor Smith explained NDOT's need for a written request and willingness to address the matter.

##### **C. SUPERVISOR FETTIC (4-0451)** - None.

**D. SUPERVISOR TATRO (4-0398)** - Progress on the V & T Project was outlined including WNDD's endorsement. The Convention and Visitor Bureau was working on its five year plan.

##### **E. SUPERVISOR BENNETT (4-0458)** - Explained her misunderstanding of the motion

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regarding the St. Charles Square and her intent to support the development rather than the denial.

#### **DISCUSSION AND POSSIBLE ACTION REGARDING LEASING LAND AT FUJI PARK (5-0495) -**

Supervisor Bennett iterated her reasons for agendizing the request. Discussion noted Mr. Lepire's original request to purchase the property and the Park and Recreation Commission's and Board of Supervisors' denial of that request. Gene Lepire submitted a copy of his October 1990 request as well as the later proposal to lease a section. Supervisor Smith detailed the Commission's discussions on the lease. He had recommended the Commissioners write letters expressing their position on the matter when he had met with them at their last meeting. Supervisor Bennett felt that the issue which the Board should consider was one of whether the Board wished to lease the property. Supervisor Smith outlined the division among the Commissioners on the request which he felt was related to the lack of a conceptual site plan for the Park and of the ultimate location of Clear Creek Road. Supervisor Smith felt that if the Board could lease land and gain revenue for the community, which he felt should be designated to be to the Fuji Park Gift Fund only, he could support the proposal. The lease should be couched in such a manner that if and when the City is ready to develop that area of the Park, the lease could be terminated. Mr. Lepire expounded on his development plans for the site which included a 40 x 60 gazebo and between 80 and 90 RV spaces. He purportedly has leases which revert the property to its owner when the lease expires. Demand for his facilities, the lack of space to expand, current use of the site, procedures to lease the property, action which could be taken at this time were also discussed. Mayor Teixeira noted two letters and two telephone messages of concern as well as his contact with the Commissioners. He recommended the item be returned to the Commission for finalization of the proposal. Mr. Suglia detailed the information he would need to draft a Resolution. Some of this information would be available when the "loop road" is designed. Supervisor Smith felt that a true completion date for the design could not be determined and should not unduly delay Mr. Lepire. The lease could address termination and allow him to proceed. Mr. Lepire requested the motion for the lease include a minimum of five acres. Parks and Recreation Director Steve Kastens elaborated on the Commission's deliberations and the statutory requirement that need for the property must be determined before leasing/selling. Demand for the facilities and expansion needs for the Park may require expansion, however, sale/lease of the grounds may prohibit such expansion if funding occurs. The lack of information on the lease amount and its acceptability by the potential lessee were also noted. Mayor Teixeira felt the amount of land desired should be identified as well as determination of the lease amount, the matter considered by the Commission, and then brought back to the Board. Discussion noted the fluctuating acreage. Comments noted that the property was to be leased and not "given away" and the delay in preparing the Park's conceptual plan. Supervisor Tatro suggested Mr. Lepire provide a survey and legal description of the site. This would establish the actual area desired. He should also provide an appraisal which will be utilized to establish the lease amount. Mr. Suglia again detailed the information required in the resolution. Mayor Teixeira pointed out that the area and amount would establish Mr. Lepire in a proprietary position on the lease. Supervisor Tatro suggested that the lease include a requirement that Mr. Lepire be reimbursed for his costs incurred to determine area and price. Mayor Teixeira verbally supported his suggestion. Supervisor Smith moved that the Board direct the District Attorney's Office to draft a resolution declaring its intent to lease the property which describes the land, specifies the minimum rent, and the terms upon which it will be leased, at the completion of that draft, submit the draft to the Park and Recreation Commission for their recommendation to the Carson City Board of Supervisors. During Mayor Teixeira's request for an amendment, Mr. Lepire expressed a desire to absorb the cost unless he is outbid. Supervisor continued his motion to include that any cost associated with the appraisal of the land or the survey of the land be incurred by the successful bidder. Discussion ensued on the lot size and the Recording Secretary's confusion on the items required for the resolution of intent. Supervisor Smith clarified for Mr. Suglia that the size of the area was to be five acres. Supervisor Tatro noted the lack of a legal description and the lack of knowledge stipulating the legal requirements for the lease amount. He recommended staff be directed to determine the requirements. Discussion ensued on the timetable for the City to survey the land. Supervisor Tatro continued his recommendation to include allowing Mr. Lepire to survey the property if the City's timetable is delayed and that City determine the lease price/parameters and that Mr. Lepire be reimbursed for the costs he had incurred. Mr. Lepire then expressed his feeling that Mr. Hadden could complete his survey within ten days

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and that the Assessor could provide an appraisal figure. He would then increase the appraisal by ten percent and the Board could consider the terms and reach a decision. Supervisor Smith withdrew his motion. Supervisor Fettic suggested the Board declare an interest in the potential lease and direct staff to describe the land and terms through negotiations with Mr. Lepire. Mr. Lepire felt staff already had a lease proposal and that he should not be returned to staff. Mr. Suglia explained his feeling that the confusion on the procedure was created by Mr. Lepire's unique desire to utilize City property which may at some future date be required for a roadway. This approach had not been utilized in the past. Supervisor Bennett then moved that Board proceed to develop a resolution of intent for the City property of an approximate five acre size to the west of the current RV park located at Fuji Park and we proceed in accordance with the statutory provisions of NRS 244.283, that the requirements of that resolution in the form of the land description and specifics of the rent and terms of the lease, that any expense incurred in the form of surveys or assessments be absorbed by Mr. Lepire, with the intent that the successful bidder, be it Mr. Lepire or someone else, reimburse Mr. Lepire for those costs and that that resolution of intent be brought to the Parks and Recreation Commission and then be brought back to this Board with its recommendation. Following Mr. Lepire's request for an amendment, Supervisor Bennett amended her motion to include that the resolution of intent be drafted within the next 90 days. Following Supervisor Smith's request for an amendment, Supervisor Bennett amended the period for drafting the resolution of intent to 60 days. Supervisor Smith seconded the motion. Mr. Suglia expressed his concerns about including Mr. Lepire within the resolution of intent. Supervisor Bennett then withdrew her motion and Supervisor Smith withdrew his second. Supervisor Tatro then moved that the Board direct the District Attorney to draft a resolution declaring the City's intent to lease property at Fuji Park on the north side of Clear Creek Road and west of the RV park that currently exists; the amount of land is approximately five acres; that the resolution establish a time for a public meeting at which time sealed proposals to lease will be received and considered; that, on the fiscal impact, no dollars from the City be expended on the expense of the appraisal, if needed, or the survey, if required by statute; that any potential bidder, through coordination with the Director of Parks and Recreation, may at their own risk and with the understanding that there may be no lease at the end, fund the appraisal, if needed, and a survey, if needed, with the condition to be included in the resolution that the successful bidder, if any, would be required to reimburse the expenses for the appraisal and/or surveying, and if such surveying and appraisal is not completed prior to the surveying that will be completed as part of the development of the conceptual site plan, that those tasks be included in that process; and that this resolution be brought before the Parks and Recreation Commission within the next 60 days. Clarification for Mr. Suglia indicated the only money the City would fund would be for costs incurred within the conceptual site plan. Supervisor Smith seconded the motion. Supervisor Tatro clarified his intent to indicate that the City would not allocate funds to perform the survey and appraisal. Potential bidders could fund the tasks knowing in the end there may be a potential that no bids are submitted, or that others could win the bid. The City would not incur the liability for those expenses. Mr. Berkich expressed his feeling that an MIA was required to establish the value. Mr. Suglia volunteered to research this requirement. The motion was indicated was voted by roll call with the following result: Bennett - Yes; Fettic - A very reluctant, Yes, as it sounds more like a contract than a motion, however, we should do something; Smith - Yes; Tatro - Yes; and Mayor Teixeira - Yes. Motion carried 5-0.

**BREAK:** At 3:15 p.m., a recess was called. When the meeting reconvened at 6 p.m., the entire Board was present constituting a quorum. Staff members present included: City Manager Berkich, Clerk-Recorder Nishikawa, Public Works Director O'Brien, Deputy District Attorney Suglia, and Recording Secretary McLaughlin.

**11. DISCUSSION AND POSSIBLE ACTION REGARDING CLEAR CREEK ROAD IMPROVEMENTS (4-2415)** - Following Mayor Teixeira's introduction, Mr. Berkich outlined the negotiations among Nevada Department of Transportation (NDOT), Douglas County, the City, and residents, as well as NDOT's cost sharing program, current maintenance programs, government abandonment of the road, alternatives analyzed by the City, Douglas County's willingness to establish an assessment district, and staff's recommendation. Discussion ensued among the Board and Mr. Berkich on whether other governmental agencies could participate in an assessment district. (4-2695) NDOT Principal Design Road

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Engineer Susan Martinovich detailed the road's problems, corrective measures, estimated costs, funding mechanisms, and a future maintenance program. The cost for future maintenance could not be estimated at this time. The State had been maintaining its portion of the road, including snow removal. Mr. Berkich felt the Clear Creek Camp operator had been plowing the road. Ms. Martinovich then explained the results of traffic count conducted last week and responded to Board questions on it. She felt that she could not make a commitment on whether the State would accept the road for maintenance once it is repaired. Discussion ensued among the Board, Mr. Berkich, and Ms. Martinovich on the 1957 road abandonment, how access is gained by new home buyers, reasons for Carson City's involvement in the solution, maintenance since 1966, potential federal/state funding sources, Douglas County's position on its ability to fund any program, and the Camp's ownership. Discussion then ensued with Robert W. "Doc" Schultz on the number of personal residences in the area 30 years ago. Discussion returned to the Board, Ms. Martinovich, and NDOT Chief Right-of-Way Agent John Crawford on State maintenance, reasons the State had stopped maintaining the road in 1980, State ownership of the Job Corps Center, original abandonment procedures, and to whom the responsibility was transferred when the State abandoned the road. (5-0435) Paul Phillips also wished to have clarification of this point as he had a deed indicating an easement exists on his property. His concern about the liability was stressed. If this responsibility is his, he would urge the other residents to join him in closing the road. Both Mr. Suglia and Supervisor Fettic felt this was an important question which needs to be answered. (5-0512) Dixie Bush felt the traffic count indicated by NDOT was extremely low. She was also concerned about the liability particularly for the children riding school buses to the State owned camp. She felt that the State had been allowing and encouraging trespassing on private property. (5-0575) Jan Carpenter supported Ms. Bush's comments. As a property owner, she felt the liability was too high for a property owner. State signs indicating the road was closed to public use were explained. A map was used to explain the State, City, and Douglas County areas and residents. Due to the public use, all governmental entities should share the responsibility and maintain the road. She was notifying all users that she would barricade the road. Clarification indicated that her deed included a 50 foot easement. Although she only purchased her property two years ago, she was not sure when the State had installed the signs. Discussion also noted the conflict between her deed, on which a title company had conducted the research, and the City Manager's document indicating the road was abandoned. (5-1020) Maggie Burrows explained her representation of several of the area property owners and Robert Schultz. She then explained her knowledge of Anderson and Dowd's parcel maps and questioned why the City had not included the road abandonment on the recorded map. The parcel maps had not included easements. Supervisor Fettic noted that there was an Ormsby County recorded document number indicated on the State's abandonment notice. Discussion ensued on title company research procedures. Ms. Burrows continued to maintain her position that the County (City) had failed to verify the status of the road when recording the parcel maps. Her clients were aware of the road abandonment. (5-1115) - Senator Lawrence Jacobsen explained the public use of the camp, his 1963 role in obtaining the youth camp, its current usage, and cooperative efforts in maintaining the road and fire control. He suggested that all of the users -- BIA, BLM, Forestry, etc. -- cooperate in the maintenance costs. He offered the State prison workers to help bring the road up to par. He did not feel that all of the work indicated previously was necessary. If Douglas County did not have funds, it could use in-kind services. He urged all of the users to coordinate efforts and equipment and resolve the problem. He volunteered to assist wherever possible. Mayor Teixeira thanked him for coming and participating. (5-1385) Pat Riggs did not feel that the road would last one more winter. She was willing to help raise funds for its repair. Her areas of concern were explained. Patch work had been performed on the road two or three years ago. Pictures were given to the Board illustrating the areas of concern. (These pictures were taken back at the end of the meeting.) She was very upset with Douglas County's lack of participation in the program. (5-1500) Al Kramer questioned the method of establishing who the users are and how they should be assessed their share of the maintenance cost. He also felt that the number of users as counted by the State was incorrect. Mayor Teixeira supported his contention that there are a lot of public users who are not residents of the area. Mr. Kramer expressed his feeling that Public Works is already receiving his share of the maintenance costs through his property taxes. Mayor Teixeira responded by explaining that the ad valorem taxes currently cover only the cost of the Fire Department. Road maintenance has been through gas taxes and a quarter cent sales tax. Mr. Kramer then expressed his feeling that the users were already paying

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for the maintenance. (5-1630) Mr. O'Brien then explained his personal evaluation of the road and a potential solution which would utilize in-kind services, including Senator Jacobsen's offer. His solution would patch the road. He felt the City should maintain that portion within the City limits. Ownership could be determined in the interim. NDOT would survey the road. The road was a public easement. Funding was available in Street Maintenance for patching. Discussion ensued among the Board, Mr. O'Brien and Mr. Berkich on the feasibility of his plan. Mr. O'Brien's plan would patch the entire road. Major improvements would be addressed later. Legal ramifications were noted but may be addressed through a cooperative agreement. Board consensus directed staff to determine Douglas County's position on the proposal prior to work being undertaken. The long-term program would be negotiated after the temporary solution is addressed. (5-2075) Mr. Phillips supported the proposal. He then questioned to whom the easement should be dedicated and expressed his willingness to have the legal documents completed prior to construction occurring. Mayor Teixeira felt this question would be resolved along with the liability question at the next meeting with Douglas County and NDOT. Mr. Phillips encouraged all of the public users to join the residents, etc., and support the program. (5-2201) Mr. Schultz reviewed the history of the road since 1937. He then perused the State abandonment document which Mr. Berkich had. He then explained NDOT abandonment documents, a copy of which the Board also had. His concern for the liability questions were noted including liability for any work crews patching the road. He objected to an "extra" assessment for the road. The road abandoned signs and no trespassing signs had been installed before the Job Corps Camp was installed. The Corps had maintained the road for busing purposes. He then questioned the status of the sewer line. Mr. O'Brien felt it was a private line. Mr. Schultz then explained the sewer line. He felt that the property owners had given the Forest Service a right-of-way for the line. This could have included opposition for maintenance of the road. He then reiterated his opposition to the assessment district and requested notification of any meetings. Mr. Berkich noted that there had been three previous meetings which Mr. Schultz had attended.

Supervisor Fettic then moved that the Board direct the City Manager and Public Works Director to continue to negotiate with NDOT, Douglas County, and the property owners to resolve current legal issues and to begin repair of Old Clear Creek Road expeditiously. Supervisor Tatro seconded the motion. Comments were solicited but none made. The motion was voted and carried 5-0.

Supervisor Fettic moved to adjourn. Supervisor Tatro seconded the motion. Motion carried 5-0. Mayor Teixeira adjourned the meeting at 7:30 p.m.

The Minutes of the August 6, 1992, Carson City Board of Supervisors meeting

ARE SO APPROVED ON October 15, 1992.

/s/  
MARV TEIXEIRA, Mayor

ATTEST:

/s/  
KIYOSHI NISHIKAWA, Clerk-Recorder