

CARSON CITY BOARD OF SUPERVISORS

Minutes of the March 7, 1991 Meeting

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A regular session of the Carson City Board of Supervisors was held on Thursday, March 7, 1991, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 9 a.m.

PRESENT:

Mary Teixeira	Mayor
Tom Fettic	Supervisor, Ward 2
Greg Smith	Supervisor, Ward 1
Tom Tatro	Supervisor, Ward 3

Kay Bennett	Supervisor, Ward 4
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STAFF PRESENT:

John Berkich	City Manager
Kiyoshi Nishikawa	Clerk-Recorder
Ted P. Thornton	Treasurer
Karen Hinton	County Extension Agent
Dan O'Brien	Public Works Director
Judie Fisher	Personnel Manager
Vic Freeman	Undersheriff
Charles P. Cockerill	Chief Deputy District Attorney
Katherine McLaughlin	Recording Secretary

(B.O.S. 3/7/91 Tape 1-0045)

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. First Christian Church Pastor Ken Haskins gave the Invocation. A moment of silence was held for former Parks and Recreation Commissioner Domonic Oxoby. Supervisor Bennett led the Pledge of Allegiance. Roll call was taken and a quorum was present.

APPROVAL OF MINUTES - February 7, 1991, Regular Session and February 9, 13, and 14, 1991, Special Sessions (1-0099) - Following discussion of corrections, Supervisor Tatro moved to approve the Minutes of the Special Sessions of February 9, 13, and 14, 1991, as corrected. Supervisor Bennett seconded the motion. Motion carried 5-0. The Minutes of February 7 were held for clarification.

SPECIAL PRESENTATIONS

(1-0168) - Mayor Teixeira noted that Nevada Appeal Correspondent Lisa Kirk was being transferred to Washington, D.C., and that this would be her last meeting.

CITIZEN COMMENTS - None.

1. PERSONNEL MANAGER (1-0175) -Judie Fisher - **PRESENTATION OF RESOLUTION OF COMMENDATION AT RETIREMENT OF JAMES BARRY, PUMP OPERATOR DRIVER** - Ms. Fisher explained that Mr. Barry would not be present, however, Public Works Director Dan O'Brien would accept the Resolution on his behalf. Mayor Teixeira acknowledged Mr. Barry's 20 plus years of service. Supervisor Fettic moved that the Board adopt Resolution No. 1991-R-10, RESOLUTION COMMENDING RETIREMENT and read the entire Resolution into the record. Supervisor Tatro seconded the motion. Motion carried 5-0.

2. COOPERATIVE EXTENSION AGENT - Karen Hinton - **RECOGNITION OF PUBLIC WORKS SUPPORT OF GROW LAB PROJECT** (1-0261) - Ms. Hinton introduced Fremont School Fourth Grade Teacher Donna Hataway and explained the "Thank You" Booklet her class had made. As part of the "C-Scape Program", a youth education program was created which includes the Grow LAB Project. Due to Public Work's support, a Lab

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was placed in the Fremont School. The program was explained. Ms. Hataway explained the program and its success. Due to its success, a second Lab was created. The "Thank You" Booklet included several phases of the program. She then presented the Booklet to Mr. O'Brien and invited the Board and audience to visit the open house on Wednesday evening at 7 p.m. Mr. O'Brien accepted the Booklet on behalf of the City and thanked her for it. Mayor Teixeira congratulated Ms. Hataway on the endeavor and directed Mr. Berkich to write a letter thanking the class for the Booklet.

Mayor Teixeira then recessed the Board of Supervisors and immediately reconvened the session as the Liquor and Entertainment Board. A quorum was present although Sheriff McGrath was not present.

LIQUOR AND ENTERTAINMENT BOARD MATTERS

3. TREASURER - Ted P. Thornton.

A. ACTION ON TRANSFER OF LIQUOR LICENSE FOR DAVID LOUIS GUERRA, DOING BUSINESS AS POOKEY'S SATIN LOUNGE LOCATED AT 112 RICE STREET (1-0457) - Following Mr. Thornton's introduction, Mr. Guerra explained his relocation. The previous owner would not be involved with the operation. The Royal Crest had not been operating since Mr. Guerra pulled his license from that establishment. Member Tatro moved that the Board approve the transfer of the Liquor License for David Louis Guerra, doing business as Pookey's Satin Lounge, located at 112 Rice Street. Member Smith seconded the motion. Motion carried 5-0.

B. ACTION ON AN ENTERTAINMENT PERMIT FOR KIT CARSON RENDEZVOUS EVENTS (1-0517) - Mr. Thornton explained the request and fee waivers. Mr. Sanford Rothman and Mr. Chuck Wright explained the parking arrangement. Last year the Sheriff's Cadets had charged for parking on the east side of the Park. This year a sign indicating a donation was requested would be provided. Member Bennett moved that the Liquor and Entertainment Board approve the Entertainment Permit for the Kit Carson Rendezvous Events, fiscal impact an approximate fee of \$100. Following discussion of the fiscal impact, Member Bennett corrected her motion to reflect a fiscal impact of \$5 per day per booth. Member Smith seconded the motion. Upon further discussion of the fee waiver request, Member Bennett included in her motion the waiver of the fees. Following additional discussion, Member Bennett withdrew her motion and Member Smith withdrew his second. Member Bennett then moved that the Board approve the Entertainment Permit for Kit Carson Rendezvous Events and waive the Entertainment fee. Member Smith seconded the motion. Motion carried 5-0.

C. ACTION ON A SHORT TERM BUSINESS PERMIT FOR KIT CARSON RENDEZVOUS EVENTS CONCESSION STANDS (1-0735) - Member Bennett then moved that the Board issue a Short-Term Business Permit for the Kit Carson Rendezvous and waive the fee for the short-term business permit. Member Smith seconded the motion. Motion carried 5-0.

D. ACTION ON AN ENTERTAINMENT PERMIT FOR RETIRED SENIOR VOLUNTEER PROGRAM FOR THEIR SIXTH ANNUAL SPRING FUN FAIR EVENTS AT MILLS PARK

E. ACTION ON A SHORT-TERM BUSINESS PERMIT FOR RETIRED SENIOR VOLUNTEER PROGRAM FOR THEIR SIXTH ANNUAL SPRING FUN FAIR EVENTS AT MILLS PARK (1-0755)

F. ACTION ON A SHORT-TERM PERMIT FOR RETIRED SENIOR VOLUNTEER PROGRAM FOR ROYAL WEST AMUSEMENTS, INC. CARNIVAL BEING USED FOR THEIR SIXTH ANNUAL RETIRED SENIOR VOLUNTEER PROGRAM FUN FAIR AT MILLS - RSVP Program Director Janice Ayres was present. Member Fettic moved that the Board approve the Entertainment Permit for the Retired Senior Volunteer Program. Member Smith seconded the motion. Member Fettic continued his motion to include

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waiver of the permit fees in the amount of \$200. Member Smith continued his second. Motion carried 5-0.

Member Tatro moved that the Board approve the Short-Term Business Permit for the RSVP Concessions at the Sixth Annual RSVP Spring Fun Fair Events at Mills Park and waive the application fee of \$50 per day, fiscal impact \$5 per day per booth. Member Fettic seconded the motion. Clarification by Member Tatro indicated that the fiscal impact of \$5 per day per booth would be collected and could not be waived. Member Bennett also seconded the motion. Motion carried 5-0.

Mr. Thornton noted the experience with this Carnival Operation, his request for waiver of the mandatory appearance requirement, the certification of the rides, and insurance certificate. Member Tatro moved that the Board approve the Short-Term Business Permit for RSVP for the Royal West Amusements, Inc., Carnival being used for the Sixth Annual RSVP Spring Fun Fair at Mills Park, fiscal impact of \$1500. Member Bennett seconded the motion. Motion carried 5-0.

G. ACTION ON AN ENTERTAINMENT PERMIT FOR RETIRED SENIOR VOLUNTEER PROGRAM FOR THEIR NEVADA DAY CELEBRATION EVENTS AT MILLS PARK (1-0875)

H. ACTION ON AN ENTERTAINMENT PERMIT FOR RETIRED SENIOR VOLUNTEER PROGRAM FOR THEIR NEVADA DAY CELEBRATION EVENTS AT MILLS PARK

I. ACTION ON A SHORT-TERM BUSINESS PERMIT FOR RETIRED SENIOR VOLUNTEER PROGRAM FOR SAM JOHNSTON, MIDWAY OF FUN CARNIVAL BEING USED FOR THEIR NEVADA DAY CELEBRATION - The ride certificates and insurance riders are required. Member Smith moved that the Board approve an Entertainment Permit for the Retired Senior Volunteer Program for their Nevada Day Celebration Events at Mills Park including a waiver of the Permit fees of \$200. Member Bennett seconded the motion. Motion carried 5-0.

Member Smith moved that the Liquor and Entertainment Board approve a Short-Term Business Permit for the Retired Senior Volunteer Program for Concession Stands at their Annual Nevada Day Celebration Event at Mills Park including waiver of the application fee of \$50 per day. Member Bennett seconded the motion. Motion carried 5-0.

Member Tatro moved that the Board approve the Short-Term Business Permit for the Sam Johnson Midway of Fun Carnival being used for the Annual Nevada Day Celebration at Mills Park, fiscal impact of \$1500. Member Fettic seconded the motion. Motion carried 5-0.

Chairperson Teixeira wished Ms. Ayres well on the events. He then adjourned the Liquor and Entertainment Board and immediately reconvened the session as the Board of Supervisors. A quorum was present as noted.

ORDINANCES, RESOLUTIONS, AND OTHER ITEMS

4. TREASURER - Ted P. Thornton and Deputy Treasurer Pam Robinson.

A. ACTION ON REVOCATION OF BUSINESS LICENSES FOR 1991 - Mr. Thornton's introduction included the feeling that many of the firms on the list were out of business but had failed to notify the Department. The notification process, penalties, and reinstatement requirements were also explained. Supervisor Fettic moved that the Board approve the revocation of the delinquent licenses for 90-91 as submitted into the record by the Treasurer to take effect at 5 p.m. on 5/7/91. Following Supervisor Tatro's request for correction, Supervisor Fettic corrected the effective date to be 3/7/91. Supervisor Tatro seconded the motion. Discussion noted that the liquor licenses would be automatically revoked if the business license is revoked and emphasized the attempts to contact the firms. The penalties were outlined again. The refund program for any unused quarters was explained. Richard Waiton suggested the utilities be used to determine when the firms are out of business. At

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present there is no program for such cross checking. The motion to revoke the business licenses as of 5 p.m. on 3/7/91 was voted and carried 5-0.

B. ACTION ON TREASURER'S FINANCIAL REPORT FOR THE MONTH OF JANUARY 1991 (1-1461) - Supervisor Tatro moved that the Board accept the Treasurer's Report as submitted for the month of January 1991. Supervisor Fettic seconded the motion. Motion carried 5-0.

C. ACTION ON REMOVAL OF TAXES FROM THE 1990-91 TAX ROLL DUE TO THE STATE OF NEVADA BEING EXEMPT ON PARCELS 8-521-56, 8-521-57, and 8-521-58 (1-1485) - Supervisor Tatro moved that the Board remove taxes from the 1991 tax roll due to the State being tax exempt for Parcel 8-521-56, the amount of tax being \$63.33, Parcel 8-521-57, the amount of the tax being \$54.09, and Parcel 8-521-58, and the amount of the tax being \$54.09, for a total tax to be removed \$171.51. Supervisor Bennett seconded the motion. Motion carried 5-0.

5. INTERNAL AUDITOR - Gary Kulikowski - **ACTION ON APPROVAL OF JANUARY 1991 CHECK DISBURSEMENT REGISTER** (1-1562) - Supervisor Bennett moved that the Board approve the January 1991 Check Disbursement Register subject to the results of the Internal Auditor's examination as presented to the Board at this meeting. Supervisor Smith seconded the motion. Motion carried 5-0.

6. DISTRICT ATTORNEY - Chief Deputy District Attorney Charles P. Cockerill and Undersheriff Vic Freeman - **ORDINANCE - FIRST READING - ACTION ON AN ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE SECTION 10.20.010 (BASIC RULE) AND OTHER MATTERS PROPERLY RELATED THERETO** (1-1595) - Discussion noted that if the violation is cited under City Code, the City could retain the fines. The District Attorney's office could amend the complaint to have city Code take precedence over the State Statutes. Supervisor Tatro moved that the Board introduce on first reading Bill No. 108, **AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE SECTION 10.20.010 (BASIC RULE) AND OTHER MATTERS PROPERLY RELATED THERETO**. Supervisor Bennett seconded the motion. Motion carried 5-0.

7. AUTOMATION SERVICES DIRECTOR - Pam Case and Purchasing Agent Ron Wilson - **ACTION ON THE REQUEST FOR CONTRACT APPROVAL ON CONTRACT 9091-239 H.T.E. SOFTWARE AGREEMENT** (1-1749) - Discussion covered the SPAN Program, the funding which is in two fiscal year budgets, projected life cycle of the programs, ownership of the programs, the programs themselves and their benefits, the ability to interface with current programs, the funding from two fiscal years, and need for a non-appropriation clause within the purchase order. Mr. Berkich commended Ms. Case and her staff on their efforts to negotiate the price reduction and noted his commitment toward automation. Examples were cited to support his position. Ms. Case felt that the five year master plan would address the space needs for the programs and growth. Mr. Cockerill's desire to have the agreement include a non-appropriation clause was discussed. Mr. Wilson felt the State Statutes cited covered the clause. The City would only be taking possession of programs/equipment meeting the \$95,000 value. The second phase would require funding before possession of those programs/equipment would be done. The purchasing agreement would include the non-appropriation clauses. Supervisor Tatro moved that the Board approve the request for contract approval and authorize the Purchasing Agent to issue a purchase order to H.T.E. in a contract amount of \$94,815 for FY 90-91 with a funding source of <SPAN, subject to a non-appropriation clause for fiscal year 91-92 being inserted into the contract approved by H.T.E. Mr. Wilson then explained that the Clerk had a corrected copy of Schedule B. Supervisor Fettic seconded the motion. Motion carried 5-0.

8. PURCHASING AGENT - Ron Wilson - **ACTION ON THE AWARD OF CONTRACT 9091-081 (RE-BID) HIGH CAPACITY ROTARY MOWER** (1-2530) Mr. Wilson commended his staff on its work during his illness. Supervisor Bennett then moved that the Board of Supervisors accept the Purchasing Agent's recommendation and award this Contract to Bidder No. 1, Blaine Equipment Company, P. O. Box 15125, Las Vegas, as the most responsive and responsible bidder pursuant to the requirements of NRS 332 for a contract

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amount of \$42,554. Supervisor Smith seconded the motion. Following a request for an amendment, Supervisor Bennett continued her motion to include funding source 260-000, Capital Acquisition. Supervisor Smith continued his second. Motion carried 5-0.

9. PERSONNEL DIRECTOR - ACTION ON SALARY ADJUSTMENTS UNDER THE RALPH ANDERSON PARITY STUDY (1-2621) - Mr. Berkich explained the request to increase the Fire Chief's salary. Purportedly, a memo on this request had been distributed to the Board. (A copy was not given to the Clerk.) A second memo to Chief Buckley from Mr. Berkich indicated his willingness to present the adjustment to the Board at the end of a six month probationary period. (A copy of this memo was also given to the Board but not the Clerk.) Concern was expressed that the Board was continually addressing the inconsistencies found at the higher management levels. Mr. Berkich felt that the only inconsistencies were in the Sheriff and Fire Departments. It was felt by the Board that this was a management decision, however, as funding had to be approved by the Board action was required. (2-0040) Supervisor Smith requested the record reflect that he was not reflecting on the competency of the individual but was in opposition to retaining an individual at \$49,600 a year seven months ago and today committing an \$8,000 raise. He could understand the justification but felt this was the one of his original problems with the Ralph Anderson study. Supervisor Fettic again reiterated his feeling that this was a management decision which should not require Board action. Mr. Cockerill explained that this was an unclassified salary request and needed funding. Supervisor Fettic, while acknowledging Supervisor Smith's comments, explained his reasons for feeling the request should be addressed at this time and that the Sheriff's Department would be addressed in the future. Supervisor Fettic then moved that the Board approve the one time salary adjustment for Chief Buckley as presented by the City Manager. Supervisor Bennett seconded the motion. Discussion noted that there may be additional adjustments in the future and reasons for the parity study. The motion to authorize the increase was voted by roll call with the following result: Bennett - Yes; Tatro - Yes; Fettic - Yes; Smith - No; and Mayor Teixeira - Yes. Motion carried 4-1.

10. BOARD OF SUPERVISORS - DISCUSSION AND POSSIBLE ACTION REGARDING 991 LEGISLATIVE MATTERS (2-0195) - Mayor Teixeira explained the amendment to SB 112 capping the room tax at 8 percent. This amendment may have been amended to cap the room tax for populations of more than 500,000. Discussion noted the funding for the Mint and commended Supervisor Tatro on his role in the endeavor to reopen the Museum. The Welfare issues would be considered Tuesday during a Subcommittee. The Counties have already been notified that they would be responsible for those services regardless of their budgets. The financial significance of the proposal was noted. Bill 265 would provide \$500,000 for computerizing and upgrading the City's signals. The Bill is an attempt to mitigate the fact that the By-Pass may not become a reality.

BREAK: At 10:45 a.m. a five minute recess was taken. When the meeting reconvened at 10:50 a.m. the entire Board was present constituting a quorum.

11. COMMUNITY DEVELOPMENT DIRECTOR - Walt Sullivan and Principal Planner Rob Joiner.

A. PLANNING COMMISSION REFERRALS - REVIEW AND APPEAL MATTERS (2-0365)

i. ACTION ON S-89/90-4 - A REQUEST FROM JAMES NEWMAN TO APPROVE THE BONANZA HEIGHTS TENTATIVE SUBDIVISION MAP EXTENSION OF TIME, LOCATED ON WEST BONANZA DRIVE, NORTHWEST OF SHENANDOAH HEIGHTS SUBDIVISION (APN'S 8-752-30, 31, 32, AND 33) - Supervisor Tatro moved that the Board approve the request for an extension of time on Tentative Map S-89/90-4 Bonanza Heights Subdivision. Supervisor Bennett seconded the motion. Motion carried 5-0.

ii. ACTION ON M-90/91-16 - A REQUEST FROM M. G. STAFFORD TO ABANDON ACCESS AND PUBLIC UTILITY EASEMENTS LOCATED BETWEEN SEAN DRIVE AND STAFFORD WAY, EAST OF SILVER SAGE DRIVE (APN'S 9-612-07, 9-601-01 AND 09, AND 601 AND 9-602 COMMON AREA (2-0418) - Supervisor Bennett moved that the Board approve M-90/91-16, public utility and

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access easement abandonment south of Sean Drive, north of Stafford Way, and east of Silver Sage Drive. Supervisor Smith seconded the motion. Following a request for amendment, Supervisor Bennett amended her motion to include subject to the findings of the Regional Planning Commission's recommendation of approval. Supervisor Smith continued his second. Motion carried 5-0.

iii. ACTION ON P-90/91-1 - DOUBLETREE PLANNED UNIT DEVELOPMENT> - AMENDMENT TO PHASING SCHEDULE (2-0465) - The proposal would make Phase II Phase I and vice versa. There is no change to Phase 3. The request does not have to be considered by the Planning Commission. Supervisor Tatro moved that the Board approve the Applicant's request to amend the time frames for Phases I and II for Doubletree Planned Unit Development, Project P-90/91-1. Supervisor Bennett seconded the motion. Motion carried 5-0.

iv. ACTION ON DOWNTOWN MASTER PLAN ELEMENT - ACCEPT RECOMMENDATION OF REGIONAL PLANNING COMMISSION TO APPROVE DOWNTOWN MASTER PLAN ELEMENT AND ADOPT IT AS AN ADDITIONAL ELEMENT OF CARSON CITY'S COMPREHENSIVE MASTER PLAN (2-0501) - Continued until later in the meeting.

B. ORDINANCE - SECOND READING - ACTION ON BILL NO. 107 (Z-90/91-6) A REQUEST FROM M.S.B. PROPERTIES TO REZONE PROPERTY FROM SINGLE FAMILY 6000 (SF6000) TO NEIGHBORHOOD BUSINESS (NB) LOCATED ON THE WEST SIDE OF SILVER SAGE (2-0507) - Mr. Sullivan's introduction included a brief review of the Board's consideration of the Bill on first reading and the application. The Planning Commission's reasons for opposing the request were based on the desire to see Sonoma extended and that the driveways align with Stafford Way. Public Works will consider these items during Project Review. At this time the Developer wishes to develop Neighborhood Businesses on this site. (2-0615) Dan Grode expressed his concerns about the traffic problems now found in the area and urged the Board to take steps to stop the growth. Clarification indicated that heavy semi's are using Silver Sage which is not a truck route. Mayor Teixeira explained that the proposal is allowed under the master plan and could not be denied at this time. The truck problem would be brought to Public Works' and Sheriff's attentions. Mr. Grode also felt that there is adequate office space uptown which should be utilized before additional space is granted. The traffic impact study had been considered. Silver Sage traffic is not at this stage where it should be expanded. Sunchase had included a traffic analysis and also indicated the expansion was not needed. Mark Rotter, representing the developer, was also present. Supervisor Tatro also noted that Sonoma is to be extended when Sunchase Phase III is started. Supervisor Smith moved that the Carson City Board of Supervisors adopt on second reading Ordinance No. 1991-6, AN ORDINANCE EFFECTING A CHANGE OF LAND USE ON A PORTION OF ASSESSOR'S PARCEL NUMBER 9-112-36 SAID PARCEL BEING LOCATED ON SILVER SAGE DRIVE IN CARSON CITY, NEVADA, FROM SINGLE FAMILY 6000 (SF6000) TO NEIGHBORHOOD BUSINESS (NB) ZONING. Supervisor Tatro seconded the motion. Motion carried 5-0.

Supervisor Bennett requested Public Works conduct a traffic count on Silver Sage for Regional Transportation Commission's evaluation of signalization needs. Discussion indicated a traffic study was done in early 1990 as a part of the master plan.

C. OTHER MATTERS - ACTION ON A RESOLUTION FOR ANNEXATION OF HISTORIC PROPERTIES INTO HISTORIC DISTRICT (2-0945) - There are 238 properties on the list to be added to the District. The property owners' concerns voiced during the previous meeting had been addressed. Notifications had been remailed to all of the property owners. No comments were received by staff as a result of this certified mailing. Dennis Sayan's notice was sent to his brother's house, which is the address on the Assessor's rolls. A hand-delivered copy was given to him at a later date. He no longer opposed the proposal. Jacks Bar had been addressed and the property owner no longer opposed the proposal. Comments stressed the feeling that HARC would be addressing the commercial signage needs in the near future. The effect of SB 235 was not known at this time. Procedures for withdrawal from the District were discussed. The site of the former Roundhouse has historical significance and should remain on the list. An agreement with the State allows HARC to review State building/expansion plans. Park Service Standards for additions were also outlined. Concern was expressed that

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the State Public Works Board, the State Public Lands, State Building and Grounds should all be contacted about the proposal. Building plans for the V and T site would be reviewed by HARC in an attempt to keep it compatible with surrounding facilities. The desire to eliminate hurdles for redevelopment in the downtown area were noted. Supervisor Tatro then moved that the Board of Supervisors adopt Resolution No. 1991-R-11, A RESOLUTION DESIGNATING PROPERTIES AS HISTORIC SITES AND INCORPORATING SAID PROPERTIES INTO THE CARSON CITY HISTORIC DISTRICT. Supervisor Fettic seconded the motion. Supervisor Bennett expressed her concurrence with the concept of architectural standards and architectural design but was concerned that the City would fail to proceed cautiously and that unnecessary obstacles not be thrown up due to the need to encourage redevelopment in the downtown area. The motion to adopt Resolution 1991-R-11 was voted and carried unanimously.

A. iv. ACTION ON DOWNTOWN MASTER PLAN ELEMENT - ACCEPT RECOMMENDATION OF REGIONAL PLANNING COMMISSION TO APPROVE DOWNTOWN MASTER PLAN ELEMENT AND ADOPT IT AS AN ADDITIONAL ELEMENT OF CARSON CITY'S COMPREHENSIVE MASTER PLAN - CONTINUED (2-1420) - Mr. Sullivan introduced the Master Plan by explaining public hearings and presentations held on it. He stressed that the plan was only a road map of the future and could be changed as time marches forward. He acknowledged the aggressiveness of the goals outlined in the plan and desire to meet them, however, if not possible, urged the Board to use reason when pointed out in future meetings. His deadlines were for having the information to the Planning Commission so that the public review process could begin and not for final adoption. Mayor Teixeira acknowledged the public hearing process on the element. He felt the timelines were extremely aggressive. Discussion ensued on this point. Comments also stressed the need to address the downtown zoning issues and interest in bed and breakfast facilities in the downtown area. (2-1895) Richard Waiton questioned the effect State ownership of the two blocks on the west side of Carson street would have on the plan. Mr. Joiner explained that this was included in the plan and the desire to work with the State if it does take over the property. Design standards and compatibility will be discussed with the State at that time. It would also affect the land uses. This had been a plan proposed and supported by the late Senator Sedway. State Land Director Pam Wilcox had been active in the drafting of the plan. Other State Agencies which had been contacted were: Building and Grounds, Public Works Board, Department of Transportation, and Finance. Ms. Wilcox had suggested a joint venture project be undertaken for the block bounded by Curry, Second, Third, and Nevada on which Mr. Sayan had expressed an interest in developing a parking facility. Clarification noted that this proposal had been discussed several times over the last year and would not be set in concrete. (2-2078) Mainstreet Representative Gail Thomssen explained her involvement with the plan. She then requested Mainstreet be included as one of the members of the design review committee. Mr. Sullivan explained that this would be established at a later date by the Board. (2-2122) Historical Commission chairperson Laura Adler expressed their support and urged the Board to adopt it. Supervisor Fettic moved that the Board accept the recommendation of the Regional Planning Commission and approve the downtown element of Carson City's master plan and adopt said elements as an additional element of Carson City's comprehensive master plan. Supervisor Tatro seconded the motion. Motion carried 5-0.

BREAK: A lunch recess was taken at 11:45 a.m. The Board was to return at 1:25 p.m. for a ceremonial picture taking session. The meeting was reconvened at 1:33 p.m. The entire Board was present constituting a quorum.

12. PUBLIC WORKS DIRECTOR - Dan O'Brien and Utility Manager Dorothy Timian-Palmer.

A. DISCUSSION AND APPROVAL OF PROCEDURES REGARDING NUISANCE ABATEMENT (2-2203) - Mr. Berkich displayed a copy of the Neighborhood Beautification Council's emblem. (A copy of the procedures to be discussed was given to the Board but not the Clerk.) Several Council Members were present but not introduced. The purpose of the Council was explained. Supervisor Bennett explained the Ad Hoc Council concept and growth. Mr. O'Brien outlined the procedures now utilized to enforce the current Code and the proposed modifications. His comments stressed the need to use reason in determining the nuisances and periods of absence for RVs and when repairing a vehicle. He expressed a desire to be sure to win when the case is taken to court, therefore, appropriate documentation will be maintained. Public notifications will be made before a

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legal remedy is taken. The 15 day deadline for abating nuisances would not apply to sidewalks as weather conditions could prohibit repair. A tracking form and its procedures were explained. Discussion ensued on the legal requirements on addressing the buildings not completely destroyed by fires. Mr. O'Brien explained that if the buildings were secured, the City could not demand demolition or reconstruction. (3-0032) Discussion ensued on the problems encountered in attempting to address the Howard Reeder nuisance which was handled under the abatement process rather than as a citation. The pros and cons of these processes were also discussed. Mr. Berkich also noted that the Council was considering modifications to the current Code including the burned structures. (3-0162) Elaine Chauvet expressed her support for the council and its goals. She felt it would eventually become more a prevention than enforcement issue. Additional public comment was solicited but not provided. Supervisor Tatro then expressed his feeling that some of the Code was archaic and should be eliminated, e.g., driving loose cattle and horses in the urban district. Likewise, the lack of garages could force residents to repair their vehicles in the street and may take longer than the allowed 24 hours. Mr. O'Brien felt that only the abuses would come to his attention. Discussion included the number of vehicles allowed in a yard, the number allowed on blocks, disposal of dead animals, probability that animals will be herded through town, need to retain the laws to eliminate problems in the future, sidewalk problems, enforcement needs and personal, Council functions, potential funding needs and sources. It was noted that the procedure would start on March 15 if the Statutes necessary to address the problems were already on the books. Supervisor Bennett moved that the Board of Supervisors adopt the policies and procedures for the abatement of nuisances and other unlawful acts as has been presented to the Board by the Neighborhood Beautification Council and Public Works. Supervisor Smith seconded the motion. Motion carried 4-1 with Supervisor Tatro voting Naye.

(Supervisor Bennett stepped from the room at this point. A quorum was still present.)

B. ACTION ON ACCEPTANCE OF DEDICATION OF A PORTION OF DESATOYA DRIVE FROM STANTON PARK DEVELOPMENT, INC. (3-0673) - Supervisor Tatro moved that the Board accept the dedication of a portion of Desatoya Drive which intersects Airport Drive. Supervisor Smith seconded the motion. Motion carried 4-0. The road appears to be of the correct width.

C. REGIONAL TRANSPORTATION COMMISSION ITEM - ORDINANCE - SECOND READING - ACTION ON BILL NO. 105 APPROVAL OF ORDINANCE AND DEVELOPMENT AGREEMENT WITH M. F. STAFFORD, INC., FOR SALIMAN ROAD IMPROVEMENTS (3-0710) - Supervisor Tatro again disclosed his relationship to Ron Kitchen, a contractor who purchases lots from M. G. Stafford, that he would not gain financially from the proposal nor would it impair his ability to remain unbiased on the issue. During discussion between Supervisor Fettic and Mr. Cockerill concerning reasons for the disclosure, Supervisor Bennett returned. (A quorum was present as noted.) Supervisor Smith moved that the Board adopt on second reading Ordinance No. 1991-7, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND M. G. STAFFORD, INC., REGARDING ASSESSOR'S PARCEL NOS. 10-132-22, 33, 34, 35, AND 10-141-13 AND OFF-SITE IMPROVEMENTS ON SALIMAN ROAD INCLUDING GRADING, PAVING, BASE, CURB, AND GUTTER, SEWER AND WATER. Supervisor Fettic seconded the motion. Motion carried 4-1 with Mayor Teixeira voting Nay for reasons stated at the time of the first consideration.

D. PRESENTATION OF VERBAL STATUS REPORTS:

i. R.T.C. CONSTRUCTION PROJECTS (3-0820) - West Graves Lane, Stewart Street Truck Route Relocation, East Graves Lane, the number of accidents which have occurred at Graves and Highway 50 East, the Winnie Lane and Roop Streets, Lompa Lane, Fairview Drive resurfacing, Curry Street Community Development Block Grant, Saliman Road, Dori Way, CAT System improvements were explained/discussed. Saliman Road RTC Improvements will be scheduled for discussion in April in the evening.

ii. SEWER AND WATER UTILITY BILLING PROGRAM AND RELOCATION (3-1125) - H. T. E. Program implementation, deadline, training, and relocation of Utility Billing were explained.

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Collections, service disconnections, and refunds remained at the Treasurer's Office. The confidential data mailers and an explanation of the data contained thereon were explained. A return envelope would not be included this time. EPA requirements on the sewer charges were noted.

E. UTILITY DIVISION ITEMS

i. ACTION ON AWARD OF CONTRACT NO. 90/91-215 - CONSTRUCTION OF WELL NO. 44, DAYTON VALLEY PRODUCTION SOURCE (3-1255) - Ms. Timian-Palmer distributed a water map showing the tank and well sites to the Board and Clerk. Reasons for separating the equipment from the mainline were noted. RDC had worked on other City projects. A typographical error on Page 3 should be \$126,590 rather than the indicated \$126,529. Supervisor Tatro then moved that the Board accept and authorize the Mayor to sign the award of Contract 90/91-2115 Construction of Well No. 44, Dayton Valley Production Source, to Resource Development Company, 2305 Glendale No. 10, Sparks, Nevada, under the requirements of NRS 332, 338, 339, and 624 for an amount of \$126,590, with the funding source of Fund No. 520-854-534-46725. Supervisor Bennett seconded the motion. Motion carried 5-0.

ii. ACTION ON AGREEMENT AND TASK ORDER NO. 1 BETWEEN CARSON CITY AND JOHN CAROLLO ENGINEERS FOR ENGINEERING SERVICES RELATED TO THE DESIGN AND CONSTRUCTION OF A CHLORINE CONTACT BASIN (3-1505) - Discussion ensued concerning the test project and reasons for utilizing this procedure. Concern was expressed about the State's ability to change the rules and its inability to remain consistent on the requirements. Discussion noted the testing requirements which the City will have to meet before prior to using the effluent on ball parks. Comments noted that Arizona has tertiary plants and is recharging the wastewater into the ground. Travel time would increase the chlorine contact time. Unless this contact basin is provided, a buffer zone surrounding the golf course will be required to meet the Federal regulations. This project has no connection to the Serpa settlement. The buffer zone is still the City's responsibility. Supervisor Bennett expressed her concern about the lack of equipment and/or procedures to address viruses in the effluent. Ms. Timian-Palmer stated that until mandated no testing or procedures will be utilized. Supervisor Bennett urged consideration be given in the testing and procedures to address this situation regardless of the Federal and EPA requirements. Mr. O'Brien then explained that a portion of the reason for the engineering costs to be in the 25 percentile was due to the low construction costs. Attempts had been made to reduce the design cost. Supervisor Tatro moved that the Board approve and authorize the Mayor to sign the agreement between Carson City and John Carollo Engineers for Engineering Services. Supervisor Fettic seconded the motion. Following clarification, Supervisor Tatro noted there would be no fiscal impact on this motion. Motion carried 5-0.

Supervisor Tatro then moved to approve and authorize the Mayor to sign Task Order No. 1 between Carson City and John Carollo Engineers for Engineering Services related to the design and construction of a chlorine contact basin at a cost ceiling of \$103,740 with funding source of Fund No. 510. Supervisor Bennett seconded the motion. Motion carried 5-0.

iii. ACTION REGARDING AN AGREEMENT BETWEEN THE U.S. GEOLOGICAL SURVEY AND CARSON CITY WATER UTILITY DIVISION FOR THE DRILLING OF TWO CARSON VALLEY OBSERVATION WELLS (3-2235) - The map used for the previous two items included red marks showing the proposed observation well sites. Board comments clarified the piping and purpose of the wells. Supervisor Bennett urged staff to contact all the residents about the work to avoid the experiences incurred previously with Well 43. Supervisor Smith moved that the Board approve and authorize the Mayor to sign an agreement between U.S. Geological Survey and the Carson City Water Utility Division for the drilling of two Carson Valley Observation Wells, installation to begin after July 1, 1991, with the fiscal impact of \$17,040, funding source 520-854. Supervisor Tatro seconded the motion. Motion carried 5-0.

iv. ACTION ON AN AGREEMENT BETWEEN THE STATE OF NEVADA AND CARSON CITY FOR IMPROVEMENTS TO THE CITY'S MUNICIPAL AND STATE DEPARTMENT OF

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PRISON'S WATER DISTRIBUTION SYSTEMS (3-2569) - Comments noted the Prison's need for fire protection, attempts by the City to negotiate this agreement over several years, and clarified that the State would be required to construct a 1.2 million gallon reservoir if it does not join the City's system. Mr. O'Brien also noted that the prison would begin to look at conservation measures also. Supervisor Bennett moved that the Board approve and authorize the Mayor to sign the agreement between the State of Nevada and Carson City for improvements to Municipal and State Department of Prison's Water Distribution Systems. Supervisor Smith seconded the motion. Motion carried 5-0.

v. ACTION ON TASK ORDER NO. 29, CARSON VALLEY WELL NO. 45 AND WATER LINE TO SERVE MEDIUM SECURITY PRISON AND STATE OF NEVADA STEWART FACILITIES (4-10011) - Clarification by Ms. Timian-Palmer indicated the Stewart Facilities were not part of the agreement. Resource Concepts' Bruce Scott, representing the Consortium, explained his outline of the project and feeling that it was within the scope. He felt the project would be within the funding indicated. Only if staff changes the project substantially or an unforeseen item arose, such as problems with State Lands, would he seek additional funding. The City's share was only \$19,000. Supervisor Bennett moved that the Board approve and authorize the Mayor to sign Task Order No. 29, Carson Valley Well No. 35 and Waterline to serve the Medium Security Prison for an amount not to exceed \$79,400, City funded portion is \$19,600 and the State funded portion is \$59,800, funding source is 520-854-534-46558, Northern Nevada Correction Center Project. Supervisor Smith seconded the motion. Motion carried 5-0.

F. ORDINANCE - SECOND READING - ACTION ON BILL NO. 106 - AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE CHAPTER 15.09, PLUMBING CODE, BY ADDING NEW SECTIONS RELATING TO LOW-FLOW WATER FIXTURES AND DEVICES AND SETTING JULY 1, 1991, AS THE EFFECTIVE DATE (4-0160) - Discussion noted staff is analyzing procedures to retrofit other fixtures and devices and may begin replacing its fixtures. Mr. O'Brien explained his savings by changing the fixtures. Dwight Millard explained his commitment to the proposal, however, felt it was an unneeded cost. He felt that water is too cheap. He urged a six month sunset be included in the Ordinance to force landscaping and rate modifications. Water wasters should be penalized. Ms. Timian-Palmer felt that he had not considered the sewer plant expansion required in the future and its cost; the landscape ordinance was being considered by the Planning Commission; and she promised to return with the car wash ordinance. Mr. Millard then explained that he was going to remove his landscape meter due to the fact that he was being penalized by it. Ms. Timian-Palmer expressed her feeling that his engineer had not used the correct figures. Supervisor Tatro moved that the Board adopt on second reading Ordinance 1991-8, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE CHAPTER 15.09, PLUMBING CODE, BY ADDING NEW SECTIONS RELATING TO LOW-FLOW WATER FIXTURES AND DEVICES; AND SETTING JULY 1, 1991, AS THE EFFECTIVE DATE. Supervisor Bennett seconded the motion. Motion carried 5-0. *During the following Item G, Mr. O'Brien explained a typographical error in the ordinance.

BREAK: At 3:30 p.m. a ten minutes recess was taken. When the meeting reconvened at 3:40 p.m. the entire Board was present constituting a quorum.

G. OTHER ITEM - DISCUSSION OF CARSON CITY'S 1990 WATER USAGE AND AVAILABLE WATER RIGHTS, AND POSSIBLE DIRECTION TO STAFF REGARDING ADDITIONAL WATERING RESTRICTIONS DURING THE MONTHS OF JUNE, JULY, AUGUST, AND SEPTEMBER (4-0450) - Ms. Timian-Palmer reviewed the 1990 water usage update and the water rights availability reports which she distributed to the Board and Clerk.

*Mr. O'Brien explained a typographical error in the foregoing Ordinance.

Discussion noted that the City had used only 500 more acre feet in 1990 than in 1989. Discussion explained her uncommitted water balance and the City's ability to provide water during high peaks with a safety factor. The State Water Engineer will respond to her figures and may not support them. She expressed a feeling that at the

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enfd of the negotiations she may not be able to utilize the 500 acre feet of Carson Valley water rights until after the observation wells are constructed and tested.

Ms. Timian-Palmer then explained her concern about the continued drought, its effect on the City's production system, and recommended watering restrictions. She suggested watering restrictions be prohibited between the hours of 10 a.m. and 7 p.m. This would assist with refilling the tanks and provide additional storage should a fire occur. Board consensus supported this recommended change in the Ordinance. Reasons for commencing the water restrictions in May were then discussed. Board consensus also supported this modification. Mayor Teixeira then directed staff to bring back an ordinance modification to commence water restrictions in May for odd and even watering and extending the hours prohibiting watering from 10 to 7. No formal action was taken by the Board.

Supervisor Tatro then requested a Saturday meeting be set up to discuss with the Utility Division its long-term goals and objectives. Discussion indicated that he could not discuss the request further as it was not agendized.

COMMUNICATIONS FROM EMPLOYEE ASSOCIATIONS - None.

COMMUNICATIONS/ISSUES REGARDING OTHER ENTITIES - HOSPITAL, SCHOOLS, BOARDS, COMMITTEES, COMMISSIONS, AGENCIES, ETC. (4-1066)

13. DISCUSSION AND POSSIBLE ACTION ON CARSON CITY'S REPRESENTATIVE TO THE CARSON TRUCKEE WATER CONSERVANCY DISTRICT - Following Board discussion, Supervisor Bennett moved that the Board of Supervisors pursue the solicitation of applications to the Carson-Truckee Water Conservancy District in the same procedures as established for other appointments. Supervisor Tatro seconded the motion. Motion carried 5-0.

14. DISCUSSION AND ACTION ON APPOINTMENT OF NEW MEMBERS TO THE PATCOM (4-1227) - Stacy Giomi had resigned. Mayor Teixeira recommended James T. Kirks be appointed in view of his volunteer efforts for PATCOM. Ann Bradford had also resigned. Mayor Teixeira also recommended Brett Ranthum for appointment. Supervisor Smith moved that the Board of Supervisors appoint James T. Kirks and Brett Ranthum to fill the two vacant positions on the PATCOM Advisory Board. Supervisor Fettic seconded the motion. Motion carried 5-0.

Mayor Teixeira then recessed the Board of Supervisors and passed the gavel to Redevelopment Chairperson Fettic. For Minutes of the Redevelopment Authority see its folder. Following adjournment of the Redevelopment Authority, Chairperson Fettic passed the gavel to Mayor Teixeira who reconvened the Board of Supervisors. A quorum was present as noted.

16. BOARD OF SUPERVISORS REPORTS, RESOLUTIONS, AND PROCLAMATIONS (4-2718)

D. SUPERVISOR TATRO - Explained a letter from the Builders Association of Western Nevada donating the labor necessary to construct canopies on the Old Mint Building. (A copy of the letter was given to the Board and Clerk.) The Nugget was donating the material. This would allow the Building to be reopened. Senator Adler has submitted a bill seeking funding for the design of the restoration of the entire building. The Committee passed it with a recommended "Do Pass". The Museum Director's goal is to have the building complete in March and open for Easter Weekend.

B. SUPERVISOR SMITH - DISCUSSION AND POSSIBLE ACTION REGARDING ALLOCATION OF RESIDENTIAL CONSTRUCTION TAX FUNDS (4-2828) - Pulled.

C. SUPERVISOR FETTIC (4-2870) - Commended Supervisor Tatro on his efforts to reopen the Museum. Supervisor Tatro noted Mimi Rodden's efforts which had played a major role in accomplishing the

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reopening.

E. SUPERVISOR BENNETT (4-2920) - Noted the new Director for NNDA. Supervisor Smith and she had had a successful conversation with Mr. Berkich on the swimming pool and her feeling that a great improvement will occur at that facility. The need to establish an operation and maintenance budget for each separate City facility was explained. She noted the purpose of this evening's program.

A. MAYOR TEIXEIRA - None.

CITIZEN COMMENTS (4-3015) - None.

16. C. SUPERVISOR FETTIC - CONTINUED (4-3018) - Explained a meeting with Speaker Dini, Subconservancy Member Ron Swirczek, and Ira Rackley on the Subconservancy District.

ALTERNATE CARSON CITY REPRESENTATIVES APPOINTMENT - None.

DETERMINATION/ANNOUNCEMENT OF FUTURE MEETING DATES AND TIMES (4-3082) - Supervisor Tatro reiterated his desire to have a special meeting to establish the long-term goals and objectives of the Utility Division and suggested a Saturday. Mayor Teixeira expressed his feeling that an evening meeting should be held and directed Mr. Berkich to meet with Supervisor Tatro and schedule said meeting.

CITY MANAGER REPORTS, RESOLUTIONS, AND BOARD DIRECTIVES (4-3144) - Reported on the super parking lot snag created by Federal requirements mandated on the Savings and Loan. The Downtown Parking Workshop was scheduled for March 14 at 5:15 p.m. in the Sierra Room. This is a posted meeting, therefore, the Board was invited. The V & T material has been inventoried and purchase agreement is set at \$18,900. A Chamber of Commerce workshop has been scheduled for March 19 at 5:30 in the Bonanza Room on Fire Prevention, Code Enforcement, etc. The status of the solid waste task order was explained. Hopefully, this task order will be ready for Board action on the 21st.

16. A. MAYOR TEIXEIRA (5-0096) - Suggested a memorial for Domonic Oxoby and briefly outlined his service to the area. Requested Mr. Berkich to include on the agenda an item(s) so that status reports could be maintained on any incomplete matters requested by the Board.

Discussion noted the status of the Charter Review Committee.

BREAK: At 5 p.m. Mayor Teixeira recessed the session until 6:30 p.m. When Mayor Teixeira reconvened the session the entire Board was present constituting a quorum. Staff members present included City Manager Berkich, Clerk-Recorder Nishikawa, Chief Deputy District Attorney Cockerill, and Recording Secretary Katherine McLoughlin. (5-0158)

17. DAVID S. ZIEGLER - PRESENTATION REGARDING TAHOR REGIONAL PLANNING AGENCY - Supervisor Bennett welcomed and introduced the TRPA staff members. She then outlined her reasons for having the TRPA make a presentation, noted the individuals connected with TRPA who are Carson City residents, and explained the community involvement efforts of those individuals to stress the interfacing occurring between TRPA and Carson City. Mr. Ziegler acknowledged the point that many of the staff members were residents of Carson City and reasons for this selection. He then distributed copies of the Annual Report, Strategic Plan, and the Newsletter. (A copy was given to the Clerk.) He then reviewed the accomplishments occurring at the Lake including redevelopment activities, Lake recovery efforts, monitoring programs, transportation concerns and programs, scenic resource management programs, the geographic information system, orderly growth and development occurring in the area, project review programs, financial environmental improvement programs, the revenue sources and budget. He then explained the strategic plan, the goals and objectives of his Agency, the problems and priorities being tackled under the five year strategic plan including the terms Stream Environmental

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Zone, Level of Service, and Vehicle Miles Traveled. The air pollution problems and potential solutions were discussed. The need for a cost sharing approach to address the transportation problem and water quality problems were explained and compared with California's. Potential funding sources were outlined. Discussion ensued among the Board and Mr. Ziegler concerning the plans for developing Carson City's share of the Lake as a recreational facility, the quality of the Lake, the ability to save the Lake, and the City's zoning needs created by the present drought conditions and the drop in the Lake due to evaporation. Mr. Ziegler then explained the reason TRPA had not proposed any legislative packages. It may that in 1993 a proposal for financing capital improvements may be submitted. Federal and private funding and California's program for the purchase of sensitive lands were outlined. Washoe County's water usage from Lake Tahoe, TRPA's compact clause prohibiting involvement in interstate water issues, pumping of Lake Tahoe, the need for a permit to allow this pumping, environmental concerns over the bees and dying trees, and redevelopment problems on the South Shore were discussed with Mr. Ziegler. Supervisor Bennett then explained her plans for a recreation area on the City's portion of the Lake and requested Board support of her program. The ownership of a majority of this site was discussed. A joint venture was suggested. Mayor Teixeira and Supervisor Bennett commended TRPA's staff on the information and their dedication.

No action was required or taken on this matter.

Supervisor Tatro moved to adjourn. Supervisor Bennett seconded the motion. Motion carried 5-0. Mayor Teixeira adjourned the meeting at 7:50 p.m.

The Minutes of the March 7, 2992, Carson City Board of Supervisors meeting

ARE SO APPROVED ON 3/21 1991.

/s/ _____
Marv Teixeira, Mayor

ATTEST

Kiyoshi Nishikawa, Clerk-Recorder

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