A regular session of the Carson City Board of Supervisors was held on Thursday, August 1, 1991 at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 9 a.m.

PRESENT:	Marv Teixeira	Mayor
	Tom Fettic	Supervisor, Ward 2
	Greg Smith	Supervisor, Ward 1
	Tom Tatro	Supervisor, Ward 3
	Kay Bennett	Supervisor, Ward 4
STAFF PRESENT:	John Berkich	City Manager
	Kiyoshi Nishikawa	Clerk-Recorder
	Paul McGrath	Sheriff
	Ted P. Thornton	Treasurer
	Judie Fisher	Personnel Manager
	Sally Hermann	Librarian
	Charles P. Cockerill	Chief Deputy District Attorney
	Denis Austin	Assistant Sheriff
	Katherine McLaughlin	Recording Secretary
	(B.O.S. 8/1/91 Tape 1-0019)	

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. Capital Baptist Church Rev. Larry Rothchild gave the Invocation. Mr. Berkich led the Pledge of Allegiance. Roll call was taken. The entire Board was present constituting a quorum.

APPROVAL OF MINUTES - May 20, 1991, Special Meeting and June 6, 1991, Afternoon Session - Supervisor Smith moved to approve the Minutes as presented. Supervisor Bennett seconded the motion. Motion carried unanimously.

1. SPECIAL PRESENTATIONS (1-0058)

A. PRESENTATION OF CERTIFICATE OF RECOGNITION TO THE KIWANIS CLUB FOR "SIGNING" OF HIGHWAY ENTRYWAYS ON BEHALF OF CARSON CITY - Mayor Teixeira thanked the Kiwanis for its signs on behalf of the community and presented a Certificate of Commendation. Kiwanis President Lee Pisiewski accepted the Certificate and introduced several Club members who had participated in the project. He explained Kiwanis community efforts. He then introduced Dayton Township Kiwanis President Dalles Graaf and explained the Clubs' policy of stealing gavels, fine buckets, etc. A formal exchange of Club items then occurred.

B. PERSONNEL MANAGER - Judie Fisher - ACTION ON PRESENTATION OF LONGEVITY AWARDS (1-0141) - Certificates of Achievement for 10 years were presented to: Jonith Moon, Mildred Senneff, Julietta Forbes, Elizabeth Brewer, Bruce Hawkins, and Duane Myers. Mr. Cockerill accepted Carolyn Montague's. Certificates of Achievement for 15 years were presented to Ignacio Mendoza, Bruce Ricker, Terry Anderson, Edwin Wahl, Jeri Mihelic, Curtis Fisher, Joseph Curtis, Tom Kunkle, Robert Creon, Dorothy Smith, Steven Mihelic, Larry McPhail, and Kerry Pyle. A Certificate of Achievement for 20 years was presented to Ron Wilson's son and daughter. Certificates of Achievement for 25 years were presented to Margaret Robinson and Boyd Mitchell. Mayor Teixeira commended them on their dedication.

CITIZEN COMMENTS (1-0301) - May Ruth French expressed her concern about the proposed destruction of the pink stone building at the east entrance to Mills Park. She felt that it had historical significance. She suggested it be utilized as a historical site with other historical items - tepees, covered wagon, etc.

(1-0348) Richard Waiton requested the record indicate that the Salvation Army is purchasing a building on Colorado from the Jehovah's Witnesses. This building is to be used as a religious facility, for counseling, or social functions only. It is open to all regardless of religious affiliation. It would not be utilized for a "soup kitchen", drug addicts, transients, etc. The downtown facilities would remain open. Mr. Berkich agreed to help Mr. Waiton access the Animal Control Center records. Mayor Teixeira commended him for his information on the purpose behind the procurement of the Jehovah's Witnesses building.

LIQUOR AND ENTERTAINMENT BOARD MATTERS (1-0518)

2. SHERIFF - Paul McGrath and Assistant Sheriff Denis Austin - ACTION ON GUADALAJARA DE NOCHE - ORDER TO SHOW CAUSE WHY THE LIQUOR LICENSE SHOULD NOT BE REVOKED - Sheriff McGrath explained the purpose of the hearing, the meeting his Department had had with Mr. Ramirez and his Attorney Bill Crowell, and noted the stipulations which Mr. Ramirez was willing to include in the discussion of reasons his license should be continued. Mr. Crowell reviewed the stipulations. His comments stressed the feeling that there was a need for a Spanish oriented bar which was supported by a petition for the same. The petition was not presented. Board discussion with Messrs. Crowell and Ramirez included the Board's desire to have professional, trained security personnel from an accredited, licensed, private security firm. Mr. Ramirez had not discussed the stipulations with 7-11 Owner nor the Apartment Complex Manager. Clarification indicated the attendance figures of 3 to 400 were for the entire weekend. The review process was explained by Mr. Cockerill. The Board could consider revocation at any time a problem arises under the normal revocation procedures. The Watch Commander's ability to close the bar if conditions warranted was explained. The "review area" covers more than the parcel on which the bar is located. Mr. Cockerill had given the Apartment Manager and 7-11 Owner copies of the stipulations.

(1-1141) Mr. Peoples, owner of the 7-11, explained that he had not reviewed the written stipulations. He was concerned about the security requirements as he had retained uniformed, private security officers which had not stopped the problems encountered at his establishment. His clientele had expressed feelings indicating to him that as long as the bar was closed, his clientele would not encounter harassment from the bar clientele. He has found that his business has improved and he now needed the extra graveyard personnel for that increase. He expressed a desire to work with Mr. Ramirez. Member Bennett requested Mr. Peoples attend the meeting in 30 days when the first review of the operation is considered by the Board as indicated in the stipulation. Mr. Peoples expressed his hope that there would be no comments in 30 days.

(1-1261) Broadleaf Manor Manager Lynn Williams expressed her feeling that the uniformed officers would not address her security problems. Since the bar was closed there had been no destructive incidents. One of her residents had commended her efforts to improve the complex. A copy would be given to the Sheriff after the meeting. She expressed her hope that the operation would be successful.

(1-1335) Yolanda Garcia-Tellex explained her personal knowledge of Mr. Ramirez and support for the bar.

(1-1362) Pete Bachstadt explained the nuisance problems he has experience at his apartment complex which he felt were a direct result of the bar patrons' actions. He was not sure that the security proposal would resolve the problems. He questioned the distance covered by the regulations. His comments stressed the need to educate the patrons on the difference between our customs. Member Bennett explained that any neighborhood littering controls utilized against Ramirez would have to be enforced at all other establishments including grocery stores and shopping centers. She felt that personal responsibilities should address these situations.

(1-1515) Deborah Morres explained that she had been in the bar on several occasions. She felt that the operation had been well run. She had patronized the 7-11. She did not feel that the bar should be responsible for the "rowdy apartment dwellers." Problems she had encountered at other bars in the City were noted. She felt this was the first Hispanic bar, which was sorely needed and that the "Class of 57" needed to police its clientele as indicated on two separate occasions when its clientele attempted to provoke fights. Drinks are not allowed out of the bar and are only served in plastic.

Discussion ensued among the Board and Mr. Cockerill concerning available alternatives, the necessary votes to accomplish revocation and that neighborhood calls would be included in the Sheriff's report. Mr. Ramirez then responded to Board questions concerning his testimony at the last Board meeting, specifically, his responsibility for clientele leaving his establishment and his comments to the media concerning his feeling that the Board was biased and racially motivated. Chairperson Teixeira explained his personal knowledge of the numerous Corona beer bottles found in the fields which he felt indicated Mr. Ramirez allowed his patrons to take from his establishment. Mr. Ramirez explained his policy to control litter. His security officer was not to allow anyone to remove bottles. Problems with the fence between the "Class of 57" and his establishment and with "Class of 57" patrons breaking bottles in his lot were noted. Chairperson Teixeira noted his concerns about two adjacent bars which had been pointed out by Mr. Ramirez. Mr. Ramirez conceded that he was responsible for his clientele. Both Mr. Ramirez and Member McGrath acknowledged that the Watch Commander could close the Guadalajara if he perceived potential conflicts. Mr. Ramirez then explained that his intent had been to use the bar as a funding source for Carson City graduates for an Hispanic college fund as well as to meet the Hispanic needs of the community. Mr. Ramirez then expressed his feeling that he had been singled out as there had been a fight with bottles at Charo's as well as a stabbing at the Ormsby House. Neither establishment was closed.

Discussion ensued among the Board and staff concerning the need for "good neighbor" general conditions. Member Smith felt that these conditions were spelled out within the Liquor License privilege. Mr. Cockerill explained that a motion granting reinstatement of the license should include all conditions desired including those Mr. Crowell had listed and any others the Board wished added. Member Fettic then explained his feelings about the issue and noted his motion when last considered by the Board had been to close the establishment. This motion had been based on the record established before the Board and not one due to racial considerations. That record was one he had never seen before tenure in Carson City. Member Fettic then moved that the Board reinstate the Liquor License of Antonio Ramirez, doing business as Guadalajara Bar, 3439 North Carson Street, Carson City, that the continued operation shall be subject to a monthly review by the Liquor Board for a period of 90 days, and thereafter quarterly for a period of one year, and thereafter as circumstances may warrant; that the reinstatement of the license be subject to the twelve conditions presented to the Board of Supervisors and, in addition, to the other five conditions involving security that Mr. Ramirez employ a licensed reputable security agency; such agency to be approved by the Sheriff's Department, which he felt should entail assurance that the firm is licensed; that all five of the conditions under security be a part of the reinstatement, and that the reinstatement be subject to all appropriate Nevada Revised Statutes and the Carson City Municipal Codes relative to on-site liquor establishments. Member Smith seconded the motion. Mr. Ramirez stated that he understood the provisions, had no comments on the motion, and was willing to accept the conditions. The motion was voted by roll call with the following result: Bennett - Yes; Tatro - Yes; Fettic - Yes; Smith - Yes; McGrath - Yes; and Chairperson Teixeira - Yes with the hope that it would be a successful operation. If it fails, it will not be because the Board had not given him the opportunity. Motion carried 6-0.

BREAK: At 10:10 a.m., a ten-minute recess was taken. When the meeting reconvened at 10:20 a.m., the entire Board was present constituting a quorum.

Chairperson Teixeira then adjourned the Liquor and Entertainment Board and reconvened the session as the

Board of Supervisors. The entire Board was present constituting a quorum.

BOARD OF SUPERVISORS - ORDINANCES, RESOLUTIONS, AND OTHER ITEMS (1-2262)

3. SHERIFF - Paul McGrath - ACTION ON FORENSIC SPECIALIST II - Discussion with the Board included salary, reasons for the lack of interest at the present salary, the funding approved within the budget, duties performed by this individual, job qualifications, training, the recruiting processes, recommended grade and step level, the City Manager's position on the request, the impact on the parity study, and related precedent issues. Supervisor Tatro moved that the Board approve the Sheriff's filling the Forensic Specialist II position up to a Grade 28, Step 11 based on the testimony presented, fiscal impact is none as the item is budgeted. Supervisor Fettic seconded the motion. Supervisor Fettic explained for the record that the approval was an increase for a specialized position with specific skills that are necessary to insure efficient gathering and handling of evidence at crime scenes to properly prosecute crimes and is not adaptable to general law enforcement duties. Clarification for Mr. Waiton indicated that the regular Deputy Sheriff was a Grade 28 and that the Deputy Sheriff's position is not comparable to the Fire Department. The salary grade, however, is the same. The motion to authorize the Sheriff's hiring at a Grade 28, Step 11, was voted by roll call with the following result: Smith - No; Fettic - Yes; Tatro - Yes; Bennett - Yes; and Mayor Teixeira - Yes. Motion carried 4-1.

4. TREASURER - Ted. P. Thornton - A. ACTION ON REFUND PARTIAL 1990-91 REAL PROPERTY TAXES ON APN 4-132-05 KNOWN AS 305 NORTH CARSON MEADOWS DRIVE OWNED BY GERALDINE DAVIDSON DUE TO INCORRECT OVER-ASSESSMENT; AND B. ACTION TO ADJUST 1991-92 REAL PROPERTY TAXES ON APN 4-132-05 KNOWN AS 305 NORTH CARSON MEADOWS OWNED BY GERALDINE DAVIDSON DUE TO OVER-ASSESSMENT (1-2892) - Supervisor Fettic moved to approve the refund to the 90-91 Real Property Taxes on APN 4-132-05 due to the over-assessment made by the Carson City Assessor in the amount of $53.01. Supervisor Smith seconded the motion. Motion carried 5-0.

Supervisor Fettic moved that the Board approve the adjustment of the 1991-92 Real Property Taxes on APN 4-132-05 due to an over-assessment made by the Carson City Assessor in the amount of $70.17. Supervisor Tatro seconded the motion. Motion carried 5-0.

5. LIBRARY DIRECTOR - Sally Herman - ACTION ON THE RE-APPOINTMENT OF CLIFFORD FECHTER TO THE ORMSBY PUBLIC LIBRARY BOARD OF TRUSTEES (1-2992) - Supervisor Smith moved that the Board reappoint Mr. Clifford Fechter to another four year term on the Library Board of Trustees. Supervisor Fettic seconded the motion. Motion carried 5-0. Mayor Teixeira thanked him for his dedication and efforts at the Library.

6. PARKS AND RECREATION DIRECTOR - Steve Kastens - ACTION ON POLICY RELATING TO ELIGIBILITY OF ITEMS FOR TRANSMISSION ON THE CHANNEL 35 BULLETIN BOARD (2-0008) - Mr. Kastens outlined the policy and request for Board ratification. The policy restricted the types and length of items placed on the Channel's Bulletin Board. The Committee felt that personal opinions should not utilize the Bulletin Board and was willing to assist those wishing to air such opinions, however, does not have either the means or ability at this time. One individual whose request for such a notice was denied access to the Bulletin Board, however, the Committee was attempting to work with him to develop a video for airing later. Mr. Kastens then noted that two of the Committee Members were present and introduced Charles Larkin, the individual who was denied access to the Bulletin Board. (2-0091) Mr. Larkin then expounded on his reasons for feeling that his freedoms were being denied as public opinions had been aired over the Bulletin Board in the past. He felt the messages were public information and not political statements. He demanded an apology and the showing of his statement. He questioned the legality of adopting the policy and its enforcement ability. He discussed his points with the Board, admitting that the Committee had offered to make a tape for him, and stressing his feeling that the Committee's decision had been arbitrary. Mayor Teixeira stressed his reasons for supporting the Committee's need for uniformity and regulations and pointed out its equipment limitations. Both stressed the desire to have the Channel run correctly. Mr. Larkin then explained that he was not going to file the letter with the FCC concerning the Committee's infringement on his First Amendment Rights as he now realized that there had been no malicious or personal intent involved. He classed it as a personality clash. He felt that as long as the access is not restricted beyond a logistical lottery placement -- first come, first served -- it was acceptable. Mr. Cockerill explained that the Committee could only recommend policies to the Board of Supervisors, who establish the policy. The purpose of a community channel, the items which could be aired, and the reasons for needing a policy were discussed. Mr. Kastens felt that a policy would be discussed at the Committee's next meeting. Committee Member Hugh Smith explained the type of ads viewed on the Bulletin Board. Board consensus indicated staff should work with the Committee and bring forward a policy. Supervisor Fettic moved that the Board approve the policy established by the Carson City Public Access Television Committee relating to the eligibility of items for transmission on the Channel 35 Bulletin Board with the understanding that the formal policy will be developed over the period of the next two weeks subject to public comment and input. Supervisor Bennett seconded the motion. Motion carried 5-0.

7. PURCHASING AGENT (2-0521) - Acting Purchasing Agent John Iratcabal.

A. ACTION ON THE AWARD OF CONTRACT NO. 9091-283 - COMMUNITY CENTER ASBESTOS ABATEMENT - Mr. Iratcabal explained the bids and request. Discussion ensued on the bids, Global Consumer Services letter on the hold harmless clause, and the City's policy to have this clause included within the agreement. Supervisor Smith began a motion that the Board approve the request but withdrew his motion as he did not have the correct packet. Supervisor Bennett then moved that the Board accept the Purchasing Agent's recommendation and award Contract to Bidder No. 1, Advanced Insulations, P. O. Box 2160, Sparks, Nevada, as the lowest responsive and responsible bidder pursuant to the requirements of NRS Chapter 332, 338, 339, and 624 for a contract amount of $25,558 which includes the Additive Alternate bid price and accept a contingency amount for this project of $2,558.80, funding source 101-334-534-33510. Supervisor Smith seconded the motion. Motion carried 5-0.

B. ACTION ON APPROVAL OF CONTRACT NO. 9192-017 - REBUILDING OF SULZER BINGHAM GAS COMPRESSOR (2-0627) - Pulled.

8. DISTRICT ATTORNEY - Chief Deputy District Attorney Charles P. Cockerill

A. ACTION ON PURCHASE AGREEMENT REGARDING STATE ACQUISITION OF CARSON CITY COURTHOUSE COMPLEX (2-0630) - Mr. Cockerill's introduction included previous Board actions, the publication notice, the City's purchase agreement, and the clause allowing the City to extend the Courthouse occupancy term. Mayor Teixeira explained his contact with Mr. Flanders and his willingness to accept the agreement. Supervisor Smith then moved that the Board approve and authorize the Mayor to sign the purchase agreement regarding State acquisition of Carson City Courthouse Complex, fiscal impact will be $860,000, funding source is the State of Nevada, explanation of impact is that when Carson City vacates the Courthouse Complex, it will receive payment from the State of Nevada. Supervisor Fettic seconded the motion. Motion carried 5-0.

B. ORDINANCE - SECOND READING

i. ACTION ON BILL NO. 140 - ADOPTION OF AIRPORT THROUGH-THE-FENCE AIRCRAFT OPERATION (2-0752) - Airport Authority Member Walt Sullivan supported the request. Supervisor Bennett moved that the Board adopt on second reading Ordinance No. 1991-33, AN ORDINANCE ADDING CHAPTER 19.03, THROUGH-THE-FENCE AIRCRAFT OPERATION ORDINANCE, TO THE CARSON CITY MUNICIPAL CODE, and authorize the Mayor to sign same. Supervisor Smith seconded the motion. Motion carried 5-0.

ii. ACTION ON BILL NO. 141 - ADOPTION OF AMENDMENTS TO CHAPTER 19.02 OF THE CARSON CITY MUNICIPAL CODE - AIRPORT RULES AND REGULATIONS (2-0807) - Supervisor Bennett moved that the Board adopt on second reading Ordinance No. 1991-34, AN ORDINANCE AMENDING CHAPTER 19.02, RULES AND REGULATIONS OF THE CARSON CITY MUNICIPAL CODE AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Tatro seconded the motion. Motion carried 5-0.

C. ORDINANCE - FIRST READING - ACTION TO ADOPT AN ORDINANCE MAKING THE CARSON CITY MUNICIPAL COURT A COURT OF RECORD (2-0831) - Mr. Cockerill's explanation included reasons for the statute and its advantages. Comments stressed that it is not mandatory that the City provide a court of record. Supervisor Bennett moved that the Board introduce on first reading Bill No. 144, AN ORDINANCE DESIGNATING THE CARSON CITY MUNICIPAL COURT AS A COURT OF RECORD. Supervisor Tatro seconded the motion. Motion carried 5-0.

9. COMMUNITY DEVELOPMENT DIRECTOR - Walt Sullivan.

A. PLANNING COMMISSION REFERRAL - APPEAL AND REVIEW MATTERS - ACTION ON S-89/90-4 REGARDING A FINAL SUBDIVISION MAP FOR JAMES NEWMAN (BONANZA HEIGHTS) FOR A 31-UNIT SUBDIVISION LOCATED ON WEST BONANZA DRIVE NORTHWEST OF SHENANDOAH HEIGHTS (APNs 8-752-30, 31, 32, AND 33) - PLANNING COMMISSION APPROVED 6-0-1, BOARD OF SUPERVISORS APPROVED 5-0 FOR EXTENSION OF TIME AND TENTATIVE MAP (2-0975) - Discussion ensued on Condition 13 and its slope stabilization requirements. Supervisor Smith moved that the Board uphold the Planning Commission recommendation to approve the final subdivision map for James Newman, Bonanza Heights, for a 31-unit subdivision located on West Bonanza Drive northwest of Shenandoah Heights, Assessor's Parcel Nos. 8-752-30, 31, 32, and 33. Supervisor Fettic seconded the motion. Motion carried 5-0.

Discussion ensued on the Airport flight path, which is not over the subdivision.

B. ORDINANCES - SECOND READING

i. ACTION ON BILL NO. 133 - REGARDING Z-90/91-1 EFFECTING A CHANGE OF LAND USE ON APN 9-612-07 LOCATED APPROXIMATELY 2.13 ACRES NORTH OF STAFFORD WAY APPROXIMATELY 75 FEET EAST OF THE NORTHEAST CORNER OF SILVER SAGE DRIVE AND STAFFORD WAY FROM NEIGHBORHOOD BUSINESS PLANNED UNIT DEVELOPMENT (NB-PUD) TO MULTI-FAMILY APARTMENT PLANNED UNIT DEVELOPMENT (MFA-PUD) ZONING - PLANNING COMMISSION APPROVED 5-0-2-0, BOARD OF SUPERVISORS APPROVED (ORDINANCE - FIRST READING) 5-0 (2-1125) - Mayor Teixeira read May Ruth French's letter into the record opposing the project based on overbuilding in the area and lack of services to meet this increased demand. She felt both of these are created by the developer's profit motive. Supervisor Fettic moved to adopt on second reading Ordinance No. 1991-35, AN ORDINANCE EFFECTING A CHANGE OF LAND USE ON ASSESSOR'S PARCEL NUMBER 9-612-07 APPROXIMATELY 2.13 ACRES LOCATED NORTH OF STAFFORD WAY APPROXIMATELY 75 FEET EAST OF THE NORTHEAST CORNER OF SILVER SAGE DRIVE AND STAFFORD WAY FROM NEIGHBORHOOD BUSINESS PLANNED UNIT DEVELOPMENT (NB-PUD) TO MULTI-FAMILY APARTMENT PLANNED UNIT DEVELOPMENT (MFA-PUD) ZONING. Supervisor Tatro seconded the motion. Motion carried 5-0.

ii. ACTION ON BILL NO. 142 - REGARDING A-90/91-6 REGARDING AN APPLICATION FROM DENIS BUDGET TO AMEND TITLE 18 (ZONING) SPECIFICALLY SECTION 18.06.129 TO ALLOW A BEAUTY SALON AS A CONDITION USE IN THE GENERAL OFFICE (GO) ZONING DISTRICT - PLANNING COMMISSION APPROVED 6-0-1-0, BOARD OF

SUPERVISORS APPROVED (ORDINANCE - FIRST READING) 5-0 (2-1208) - Supervisor Smith moved to adopt on second reading Ordinance No. 1991-36, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE SECTION 18.06.129 (CONDITIONAL USES) BY ADDING A BEAUTY PARLOR AS A CONDITIONAL USE AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Fettic seconded the motion. Motion carried 5-0.

iii. ACTION ON BILL NO. 143 - REGARDING A-90/91-7 REGARDING AN APPLICATION FROM CARSON CITY TO AMEND TITLE 18.82.150 AND 18.82.180 (GROWTH MANAGEMENT) OF THE CARSON CITY MUNICIPAL CODE AND OTHER MATTERS PROPERLY RELATED THERETO - PLANNING COMMISSION APPROVED 6-0-1-0, BOARD OF SUPERVISORS APPROVED (ORDINANCE - FIRST READING) 5-0 (2-1246) - Supervisor Bennett moved to adopt on second reading Ordinance No. 1991-37, AN ORDINANCE AMENDING SECTIONS 18.82.150 AND 18.82.180 - GROWTH MANAGEMENT, OF THE CARSON CITY MUNICIPAL CODE AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Smith seconded the motion. Motion carried 5-0.

CITIZEN COMMENTS (2-1300) - Mayor Teixeira read a letter into the record concerning the recent ad valorem tax rate and the feeling that the recent increase was exorbitant. It urged the Board to begin a controlled growth program based on what public services could address. Mayor Teixeira explained that the majority of the tax increase had been voter approved and for the schools. He acknowledged that the Board had supported the School Bond but the people had voted for it. He expressed the desire to have information available shortly defining the City's tax relationship to the remaining Cities/Counties in the State and California.

BOARD OF SUPERVISORS COMMENTS (2-1409) - Mr. Sullivan explained that street lighting is not mandated at this time and reasons the 1980 Board had removed this requirement. Supervisor Bennett expressed her feeling that it needed to be reconsidered and desire to have a slope stabilization plan.

BREAK: A lunch recess was called at 11:25 a.m. When the meeting reconvened at 1 p.m., the entire Board was present constituting a quorum.

10. PUBLIC WORKS DIRECTOR - Acting Public Works Director Dorothy Timian-Palmer

ORDINANCES - SECOND READING (2-1475)

A. ACTION ON BILL NO. 134 - AN ORDINANCE AND DEVELOPMENT AGREEMENT FOR HOLMES ENTERPRISES (APNs 8-054-10/12) LOCATED AT NORTH CARSON STREET NEAR EAGLE VALLEY RANCH ROAD FOR SEWERLINE CONSTRUCTION - Supervisor Fettic moved that the Board adopt on second reading Ordinance No. 1991-38, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND HOLMES ENTERPRISES REGARDING ASSESSOR'S PARCEL NOS. 8-054-10, 8-054-11, AND 8-054-12, LOCATED AT HIGHWAY 395 AND EAGLE VALLEY RANCH ROAD, CARSON CITY, NEVADA, FOR SEWERLINE CONSTRUCTION. Supervisor Smith seconded the motion. Motion carried 5-0.

B. ACTION ON BILL NO. 135 - A SEWER MAIN REIMBURSEMENT ORDINANCE AND AGREEMENT FOR HOLMES ENTERPRISES (APNs 8-054-10/12) LOCATED ON NORTH CARSON STREET (2-1515) - Supervisor Fettic moved that the Board adopt on second reading Ordinance No. 1991-39, AN ORDINANCE APPROVING A SEWER MAIN REIMBURSEMENT AGREEMENT BETWEEN CARSON CITY AND HOLMES ENTERPRISES REGARDING ASSESSOR'S PARCEL NO. 8-054-10, 8-054-11, AND 8-054-12, LOCATED ON NORTH CARSON STREET, CARSON CITY, NEVADA. Supervisor Bennett seconded the motion. Motion carried 5-0.

C. ACTION ON BILL NO. 136 - A SEWER MAIN REIMBURSEMENT ORDINANCE AND AGREEMENT FOR DYNAMIC DIVERSIFIED DEVELOPMENT ENTERPRISES (APN 8-801-08) LOCATED AT 1907 GREGG STREET AND (APN 8-801-07) LOCATED AT 4379 RAMUDA CIRCLE (2-1555) - Discussion ensued on procedures and the firm. Supervisor Smith moved that the Board adopt on second reading Ordinance No. 1991-40, AN ORDINANCE APPROVING A SEWER MAIN REIMBURSEMENT AGREEMENT BETWEEN CARSON CITY AND DYNAMIC DIVERSIFIED DEVELOPMENT ENTERPRISES REGARDING ASSESSOR'S PARCEL NO. 08-801-08, LOCATED AT 1907 GREGG STREET, AND ASSESSOR'S PARCEL NO. 08-801-07, LOCATED AT 4379 RAMUDA CIRCLE, CARSON CITY, NEVADA. Following a request for amendment, Supervisor Smith continued his motion to include fiscal impact revenues 15 percent administrative fee to the City upon any reimbursement to the Applicant. Supervisor Tatro seconded the motion. Motion carried 5-0.

D. ACTION ON BILL NO. 137 - AN ORDINANCE AND DEVELOPMENT AGREEMENT FOR THE CARSON CITY CHURCH OF THE NAZARENE LOCATED AT 150 EAST ROLAND STREET (1-1651) - Supervisor Tatro moved that the Board adopt on second reading Ordinance No. 1991-41, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND THE CARSON CITY CHURCH OF NAZARENE, REGARDING ASSESSOR'S PARCEL NO. 9-197-02, LOCATED AT 150 EAST ROLAND STREET, CARSON CITY, NEVADA. Supervisor Bennett seconded the motion. Supervisor Tatro amended the motion to include authorization for the Mayor to sign. Supervisor Bennett continued her second. Motion carried 5-0.

E. ACTION ON BILL NO. 138 - A SEWER MAIN REIMBURSEMENT ORDINANCE AND AGREEMENT FOR STANTON PARK DEVELOPMENT, INC. (APN 8-151-22) LOCATED AT MOUNTAIN PARK SUBDIVISION (2-1692) - Discussion noted that Mr. Fergesson had attempted to sign the agreement but to no avail. The Mayor would not sign until he had. Supervisor Tatro moved that the Board adopt on second reading Ordinance No. 1991-42, AN ORDINANCE APPROVING A SEWER MAIN REIMBURSEMENT AGREEMENT BETWEEN CARSON CITY AND STANTON PARK DEVELOPMENT, INC., REGARDING ASSESSOR'S PARCEL NO. 08-151-22, KNOWN AS MOUNTAIN PARK SUBDIVISION and authorize the Mayor to sign. Supervisor Bennett seconded the motion. Motion carried 5-0.

F. ACTION ON BILL NO. 139 - AN ORDINANCE AND DEVELOPMENT AGREEMENT FOR THE ORMSBY MEDICAL CLINIC LOCATED AT 412 WEST JOHN STREET (2-1718) - Supervisor Bennett moved that the Board adopt on second reading Ordinance No. 1991-43, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND THE ORMSBY MEDICAL CLINIC REGARDING ASSESSOR'S PARCEL NOS. 01-171-01 AND 01-171-03, LOCATED AT 412 WEST JOHN STREET, CARSON CITY, NEVADA. Supervisor Tatro seconded the motion. Supervisor Bennett then explained that the Cardiologist at the Clinic had returned and pleasure at having him return and for the agreement. The motion to adopt Ordinance 1991-43 carried 5-0.

11. PERSONNEL MANAGER (1-1782) - Judie Fisher and Utility Manager Dorothy Timian-Palmer.

A. ORDINANCE - SECOND READING - Supervisor Tatro moved that the Board adopt on second reading Ordinance No. 1991-44, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE 2.04.400 (PUBLIC OFFICERS) BY ADDING WATER UTILITY SUPERINTENDENT TO THE LIST. Supervisor Fettic seconded the motion. Motion carried 5-0.

B. ORDINANCE - FIRST READING - ACTION ON AN ORDINANCE AMENDING SECTION 2.04.400 (PUBLIC OFFICERS) OF THE CARSON CITY MUNICIPAL CODE BY ADDING GOLF COURSE SUPERINTENDENT (2-1821)

12. DEPUTY CITY MANAGER - Pat Sorenson.

A. ACTION ON REORGANIZATION OF GOLF MAINTENANCE OPERATION - Mr. Sorenson reviewed the reorganization plan, funding, and need to amend the Code. The funding; increased costs; Golf Course Superintendent's duties and salary range; USGA, personnel, and the Golf Committee's support for the proposal; maintenance problems and procedures for addressing same; Board need to recognize the investments at the course and to financially respond to its needs; stipulation that an USGA CGCS certificate be in the job requirements; whether the individual being transferred to the Equipment Supervisor position would/could perform the duties; the alternatives available on the style of Golf Pro management; employee accountability; reasons for the Board to approve the reorganization at this time; the Superintendent recruitment process; the need for the Pro, the Course Superintendent, and the Equipment Supervisor to work together; the lack of job description differences between the Superintendent and Supervisor; Mr. Kunkle's maintenance experience; the toxic pesticides utilized on the course including the three individuals who are certified to use them; and the Superintendent's job qualification requirements were discussed with the Board, Mr. Sorenson, Mr. Berkich, Golf Supervisor Tom Kunkle, and Personnel Manager Judie Fisher. CCEA had been advised of the proposal and had no problems with it. Supervisor Smith expressed his concern that it was an attitude of "We need more people not better people." He noted the consultant's feeling that there had been an ongoing pattern of mismanagement and his feeling that the proposal merely transferred these same individuals to other positions. Board comments indicated that staff's position that the Superintendent recruitment process may not be completed in six to eight weeks and stressed the need to keep the current program going until that process is completed. Mr. Cockerill explained the procedures to be followed in order to adopt the program. Supervisor Fettic moved that the Board introduce on first reading Bill No. 145, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE 2.04.400 (PUBLIC OFFICERS) BY ADDING GOLF COURSE SUPERINTENDENT TO THE LIST. Supervisor Tatro seconded the motion. Motion was voted by roll call with the following result: Ayes - Fettic, Bennett, Smith, Tatro, and Mayor Teixeira. Nayes - None. Motion carried 5-0.

(3-0535) Supervisor Fettic then moved that the Board support and approve the proposed reorganization of the golf maintenance operation as outlined by staff including the transfer of $25,000 from FY 90-91 ending fund balance from the Golf Enterprise Fund into the FY 91-92 budget to cover hourly help. Supervisor Bennett seconded the motion. Motion was voted by roll call with the following result: Ayes - Smith, Tatro, Bennett, Fettic, and Mayor Teixeira. Nayes - None. Motion carried 5-0.

Mr. Cockerill then explained that after the second reading staff would employ a Superintendent under the normal procedure. Ms. Fisher and Mr. Cockerill noted that the advertising process could begin immediately. Board comments stressed the Board's position that there had been serious maintenance problems at the courses, things had been turned around, however, a delay in hiring could cause the course to deteriorate again. Mr. Berkich stressed that if the Board desired, staff would negotiate an extension to Mr. Townsend's contract, however, questioned the cost justification of such an extension. The Board could not consider extending the contract as an emergency item today. Mr. Berkich was willing to extend the contract. Mr. Sorenson noted that the previous contract and extension had been under the $10,000 limit. Board consensus was to direct the City Manager to extend the contract until the recruitment process is completed.

B. ACTION ON COMPLEMENTARY PLAY POLICY AT EAGLE VALLEY GOLF COURSES (3-0755) - Discussion ensued on the reasons Golf personnel needed to play the courses and the District Attorney's opinion that the Board should not comp players. Supervisor Fettic moved that the Board adopt Resolution No. 1991-R-42, A RESOLUTION ESTABLISHING COMPLEMENTARY CART AND GREEN FEES POLICY FOR THE EAGLE VALLEY GOLF COURSES. Supervisor Smith seconded the motion. Mr. Kunkle elaborated on the reasons for staff's desire to be able to play the courses without charge. Mr. Cockerill elaborated on the reasons for allowing only the Golf Pro to comp players. The motion to adopt Resolution 1991-R-42 was voted by roll call with the following result: Tatro - No; Bennett - Yes; Smith - Yes; Fettic - Due to his confusion felt the issue should be reconsidered and voted No; Mayor Teixeira - No, due to his desire to have staff bring the matter back and the need for further clarification. He felt that employees should not be allowed something he could not grant.

BREAK: A five-minute recess was declared at 2:15 p.m. When the meeting reconvened at 2:20 p.m., the entire Board was present constituting a quorum.

C. ORAL STATUS REPORT ON PROCEDURES FOR TAKING OF PURCHASE DISCOUNTS (3-1025) - During Acting Purchasing Agent John Iratcabal's introduction, Supervisor Bennett stepped from the room -- 2:25 p.m. (A quorum was still present.) Reasons discounts may be overlooked were cited. Flagging procedures were outlined, however, an education program was needed as well. (Supervisor Bennett returned -- 2:30 p.m. The entire Board was present constituting a quorum.) State procedures were explained by Supervisor Tatro. City procedures for ordering and paying the bills were outlined. A rubber stamp reflecting the discount may help draw one's attention to the discount, however, could be overlooked. Supervisor Smith and Mayor Teixeira supported the concept. Mr. Berkich agreed to try the proposal.

13. CITY MANAGER'S REPORTS, RESOLUTIONS, AND BOARD DIRECTIVES (3-1325) - **STATUS REPORTS REGARDING:**

A. CITY MANAGER'S ANNUAL STAFF RETREAT - Will be held at the Clear Creek Youth Camp on August 9. The program was outlined.

B. PRO-ACTIVE HOUSING INSPECTION PROGRAM (3-1360) - Meetings were noted.

C. INTEREST FREE LOANS FOR RENTAL UNITS (3-1370) - New programs are being discussed at the State level which may provide funding. Updates will be provided.

D. CITY COLLECTION POLICY AND PROCEDURES (3-1382) - Should be ready for the next meeting.

E. LANDFILL OPERATIONS ALONG CARSON RIVER (3-1391) - The State EDP deadline for engineering plans were noted. Other sites were under investigation. Staff is working on a solid waste disposal ordinance.

F. POLICY, PROCEDURE, AND PAMPHLET REGARDING SPECIAL EVENTS WITH THE CITY (3-1420) - The final design should be ready for Board consideration on the 15th.

G. LONE MOUNTAIN CEMETERY (3-1435)**; AND, H. DEFINITION OF PARKS AND RECREATION DEPARTMENT AND COMMISSION POLICIES AND PROCEDURES** (3-1438) - Should be at the next meeting.

Mr. Berkich also noted that the Review of the Attendance Requirements for Committees/Commissions is in the process of being analyzed.

14. REDEVELOPMENT AUTHORITY MATTERS - None.

15. DETERMINATION/ANNOUNCEMENT OF FUTURE MEETING DATES AND TIMES (3-1455)

A. ACTION REGARDING BOARD OF SUPERVISORS TOUR OF THE MARLETTE WATER SYSTEM ON WEDNESDAY, AUGUST 14, 1991 - Following Ms. Timian-Palmer's explanation of the tour, Supervisor Tatro explained he would be absent on August 12 and 23 due to his job. Discussion ensued on the number of individuals who would attend. Supervisor Fettic volunteered to bring his 4-wheel drive as Ms. Timian-Palmer indicated it would be needed.

B. ACTION REGARDING THE FISCAL YEAR 1991-92 BUDGET (PUBLIC HEARING) SCHEDULED FOR THURSDAY, AUGUST 8, 1991 (3-1605) - Ms. Walker expressed her feeling that the impact of the Legislative actions would be available soon. At this time, she felt that there was approximately $163,000 in one time monies available. The Department of Taxation's final report had been received this afternoon. She would present the projected revenues generated by AB 104 at that meeting. Projected revenues and the current recession were noted. Ms. Walker urged the Board to continue its conservative spending program. Discussion ensued on AB 104 and Clark County's letter commending Ms. Walker on her participation. Mr. Berkich and the Board also commended her on her efforts.

16. BOARD OF SUPERVISORS REPORTS, RESOLUTIONS, AND PROCLAMATIONS

A. DISCUSSION AND POSSIBLE ACTION REGARDING 1991 LEGISLATIVE MATTERS (3-1928) - The final report on the Legislative impacts would be available by the 8th.

B. ACTION ON PRIORITIZATION OF THE 1991-92 GOALS AND OBJECTIVES (3-1930) - Following Mr. Berkich's introduction, Supervisor Tatro explained his desire to establish a funding priority listing for Board items and be sure that staff's goals and objectives are the same as the Board's. Board consensus illustrated the need for this policy in view of the numerous items being addressed or were accomplished by staff. Supervisor Bennett felt that the Board needed to establish a five-year plan which staff could then fund and establish a work program. Comments noted the feeling that a change on the Board could make staff's efforts to accomplish such a program all for naught. Mayor Teixeira felt that in order for the five-year plan to be workable, the Board needed to establish within it a funding source and priority listing. He, too, felt that a focal point needed to be established. Supervisor Bennett continued to stress her feeling that a long-term strategy needed to be established. (4-0145) Fire Chief Buckley expressed his feeling that his Department needed long-term goals with a short-range Board goal program established and revisited annually by the Board. This would provide staff direction concerning funding and priority. Under his program, a citizen's committee would establish the strategic program. Supervisor Bennett noted the need for flexibility within the plan. The political role such a program could take was noted. Mr. Berkich explained that staff was in the process of researching how other communities establish their goals including a citizen's committee role. Ms. Walker emphasized the need for long-term planning. Supervisor Fettic explained how the Board's goal of water independence had led to the hiring of a Water Manager and evolved from there. A similar Board goal would be support of added growth. The mechanics would be left to staff to develop. Health Director Jack Fralinger urged the Board to work with the staff in establishing the goals so that they can be understood and accomplished. Parks and Recreation Director Steve Kastens urged the Board to develop common goals as a unified community rather than as individuals. Sheriff Paul McGrath expressed his feeling that he would not be able to meet the Board goals. His departmental goals are submitted to the Board and reflect his priorities. He felt that the Board should establish a five-year plan designating the number of policepersons, firepersons, etc. He would then submit his program to reach those goals. Under his proposal, as the Board members changed, support would be maintained for those goals. Supervisor Fettic felt that goals had been established via public input and the Departments. (During the discussion, Chief Deputy District Attorney Cockerill left the meeting and Deputy District Attorney Suglia arrived.) Comments stressed the need for the goals to be mutually derived otherwise they will not be funded or accomplished. Community Development Director Walt Sullivan expressed the desire to have a quarterly workshop session on goals and objectives and the need to update the Master Plan. Mr. Berkich requested Board support for a plan under which staff would determine a procedure for long-range planning. The present goals and objectives would be discussed by Department periodically during regular Board meetings. Any conflicts between staff and Board goals could be addressed at that time. Mayor Teixeira felt that the conflict needed to be resolved within six or seven months as funding would be available at that time.

14. REDEVELOPMENT AUTHORITY (4-1115) - Mayor Teixeira then recessed the Board of Supervisors session and passed the gavel to Redevelopment Chairperson Tom 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. D. SUPERVISOR SMITH (4-1135); **F. SUPERVISOR TATRO** (4-1168) - None.

E. SUPERVISOR FETTIC (4-1142) - Dennis Saenz is considering selling his lot. Mr. Berkich had been requested to explore this possibility and provide a report at the August 15th meeting.

G. SUPERVISOR BENNETT (4-1170) - Questioned the status of hillside ordinance and subdivision lighting. Mr. Berkich was requested to provide a status report on these items at the next meeting.

C. MAYOR TEIXEIRA (4-1200) - Expressed his concern that the Board Members were attempting to handle more than feasibly possible. He suggested utilization of the human resources available in the community.

Supervisor Fettic then moved to adjourn. Supervisor Tatro seconded the motion. Motion carried 5-0. Mayor Teixeira adjourned the meeting at 4 p.m.

The Minutes of the August 1, 1991 Carson City Board of Supervisors meeting

ARE SO APPROVED ON October 3, 1991.

__/s/_______________________________________
MARV TEIXEIRA, Mayor

ATTEST:

__/s/________________________________
KATHERINE McLAUGHLIN, Deputy Clerk
for KIYOSHI NISHIKAWA, Clerk-Recorder