

CARSON CITY BOARD OF SUPERVISORS

Minutes of the July 6, 1989 Meeting

Page 1

A regular session of the Carson City Board of Supervisors was held on Thursday, July 6, 1989, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 9 a.m.

PRESENT:	Mary Teixeira Marilee Chirila Ron Swirczek Tom Fettic Kay Bennett	Mayor Supervisor, Ward 3 Supervisor, Ward 1 Supervisor, Ward 2 Supervisor, Ward 4
STAFF PRESENT:	L. H. Hamilton Paul McGrath Ted P. Thornton Mike Rody Judy Fisher Charles P. Cockerill Katherine McLaughlin (B.O.S. 7/6/89 Tape 1-0001)	City Manager Sheriff Treasurer Deputy City Manager Personnel Manager Chief Deputy District Attorney Recording Secretary

Mayor Teixeira called the meeting to order at 9 a.m. Roll call was taken and a quorum was present. Invocation was given by Church of Christ Pastor Bruce Henderson. Supervisor Bennett led the Pledge of Allegiance.

APPROVAL OF MINUTES - April 20, 1989 (1-0045) - Supervisor Fettic moved to approve the Minutes of April 20, 1989, as presented. Supervisor Chirila seconded the motion. Motion carried unanimously.

SPECIAL PRESENTATIONS - MAYOR AND PERSONNEL MANAGER - PRESENTATION OF 10, 15, 20, AND 25 YEAR LONGEVITY AWARDS (1-0055) - Ms. Fisher explained the presentation. Mayor Teixeira and Supervisor Chirila presented each recipient with their certificates and commended them on their longevity. Mayor Teixeira then commended all for their accomplishment and commitment to the City. Those receiving awards were: 10 years - Roger Clampitt, Steve Crawford, Tiburcio Juancorena, Rex Johnson, Jack Sullivan, William Earle, Phil Hernandez, Mitch Sowl, Perry Carlson, Kurt Davis, Robert Tracy, Bill Barker, Richard Kronenberg, and Laura Beckerdite; 15 years - Charlotte Richards, Dennis Austin, and Darrel Cauch; 20 years - Donald Bandera, Mike Arkell, James Barry, Thomas Friend, James Powell, Robert Sanders, Joyce Bertelson, Juan Arraiz, Emile Rabe, and Pauline Day; 25 years - S.D. Paice and Bernard Sease.

LIQUOR AND ENTERTAINMENT BOARD MATTERS (1-0278) - Mayor Teixeira recessed the Board of Supervisors and immediately reconvened the hearing as the Liquor Board. A quorum was present including Sheriff McGrath.

ACTION ON APPLICATION FOR LIQUOR LICENSE - SMATAY, INC. - DOING BUSINESS AS THE GOLDEN NICKEL LOCATED AT 2408 EAST HIGHWAY 50 (1-0283)

ACTION ON APPLICATION FOR LIQUOR LICENSE - SMATAY, INC. - DOING BUSINESS AS THE CLUB LOCATED AT 3679 SOUTH CARSON STREET

ACTION ON APPLICATION FOR LIQUOR LICENSE - SMATAY, INC. - DOING BUSINESS AS THE CROSSROADS CABARET LOCATED AT 324 EAST WINNIE LANE - Following Treasurer Thornton's introduction, Owners Dennis Small and Steve Taylor responded to questions concerning their operations. The Board cautioned them to be sure their employees refrain from serving minors. Member Swirczek moved to approve the liquor licenses for Smatay, Inc., doing business as The Golden Nickel located at 2408 East Highway 50, The Club located at 3679 South Carson Street, and The Crossroads

CARSON CITY BOARD OF SUPERVISORS

Minutes of the July 6, 1989 Meeting

Page 2

Cabaret located at 324 East Winnie Lane. Member Fettic seconded the motion. Motion carried 6-0.

Chairperson Teixeira adjourned the Liquor and Entertainment Board and immediately reconvened the session as the Board of Supervisors. A quorum was present as noted.

PETITIONS AND COMMUNICATIONS

PRESENTATION FROM REPRESENTATIVES OF THE UNITED STATES FOREST SERVICE (1-0369) - Toiyabe National Forest Service, Carson City Ranger District, Representatives Nora Rasure and Mike Dondero were introduced. Ms. Rasure explained the size of Toiyabe National Forest, its personnel, and its programs including wood cutting, Christmas trees, Rim Trail and progress on its development, the Outdoor Recreation Committee, and brochures and advertisements on trails and outdoor activities available through the Division. Mr. Dondero then explained the fire fighting resource programs including a booklet and showed a film reflecting the problems which occurred during the Little Valley Fire. Considerable discussion ensued among the Board, Ms. Rasure, Mr. Dondero and staff on fire suppression methods residents and the Code should make to reduce the fire risk as well as incident command systems and fire suppression improvements which had been undertaken as a result of the Little Valley Fire. (A booklet was not given to the Clerk).

CITIZEN COMMENTS (1-2188) - None.

RESOLUTIONS

ASSESSOR - ACTION ON CORRECTION OF 1989/90 TAX ROLL (1-2195) - Following Assessor Kit Weaver's introduction, Supervisor Fettic moved to adopt Resolution No. 1989-R-53, A RESOLUTION TO CORRECT THE 1989-90 PROPERTY TAX ROLL. Supervisor Bennett seconded the motion. Motion carried 5-0.

DISTRICT ATTORNEY (1-2235) - ORDINANCE SECOND READING - ACTION ON BILL NO 114 - ORDINANCE AMENDING SECTION 2.04.400 (PUBLIC OFFICERS) OF THE CARSON CITY MUNICIPAL CODE ADDING THE POSITIONS OF PUBLIC WORKS ENGINEER/R.T.C., WATER MANAGER, PUBLIC WORKS ENGINEER/SEWER OPERATIONS, DELETE WATER ENGINEER, AND TITLE CHANGE OF DEPUTY DIRECTOR OF COMMUNITY DEVELOPMENT, BUILDING AND SAFETY TO BUILDING OFFICIAL; AND TITLE CHANGE TO LIBRARY OPERATIONS ADMINISTRATOR TO DEPUTY DIRECTOR - LIBRARY TO THE LIST OF PUBLIC OFFICERS - Following Mr. Cockerill's introduction, Supervisor Chirila moved to adopt on second reading Ordinance No. 1989-13, AN ORDINANCE AMENDING SECTION 2.04.400 (PUBLIC OFFICERS) OF THE CARSON CITY MUNICIPAL CODE ADDING THE POSITIONS OF PUBLIC WORKS ENGINEER/R.T.C., WATER MANAGER AND PUBLIC WORKS ENGINEER/SEWER OPERATION; DELETING WATER ENGINEER; AND TITLE CHANGE OF DEPUTY DIRECTOR OF COMMUNITY DEVELOPMENT, BUILDING AND SAFETY TO BUILDING OFFICIAL; AND TITLE CHANGE OF LIBRARY OPERATIONS ADMINISTRATOR TO DEPUTY DIRECTOR - LIBRARY TO THE LIST OF PUBLIC OFFICERS. Supervisor Bennett seconded the motion. Clarification ensued on the Ordinance number. Motion carried 5-0.

TREASURER (1-2310)

ACTION ON CARSON CITY TREASURER'S MONTHLY REPORT FOR THE MONTH OF MAY 1989 - Following Mr. Thornton's introduction, Supervisor Fettic moved to accept the Treasurer's monthly report as submitted for the month of May 1989. Supervisor Bennett seconded the motion. Motion carried unanimously.

CARSON CITY BOARD OF SUPERVISORS

Minutes of the July 6, 1989 Meeting

Page 3

BREAK: At 10:15 a.m., a fifteen minute recess was called. When the meeting reconvened at 10:30 a.m., a quorum was present as noted.

PUBLIC HEARING ON RESOLUTION FOR SHORT-TERM FINANCING (1-2356) - Following Treasurer Ted Thornton's explanation of the procedures and purpose of the hearing, Mayor Marv Teixeira opened the public hearing. Richard Waiton explained his reasons for concern as being due to procedures and policies of past administrations. Mr. Thornton explained that the new loan would be repaid from revenue generated by the user fees. Supervisor Swirczek emphasized that if the revenue sources were not adequate to meet the loan commitment, the ad valorem rate could not be increased. If a deficiency occurs, the General Fund would have to meet it. Current financial projections indicated that it would not be necessary to increase the user fees to meet the loan repayment schedule. Mayor Teixeira pointed out the golf course improvements which would be made. The Board, City Manager L.H. Hamilton, and Mr. Thornton stressed that the Enterprise Funds were not mingled with the General Fund. Transfer of funds occurs only when the cost allocation system indicates personnel or resources from one fund is being used to support the other fund.

In response to Supervisor Bennett's questions, Supervisor Swirczek and Water Engineering/Acting Public Works Director Dorothy Timian-Palmer explained the reasons for feeling that it should not be necessary to increase water and sewer user fees to meet the obligation based on projected population growth and the financing period. Mr. Hamilton expressed his feeling that the water and sewer user fee rate study should be completed soon. He did not feel that an increase would occur within the next year.

(2-0001) Mr. Hamilton and Ms. Timian-Palmer explained for Mr. Waiton that the two accounting positions at Finance were employed solely on water, sewer and golf course enterprise fund projects. Mr. Waiton then elaborated on his feeling that this indicated that the user fees would be increased annually. Ms. Timian-Palmer and Supervisor Fettic stressed that the comments were that there would not be an increase in user fees this year. Future rates, however, could not be projected at this time. Mayor Teixeira pointed out that any increase would be made only after a public hearing. Regardless of the comments, Mr. Waiton continued to stress his feeling that the user fees would have to increase and that the General Fund, which included ad valorem tax monies, would be used to repay the loan.

Mayor Teixeira then asked for any other public comments. Upon hearing none, he closed the public hearing.

ACTION ON RESOLUTION AUTHORIZING 1989 WATER, SEWER, AND GOLF COURSE SHORT-TERM FINANCING AND REFINANCING (2-0145) - Following Mr. Thornton's introduction, Supervisor Fettic moved to adopt Resolution No. 1989-R-54, A RESOLUTION AUTHORIZING SHORT-TERM FINANCING IN THE PRINCIPAL AMOUNT OF \$2,650,000 FOR THE PURPOSE OF FINANCING VARIOUS PROJECTS; DIRECTING THE OFFICERS OF THE CITY TO FORWARD MATERIALS TO THE DEPARTMENT OF TAXATION OF THE STATE OF NEVADA; PROVIDING CERTAIN DETAILS IN CONNECTION THEREWITH; AND PROVIDING THE EFFECTIVE DATE HEREOF. Supervisor Swirczek seconded the motion. Mr. Thornton explained the need for a two-thirds affirmative vote. Motion was voted by roll call with the following result: Fettic - Yes; Swirczek - Yes; Bennett - Yes; Chirila - absent; and Mayor Teixeira - Yes. Motion carried 4-0-1.

ACTION ON RESOLUTION REQUESTING GENERAL OBLIGATION BOND COMMISSION APPROVAL OF WATER BONDS (2-0202) - During Mr. Thornton's introduction, Supervisor Chirila returned -- 10:55 a.m. The savings from refinancing the bonds amounted to \$253,810. Supervisor Swirczek moved to adopt Resolution No. 1989-R-55 - RESOLUTION DESIGNATED BY THE SHORT TITLE 7-20-89 BOND SALE RESOLUTION AUTHORIZING THE PUBLIC SALE OF THE CARSON CITY, NEVADA, GENERAL OBLIGATION LIMITED TAX SHORT-TERM BOND SERIES AUGUST 1, 1989A IN THE AGGREGATE PRINCIPAL AMOUNT OF \$2,650,000 AND THE CARSON CITY, NEVADA, GENERAL OBLIGATION (LIMITED TAX) GOLF COURSE REFUNDING BONDS, SERIES AUGUST 1, 1989B IN THE ESTIMATED AGGREGATE PRINCIPAL AMOUNT OF \$3,800,000;

CARSON CITY BOARD OF SUPERVISORS

Minutes of the July 6, 1989 Meeting

Page 4

PROVIDING FORMS OF THE NOTICE FOR SUCH SALE AND RELATED DETAILS; AND PROVIDING FOR OTHER MATTERS CONCERNING THE BONDS, THEIR SALE, AND THEIR EFFECTIVE DATE HEREOF. Supervisor Fettic seconded the motion. Motion was voted by roll call with the following result: Swirczek - Yes; Fettic - Yes; Chirila - Yes; Bennett - Yes; and Mayor Teixeira - Yes. Motion carried unanimously.

ACTION ON RESOLUTION REQUESTING GENERAL OBLIGATION BOND COMMISSION APPROVAL OF WATER BONDS (2-0295) - Following Mr. Thornton's introduction, Water Engineer Dorothy Timian-Palmer explained the purpose of the bonds. The State Water Bond Committee had approved the City's letter of intent. Ms. Timian-Palmer explained for Mr. Waiton the work which would be done to Kings and Ash Canyon Treatment Plants necessitated by the Federal 1993 Clean Water Act. Supervisor Bennett moved to adopt Resolution No. 1989-R-56, A RESOLUTION CONCERNING THE FINANCING OF A WATER PROJECT; DIRECTING THE CLERK TO NOTIFY THE CARSON CITY GENERAL OBLIGATION BOND COMMISSION OF THE CITY'S PROPOSAL TO BORROW MONEY AND TO ISSUE A GENERAL OBLIGATION BOND TO EVIDENCE SUCH BORROWING; PROVIDING CERTAIN DETAILS IN CONNECTION THEREWITH; AND PROVIDING THE EFFECTIVE DATE HEREOF. Supervisor Swirczek seconded the motion. Motion was voted by roll call with the following result: Bennett - Yes, Swirczek - Yes; Fettic - Yes; Chirila - Yes; and Mayor Teixeira - Yes. Motion carried 5-0.

Discussion noted the savings which would occur from the resales.

HEALTH DIRECTOR - ACTION ON CITY PHYSICIAN'S CONTRACT BETWEEN CARSON CITY AND GARY DANKWORTH, M.D. (2-0544) - Mr. Fralinger's explanation included a description of Dr. Dankworth's duties and the Departments to whom he is responsible. Mr. Fralinger felt that Dr. Dankworth was providing services beyond those required and cited several examples. Supervisor Fettic moved to approve the request of the Purchasing Agent and Health Director to renew the contract for the City Physician Gary Dankworth, M.D., that the contract is not adapted to competitive bidding under NRS Chapter 332 by reason of professional service. Supervisor Swirczek seconded the motion. Motion carried 5-0.

Mr. Hamilton explained that the following item was presently being discussed in the hall between staff and the affected individuals. Therefore, a 15 minute recess was taken at 11:05 a.m. When the meeting reconvened at 11:20 a.m., the entire Board was present, constituting a quorum.

PURCHASING AGENT (2-0733)

ACTION ON APPROVAL TO TERMINATE CONTRACT NO. 8889-11 - EAGLE VALLEY GOLF COURSE MAINTENANCE BUILDING WITH LIFETIME STRUCTURES AND AUTHORIZATION TO PROCEED AGAINST PERFORMANCE BOND - Purchase Agent Ron Wilson and Mr. Cockerill explained the original request to terminate the contract. Due to the negotiations which had just occurred, they now requested that the matter be continued until the 20th. Lifetime Structures Attorney Richard Staub agreed with this request. Discussion ensued among the Board, staff, Mr. Staub, and Mr. Snelling of Lifetime Structures concerning the structure and communication problems. Supervisor Fettic moved to continue the matter on the hearing of the termination of the contract with Hap Snelling and Lifetime Structures and that this is not an extension nor modification of said contract. Supervisor Swirczek seconded the motion. Upon request from Mr. Cockerill, Supervisor Fettic continued the motion to include, "until July 20, 1989." Supervisor Swirczek continued his second. Motion carried 5-0.

ACTION ON AWARD OF CONTRACT NO. 8889-205 - CARSON CITY SENIOR CITIZENS CENTER (2-0882) - Mr. Wilson's introduction noted that the bids were significantly under the budget, the difference between the two low bidders, and recommended action. Jeff Francovich responded to questions concerning when he would start construction and should complete the project. He would attempt to stay

CARSON CITY BOARD OF SUPERVISORS

Minutes of the July 6, 1989 Meeting

Page 5

within the bid and at this time could not predict whether it would be necessary to make any change orders. Discussion ensued concerning the correct bidder number for Mr. Francovich. Supervisor Swirczek moved to approve the recommendation of the Purchasing Assistant as submitted concerning construction of the Senior Citizens Center and award contract 8889-205 to the lowest responsive and responsible bidder responding to the invitation to bid pursuant to NRS Chapters 332, 338, 339, and 624, that being bidder number 3, Francovich and Co., in the amount not to exceed \$1,157,188, funding source the tax override revenue from Question 4. Supervisor Bennett seconded the motion. Motion was voted by roll call with the following result: Ayes - Swirczek, Bennett, Chirila, Fettic, and Mayor Teixeira. Nays - None. Motion carried 5-0.

ACTION ON CHANGE ORDER NO. 3 TO CONTRACTS NO. 8889-35 AND 8889-36 IMPROVEMENTS TO THE CARSON CITY AIRPORT - FAA PROJECTS NO. 3-32-0004-04 AND NO. 3-32-0004-05 (2-1101) - Following Mr. Wilson's introduction, Project Engineer Phil Marshall outlined all of the changes and responded to Board questions on them. His comments stressed that in spine of the change orders, funds have not been entirely depleted. Landscaping would not be placed in the dirt areas between the taxiways. One member of the Airport Board would be present during the final check with an FAA representative. Supervisor Bennett moved to accept the Purchasing Agent's recommendation and Project Engineer and approve the captioned change order to Granite Construction Company, 1900 Glendale Avenue, Sparks, Nevada as follows: 1- Net Increase to FAA Project 3-32-004-04 - \$14,449.54 as indicated in the attachments thereto; and, 2. Net Increase to FAA Project 3-32-004-05 - \$50,567.53 as indicated in the attachments thereto; combined project net increase of \$65,127.07 for a new adjusted contract amount of \$852,225.82. Supervisor Chirila requested correction of the project numbers. Supervisor Bennett corrected the Project Nos. to be 3-32-0004-04 and 3-32-0004-05. Supervisor Chirila seconded the motion. Upon Supervisor Swirczek's request for correction, Supervisor Bennett added "to Change Order No. 3" to the motion. Supervisor Chirila continued her second. Motion carried 5-0.

PUBLIC WORKS DIRECTOR - ACTION ON ACCEPTANCE OF WORK AND FINAL PAYMENT - A AND K EARTHOVERS, INC. - CONTRACT I-3 - DARLING RANCH IRRIGATION SYSTEM (2-1395) - Water Engineer Dorothy Timian-Palmer explained the request. Mr. Cockerill then explained that a valve would be tested under a separate agreement with the contractor. Supervisor Swirczek moved to accept all the work completed by A & K Earthmovers of Fallon, Nevada, with the exception of what the District Attorney just read into the record on Contract I-3, the Darling Ranch Irrigation System, and authorize final payment in the amount of \$8,134.20, funding source would be the sewer construction fund of which \$2,084.37 will be reimbursed by EPA. Supervisor Bennett seconded the motion. Motion carried unanimously.

COMMUNITY DEVELOPMENT DIRECTOR (2-1498)

ACTION ON SALARY STEP NEGOTIATION - BUILDING INSPECTOR II - PAY GRADE 29 - Community Development Director Walt Sullivan explained the request to hire a Building Inspector II at a step eight which is above the range staff could authorize without Board action. It would require a budget supplement as funds are not available at this rate. Discussion ensued concerning whether a contracted building inspector should be retained. (2-1644) Richard Waiton explained California's program of hiring retired, temporary, certified building inspectors and his feeling that seasonal retired employees should be retained. Mr. Sullivan felt that three full-time building inspectors are needed. Supervisor Bennett felt that a part-time seasons building inspector is warranted. Supervisor Swirczek expressed his feeling that the building inspector's leave should be restricted to periods not affected by the busy construction times. Supervisor Fettic urged Mr. Sullivan to include this as a condition of employment. Supervisor Bennett requested seasonal, contracted employees be analyzed for next summer. Mr. Waiton also supported this employment condition. Clarification noted the hiring freeze for new positions would not affect this rehire position. Supervisor Fettic moved that the Board approve the special salary adjustment for negotiation purposes when hiring Building Inspector II position; this authorization will allow the hiring authority to negotiate up to a step 8 level of grade 29. Supervisor Swirczek seconded the motion. Motion was voted by

CARSON CITY BOARD OF SUPERVISORS

Minutes of the July 6, 1989 Meeting

Page 6

roll call with the following result: Fettic - Yes; Swirczek - Yes; Chirila - Yes; Bennett - Yes; and Mayor Teixeira - No, based on his previously stated position that changes should not be made piece meal but rather held and made after the classification study. Motion carried 4-1. Supervisor Chirila requested direction from the District Attorney's office concerning whether the Board had made a commitment to abide by the consultant's findings on the parity study. As this matter had not been agendized, no discussion occurred.

ACTION ON APPROVAL OF BUSINESS RETENTION SURVEY (2-2065) - Mr. Sullivan explained the Board's direction on this matter. Survey questions will be finalized soon. Chamber of Commerce Executive Director Larry Osborne explained the interview program. Mayor Teixeira suggested that the survey include questions indicating the percentage of growth which had occurred in the businesses. The interviewers will be trained before beginning the survey. The program would begin with the manufacturers. Supervisor Bennett requested a copy of the survey. Benefits of the program were noted. Supervisor Fettic moved that the Board approve Carson City's participation in the business retention survey with the Carson City Chamber of Commerce. Supervisor Swirczek seconded the motion. Motion carried unanimously.

ORDINANCE - SECOND READING - ACTION ON BILL NO. 115 - CHANGE OF LAND USE Z-88/89/8 - CARSON CITY - REZONE THE PROPERTY IN SILVERGATE SUBDIVISION FROM SINGLE FAMILY 6000 (SF6000) TO MULTI-FAMILY DUPLEX-PLANNED UNIT DEVELOPMENT (MFD-PUD) ON PARCELS WEST OF IMPERIAL WAY (APNS 2-381-3, 4, 5, 6, 9, 10, 11, 12, AND 77) AND FROM SINGLE FAMILY 6000 (SF6000) TO SINGLE FAMILY 6000-PLANNED UNIT DEVELOPMENT PARCELS EAST OF IMPERIAL WAY (APNS 2-381-13 THROUGH 17, 20 THROUGH 62, 76, AND 2-382-13 THROUGH 57) - PLANNING COMMISSION APPROVED 7-0 (2-2278) - Mayor Teixeira passed the gavel to Mayor Pro-Tem Chirila and did not participate in the discussion or action. Following Mr. Sullivan's introduction, he explained for Supervisor Bennett why the change was required. Mr. Waiton questioned whether the zoning would change the lot sizes. Mr. Sullivan explained that the 6,000 square foot lot had been established in 1972 or 73. The Ordinance would merely correct the zoning and complete the procedures for the record. Supervisor Swirczek moved to adopt on second reading Ordinance No. 1989-14, AN ORDINANCE EFFECTING A CHANGE OF LAND USE ON PARCELS WEST OF IMPERIAL WAY FROM SF6000 TO MFD-PUD AND ON PARCELS EAST OF IMPERIAL WAY FROM SF6000 TO SF6000 PUD. Supervisor Fettic seconded the motion. Motion carried 4-0-1 with Mayor Teixeira abstaining.

Mayor Teixeira took back the gavel.

COMMUNICATIONS FROM EMPLOYEE ASSOCIATIONS - None.

CITY MANAGER REPORTS, RESOLUTIONS, AND BOARD DIRECTIVES - None.

BOARD OF SUPERVISOR REPORTS, RESOLUTIONS AND PROCLAMATIONS (2-2419) - DISCUSSION AND POSSIBLE ACTION ON APPOINTMENT OF CARSON CITY'S TWO REPRESENTATIVES TO THE CARSON WATER SUBCONSERVANCY DISTRICT - Mayor Teixeira explained his reasons for recommending Supervisors Swirczek and Fettic to these positions. Supervisor Chirila moved to appoint Supervisor Ron Swirczek and Supervisor Tom Fettic as Carson City's representatives to the Carson Water Subconservancy District. Supervisor Bennett seconded the motion. Motion carried unanimously.

Upon request for clarification by Mr. Cockerill, Supervisor Chirila moved that the appointments were not being made as a subcommittee of the Board of Supervisors. Supervisor Bennett continued her second and questioned whether Section 8 of the enabling legislation required the Governor to make the appointments. It was felt that she had an old draft of the bill and that this section had been removed. The motion that the appointments were not being made as a Board subcommittee was voted and carried unanimously.

CARSON CITY BOARD OF SUPERVISORS

Minutes of the July 6, 1989 Meeting

Page 7

BREAK: At 12:15 p.m., a lunch recess was taken. The meeting was reconvened at 1:30 p.m. Although Supervisor Bennett was absent, a quorum was present.

REVIEW, POSSIBLE INTERVIEWS, AND POSSIBLE APPOINTMENT TO CARSON CITY ADVISORY BOARD TO MANAGE WILDLIFE (2-2620) - Gale Dupree was not able to attend the meeting due to other commitments. George Wilkerson explained his reasons for applying. (During his explanation, Supervisor Bennett arrived -- 1:40 p.m. A quorum was present as noted.) Mayor Teixeira thanked him for his interest and advised that a decision would be made at the end of the meeting.

REDEVELOPMENT AUTHORITY - REVIEW AND ACTION ON EXTENSION OF PROMISSORY NOTE NUMBER 3 - CARSON CITY REDEVELOPMENT AUTHORITY (2-2895) - Mr. Cockerill explained the request for an extension of the promissory note to allow the Authority time to obtain a private loan. Supervisor Swirczek moved to approve the First Addendum to the Promissory Note No. 3 for the Carson City Redevelopment Authority, which is to extend the loan in the amount of \$70,000 to a repayment date of not later than October 30, 1989. Supervisor Fettic seconded the motion. Motion carried 5-0.

MAYOR TEIXEIRA - DISCUSSION OF 1989 LEGISLATIVE SESSION, PARTICULARLY THE BILLS AFFECTING CARSON CITY (2-3015) - Mayor Teixeira expressed his feeling that the City had been able to obtain several bills through cooperation with the Chamber of Commerce which were supported by the citizens. These bills were prepared and presented in an affirmative manner. SB 197, AB 153, AB 205, the Tri-County Water Subconservancy District, The Airport Authority, AB 801, AB 405 were briefly outlined. The cooperative water agreement with the State and funding for the new State Library and Supreme Court were also explained. Staff, individuals, NACO, and NLC who had helped present the bills were commended. Discussion also noted the roles each Board member had played in the effort.

REVIEW, POSSIBLE INTERVIEWS, AND POSSIBLE APPOINTMENT TO CARSON CITY ADVISORY BOARD TO MANAGE WILDLIFE (3-0129) - Supervisor Fettic acknowledged Mr. Wilkerson's qualifications, however, he felt that Mr. Dupree should be appointed based on the recommendations included in the packet. Mayor Teixeira noted the numerous calls which the Board had received on behalf of both candidates. Supervisor Fettic moved to appoint Gale Dupree to the Carson City Advisory Board to Manage Wildlife. The motion died for lack of a second. Supervisor Swirczek then moved to appoint George Wilkerson to the Carson City Advisory Board to Manage Wildlife. Supervisor Chirila seconded the motion. Motion was voted by roll call with the following result: Ayes - Swirczek, Chirila, Bennett, Fettic, and Mayor Teixeira. Nayes - None. Motion carried 5-0.

BREAK: At 1:50 p.m., a ten minute recess was taken. When the meeting reconvened at 2 p.m., the entire Board was present, constituting a quorum.

DISCUSSION WITH REPRESENTATIVES FROM SIERRA PACIFIC POWER COMPANY AND BUREAU OF LAND MANAGEMENT REGARDING THE HIGH VOLTAGE TRANSMISSION LINE ROUTE (3-0201) - Following Mayor Teixeira's introduction, Mr. Hamilton noted the status report prepared by Sierra Pacific Power Company's Carson District Manager Ray Masayko. BLM representatives were not present. Mr. Masayko and General Manager of Outlying District Operations Jim Roulias were introduced. Supervisor Chirila then requested Mr. Hamilton provide the Board members a copy of the letter which he had sent to BLM outlining the Board's position on the power line location. She then explained why the Board was reconsidering the matter. Supervisor Chirila then requested Mr. Hamilton provide the Board members a copy of the letter which he had sent to BLM outlining the Board's position on the power line location. She then explained why the Board was reconsidering the matter.

(3-0287) Mr. Roulias introduced Mr. Masayko and legal counsellor John Geslund. He then reviewed the summary which had been given to the Board outlining the reasons for relocating the lines, the potential need

CARSON CITY BOARD OF SUPERVISORS

Minutes of the July 6, 1989 Meeting

Page 8

to upgrade the service at some time in the future when required, and route which had been selected for the 624 and 628 lines. At the conclusion of his summary, he requested the Board support the route by sending a letter to BLM. Mr. Masayko used a map to illustrate the present line location and the planned routes. The route was discussed with the Board. It would be immediately adjacent to the Indian Colony on the west side of Carson City. The line located on the east side of Carson City would be built to handle 120 KV but carry only 60 KV at this time. If the permit for this line is not granted, other routes would be considered including the freeway route (aka 395 bypass). Supervisor Chirila noted the Board's opposition to having the lines adjacent to residences and questioned why undergrounding had not been considered. Mr. Roulias noted the cost factors, however, felt that when the line is upgraded to 120 KV it may be considered. Public hearings could be conducted at that time. Mr. Masayko felt that this would be in approximately eight to ten years or when the State Library and Supreme Court buildings are on line. Clarification noted the constructions for these facilities and the parking garage, however, Mr. Masayko did not feel that the upgrade would be required for a minimum of six years. Mr. Roulias then explained the line capabilities and thermal loads which would require upgrading the line to 120 KV. He also expressed his feeling that if the BLM permit is amended to place the east line further away from the residences, a delay of at least one year would need to occur.

(3-1055) David Nielsen used the map to explain the location of his lot and a route BLM supported on the other side of the hill which would mitigate the residents' problems. He then explained that the poles were transmission lines not normally found in residential areas. He also noted that the poles were not all wood but would include metal structures. He felt that present route was not being used due to the number of structures which had been constructed in those easements. Additionally, some easements along the "green route" had been acquired. This makes a third alternative available. He asked the Board to require Sierra Pacific enforce its easements and utilize the original route. Likewise, the route along the Indian Colony was not adjacent to any residences. If the "orange route" is absolutely necessary, then he felt that BIA's distance requirement should be applied or that the line be undergrounded regardless of the cost. When the 120 KV upgrade is required, leverage for undergrounding may not be available. Reasons for not installing the line along the 395 bypass included the feeling that the line could not be constructed until the highway has been built which would be in approximately 15 years. He supported the bypass route specifically due to the number of poles now found in that area. His research indicated that BLM felt the Board had endorsed the "orange route" and requested the Board oppose the route and so notify BLM.

(3-1415) Mr. Masayko then explained that BLM would find the application flawed if the alternative route "over the hill" was included. Mr. Nielsen responded by explaining his reasons for feeling that it would be less of a burden on the residents if the line was placed "over the hill." He also expressed his feeling that a road would be required to maintain the line. He felt that the line as proposed along his property would be an ugly eyesore.

Mr. Hamilton explained the Board's letter concerning the route.

Mr. Masayko then explained the problems prohibiting running both lines along the west side of the City. They included the limited access behind the Silver City Mall, the distance from the Indian Colony which restricted "double circuiting," and necessity to run the "double circuit" line along Clearview.

Supervisor Chirila expressed her feeling that the Board had supported the east/west split, however, the east route was being located too close to the residences. She felt that the construction delay required of an amended application warranted relocation of the line further east than planned. Mr. Roulias explained the original evaluations of each of the routes and reasons for the final selection of a "split current." He also felt that regardless of the ultimate location, someone would also be opposed to the location. Mr. Masayko explained the impact putting the line along Clearview would have on the 6,000 square foot lots. The different property characteristics found on the one-acre lots along the BLM property were used to support its selection. Supervisor Bennett then expressed her opposition to "double circuiting" the west side. She

CARSON CITY BOARD OF SUPERVISORS
Minutes of the July 6, 1989 Meeting
Page 9

questioned whether requiring the property owners to bear the cost of undergrounding on the east side was a viable alternative. Mr. Roulias explained the cost of undergrounding and reasons for undergrounding distribution facilities but not transmission facilities. Mr. Masayko explained the environmental problems created if the line is moved "over the hill." He did not feel that the transmission line would have that great of an impact on the residents due to the distance between each structure and the type of wire used. He stressed that if property owners feel that the structure would create a negative impact on the property, the Company would attempt to address the situation. He again explained the corridor and distance from the lines to the property. Discussion ensued among the Board and Mssrs. Roulias and Masayko on the environmental impact statement and permit process if the line was moved. Supervisor Chirila felt that a majority of the permit problem was centered around the lack of communication between the Board and Sierra Pacific. It was felt that if the City and Sierra Pacific worked together, BLM may be amenable to a location change.

Jack Seibold expressed his feeling that the line was definitely too close to his property and questioned the feasibility of moving the line 500 feet due to the topography. His opposition was explained.

Mr. Nielsen requested the Board take formal action opposing the application and that Sierra Pacific meet with the residents and establish a different route. He supported placing the route along the 395 bypass. Supervisor Swirczek noted the opposition to the Edmonds route. Mr. Nielsen explained his understanding of that location and expounded on his reasons for feeling the 395 bypass should be utilized

(3-2764) Art Mertzke expressed his feeling that the line would require a road for maintenance which would encourage motorcyclists and 4-wheel drivers to use the area to the detriment of the residents.

(3-2815) Brooke Nielsen expressed her feeling that the environmental impact statement had indicated the route was along the base of the hill. The reason the route along the back of the hill had not been selected had been due to the length and costs. She felt that the line would be detrimental to her peaceful enjoyment of the area as well as ruin the aesthetics of the valley.

Mr. Mertzke felt that allowing the line above ground would be in direct opposition to the residential requirement that all utilities be underground.

(3-2943) Richard Waiton expressed his feeling that the additional power which would be supplied by the line was not needed by Carson City. He felt that the lines should be placed underground even though the cost was exorbitant. As the State Capitol, he urged the Board to consider the aesthetics and hazards and require undergrounding to BLM land where it would go around the hill.

Mayor Teixeira then closed the hearing and thanked everyone for their participation.

BREAK: At 3:20 p.m., a ten-minute recess was taken.

PERSONNEL SESSION - EVALUATION OF THE CITY MANAGER IN ACCORDANCE WITH THE PROVISIONS OF THE NEVADA REVISED STATUTES CHAPTER 241 (4-0052) - Following Mr. Cockerill's introduction, Supervisor Fettic moved that the Board move into closed personnel session pursuant to the provision of NRS 241.030 subsection 1 to consider the character, alleged misconduct, professional competence, and physical and mental health of Lynnwood Hamilton, the City Manager. Supervisor Swirczek seconded the motion. Motion carried 5-0. Mayor Teixeira then requested the room cleared and moved into closed session.

(4-0085) - Mayor Teixeira reconvened the open session at 4:50 p.m. The entire Board was present constituting a quorum.

Mr. Cockerill explained the Board's alternatives. Supervisor Swirczek expressed his desire to do an

CARSON CITY BOARD OF SUPERVISORS
Minutes of the July 6, 1989 Meeting
Page 10

evaluation and requested a five-minute recess.

BREAK: At 4:53 p.m., a recess was taken. When the meeting reconvened at 5:00 p.m., the entire Board was present constituting a quorum.

Supervisor Fettic immediately moved that the Board go back into closed session pursuant to NRS 241.030 Subsection 1 to consider the character, alleged misconduct, professional competence, or physical or mental health of the City Manager. Supervisor Swirczek seconded the motion. Motion was voted and carried 5-0.

(4-0195) Mayor Teixeira reconvened the open session at 5:15 p.m. The entire Board was present, constituting a quorum. Before discussion occurred, however, a recess was called.

BREAK: A two-minute recess was taken. When the meeting reconvened at 5:17, a quorum was present as noted.

DISCUSSION AND POSSIBLE ACTION ON AGREEMENT BETWEEN CARSON CITY AND LYNNWOOD H. HAMILTON (4-0207) - Mayor Teixeira began by noting that a performance evaluation on Mr. Hamilton had occurred. He then explained the need to act on the agreement with Mr. Hamilton by reading several sections of the contract and noted the options available to the Board. Supervisor Fettic moved that the Board take action on renewal of Mr. Hamilton's contract for a period of thirty days. Mr. Hamilton indicated that he would not agree to this action. In order to discuss the motion further, Supervisor Swirczek seconded the motion. Discussion ensued concerning the meaning of such action and the options available to the Board. Supervisor Fettic then withdrew his motion and Supervisor Swirczek withdrew his second. Mayor Teixeira again outlined the five options available to the Board, i.e., 1. Extend the present contract for a limited time; 2. Renew the present contract for a long period of time; 3. Write a new contract; 4. Do not renew this contract; and, 5. Table the entire discussion for thirty days in which event the contract would expire with no action. Clarification noted that if the contract expired, Mr. Hamilton could continue to function as the City Manager in the same day-to-day manner as other unclassified employees who serve at the will of the Board without a contract. The wisdom of having him serve without a contract was questioned. The advantage of deferring action was discussed. Supervisor Bennett then moved that the contract with the City Manager not be renewed. Supervisor Swirczek seconded the motion. The advantage of not renewing the contract versus letting it expire was cited as being in compliance with the provisions of the contract whereby notification is given that an extension would not be granted. Supervisor Bennett then moved to amend the motion to not extend the contract rather than not renew. Supervisor Swirczek continued his second. The motion was then voted by roll call with the following result: Ayes - Fettic, Chirila, Swirczek, Bennett, and Mayor Teixeira. Nays - None. Motion carried 5-0.

There being no other matters for discussion by the Board, Supervisor Chirila moved to adjourn. Supervisor Swirczek seconded the motion. Motion carried 5-0. Mayor Teixeira adjourned the meeting at 5:30 p.m.

The Minutes of the July 6, 1989 Carson City Board of Supervisors meeting

ARE SO APPROVED ON October 4, 1989.

/s/
MARV TEIXEIRA, Mayor

ATTEST:

CARSON CITY BOARD OF SUPERVISORS
Minutes of the July 6, 1989 Meeting
Page 11

____/s/
Katherine McLaughlin, Deputy Clerk,
for ALAN GLOVER, CLERK-RECORDER