

CARSON CITY BOARD OF SUPERVISORS
Minutes of the April 20, 1989, Meeting
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A regular meeting of the Carson City Board of Supervisors was held on Thursday, April 20, 1989, at the Community Center Sierra Room, 851 East Williams Street, Carson City, Nevada, beginning at 9 a.m.

PRESENT:	Marv Teixeira Marilee Chirila Ron Swirczek Tom Fettic Kay Bennett	Mayor Supervisor, Ward 3 (day session only) Supervisor, Ward 1 (evening session only) Supervisor, Ward 2 Supervisor, Ward 4
STAFF PRESENT:	L. H. Hamilton Alan Glover Paul McGrath Ted P. Thornton Pam Case Walt Sullivan Charles P. Cockerill Gregg Biggin John Iratcabal Katherine McLaughlin	City Manager (afternoon session only) Clerk-Recorder Sheriff Treasurer Automation Services Director Community Development Director and Acting City Manager (morning only) Chief Deputy District Attorney Assistant Sheriff Assistant Purchasing Agent Recording Secretary

(B.O.S. 4/20/89 Tape 1-0001)

Mayor Teixeira called the meeting to order at 9 a.m. Roll call was taken and a quorum was present although Supervisor Swirczek was absent. Dr. Marvin Dennis, Pastor of the Good Shephard Church, gave the invocation. Supervisor Bennett lead the Pledge of Allegiance.

APPROVAL OF THE MINUTES (1-0028) - March 16, 22, and 30, April 3, 13, and 17, 1989 - Mayor Teixeira passed the gavel and moved to approve the Minutes as submitted. Supervisor Bennett seconded the motion. Motion carried unanimously. Mayor Pro-Tem Chirila returned the gavel to Mayor Teixeira.

LIQUOR AND ENTERTAINMENT BOARD MATTERS (1-0051) - Mayor Teixeira recessed the Board of Supervisors session and immediately reconvened the hearing as the Liquor and Entertainment Board. A quorum was present including Sheriff McGrath. Member Swirczek was absent.

1. TREASURER

ACTION ON LIQUOR LICENSE APPLICATION BY DAVID LYNNE MCTEER, OLIVER F. PRATT, JR., AND CHARLES REHM - DOING BUSINESS AS SNIVELERS INN, 512 EAST WILLIAMS STREET (1-0056) - Treasurer Ted Thornton introduced the request. The applicants entered their names into the record and explained the location. Discussion ensued on Mr. Pratt's DUI arrest record. Member McGrath explained the Sheriff's Departmental recommendation of approval and his feeling that it was not necessary to have Mr. Pratt's license conditioned on periodic reviews as the last arrest was in 1982. Member Fettic then moved to approve the liquor license for David Lynne McTeer, doing business as Snivelers Inn, 512 East Williams Street, Carson City. Member McGrath seconded the motion. Motion carried 5-0.

ACTION ON REVOCATION OF DELINQUENT LIQUOR LICENSES (1-0161) - Mr. Thornton

explained that all of the delinquent licenses had been brought current, therefore, no action was required.

There being no other business for the Liquor and Entertainment Board, Liquor and Gaming License billing procedures were discussed. Chairperson Teixeira suggested consideration of an annual liquor license payments rather than a quarterly one.

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

2. TREASURER

ACTION ON TREASURER'S MONTHLY FINANCIAL REPORT FOR THE MONTH OF MARCH 1989 (1-0220) - Following Mr. Thornton's introduction, Supervisor Fettic moved to accept the Treasurer's Monthly Financial Report as submitted for the Month of March 1989. Supervisor Chirila seconded the motion. Motion carried 4-0.

ACTION ON RESOLUTION CALLING FOR A PUBLIC HEARING CONCERNING SENIOR CITIZENS FINANCING BOND (1-0245) - Following Mr. Thornton's introduction, Supervisor Fettic moved to adopt Resolution No. 1989-R-29, A RESOLUTION CONCERNING THE FINANCING OF A SENIOR CITIZEN'S CENTER FACILITY IN CARSON CITY, NEVADA; AUTHORIZING THE PUBLICATION OF A NOTICE OF INTENTION TO AUTHORIZE SHORT-TERM FINANCING UNDER CH. 354 OF NEVADA REVISED STATUTES; PROVIDING CERTAIN DETAILS IN CONNECTION THEREWITH; AND PROVIDING THE EFFECTIVE DATE HEREOF. Supervisor Bennett seconded the motion. Upon Mr. Thornton's request for an amendment, Supervisor Fettic moved to amend his motion to include that the public hearing would be held on May 4th at 10 a.m. Supervisor Bennett continued her second. Motion carried 4-0.

3. FINANCE DIRECTOR - ACTION ON CHECK DISBURSEMENT REGISTER FOR THE MONTH OF MARCH 1989 (1-0318) - Following Finance Director Mary Walker's introduction, which noted that Internal Auditor Gary Kulikowski had submitted a memo indicating that he had found no exceptions in his review of the Register, Supervisor Fettic moved to approve the Check Disbursement Register for the month of March 1989. Supervisor Bennett seconded the motion. Motion carried unanimously.

CITIZEN'S COMMENTS (1-0347) - Gene Chaney, owner of the Horseshoe Club, explained his feeling that the parking meters should not have been removed from the downtown area and submitted a petition requesting reconsideration of their removal. He noted a letter to the City from Mr. Jackson supporting his position. As the petition requested Board action, Mr. Cockerill explained the need to have the matter agendized for a future meeting. Discussion noted the removal deadline of May 1. The next Board meeting was scheduled for May 4. If a majority of the Board wished, a special meeting could be held. Mr. Chaney explained the petition's intent was to delay the removal until June 15.

AGENDA MODIFICATIONS (1-0489) - Community Development Director Walt Sullivan explained that the Applicant had appealed the Planning Commission's decision on Special Use Permit U-88/89-6 and 7. This matter would be considered at the next Board meeting.

4. PURCHASING AGENT

ACTION ON REQUEST FOR CONTRACT APPROVAL - CONTRACT 8889-10 - IBM UPGRADES (1-0511) - Purchasing Assistant John Iratcabal explained the request to procure IBM upgrades for the Sheriff's Office and its funding. Automation Director Pam Case emphasized the need to address the upgrade at

this time and explained the amount of capacity which would be provided by the upgrade. She felt that the upgrade would merely buy time until, hopefully, the budget could address the long-term solution. Undersheriff Greg Biggin emphasized that if the upgrade is not approved more applications would have to be removed from the system so that essential services could be provided. Supervisor Fettic moved to approve the request for Contract 8889-10, IBM upgrades, in the amount of \$15,225 of which the State will reimburse the City at 50 percent. Supervisor Bennett seconded the motion. Motion carried 4-0 with Mayor Teixeira reluctantly voting Aye.

ACTION ON CONTRACT 8889-37 - DEMOLITION AND SITE CLEARING, PARKS AND RECREATION YARD (1-0670) - Following Mr. Iratcabal's explanation of the request, the estimates, the bids, and the funding source, Mayor Teixeira cautioned all involved to attempt to hold the line on costs in view of the wide difference between the bids and estimates. Parks and Recreation Director Steve Kastens outlined reasons for the decision by earlier Boards to relocate the building. Supervisor Chirila explained her reasons for feeling that the contract should be rebid and her vote if a motion is made to approve the contract. Senior Citizen Executive Director Pat Blake explained the cost analysis for the on-site improvements and how the figures had been established. A copy was given to the Board and Clerk. Supervisor Chirila questioned when the five cent tax override would terminate and explained her concerns related thereto. As a matter of principal related thereto, she could not support the request. Ms. Blake explained the ten year short-term financing proposal. Public Works Director Dan O'Brien explained the off and on-site improvements and alternative funding sources. He cautioned the Board about future costs involved with these improvements. While acknowledging that some cuts could be made, he felt that these were few in numbers and amounts. Acting City Manager and Community Development Director Walt Sullivan suggested that the matter be continued to allow staff to evaluate alternatives and hopefully reduce the costs. Concern was expressed that this be done as expeditiously as possible. Further discussion expressed the feeling that City staff had already done as much of the relocation/demolition as possible. Mr. Iratcabal explained the discount given if paid off early. Another alternative would use General Funds to meet the overrun. Mr. O'Brien urged the Board to award the bid and expressed his feeling that reductions could be made to keep the entire project within the budget. Mayor Teixeira explained the point of concern as being one related to the cost and not the necessity for doing the work. Mr. Sullivan then expressed his feeling that staff had already evaluated the alternatives and to delay the project for further evaluation was unnecessary. Supervisor Fettic then moved to award Contract 8889-3, demolition and site clearance of the Parks and Recreation Yard to bidder number one, King Construction Company, as the lowest responsive and responsible bidder in an amount not to exceed \$58,980 with a deduct for early payment of \$1100. Clarification noted that the deduct was actually for \$1179 or two percent/30 days. Discussion also noted a typing error as King Construction was bidder number two rather than the one indicated. Supervisor Fettic then corrected his motion to indicate bidder two. Supervisor Bennett seconded the motion. Motion was voted by roll call with the following result: Fettic - Yes; Bennett - Yes; Chirila - No for the reasons as stated earlier; Mayor Teixeira - Yes. Motion carried 3-1-1 with Supervisor Swirczek absent.

Ms. Blake then expressed her feeling that the time table was valid and thanked staff for its work preparing it. Supervisor Bennett urged staff including Ms. Blake to maintain the schedule and hold the line on the expenses.

ACTION ON CONTRACT 8889-89 - COMMUNITY CENTER FLOOR COVERING (1-1619) - Mr. Iratcabal explained the typographical error on the Agenda which would indicate the contract number was 8889-89. In actuality the Contract was 8889-84. He then explained the request, the recommendation, and funding. Concern was expressed about spending money on the carpet when the roof needed to be repaired. Mr. Iratcabal explained the intent to repair the roof during the summer. Mr. Kastens explained that staff would attempt to protect the carpet if it rains as they had been doing for some time. He also noted that if the Tourism funds are not spent by July 1, they will be lost. Supervisor Fettic moved that the Board award Contract 8889-84 for Community Center Floor Covering to bidder number four, Dains Design Showroom, as the lowest responsive and responsible bidder in the amount of \$16,796. Supervisor Bennett seconded the motion. Motion carried 4-0.

Mr. Kastens noted that the Swimming Pool groundbreaking would occur at the north side of the new outside swimming pool site.

5. COMMUNITY DEVELOPMENT DIRECTOR (1-1774)

ORAL STATUS REPORT REGARDING MASTER PLAN, PLANNING COMMISSION, HISTORIC ARCHITECTURE REVIEW COMMITTEE, AND BUILDING ACTIVITIES - Mr. Sullivan explained staff's attempts to obtain feedback on the "prep" ordinance. Due to the Board's priority on this item, he was directed to discuss this matter with the City Manager and, if results do not occur, to bring it back to the Board's attention. Progress on obtaining a consultant to work on the master plan was explained. Revisions to the downtown plan were noted. Workshops will be held on it in May. Concern was expressed that if the V&T proposal does not materialize it would be necessary for staff to begin the downtown plan over. Mr. Sullivan acknowledged the point that some of the plan will be impacted by such a failure, however, hoped that it would be a minor portion. A status report on the Economic Diversification Plan would be made May 18. A majority of the Departments had responded. A resolution would be presented later in the meeting on the Carson Pride and Revitalization Program. Overall projects were up 50 percent over the previous year and 75 Growth Management allotments had been taken out. HARC is evaluating standard conditions and motions and have expressed a desire to work with Public Works to create standards for paving and sidewalks so that a median strip between them is possible. Their grants were also explained. There are several vacancies on the Historic Commission, which will be advertised soon. Three hundred and eighty building permits have been issued. Two hundred eighty-eight plans have been reviewed. One hundred residential permits have gone out with 1550 inspections having been made. A great deal of progress has been made on the hospital plan checks. Review is beginning on the Senior Citizen plans.

Supervisor Bennett briefly explained the economic diversification seminar she had attended on downtown revitalization and her support for the program. She expressed her intent to urge the Main Street Board of Directors to work closely with City staff. Discussion ensued concerning the impact the Senior Citizen Center would have on the Department including staffing needs and turnover.

Mr. O'Brien noted that his Department had submitted its comments on the "prep" ordinance on Wednesday. The hospital off-site improvement plans had been submitted to his Department on Wednesday. Some of the areas of concern had been addressed while others had not.

PLANNING COMMISSION REFERRALS - APPEAL AND REVIEW MATTERS (1-2393)

ACTION ON AMENDMENT A-88/89-3 - AN APPLICATION TO AMEND CARSON CITY MUNICIPAL CODE TITLE 18 (ZONING) BY RON FUNK TO INCLUDE TEMPORARY OUTDOOR SALES OF SEASONAL PLANTS AS AN ALLOWED USE IN THE RETAIL COMMERCIAL ZONING DISTRICT - PLANNING COMMISSION DENIED 6-0-1 - Following Mayor Teixeira's introduction, Mr. Sullivan explained the appeal, reasons for staff and Planning Commission's recommendations of denial, and opposition to the request. The matter had been timed specific, however, Mr. Funk was not present. Supervisor Fettic moved that the Board uphold the Planning Commission's recommendation to deny the application to amend CCMC Title 18 by Mr. Funk. Supervisor Bennett seconded the motion. Motion carried unanimously.

PLANNING COMMISSION REFERRALS - CONSENT MATTERS (1-2508)

ACTION ON SPECIAL USE PERMIT U-88/89-6 & 7 - ANDREW BUTTI AND NATIONAL ADVERTISING CO. TO ALLOW AN OFF-PREMISE SIGN LOCATED ON THE NORTH SIDE OF

HIGHWAY 50 EAST APPROXIMATELY 990 FEET WEST OF THE LYON COUNTY LINE ON APN 8-611-30 - PLANNING COMMISSION DENIED 6-0-1

ACTION ON SPECIAL USE PERMIT U-88/89-16 - CARSON CITY SCHOOL DISTRICT TO ALLOW PLACEMENT OF A SECOND PORTABLE CLASSROOM AT CORBETT ELEMENTARY ON PROPERTY ZONED PUBLIC (P) ON APN 2-138-01 LOCATED AT 302 CORBETT STREET - PLANNING COMMISSION APPROVED 6-0-1

ACTION ON SPECIAL USE PERMIT U-88/89-17 - ALEC THOMAS AND JOAN DOTSON TO ALLOW RESIDENTIAL DENSITY GREATER THAN ONE DWELLING UNIT PER FIVE ACRES ON PROPERTY ZONED AGRICULTURE (A) ON APN'S 8-361-11 AND 12 LOCATED AT 1990 NORTH DEER RUN ROAD - PLANNING COMMISSION APPROVED 6-0-1

ACTION ON SPECIAL USE PERMIT U-88/89-18 - ORMSBY, INC. (MOTHER LODE) TO ALLOW JOINT PARKING AGREEMENT AND PARKING REDUCTION FOR ANCILLARY USES ON PROPERTY ZONED RETAIL COMMERCIAL (RC) ON APN'S 3-084-01, 3-082-01/02, AND 3-081-14 LOCATED AT 900 SOUTH CARSON STREET - PLANNING COMMISSION APPROVED 5-1-1

ACTION ON VARIANCE V-88/89-6 - GSV (SIERRA MEDICAL COMPLEX) TO VARY FROM MINIMUM REQUIRED SIDE YARD SETBACK ON PROPERTY ZONED RESIDENTIAL OFFICE (RO) ON APN 1-201-19 LOCATED AT 1001 MOUNTAIN STREET - PLANNING COMMISSION APPROVED 6-0-1 - Mr. Sullivan read the items into the record and noted the appeal of items U-88/89-6 and 7. Supervisor Fettic moved to approve the Consent Agenda as read into the record by Acting City Manager Walt Sullivan. Supervisor Bennett seconded the motion. Motion carried unanimously.

ACTION ON MISCELLANEOUS M-88/89-11 - AN APPLICATION BY SAGEBRUSH, LTD. TO ABANDON AN ACCESS, DRAINAGE, AND PUBLIC UTILITY EASEMENT FOR PROPERTY LOCATED AT THE NORTH END OF LAYNA LANE - PLANNING COMMISSION APPROVED 6-0-1 (1-2593) - Mr. Sullivan introduced the item and distributed a map showing the location. Mr. O'Brien then used a larger map to explain the map and original reasons for requiring the street. He expressed his support for the proposal. Concern was expressed by the Board about the owner's proposal to build residences adjacent to the 395 By-Pass. Mr. O'Brien explained to Mr. Richard Waiton the ownership of the easement. Supervisor Fettic moved to approve the application by Sagebrush Limited to abandon an access, drainage, and public utility easement for the property located at the north end of Layna Lane. Supervisor Bennett seconded the motion. Motion carried 4-0.

BREAK: At 10:25 a.m. a five minute recess was called. When the meeting reconvened at 10:30 a quorum was present as noted originally.

6. PUBLIC WORKS DIRECTOR (1-2787)

WASTEWATER TREATMENT AND DISPOSAL FACILITIES - ACTION ON BRUNSWICK CANYON EFFLUENT STORAGE RESERVOIR - STATUS REPORTS AND IRRIGATION SCHEDULES

- Following Mr. O'Brien's introduction, Consulting Engineer Jim Vasey introduced Dr. Marty Harper of Harper-Owes Consultants and Ken Rodda of Wahler Associates. Mr. O'Brien noted that State EPA Representative John Nelson had been present at the Wastewater Treatment Advisory Committee meeting and heard the report. Dr. Harper explained the loss of effluent at the reservoir and reasons why the loss this year was less than last year. Both he and Mr. Rodda emphasized that the effluent was not leaking into the groundwater or river but was merely filling the "cracks" and being absorbed by the land which it was covering. As the area becomes saturated, the rate

of loss will decrease until it stabilizes. Neither were sure how long this would take. Discussion noted the reduced loss for this year and anticipated rate considered originally in the planning and design phases. If the seepage continues or becomes significant, it may be necessary to "seal" the reservoir with plastic. The economics involved with such an undertaking should be thoroughly explored before being attempted. Comments stressed that even with the plastic lining some seepage would continue to occur. Dr. Harper stressed that the seepage was within the reservoir area rather than the dam, therefore, contamination of the river would not occur. The testing, which had been done during the design phase, and reasons for feeling that the seepage would eventually stabilize were reiterated for Mr. Dick Waiton. It was felt that there would be adequate effluent to meet the irrigation needs which had been committed to the prison farm, Mr. Darling, and the golf courses due to the conservative estimates used originally in making the projections. Concern about contaminating the groundwater table was expressed. Dr. Harper did not feel that this was occurring due to the depth required to reach the table. Wastewater Treatment Superintendent Lew Nagy explained that the Golf Course Superintendent/Pro Duncan and the Parks and Recreation Superintendent--Golf Course Kunkle had agreed to a reduction in irrigation. Dr. Harper stressed that it would take careful management to meet the irrigation commitments but felt confident there would be adequate effluent to do so.

Ken Rodda then explained the construction steps taken to prevent seepage in the dam and the wells used to prove that the dam was not leaking. These precautions had been taken due to the proximity of the River and environmental concerns related to it. He also explained the tables included in the supporting documentation showing the rise and fall of the effluent in the reservoir during its annual cycle, which he felt clearly indicated the reduced seepage pattern created when areas were being reused. He, too, felt that the dam itself was not seeping and cited the lack of effluent or contamination found in the test wells below the dam and along the river. His comments also stressed the impact the effluent had on the groundwater table. He felt this supported the contention that the seepage was merely filling the cracks and fractures within the reservoir. Eventually both would stabilize as no new ground would be covered. To have accurately estimated the loss rate would have been impossible if not extremely expensive due to the increased testing required. He also stressed that attempts to seal the entire reservoir would be extremely expensive. Reasons for sealing reservoirs were normally related to storage of hazardous material. The Board's concern due to the losses already experienced and commitments which had been made were discussed at length. Mr. Rodda stressed that conservative estimates had been made in estimating the amount of effluent which would be available and his feeling that with good management the commitments could be made. He also responded to Mr. Waiton's concerns on the seepage and environmental concerns related thereto by explaining the exploratory testing and mapping which had occurred prior to construction.

PLANNING COMMISSION REFERRALS - APPEAL AND REVIEW MATTERS (2-1327)

ACTION ON DEDICATION D-88/89-11 - AN APPLICATION BY STANTON PARK DEVELOPMENT TO ACCEPT DEDICATION OF A PORTION OF EAST NYE LANE RIGHT-OF-WAY AND PUBLIC UTILITY EASEMENT THAT ABUTS THE SOUTH SIDE OF APN 8-141-12 - PLANNING COMMISSION APPROVED 5-0-1-0

ACTION ON DEDICATION D-88/89-12 - AN APPLICATION BY STANTON PARK DEVELOPMENT TO ACCEPT DEDICATION OF A TWENTY FOOT PUBLIC UTILITY ACCESS AND DRAINAGE EASEMENT ABUTTING THE WEST SIDE OF APN 8-141-12 - PLANNING COMMISSION APPROVED 5-0-1-1 - Mr. O'Brien explained the request. Supervisor Fettic moved to accept the dedication of the 20 feet for a public utility access and drainage easement abutting the west side of Assessor's Parcel Number 8-141-12 and to accept dedication of a portion of East Nye Lane Right-of-Way that abuts the south side of Assessor's Parcel Number 8-141-12. Supervisor Bennett seconded the motion. Motion carried 4-0.

REGIONAL TRANSPORTATION COMMISSION (2-1398)

ACTION ON PROJECT 1987-004 (2) STREET AND ROADWAY IMPROVEMENTS CHANGE ORDER NO. 2 TO EAGLE VALLEY CONSTRUCTION CONTRACT - ADDITION OF BONANZA DRIVE IMPROVEMENTS - Following Mr. O'Brien's explanation of the change order, reasons for adding it to another contract, and funding, Supervisor Fettic moved to approve and authorize the Mayor to sign Change Order Number 2 to Project 1987-004 (2) Street and Roadway Improvements in the amount of \$17,408 as presented by the Contractor Eagle Valley Construction with funding source 101-332, General Fund. Supervisor Bennett seconded the motion. Motion carried 4-0.

Mr. O'Brien noted that the contractor had been ready to commence work last week and expressed his feeling that the residents would welcome the construction.

ACTION ON PROJECT 1987-004 (2) STREET AND ROADWAY IMPROVEMENTS TASK ORDER NO. 2 (B) LUMOS AND ASSOCIATES, INC., ENGINEERING CONTRACT ADDITION TO BONANZA DRIVE ENGINEERING STAKE-OUT AND CONSTRUCTION MANAGEMENT (2-1477) - Following Mr. O'Brien's explanation of the project, funding, and the work involved, Supervisor Fettic moved to approve and authorize the Mayor to sign Lumos and Associates, Inc., Task Order No. 2(B), Project No. 1987-004(2), Street and Roadway Improvements, in the amount of \$3,000, funding source 101-332. Supervisor Bennett seconded the motion. Motion carried 4-0.

ACTION ON PROJECT 1987-004 (2) STREET AND ROADWAY IMPROVEMENTS AMENDMENT TO LUMOS AND ASSOCIATES, INC. TASK ORDER NO. 2(A) WEATHER RELATED PROJECT STAKE-OUT COST INCREASE (2-1567) - Following Mr. O'Brien's explanation of the request, reasons for the delay in construction related to the weather, and funding source, Street Superintendent Bill Barker explained the utility companies' delays in relocating the utilities before construction began. He felt justified in requesting authorization to restake the site. Lumos and Associates' Representative Carl Cavolick explained the billing for "Miscellaneous Meetings" amounting to \$2,400 was due to these delays. The invoice contained the dates and times. Mr. Madigan explained the review process for each invoice. Supervisor Bennett suggested the utility companies be held liable for this cost. Clarification indicated TCI, Sierra Pacific, and Nevada Bell were involved. Mr. O'Brien explained that when a written commitment is made by a utility company, the City tries to force them to adhere to the commitment. Supervisor Bennett urged staff to obtain a written commitment concerning such matters in the future. Due to her strong feelings about this matter, Supervisor Bennett stated she would nay. Supervisor Fettic moved to approve and authorize the Mayor to sign amendment to Lumos and Associates, Inc., Task Order No. 2(a), Project 1987-004 (2), in the amount of \$7,000, funding source RTC. Supervisor Chirila seconded the motion. Motion was voted by roll call with the following result: Fettic - Yes; Chirila - Yes; Bennett - No for reasons stated; Mayor Teixeira - Yes. Motion carried 3-1.

Mr. Barker explained that the work would start on Friday or Monday and should be completed in three days.

7. INTERNAL AUDITOR - ACTION ON ANIMAL SERVICES INTERNAL AUDIT REPORT (2-2073) - Mr. Hamilton reviewed Mr. Kulikowski's letter and recommendation. Animal Services Director Mike Conklin explained that all of the recommendations had been implemented. Mr. Cockerill noted that the appropriate statute changes had been submitted to his office. Supervisor Fettic moved that the Board direct Mr. Conklin to implement the recommendations as had already occurred. Upon further discussion of the motion required, Supervisor Fettic amended the motion to accept the audit and conditions provided therein. Supervisor Chirila seconded the motion. Motion carried 4-0.

10. DEPUTY CITY MANAGER

ACTION ON A.T.&T. CONTRACT SELECTION OF LONG DISTANCE CARRIER FOR

NEVADA BELL PUBLIC TELEPHONES ON CITY PROPERTY (2-2176) - Mr. O'Brien explained the request. Supervisor Fettic moved to approve the selection of A.T.&T. as the carrier of all long distance calls placed at pay telephones located on City property and authorize the City Manager to sign the Public Telephone Authorization Card. Supervisor Chirila seconded the motion. Motion carried unanimously. Supervisor Fettic then moved to approve and authorize the City Manager to sign the A.T.&T. Individual Commission Agreement, complete with Attachments A and B. Supervisor Chirila seconded the motion. Motion carried unanimously.

SPECIAL PRESENTATIONS

8. KAY BENNETT - ACTION ON RESOLUTION IN SUPPORT OF THE CARSON PRIDE AND REVITALIZATION PROGRAM (CPR) (2-2290) - Supervisor Bennett introduced the item. Deputy Community Development Director--Planning Eric Toll then explained the purpose of the program, its City-wide acceptance, and volunteer support for the program. Various activities including the "Kick-Off", free landfill days, T-Shirts, high school cleanup of Carson Street between Third and Fourth Street, etc., were explained. Supervisor Bennett then explained her reasons for supporting the program and acknowledged Mr. Toll's support and work on the program. Supervisor Bennett then moved to adopt Resolution No. 1989-R-30, A RESOLUTION OF SUPPORT BY THE BOARD OF SUPERVISORS FOR CARSON PRIDE REVITALIZATION (CPR) PROGRAM AND THE SETTING OF MAY 6, 7, 8, 9, 10, MAY 13, 14, AND MAY 20 AND 21 AS THE DAYS FOR FREE RESIDENTIAL USE OF ORMSBY LANDFILL AND A STATEMENT OF THANKS TO THE VARIOUS BUSINESS AND COMMUNITY GROUPS COMMITTED TO THE SUCCESS OF THE PROGRAM. (NOTE: NOT THE ONE IN THE SUPPORTING DOCUMENTATION.) Supervisor Fettic seconded the motion. Motion was voted and carried unanimously.

Mayor Teixeira then recessed the meeting to allow the Board and staff time to reach the location for the new pool ground breaking ceremonies scheduled for at 11:45 a.m. He reconvened the meeting at 11:50 a.m. A quorum was present as noted.

9. RECESS AND RECONVENE AT 840 NORTH ROOP STREET FOR THE GROUNDBREAKING CEREMONIES FOR THE NEW OUTDOOR SWIMMING POOL (2A-001-A) - Mayor Teixeira commended the Parks and Recreation Commission, the numerous volunteers, contractor, designer, staff, etc., on the new swimming pool. The Supervisors and Mayor along with Members of the Park and Recreation Commission turned shovels full of dirt to commemorate the groundbreaking.

RECESS: At 12:00 noon a lunch recess was called. When the meeting reconvened at 1:30 p.m., a quorum was present as noted.

4. PURCHASING AGENT - ACTION ON REQUEST FOR CONTRACT APPROVAL - CONTRACT 8889-10 IBM UP-GRADES - CONTINUED (2-2601) - Automation Services Director Pam Case explained the need to increase the price from that approved earlier in the meeting and how the \$365 error had occurred. Following discussion of the motion required to increase the amount, Supervisor Fettic moved to amend the previous motion on Contract 8889-10 IBM upgrades in the amount of \$15,980 for a total additional of \$665. Supervisor Bennett seconded the motion. Motion carried 4-0.

10. DEPUTY CITY MANAGER (2-2786)

ACTION ON ESTABLISHMENT OF A RISK MANAGEMENT, SAFETY, AND HEALTH PROGRAM THROUGH THE SAFETY COMMITTEE - City Manager L. H. Hamilton and Personnel Manager Judie Fisher explained the committee, its purpose, membership, and potential fiscal impact. Supervisor

Fettic moved to adopt 1989-R-31, ADOPTING A RISK MANAGEMENT AND SAFETY AND HEALTH PROGRAM TO REDUCE THE FINANCIAL IMPACT OF ACCIDENTS ON THE OPERATION OF CARSON CITY AND ITS CITIZENS. Supervisor Bennett seconded the motion. Motion carried unanimously.

ACTION ON APPOINTMENT OF AIRPORT MANAGER (3-0027) - Mr. Hamilton explained the Airport Commission's unanimous support for the recommendation to appoint Deputy City Manager Mike Rody as Airport Manager. Supervisor Bennett questioned the wisdom of making such an appointment at this time due to pending legislation creating an Airport Authority and specifically in view of the time Mr. Rody had been acting as an airport manager. Mr. Cockerill explained the Code requirements that the City have an airport manager and urged the Board to comply with the Code. Mr. Hamilton explained that this deficiency had been discovered two months ago and the need to seek guidance from the Commission before coming to the Supervisors. Supervisor Fettic moved to appoint the Deputy City Manager as the Airport Manager of Carson City. Supervisor Bennett seconded the motion. Motion carried unanimously.

STATUS REPORT ON NEVADA HOME HEALTH SERVICES (3-0098) - Mr. Hamilton explained that the Hospital had not responded to his request for information on its services and the Board's 1988-89 budget allocation. Preliminary discussions had been occurring with the Hospital regarding alternative services to the Nevada Home Health Services program. The need to make a decision was stressed. Mr. Hamilton responded by expressing his feeling that the negotiations should be completed within two weeks. Nevada Home Health's request for funding and its budget deadline were noted.

(3-0250) Roberta Skelton explained the request for \$30,000, the services her agency provides, and difference between her service and private services including the costs, Carson City's share, the grants, and support provided by the other Counties. Supervisor Chirila requested a comprehensive breakdown of the services provided in Carson City and the related costs for those services. Ms. Skelton agreed to provide a sheet providing this breakdown. Mr. Hamilton explained reasons for the Board's reluctance to support the Agency, which Ms. Skelton understood.

(3-0516) Donna Snyder, Chief of Senior Services of the Division of Aging Services, stressed the need to make a decision on the funding issue as soon as possible due to the grant deadlines. Mayor Teixeira noted that a special session would be held on April 25 and 26 and directed Mr. Hamilton to add this item to that Agenda.

Discussion between Mr. Hamilton and Ms. Snyder emphasized that the grant funds would be available for either the Hospital or Nevada Home Services.

11. WAYNE CARLSON - DISCUSSION OF INSURANCE POOL RENEWAL (3-0628) - Mr. Hamilton introduced Mr. Carlson and the item. Mr. Carlson then introduced Insurance Agent Gary Roberts. Mr. Carlson gave the Board a packet of information. A copy was not given to the Clerk. Mr. Roberts reviewed the City's coverages, premium, and the City's experience rate. Mr. Carlson elaborated on the City's and pool coverages. Mr. Hamilton also explained reasons for the pool to be formed by the Counties and the initial cost to join. Mr. Carlson explained how the loss experience would affect the rate and stressed that each County's rate was effected by its losses. Carson City's premium would not be affected by any other County's loss ratio. Last year Carson City had only one claim of \$2,500. Carson City's deductible of \$25,000 and reasons for having that rate were explained. Potential catastrophes were discussed including the liability questions posed by the catastrophe at Henderson. Pollution coverage is not provided, however, due to the unique environmental protection laws, EPA has funding available. Once those funds are expended, EPA would look to any liable party for further funding. If it is determined that the roadway was at fault to a degree, the insurance program would cover it. Discussion also noted that the City has a \$10 million separate policy for the airport which costs \$6,000 and is due in July. The Hospital coverage is separate also. Discussion ensued concerning the desire to have a skateboard facility in one of the

City's parks and related liability concerns. Reasons for not providing normal "wear and tear" coverage were explained. The pool's ability to reduce the premiums or build its resources were explained. Presently these funds are in CD's at no risk to the members. CD's are utilized due to governmental requirements. A newsletter detailing the claims were reviewed. The pool's funding for risk management, the City's risk management contract, public officials error's and omissions coverage, and the prohibition against lawsuits against Board members for administrative or legislative decisions including reasons for zoning and planning exclusions were also explained.

Mr. Carlson explained the pool's administrative staff and its cost for Mr. Waiton.

Mayor Teixeira thanked Messrs. Carlson and Roberts for their report.

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(3-1965) Supervisor Fettic explained Mr. Sullivan's concerns about attempts to obtain responses from other staff members on the Master Plan to Mr. Hamilton. The Board directed him to coordinate the efforts.

CITIZEN COMMENTS (3-1984) - Mr. Waiton questioned the ownership of property around the elementary school in Stanton Park? Purportedly individuals had informed him that Edmonds Park is a privately owned. Supervisor Fettic explained that this park is owned by the City.

BREAK: At 2:45 p.m. a recess was taken until 6 p.m. When the meeting reconvened at 6 p.m. roll call was taken. Supervisors present included Ron Swirczek, Tom Fettic, Kay Bennett, and Mayor Teixeira. Supervisor Chirila was absent. A quorum was present. Staff members present included: Deputy City Manager Mike Rody, Finance Director Mary Walker, Deputy District Attorney Bob Auer, and Recording Secretary Katherine McLaughlin. (3-2077)

12. SUPERVISOR BENNETT - DISCUSSION AND POSSIBLE ACTION REGARDING SENATE BILL NO. 255 - CREATES AIRPORT AUTHORITY OF CARSON CITY - Mayor Teixeira explained the purpose of the discussion and introduced Senator Charlie Joerg. Mayor Teixeira also commended Senator Joerg on SB 197. Mayor Teixeira then explained concerns about eminent domain. Senator Joerg explained that the Bill had been drafted using Washoe County's as a model. This clause could be removed, which he supported. He also explained that the Authority would not have the ability to increase ad valorem tax rate, obtain GOBC bonds or revenue bonds, or incur long-termed indebtedness without the Supervisors concurrence. The Bill could be repealed by the Legislature in two years if it is not working. Concern was expressed that Section 11 allowed the Authority to establish the ad valorem rate. Clarification by Mr. Auer explained that Section 1 had precedence as it granted the Board of Supervisors this control. Supervisor Swirczek then explained funding procedures which would require that portion of the tax base utilized for the airport to be designated to the Authority rather than the General Fund. Senator Joerg stressed that the intent was not to change the current funding process and, if the Authority in the future decides to make this change, the Supervisors would have to make a determination on the change before it became effective. Reasons for having the District Attorney's office function as legal council to the Authority until an attorney is retained were explained.

Senator Joerg then introduced his fiscal analyst Kevin Welch and explained his need to leave due to another commitment. Supervisor Bennett then commend Senator Joerg on his efforts to represent the City during the present legislative session.

Finance Director Mary Walker noted that as presently proposed the Authority could use one-third of the City's entire bonding capacity. Senator Joerg felt that this was not the intent and expressed a desire to clarify this point prior to adoption.

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Senator Joerg then explained that the legislative hearing on the Bill had been scheduled for 1:30 p.m. next Wednesday.

(3-2831) Bob Thomas then explained his reasons for supporting the proposal as he had for many years. He felt that the airport would be a economic boost for the City which could only be recognized by proper management. This management included creation of continuity in administration and remove the favoritism experienced presently. (4-0001) He did not feel that an airport manager required at Reno or Sacramento would be necessary. He felt that one single employee who could "handle a shovel and pick" as well as administrative matters would be all that is necessary. Other services could be provided on a contractual basis. He then distributed copies of his proposed budget and that of Mr. Rody's to the Board and audience. (A copy was not given to the Clerk.) He felt that the Authority would grant the Board the ability to establish a "surcharge" and increase the revenue. At present the hangar rates are half of Reno's which illustrates the flexibility found at this airport. He then explained his figures for rents, fuel tax, and through-the-fence fees. His expenditures were briefly noted. He felt that the airport was presently over insured due to the "torque cap". Discussion ensued concerning the present and future insurance needs and costs. Mr. Thomas then expressed his feeling that even if the airport cannot meet all of the financial demands, the City should continue to support it as it had in the past. He then explained that he had requested Senator Joerg use the Reno bill for a model. Comments stressed that the original intent of the airport had been to improve the City's economic base and that the Authority would further the original economic purpose of the airport. The Authority would encourage a more business minded attitude toward the airport. Mr. Thomas stressed his feeling that Federal funding would continue to make improvements at the airport as it had in the past. Supervisor Swirczek felt that the Bill should be changed to indicate that the original purpose is to create an economically viable facility. Mr. Thomas expressed his feeling that without continuity in the governing body, which at this time was the Supervisors, this would not occur. Supervisor Fettic then expressed his feeling that the Bill granted the Authority the right to make decisions on airport expansion. Mr. Thomas explained his feeling that the bill would need to be amended to include this provision. Supervisor Fettic also supported having the Board of Supervisors approve any runway expansion. Mr. Thomas also supported removal of the eminent domain clause from the Authority's power. He then elaborated on his feeling that additional members of the public on the Authority was not necessary in view of the fact that it was a restricted airport. He did not feel that it would take additional funding to operate the facility and if it were to, the funds could be generated from the facility itself. He then expounded on his reasons for feeling that the "sweetheart" leases had not originally been such for the lessee. Today, the older leases could be considered one and, maybe, should be negotiated. Due to construction costs, the new leases are not a "sweetheart" arrangement. The competition between the fixed base operators and the private fliers could be utilized for the good of future airport development.

(4-0825) Supervisor Bennett expressed her support for the concept, however, questioned the manager's authority and stressed her feeling that he needed the ability to address safety concerns. Mr. Thomas felt this was addressed under "item 5". Mr. Rody noted that Title 19 was a City Ordinance and addressed the situation. Supervisor Bennett reiterated her feeling that the rules and regulations should contain compliance requirements which relate to the Code and need for noise abatement.

Mr. Rody then explained that FAA requirements on landing fees do not affect general aviation airports. An airport authority could change this standing.

Mr. Thomas then expressed his feeling that future commercial uses at the airport may be restricted by the approaches and should only occur after thorough research and public hearings. He could not support DC-9 due to the noise created by them. At present the UPS flights were quiet and that the company could be considered one of the City's best citizens. Supervisor Bennett expressed her feeling that the small commuter flights and air freight should be supported. She, too, did not wish to see 747. Mr. Thomas then explained what he felt would be viable at the airport at this time. However, until a legitimate instrument approach is at the airport, the approach is not reliable and commercial flights would continue to use Reno airports.

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In response to Supervisor Fettic's question, Mr. Thomas stated he was amenable to having the Internal Auditor review the books as well as having the District Attorney's office provide legal counsel. Supervisor Swirczek then noted the "Local Government Budget Act" and the "Local Purchasing Act" requirements and his feeling that the budget Mr. Rody had created would be more realistic than Mr. Thomas'. He also felt that it was unrealistic to expect an airport manager to do the nuts and bolts of the maintenance as well as administrative duties for \$25,000 a year. Mr. Thomas expressed his feeling that the manager should be an Air Force retiree with airport experience or it would cost \$75,000 for that person. He expressed the desire to avoid "spending in the red" if at all possible. Supervisor Swirczek noted that the legal ramifications of the "Local Government Budget Act". Mr. Thomas felt that this was an issue for which the seven member board would be responsible. Supervisor Fettic noted that the Authority would also be subject to the "Open Meeting Law". Mr. Thomas then explained the intent to have the members serve on a voluntary basis for two years and then have the Legislature authorize a \$5,000 per year salary. He felt that at this time there were sufficient numbers of individuals interested in serving that it would not create a problem.

(4-1275) Despina Hatton explained her opposition to the Authority's compensation as detailed. As development has been allowed adjacent to the airport, resident non-users should makeup half of the Board--four of the seven members.

(4-1305) Jerry Weaver felt that the members would be at-large even though they were pilots and/or fixed base operators. Their vested interest would make them more cognizant of the issues, safety concerns, and need to maintain good public relations. Further, he did not feel that the General Fund had been supporting the airport for several years.

Supervisor Swirczek questioned the policing powers at the airport and the related fines. Supervisor Bennett responded by expressing her feeling that Title 19 allowed the Airport Manager to deny airport access to a pilot. She did not feel that this regulation had ever been utilized even though there were numerous violations. For this reason she wished to have the enforcement powers and procedures in the Bill. Supervisor Fettic and Mr. Rody noted that at this time the City does not have a fine schedule. Mr. Rody felt that the only power he had was to cite and exclude the violator from the airport. Mr. Auer urged the Board to require that the Bill contain provisions addressing this concern.

Supervisor Swirczek then moved that the Board support in concept SB 255 which creates the Airport Authority of Carson City and further direct staff to work with the authors of the Bill and with Bob Thomas and the Pilots Association to redraft, or amend, the Bill and incorporate, such as the District Attorney had brought up, safe guards which will protect Carson City as a municipality and bring it back to the Board for approval. Supervisor Fettic seconded the motion.

Mayor Teixeira then reiterated his position that the Airport Authority not become another taxing entity but rather provide for the operation of the airport by knowledgeable individuals at a reduced cost and for the betterment of both the City and its users. He also wished Mr. Thomas well in attempting to meet his budget as set forth particularly in view of the request for \$100,000 from the General Fund for supplemental items.

The motion to support SB 255 in concept with the amendments as discussed was voted by roll call with the following result: Fettic - Yes; Bennett - Yes; Swirczek - Yes; and Mayor Teixeira - Yes. Motion carried 4-0.

Supervisor Fettic moved to adjourn. Supervisor Bennett seconded the motion. Motion carried unanimously. Mayor Teixeira adjourned the meeting at 7:15 p.m.

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ARE SO APPROVED ON July 6, 1989.

/s/
Marv Teixeira, Mayor

ATTEST:

/s/
Alan Glover, Clerk-Recorder