

CARSON CITY BOARD OF SUPERVISORS
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A regular session of the Carson City Board of Supervisors was held on Thursday, September 8, 1988, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 9 a.m.

PRESENT:

Dan Flammer	Mayor
E.M. "Doc" Scrivner	Supervisor, Ward 4
Ron Swirczek	Supervisor, Ward 1
Tom Fettic	Supervisor, Ward 2
Marilee Chirila	Supervisor, Ward 3

STAFF PRESENT:

L. H. Hamilton	City Manager
Alan Glover	Clerk-Recorder
Paul McGrath	Sheriff
Gary Kulikowski	Internal Auditor
Mike Rody	Deputy City Manager
Charles P. Cockerill	Chief Deputy District Attorney
Katherine McLaughlin	Recording Secretary
(B.O.S. 9/8/88 Tape 1-0001)	

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 Flammer called the meeting to order at 9 a.m. by leading the Pledge of Allegiance. Roll call was taken and a quorum was present as noted.

MINUTES FOR APPROVAL - Agenda Sessions of 9/28, 10/16, 11/2, 11/16/87, 8/15 and 9/6/88; Regular Sessions of 9/17, 10/1, 10/20, 11/5/87; and Special Sessions of 10/13 and 10/27/87 (1-0020) - Supervisor Scrivner moved to approve as presented. Supervisor Fettic seconded the motion. Motion carried 5-0.

E. LIQUOR AND ENTERTAINMENT BOARD MATTERS (1-0034) - Mayor Flammer recessed the Board of Supervisors session and immediately reconvened the hearing as the Liquor and Entertainment Board. A quorum was present including Sheriff McGrath.

DAUGHERTY (CARSON CITY SEARCH AND RESCUE GROUP) - SHORT-TERM PERMIT FOR CIRCUS AT FUJI PARK (1-0037) - The Sheriff's Departmental recommendation was noted. Member Fettic moved to approve the Annual Short-Term Permit for Carson City Search and Rescue Circus subject to the Sheriff's Department clearance of personnel. Member McGrath seconded the motion. Discussion ensued on the liability insurance. Member Fettic amended his motion to include and proof of insurance. Member McGrath continued his second. Motion carried 6-0.

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

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F. CITIZEN COMMENTS (1-0083) - Gail Thomssen explained her feeling that fire trails are necessary and encouraged the Board to seek BLM's assistance to establish and maintain these fire breaks.

G. RESOLUTIONS (1-0015)

1. **CLERK-RECORDER** - Alan Glover.

a. ABSTRACT/CANVASS OF THE VOTE OF THE PRIMARY ELECTION HELD SEPTEMBER 6, 1988 - Mr. Glover read the abstract into the record. Supervisor Swirczek moved that the Board approve the canvass of the vote of the Primary Election held on September 6, 1988. Supervisor Fettic seconded the motion. Motion carried 5-0.

b. GRANT FROM ADMINISTRATIVE OFFICE OF THE COURT (1-0232) - Mr. Glover explained the grant, equipment, and purpose. Supervisor Swirczek noted that as this grant had not been included in the budget, an augmentation would be required. Supervisor Fettic moved that the Board accept a grant from the Administrative Office of the Courts for computer hardware and software totaling \$13,087. Clarification noted that the augmentation would be handled separately. Supervisor Swirczek seconded the motion. Motion carried 5-0.

c. AMEND RESOLUTION 1985-R-57 - POLICY GUIDELINE FOR RECORDS MANAGEMENT (1-0325) - Mr. Glover explained the desire to reduce the Records Management Committee membership, meeting requirements, and his suggested composition. Supervisor Swirczek suggested Bill Bawden of State Archives be contacted regarding 1987 Legislative changes in the County Record Retention schedule. Discussion noted previous microfilming which had duplicated the efforts and retention of unnecessary records. Supervisor Swirczek moved that the Board adopt Resolution No. 1988-R-54, A RESOLUTION AMENDING 1985-R-57 (POLICY GUIDELINES FOR CARSON CITY'S RECORDS MANAGEMENT PROGRAM.) Supervisor Scrivner seconded the motion. Motion carried 5-0.

2. DISTRICT ATTORNEY - Charles P. Cockerill - REQUEST PURSUANT TO NRS 288.130 FOR ATTORNEY GENERAL TO INVESTIGATE AND PROSECUTE CRIMINAL CASE (1-0464) - Mr. Cockerill outlined reasons for having the Attorney General's Office investigate and prosecute the case. Supervisor Swirczek moved that the Board approve Resolution No. 1988-R-55, A RESOLUTION REQUESTING ASSISTANCE FROM THE ATTORNEY GENERAL IN INVESTIGATING AND PROSECUTING A CRIMINAL CASE. Supervisor Fettic seconded the motion. Motion carried 5-0.

3. TREASURER - Deputy Merlene Alt - REQUEST FOR DIRECTION CONCERNING SALE OF DELINQUENT PROPERTIES PURSUANT TO NRS 361.595 (1-0515) - Discussion noted that the City could only collect the actual monies due, procedures to reconvey the property, and explained the reasons for needing direction on the procedure to be followed. Supervisor Fettic moved that the Board direct the City Treasurer to proceed with the sale of delinquent property per NRS 361.595, specifically Parcel Number 2-011-10 in the amount of \$1,917.36, Parcel Number 10-351-05 delinquency

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\$775.83, Parcel Number 4-333-17 delinquency \$840.30, Parcel Number 4-092-03 delinquency \$956.54. Parcel Number 2-062-10 delinquency \$226.69, Parcel Number 4-334-11 delinquency \$866.21, Parcel Number 4-215-01 delinquency \$3,222.97, and Parcel Number 2-143-01 delinquency \$1,385.66, for a total delinquency of \$10,191.56. Ms. Alt noted that the penalties accrue monthly and that the totals were as of August 31. Supervisor Fettic amended his motion to include whatever the amount is at the time of sale is the actual delinquency which includes the amount of taxes, costs, penalties, and interest legally chargeable. Supervisor Scrivner seconded the motion. Motion carried 5-0.

4. DEPUTY CITY MANAGER (1-0782) - Mike Rody.

a. SELECTION OF LIABILITY INSURANCE CARRIER - Pulled.

c. ASSIGNMENT OF SUBLICENSE FOR AIRPORT TERMINAL FROM VNE, INC., TO JOHN AND CYNTHIA HAGEL - Scheduled for this evening's session.

b. PARTICIPATORY AGREEMENT BETWEEN CARSON CITY AND NEVADA HOME HEALTH SERVICES, INC. (1-0795) - Funding is available in the budget. Supervisor Fettic moved that the Board approve the Participatory Agreement between Carson City and Nevada Home Health Services, Inc., in the amount of \$16,000. Supervisor Scrivner seconded the motion. Clarification noted that fiscal information is provided to staff. Motion carried 5-0.

5. PURCHASING AGENT - Ron Wilson - CONTRACT 8788-108 - FUJI PARK STABLES LABOR, REQUEST FOR FINAL PAYMENT (1-0900) - Public Works had inspected the facility. Supervisor Swirczek moved that the Board accept the completion of Contract 8788-108, Fuji Park Stables Labor portion, and authorize release of \$7,892 which is the retained monies for the Contractor Marv Smith Construction, P. O. Box 1696, Carson City, Nevada. Supervisor Fettic seconded the motion. Motion carried 5-0. Mr. Wilson commended the contractor on his work performance.

6. PUBLIC WORKS DIRECTOR - Administrative Assistant to the Public Works Director Margaret Robinson, Water Engineer Dorothy Timian-Palmer, and Water Crew Leadman Tom Hoffert.

a. PLANNING COMMISSION REFERRAL - DEDICATION D-88/89-4 - STANTON PARK DEVELOPMENT - PORTION OF GLACIER AND DESATOYA DRIVES - PLANNING COMMISSION APPROVED 5-0 (1-0965) - Clarification noted the error in recording the Planning Commission vote which should have been 6-0-1. Supervisor Swirczek moved that the Board accept dedication of Glacier Drive and a portion of Desatoya Drive with the understanding that all improvements will be provided by the developers. Supervisor Scrivner seconded the motion. Clarification noted that the bond was for 150 percent of the estimated completion costs. Motion was voted and carried 5-0.

b. AUTHORIZATION TO CONVERT SECRETARY II POSITION TO WATER TECHNICIAN VI (1-1015) - Supervisor Fettic moved that the Board approve

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the reclassification of the Secretary II position to a Water Engineering Technician position and provide funding for same. Supervisor Swirczek seconded the motion. Discussion included a possible starting date for the Technician and salary range. Supervisor Fettic amended his motion to include that the position be funded at a Grade 33. Supervisor Swirczek continued his second. Mr. Bruce Scott explained his support for the position. The motion to reclassify the motion and fund it carried 5-0.

Following an explanation of the equipment needs and funding it was determined that another motion was not required. Therefore, no further action was taken.

c. WATER MAINTENANCE TRUCK PURCHASE (1-1135) - The purpose, status of the present four-wheel drive vehicle, and funding were discussed. Supervisor Fettic moved that the Board authorize the purchase of one Water Maintenance vehicle, a 1989 3/4 ton 4x4 utility bed pickup, in an amount not to exceed \$13,600. Supervisor Scrivner seconded the motion. Discussion ensued on the reasons for needing a 3/4 ton. Supervisor Fettic then amended his motion to include funding to be from the budgeted Vehicle Reserve Fund No. 420. Supervisor Scrivner continued his second. Motion carried 5-0.

BREAK: At 9:50 a.m., a ten-minute recess was taken. When the meeting reconvened at 10 a.m., a quorum was present as noted.

7. CARSON-TAHOE HOSPITAL (1-1339)

a. OPEN, ACCEPT OR REJECT BIDS, AND AWARD BID FOR HOSPITAL BONDS - City Manager Hamilton, Treasurer Thornton, and Bond Counsellor Swendseid explained the bids and procedures. Supervisor Scrivner moved that the Board accept United Bank of Denver bid at an interest rate of 7.60535. Supervisor Fettic seconded the motion. Discussion noted the interest rate for the sewer bond as being 7.69 percent. The motion to accept United Bank of Denver's bid was voted by roll call with the following result: Swirczek - Aye; Fettic - Yes; Chirila - Yes; Scrivner - Right; and Mayor Flammer - Right. Motion carried 5-0.

b. ACCEPTANCE OF CARSON-TAHOE BOARD OF TRUSTEES RESOLUTION REQUESTING ISSUANCE BY THE CARSON CITY BOARD OF SUPERVISORS OF THE FULL \$6,900,000 OF BONDS AUTHORIZED BY THE ELECTORS ON JULY 19, 1988 (1-1557) - Supervisor Fettic moved that the Board accept Resolution from the Carson-Tahoe Hospital Board of Trustees' Resolution requesting issuance by Carson City Board of Supervisors as the full \$6,900,000 bonds authorized by the electors on 7/19/88. Supervisor Swirczek seconded the motion. Motion was voted by roll call with the following result: Swirczek - Aye; Fettic - Yes; Chirila - Yes; Scrivner - Yes; and Mayor Flammer - Yes. Motion carried 5-0.

c. ORDINANCE - FIRST AND SECOND READING - AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CARSON CITY, NEVADA, GENERAL OBLIGATION (LIMITED TAX) HOSPITAL BONDS, SERIES SEPTEMBER 1, 1988, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$6,900,000 AND PROVIDING FOR OTHER MATTERS RELATED

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THEREETO (1-1595) - Supervisor Fettic moved that the Board approve the declaration of an emergency first and second reading of Bill No. 123, Ordinance No. 1988-23, AN ORDINANCE DESIGNATED BY THE SHORT TITLE "HOSPITAL BOND ORDINANCE"; PROVIDING FOR THE ISSUANCE BY CARSON CITY OF ITS FULLY REGISTERED GENERAL OBLIGATION (LIMITED TAX) HOSPITAL BONDS, SERIES SEPTEMBER 1, 1988, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$6,900,000; PROVIDING THE FORMS, TERMS AND CONDITIONS OF THE BONDS, THE MANNER AND TERMS OF THEIR ISSUANCE, THE MANNER OF THEIR EXECUTION, THE METHOD OF PAYING THEM, THE SECURITY THEREFOR AND PROVIDING FOR THE SALE THEREOF; PROVIDING FOR THE LEVY AND COLLECTION OF ANNUAL GENERAL (AD VALOREM) TAXES FOR THE PAYMENT OF THE BONDS; PROVIDING OTHER DETAILS CONCERNING THE BONDS; RATIFYING ACTION PREVIOUSLY TAKEN BY THE CITY AND ITS OFFICERS; BY DECLARING THAT THIS ORDINANCE PERTAINS TO THE SALE, ISSUANCE AND PAYMENT OF THE BONDS, PROVIDING FOR ITS ADOPTION AS IF AN EMERGENCY EXISTS; AND PROVIDING THE EFFECTIVE DATE THEREOF. Supervisor Scrivner seconded the motion. Discussion noted that the language of the bonds was the same as had been presented to the electorate. The motion to adopt Bill 123, Ordinance 1988-23, as if an emergency existed was voted by roll call with the following result: Swirczek - Aye; Fettic - yes; Chirila - Yes; Scrivner - Yes; and Mayor Flammer - Yes. Motion carried 5-0.

8. WASTEWATER TREATMENT

a. OPEN, ACCEPT OR REJECT BIDS, AND AWARD BID FOR WASTEWATER TREATMENT BANK FINANCING OF PREVIOUSLY AUTHORIZED BONDING CAPACITY (1-1675) - Treasurer Thornton explained the bids. Supervisor Swirczek explained his request for additional financial information which had not been provided. Mr. Hamilton explained Finance Director Mary Walker's approval of the bond sale and staff's inability to determine the amount of Federal grants which could be used for this project. The Board's ability to issue bonds under the electorate approved process would expire on Tuesday. Supervisor Swirczek requested continuance of this item until the evening session to allow him time to evaluate the financial information. Discussion noted that the Bonds would not be issued if the grants necessary for the work materialize and the deadlines involved in selling the bonds, publication, and expiration. Mr. Hamilton agreed to have Ms. Walker at the meeting as soon as possible and the Board deferred action on the item.

H. CITY MANAGER RESOLUTIONS, REPORTS, AND BOARD DIRECTIVES (1-2075) - L.H. Hamilton.

1. COMPOSITION OF THE AMBULANCE REVIEW COMMITTEE - Comments stressed that the Committee would not be involved with employee contract negotiations. The Committee's composition was discussed at length among the Board and Mr. Hamilton. (1-2485) Kay Bennett urged the Board to have open public hearings and expressed a willingness to accept the two members-at-large as Mr. Hamilton had suggested as being a reasonable number to represent the public. Board discussion indicated a desire to have all meetings noticed. Supervisor Fettic moved that the Board authorize the City Manager to form an Ambulance Review Committee for the

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purpose of recommending how ambulance service can best be provided for the citizens of Carson City, that that Committee be composed of the Hospital Finance Director, the Hospital Administrator or designee, an Emergency Room Physician, the City Manager or his designee, the City Finance Director, the Sheriff, the Fire Chief, a Paramedic, and one Citizen-at-Large, and that the Board direct the City Manager to insure consultation with the Convalescent Services in the community to get their input and require that at least three open published public meetings be held. Supervisor Scrivner seconded the motion. Supervisor Fettic amended his motion to include a 60-day time limit. Supervisor Scrivner continued his second. (1-2686) Gail Thomssen volunteered to serve as the Citizen-At-Large. Supervisor Fettic again amended his motion to designate that the Citizen-At-Large be Gail Thomssen. Supervisor Scrivner continued his second. The motion as amended was voted by roll call with the following result: Swirczek - Aye; Fettic - Yes; Chirila - Yes; Scrivner - Yes; and Mayor Flammer - No. Motion carried 4-1.

G.8. a. OPEN, ACCEPT OR REJECT BIDS, AND AWARD BIDS FOR THE WASTEWATER TREATMENT BANK FINANCING OF PREVIOUSLY AUTHORIZED BONDING CAPACITY - CONTINUED

b. ORDINANCE - FIRST AND SECOND READING - AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CARSON CITY, NEVADA, GENERAL OBLIGATION (LIMITED TAX) SEWER BOND, SERIES 1988, IN THE PRINCIPAL AMOUNT OF \$750,000, AND PROVIDING OTHER MATTERS RELATED THERETO (1-2711) - Finance Director Walker explained the funding and alternatives which would be used to meet the Bond repayment schedule. Supervisor Swirczek requested a final report outlining the financing be provided and that the sale of the bonds be restricted to a 90-day period. Mr. Thornton noted that the bond monies would be invested until spent. Supervisor Scrivner expressed his feeling that more than \$750,000 should have been considered originally. Discussion noted that the cost of construction had been estimated as was the amount of grants, therefore, the final amount needed was merely an estimate. All these figures were subject to change. Supervisor Fettic noted that the entire proposal was staff's best guesstimate created by changes in the Federal grant program. Supervisor Fettic then moved that the Board adopt Bill Number 124, Ordinance No. 1988-24, AN ORDINANCE DESIGNATED BY THE SHORT TITLE "1988 CARSON CITY SEWER BOND ORDINANCE"; CONCERNING THE ACQUISITION AND FINANCING OF SEWER IMPROVEMENTS FOR CARSON CITY; AUTHORIZING THE SALE AND ISSUANCE BY CARSON CITY, NEVADA, OF ITS NEGOTIABLE, FULLY REGISTERED, GENERAL OBLIGATION (LIMITED TAX) CARSON CITY SEWER BOND SERIES 1988, IN THE PRINCIPAL AMOUNT OF \$750,000; PROVIDING THAT THE BOND MAY BE EVIDENCED BY A SINGLE REGISTERED BOND IN THE SAME PRINCIPAL AMOUNT; STATING THE PURPOSE FOR WHICH THE BOND IS ISSUED; PROVIDING THE FORM, TERMS AND CONDITIONS OF THE BOND, THE MANNER AND TERMS OF ITS ISSUANCE, THE MANNER OF ITS EXECUTION, THE METHOD OF PAYING IT, THE SECURITY THEREFOR AND PROVIDING FOR THE SALE THEREOF; PROVIDING FOR THE LEVY AND COLLECTION OF ANNUAL GENERAL (AD VALOREM) TAXES FOR THE PAYMENT OF THE BOND; PROVIDING OTHER DETAILS CONCERNING THE BOND; RATIFYING ACTION PREVIOUSLY TAKEN AND PERTAINING TO THE FOREGOING BY THE CITY AND ITS OFFICERS; BY DECLARING THAT THIS ORDINANCE PERTAINS TO THE SALE, ISSUANCE AND PAYMENT OF THE BOND, PROVIDING FOR ITS ADOPTION

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AS IF AN EMERGENCY EXISTS; AND PROVIDING THE EFFECTIVE DATE HEREOF. Supervisor Swirczek seconded the motion. The need to accept and award the bid was discussed. Supervisor Fettic amended his motion to include acceptance of the bid from Valley Bank of Nevada in the amount of 7.69 percent. Supervisor Swirczek continued his second. The motion was voted by roll call with the following result: Fettic - Yes; Swirczek - Yes as the final report would be made available within 30 days; Chirila - Yes; Scrivner - Yes; and Mayor Flammer - Yes. Motion carried 5-0.

H.b. SELECTION OF COMMITTEE AND CONSULTANTS FOR THE WATER AND SEWER (UTILITY) RATE DESIGN (2-0121) - Mr. Hamilton explained Board direction on the Committee, the determination that both the water and sewer rates be evaluated by an outside consultant, and his nominees for the Committee. Supervisor Swirczek volunteered to serve on the Committee. Supervisor Fettic moved to authorize the City Manager to form a sewer and water rate review committee composed of the appropriate staff and/or residential consumers and a commercial consumer and that Supervisor Swirczek be one of the appointed Board members on the Committee. Discussion indicated that Supervisor Fettic should be the second Board member on the Committee. Supervisor Fettic then amended the motion to include himself on the Committee. Supervisor Chirila seconded the motion. Motion carried 5-0.

I. BOARD OF SUPERVISORS' RESOLUTIONS, REPORTS, AND PROCLAMATIONS (2-0245)

d. SUPERVISOR CHIRILA - RECOGNITION AND COMMENDATION TO PERSONS RESPONSIBLE FOR THE SUCCESS OF THE "KICK BACK KAMP" PROGRAM - Following Supervisor Chirila's explanation of her reasons for feeling that a resolution recognizing Jennifer St. Germaine and Kathy Haas' efforts on the Program should be adopted by the Board, Mayor Flammer directed the City Manager to prepare said Resolution.

BREAK: At 10:55 a.m., a five-minute recess was taken. When the meeting reconvened at 11 a.m., the entire Board was present constituting a quorum.

9. FIRE CHIEF (2-0345 - Bernie Sease.

a. RESOLUTION CONCERNING LIMITING ACCESS TO "C" HILL AREA - Chief Sease and Nevada State Forest Ranger Lodi Smith explained and responded to Board questions on the reasons for wishing to limit access to "C" Hill which would allow the grass seeds to germinate and the area to recover from the recent fire. Only vehicular access was being prohibited. (2-0458) U.S. Department Agriculture Soil Conservation Service Representative Steve Walker explained the seeding program. Supervisor Fettic moved that the Board adopt Resolution No. 1988-R-56, RESOLUTION OF BOARD OF SUPERVISORS' SUPPORT FOR RESEEDING EFFORTS TO REHABILITATE WATERSHED AFFECTED BY THE KINGS CANYON FIRE AND BOARD OF SUPERVISORS' COMMITMENT OF RESOURCES TO ENFORCE THE NO TRESPASSING LAWS CONCERNING THE LAND AREAS AFFECTED BY SAID FIRE. Supervisor Scrivner seconded the motion. Motion carried 5-0.

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b. LETTER OF COOPERATION CONCERNING REVEGETATION PROGRAM FOR THE AUGUST 10 AND 11, 1988, FIRE DAMAGED AREA (2-0562) - Community Development Director Walt Sullivan and Mr. Walker explained the program and its cost, the portion for which the City would be responsible, and the City's ability to use in-kind services rather than hard cash to meet its share. Chief Sease explained how the access to "C" Hill would be blocked. Chief Fettic commended the Bureau of Land Management, the State and Federal Forest Services, the Carson City Fire Department, Soil Conservation Service Employee Steve Walker, Governor O'Bryan, Jim DeLaurel, the Bureau of Indian Affairs, Forester Lodi Smith, and Acting City Manager Mike Rody for their efforts and funding of this program and explained the benefits which would be achieved by reacting so quickly to the rehabilitation needs. Discussion noted that letters had been sent to each. Supervisor Fettic requested a Resolution be prepared for Board action. Mr. Smith also noted that as the seed was purchased earlier, its cost was less than now being charged. Supervisor Swirczek moved that the Board authorize the Mayor to sign a letter of cooperation concerning the revegetation of the 1988 fire damaged areas of "C" Hill in an amount of \$2,506. Supervisor Scrivner seconded the motion. Motion carried 5-0.

Discussion ensued with Mr. Smith concerning Ms. Thomssen's comments about maintaining the fire breaks on "C" Hill when development occurs, other procedures to reduce fire problems, and future rehabilitation programs. The benefits of the "C" Hill fire break were also noted. (During the discussion, Mayor Flammer stepped out of the room. A quorum was still present.) Mayor Pro-Tem Scrivner commended Chief Sease on his efforts during the fire. Mr. Smith also introduced Pat Murphy, who had been actively engaged in the rehabilitation program.

(2-1019) Kay Bennett expressed her appreciation and complimented the State and City for the efforts to combat the fire. Supervisor Swirczek commended Chief Sease on his ability to maintain control during the fire. (Mayor Flammer returned during these comments and took back the gavel. A quorum was present as noted.)

J. CITIZEN COMMENTS (2-1075) - Richard Waiton suggested the Fire Advisory Board and the Handicapped Board be re-established.

H.c. PERFORMANCE EVALUATION OF GOLF COURSE MANAGER (2-1123) - Mr. Hamilton explained his evaluation of Mr. Duncan. Mr. Duncan explained his request that his contract be extended. The need to negotiate either the financial portion of his golf pro contract or the course manager contract, the Grand Jury Report on leasing the courses, and demand for the second course were discussed. Following an explanation of his reasons, Supervisor Scrivner moved that the Board accept the recommendation of the Golf Course Advisory Committee and the City Manager on the performance evaluation of the Golf Course Manager Tom Duncan. Supervisor Fettic seconded the motion. Following a request for clarification of the recommendation, Supervisor Scrivner amended his motion to include allowing Tom Duncan to continue as manager of the golf course maintenance function for another year, or until such time as either the Board or myself (City manager) with the Board's concurrence

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determine that a different policy should be enacted. Supervisor Fettic continued his second. Supervisor Fettic explained his reasons for supporting the motion. The motion, as amended, was voted and carried 5-0.

Discussion indicated a desire to have the Golf Course Advisory Committee clarify its position on contracting any or all of the services.

I.c, d, and e. SUPERVISORS FETTIC, SCRIVNER, AND CHIRILA - None.

b. SUPERVISOR SWIRCZEK - Requested the following items be agendized for the next meeting: Status reports on the Downtown Corridor Area Master Plan, the Architectural Design Standards for commercial areas, storm drain problems, and from the Water Consortium Task Orders and Projects.

a. MAYOR FLAMMER - Solicited direction as to when and to whom letters/certificates of commendation should be given. Board consensus indicated the feeling that such commendations should be given to those who have performed civic duties. Richard Waiton suggested that the Mayor send letters of commendation without Board action. Formal presentations should be given only for outstanding service.

There being no other matters for discussion, Mayor Flammer recessed the meeting at 12 noon. When Mayor Pro-Tem Scrivner reconvened the meeting at 6:15 p.m., a quorum of the Board was present, although Mayor Flammer had not arrived. Staff members present included: City Manager Hamilton, Clerk-Recorder Glover, Deputy City Manager Rody, Community Development Director Sullivan, Public Works Director O'Brien, Chief Deputy District Attorney Cockerill, Deputy Community Development Director -- Planning Toll, Street Superintendent Madigan, and Recording Secretary McLaughlin.

I.4.c. ASSIGNMENT OF SUBLEASE FOR AIRPORT TERMINAL FROM VNE, INC., TO JOHN AND CYNTHIA HAGEL (2-2221) - Hangar Seven Attorney David Small introduced John Hagel and explained the sublease. The Airport Advisory Committee recommended the assignment. Supervisor Fettic moved that the Board approve the assignment of the sublease for the Airport Terminal from VNE, Inc., to John and Cynthia Hagel. Supervisor Swirczek seconded the motion. Motion carried 4-0-1.

II. O. ORDINANCES - SECOND READING - BILL NO. 122 - CHANGE OF LAND USE Z-87/88-8 - CARSON CITY - REZONE APPROXIMATELY 50 ACRES (UNIVERSITY HEIGHTS SUBDIVISION) FROM SF12000 PUD TO SF21000 PUD - NORTH OF WEST NYE LANE, WEST OF WEST ORMSBY BOULEVARD ADJOINING EITHER SIDE OF COOMBS CANYON ROAD - PLANNING COMMISSION APPROVED 6-0-1 (2-2376) - Supervisor Swirczek explained his abstention on this matter. Supervisor Fettic moved that the Board adopt on second reading Ordinance No. 1988-25, AN ORDINANCE EFFECTING A CHANGE OF LAND USE ON UNIVERSITY HEIGHTS PLANNED UNIT DEVELOPMENT, UNITS 1 AND 2, SAID AREA BEING APPROXIMATELY 51.38 ACRES LOCATED NORTH OF WEST NYE LANE, WEST OF WEST ORMSBY BOULEVARD, AND ADJOINING EITHER SIDE OF COOMBS CANYON ROAD IN CARSON CITY, NEVADA, FROM SINGLE FAMILY 12000 PLANNED UNIT DEVELOPMENT (SF12000-PUD) TO SINGLE

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FAMILY 21000-PLANNED UNIT DEVELOPMENT (SF21000-PUD) ZONING. Supervisor Chirila seconded the motion. Motion carried 3-0-1-1.

P. CITIZEN COMMENTS (2-2500) - Richard Waiton explained his feeling that the Legislature had shafted the City on the distribution of the sales tax. Supervisor Swirczek explained the revenue the City had received and concern about the decrease between 1984 and 1986. If documentation indicates the formula needs adjusted, the Legislators will be approached. Regardless of the explanations, Supervisor Swirczek gave, Mr. Waiton continued to stress his opinion that the distribution method was unfair and demanded changes. He also expressed his shock at the low turnout for the primary.

M. RESOLUTIONS - CONTINUED - PARKING ENFORCEMENT AD HOC COMMITTEE'S FINAL REPORT (2-2972) - Public Works Director Dan O'Brien introduced the item and Committee Chairperson Tom Johnson. Mr. Johnson began by acknowledging the members who had served on the Committee and explaining the process used to arrive at the recommendations. (At this point, Mayor Flammer arrived -- 6:30 p.m.) It was apparent that one of the first things the Committee felt should be accomplished was to have the parking meters removed, however, after several meetings on this issue, the Committee was split "down the middle" on this recommendation. This controversy was one of the reasons it had taken the Committee so long to reach a conclusion. The Committee had not considered the financial impact of any of the recommendations. This area had been left to the Board of Supervisors. The Committee only considered those issues and made those recommendations which were felt to be in the best interest of the downtown area. He then read the following list of recommendations into the record and gave reasons for each:

1. Remove all parking meters in Carson City.

2. Convert all enforcement to tire chalking; purchase of the appropriate vehicles, such as the Cushman types.

BREAK: At 6:45 p.m., a five-minute recess was declared. When the meeting reconvened at 6:50 p.m., the entire Board was present, constituting a quorum. (3-0336)

3. Modify the existing overtime parking fine from five dollars (\$5.00) to fifteen dollars (\$15.00) and enforce the stacking policy. See Carson City Municipal Code Section 10.33.130. This was the only foray into the financing issues made by the Committee.

4. Eliminate enforcement on Saturdays, Sundays, and holidays. Hopefully this will encourage more downtown shopping, etc. Peak usage occurs Monday through Friday. Along these lines, the Committee had also recommended enforcement be restricted to 9 to 5 on Mondays through Fridays only. This recommendation was overlooked in preparation of the list.

5. Eliminate all existing time zones and establish all parking

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areas as two-hour zones.

6. Resident Only Parking, existing and new, will be reviewed via the appropriate traffic engineering and parking studies at the direction of the Traffic Engineer.

7. Establish a series of one-way streets (See Exhibit A as provided by staff), therefore, providing additional parking.

8. Install a properly designed and constructed traffic signal at the intersection of Carson and Tenth Streets. This would put one-way traffic back on the main street.

9. Create a Client Only Parking Zone as outlined by the proposed ordinance (Exhibit B).

10. New aesthetically and historically pleasing informational signing to replace conventional metal signing; to be accomplished through cooperation with the Downtown Redevelopment Authority and its Community Development Block Grant application. These signs would welcome the public while providing parking information and hours of enforcement.

11. Remove Traffic Engineering salary expenditures from Parking Enforcement fund, other than cost accounting.

12. Remove City-wide signing and striping expenditures from Parking account; charge account only for Parking-related expenditures.

13. All excess funds over and above direct cost, and 25% of the gross department revenues, to be earmarked for a special fund to provide off-street parking.

14. Recommend that the Board of Supervisors institute a Parking Plan approved by the Board of Supervisors in 1983 that creates center line parking on East John Street with no meters.

15. Recommend that all parking meters removed from City streets be kept in storage for a period of one (1) year at which time the meters can be sold and the revenue put into the Parking Fund.

16. Recommend to the Board of Supervisors that they realize that the Downtown Parking Problem is not solved with this report and that acquisition of off-street parking is the ultimate solution needed.

Discussion ensued among Traffic Engineer Bill Madigan, Mr. Johnson, and the Board concerning whether the fine increase would offset the loss in parking fees. An original estimate made several months earlier which used two and four hour parking zones had indicated a deficit of \$104,000. If the fine is increased to \$15 and the number of violators remains the same, it could be a wash. Mr. Madigan did not feel that the number would remain the same.

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Clarification indicated Recommendation No. 13 would retain excess funds over and above direct operational costs for off-street parking in addition to the 25 percent of the gross regardless of the operational costs. Finance Director Mary Walker recommended postponing all recommendations which would create a financial impact until the next budget season.

(3-0785) Ron Piersanti expressed his feeling that 25 percent of all sales tax revenue should be designated for downtown parking due to the loss of business created by the parking meters. He supported making any changes possible to the downtown area today.

Mr. Hamilton clarified the point that the Traffic Engineer's salary was not the indicated \$60,000.

Discussion noted that parking meters generated \$160,000 last fiscal year and were projected at \$172,000 for this fiscal year. Supervisor Swirczek attempted to project the amount of revenue having additional businesses in the downtown area may create. He then questioned whether the Nugget parking plan would be constructed, progress on the sale of excess property, and whether that revenue could be designated for the purchase of potential off-street parking sites. Mayor Flammer noted that negotiations with the Nugget had been going on for two-and-a-half years. While near its culmination, a final executed agreement had not been drafted. For some reason, Mr. Adams had continued to request delays. Mayor Flammer expressed a willingness to contact Mr. Adams and determine whether the item had been sidetracked or was to proceed. The facility was briefly explained. Supervisor Swirczek expressed his feeling that this information should be included in the downtown master plan which Community Development was preparing. Mr. Johnson explained his role in the negotiations as a member of the Redevelopment Authority and supported Mayor Flammer's comments.

Mr. Hamilton, while recommending that the Board accept the recommendations, expressed the need to analyze its financial impact. Parking revenue estimates have always been conservative, however, as the Ending Fund Balance has been restricted, cautioned the Board to be cognizant of it while taking positive steps in the downtown area. Mayor Pro-Tem Scrivner urged action be taken on the recommendations rather than to continue delaying the matter. Mr. O'Brien then explained that if the meters are removed at this time, there was approximately \$50,000 in the ending fund balance for the parking enforcement which could be used to meet some of the deficit. Supervisor Fettic expressed his desire to have the meters removed and outlined other recommendations which he felt could be adopted at this time with little or no financial impact, e.g., Nos 4, 7, 9, and 10. He felt that by removing the meters and increasing the fine, the revenue would remain the same. With the Committee and Redevelopment plans for signage and crossing improvements, a friendly change would begin in the area of the betterment of the entire area. Hopefully, a financial report could be completed by early next year and the meters could be removed. Mayor Pro-Tem Scrivner stressed his feeling that the elimination of parking enforcement on Saturdays, Sundays, and

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Holidays would reduce personnel costs, which had not been included in the financial data. Mr. Madigan clarified that enforcement had not occurred on Sundays and Holidays. Supervisor Scrivner commended the Committee on the report. He suggested that the matter be continued until the next meeting when the financial report and a plan for phasing the program could be prepared. He, too, supported adoption of the Client Parking Plan and elimination of Saturday enforcement at this time. Mr. Madigan explained his reasons for not being able to provide the financial information and ordinance changes by the next meeting. As ordinances changes would be required to adopt the recommendations, Mr. Hamilton suggested the entire Section be reviewed and all corrections made at once. Supervisor Swirczek expressed the need to thoroughly evaluate the one-way street proposals.

(3-1627) Richard Waiton expressed his feeling that the Board was attempting to "water down" the recommendations. The lost parking revenue could not compare to the lost business income created by the meters. He felt that the entire City should support the paint program, the Traffic Engineer, signs, etc., rather than have the parking meters do it all. Purportedly Sparks functions quite well without parking meters. He then expressed his feeling that the State expansion plans would provide parking for the public.

Mayor Pro-Tem Scrivner explained his knowledge of the original purpose for the meters and uses to which the revenue was to be placed.

Supervisor Chirila responded to Mr. Waiton's comments by expressing her feeling that fiscal responsibility required analyzing the financial impacts carefully. She urged adoption of those items without fiscal impact posthaste. Mr. Waiton expressed his feeling that if the Board was not willing to listen and act on the Committee's recommendations, the Board may find it impossible to obtain members for the next ad hoc committee. He urged the Board to increase the fines to meet the fiscal impacts and to reduce personnel.

(3-1965) Gail Thomssen noted that the busy Christmas season was rapidly approaching and urged the Board to encourage local businesses by implementing the recommendations posthaste.

(3-1985) Craig Swope, representing the Chamber of Commerce, acknowledged the need to use fiscal restraint, however, felt that little would be done to address the downtown area. This attitude could be changed by the Board taking action on as many of the recommendations as possible this evening.

Supervisor Swirczek questioned Mr. Waiton's comments that the parking meters had destroyed downtown businesses. He felt that the Committee had addressed this allegation when it pointed a finger at the lack of off-street parking. He also felt that previous Boards had failed to keep pace with the changing times when the shopping centers arrived in the area. This inaction had failed to provide incentives for downtown businesses to stay and expand. Mr. Waiton expressed his feeling that

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residents surrounding the downtown area felt that the parking meters had been the villains.

(3-2150) Mr. Piersanti expressed his feeling that the parking meters were a negative business factor and cited the lack of parking meters in shopping centers to support his position. Supervisor Swirczek expressed his feeling that the original intent of the parking meters had been to generate revenue to provide funding for off-street parking facilities to meet the demand in the downtown area. The Committee report supported the need for parking facilities in the downtown area.

Supervisor Fettic moved that the Board accept the Parking Committee's report and that the Board direct the District Attorney's office to, upon clarification of the time needed to prepare an Ordinance to address Recommendation No. 4 continued, prepare an Ordinance change to eliminate enforcement on Saturdays, Sundays, and Holidays at the first meeting in October and to have enforcement from 9 to 5 only; and, related to Recommendation No. 9, that the District Attorney's office amend the Ordinance or create a new Ordinance to provide for Client Only Parking Zones as outlined in the proposed Ordinance before the Board; that on the other matters, e.g., Recommendation No. 14, that the Public Works Department bring before the Board the parking plan for 1983 concerning East John Street, discussion indicated this report had been completed previously and should not require a lot of time to prepare and that the one-way street proposal would not be ready by that meeting; concerning the other portions of the report, that the Board direct the City Manager to have staff prepare a response to the remaining recommendations of the Ad Hoc Committee no later than the, discussion ensued with staff concerning the date, second meeting in October for action of 1988. Clarification indicated that the one way streets had been included in the motion and would be brought back to the Board by the second meeting in October. Supervisor Swirczek seconded the motion. Discussion ensued concerning whether financial implementation could be addressed by staff by the second meeting in October. The motion was then voted by roll call with the following result: Ayes - Fettic, Swirczek, Chirila, Scrivner, and Mayor Flammer. Nayes - None. Motion carried 5-0.

NOTE: Following the vote, Mayor Flammer took back the gavel.

BREAK: A five-minute recess was taken at 7:55 p.m. When the meeting reconvened at 8 p.m., the entire Board was present constituting a quorum.

L. PETITIONS AND COMMUNICATIONS - SMALL, RICHARDS, ET AL. - REQUEST FOR WAIVER OF SIDEWALK REQUIREMENTS FOR UNIVERSITY HEIGHTS SUBDIVISION (3-2456) - Supervisor Swirczek noted his earlier abstention on a University Heights Subdivision matter and that he would also refrain from voting on this issue for the same reason. David Small explained the request and previous action on the PUD. Discussion ensued on the Ordinance changing the lot sizes from 12,000 to 21,000 square feet. Public comments made to Supervisor Swirczek indicated a preference to eliminate the sidewalk requirement. Discussion also noted that the sidewalk requirement in 21,000 PUDs is left to the Board. Supervisor Fettic moved that the Board

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approve the request for a waiver of sidewalk requirements for University Heights Subdivision Phase No. 2. Supervisor Scrivner seconded the motion. Clarification for Kay Bennett noted that if sidewalks are installed at the residents' request in the future, it would be at the residents' expense. Following Mr. O'Brien's clarification of the project title, Supervisor Fettic amended his motion to be to waive the sidewalk requirement for the University Heights PUD. Supervisor Scrivner continued his second. The motion was voted by roll call with the following result: Fettic - Yes; Chirila - Yes; Scrivner - Yes; and Mayor Flammer - Yes. Motion carried 4-0-1 with Supervisor Swirczek abstaining. Garth Richards agreed to the change.

N. ORDINANCE - FIRST READING (3-2909)

1. AN ORDINANCE REPEALING CHAPTER 15.01 (GROWTH MANAGEMENT) (OF THE CARSON CITY MUNICIPAL CODE AND ADOPTING CHAPTER 18.82 OF THE CARSON CITY MUNICIPAL CODE 1988 GROWTH MANAGEMENT ORDINANCE), ADOPTING PROCEDURES FOR THE REGULATION OF GROWTH IN CARSON CITY AND ESTABLISHING CIVIL AND CRIMINAL PENALTIES THEREFOR FOR VIOLATION THEREOF AND OTHER MATTERS PROPERLY RELATED THERETO (GM 87/88-16, PLANNING COMMISSION APPROVED 6-0) - Community Development Director Walt Sullivan explained the request, previous Board direction, changes to the draft ordinance, and responded to Board questions indicating that the three percent growth rate would be maintained, the State Water Engineer's involvement and support for the changes. (4-0015) Mr. Toll also responded to Board questions on the Water Engineer's support, the payment and allotment procedures. Mr. Sullivan, Mr. Thornton, and Mr. Cockerill also explained the reasons for requiring payment for the allotments up front. Board concern indicated the feeling that the requirement unfairly penalized the small builders. The Builders Association had participated in drafting the Ordinance. Reasons for restricting the controlling factors of Growth Management to resources rather than services and resources were explained. Supervisor Swirczek cautioned against removing the services as a controlling factor due to the tax law prohibition on imposition of new fees. Discussion stressed that if a builder obtains a building permit, he was aware that he could not build until he obtains an allotment. When a builder's plans are submitted, he must mitigate traffic, drainage, and other problems before he can begin construction. Discussion also noted that the Growth Management Commission required all the services needs be met. If at some future time other resources become critical, the Commission could restrict the allotments further. Supervisor Chirila felt that the Supervisors should be allowed to also consider these issues and urged its retention in the Ordinances. Mr. O'Brien and Mr. Toll noted that the Board considered these issues when PUDs and Subdivisions are approved, however, the Board felt it should keep the requirements in Growth Management procedures as well. Supervisor Fettic moved that the Board direct staff that the original language in the Growth Management Ordinance speaking to which services and resources can be used to limit growth remain as they are in the present Growth Management Ordinance. Mr. Sullivan and Mr. Cockerill then explained two other changes to the ordinance draft. (4-1698) Kay Bennett acknowledged the staff's efforts on the proposal and questioned the need

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to stop out-of-state builders from providing useless water. Supervisor Fettic responded by explaining that the water sources must be proved before building could commence. Supervisor Scrivner explained that he would second Supervisor Fettic's motion if the last two corrections were included. Supervisor Fettic agreed and Supervisor Scrivner seconded the motion. The motion to amend the ordinance as indicated was voted by roll call with the following result: Fettic - Yes; Scrivner - Yes; Chirila - Yes; Swirczek - Yes; and Mayor Flammer - Yes. Motion carried 5-0.

Clarification noted that the stipulated resources and services restricting growth be included on page 4, line 7, section 2, c., d., e., etc., as sewer, water, traffic, police protection, fire protection, schools, parks, and other resources, and on page 5, section 8, number 11 be redefined under definitions to indicate that central resources or services means a public facility, a physical resource, natural resource, or public service provided to the community by the City for its police powers or administration of the public health, safety or welfare.

Supervisor Fettic then moved to introduce Bill No. 125, AN ORDINANCE REPEALING CHAPTER 15.01 (GROWTH MANAGEMENT) OF THE CARSON CITY MUNICIPAL CODE AND ADOPTING CHAPTER 18.82 OF THE CARSON CITY MUNICIPAL CODE (1988 GROWTH MANAGEMENT ORDINANCE), ADOPTING PROCEDURES FOR THE REGULATION OF GROWTH IN CARSON CITY AND ESTABLISHING CIVIL AND CRIMINAL PENALTIES THEREFOR FOR VIOLATION THEREOF AND OTHER MATTERS PROPERLY RELATED THERETO, with the following amendments: Page 1, Line 5 inserting the words effective December 31, 1988, of Section 1; Section 18.82.040 on Page 4 at Line 8 add C. Traffic, D. Police Protection, E. Fire Protection, F. Schools, and G. Other Essential Resources declared by the Board; Section 18.82.040 on Page 5, add definition of essential resource and essential service as meaning a public facility, physical resource, natural resource, or public service provided to the community by the City through its police powers and administration of public health, safety, and welfare; and on Page 4, G. was corrected to be Drainage, H. was Other Essential Resources; and on Page 9, Line 12, insert Paragraph 1. In calendar year 1988 only: Permit allotments authorized by the Board by Resolution in 1988 pursuant to CCMC 15.01.080 shall be available pursuant to CCMC 18.01 until 5 p.m. on December 30, 1988; on Page 14, Section 18.82.120, Subsection 2.B.iii. Delete the words pay by cash or cashier's check; and on Page 22, Section 18.82.200 add paragraph 4, Entitlement certificates shall be void and cancelled by the Director if fees imposed by CCMC 18.82.120 are paid by nonsufficient funds check. Supervisor Scrivner seconded the motion. Motion was voted by roll call with the following result: Fettic - Yes; Scrivner - Aye; Chirila - Yes; Swirczek - Yes; and Mayor Flammer - Yes. Motion carried 5-0.

2. AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE 12.01.040 PROVIDING FOR FULL PAYMENT OF WATER CONNECTION FEES PRIOR TO ISSUANCE OF A BUILDING PERMIT AS OF JANUARY 1, 1989 (4-2072) - Supervisor Fettic moved to introduce on first reading Bill No. 126, AN ORDINANCE AMENDING SECTION 12.01.040 OF THE CARSON CITY MUNICIPAL CODE PROVIDING FOR FULL PAYMENT OF WATER CONNECTION FEES PRIOR TO ISSUANCE OF A BUILDING PERMIT AS OF JANUARY 1, 1989. Supervisor Chirila seconded the motion. Motion

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carried 5-0.

Discussion noted the need to add a fiscal impact statement on Bill No. 126. Supervisor Fettic then moved to correct the typographical error on Bill No. 126 to note that the fiscal impact would require prepayment of fees. Supervisor Chirila seconded the motion. Motion carried 5-0.

3. AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE 12.03.030 PROVIDING FOR FULL PAYMENT OF SEWER CONNECTION AND HOOKUP FEES PRIOR TO ISSUANCE OF A BUILDING PERMIT AS OF JANUARY 1, 1989 (4-2165) - The typographical error in the draft was explained and corrected by staff. Supervisor Fettic moved to introduce Bill No. 127, AN ORDINANCE AMENDING SECTION 12.03.030 OF THE CARSON CITY MUNICIPAL CODE PROVIDING FOR FULL PAYMENT OF SEWER CONNECTION AND HOOK-UP FEES PRIOR TO ISSUANCE OF A BUILDING PERMIT AS OF JANUARY 1, 1989, and that the fiscal impact typographical error be corrected to require prepayment of fees. Supervisor Swirczek seconded the motion. Motion carried 5-0.

Supervisor Fettic moved to adjourn. Supervisor Swirczek seconded the motion. Motion carried 5-0. Mayor Flammer noted the next meeting would be held on September 22, 1988. Mayor Flammer then adjourned the meeting at 9:30 p.m.

The Minutes of the September 8, 1988 Carson City Board of Supervisors meeting

ARE SO APPROVED ON October 18, 1990.

____/s/____
MARV TEIXEIRA, Mayor

ATTEST:

____/s/____
ALAN GLOVER, Clerk-Recorder