

CARSON CITY BOARD OF SUPERVISORS
Minutes of the October 6, 1988, Meeting
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A regular session of the Carson City Board of Supervisors was held on Thursday, October 6, 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

STAFF PRESENT: L. H. Hamilton City Manager
Alan Glover Clerk-Recorder
Gary Kulikowski Internal Auditor
Ron Wilson Purchasing Agent
Charles P. Cockerill Chief Deputy District Attorney
Margaret Robinson Administrative Assistant to the
Public Works Director
Katherine McLaughlin Recording Secretary
Pam Robinson Business and Liquor Licenses
(B.O.S. 10/6/88 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 quorum was present although Supervisor Chirila was absent.

APPROVAL OF MINUTES - Regular Sessions of 12/17/87 and 1/7/88; Special Session of 1/14/88; and, Agenda Review Sessions of 1/4/88, 1/14/88, and 10/3/88 (1-0025) - Supervisor Scrivner moved to approve the Minutes of 12/17/87, 1/4, 7, 14/88, and 10/3/88. Supervisor Swirczek seconded the motion. Motion carried 4-0.

AGENDA MODIFICATIONS (1-0035) - COMMUNITY DEVELOPMENT DIRECTOR - A-R-CDD-1 Historical District Guidelines Booklet Developed with 1987-88 National Park Service Certified Local Government Grant and PUBLIC WORKS DIRECTOR - A-R-PW-3 Addendum to 1988 Ormsby Sanitary Landfill Contract - Well Maintenance Procedures - Pulled.

LIQUOR AND ENTERTAINMENT BOARD MATTERS (1-0071) - Mayor Flammer recessed the Board of Supervisors session and immediately reconvened the hearing as the Liquor and Entertainment Board. A quorum was present although Members Chirila and McGrath were absent.

1. TREASURER - Deputy Treasurers--Business and Liquor Licenses Pam Robinson and Merlene Alt.

A-LB-TR-3 HARGREAVES/MCATEE - DOING BUSINESS AS COME-ON-INN - ADDITIONAL PARTNER - 4750 HIGHWAY 50 EAST - Pulled.

A-LB-TR-1 STOKKE (CHAIRMAN NEVADA DAY COMMITTEE) - ENTERTAINMENT PERMIT FOR NEVADA DAY ACTIVITIES OCTOBER 30-31, 1988 (1-0085) - Nevada Day Committee General Chairman Ed Stokke explained the request including the fee waiver and fund raising activities. The fee

waiver policy was explained. Member Swirczek moved to approve the Entertainment Permit for the Nevada Day Committee and, further, approve the waiver of the application fee and entertainment permit fees in the amount of \$600. Member Scrivner seconded the motion. Motion carried 4-0.

A-LB-TR-2 JACKSON - DOING BUSINESS AS SILVER CITY LOUNGE - 272 FAIRVIEW DRIVE (1-0186) - Discussion with Applicant Shirley Rae Jackson covered her tenure at the Lounge. Member Swirczek moved to approve the Liquor License for the Silver City Lounge principal Shirley Rae Jackson, 272 Fairview Drive, Carson City. Member Fettic seconded the motion. Motion carried 4-0.

There being no other matters for discussion, Chairperson Flammer adjourned the Liquor and Entertainment Board and immediately reconvened the hearing as the Board of Supervisors. A quorum was present although Supervisor Chirila was absent as noted previously.

2. DISTRICT ATTORNEY - Charles P. Cockerill.

A-R-DA-1 OFFER BY TOM BROWN TO RESOLVE LEGAL DISPUTE CONCERNING NUISANCE ABATEMENT COSTS AT 2387 SNEDDON WAY IN THE AMOUNT OF \$9,915.75 - Continued until 10:30 a.m.

A-R-DA-2 RESOLUTION PROVIDING NOTICE AND AUTHORIZING SALE OR EXCHANGE OF AIRPARK LOT 26 IN CONJUNCTION WITH LOTS 25A AND 25B (1-0265) - Discussion among the Board and staff explained the procedure and location of the lots. In response to Bernice Sheldon's questions, Mr. Hamilton explained the property exchange proposed for 300 Hot Springs Road, the appraisal process, location, identified the Hot Springs owners, and reasons for the difference between Lots 25A and B, and Lot 26. Supervisor Swirczek moved that the Board adopt Resolution No. 1988-R-62, A RESOLUTION PROVIDING NOTICE AND AUTHORIZING THE SALE OR EXCHANGE OF CARSON CITY AIR INDUSTRIAL PARK PROPERTY IDENTIFIED AS LOT 26, APN 8-402-08, AND REAFFIRMING THE SALE OR EXCHANGE OF LOTS 25A AND 25B, SAID SALE OR EXCHANGE TO BE CONDUCTED BY A LICENSED REAL ESTATE BROKER. Supervisor Fettic seconded the motion. Motion carried 4-0.

3. PURCHASING AGENT - Ron Wilson - **A-R-PUR-1 AWARD OF CONTRACT 8889-1 - EAGLE VALLEY GOLF COURSE MAINTENANCE BUILDING (1-0501)** - Discussion included the FEMA designation for the proposed Maintenance Building site, exclusion of the plumbing from the facility, the bids, and electrical and water connections. Supervisor Fettic moved that the Board accept the Purchasing Agent's recommendation and award the captioned project to Lifetime Structures, Bidder No. 5, 800 Old Clear Creek Road, Carson City, Nevada, as the lowest responsive and responsible bidder pursuant to NRS Chapters 332, 338, 339, and 624, excluding the responsibility for "Site Work" in an amount not to exceed \$63,171. Supervisor Swirczek seconded the motion. Motion carried 4-0. Supervisor Scrivner noted for the record that he voted Aye reluctantly. Mr. Wilson again noted the bids.

4. AUTOMATION SERVICES DIRECTOR - Pam Case - **REQUEST TO ADJUST AUTOMATION BUDGET AND SELL SURPLUS EQUIPMENT (DATA PROCESSING COMMITTEE APPROVED 5-0) (1-0665)** - Discussion included funding and savings generated under the proposal. Supervisor Swirczek moved that the Board approve the request to sell three surplus remote control units and use the money from the sale towards the purchase of a Personal System 2 Computer for Recreation and additionally approve the request to sell a 4214 Printer to the Enterprise Funds and credit money to the Capital Outlay Account towards the purchase of a Personal System 2 for Recreation. Supervisor Fettic seconded the motion. Motion carried 4-0.

5. PUBLIC WORKS DIRECTOR - Water Engineer Dorothy Timian-Palmer.

A-R-PW-1 FINAL PAYMENT FOR PROJECT 1987-008 - SOUTHEAST RIVERVIEW WELL (WELL 41) - A AND K EARTHMOVERS (1-0785) - Discussion included dates when the well had been pumped, other wells in service in that area, and water problems found in that area. Supervisor Swirczek moved that the Board approve the final payment in the amount of \$10,298.11 to A and K Earthmovers, Inc., for the Southeast Riverview Well No. 41, funding source Funds 420 and 520 from the Water Operation Construction Accounts. Supervisor Scrivner seconded the motion. Motion carried 4-0.

A-R-PW-2 EXTENSION OF AGREEMENT FOR DARLING WATER RIGHTS (1-0870) - Mr. and Mrs. Michael Darling approved the extension. The lawsuit on these water rights will be heard on November 30. Supervisor Fettic moved that the Board approve the extension of the agreement for the Darling Water Rights in an amount not to exceed \$10.00. Supervisor Scrivner seconded the motion. Motion carried 4-0.

A-R-PW-3 ADDENDUM TO 1988 ORMSBY SANITARY LANDFILL CONTRACT - WELL MAINTENANCE PROCEDURES (1-0938) - Continued.

A-R-PW-4 WASTEWATER TREATMENT AND DISPOSAL FACILITIES

A. CHANGE ORDER NO. 2 - DARLING RANCH IRRIGATION SYSTEM - A AND K EARTHMOVERS

B. CHANGE ORDER NO. 3 - PRISON FARM IRRIGATION SYSTEM - A AND K EARTHMOVERS (1-0958) - Joint Ventures Association Representative Jim Vasey and Mr. Hamilton explained the Change Order, the final change order which will be considered at a future date, project funding, the Wastewater Advisory Group's and State EPA John Nelson's reviews and recommendations, and grant funding eligibility. Supervisor Swirczek moved that the Board approve Change Order No. 2 to Contract I-3, A and K Earthmovers, Inc., increasing the amount of the contract by \$21,903.84 and authorizing the Mayor to sign such contract, and that such Change Order will be grant eligible in the minimal amount of 75 percent with the possibility of 85 percent grant eligibility; and that the Board also approve Change Order No. 3 to Contract I-3 with A and K Earthmovers, Inc., increasing the amount of the contract by \$1,513.75 and authorizing the Mayor to sign such Change Order, funding source Sewer Fund 510, which will also be grant eligible in the minimum amount of 75 percent with a possibility of going to 85 percent. Supervisor Fettic seconded the motion. Motion carried 4-0.

Mr. Vasey expressed his feeling that the prison farm was 95 percent complete at this time and would be finished during the month and that the Darling Ranch was 65 percent complete and would be finished within 45 days. He invited the Board to tour the facilities.

ORDINANCES - FIRST READING (1-1218)

6. PUBLIC WORKS DIRECTOR - Administrative Assistant Margaret Robinson as well as City Manager Hamilton and Chief Deputy District Attorney Charles P. Cockerill.

A-O1-PW-1 WATERLINE REIMBURSEMENT ORDINANCE AND AGREEMENT FOR JUAN AND DOROTHY ARRAIZ (APN 10-143-08, 3261 CONTE DRIVE)

A-O1-PW-2 WATERLINE REIMBURSEMENT ORDINANCE AND AGREEMENT FOR KARL AND KATHI DITTENBER (APN 10-133-15, 2900 CONTE DRIVE)

A-O1-PW-3 WATERLINE REIMBURSEMENT ORDINANCE AND AGREEMENT FOR RANDY AND PATRICIA ISAMAN (APN 10-143-09, 3111 CONTE DRIVE) - Discussion included terms of the

Agreement and procedures to approve these Agreements. Supervisor Swirczek moved to introduce on first reading Bill No. 131, AN ORDINANCE APPROVING A WATERLINE REIMBURSEMENT AGREEMENT BETWEEN CARSON CITY AND JUAN AND DOROTHY ARRAIZ REGARDING ASSESSOR'S PARCEL NO. 10-143-08 LOCATED AT 3261 CONTE DRIVE, CARSON CITY, NEVADA. Supervisor Fettic seconded the motion. Motion carried 4-0.

Supervisor Swirczek moved that the Board introduce on first reading Bill No. 132, AN ORDINANCE APPROVING A WATERLINE REIMBURSEMENT AGREEMENT BETWEEN CARSON CITY AND KARL AND KATHI DITTENBER REGARDING ASSESSOR'S PARCEL NO. 10-133-15 LOCATED AT 2900 CONTE DRIVE, CARSON CITY, NEVADA. Supervisor Scrivner seconded the motion. Motion carried 4-0.

Supervisor Swirczek moved that the Board introduce on first reading Bill No. 133, AN ORDINANCE APPROVING A WATERLINE REIMBURSEMENT AGREEMENT BETWEEN CARSON CITY AND RANDY AND PATRICIA ISAMAN REGARDING ASSESSOR'S PARCEL NO. 10-143-09 LOCATED AT 3111 CONTE DRIVE, CARSON CITY, NEVADA.

7. AUTOMATION SERVICES DIRECTOR - Pam Case - A-01-AUT-1 AMEND CARSON CITY MUNICIPAL CODE 2.31 TO APPOINT THE INTERNAL AUDITOR IN LIEU OF BOARD MEMBER TO THE DATA PROCESSING COMMITTEE (DATA PROCESSING COMMITTEE APPROVED 5-0) (1-1388) - Board and staff discussed the number of and members of the Committee. Mr. Cockerill explained the need to modify the proposed Ordinance. Supervisor Swirczek moved that the Board introduce on first reading Bill No. 134, AN ORDINANCE AMENDING AND REVISING CHAPTER 2.31.040 OF THE CARSON CITY MUNICIPAL CODE by adding the Internal Auditor position and deleting the Board Member representation in the Automation Services Ordinance. Supervisor Fettic seconded the motion. Motion carried 4-0.

8. COMMUNITY DEVELOPMENT DIRECTOR (1-1509)

A-02-CDD-1 BILL NO. 128 - AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE 17.44.050 RELATIVE TO IMPOSITION AND RATE OF RESIDENTIAL CONSTRUCTION TAX TO REQUIRE PAYMENT OF ALL SAID TAX AT TIME OF ISSUANCE OF A BUILDING PERMIT - Supervisor Fettic moved that the Board adopt on second reading Ordinance No. 1988-29, AN ORDINANCE AMENDING SECTION 17.44.050 OF THE CARSON CITY MUNICIPAL CODE (IMPOSITION AND RATE OF THE RESIDENTIAL CONSTRUCTION TAX) TO REQUIRE PREPAYMENT OF THE TAX AT THE ISSUANCE OF THE BUILDING PERMIT AND OTHER MATTERS RELATED THERETO. Supervisor Swirczek seconded the motion. Motion carried 4-0.

A-02-CDD-2 BILL NO. 129 - CHANGE OF LAND USE Z-88/89-2 - VAN PATTEN AND GRUNDY - REZONE PROPERTY FROM SF1A TO RC - 29 ARROWHEAD DRIVE (PLANNING COMMISSION APPROVED 7-0) (1-1540) - Supervisor Scrivner moved that the Board adopt on second reading Ordinance No. 1988-30, AN ORDINANCE EFFECTING A CHANGE OF LAND USE ON ASSESSOR'S PARCEL NUMBER 8-053-03, SAID PARCEL BEING APPROXIMATELY 2.1 (PLUS OR MINUS) ACRES LOCATED NEAR THE INTERSECTION OF U.S. HIGHWAY 395 AND ARROWHEAD DRIVE IN CARSON CITY, NEVADA, FROM SINGLE FAMILY ONE ACRE (SF1A) TO RETAIL COMMERCIAL (RC) ZONING. Supervisor Swirczek seconded the motion. Motion carried 4-0.

A-02-CDD-3 BILL NO. 130 - CHANGE OF LAND USE Z-88/89-3 - VAN SICKLE AND BORDA - REZONE APPROXIMATELY 25 ACRES FROM SF1A, MFA, AND RC TO GC AND MFA - NORTH OF SOUTH COCHISE STREET BETWEEN CLEARVIEW AND MOSES STREETS (PLANNING COMMISSION APPROVED 6-1) (1-1585) - Supervisor Swirczek moved that the Board adopt on second

reading Ordinance No. 1988-31, AN ORDINANCE EFFECTING A CHANGE OF LAND USE ON ASSESSOR'S PARCEL NUMBERS 9-151-12, 9-151-13, 9-151-14, AND 9-151-15 SAID AREA BEING APPROXIMATELY 25 (PLUS OR MINUS) ACRES LOCATED SOUTH OF MOSES STREET ON WEST SIDE OF THE PROPOSED EXTENSION OF SOUTH CURRY, IN CARSON CITY, NEVADA, FROM SINGLE FAMILY (SF1A), MULTI-FAMILY APARTMENT (MFA), AND RETAIL COMMERCIAL (RC) TO GENERAL COMMERCIAL (GC) AND MULTI-FAMILY APARTMENT (MFA) ZONING. Supervisor Scrivner seconded the motion. Motion carried 4-0.

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

2. A-R-DA-1 OFFER BY TOM BROWN TO RESOLVE LEGAL DISPUTE CONCERNING NUISANCE ABATEMENT COSTS AT 2387 SNEDDON WAY IN THE AMOUNT OF \$9,915.75 - Continued - Discussion among the Board, Mr. Cockerill, and Deputy District Attorney Bob Auer ensued on the letter from Attorney Brooke and whether the Board should consider it at this time as neither Mr. Brown nor Mr. Brooke were present. Discussion noted reasons for Mr. Brooke's absence and Board direction at the last meeting. Supervisor Fettic requested the item be continued until Mr. Brooke could be present. Therefore, the matter was tabled by Mayor Flammer. Following Mr. Cockerill's request, Supervisor Fettic moved that the Board continue the Agenda Item A-R-DA-1 and hear it at some time prior to 12 noon today. Following discussion of when Mr. Brooke might be present, Supervisor Fettic amended his motion to continue the item until the next meeting. Supervisor Swirczek seconded the motion. Motion carried 4-0.

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

BOARD OF SUPERVISORS REPORTS, RESOLUTIONS, AND PROCLAMATIONS (1-1870) -

A-BD-IA-1 STATUS REPORT ON WATER/SEWER UTILITY BILLING AUDIT - Internal Auditor Gary Kulikowski and Supervisor Swirczek explained reasons for recommending an audit be performed on the billing systems and need for a rate analysis, a potential data base centralization program, etc. Mr. Kulikowski's internal audit had not been completed which may take another six to eight weeks. Discussion acknowledged problems reconciling cut-off points, software problems, hardware needs, need for a consultant to perform a rate analysis, potential benefits from such an analysis, potential completion date for Mr. Kulikowski's report as well as the rate analysis, and progress on retaining the consultant.

(1-2576) Mr. Kulikowski and Mr. Hamilton explained for Marv Teixeira research being conducted on various software programs and rates which would be considered by the consultant. Mr. Teixeira explained his feeling that the amount of water used also needed to be considered in the rates. Supervisor Fettic explained his and Supervisor Swirczek's roles in the consultant interview process, specifically the rate spread between various users. Mr. Teixeira also felt the concern about whether the City could meet peak level demands needed to be resolved. Mr. Hamilton also noted that new industry submits estimates of its potential water and sewer usages in the process of obtaining permits and evaluating the City's facilities prior to making a commitment to relocate. Mr. Teixeira stressed his feeling that the water hookup ordinances needed to be modified.

Mr. Hamilton then commended Mr. Kulikowski on his assistance during his tenure.

No action was taken nor required on this Item.

A-BD-IA-2 MAYOR FLAMMER (1-3015) - Noted the Senior Golf Tournament Qualification Rounds which would take place in Carson City next week. A reception was being planned for Monday evening, however,

the particulars have not been finalized. The Open Meeting Law requirements were discussed.

SUPERVISORS SWIRCZEK AND FETTIC - None.

SUPERVISOR SCRIVNER - SPLIT SESSION CONCEPT FOR BOARD MEETINGS (2-0057) -
Tabled until the next meeting.

CITIZEN COMMENTS (2-0075) - None.

DETERMINATION/ANNOUNCEMENT OF FUTURE MEETING DATES AND TIMES (2-0080) - Clerk-Recorder Alan Glover reminded the Board that there were Personnel Minutes which need to be reviewed at the Office. The need to canvass the General Election on November 10 was explained. Board discussion ensued on the meeting dates for November and the date for the balance of the Grand Jury report. October 20th at 6 p.m. was set for the Grand Jury report. The need for a special meeting with the City complex consultant was discussed. October 13 at 5 p.m. was scheduled for this special session. Nevada Appeal Correspondent Sandy Wright requested a copy of Mr. Kulikowski's status report and explained the article which had taken the Board to task over the information provided by the consultant on the City Complex. Discussion noted the tight time constraints imposed upon the consultants and supported the need for a special meeting to discuss the report and its completeness. The need for a Personnel Hearing to discuss Mr. Hamilton's job performance was also discussed.

CITIZEN COMMENTS (2-0396) - Earl Milliken asked the Board to adopt a proclamation acknowledging Veterans Day. Mayor Flammer agreed to do so.

There being no other matters for discussion, Supervisor Fettic moved to adjourn. Supervisor Swirczek seconded the motion. Motion carried 4-0. Mayor Flammer adjourned the meeting at 11 a.m.

The Minutes of the Carson City Board of Supervisors October 6, 1988, meeting

ARE SO APPROVED ON December 6, 1990.

/s/
Marv Teixeira, Mayor

ATTEST:

/s/
Alan Glover, Clerk-Recorder