

CARSON CITY BOARD OF SUPERVISORS
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A regular meeting of the Carson City Board of Supervisors was held on January 21, 1988, at the Community Center Sierra Room, 851 East Williams Street, Carson City, Nevada, beginning at 9 a.m.

PRESENT: Dan Flammer Mayor
E. M. "Doc" Scrivner Supervisor, Ward 4
Ron Swirczek Supervisor, Ward
Tom Fetic Supervisor, Ward
Marilee Chirila Supervisor, Ward

STAFF PRESENT: Alan Glover Clerk-Recorder
Ted P. Thornton Treasurer
Michael Rody Deputy City Manager
Pam Case Automation Services Manager
Vic Freeman Undersheriff
Charles P. Cockerill Chief Deputy District Attorney
Greg Biggin Assistant Sheriff
Bob Auer Deputy District Attorney
Katherine McLaughlin Recording Secretary
(B.O.S. 1/21/88 Tape 1-0003)

Mayor Flammer called the meeting to order by leading the Pledge of Allegiance. Roll call was taken and a quorum was present although Supervisor Swirczek had not yet arrived.

IV. APPROVAL OF MINUTES - June 4, 1987 (1-0016) - Supervisor Fettic

moved to approve the Minutes of June 4, 1987, as presented. Supervisor Scrivner seconded the motion. Motion was voted and carried 4-0.

V. PETITIONS AND COMMUNICATIONS (1-0023) - Mayor Flammer recessed the Board of Supervisors session and immediately reconvened the hearing as the Liquor Board. A quorum was present although Members Swirczek and McGrath were absent.

A. LIQUOR AND ENTERTAINMENT BOARD MATTERS - FERGUSON - DOING BUSINESS AS JIM AND KAY'S SANDWICH SHOP AND DELI - 1750 SOUTH ROOP STREET (1-0026) - Jim and Kay Ferguson responded to questions concerning identification requirements. (During this discussion, Member Swirczek arrived--9:05 a.m.) Member Fettic moved to approve the Liquor License for James Leonard Ferguson and Kay Louise Ferguson doing business as Jim and Kay's Sandwich Shop and Deli, 1750 South Roop Street, Carson City. Member Scrivner seconded the motion. Motion was voted and carried 5-0.

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

B. STANCLIFFE - APPEAL AND REQUEST TO ADJUST ADDITIONAL FEES

DUE ON 1988 BUSINESS LICENSE (1-075) - James Stancliffe explained his feeling that his business license was exorbitant. Mr. Thornton explained the Code which had been amended in 1984 following a review by a committee comprised of businessmen and City staff. The snack tray is similar to a snack vending machine, however, the snack tray Business License is only \$2 as compared to the snack vending machine which

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is\$5. Mr. Stancliffe then explained the size of the trays, which is found mainly in small businesses. He also explained the other taxes he pays. Supervisor Scrivner felt that the \$2 fee was exorbitant and suggested that staff review the Code. Mr. Stancliffe then explained his profit margin. Deputy Treasurer Merlene Alt explained the fees charged by Reno, Sparks, and Washoe, noting that Carson City's was the least. Supervisor Fettic moved to deny the appeal of James Stancliffe for a reduction of his Business License fee based on his feeling that staff and the committee had put a great deal of work and thought into the Ordinance and that it was fair and equitable. Supervisor Chirila seconded the motion. Motion was voted and carried 4-1 with Supervisor Scrivner voting Naye.

Supervisor Fettic noted that if Mr. Stancliffe could demonstrate that the Ordinance was not fair or equitable, the Board would be willing to listen to an appeal.

VI. CITIZEN COMMENTS (1-0670) - Dick Waiton commended the media on its articles about the Grand Jury report and expressed delight in the Board's proposed town meetings to cover that report. He then expressed his feeling that the Board should address the parking meters. He felt that periodic reports should be made to the Board concerning the bond expenditures. He urged the Board to eliminate the Brewery Arts Center from the City's budget. He felt that the room tax could be used to replace the parking meter funds. Sparks purportedly uses funds derived from the room tax, a mutual agreement with the downtown association, a two hour chalk marking program, and a reduction in meter staff. He urged the Board to follow Sparks' lead. He then questioned why the City had not forced the Nugget to open its valet parking area for public parking. He felt that the City had failed to follow up on its verbal agreement with the Nugget for additional parking when either Spear or Plaza Street was closed. He then took the Board to task over hiring consultants due to his feeling that the consultants had given the City erroneous advice regarding the use of the Darling ranch and prison farm for effluent irrigation in the area considered wetlands. Mayor Flammer explained that the City had documented evidence showing that the problem was created by a change in Corps administration. Staff was currently negotiating this stand with them and had a meeting scheduled for Friday. This was not a consultant error. Mr. Waiton then expressed his feeling that the City was paying far too much for consultant fees. He again expressed his feeling that periodic reports should be given to the media concerning how the bond monies are being spent. Supervisor Swirczek supported this suggestion. Supervisor Fettic noted that the Park Bonds were reported on every time the Parks and Recreation Commission makes a request. Mr. Waiton then questioned what had happened to the funds the Board had reserved but not allocated to the Rifle Club. Mayor Flammer explained that these funds had been returned to the Parks and Recreation fund.

(1-1112) Barbara Lake then expressed her feeling that the Recreation Department was unfairly competing with private businesses, specifically her gymnastic firm. Purportedly the Recreation had retained a Reno coach. She read her letter into the record concerning this matter. She felt that her facilities and coaches should be utilized rather than out-of-town firms and public facilities. Parks and Recreation Director Steve Kastens explained his reply which had requested Ms. Lake contact him and a date be set for a hearing before Commission. Ms. Lake had not received this letter. Mr. Kastens then explained his advertisements soliciting programs from anyone. He did not feel that he could restrict the coaches or instructors' residence as it would be similar to restricting the City's employees choice of a residence. The current gymnastic instructors have been with the City for more than two years. The program has been enforce for more than ten years. Ms. Lake then expressed her feeling that the City should not be in the gymnastic program due to liability concerns. She felt that her appeal to the Parks and Recreation Commission would not be assessed fairly. Supervisor Swirczek noted that its recommendation would be considered by the Board. He then expressed his feeling that a policy giving the first opportunity for recreational programs to local residents should be considered. Ms. Lake explained that she had appealed to the Commission when it renewed the Reno coach's contract. She felt that this was unfairly taking the "best gymnast" and subsidizing an out-of-town competitor. She requested resolution of her situation prior to February 4th. Supervisor Swirczek expressed his feeling that it would be fruitless for Ms. Lake to make a presentation to the Commission as

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the contract had been let on the gymnastic program. Mr. Kastens explained that the contracts are not for a specific period. All contracts could be terminated within 30 days. Supervisor Scrivner felt that the contract could not be voided without due cause. Mr. Kastens expressed his feeling that to void a contract due to residency would create a big problem. If precedence requires the gymnastic coach to be a resident, then all the other programs would have the same requirement. Ms. Lake continued to stress her feeling that her request for consideration had been ignored and the residency requirement was justifiable. Mr. Kastens agreed to make a presentation to the Commission. Supervisor Chirila requested a District Attorney's opinion concerning whether a residency requirement could be enforced. Mr. Kastens and Ms. Lake explained the requirements for gymnastic coaches. Ms. Lake continued to expound on her feeling that her request had been ignored. Supervisor Fettic urged her to make her appeal to the Parks and Recreation Commission, which would ultimately be considered by the Board.

(1-1875) Mr. Waiton explained staffing problems for a swimming program held at 5:45 a.m., for basketball and volleyball referees. He felt that the programs should be open to anyone as Carson City served as the recreation site for Douglas, Lyon, etc.

VII. RESOLUTIONS (1-1935)

A. SHERIFF - REVIEW AND ACTION ON RESOLUTION ESTABLISHING AN EXPENDABLE TRUST FUND FOR THE SHERIFF'S COMMISSARY ACCOUNT EFFECTIVE JANUARY 1, 1988 - Undersheriff Vic Freeman explained the request and read

the Resolution into the record. Supervisor Fettic moved to adopt Resolution No. 1988-R-2, A RESOLUTION ESTABLISHING AN EXPENDABLE TRUST FUND FOR THE SHERIFF'S COMMISSARY ACCOUNT EFFECTIVE JANUARY 1, 1988. Supervisor Scrivner seconded the motion. Discussion noted Internal Auditor Gary Kulikowski's role in preparing the Resolution. The motion to adopt Resolution No. 1988-R-2 was voted and carried unanimously.

B. TREASURER (1-2025)

1. REVIEW AND ACCEPTANCE OF DECEMBER 1988 FINANCIAL REPORT -

Based upon Mr. Thornton's Tuesday comments, Supervisor Fettic moved to accept the Treasurer's December 1988 Financial Report as presented. Supervisor Swirczek seconded the motion. Motion was voted and carried 5-0.

2. REVIEW AND ACTION ON NORTHEAST CARSON SPECIAL ASSESSMENT DISTRICT (1-2052)

a. CLEMMONS (APN 8-175-10) - SPLIT INTO FOUR PARCELS -

Mr. Thornton explained the normal procedure for parcel splits and Statutory requirements when an assessment district is involved. Both this parcel and the following request had been parcelled but not brought to the Board. Steps had been taken to correct this situation. Supervisor Fettic moved to approve the District Attorney's recommendation and approve the parcel split in the Northeast Carson Special Assessment District APN 8-175-10, Clemmons, split to four parcels. Supervisor Scrivner seconded the motion. Discussion ensued concerning the number of parcels within the district which could be split. When a change in ownership, lease, etc., occurred the amount was to become due and payable at that time, however, under the Statutes there are numerous exceptions. Mr. Auer stated that the portion which the City had loaned to the residents under a signed agreement had been signed clearly spelling out the terms which made it collectable at the time of parcelling. The remaining portion upon which payments could be made could not be collected at the time of parcelling. Therefore, the Board would have to split the parcels and amounts on this portion accordingly. Mr.

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Thornton explained that the Board had been very accommodating and established several rules which were not normally found in assessment districts, citing the loan options, the City's portion, and the Block Grant as examples. Supervisor Fettic explained that reasons for these concessions had been due to the Board's concerns about the residents health and welfare as well as the feeling that past activities of the Board had contributed to the problem. The motion to approve the split as recommended by the District Attorney's office was voted and carried 5-0.

b. TAYLOR (APN 8-174-15) - SPLIT INTO THREE PARCELS

(1-2425) - Supervisor Fettic moved that the Board approve the recommendation of the District Attorney's office and approve the parcel split for the East Carson Special Assessment District APN 8-174-15, Taylor split into three parcels. Supervisor Scrivner seconded the motion. Motion was voted and carried 5-0.

C. DEPUTY CITY MANAGER

1. REVIEW AND ACTION ON EL AERO'S USE OF CUBIX' PROPERTY

(FORMERLY DRAKE PARCEL) AT THE AIRPORT (1-2494) - Attorney Bill Crowell, Jr., representing Al Fiegehen of Cubix and Joe Green of El Aero, explained the contract and the two operations. He then noted the complaints which Mr. Redwine had filed and direction given by Deputy City Manager Michael Rody. At this time a written agreement had not been drafted. The firms were operating under a verbal agreement.

Mr. Rody noted that under the terms of the agreement, Cubix should submit plans and specifications for staff review for the building before March. El Aero is currently using Cubix' property, which is allowable under a sublease if Board authorized. He suggested that a formal document subleasing or assigning the lease be presented to the Board for evaluation and approval. Contract requirements related to subleasing and assignments were read by Supervisor Fettic.

Mr. Crowell explained that in accordance with 19.20.020(5) the firms had agreed to a joint use of the facilities. He felt that the lease would be finalized within 30 days. If negotiations on the terms of the lease are not completed, the verbal agreement would be continued. El Aero's plans were briefly explained.

Mr. Auer then explained his reasons for having the matter brought to the Board. His explanation noted the complaint which had been filed by Hangar 7. Mayor Flammer explained his feeling that the present terminal lessee was attempting to change the atmosphere and improve the facility.

Mr. Crowell continued to expound on his clients' plans. (2-0018) Clarification noted that the subleases had not been submitted to the Airport Advisory Commission. Supervisor Scrivner then explained his feeling that as the proposal had not been submitted to the Commission and the contract had not been submitted, the firms should cease operations until these steps have been taken.

(2-0075) Bill Shaw, representing Malcomb and Gretchen Redwine, explained their protest including their request that the leases be terminated. Clarification by Mr. Crowell indicated that Cubix was a "successor name of L/F which was a name change and not a corporate movement". Mr. Shaw continued to expound on his reasons for feeling that the lease should be terminated due to a lack of an agreement, the lack of a business license, the competition created by a "nonexistent business", and lease violations which he felt were occurring as a result of verbal agreement. Mr. Rody explained the lease requirements including the requirement stipulating a building was to be constructed on the site within two years. Mr. Shaw's January 14 letter purportedly contained 12 allegations

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which Mr. Rody had not had time to investigate. Mr. Shaw continued to expound on his request that the lease be terminated.

(2-0395) In view of the confusion, the allegations, the lack of proper documentation and consideration by the appropriate staff members and Committee, **Supervisor Scrivner moved that the activities of El Aero and Cubix cease and desist at the site in which you are at until all these questions have been resolved and performed in accordance to the contract. Supervisor Scrivner then modified his motion to be directed at only El Aero and not Cubix. Supervisor Swirczek seconded the motion.** Mayor Flammer explained that the motion was to have El Aero cease and desist operations on the Cubix property until formal application is requested and responded to by the Board and had been considered by the Airport Advisory Board. Supervisor Swirczek expressed his feeling that L/F Technologies had failed to comply with the terms of the original lease which it had assumed. Mr. Rody agreed to report to the Board by the following meeting on his investigation of Mr. Shaw's allegations.

(2-0486) Mr. Crowell expressed his feeling that the Agenda did not indicate this was a "Show Cause Hearing", that a formal complaint had not been filed, and until this occurs the Board could not suspend the activities. He then explained legal steps taken by City against the former lessee, Mr. Drake, which it lost in court. Mr. Drake remained at the site until Cubix acquired the lease. He then showed a copy of the November 17, 1987, building permit, the flowage fuel prices, and expressed his feeling that all of the remaining allegations could be answered. Mr. Auer expressed his feeling that the Agenda was for the Board to take action approving or denying the activities.

Mr. Crowell then explained what he felt the basic FBO contract contained including subleasing. According to his understanding of the contract, Cubix had not contracted its lease to El Aero. The agreement allowed El Aero to temporarily use Cubix property for whatever purposes it so desired as authorized under the contract. He felt that a formalized agreement would occur within 30 days. According to Mr. Crowell El Aero was using Cubix' site to sell fuel from a fuel tanker. He felt that this was the basis for the Redwines' concern as they also sell fuel. As the agreement was not formalized, Cubix could terminate the agreement at any time. His comments included reasons for allowing the agreement to stand. Purportedly at this time Cubix is storing its aircraft at El Aero's hangar and purchases fuel from El Aero. The arrangement was conceived as a result of problems encountered by Cubix in attempting to obtain fuel and a proper storage site, specifically after hours. Discussion noted that \$10,000 worth of repair work had been performed on one of the buildings as a result of the verbal agreement.

Discussion ensued between the Board and Mr. Auer concerning whether the lease had been assigned and the legal meaning of the word "assignment", "sublease", and "subcontract". As a result of the explanation, Supervisor Swirczek expressed his feeling that the agreement should be formalized quickly. Supervisor Fettic explained his reasons for feeling that the allegations should be investigated as well as the need to have the agreement formalized.

Mr. Crowell then explained that Hangar 7 sold fuel on Cubix' property. In response to Mayor Flammer's question, someone in the audience began to explain the work that was being done for \$10,000. Supervisor Scrivner interrupted and expressing his feeling that such questioning should not be allowed after a motion has been made.

Supervisor Chirila questioned why this matter had not been presented to the Airport Committee prior to coming to the Board and her feeling that additional information was needed.

(2-1160) Al Fiegehen, President of L/F Technologies, expressed his feeling that he had an agreement with the other firm even though it was not in writing.

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The motion for El Aero to cease and desist all business activity on the Cubix' site until a formal agreement has been prepared and presented to the Airport Commission and Board for consideration was voted by roll call with the following result: Scrivner - Aye; Swirczek - Aye; Chirila - Aye; Fettic - Upon clarification of the motion, Aye; and Mayor Flammer - Aye, based on his feeling that the issues could be evaluated by the following meeting and would not substantially hold up the firms. Mr. Rody explained that he would have an opinion on the allegations by the next meeting, however, was unsure how long it would take for a formalized agreement to be drafted. Supervisor Fettic then explained his feeling that "something was going on at the Airport" and the matter should be cleaned up as quickly as possible. Motion carried 5-0. Mayor Flammer urged the firms to formalize their agreement posthaste. Clarification indicated that the issue could be presented to the Airport Commission before coming back to the Board.

BREAK: A fifteen minute recess was called at 11:15 a.m. When the meeting reconvened at 11:30 p.m. a quorum was present.

**2. STATUS REPORT (INFORMATIONAL ONLY) - DATA PROCESSING
COMMITTEE PROGRESS REPORT CONCERNING AUTOMATION
SERVICES (2-1308)** - Mr. Rody noted the re-organizational efforts of the Committee

and staff. Automation Services Manager Pam Case explained the documents outlining the steps taken to address Mr. Kilcourse's evaluation, the strategic program, including those items already addressed, and the order in which Departmental needs were being addressed. The lack of Departmental responses to the survey were noted. The Committee had addressed this situation by individually contacting each Department and verbally discussing the matter. Mr. Rody felt that the February deadline for completion of the study was realistic. Discussion noted that the Sheriff's Department had donated Gregg Biggin's time on the Committee. Ms. Case felt that once the study is completed a document establishing an automation master plan for the City would be drafted. It was felt that "measurable improvement" was occurring. Supervisor Swirczek expressed the hope that once the needs have been ascertained, attempts would be made to trade software, etc., with other entities and volunteered to assist in this endeavor. Discussion ensued concerning the number of "PC" which had been obtained during the year, their funding sources, and Committee support for their procurement. Undersheriff Vic Freeman explained the two "PCs" which the Sheriff's Department was obtaining under a grant. (At this point Tape 2 malfunctioned--3-0001.) Discussion ensued concerning maintenance and support by the Automation and the need for guidelines and standards for them. Ms. Case then explained Government Management Information Science which makes available a listing of software packages. At this time she was awaiting a reply on 26 inquiries about trading software packages. As this was an information only item, no action was taken.

G. GOLF PRO/MANAGER (3-0135)

**1. REVIEW AND ACTION CONCERNING RESOLUTION OF GOLF COURSE
CLUBHOUSE FACILITY** - Golf Course Advisory Member Gary Sheerin explained the

need for a new clubhouse at the course and noted the lack of funding for same. The Committee had established a sub-committee to analyze the alternatives. Options were: Expansion of the present facility and funding. Build a new facility and potential funding for it. One funding proposal was to have a private contractor, John Serpa, construct the facility. His proposal and unanswered questions related thereto were explained. Mr. Sheerin urged the Board to have the proposal put out to bid to be sure that the best offer possible was obtained. Mr. Serpa's conceived advantages of having a clubhouse adjacent to his development were discussed. Mr. Auer felt that so long as proposals were requested and the best one for the City is chosen, a problem should not arise. Mr. Sheerin reminded the Board that even the Grand Jury report had made note of the lack of funding for a clubhouse and the proposal "to look to the private sector for a resolution". Supervisor Swirczek moved to direct the Golf Course Pro-Manager and Sub-Committee to pursue the resolution of a clubhouse facility in conjunction with the appropriate

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staff and bring back a firm proposal with time guidelines at the February 4th meeting. Supervisor Fettic seconded the motion. Discussion noted that if the proposal is not completed by February 4th, it could be continued. At Mr. O'Brien's request, Supervisor Swirczek amended his motion to be to request proposals by February 4th. Supervisor Fettic continued his second. The motion was voted and carried 5-0.

COURSE **2. REVIEW AND CONCEPTUAL APPROVAL OF ALLOCATION OF GOLF
CONSTRUCTION FUNDS FOR:**

- a. GOLF CART ACQUISITION**
- b. SEWER LINE**
- c. GOLF CART STORAGE FACILITY (3-0565)** - (Due to their related nature, all three items were discussed at once.) Mr. Sheerin explained the bonding capacity available for these projects, the septic tank problems, the need for additional carts, and the need for a storage/maintenance cart facility. The priorities were: sewer line, golf carts, and storage/maintenance facility. **Supervisor Scrivner** explained his support of the sewer line and **moved to accept the recommendation of the Golf Course Advisory Committee and its priority as listed by Gary Sheerin and to immediately start the process for the sewer line, the carts, and the storage facility for the carts.** Discussion ensued concerning whether the remaining \$300,000 bond capacity would be adequate to address these three items. Mr. Sheerin felt that the sewer problem should be solved even if nothing else can be done, there could be more than \$300,000 left. If necessary, less than 50 carts could be purchased. Supervisor Swirczek expressed his desire to continue the matter until the financing is determined by Finance. Mr. Duncan noted that the Finance Director had signed the Board Action Request. This signature was not in the Board's packet but was at the City Manager's office. (A copy was not given to the Recording Secretary, who had made a special trip to the City Manager's office prior to the meeting to pickup last minute items.) Discussion noted the potential involvement in the sewer line extension by an adjacent subdivision as well as the adjacent park as noted by Mr. O'Brien. **Supervisor Fettic then seconded the motion. Supervisor Scrivner then restated the motion and amended it to include authorization to spend the funds. Supervisor Fettic's second was continued.**

Discussion ensued concerning Roberts Rules of Order and whether citizen participation should be allowed after a motion and second have been made. Mayor Flammer ruled that in this case citizen participation should occur.

(3-0845) In response to Dick Waiton's questions, Mr. Sheerin explained that the bonds being discussed were the \$4,000,000 authorized several years ago for the golf course. None of the funds were from the recent electorate approved Park Bonds.

The motion to authorize the procurement of the items as presented was then voted and carried 5-0.

**C. 3. REVIEW AND ACTION ON REQUEST FROM AMERICAN TELEPHONE AND
TELEGRAPH REGARDING LOCATION OF FIBER OPTIC REGENERATION
STATION (3-0897)** - (During Mr. Rody's introduction, Supervisor Scrivner stepped from the room--12:15 p.m. A quorum was present.) Mr. Rody explained the request for conceptual approval. BLM had given verbal approval of the request. (3-0938) Stuart Gearhart and Bill Pettibone, representing Coates Field Service who were performing the right-of-way work for American Telephone and Telegraph, explained the proposal and the route for the line from Cheyenne, Wyoming, to Sacramento, California. City approval of the

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regeneration station and the need to obtain the site from the Bureau of Land Management were explained. (At this time, Supervisor Scrivner returned--12:20 p.m. A quorum was present as noted.) According to the proposal, the regeneration station would be located adjacent to a gas pressure valve and along the section line. Mr. Rody gave the Board a large map indicating the site. AT&T agreed to landscape the facility to blend with the course. Mr. Gearhart gave the Board some pictures indicating the type of structure, etc. Landscape maintenance would be up to the City. The facility could be used for both regeneration of the signal and local subscription. Underground power lines may be utilized if Code required. Landscaping plans will be submitted to the Board for review. Supervisor Swirczek moved to approve the concept of locating a proposed fiber optic regeneration station on City controlled property, subject to BLM approval, and direct staff to draft a lease to be submitted as soon as possible. Supervisor Scrivner seconded the motion. Motion was voted and carried 5-0.

BREAK: At 12:30 p.m. a lunch recess was taken. When the meeting reconvened at 1:30 p.m., the entire Board was present, constituting a quorum.

D. FINANCE DIRECTOR - REVIEW AND ACCEPTANCE OF CHECK DISBURSEMENT REGISTER FOR DECEMBER 1987 (3-1301)

Mr. Kulikowski's explained his review and asked the Board to alert him to any items of concern which he should verify. Supervisor Swirczek moved to approve the Check Disbursement Register for December 1987. Supervisor Chirila seconded the motion. Motion was voted and carried unanimously.

E. EMERGENCY MANAGEMENT COORDINATOR - REVIEW AND ACTION ON ADOPTION

OF CARSON CITY EMERGENCY PLAN (3-1365)

Emergency Management Coordinator Sheila Warner explained the request. Mayor Flammer commended Ms. Warner on the book. Supervisor Scrivner moved to approve, pursuant to NRS Chapter 414 and CCMS 6.02.050, the Carson City Emergency Plan and to authorize the Mayor to sign the plan on behalf of the City. Supervisor Fettic seconded the motion. Motion was voted and carried 5-0.

F. PURCHASING AGENT (3-1412)

1. REVIEW AND ACTION ON BID 8788-51 - FUJI PARK WATER LINE

MATERIALS - Purchasing Agent Ron Wilson explained the request, the location, and that the line had already been brought under Highway 395 at the time it was reconstructed by the State. The labor contract would be presented to the Board for consideration later. The contract was for \$18,000 which included the two percent cash discount for payment within ten days. The Park Bond funds would be used for this proposal. Parks and Recreation Director Steve Kastens explained that the project was included under the Park Bond due to the Fire Code requirements for sprinkling the exhibit building. Mr. Wilson also noted that the stables would need the waterline. Mr. O'Brien noted that a waterline reimbursement ordinance would be presented to the Board for consideration soon. This would require any other developers who tie into the line in the future to reimburse their share of the line costs. This ordinance may apply to this project. Supervisor Swirczek requested Mr. Kastens prepare for discussion a recap of all the park projects to which park bond funds had been allocated. Mr. Kastens stated that none of the funds had been allocated to any park not included in the original proposal. He maintained a "spread sheet" at his office which is reviewed by the Commission monthly and shows where the funds have been spent or were allocated for the next two years. Mr. Wilson noted that the City would join with the State and have Las Vegas Paving install the line as it is to be in the Highway right-of-way. Supervisor Fettic moved to accept the Purchasing Agent's recommendation to award this bid to the lowest responsive and responsible bidder, that being Bidder No. 29, Western Nevada Supply Company, Bid No. 8788-51 in the amount of \$18,769.42. Supervisor Swirczek seconded the motion. Motion was voted and carried 5-0.

**2. STATUS REPORT (INFORMATIONAL ONLY) - AGREEMENT BETWEEN
CARSON CITY AND BAKER SALES FOR EAGLE VALLEY EAST AND
WEST GOLF COURSE TEE-MARKERS (3-1696)** - Mr. Wilson explained that Mr.

Baker had not signed the agreement which should be accomplished by the next meeting.

H. PUBLIC WORKS DIRECTOR (3-1721)

**1. REVIEW AND ACTION ON SIERRA PACIFIC POWER COMPANY - LINE
AND MAIN EXTENSION AGREEMENT CONTRACT NO. 16-5537-5 -
CARSON CITY WELL NO. 41** - Following Mr. O'Brien's introduction, Supervisor

Scrivner moved to authorize the Mayor to sign the Sierra Pacific Line and Main Extension Agreement, Contract No. 16-5537-5, to provide power service to Well No. 41 at an advanced cost of \$19,290. Supervisor Swirczek seconded the motion. Discussion ensued concerning the Applicant Installed Credit of \$600 which should have reduced the City's cost. Supervisor Scrivner withdrew his motion due to the ambiguity and Supervisor Swirczek withdrew his second. Supervisor Scrivner then moved to authorize the Mayor to sign the Sierra Pacific Line and Main Extension Agreement, Contract No. 16-5537-5, to provide power service to Well No. 41 at an advanced cost of \$19,290 subject to clarification of the question on the \$600. Clarification noted that to continue the matter would delay bringing the well on line. When a second was not forthcoming, Supervisor Fettic moved to approve and authorize the Mayor to sign the Sierra Pacific Power Line and Main Extension Agreement, Contract No. 16-5537-5, to provide power service to Well No. 41 at an advanced cost of \$18,690. Supervisor Swirczek seconded the motion. Motion was voted and carried 5-0.

2. REVIEW AND ACTION ON ADDENDUM TO WATER AGREEMENT DATED

**APRIL 14, 1983, BETWEEN CARSON CITY AND NEWMAN CONSTRUCTION
ET AL. (3-2002)** - Following Mr. O'Brien's introduction, Supervisor Fettic moved to

approve and authorize the Mayor to sign the Addendum to the April 14, 1983, Agreement between Carson City and Newman Construction, et al. Supervisor Scrivner seconded the motion. Motion was voted and carried 5-0.

**3. REVIEW AND ACTION ON PARKING ENFORCEMENT STUDY - AD HOC
COMMITTEE CRITERIA (3-2056)** - Mr. O'Brien suggested that the Ad Hoc

Committee be made-up of individuals representing the Board of Supervisors, the Traffic Engineer, the large casinos, the small casinos, the downtown retail businesses, a citizen-at-large from the abutting residential area, and the District Attorney's office. Reasons for each were given. Discussion indicated the feeling that Redevelopment should have a member on the committee, that the District Attorney could be an ex officio member, as well as having two citizens-at-large.

(3-2284) Dick Waiton encouraged the Board to select an individual to represent the citizen-at-large who is knowledgeable about the downtown area and its problems. He also urged the Board to appoint an individual who did not reside in the area.

Discussion ensued concerning having the District Attorney and Traffic Engineer be staff members without a vote, having only seven members on the committee, having a tourist industry representative rather than a Board member, and two retail business representatives.

Mr. Waiton questioned the deadline for submitting letters of interest, which was two weeks, and the committee deadline.

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Further discussion considered having a State employee on the committee and invite them to speak at the committee hearings. Clarification indicated the two members of the retail businesses should be from the core area.

Supervisor Fettic moved to authorize the Mayor's creation of an ad hoc committee to consist of one representative from the large casino, one representative from the small casino, two downtown retail business representatives, two citizens-at-large--one a resident of the Redevelopment area and another from outside the Redevelopment area, one member from the Downtown Redevelopment Committee, and to assist them in their endeavors that the Board afford them the services of the Traffic Engineer and the District Attorney's office as needed. Discussion indicated that these meetings would be posted and subject to the Open Meeting Law. Supervisor Fettic continued his motion to include advertising for these positions immediately and to be ready for appointment at the next regular session of the Board. Supervisor Scrivner seconded the motion. Motion was voted and carried 5-0.

Clarification indicated that any individuals from the Curry Street retail businesses as well as other retail businesses in the core area would be considered.

**4. STATUS REPORT (INFORMATIONAL ONLY) - PROGRESS ON PUBLIC
NUISANCE ABATEMENT AT 2387 SNEDDON WAY (3-2653)** - Mr. Auer

explained that the contractor who had considered removal of the items for their salvage value had re-evaluated the situation and determined that the City should pay him \$4,000 for this work. Therefore, the contract did not materialize. Mr. Brown was then given until January 19 to find a contractor on his own. His attorney, Scott Brooks, while pointing out that the efforts undertaken to regain legal title and possessory interest in the property, requested efforts to clear the property be kept under \$4,000 if the City performs the work. A contractor had not been obtained by Mr. Brown. He had agreed to have Public Works perform the work. Mr. O'Brien explained that the contractor's request for \$4,000 was over and above the salvage value, therefore, he felt certain it would take more than \$4,000 to do the work. Attempts would be made to keep the costs as low as possible, however, removal of the trailers and vehicles would have to be contracted. He would supervise the work beginning one week from Monday. The Sheriff's Office would have representatives present during the removal. Time needed to remove the accumulation was discussed.

I. COMMUNITY DEVELOPMENT DIRECTOR (3-2975)

1. PLANNING COMMISSION REFERRALS - ACTION ON CONSENT AGENDA

- a. SPECIAL USE PERMIT U-85-7 - NEVADA DEPARTMENT OF
MUSEUMS AND HISTORY - CONSTRUCT BUILDING TO HOUSE
CHAMBER OF COMMERCE ON P - 2180 SOUTH CARSON STREET -
PLANNING COMMISSION APPROVED 5-0-2**
- b. SPECIAL USE PERMIT U-87-39 - ROSS - ERECT BILLBOARD
ON GC - 4769 SOUTH CARSON STREET - PLANNING COMMISSION
APPROVED 5-0-2**
- c. SPECIAL USE PERMIT U-87-40 - OXOBY - ERECT BILLBOARD
ON GC - 3902 SOUTH CARSON STREET - PLANNING COMMISSION
APPROVE 5-0-2**
- d. SPECIAL USE PERMIT U-87-41 - SIMONS, ET AL. - ERECT
BILLBOARD ON GC - 5750 EAST WILLIAM STREET - PLANNING**

COMMISSION APPROVED 5-0-2

- e. **SPECIAL USE PERMIT U-87/88-14 - CARSON CITY - CONSTRUCT WELL HOUSE AND TRANSMISSION LINE ON P - SOUTH-EAST CORNER RIVERVIEW PARK - PLANNING COMMISSION APPROVED 5-0-2**
- f. **VARIANCE V-87/88-4 - EILENFELDT - VARY FROM REAR SETBACK REQUIREMENTS ON SF6000 - 3299 KITCHEN DRIVE - PLANNING COMMISSION APPROVED 5-0-2**
- g. **VARIANCE V-87/88-3 - BALLARDINI - VARY FROM PARKING STANDARDS ON RO - 711 NORTH NEVADA STREET - PLANNING COMMISSION APPROVED 5-0-2** - Mr. Rody read the items into the record.

Supervisor Fettic moved to approve the Consent Matters as read by the Deputy City Manager. Supervisor Swirczek seconded the motion. Motion was voted and carried 5-0.

- 2. **PLANNING COMMISSION REFERRALS - REVIEW AND ACTION ON DISCUSSION AND APPEAL MATTERS - CHANGE OF LAND USE Z-86-12 - STANTON PARK RESOLUTION OF INTENT (1987-R-11) - ONE YEAR EXTENSION OF TIME WITH NO CHANGE IN CONDITIONS - PLANNING COMMISSION APPROVED 5-0-2 (4-0006)** - Deputy Community Development

Director - Planning Eric Toll explained the request to extend for one year the Resolution of Intent for "C" Hill-Highland Estates. Some of the conditions of the Resolution had been beyond the developers control, e.g., bringing Well 41 on line which is required by the State Engineer, approval by Public Works of the roads, street plans, traffic, and drainage. Supervisor Fettic moved that the Board approve Z-86-12, the Stanton Park Resolution of Intent No. 1987-R-11 for a one year extension of time to February 19, 1989 with no change in the conditions for the Stanton Park Subdivision. Supervisor Swirczek seconded the motion. Discussion ensued concerning whether a one year or a six month extension should be granted. The motion to grant the one year extension was voted and carried 5-0.

VIII. ORDINANCES - FIRST READING - None.

IX. ORDINANCES - SECOND READING - None

XIII. DESIGNATION OF FUTURE MEETING DATES AND TIMES (4-0148)

- B. **SELECTION OF DATE, TIME, AND PLACE FOR EVENING PUBLIC HEARING REGARDING GOVERNOR'S WALK** - Consensus established 7 p.m. on February 4th for this public hearing.

X. CITY MANAGER RESOLUTIONS, REPORTS, AND BOARD DIRECTIVES (4-0231)

- A. **REVIEW AND ACTION ON JOB DESCRIPTION FOR THE GOLF COURSE MANAGER** - The City Manager, Personnel Officer, and Golf Course Manager prepared the description. Supervisor Chirila questioned what had happened to Mr. Hamilton's original job description due to her feeling that the present format was very vague. Supervisor Swirczek requested the matter be continued until

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the City Manager and Golf Course Manager could be present. Supervisor Scrivner felt that a Golf Course Manager should not be required to be a horticulturist as that expertise could be contracted. Purportedly the job description Supervisor Chirila had referred to was one Supervisor Scrivner wrote in 1985, however, research indicated that being a horticulturist was not one of the normal jobs of a Golf Course Manager. Supervisor Swirczek explained his reasons for deferring the matter and moved to defer action on approval of the Golf Course Manager job description until February 4. Personnel Officer Judie Fisher explained the questions she had posed to the District Attorney's office related to the title, classification, etc. Mr. Auer stated that these would have no bearing on the job description. Supervisor Chirila seconded the motion to continue the matter. The motion was voted and carried 5-0.

Mayor Flammer expressed his feeling that a job description should be determined as soon as possible in view of the numerous delays which had already occurred. Purportedly, Mr. Duncan had not been paid since the Board acted on the matter several months ago. The consensus indicated that one issue had no bearing on the other.

B. REVIEW AND ACTION ON AUDIT COMMITTEE RECOMMENDATION TO APPOINT

AUDITING FIRM FOR FISCAL YEAR ENDING JUNE 30, 1988 (4-0490) -

Mr. Rody explained the recommendation that Kafoury Armstrong be retained for an additional year. Supervisor Swirczek expressed his feeling that the learning process for a new firm was valid, however, moved to appoint Kafoury Armstrong and Company as the external auditors for the fiscal year ending June 30, 1988, at an amount not to exceed \$40,000. Supervisor Fettic seconded the motion. Motion was voted and carried unanimously.

XI. BOARD OF SUPERVISOR RESOLUTIONS, REPORTS, AND PROCLAMATIONS (4-0533)

A. GOLF COURSE ADVISORY COMMITTEE - APPOINTMENT OF MEMBER -

Supervisor Swirczek explained the Committee's recommendation of Rick Kallas and Marv Teixeira for the vacancy. Supervisor Scrivner moved to appoint Rick Kallas to the Golf Course Advisory Committee. Supervisor Swirczek seconded the motion. Motion was voted and carried 5-0. Mr. Rody agreed to notify Mr. Kallas.

B. AIRPORT ADVISORY BOARD - APPOINTMENT OF MEMBERS (4-0572) -

Mr. Rody explained the Advisory Board's recommendation for two of the vacancies and that the the third vacancy be continued. Supervisor Scrivner moved to reappoint Ron Kitchen. Supervisor Fettic seconded the motion. Motion was voted and carried unanimously.

Supervisor Fettic then moved to reappoint Charles D. Hutter, III. Supervisor Scrivner seconded the motion. Motion was voted and carried unanimously.

Discussion then noted Mr. Saulisberry did not wish to serve another term. The consensus was that a commendation be given to him recognizing his service.

C. MAYOR FLAMMER (4-0675) - None.

SUPERVISOR SWIRCZEK - A Representative of the Secretary of Commerce and Inspector General's offices in Seattle had submitted his report on the Arrowhead Road EDA grant to Washington, D. C., and a response should be made shortly.

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SUPERVISORS FETTIC, CHIRILA, AND SCRIVNER - None.

XII. CITIZEN COMMENTS (4-0731) - None.

XIII. A. ANNOUNCE EVENING MEETING SCHEDULED WEDNESDAY, JANUARY 27, 1988,
REGARDING GRAND JURY REPORT/RESPONSE AT 7 P.M. (4-0735) - Mayor Flammer
reminded the Board of this meeting. (Supervisor Fettic stepped from the room--2:48 p.m. A quorum was present.)
Supervisor Scrivner reminded the Board of the February 4th meeting and the special item concerning Governor's
Walk which had been scheduled for 6:30 p.m.

Supervisor Scrivner moved to adjourn. Supervisor Swirczek seconded the motion. Motion was voted and carried
4-0. Mayor Flammer adjourned the meeting at 2:40 p.m.

A tape recording of the proceedings is on file in the Clerk-Recorder's Office. This tape is available for review and
inspection during normal business hours.

The Minutes of the Carson City Board of Supervisors January 21, 1988, meeting

ARE SO APPROVED ON October 20, 1988.

/s/
Dan Flammer, Mayor

ATTEST:

/s/
Alan Glover, Clerk-Recorder