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MAVERICK LIONS CLUB; PROSCENIUM PLAYERS; RETIRED SENIOR VOLUNTEER PROGRAM (1-0352) - Following Business and Liquor License Supervisor Pam Robinson's introduction and discussion of the procedures, Member Feticc moved to approve the annual short-term liquor permits for the Brewery Arts Center, Carson City Jaycees, Carson Sertoma Club, Maverick Lions Club, Proscenium Players, and the Retired Senior Volunteer Program. Member Swirczek seconded the motion. Motion carried 5-0.

SATIN LOUNGE STATUS REPORT (1-0421) - Sheriff McGrath informed the Board that there had not been any calls for assistance, citizen's complaints, nor a disturbance at the Lounge during the last quarter.

There being no other matters for consideration as the Liquor and Entertainment Board, Vice-Chairperson Chirila adjourned the Liquor and Entertainment Board and immediately reconvened the session as the Board of Supervisors. A quorum was present although Mayor Teixeira was absent.

CITIZEN COMMENTS (1-0450) - Dick Waiton chastised the Board and public for failing to publicly recognize Veterans Day as well as help clean the cemetery. He explained the Veterans Day ceremony and activities. Mayor Pro-Tem Chirila directed Mr. Hamilton to have a City representative present next year.

(1-0525) Harold Brown questioned when the Parks and Recreation decision would be made on the Veterans Memorial in Mills Park. Mr. Hamilton was directed to let Mr. Brown know when this meeting would be held.

RESOLUTIONS

3. DISTRICT ATTORNEY (1-0585)

ACTION ON OFFER TO SETTLE PERSONAL INJURY CLAIM OF CHRISTINE TRUPELL - Mr. Auer explained the settlement offer and his recommendation to accept it. Supervisor Swirczek moved that, based upon the District Attorney's analysis, the Board authorize the District Attorney to settle Christine Truell's claim in the amount of \$1500 in exchange for a signed release of liability by Mrs. Truell and the source of funding will be the insurance defense fund. Supervisor Bennett seconded the motion. Discussion indicated that a precedence would not be established by the settlement. The motion to approve the settlement was voted and carried 4-0.

ACTION ON SHENANDOAH HEIGHTS SETTLEMENT AGREEMENT/STORM DRAIN SYSTEM AND CONSTRUCTION BUILDOUT (1-0731) - Continued.

ACTION ON DISTRICT ATTORNEY'S REQUEST FOR AUTHORIZATION TO COMMENCE LAWSUIT - OBSTRUCTION OF EASEMENT AT 1020 VALLEY VIEW (1-0751) - Mr. Auer explained the location, the original right-of-way abandonment which had reserved a 15 foot easement, adjacent property owners' requests that the easement remain open, and his recommendation that their requests be honored.

(1-0815) Pete Rasner explained his feeling that he had not blocked the property owners' access and that as he paid taxes on the property, he should be allowed to use it as he felt appropriate. Additionally, he questioned the liability of having the public utilize the easement. The easement was "a dust hazard." He had no problem with allowing the public utility companies access. Purportedly all of his neighbors except one supported him and approved of the fence. He had installed a gate, however, access across was not possible.

Mr. Auer explained that the easement was for both access and public utility use as reflected on the parcel map and abandonment. Mr. Rasner continued to elaborate on his position that it is a dust hazard and that he was paying taxes on the property. Discussion with Mr. Rasner noted that he had refused to stop work during

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construction when so requested by staff. Mr. Auer's request was for authorization to take the matter to court to determine what the term "access" means. Mr. Rasner was in agreement with the request to seek a Court opinion on this issue.

(1-0981) Marian Rovetti explained her objection to the closure and need for the rear access, which she had had for over 20 years.

Mr. Auer then explained that he was not concerned about Mr. Rasner's failure to halt construction but rather the desire to seek a court opinion on the matter. Supervisor Feticc moved to authorize the District Attorney to commence a lawsuit to restrain the blocking of City easement located at 1020 Valley View. Supervisor Swirczek seconded the motion. Motion carried 4-0.

Clarification for Mr. Waiton ensued on utility right-of-ways and the difference between Mr. Rasner's and those found in the New Empire area.

ACTION ON SHENANDOAH HEIGHTS SETTLEMENT AGREEMENT/STORM DRAIN SYSTEM AND CONSTRUCTION BUILDOUT (1-1105) - Mr. Auer explained the request and background including the original development agreement and Mr. Tipple's defaults. The letter of credit had been called. Mr. Tipple had declared bankruptcy. The Trustee, the primary creditor Pri-Merit Bank's interest, and their roles were explained. The banks, which included Security Pacific, and the Trustee had been willing to negotiate on the on and off-site improvements which had resulted in the settlement offer. Mr. Auer briefly outlined the offer and his reasons for supporting it. Public Works Director Dan O'Brien used a parcel map and transparency of the area to explain the location, the original easement description problems including ownership problems, the need for dedication of several streets and fencing of the ponds, and the drainage plan. He suggested consideration be given to utilizing the ponds for recreational uses at some point in the future. He also recommended that the Board approve the concept only today and reconsider the item when the exhibits, including easement descriptions, are available which would be in two weeks. Supervisor Swirczek expressed his support for Mr. O'Brien's proposal. (1-1699) Pri-Merit Bank Vice President Joe McLaughlin supported Mr. O'Brien's recommendation that the project be conceptually approved.

(1-1776) Dick Waiton expressed his feeling that the matter would take much longer to resolve than had been that indicated. Mr. Auer explained the legal steps necessary to obtain Court approval of the settlement. Mr. Waiton continued to voice doubt that the issue could be resolved so quickly.

Supervisor Feticc moved to approve the Shenandoah Heights settlement agreement in concept and that it be brought back to the next regularly scheduled Board meeting for final approval. Supervisor Swirczek seconded the motion. Motion carried 4-0.

5. TREASURER

ACTION ON ACCEPTANCE OF BID SENIOR CITIZEN CENTER BONDS (1-1862) - Treasurer Ted Thornton explained the committee which had opened the bids, the bids, and recommendation that one bid be disqualified and the one from Northern Trust Company of Chicago be accepted. He then explained the need to change pages 8 and 13 and modify the Ordinance which would be discussed later in the process. Supervisor Swirczek moved to accept the low bid as submitted by Northern Trust Company of Chicago, Illinois, that bid offered to purchase the bonds bearing interest and included other terms as provided within the bid documents and having a true interest cost of 6.942 percent. Supervisor Feticc seconded the motion. Motion was voted and carried 4-0. Mr. Thornton then gave the bids to the Clerk-Recorder Alan Glover.

ORDINANCE - FIRST AND SECOND READING - ACTION ON AN ORDINANCE (FIRST AND SECOND READING) RELATIVE TO \$1,300,000 CARSON CITY, NEVADA, GENERAL OBLIGATION LIMITED TAX SENIOR CITIZEN'S CENTER SHORT-TERM BONDS - SERIES

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JUNE 1, 1989 (1-2010) - Following Mr. Thornton's introduction, Supervisor Bennett moved to declare the first and second reading of the bond ordinance as an emergency. Supervisor Swirczek seconded the motion. Motion carried 4-0.

Mr. Thornton then explained the Ordinance changes and the interest rates for 1990 through 1998. Supervisor Feticc then moved to adopt Ordinance No. 1989-10, Bill No. 111, AN ORDINANCE DESIGNATED BY THE SHORT TITLE "1989 SHORT-TERM BOND ORDINANCE"; PROVIDING FOR THE ISSUANCE BY CARSON CITY OF ITS REGISTERED, NEGOTIABLE, GENERAL OBLIGATION (LIMITED TAX) SENIOR CITIZEN'S CENTER SHORT-TERM BONDS, SERIES JUNE 1, 1989, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$1,300,000 PREVIOUSLY AUTHORIZED BY THE BOARD OF SUPERVISORS AND THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF TAXATION OF THE STATE OF NEVADA; PROVIDING THE FORM, 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 COVENANTS, AGREEMENTS AND OTHER DETAILS CONCERNING THE BONDS, THE PROJECT, THE GENERAL TAX PROCEEDS AND THE PAYMENT OF THE BONDS; RATIFYING ACTION PREVIOUSLY TAKEN AND PERTAINING TO THE FOREGOING BY THE CITY AND ITS OFFICERS; BE 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 HEREOF. Supervisor Bennett seconded the motion. Discussion ensued on the bid ranges and the original anticipated interest rate. The motion was voted by roll call with the following result: Yes - Bennett, Feticc Swirczek and Mayor Pro-Tem Chirila. No - None. Motion carried 4-0-1 with Mayor Teixeira being absent. Mayor Pro-Tem Chirila read the following into the record: "The presiding officer thereupon declared that at least TWO-THIRDS of the Board having voted in favor thereof, such motion was carried and such bill was duly passed and adopted as an Ordinance of Carson City.

"Such Ordinance is to be approved and authenticated by the signature of the Mayor, sealed with the seal of Carson City, attested by the City Clerk, recorded in the journal of such Board, such record to be signed by such officers and properly sealed, and numbered and published by title therein provided.

"Thereupon, after considering other matters not concerning the foregoing matters, upon motion duly made, seconded and adopted, such meeting was adjourned."

6. FINANCE DIRECTOR (1-2420)

DISCUSSION AND ACTION REGARDING ALTERNATIVES FOR FINANCING VARIOUS CITY CAPITAL PROJECTS - Finance Director Mary Walker distributed copies of a financial report (one to the Clerk) on refinancing the water, sewer, and golf course bonds. Reasons for considering refinancing the bonds, the various options under which they could be refinanced, staff's recommended options, and IRS restriction were outlined. Bond Counsel John Swensied and Financial Consultant Phil Howarth explained the intent to use the revenue generated by the enterprise accounts to repay the bonds. Should adequate funds not be available in the enterprise accounts, the General Fund would have to make up the deficiency. An increase in the ad valorem tax beyond the cap could not be used to meet these obligations. Clarification by Ms. Walker noted that it would not be necessary for the General Obligation Bond Commission to meet on the issues as they are short-term bonds. Supervisor Swirczek suggested that if the Board approves the third option it be subject to meeting the provisions of the Local Government Budget Act due to pending legal questions concerning this procedure.

(2-0054) Ms. Walker responded to Mr. Waiton's question by explaining that the General Fund could be held

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liable for the bonds if a revenue shortage occurs in the enterprise funds. She also noted that the enterprise user fees could be increased to meet liability if necessary as they are not capped.

Supervisor Feticc moved to approve the recommendation of Option 3, the ten year short-term financing, subject to the Local Government Budget Act. Supervisor Swirczek seconded the motion. Motion was voted by roll call with the following result: Yes - Feticc, Swirczek, Bennett, and Mayor Pro-Tem Chirila. No - None. Motion carried unanimously.

DISCUSSION AND ACTION CONCERNING REFUNDING OF CURRENT CITY DEBT (2-0105) - Following Ms. Walker's introduction, Financial Consultant Howarth explained the current interest rates and savings which could be achieved by refinancing the 1985 golf course bond issues. The savings will be retained by the enterprise account. The General Obligation Bond Commission does not consider refinancing of original bonds. Supervisor Swirczek moved that the Board direct staff; City Manager, Finance Director, and the District Attorney; to prepare a resolution pertaining to the refunding of the Golf Course and Sewer and Water Bonds and to have that be presented at the July 15th meeting. Supervisor Feticc seconded the motion. Motion carried 4-0.

Ms. Walker then explained that the water and sewer bonds had been financed through the State with other local government bond issues and all of them would have to be refinanced before the City could refinance its portion. Should the market change prior to finalization, the issues would not be refinanced.

8. GOLF PRO - REQUEST FOR APPROVAL TO PROCEED WITH EXPANSION OF EAGLE VALLEY GOLF COURSE CLUB HOUSE (2-0295) - Discussion noted the lack of documentation for this request. Golf Pro Tom Duncan explained the request to transfer \$10,000 of promotional funds, which will not be needed during this fiscal year, to the club house. The structure problems noted earlier shall be corrected within a 90-day period. The \$10,000 will be used for drawings and engineering costs. Mr. O'Brien outlined Mr. Baker's estimated costs to prepare plans for the expansion which included evaluating the present structure as well as the new addition. He also noted that formal agreements would be drafted by the Purchasing Department. Supervisor Swirczek explained his reluctance to take formal action on the financial proposal without any supporting documentation. Mr. Auer explained his feeling that written agreements should be drafted outlining the duties, timetables, responsibilities, etc., even if the services are donated. Mayor Pro-Tem Chirila directed that Mr. Hamilton through Mr. O'Brien coordinate with the District Attorney's office to obtain definitive information and a plan for consideration at the next Board meeting. Mr. Hamilton agreed and suggested that Mr. Kastens may be the individual who should be the staff coordinator. Supervisor Feticc explained that the Board was not trying to delay the project and pointed out the need for definitive information. Mr. Duncan requested that additional time be allocated at the meeting to have the volunteers make a presentation. Mr. O'Brien requested that the Board authorize \$1,000 for evaluation of the building. Supervisor Swirczek continued to express his reluctance to fund a project without proper documentation. Mr. O'Brien expressed the desire to have City staff be in charge of the project and that no funding or agreements will be made without City authorization. It was felt that the matter could be considered at the special meeting next week. No action was taken on the request.

9. PUBLIC WORKS DIRECTOR - ACTION ON FINAL PAYMENT AND RELEASE OF RETENTION - A & K EARTHMOVERS CONTRACT I-3 - DARLING RANCH IRRIGATION SYSTEM (2-0731) - Mr. O'Brien explained the request, the Contractor's willingness to return after the irrigation season and correct a gasket problem, and the final change order which would be considered in June. Supervisor Feticc moved to accept the work completed by A & K Earthmovers of Fallon, Nevada, on Contract I-3, Darling Ranch irrigation system with the exception of bid item 33, AA-1 and added work under Change Order 7 subject to the May 8, 1989, letter of agreement with the Contractor incorporated herein. Supervisor Swirczek seconded the motion. Motion carried unanimously.

Supervisor Swirczek then moved that the Board authorize release of the retention to the Contract A & K

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Earthmovers in the amount of \$59,077.86, plus interest due, for the acceptance of work and release of retention for contract I-3, Darling Ranch irrigation system, source of funding - Sewer Construction Fund. Supervisor Bennett seconded the motion. Motion carried 4-0.

10. COMMUNITY DEVELOPMENT DIRECTOR - PLANNING COMMISSION REFERRALS - ACTION ON CONSENT MATTERS - SPECIAL USE PERMIT U-88/89-2 - EAGLE VALLEY CONSTRUCTION/CARSON CITY - APPLICATION TO ALLOW A BATCH PLANT ON PROPERTY ZONED CONSERVATION RESERVE (CR) LOCATED 2000 FEET WEST OF THE INTERSECTION OF US HIGHWAYS 395 AND 50 (APN 9-301-03) - PLANNING COMMISSION VOTE DETERMINED ON MAY 30, 1989 - Mr. O'Brien explained his Department's intent to issue an encroachment permit if the Board approved the Special Use Permit. He would not be present when considered.

3. ORDINANCE - FIRST READING - ACTION ON AN ORDINANCE ADDING CHAPTER 2.34 WHICH ADOPTS A CODE OF ETHICS FOR ELECTED AND APPOINTED OFFICIALS TO THE CARSON CITY MUNICIPAL CODE AND OTHER MATTERS PROPERLY RELATED THERETO (2-0831) - Discussion noted the Mayor's interest in this matter and desire to have it introduced on first reading today. Mayor Pro-Tem Chirila's request that the Ordinance include citizen appointees to avoid a conflict of interest had been overlooked, therefore, Supervisor Feticc moved to continue it until the next regularly scheduled meeting and Mayor Pro-Tem Chirila's request that the conflict of interest comments for appointed officials be included in the Code. Supervisor Swirczek seconded the motion. Clarification noted that appointed officials had been included. Supervisor Feticc amended the motion to be that "appointed commission" be included rather than "appointed officials." Supervisor Swirczek continued his second. Motion carried 4-0.

5. ACTION ON APPROVAL OF REFUNDS AND REMOVAL OF TAXES FROM THE 1988-89 TAX ROLL DUE TO STATE OF NEVADA ACQUISITION (2-0977) - Following Mr. Thornton's introduction, Supervisor Swirczek moved to approve the refunds to Paul and Wanda Lenning on Parcel No. 10-061-08 in the amount \$83.16 and to Everett L. and Mary E. O'Malley on Parcel No. 8-052-13 in the amount of \$143.32 and remove such property from the tax roll. Supervisor Bennett seconded the motion. Motion carried unanimously.

4. DEPUTY CITY MANAGER - STATUS REPORT ON SENIOR CITIZEN'S CENTER (2-1029) - Director of Senior Citizens Center Pat Blake and Deputy City Manager Mike Rody explained the status report. (A copy was given to the Clerk.) Ms. Blake also thanked Supervisor Bennett for having the Senior Center painted by the Board of Realtors. The report included projected time tables and reasons for delays. This was a status report only. No action was required nor taken by the Board.

6. ADOPTION OF PROPOSED ACTION REGARDING FISCAL YEAR 1987-88 AUDIT RECOMMENDATIONS (2-1192) - Ms. Walker explained the statutory requirement of NRS 354.624 and reviewed each of the audit points and the recommended plan of action including projected compliance dates. Supervisor Bennett expressed her support for having a fixed asset list. Clarification noted that Audit Point 14 had been completed on December 5, 1988. Problems in attempting to reconcile the cash on the books with that of the bank were discussed at length. The difference is \$8,552. Ms. Walker questioned the wisdom of having staff attempt to reconstruct where these funds were due to the time involved and staff costs. She recommended that the \$8,552 be written off the books. She did not feel that the staff had taken the money, however, could not prove it one way or the other. Supervisor Swirczek suggested that she bring back a statement indicating that no one had in fact taken the funds. Ms. Walker explained that it would take a lot of time to prove this point, however, she could supply figures showing where the errors had been for the amount which had been located. Supervisor Feticc moved to adopt the proposed plan of action regarding the Audit recommendations for the fiscal year 1987-88. Supervisor Swirczek seconded the motion. Following discussion of the audit exception, Supervisor Feticc amended his motion to except audit point number 20.

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Supervisor Swirczek continued his second. The motion was voted and carried unanimously.

The Board commended Ms. Walker on her work.

ACTION ON REMOVAL OF DELINQUENT PROPERTY TAXES AS UNCOLLECTIBLE (2-1780) - Ms. Walker and Mr. Thornton explained the request. The normal escrow process had not been utilized during the sale from Brunzell Construction Co. to the State of Nevada, therefore, a title search had not been done which would have indicated the tax delinquency. The State is now reluctant to pay these taxes. The District Attorney's Office had suggested that the matter be brought to the Board for removal from the records. The present procedure requires the State to use a title company which will eliminate a reoccurrence. Mr. Auer explained the statute of limitations which would not allow his office to sue Brunzell for the delinquency. Supervisor Feticc moved to strike as uncollectible property taxes from the secured property tax roll on APR 4-083-01. Supervisor Bennett seconded the motion. Motion carried 4-0.

Ms. Walker then explained an attachment to the Board Action Request which outlined the City's attempts to collect delinquent taxes.

CITIZEN COMMENTS (2-2001) - Sanford Rocklin, representing the Kit Carson Rendezvous, requested time to make a presentation to the Board for reconsideration of the fee waiver denial for its business license. Supervisor Feticc and Mayor Pro-Tem Chirila directed that the item be added to the special meeting to be held next week.

10. COMMUNITY DEVELOPMENT DIRECTOR (2-2055)

PLANNING COMMISSION REFERRALS - ACTION ON CONSENT MATTERS - SPECIAL USE PERMIT U-88/89-2 - EAGLE VALLEY CONSTRUCTION/CARSON CITY - APPLICATION TO ALLOW A BATCH PLANT ON PROPERTY ZONED CONSERVATION RESERVE (CR) LOCATED 2000 FEET WEST OF THE INTERSECTION OF US HIGHWAYS 395 AND 50 (APN 9-301-03) - PLANNING COMMISSION VOTE DETERMINED ON MAY 30, 1989 - Mr. Hamilton read the item into the record and noted that the Planning Commission had approved the request. He then elaborated on Mr. O'Brien's earlier comments concerning the encroachment permit, the special condition requiring restoration of the site, and reasons for the recommendation. Mr. Auer clarified the issue and noted that the City owns the land which would be used by Eagle Valley. Deputy Community Development Director - Planning Eric Toll explained the State's commitment to prohibit a batch plant from being located on its property which is adjacent to the City's property. Supervisor Swirczek moved that the Board approve Special Use Permit U-88/89-2 and uphold the Planning Commission's decision as read into the record by the City Manager. Supervisor Feticc seconded the motion. Motion was voted and carried 4-0.

A certificate of insurance would be part of the encroachment permit.

ACTION ON APPROVAL OF S-87/88-3 - ONE YEAR EXTENSION FOR SKYRIDGE SUBDIVISION (2-2333) - Mr. Toll explained the statutory requirement for subdivision extensions and that Skyridge had been diligently developing the project and making improvements. Supervisor Swirczek moved to approve a one year extension for Skyridge Subdivision through July 21, 1990, for M.G. Stafford, the applicant, pertaining to S-87/88-3. Supervisor Bennett seconded the motion. Motion carried 4-0.

ORDINANCE - SECOND READING (2-2389)

ACTION ON BILL NO. 109 - CHANGE OF LAND USE Z-88/89-7 - ERIC K. WADDELL - APPLICATION TO REZONE PROPERTY FROM MULTI-FAMILY APARTMENT/SINGLE FAMILY 6000 (MFA/SF6000) TO RETAIL COMMERCIAL (RC) LOCATED AT 822 SHADOWHILLS DRIVE (APN 8-121-40) - PLANNING COMMISSION APPROVED 6-0-1-0 (2-

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2389) - Following Mayor Pro-Tem Chirila's introduction, Supervisor Swirczek moved to adopt Ordinance No. 1989-11, AN ORDINANCE EFFECTING A CHANGE OF LAND USE ON ASSESSOR'S PARCEL NUMBER 8-121-40 FROM MULTI-FAMILY APARTMENT (MFA) AND SINGLE FAMILY 6000 TO RETAIL COMMERCIAL (RC) ZONING. Supervisor Feticc seconded the motion. Motion carried 4-0.

ACTION ON BILL NO. 110 - CHANGE OF LAND USE Z-88/89-6 - CARSON CITY - APPLICATION TO REZONE PROPERTY FROM RESIDENTIAL OFFICE (RO) TO NEIGHBORHOOD BUSINESS (NB) LOCATED AT 181 NORTH MOODY STREET (APN 2-111-07) - PLANNING COMMISSION APPROVED 4-2-1-0 (2-2447) - Following Mayor Pro-Tem Chirila's introduction, Mr. Toll explained the location. Supervisor Feticc moved to adopt on second reading Ordinance No. 1989-12, AN ORDINANCE EFFECTING A CHANGE OF LAND USE ON ASSESSOR'S PARCEL NUMBER 2-111-07 FROM RESIDENTIAL OFFICE (RO) TO NEIGHBORHOOD BUSINESS (NB) ZONING. Supervisor Bennett seconded the motion. Discussion noted the easement and statutory restrictions on the cemetery. Motion was voted and carried 3-1 with Supervisor Swirczek voting nay.

13. DETERMINATION/ANNOUNCEMENT OF FUTURE MEETING DATES AND TIMES - ACTION ON SETTING A JOINT WORKSHOP MEETING BETWEEN THE BOARD OF SUPERVISORS AND THE REGIONAL PLANNING COMMISSION FOR THE PRESENTATION OF INFORMATION REGARDING THE DOWNTOWN MASTER PLAN FOR JUNE 24, 1989, BETWEEN 9:00 A.M. AND 12 NOON (2-2520) - Mr. Toll explained the request to establish a meeting to discuss the master plan element for the downtown area. Supervisors Bennett and Feticc would not be available for that date. July 15 was then set for the meeting.

7. PURCHASING AGENT (2-2679)

ACTION ON CHANGE ORDER NO. 2 TO CONTRACTS NO. 8889-35 AND 36 IMPROVEMENTS TO THE CARSON CITY AIRPORT - FAA PROJECTS NO. 3-32-004-04 AND 05 - Assistant Purchase Agent John Iratcabal reviewed the change orders and funding. Deputy City Manager Rody explained in detail the work and funding. If these funds are not adequate, he felt certain an additional ten percent on the 04 grant and 15 percent on the 05 grant could be obtained, however, the City would still have to pay for the work up front and be reimbursed at a 94 percent rate within a year by FAA. Supervisor Bennett elaborated the reasons for selecting this construction period. Supervisor Feticc moved to approve Change Order No. 2 to Contracts 8889-35 and 36, Improvements to the Carson City Airport. Supervisor Swirczek seconded the motion. Motion carried 4-0.

ACTION ON AWARD OF CONTRACT NO. 8889-217 - CAROLINE STREET MAIN LINE REPLACEMENT (2-3000) - Following Mr. Iratcabal's explanation of the bids, recommendation and funding, Water Engineer Dorothy Timian-Palmer explained the weekly repairs required on Caroline and Anderson Streets. Discussion ensued concerning Supervisor Swirczek's water pressure problems. Supervisor Feticc moved to approve Contract 8889-217 and award the contract to the lowest responsive and responsible contractor, that being A & K Earthmovers, Inc., in the amount of \$27,779. Supervisor Bennett seconded the motion. Motion carried 4-0.

BREAK: A lunch recess was taken at 12 noon. When the meeting reconvened at 1:30 p.m., Supervisor Bennett was absent, however, a quorum was present.

12. CITY MANAGER REPORTS, RESOLUTIONS AND BOARD DIRECTIVES (3-0071)

ACTION ON ACCEPTANCE OF BEQUEST TO CARSON CITY FROM THE ESTATE OF MRS. ARIEL M. GARDNER - Mr. Hamilton explained the bequest and required Board action. Discussion indicated the feeling that it was unnecessary to define the actual downtown area where the planters would be placed. Supervisor Swirczek moved that the Board acknowledge and accept the bequest in the amount of

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\$3,000 from the estate of Mrs. Ariel M. Gardner that will be used for the erection of two flower planters in downtown Carson City. Supervisor Fettic seconded the motion. Motion carried 3-0.

ACTION ON FISCAL YEAR 1988-89/1989-90 CONTRACT BETWEEN CARSON CITY EMPLOYEES ASSOCIATION (3-0135) - Mr. Hamilton introduced the item and Mr. Auer explained all of the changes. Mr. Hamilton noted for the record that the tentative budget which the Board had already approved included funding required to meet the contract stipulations. Supervisor Swirczek moved that the Board accept the proposed contract with the Carson City Employees Association for fiscal years 1988-89 and 89-90 with the changes as read into the record by our District Attorney. Supervisor Fettic seconded the motion. Motion carried 3-0.

CITIZENS COMMENTS (3-0228) - None. (At this point Supervisor Bennett arrived -- 1:35 p.m. A quorum was present as noted.)

11. CLERK-RECORDER - ACTION ON INTERGOVERNMENTAL AGREEMENT ON MARRIAGE LICENSES BETWEEN CARSON CITY AND DOUGLAS COUNTY IN CONJUNCTION WITH AB 831 (3-0233) - Clerk-Recorder Glover introduced Douglas County Clerk-Treasurer Barbara Reed and Chairperson of the Douglas County Commissioners Michael Fischer and explained the agreement and reasons for requesting approval. Commissioner Fischer presented and explained a brochure to the Board and Clerk advertising the area. It was felt that by cooperating, Douglas and Carson City could combat some of the competition for marriages found at Stateline. If Douglas County establishes a satellite Clerk's office at the Lake, additional licenses would be sold. To balance the revenue loss this would create for Carson City, Douglas County was willing to pay Carson City for that percentage of licenses sold under 6,000. He also noted the opposition which had arisen during discussion of the Bill at the Legislature. He then responded to Mr. Waiton's questions concerning the number of licenses sold at South Lake Tahoe and the projected increase in sales.

(3-0501) Chamber of Commerce Executive Director Larry Osborne expressed his opposition to AB 831 due to his feeling that Carson City would lose more than marriage license revenue of the Bill is adopted. He felt that the foot establishments and the motel/hotel businesses would suffer as well. He also felt that its passage would condemn the only wedding chapel still operating in Carson City. Discussion ensued concerning reasons for the decline in marriage license sales in Carson City which Mr. Osborne felt had not changed during the short period of time when Douglas County had sold licenses at the Lake last year. Supervisor Swirczek suggested that the sales had declined due to the lack of a reason for couples to come to Carson City and inadequate advertising. Mr. Osborne felt that some of the advertising restrictions on chapels should be lifted and that the 6,000 figure used in the agreement was not a true reflection of the industry. Mr. Osborne reiterated his feeling that the agreement had not considered all of the ramifications of AB 831.

Mr. Auer explained the advertising restrictions. Discussion indicated the feeling that the Ordinances should be reviewed in an attempt to help the industry promote Carson City as a destination point.

(3-0885) Don Summo explained how long he had been in business and the feeling that if AB 831 is approved, he would close his doors. Eilene Summo expressed her feeling that the chapel performed services for 25 percent of the marriage licenses sold in Carson City. She stressed that it would hurt not only the wedding chapel industry in Carson City but all the other tourist industries. Discussion ensued among the Board and the Summos about the ordinance and its restrictions. Clarification noted the Resolution would be negotiated annually and its ten year term.

(3-1119) Dwight Millard then expressed his feeling that AB 831 would indeed hurt Carson City and its businesses, however, was opposed to Carson City entering the agreement as it was a "buy off." He felt that Carson City should be the same as the private sector and urged the Board to assist private enterprise in marketing the City. He did not feel that El Dorado County licenses would be hurt. Carson City would lose

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business to the Douglas County satellite but the agreement was a special interest for the City only. Supervisor Feticc expressed the feeling that if AB 831 passes, the agreement would guarantee that the City would not lose revenue. He urged the Board to consider modifying the ordinances to help the industry. Therefore, the Board was considering private industry. Mr. Millard continued to expound on his feeling that if AB 831 passes and the agreement is approved, the City would not be motivated to modify the ordinances or assist private industry in recovering the loss it will suffer. Supervisor Feticc stressed that the \$50,000 considered in the agreement would have retained a wedding chapel in the community. Mr. Millard continued to expound on his position regardless of the comments made by the Board. Promotional efforts and improvements being made in downtown were noted. Mr. Millard was invited to attend the special July 15 meeting on the downtown master plan and its elements.

Supervisor Feticc directed Mr. Hamilton to review and return with the ordinances restricting wedding chapels as quickly as possible. Mr. Hamilton explained that a cursory review of the Ordinances had indicated that the wedding chapel was only restricted on the types of outdoor advertising.

Mrs. Summo stressed that there would be no wedding chapels in Carson City if there are no licenses issued here. Carson City should continue to issue its 6,000 plus licenses.

Commissioner Fischer explained that 1,300 of the licenses sold in Carson City were being referred by Douglas County businesses. He felt that by effective advertising, specifically in the Courthouse, the individuals could be swayed to stay in Carson City and utilize its businesses.

Mr. Glover emphasized that the agreement had no bearing on AB 831. The agreement is not a "buy off". The intent of the Bill is not to hurt Carson City, therefore, the agreement will keep Carson City whole. He then explained the cutbacks he would be forced to take without the agreement if the Bill is passed. Mr. Auer also pointed out that the agreement would provide Douglas County with an incentive to keep Carson City licenses at or above 6,000 licenses as Douglas County would not have to pay Carson City anything should that occur.

(3-1995) Dick Waiton stressed his feeling that Carson City would lose if the agreement is not approved. The Bill is an attempt to gain some of the licenses from El Dorado County. Therefore, he urged more advertising be provided on the Nevada side of the line.

Supervisor Swirczek moved to adopt Resolution 1989-R-46, A RESOLUTION APPROVING THE COOPERATIVE AGREEMENT BETWEEN CARSON CITY AND DOUGLAS COUNTY REGARDING MARRIAGE LICENSE FEES. Supervisor Bennett seconded the motion. Supervisor Swirczek reiterated the feeling that the Board was not taking a position on AB 831 but that the Supervisors would do their part to minimize the impact on Carson City and to work together with the industries to increase revenue regardless of the outcome of AB 831. Supervisor Feticc and Mr. Glover emphasized that if Carson City does not issue licenses, the chapels, etc., would not be in business. The motion to adopt Resolution 1989-R-46 was voted and carried unanimously.

Mayor Pro-Tem Chirila commended the audience for coming and its participation.

Mr. Hamilton agreed to work with the Chamber of Commerce on the Ordinances.

BOARD OF SUPERVISOR REPORTS, RESOLUTIONS, AND PROCLAMATIONS (3-2148)

SUPERVISOR SWIRCZEK - Reminded the Board of the need to establish a statement indicating the types of businesses which the City should actively attempt to attract.

SUPERVISOR FETTIC AND MAYOR PRO-TEM CHIRILA - None.

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SUPERVISOR BENNETT - Requested an opportunity to work with area garden clubs to plan the Gardner planters. This effort would then be coordinated with Public Works, District Attorney and Parks and Recreation. Discussion ensued concerning whether the garden clubs should do the planning or Parks and Recreation.

Supervisor Bennett then gave a report on the Haz-Mat exercise. She requested that the Haz-Mat elevation report be presented to the Board so that the entire impact of the program could be understood and the City's ability to respond to such problems could be upgraded. Mayor Pro-Tem Chirila echoed her support of the need to have the public become aware of the situation and program. The potential for a disaster and need for the program were discussed at length including the need to inventory all of the hazardous materials within the City as required under Title III. Mr. Hamilton was directed to agendize the report and include the National Guard so that its role when an accident occurs could be discussed also. Discussion ensued on various roles and need for a "command center." Mr. Hamilton explained his attendance with Fire Department Captain Ed Young at a specialized school and changes which were made in the Haz-Mat Program. His comments noted that Carson City could not respond to all 70,000 different types of hazardous spills which could occur, however, acknowledged the need to be knowledgeable about the identities of those materials. Mr. Hamilton was requested to include local governmental powers under such emergencies in the report.

(3-3004) Dick Waiton explained that the Fire Department and State Fire Marshall had had the authority to control the types of material transferred on the State highways, however, due to a lack of action this had been lost.

Supervisor Swirczek moved to adjourn. Supervisor Bennett seconded the motion. Motion carried unanimously. Mayor Pro-Tem Chirila adjourned the meeting at 3 p.m.

The Minutes of the June 1, 1989, Carson City Board of Supervisors meeting

ARE SO APPROVED ON September 12, 1989.

_____/s/_____
MARV TEIXEIRA, Mayor

ATTEST:

_____/s/_____
ALAN GLOVER, Clerk-Recorder