

**CARSON CITY BOARD OF SUPERVISORS
MINUTES OF THE APRIL 7, 1988 MEETING
PAGE 1**

A regular meeting of the Carson City Board of Supervisors was held on April 7, 1988, at the Carson City Community Center, Sierra Room, 851 East William Street, Carson City, NV, beginning at 9:00 A.M.

| | | |
|----------------|-----------------------------|--------------------------|
| PRESENT: | Dan Flammer | Mayor |
| | Ron Swirczek | Supervisor, Ward 1 |
| | Tom Fettic | Supervisor, Ward 2 |
| | Marilee Chirila | Supervisor, Ward 3 |
| | E.M. "Doc" Scrivner | Supervisor, Ward 4 |
| STAFF PRESENT: | L.H. Hamilton | City Manager |
| | Mike Rody | Deputy City Manager |
| | Walter Sullivan | Community Dev. Director |
| | Alan Glover | Clerk-Recorder |
| | Kit Weaver | Assessor |
| | Ted Thornton | Treasurer |
| | Gary Kulikowski | Internal Auditor |
| | Bob Auer | Deputy District Attorney |
| | Katherine McLaughlin | Recording Secretary |
| | (B.O.S. 4/7/88 tape 1-0001) | |

I. CALL TO ORDER: Mayor Flammer called the meeting to order at 9:00 A.M.

II. PLEDGE OF ALLEGIANCE: Mayor Flammer led the pledge of allegiance.

III. ROLL CALL: Roll call was taken and a quorum was present.

IV. APPROVAL OF MINUTES: Supervisor Fettic moved to approve the minutes of July 2, 1987, July 16, 1987, July 27, 1987 and April 4, 1988. Supervisor Scrivner seconded the motion. A vote was taken and carried 5-0.

XII. BOARD OF SUPERVISORS RESOLUTIONS, REPORTS, & PROCLAMATIONS - REVIEW & ACTION ON WATER CONSERVATION MEASURES: (1-0058) Mayor Flammer introduced the item and explained that this amendment to the ordinance would start the water conservation period from April 7, 1988 through November, 1988 for this year only and would not preclude further conservation measures. Bob Auer explained that the amendment would also allow for the enactment of this expanded conservation period in future years by Resolution. Mr. Hamilton advised the Board that if the amendment is passed, the City would hire the annual water watch enforcement people by the first part of next week. Supervisor Scrivner inquired into the hours of enforcement. Supervisor Fettic advised the Board that the Carson City/Storey County Cooperative Extension is sponsoring a demonstration on April 13, 1988 from 10:00 until 3:00 P.M. on water conservation and proper water procedures. Discussion ensued regarding the building allotments to be released this year. Mayor Flammer noted that the 17% increase in water usage was due to drought conditions not building. Supervisor Swirczek MOVED TO ADOPT BILL #109, Ordinance #1988-8. AN EMERGENCY ORDINANCE AMENDING CARSON CITY MUNICIPAL

**CARSON CITY BOARD OF SUPERVISORS
MINUTES OF THE APRIL 7, 1988 MEETING
PAGE 2**

CODE 12.01.130 LIMITATIONS ON IRRIGATION, CHANGING THE PERIOD FOR LIMITED WATER USAGE TO APRIL 7 THROUGH NOVEMBER 1 FOR 1988 ONLY, PROVIDING FOR FUTURE LIMITATIONS PERIOD TO BE SET BY BOARD RESOLUTION AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Fettic seconded the motion. A roll call vote was taken and carried unanimously.

A. REVIEW & ACTION ON REDEVELOPMENT AUTHORITY AGENCY MATTERS:

1. RENEGOTIATION OF PROMISSORY NOTES DUE CARSON CITY BY REDEVELOPMENT AUTHORITY AGENCY: (1-594) Walter Sullivan introduced the item. Steve Hartman and Steve Brimmer explained the funding problems and answered questions regarding the possibility of technical problems occurring with the extension of the loan from April 1989 to June 1994. Supervisor Swirczek MOVED TO DIRECT STAFF TO PREPARE AMENDED PROMISSORY NOTES DUE TO CARSON CITY FROM THE CARSON CITY REDEVELOPMENT AUTHORITY DUE AND PAYABLE IN FULL ON JUNE 30, 1994 SUBJECT TO MEETING THE REQUIREMENTS OF THE LOCAL GOVERNMENT BUDGET. Supervisor Fettic seconded the motion. Supervisor Swirczek amended his motion to make the due date March 31, 1994. Supervisor Fettic agreed to the amendment. A vote was taken and carried 5-0.

2. RESOLUTION ESTABLISHING REDEVELOPMENT TAX INCREMENT SPECIAL FUND: (1-1010) Steve Hartman reviewed the request and answered questions. Supervisor Fettic MOVED TO ADOPT RESOLUTION #1988-R-12 TO ESTABLISH THE REDEVELOPMENT SPECIAL REVENUE FUND PURSUANT TO NRS 279.676. AND THE LOCAL GOVERNMENT BUDGET ACT. Supervisor Scrivner seconded the motion. A vote was taken and carried 5-0.

3. SUBMITTAL OF REDEVELOPMENT AUTHORITY AGENCY PROPOSED BUDGET FOR ADMINISTRATIVE EXPENSES: (1-1100) Steve Hartman and Steve Brimmer explained that this request was for a grant or a loan of \$7,250 for the Administrative budget of the Redevelopment Authority. Discussion ensued regarding NRS 279.676, 279.620, 279.628 section 2 a,b, & c and the sources of revenue. Supervisor Fettic MOVED TO APPROVE THAT THE REDEVELOPMENT AUTHORITY BE ALLOWED TO TRANSFER \$7,250 FROM THE TAX INCREMENT FUND TO THE REVOLVING FUND FOR THE PURPOSE OF PAYING ADMINISTRATIVE EXPENSES. Supervisor Scrivner seconded the motion. Supervisor Fettic noted that this is required procedure by the statutes to pay the Redevelopment Authority Administrative expenses. A vote was taken and carried 5-0.

Mayor Flammer recessed the Board of Supervisors and reconvened as the Entertainment Board.

VI. PETITIONS AND COMMUNICATIONS:

The meeting was recessed at 10:00 and reconvened at 10:25 A.M.

A. REVIEW & ACTION ON LIQUOR & ENTERTAINMENT BOARD MATTERS:

AYRES (RSVP) CARNIVAL PERMIT FOR 3RD ANNUAL SPRING FUN FAIR AT MILLS PARK: (1-1650) Janice Ayres and Reid Williams explained their request and

**CARSON CITY BOARD OF SUPERVISORS
MINUTES OF THE APRIL 7, 1988 MEETING
PAGE 3**

answered questions regarding work cards, liability insurance, and ride inspection certification. Supervisor Swirczek MOVED TO APPROVE THE CARNIVAL PERMIT FOR THE RETIRED SENIOR VOLUNTEER PROGRAM SUBJECT TO A LIABILITY INSURANCE POLICY BEING PRESENTED BY REID WILLIAMS OWNER OF ROYAL WEST AMUSEMENTS INC. MAKING CARSON CITY THE CO-INSURER OF THAT POLICY FOR THE PERIOD OF APRIL 27, 1988 TO MAY 1, 1988. Supervisor Swirczek amended his motion TO REQUIRE THE INSURANCE POLICY BE IN THE AMOUNT OF ONE MILLION DOLLARS AND THAT CARSON CITY BE PRESENTED THE RIDE SAFETY CERTIFICATIONS. Supervisor Fettic seconded the motion. A vote was taken and carried 5-0.

V. REVIEW & ACTION ON RESOLUTIONS SUPPORTING DURA-BOND BEARING CO.'S APPLICATION FOR INDUSTRIAL DEVELOPMENT REVENUE BONDS & PRIVATE ACTIVITY BONDS: (1-1941) Larry Struel explained their requests, their operation and introduced staff members and officers. Dwight Herrington advised the Board that the amount of water needed for operation of the plant per day would be approximately 7-8,000 gallons, additionally, the ability to recycle the water is being investigated. Supervisor Fettic MOVED TO APPROVE RESOLUTION #1988-R-13, RESOLUTION OF THE CARSON CITY BOARD OF SUPERVISORS TO APPROVE THE FINDINGS OF THE DIRECTOR OF THE DEPARTMENT OF COMMERCE RELATING TO THE ISSUANCE OF INDUSTRIAL DEVELOPMENT REVENUE BONDS TO LANDOVER COMPANY, INC. DBA. DURA-BOND BEARING BEARING CO. Supervisor Swirczek seconded the motion. A vote was taken and carried 5-0.

(1-2375) Larry Struel explained the second request and the 150 million dollar cap that is placed on amount of tax exempt bonds to be issued by State and local government. Following Mr. Hamilton's assurance that no commitments were in effect for the funds, Supervisor Fettic MOVED TO ADOPT RESOLUTION 1988-R-14, RESOLUTION OF THE CARSON CITY BOARD OF SUPERVISORS TO TRANSFER TO THE DIRECTOR OF THE DEPARTMENT OF COMMERCE THE CARSON CITY PRIVATE ACTIVITY BOND VOLUME CAP FOR 1988. Supervisor Scrivner seconded the motion. A vote was taken and carried 5-0.

B. REVIEW & ACTION ON CLAIM BY BORGI: (1-2722) Bob Auer advised the Board that the District Attorney's recommendation is to deny the claim. Mr. Auer advised the Board that probable cause is based on the facts and circumstances at the time of detention and that following review of the police officer's investigative report it was determined that there existed probable cause for the arrest for traffic offenses as well as the DUI. Supervisor Scrivner expressed his dissatisfaction with the delay which occurred in providing his counsel with the alcohol related information. He felt it would be less expensive to pay the \$700 rather than take the matter to court and would not support denial of the claim. Mr. Auer disagreed with Supervisor Scrivner's position and expressed concern with the precedent that would be set if the City would agree to pay when their police officers were doing their job in an appropriate fashion. Mr. Auer summarized the circumstances and the claim. Supervisor Fettic MOVED TO DENY THE CLAIM SUBMITTED BY MR. A.A. BORGI BASED ON THE EVIDENCE PRESENTED BY THE DISTRICT ATTORNEY FROM THE POLICE REPORT THAT THERE WAS PROBABLE CAUSE FOR THE

**CARSON CITY BOARD OF SUPERVISORS
MINUTES OF THE APRIL 7, 1988 MEETING
PAGE 4**

OFFICER TO STOP MR. BORGHI, SUPPORTING THAT, MR. BORGHI'S CLAIM THAT HE WAS PROCEEDING ON THE ADVICE OF COUNSEL NOTWITHSTANDING, HE DID PLEAD GUILTY TO FOLLOWING TO CLOSELY. Supervisor Chirila seconded the motion based on the District Attorney's information that this was based on probable cause. Supervisor Swirczek questioned the absence of the arresting officer at this meeting. A vote was taken and carried 3-2 with Supervisor Scrivner and Swirczek voting nay.

VII. CITIZEN COMMENTS: None

VIII. RESOLUTIONS:

A. ASSESSOR - REVIEW & ACTION ON APPLICATION FOR OPEN SPACE USE ASSESSMENT BY FRANK V. INCOPERO: (2-340) Kit Weaver explained the request. A letter was presented from the Carson City Historic Architecture Review Committee approving this property as a historic site. Supervisor Chirila left the room at 11:10 A.M. Supervisor Feticc MOVED TO APPROVE THE APPLICATION FOR CONTINUED HISTORICAL SITE TAX PERMIT FOR PROPERTY LOCATED AT 204 N. MINNESOTA STREET. Supervisor Swirczek seconded the motion. A vote was taken and carried 4-0.

B. TREASURER:

1. REVIEW & ACTION ON BUSINESS LICENSE REINSTATEMENTS: (2-430) Ted Thornton explained the request and listed the following businesses to be reinstated: Consolidated Business Service, Fontes Landscape Maintenance, Good Clean Sweep Sweeping Service, Nancy P. Keever, Owens Lawn Service, Sheldon Schenk, and United Glass Corp, dba. UGC Corp. Mr. Thornton advised the Board that all fees and penalties are paid. Supervisor Swirczek MOVED TO APPROVE THE STATED LIST OF BUSINESS LICENSE REINSTATEMENTS AS PRESENTED BY THE CARSON CITY TREASURER ON APRIL 7, 1988 IN A TOTAL AMOUNT OF THE REINSTATEMENTS \$845.00. Supervisor Scrivner seconded the motion. A vote was taken and carried 4-0.

2. REVIEW & ACTION ON REFUND OF REAL PROPERTY TAX MONIES DUE TO STATE OF NEVADA ACQUISITION OF VARIOUS PROPERTIES: (2-477) Ted Thornton explained the request and recommendation. Supervisor Swirczek MOVED TO APPROVE THE REFUND TO THE LIST OF PROPERTY OWNERS ATTACHED DUE TO THE STATE OF NEVADA ACQUIRING THE PROPERTY FOR THE CARSON HWY 395 BYPASS PROJECT AND DIRECT STAFF TO REMOVE THESE PROPERTIES FROM THE TAX ROLE, NAMELY:

| NAME OF PARTY TO BE REFUNDED | PARCEL # | DATE ACQUIRED | REFUND |
|-------------------------------------|-----------------|----------------------|---------------|
| Perko, James F. & Violet | 10-061-35 | 2/11/88 | \$23.12 |
| Detjens, Paul A. & Elva E. | 10-141-10 | 2/19/88 | \$19.35 |
| Daniels, John E. & Jessica | 8-052-04 | 2/22/88 | \$21.52 |

**CARSON CITY BOARD OF SUPERVISORS
MINUTES OF THE APRIL 7, 1988 MEETING
PAGE 5**

| | | | |
|-------------------------------|-----------|---------|----------|
| Harrigan, Charles & Catherine | 10-141-07 | 2/26/88 | \$58.99 |
| Pudwill, Judy | 10-184-07 | 3/01/88 | \$57.10 |
| Seyler, Michael P. & Tanya L. | 10-141-09 | 3/25/88 | \$182.96 |

Supervisor Chirila arrived at 11:18 A.M.

Supervisor Fettic seconded the motion. A vote was taken and carried 5-0.

3. REVIEW & ACTION ON REMOVAL OF REAL PROPERTY FROM THE 1987-88 TAX ROLL DUE TO THE U.S. DIVISION OF FOREST SERVICE ACQUISITION OF PROPERTY (APN 7-011-14): (2-570) Treasurer Ted Thornton reviewed the request. Supervisor Scrivner MOVED TO APPROVE THE REMOVAL OF REAL PROPERTY FROM THE 1987-88 TAX ROLL FOR APN 7-011-14 AS THE PROPERTY HAS BEEN SOLD TO THE U.S. DIVISION OF FOREST SERVICE AND THAT THEY ARE TAX EXEMPT IN THE AMOUNT OF \$36.18. Supervisor Swirczek seconded the motion. A vote was taken and carried 5-0.

C. INTERNAL AUDITOR - STATUS REPORT (INFORMATION ONLY) - AUDIT REPORT ON PARKS & RECREATION DEPARTMENT: (2-0600) Internal Auditor Gary Kulikowski and Parks and Recreation Director Steve Kastens addressed questions regarding the cash control procedures, adequate staffing to follow the new procedures and who initiated the audit. Mr. Kulikowski presented a monthly update and status report of his schedule. It was suggested that this item be agendized for review & action at the next meeting.

D. DEPUTY CITY MANAGER:

1. REVIEW & ACTION ON RETAINER AGREEMENT WITH BRUCE BISCHOF, ESQ. AS LABOR RELATIONS CONSULTANT: (2-1005) Deputy City Manager Mike Rody advised the Board that the City is currently negotiating with CCEA and with the Fire Fighters Association. Additionally, negotiations will be beginning with the Sheriff's Association in the near future. Mr. Bischof has offered to enter into a contract to work with all three unions to resolve their contracts for a set amount not to exceed \$10,000. Supervisor Swirczek MOVED TO RETAIN BRUCE BISCHOF TO SERVE AS PRINCIPAL NEGOTIATOR IN ALL LABOR ORGANIZATIONS NOT TO EXCEED \$10,000 AND AUTHORIZE THE CITY MANAGER TO SIGN. Supervisor Swirczek seconded the motion. Supervisor Swirczek questioned the legality of augmenting with out knowing the source of funding. Mr. Hamilton advised the Board that this was budgeted for under negotiations in next years budget. Mike Rody stated that the funds are available under account #523-17309 currently. Supervisor Scrivner deferred his motion until a determination is made in the afternoon session at 2:07 P.M. Supervisor Swirczek agreed with the deferral.

2. STATUS REPORT (INFORMATIONAL ONLY) BY WAYNE CARLSON ON CARSON CITY'S RISK MANAGEMENT PROGRAM: (2-1235) Deputy City Manager Mike Rody introduced Wayne Carlson who reviewed the previous activities and future plans on the

**CARSON CITY BOARD OF SUPERVISORS
MINUTES OF THE APRIL 7, 1988 MEETING
PAGE 6**

Risk Management Program. Mayor Flammer directed Wayne Carlson and Staff to present the Risk Management Policies and Procedures to the Board within 60 days.

3. REVIEW & ACTION ON FUNDING FOR A HEATING & AIR CONDITIONING SYSTEM AT THE LIBRARY: (2-1651) Deputy City Manager Mike Rody advised the Board that the preliminary cost estimate to provide the heating and air conditioning equipment for the Library is \$70,000. The Internal Finance Committee recommended that the Board allocate an additional \$66,000 from fund #260, Capitol Acquisition fund, over the \$4,000 already set aside. Steve Kastens reviewed the projects that were allocated from the Capitol Acquisition Funds and advised that there may be some funds remaining from these projects. Supervisor Swirczek expressed his concern with approving the request for the Library when retrofit is also needed at the Sheriff's Office. Supervisor Fettic MOVED TO APPROVE THE ALLOCATION AND USE OF FUNDS FROM CAPITOL ACQUISITION ACCOUNT FOR INSTALLATION AND REHABILITATION OF THE LIBRARY CENTRAL HEATING AND AIR CONDITIONING SYSTEM FUNDING NOT TO EXCEED \$70,000. Supervisor Scrivner seconded the motion. A roll call vote was taken and carried 4-1 with Supervisor Swirczek voting nay.

E. LIBRARY DIRECTOR - REVIEW AND ACTION ON REQUEST FOR EXTENSION OF LEAVE WITHOUT PAY FOR HELEN HURST: (2-2200) Library Director Sally Herman reviewed the request and reviewed the benefits to be received by the extension. Following discussion of the length of the extension of leave, Supervisor Fettic MOVED TO APPROVE AN UNDETERMINED EXTENSION OF LEAVE WITHOUT PAY FOR HELEN HURST, LIBRARIAN I AT THE ORMSBY PUBLIC LIBRARY. Supervisor Swirczek seconded the motion. A vote was take and carried 5-0.

Mayor Flammer recessed the meeting at 12:10 P.M. and reconvened at 1:30 P.M.

D-1. REVIEW AND ACTION ON RETAINER AGREEMENT WITH BRUCE BISCHOF, ESQ. AS LABOR RELATIONS COUNSULTANT (CONTINUED): (2-2400) Deputy City Manger advised the Board that, having reviewed the request with the Finance Director, an augmentation request will be presented to the Board in May for \$22,000. Clerk-Recorder Alan Glover agreed to provide information on when the contract was approved and recorded. Discussion was continued.

F. PURCHASING AGENT:

1. BID 8788-53 - MAINTENANCE OF PITS AND SUPPORT SERVICES: (2-2625) Purchasing Agent Ron Wilson reviewed the bid report on Bid #8788-53 and requested that the Board approve the lowest responsible bidder, Pudwill Construction. Following review of the contract, Supervisor Fettic MOVED TO APPROVE BID #8788-00053, MAINTENANCE OF PITS AND SUPPORT SERVICES, TO BIDDER #6, PUDWILL CONSTRUCTION IN CARSON CITY, AS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER PURSUANT TO THE REQUIREMENTS SET FORTH IN NRS, CHAPTER 332 WITH THE FOLLOWING CONTRACT COSTS; MOVE-IN COST OF \$65.00 PER HOUR (\$63.70 W/TERMS), MOVE-OUT COST OF \$65.00 PER HOUR (\$63.70 W/TERMS), EQUIPMENT COST PER HOUR FOR MAINTENANCE OF PITS \$73.00 (\$71.54 W/TERMS),

**CARSON CITY BOARD OF SUPERVISORS
MINUTES OF THE APRIL 7, 1988 MEETING
PAGE 7**

OPERATOR COSTS PER HOUR FOR MAINTENANCE OF PITS \$20.00 (\$19.60 W/TERMS), EQUIPMENT COST PER HOUR FOR SUPPORT SERVICES \$60.00 (58.80 W/TERMS), OPERATOR COST PER HOUR FOR SUPPORT SERVICES \$20.00 (\$19.60 W/TERMS), TERMS ARE 2% - 10 DAYS. Supervisor Swirczek seconded the motion. A vote was taken and carried 5-0.

2. BID 8788-90 - AMBULANCE CHASIS/RETROFIT: (2-2840) Ron Wilson reviewed the request. Supervisor Swirczek MOVED TO AWARD BID #8788-00090, AMBULANCE CHASSIS/RETROFIT CONTRACT TO BIDDER #3, CAPITOL FORD, INC., AS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER PURSUANT TO NRS, CHAPTER 332 IN AN AMOUNT NOT TO EXCEED \$20,011.00 THE FUNDING SOURCE TO BE CAPITOL ACQUISITION FUND. Supervisor Scrivner seconded the motion. A vote was taken and carried 5-0.

3. STATUS REPORT (INFORMATIONAL ONLY) ADVERTISED RFP 8788-76 - CRIMINAL JUSTICE COMPLEX - PROFESSIONAL SERVICES RFP: (2-2920) Ron Wilson provided an update on the request for proposals for the professional services. Supervisor Fetic listed the five finalists currently under further consideration and the members of the selection committee into the record.

D-1. REVIEW & ACTION ON RETAINER AGREEMENT WITH BRUCE BISCHOF, ESQ. AS LOBOR RELATIONS CONSULTANT, (CONTINUED):