

CARSON CITY BOARD OF SUPERVISORS
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A regular session of the Carson City Board of Supervisors was held on Thursday, October 18, 1990 at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada beginning at 9 a.m.

PRESENT: Marv Teixeira Mayor
Ron Swirczek Supervisor, Ward 1
Tom Fetic Supervisor, Ward 2
Tom Tatro Supervisor, Ward 3
Kay Bennett Supervisor, Ward 4

STAFF: John Berkich City Manager
Alan Glover Clerk-Recorder
Ted P. Thornton Treasurer
Judie Fisher Personnel Director
Charles P. Cockerill Chief Deputy District Attorney
(morning session only)
Bob Auer Deputy District Attorney
(afternoon and evening sessions only)
Katherine McLaughlin Recording Secretary
(B.O.S. 10/18/90 Tape 1-0001)

NOTE: Unless otherwise indicated, each item was introduced by staff's reading/outlining/clarifying the Board Action Request and/or supporting documentation. Staff members present for each Department are listed under that Department's heading. A tape recording of these proceedings is on file in the Clerk-Recorder's Office. This tape is available for review and inspection during the normal business hours.

Mayor Teixeira called the meeting to order at 9:05 a.m. St. Peter's Episcopal Church Pastor Sam Caldwell gave the Invocation. Supervisor Swirczek led the Pledge of Allegiance. Roll call was taken and a quorum was present.

APPROVAL OF MINUTES (1-0032) - Supervisor Bennett moved to approve the Minutes of September 8, 1988, and October 4, 1990. Supervisor Fetic seconded the motion. Motion carried 5-0.

SPECIAL PRESENTATIONS

1. ACTION ON RESOLUTION OF COMMENDATION FOR ROBYN DUNN AT RETIREMENT (1-0055) - Personnel Director Judie Fisher introduced Ms. Dunn and explained her retirement. Mayor Teixeira read the plaque into the record and presented it to her. Supervisor Swirczek moved to adopt the Resolution No. 1990-R-65, A RESOLUTION COMMENDING RETIREMENT, and read the Resolution into the record. Supervisor Fetic seconded the motion. Motion carried 5-0. Parks and Recreation Director Steve Kastens expressed appreciation for her services during his tenure and wished her well in her future endeavors.

2. ACTION ON RESOLUTION OF COMMENDATION FOR REID ROSS AT RETIREMENT (1-0155) - Ms. Fisher then introduced Mr. Ross and explained his retirement. Mayor Teixeira read the certificate of appreciation and wished him well in his future endeavors. Supervisor Fetic explained his original working relationship with Mr. Ross, moved that the Board adopt Resolution No. 1990-R-66, A RESOLUTION COMMENDING RETIREMENT, and read the entire Resolution into the record. Supervisor Swirczek seconded the motion. Motion carried 5-0. Mr. Ross thanked the Board for the opportunity to have worked for the Board and explained his original employment. Public Works Director Dan O'Brien expressed his appreciation for having worked with Mr. Ross and noted that several of his staff were present to wish Mr. Ross well in his future endeavors.

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3. RECOGNITION OF COLDWELL BANKER FOR MEDIAN IMPROVEMENT (1-0295) - Following Mayor Teixeira's introduction, Supervisor Bennett introduced Betsey Barnett of Coldwell Banker. Ms. Barnett explained the program's inception, problems, and completion. Contributions were noted. Plaques were presented to each of the following commending them for their time and service: Betsey Barnett and Arlene Crow of Coldwell Banker; Garth Dull, Ron Hill and Brent Howerton of Nevada Department of Transportation; University of Nevada-Reno and Storey-Carson City Extension Service Agent Dick Post; David Ruf of Greenhouse Garden Center; City Public Works Director Dan O'Brien and Utility Manager Dorothy Palmer. Comments noted the donations and assistance provided by private businesses.

CITIZEN COMMENTS (1-0585) - None.

4. RICHARD L. POST, AREA HORTICULTURE SPECIALIST, CARSON CITY/STOREY COUNTY COOPERATIVE EXTENSION - PRESENTATION REGARDING URBAN FORESTRY COMMITTEE FOR CARSON CITY AND REQUEST FOR BOARD DIRECTION TO PROCEED (1-0590) - Mr. Berkich introduced the item. Mr. Post explained the need for trees and the benefits a committee program would create. Comments noted the number of trees found in other areas as compared to Carson City's ratio of one per 22 miles, desire to utilize trees which are low water users, and desire to beautify the streets with landscaping with RTC funding. Mr. Post's experience in Reno on a similar project was explained. Supervisor Swirczek moved that the Board direct staff to proceed with the establishment of an Urban Forestry Committee for Carson City. Supervisor Feticc seconded the motion. Motion carried 5-0.

LIQUOR AND ENTERTAINMENT BOARD MATTERS - Mayor Teixeira recessed the Board of Supervisors session and immediately reconvened the meeting as the Liquor and Entertainment Board. The entire Board was present including Sheriff McGrath, constituting a quorum.

5. TREASURER (1-0956) - Ted P. Thornton

A. ACTION ON A LIQUOR LICENSE FOR DAVID LOUIS GUERRA, DOING BUSINESS AS ROYAL ROOM LOUNGE LOCATED AT 1930 NORTH CARSON STREET - Mr. Guerra, Mr. Thornton, and Member McGrath responded to questions concerning the application, the operation of the bar without a license, financing, the notification given to Mr. Guerra about licensing procedures, and the desire to have the matter continued to determine whether a complete application had been filed and a number of notices provided. Mr. Guerra expressed his feeling that the City staff was unnecessarily stalling the license. Member Feticc moved that the Board continue the matter until the next regularly scheduled meeting and that the Sheriff's Department accede to our request on the completeness of the application and the concerns that the Chairperson expressed. Member Tatro seconded the motion. Motion carried 6-0.

B. ACTION ON A LIQUOR LICENSE FOR BARBARA JO HUNTLEY, DOING BUSINESS AS BARB'S Y-NOT SALOON LOCATED AT 152 EAST LONG STREET (1-1380) - Ms. Huntley corrected the spelling of her name and responded to Board questions on financing, identifying minors, and her experience. Member Feticc moved that the Board approve the Liquor License for Barbara Jo Huntley for Barb's Y-Not Saloon located at 152 East Long Street subject to the Building and Health Departmental Reports. Member Tatro seconded the motion. Board procedures were discussed. Motion carried 6-0.

Additional discussion ensued on the procedure to approve the Liquor License prior to completion of the Departmental Reports.

C. ACTION ON REVOCATION OF DELINQUENT LIQUOR LICENSES (1-1575) - The only outstanding license was for Bonus Mini-Mart which may be undergoing a remodeling or ownership change. If the business is re-established, the investigation would have to be redone. Member Feticc moved

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that the Board move to revoke the delinquent liquor license of Bonus Mini-Mart. Member Swirczek seconded the motion. Motion carried 6-0.

There being no other matters for discussion as the Liquor and Entertainment Board, Chairperson Teixeira adjourned the Liquor and Entertainment Board and immediately reconvened the meeting as the Board of Supervisors. A quorum was present.

PETITIONS AND COMMUNICATIONS (1-1650)

6. TREASURER - Ted P. Thornton

A. ACTION ON APPROVAL OF REFUNDS AND REMOVAL OF TAXES FROM 1990-91 TAX ROLL DUE TO THE STATE OF NEVADA ACQUISITION OF PROPERTY - Supervisor Fetic moved that the Board approve the refunds and removal of taxes from the tax roll for 1990-91 as read into the record by the Treasurer. Supervisor Swirczek seconded the motion. Motion carried 5-0.

B. ORDINANCES - FIRST READING - ACTION ON AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE BUSINESS LICENSE CODE INCLUDING THE CLASSIFICATION SECTION AND CONTRACTORS SECTION TO INCREASE RATES (1-1692) - Supervisor Swirczek moved to introduce on first reading Bill No. 132, AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE BUSINESS LICENSE CODE, INCLUDING THE CLASSIFICATIONS SECTION AND CONTRACTORS SECTION TO INCREASE RATES. Supervisor Bennett seconded the motion. Motion carried 5-0.

7. SHERIFF - Paul McGrath and Undersheriff Vic Freeman

A. ACTION ON BUDGET AUGMENTATION FOR CONTRACTUAL SERVICES FOR CARSON CITY JAIL (1-1762) - The potential for a work furlough program was noted. Discussion expressed the desire to meet this obligation with salary savings, however, an augmentation may be required at some future time. Supervisor Fetic moved that the Board approve allowing the Sheriff's Department to transfer budget line items in the amount of \$30,000 into the contractual services area from anticipated salary savings. Supervisor Bennett seconded the motion. Motion carried 5-0.

B. ACTION ON POSITION RECLASSIFICATION (1-2066) - Personnel Director Fisher agreed with the title change. Funding concerns were discussed and the City Manager was requested to attempt to establish where such added expenses are, augment same, and return any savings which may occur at the end of the year. Supervisor Fetic moved that the Board approve the upgrade of the current Sergeant's position to Commander and that the funding source be Account No. 211, the General Fund, fiscal impact \$1,245, and the funding explanation is anticipated salary savings within the General Fund Account, and requested that this matter be discussed at some future date. Supervisor Bennett seconded the motion. Motion carried 4-1 with Supervisor Swirczek voting Nay due to his feeling that the transferred process needed to be cleaned up to avoid future problems.

C. ACTION ON ADDITIONAL SCHOOL CROSSING GUARDS (1-2265) - Previous funding was explained. Future funding will be considered during the usual budget process. Flashing caution lights will be installed today. Supervisor Fetic moved that the Board authorize two additional school crossing guards, fiscal impact \$4200, Fund 212 General Fund, to be met by anticipated salary savings within the account. Supervisor Bennett seconded the motion. Motion carried 5-0.

D. DISCUSSION AND ACTION ON A PROPOSAL TO ACQUIRE AND REMODEL THE CAPITOL PLAZA AND ADJOINING PROPERTY LOCATED ON HIGHWAY 50 AS A CITY COMPLEX TOGETHER WITH THE CONSTRUCTION OF A JAIL/JUDICIAL FACILITY (1-

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2361) - The need for a completed needs assessment prior to considering a decision on any facility was discussed. Comments noted the need for a larger jail and court facilities. Mr. Berkich felt that the assessment could be completed before the end of this calendar year. Sheriff McGrath agreed to table the item. Supervisor Tatro moved that the Board table the discussion until the City completes its needs assessment and we have a picture of where our overall needs and capabilities are. Supervisor Feticc seconded the motion. Motion carried 5-0.

BREAK: A five-minute recess was declared at 10:25 a.m. When the meeting reconvened at 10:30, the entire Board was present constituting a quorum.

8. PURCHASING AGENT - Assistant John Iratcabal

A. ACTION ON THE AWARD OF CONTRACT 9091-96 - MODULAR THERMOPLASTIC TENNIS COURT SURFACE (1-2640) - A sample of the surface was displayed. Parks and Recreation Director Steve Kastens explained his and Chuck Selover's evaluation of the material, how the product is used, reasons for the good bids, and the procedure to clean under the surface. Supervisor Feticc moved that the Board accept the Purchasing Assistant's recommendation and award Contract 9091-96, to Bidder No. 3, Sport Court of Salt Lake City, Utah 84104, as the lowest responsive and responsible bidder pursuant to the requirements of NRS Chapter 332 for a contract amount of \$22,032. Supervisor Bennett seconded the motion. Motion carried 5-0.

B. ACTION ON CHANGE ORDER NO. 1 TO CONTRACT 8990-75 - EAGLE VALLEY GOLF COURSE IRRIGATION STATION (1-3022) - CES Consultant Phil Marshall discussed the pump loss and the new pumps with the Board. Supervisor Tatro moved that the Board approve Change Order No. 1 as presented by the Purchasing Assistant to A and K Earthmovers for the Eagle Valley Golf Course Irrigation Pump Station which includes a time increase of only 91 days. Supervisor Swirczek seconded the motion. Motion carried 5-0.

C. ACTION ON REQUEST FOR FINAL PAYMENT ON CONTRACT 8990-75 - EAGLE VALLEY GOLF COURSE IRRIGATION STATION (2-0045) - Supervisor Bennett moved that the Board approve the Request for Final Payment as presented by the Purchasing Assistant to A and K Earthmovers, Inc., for the Eagle Valley Golf Course Irrigation Pump Station in the amount of \$13,558.60, funding source is 440-551. Supervisor Feticc seconded the motion. Motion carried 5-0.

D. ACTION ON CHANGE ORDER NO. 2 TO CONTRACT 8990-134 - EAGLE VALLEY CLUB HOUSE EXPANSION (2-0071) - Mr. Iratcabal felt the electrical and air conditioning problems had been resolved. Funding was also discussed. Supervisor Swirczek moved that the Board approve Change Order No. 2 to Contract 8990-134 as presented by the Purchasing Assistant to Grashuis Builders for the Eagle Valley Golf Course Clubhouse Expansion that includes a net increase in the amount of \$10,846, funding source 440-551. Supervisor Bennett seconded the motion. Motion carried 5-0.

9. PARKS AND RECREATION DIRECTOR - Steve Kastens.

A. ACTION ON A RESOLUTION INCREASING PETTY CASH FUNDS IN THE RECREATION DIVISION - AQUATIC FACILITY AND ESTABLISHING CONTROL PROCEDURES FOR OPERATION OF THE PETTY CASH FUND (2-0122) - Supervisor Swirczek moved that the Board adopt Resolution No. 1990-R-66, A RESOLUTION INCREASING PETTY CASH FUNDS IN THE RECREATION DIVISION - AQUATIC FACILITY AND ESTABLISHING CONTROL PROCEDURES FOR OPERATION OF THE PETTY CASH FUNDS. Supervisor Feticc seconded the motion and questioned the number. Supervisor Swirczek amended his motion to adopt Resolution 1990-R-67. Supervisor Feticc continued his second. Motion carried 5-0.

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B. ACTION ON APPROVAL OF EXPENDITURE FOR CONTINGENCY FUNDS FOR BALL FIELDS AT CENTENNIAL PARK (2-0168) - Carson City Softball Representative Renee Mayo explained her support for the "Stabilizer" and reasons for feeling that it would solve the problem. References were discussed. Supervisor Tatro moved that the Board approve the Parks and Recreation Director's recommendation for the expenditure of the contingency for ball fields at Centennial Park to purchase "Stabilizer", batter box mats, and ball field mix in an amount not to exceed \$16,900 for Centennial Park, funding source is the General Fund. Supervisor Swirczek seconded the motion. Motion carried 5-0.

Mr. Kastens then explained the purpose of the batter box mat. Supervisor Swirczek explained his feeling that during a tournament the visiting teams had expressed their appreciation of the fields and thanked Ms. Mayo for her work. The tourism generated from this activity was pointed out. Mayor Teixeira also commended her. The assistance of the Park Ranger program was also noted.

10. PUBLIC WORKS DIRECTOR - Dan O'Brien and City Engineer Tim Homann

A. DISCUSSION AND POSSIBLE ACTION ON STEWART STREET/CARSON STREET TRUCK ROUTE PROJECT (2-0421) - Mr. Homann reviewed the history of this proposal and introduced NDOT Chief Traffic Engineer P.D. Kiser. Mr. Kiser then explained the original proposal and problems encountered in trying to accomplish the proposed rerouting. The new proposal was detailed including the new signage restricting trucks to the inside lanes on Carson Street. He felt that the truckers are already using the inside lanes as it moves faster than the other lane. Problems seeing these signs were discussed. A traffic count will be conducted on Carson Street to determine the number of vehicles in each lane. The proposal to increase the turning radius at the southeast corner of Stewart and Williams, install left turn phasing at Carson and Williams for both north and south bound traffic, upgrade the Stewart and Williams signals were explained. The improvements created by the repaving of Carson Street were also noted. Discussion with the Board and Gail Thomssen noted her feeling that there had not been a notable change in the number of trucks on Carson Street and the need to increase the signs telling trucks to use the inside lane. Board discussion noted how the change had been proposed originally, supported increasing the size of the signs, that attempts to improve the situation would continue, and RTC funding still available. Supervisor Fetic moved that the Board rescind the previous direction to the Nevada Department of Transportation to proceed with Stewart Street Truck Re-routing Project, that the Nevada Department of Transportation be requested to proceed with its recommended Truck Route Alternative Actions, and direct that the City and NDOT staff amend the Interlocal Cooperative Agreement which is to be brought back to the Board of Supervisors for approval. Supervisor Swirczek seconded the motion. Supervisor Bennett urged NDOT to "vigorously pursue" the larger signs, do the survey, and to work closely with the City to enforce the through truck traffic use of the left hand lanes. The motion carried 5-0.

Supervisor Fetic then noted that John and Stewart (at John) Streets were not scheduled to be truck routes.

B. REGIONAL TRANSPORTATION COMMISSION MATTERS (2-1170) - Traffic Engineer Harvey Brotzmann

i. DISCUSSION AND ACTION ON CHANGE ORDER NO. 1 TO CONTRACT NO. 8990-188 FOR CONSTRUCTION OF GRAVES LANE IMPROVEMENTS, VARIOUS ADDITIONAL ITEMS - Board discussion noted the consultant engineer's changes, the City and consultant's responsibilities for the oversight, the original funding, reasons for the need to upgrade the subgrade, and the fencing. Supervisor Fetic moved to approve Change Order No. 1 to Contract 8990-188 for construction of Graves Lane Improvements; subgrade and water system - \$22,790; Stanton Drive to Pheasant Drive Improvements - \$64,306.10; Over-excavation of Subgrade - \$5,207.70; and Temporary Fence - \$1,611, for a total of \$93,914.80 to be borne by funding source RTC 250-250 with the Water Utility Share of Project being in the amount of \$36,323 - Account Number 520-854. Supervisor Swirczek seconded the motion. Motion carried 5-0.

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ii. DISCUSSION AND ACTION ON CHANGE ORDER NO. 2 TO CONTRACT NO. 8990-188 FOR CONSTRUCTION OF GRAVES LANE IMPROVEMENTS, INSTALLATION OF A CHAINLINK FENCE WITH WOOD INSERTS (2-1544) - Discussion noted the developer's commitment, the landscaping requested by the residents, and the City's cost for the fence. Supervisor Tatro moved that the Board approve Change Order No. 2 to Contract 8990-188 for construction of Graves Lane improvements in the amount of \$24,121.35. Supervisor Fettic seconded the motion. Motion carried 5-0.

iii. DISCUSSION AND ACTION ON CHANGE ORDER NOS. 3, 4, 5, AND 6 TO CONTRACT NO. 8990-188, GRAVES LANE IMPROVEMENTS (2-1762) - Discussion included reasons for the feeling that the consultant was responsible for the costs involved in Change Order No. 6. The Final Change Order will be presented at another meeting. Supervisor Swirczek moved that the Board approve Change Orders 3, 4, 5, and 6 for Contract 8990-188, Graves Lane improvements, in an amount not to exceed \$10,869, specifically those being \$300 for Change Order No. 3, \$6,569 for Change Order 4, \$560 for Change Order 5, \$1,440 for Change Order 6, Funding Source RTC Construction in the amount of \$4,300 and Water Construction in the amount of \$6,569. Supervisor Fettic seconded the motion. Motion carried 5-0.

C. WASTEWATER MATTERS (2-1917) - Utility Manager Dorothy Timian-Palmer

i. DISCUSSION AND ACTION ON THE ACCEPTANCE OF EPA CONSTRUCTION GRANT INCREASE - WASTEWATER TREATMENT AND DISPOSAL FACILITIES - Supervisor Tatro moved that the Board accept the EPA Construction Grant Increase under Amendment 3 to Carson City Grant No. C32-0133-05 in the amount of \$17,058 and authorize the Public Works Director to sign, fiscal impact - additional revenue in the amount of \$17,058. Supervisor Bennett seconded the motion. Motion carried 5-0.

ii. DISCUSSION AND ACTION ON CHANGE ORDER NO. 4 TO CONTRACT W-4, PACIFIC MECHANICAL CORPORATION - WASTEWATER TREATMENT AND DISPOSAL FACILITIES - Supervisor Fettic moved that the Board approve Change Order No. 4 to Contract W-4 with Pacific Mechanical Corporation increasing the amount of the contract by \$10,608.78 and authorize the Mayor to sign same, funding source 510 with a portion to be reimbursed by EPA Grant monies. Supervisor Tatro seconded the motion. Motion carried 5-0.

Discussion noted that Contract W-5 was outstanding.

D. WATER MATTERS (2-2070)

i. DISCUSSION AND ACTION ON AGREEMENT BETWEEN THE STATE OF NEVADA AND CARSON CITY FOR IMPROVEMENTS TO THE CITY'S MUNICIPAL AND STATE DEPARTMENT OF PRISON'S WATER DISTRIBUTION SYSTEMS - Pulled.

ii. DISCUSSION AND ACTION ON TASK ORDER NO. 29, CARSON VALLEY WELL NO. 45 AND WATER LINE TO SERVE MEDIUM SECURITY PRISON AND STATE OF NEVADA STEWART FACILITIES - Pulled.

iii. ACTION ON ADDENDUM TO THE 1990-91 WATER LEASE AGREEMENT BETWEEN CARSON CITY AND IRA AND JEANNE ANDERSEN (2-2085) - Discussion noted the amount of the Kings Canyon water rights owned by the City and that City usage would not impact the other users. Supervisor Swirczek moved that the Board approve and authorize the Mayor to sign the Addendum to the 1990-91 Water Lease Agreement between Carson City and Ira and Jeanne Andersen. Supervisor Fettic seconded the motion. Supervisor Swirczek continued his motion to include fiscal impact not to exceed \$9,300, funding source 420-751, Water Purchases. Supervisor Fettic continued his second. Motion carried 5-0.

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E. ORDINANCE - FIRST READING - DISCUSSION AND ACTION ON ORDINANCE CHANGES TO CARSON CITY MUNICIPAL CODE SECTION 17.36.130 REGARDING FIRE HYDRANT FLOW REQUIREMENTS (2-2217) - Fire Marshall Larry McPhail and Ms. Timian-Palmer explained the Code changes which would resolve a present conflict between the Fire Code and Plumbing Code requirements and testing procedures. Supervisor Tatro moved to introduce on first reading Bill No. 133, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE SECTION 17.36.130 REGARDING FIRE HYDRANTS. Supervisor Swirczek seconded the motion. Motion carried 5-0.

CITIZEN COMMENTS (2-2475) - None.

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

11. COMMUNITY DEVELOPMENT DIRECTOR - Walt Sullivan

A. BRIEF BOARD OF SUPERVISORS ON THE MANUFACTURING/INDUSTRIAL SURVEY (2-2480) - Mr. Sullivan introduced Northern Nevada Development Authority Executive Director Jack Davis. Mr. Davis explained the process used to create the survey, reviewed the survey results, and responded to Board questions concerning additional employees/services needed in the City, the survey base, and that the respondents were to remain anonymous. The Board commended Mr. Davis on the survey and his assistance over the years. No action was required nor taken by the Board.

B. REVIEW AND APPROVAL OF THE CONCEPT OF THE PROPOSAL OF SENDING A CITY INITIATED LETTER TO VARIOUS PRIVATE SECTOR COMPANIES THAT WILL MARKET CARSON CITY (3-0825) - Pulled. Supervisor Swirczek explained the purpose of the letter, the progress made on it, and reasons for feeling that the time was right for the City to undertake such a campaign. The letter would be ready for consideration by the Board at its next meeting. The plan to work with both NNDA and WNDD and the benefits of the campaign were discussed among the Board.

C. PLANNING COMMISSION REFERRALS - REVIEW AND APPEAL MATTERS (3-1489)

i. ACTION ON M-90/91-2 - REQUEST FROM GENE F. EMPEY TO ABANDON AN ALLEYWAY LOCATED ON BLOCK 42 OF THE SEARS, THOMPSON AND SEARS DIVISION BETWEEN EAST FIFTH AND EAST SIXTH STREETS AND CURRY AND NEVADA STREETS - PLANNING COMMISSION APPROVED 5-0-2-0.

ii. ACTION ON M-90/91-3 - REQUEST FROM GENE F. EMPEY TO ABANDON AN ALLEYWAY BETWEEN SEVENTH AND EIGHTH STREETS AND NEVADA AND SOUTH CURRY STREETS (BLOCK 52 OF THE SEARS, THOMPSON AND SEARS SUBDIVISION) - PLANNING COMMISSION APPROVED 5-0-2-0. - Discussion ensued on the Applicant's feeling that he should not be required to pay for either abandonment and the Statutes mandating payment for certain types of abandonments. Supervisor Tatro moved that the Board uphold the Planning Commission's recommendation and approve the abandonment application from Gene Empey and Robert McFadden, Subject Title M-90/91-2, to abandon an alleyway located between Fifth and Sixth Streets South Curry and Nevada Streets of Block 42 of Sears, Thompson and Sears Subdivision, subject to the findings and conditions of the staff report. Supervisor Bennett seconded the motion. Motion carried 5-0.

Supervisor Tatro moved that the Board approve M-90/91-3, an Abandonment Application from Gene Empey, Ruth Blake, Shelly Hass, and Eugene White, to abandon an alleyway between Seventh and Eighth Streets and Nevada and South Curry Streets, Block 52 of the Sears, Thompson and Sears

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Subdivision in accordance with the findings and conditions of the staff report. Supervisor Bennett seconded the motion. Motion carried 5-0.

iii. ACTION ON M-90/91-4 - REQUEST FROM LEWIS HOMES OF NEVADA TO ABANDON THE WEST END OF DAMON ROAD EAST OF TANGERINE DRIVE - PLANNING COMMISSION APPROVED 4-0-2-1 (3-1765) - Deputy Public Works Director Tim Homann explained his Department's recommendation supporting the abandonment. Supervisor Tatro moved that the Board approve M-90/91-4 and uphold the Planning Commission's recommendation to approve the abandonment application from Lewis Homes of Nevada to abandon a portion of a public right-of-way located at the west end of Damon Road and east of Tangerine Drive. Supervisor Bennett seconded the motion. Motion carried 5-0.

D. OTHER MATTERS - DISCUSSION AND POSSIBLE ACTION REGARDING GROWTH MANAGEMENT EXEMPTION OF COMSTOCK HILLS (GM-90/91-1) - (3-1851) - Discussion ensued on whether the General Improvement District was still viable, the number of lots which had not been built on, the amount paid by the District, directed the District Attorney's Office to research the status of the District and its monies, and the feeling that a delay while research is conducted would not unduly delay the applicant. Supervisor Tatro moved that the Board table the matter. Supervisor Feticc seconded the motion. Motion carried 5-0. This matter was agendized for November 1.

12. CITY MANAGER REPORTS, RESOLUTIONS, AND BOARD DIRECTIVES - ACTION ON APPROVAL OF A RESOLUTION OF SUPPORT FOR THE 1990 CARSON CITY SCHOOL BOND (3-2318) - Following his explanation of an amendment, Supervisor Tatro moved that the Board adopt Resolution No. 1990-R-68, A RESOLUTION OF SUPPORT FOR THE 1990 CARSON CITY SCHOOL BOND, and amend the Resolution to include "WHEREAS, a quality school district is vital to the success of the Economic Diversification Program being pursued by Carson City." Supervisor Swirczek seconded the motion. Motion carried 5-0.

13. BOARD OF SUPERVISORS REPORTS, RESOLUTIONS, AND PROCLAMATIONS - ACTION ON APPROVAL OF A RESOLUTION DECLARING THE EVENING OF OCTOBER 30, 1990, AS THE APPROPRIATE NIGHT FOR HALLOWEEN "TRICK OR TREAT" (3-2379) - Supervisor Tatro moved that the Board adopt Resolution No. 1990-R-69, A RESOLUTION DECLARING THE EVENING OF OCTOBER 30, 1990, AS THE APPROPRIATE NIGHT FOR HALLOWEEN "TRICK OR TREAT". Supervisor Bennett seconded the motion. Motion carried 5-0.

14. DETERMINATION/ANNOUNCEMENT OF FUTURE MEETING DATES AND TIMES - SPECIAL MEETING OF THE BOARD ON THURSDAY, OCTOBER 25, 1990, BEGINNING AT _____ P.M. AT THE COMMUNITY CENTER SIERRA ROOM TO CONSIDER THE WATER AND SEWER RATE STUDY (3-2405) - Discussion scheduled the water and sewer rate study for 6 p.m. Following further discussion October 27 from 9 a.m. to 11 a.m. was scheduled for a special goals and objectives session with the Carson City Convention and Visitors Bureau.

13. CONTINUED (3-2940) - Supervisor Swirczek requested an item for the next agenda be scheduled concerning street lighting in future developments.

BREAK: A recess was taken from 3:20 p.m. until 6:30 p.m. When Mayor Teixeira reconvened the session at 6:35 p.m., the entire Board was present constituting a quorum. Staff members present included: City Manager Berkich, Public Works Director O'Brien, Utility Manager Timian-Palmer, Deputy District Attorney Auer, and Recording Secretary McLaughlin.

15. DISCUSSION AND ACTION ON LINE EXTENSION AGREEMENT BETWEEN SIERRA PACIFIC POWER AND CARSON CITY FOR OVERHEAD ELECTRICAL SERVICE TO WELL

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NO. 43, BENNETT DRIVE (4-0025) - Ms. Timian-Palmer explained the original proposal to underground the entire line, however, conditions mandated the line be placed overhead. She then presented a compromise utilizing undergrounding in that area of the subdivision where all services were already underground and overhead in that area where services were overhead. These areas were shown in photographs. Her comments included reasons detailing the requirements when the electrical line and water lines are the same trench, an engineer's drawing of that trench, original funding, the bids received to underground the entire line, estimated costs, Code requirements, the bids for the compromise, and described the well house and a map detailing the lines.

BREAK: At 6:50 p.m., a ten-minute recess was taken to allow the audience to view the pictures and discuss the compromise with Mr. O'Brien and Ms. Timian-Palmer. When the meeting reconvened, the entire Board was present, constituting a quorum.

(4-0461) Robert B. Miller expressed his feeling that money was being wasted as the power line could have been included with the water line construction. Ms. Timian-Palmer responded by pointing out the hazards of having water and power in the same trench. Code requirements mandate the size and depth of such trenches and increases the cost until it is equal to a second trench.

(4-0575) C.J. Bown expressed his feeling that the entire matter had been an experience in poor communications between the public and the Utility Division. He felt that a premium had been paid for the lots as the utilities were to be undergrounded and that the City should underground its also. Supervisor Feticc responded by explaining that a firm decision had not been reached on the issue prior to the meeting and his support for Ms. Timian-Palmer and Mr. Berkich. Their decision must be made based on previous direction from the Board and that funds cannot be spent beyond that directed. He felt the integrity of the area should be maintained and would support additional funding for undergrounding. Mr. Bown acknowledged Supervisor Feticc's position, however, stressed the need to have communications improved. Supervisor Feticc felt that this could be an indication that the Board needs to reconsider the notification process. Mr. Bown presented a copy of a petition opposing overhead lines.

Board discussion ensued with Ms. Timian-Palmer, Sierra Pacific Power District Manager Ray Masayko and Consumer Services Planning Supervisor Rod Anderson concerning the funding approved and shortfall, Code and special considerations needed when undergrounding power lines. The width of the trench is dictated by the size of the vaults, which in this case had required separate trenching. Supervisors Swirczek and Feticc felt that the funding would have to be allocated to protect the integrity of the area and the communication procedure needed to be reconsidered. Supervisor Tatro explained that the Special Use Permit had indicated the lines would be underground when the Planning Commission approved the Permit. Otherwise, he felt that the Commission would have mandated the undergrounding as a condition of approval. He, too, supported allocating the additional funding for undergrounding.

(4-1259) Doug Mentor questioned the line voltage and stressed his feeling that more than two bids should have been obtained. Ms. Timian-Palmer explained how she had obtained the two bids and feeling that even though more had been solicited, contractors were busy and not interested. Mr. Mentor then suggested that the City establish a policy notifying all utility companies when streets are to be worked on and allowing them time to make any system upgrades prior to construction.

Board discussion ensued on the need to improve public communications, the need for contractors bidding the job to verify the amount of granite involved with the project, and the contingency built into the project.

(4-1439) Doug Martin supported undergrounding the lines, felt that Ms. Timian-Palmer had listened to anyone wishing to contact her, and urged anyone with comments concerning the revegetation process to contact her now. He then thanked the Board for having listened to the residents.

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Supervisor Tatro moved that the Board of Supervisors direct the Water Department to develop a line extension agreement between Sierra Pacific Power and Carson City for undergrounding the electrical service to Well No. 43, Bennett Drive. Clarification noted that the Board had already authorized this agreement. As the motion had not been seconded it died. Supervisor Tatro then moved that the Board of Supervisors deny the Line Extension Agreement between Sierra Pacific Power and Carson City, Contract No. 90-7325-5. Supervisor Fetic seconded the motion. Clarification noted that the motion would reject overhead power lines, direct total and complete undergrounding of the power, and that the Board was cognizant of the cost involved with undergrounding. Discussion noted that Ms. Timian-Palmer would work with the Finance Department to develop a funding source. Mayor Teixeira then expressed his feeling that the Board's role was that of a policy maker and his support for the City's talented staff. He invited the public to communicate with the Board when a problem arises similar to this item. With such communication, hopefully improvements would be made in the whole community. The motion to deny Contract 90-7325-5 was voted and carried 5-0.

BREAK: A five-minute recess was taken at 6:40 p.m. When the meeting reconvened at 6:45 p.m., the entire Board was present constituting a quorum.

Supervisor Tatro requested the City Manager evaluate the area noticed for any land use project due to the need to make it proportioned to that of the zoning district.

16. STATUS REPORT ON SIERRA PACIFIC POWER COMPANY'S COMPLIANCE WITH THE PLAN TO CONSTRUCT TRANSMISSION LINES (4-1645) - Mr. Berkich reviewed Board direction on the transmission line, construction which had already occurred, and the status report. Sierra Pacific District Manager Ray Masayko explained that approximately 99 percent of the rights-of-ways had been acquired and briefly reviewed the construction plan.

(4-2010) Donald Bird explained his purchase of a residence 90 days ago on Tangerine Drive and the sudden discovery that the Power Company had planned to run the Transmission Line across his back yard. Supervisor Tatro felt that he could remain unbiased and unprejudiced at this point on this matter even though the builder -- Ron Kitchen -- is his father-in-law. Mr. Bird felt that the line would impact the value of his home. A petition he had circulated was presented to the Board. (A copy was given to the Clerk and Board.) Additionally, the electro-magnetic force field was hazardous to his health as expressed in an article. Mr. Masayko noted the noticing efforts given to property owners at the time Board direction was given, the amount of rights-of-ways already acquired, and the status of the remaining ones. Mr. Bird stressed that he had not been advised of the plan at the time he purchased the home from the realtor/builder. He had contacted the Nevada Department of Transportation concerning the Bypass. Mr. Bird urged the Board to underground the transmission line if it must be along the Bypass. Board comments stressed that this issue had already been decided by the Board earlier. Mr. Berkich was directed to contact Messrs. Ron and Charley Kitchen and determine their presentation to potential buyers. Mr. Auer noted Board direction, commitments made by Sierra Pacific, and that this was a civil matter which the Board could not address. He did suggest that Sierra Pacific attempt to work with Mr. Bird and minimize the impact as much as possible. The status of rights-of-ways from Lewis Development was explained. Additionally, the matter was not agendaized so that any action could be taken. (5-0001) Supervisor Tatro explained the Kitchens' absence at this hearing and that he could no longer remain unbiased or unprejudiced and stepped from the podium. (A quorum was still present.) Mayor Teixeira restated the position that the Board could not reconsider the route nor undergrounding and responded to Mr. Bird's questions on this position. The alternatives and public hearings were explained as well as reasons why the bypass was determined as the final route. A poll of the audience showed that there were four home owners who had purchased along the route represented at the hearing and were concerned about the route.

(5-0215) Lynne Trujillo explained that she had been contacted ten days before her escrow had closed. At that time, her deposit would be forfeited if she did not consummate the deal. Therefore, she had gone

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forward with the detail with much trepidation. She, too, felt that the developer should have advised her originally of the transmission route.

Mr. Masayko expressed his regret that the buyers had not been informed of the route, however, felt that his company had complied with all of the noticing requirements mandated. He was willing to work with the residents to mitigate any impact which could be done reasonably.

Mayor Teixeira thanked the audience for its input, noted the legal restrictions placed upon the Board at this time, and his regret that this incident had occurred. Mr. Berkich was directed to contact the Kitchens and determine their position on this issue.

No formal action was taken on this item by the Board.

Supervisor Swirczek moved to adjourn. Supervisor Fetic seconded the motion. Motion carried 5-0. Mayor Teixeira adjourned the meeting at 7:40 p.m. The Minutes of the October 18, 1990 Carson City Board of Supervisors meeting

ARE SO APPROVED ON November 20, 1990.

_____/s/_____
MARV TEIXEIRA, Mayor

ATTEST:

_____/s/_____
ALAN GLOVER, CLERK-RECORDER