

CARSON CITY BOARD OF SUPERVISORS
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A regular meeting of the Carson City Board of Supervisors was held on February 15, 1990 at the Carson City Community Center, Sierra Room, 851 East William Street, Carson City, NV, beginning at 9:00 A.M.

MEMBERS 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 PRESENT:	Mike Rody	Acting City Manager
	Alan Glover	Clerk-Recorder
	Ted Thornton	Treasurer
	Paul McGrath	Sheriff
	Gary Kulikowski	Internal Auditor
	Charles P. Cockerill	Chief Deputy District Atty. (A.M. Session)
	Bob Auer	Deputy District Attorney (P.M. Session)
	Judy Berge	Recording Secretary
	(Tape 1-0001, B.O.S. 2-15-90)	

Mayor Teixeira called the meeting to order at 9:00 A.M. Roll call was taken and a quorum was present with the exception of Supervisor Swirczek. Al Tilstra gave the invocation, and Supervisor Bennett led the Pledge of Allegiance.

APPROVAL OF MINUTES: Supervisor Fetic moved to approve the minutes of November 16, 1989, December 7, 1989, January 12, 1990, and February 3, 1990. Supervisor Bennett seconded the motion. A vote was taken and carried 4-0.

Mayor Teixeira recessed the Board of Supervisors and Reconvened as the Liquor and Entertainment Board.

1. TREASURER:

A. SHOW CAUSE HEARING, DISCUSSION & ACTION ON MOTION TO REVOKE LIQUOR LICENSE ISSUED TO DIANE QUAIL FOR THE 408 CLUB LOCATED AT 408 SOUTH CARSON STREET: (1-0050) Treasurer Thornton introduced the item explaining the reasons for revocation and that no response has been received from the applicant. Following Member Teixeira's inquiry if a representative of the applicant was present to address the issue, Member Fetic moved that the Board of Supervisors revoke the Liquor License of Mr. Diane Quail pursuant to violations of CCMC 4.13.120, 4.13.140(3), 4.13.150 involving illegal transfer of a Liquor License. Member Bennett seconded the motion. A vote was taken and carried 5-0.

B. ACTION ON A LIQUOR LICENSE FOR WANDA BRUST DBA THE 408 CLUB LOCATED AT 408 SOUTH CARSON STREET: (1-160) Treasurer Thornton introduced the item and advised the Board that approval of the license would be subject to all final approval of any outstanding reports. Sheriff McGrath reported that the business has been operating illegally without a license. Member Fetic moved that the Board of Supervisors approve the liquor license for Wanda Lee Brust, to business 408 Club, located at 408 South Carson Street subject to the return of necessary approvals from Fire, Health and Tax Departments. Member McGrath seconded the motion. A vote was taken and carried 5-0.

Mayor Teixeira adjourned the Liquor and Entertainment Board and reconvened as the Board of Supervisors at 9:10 A.M.

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2. SHERIFF - ACTION ON APPROVAL TO CONVERT HALF-TIME POSITION OF SECRETARY II TO A FULL-TIME POSITION: Sheriff McGrath requested that this item be pulled from the agenda.

3. CLERK-RECORDER - ACTION ON ADOPTION OF A RESOLUTION AUTHORIZING THE DESTRUCTION OF ORIGINAL RECORDS FOR PUBLIC WORKS: (1-0222) Clerk-Recorder Glover introduced the item and provided a resolution number. Supervisor Tatro moved to adopt Resolution #1990-R-8, authorizing the destruction of original records for Public Works including Regional Streets and Highway Meetings minutes from January 1975 to February 1982. Supervisor Bennett seconded the motion. A vote was taken and carried 4-0.

4. TREASURER:

A. ACTION ON ADOPTION OF INVESTMENT AND PORTFOLIO POLICY: (1-265) Treasurer Thornton introduced the item and Clerk-Recorder Glover provided a Policy Number. Supervisor Bennett moved that the Board of Supervisors adopt the investment Portfolio Policy, Resolution #1990-P-1. Supervisor Tatro seconded the motion. A vote was taken and carried 4-0.

B. ACTION ON REVOCATION OF DELINQUENT BUSINESS LICENSE: (1-352) Treasurer Thornton introduced the item, distributed copies of the list of delinquent business licenses and reviewed the reinstatement fees. Supervisor Bennett moved that the Board of Supervisors approve the request to revoke the Business Licenses not current in 1990 as presented by the Treasurer and Business License Revocation Report as of 5:00 P.M. this evening. Supervisor Tatro seconded the motion. A vote was taken and carried 4-0.

CITIZEN COMMENTS: (1-515) Katherine Etchemaria expressed her concern with the lack of neighborhood parks on the North end of Carson City and inquired as to the future plans for that area.

5. INTERNAL AUDITOR - REQUEST FOR INTERNAL AUDITOR TO ASSIST THE FINANCE DEPARTMENT IN PREPARING THE FISCAL YEAR 1990-91 ANNUAL BUDGET: (1-0555) Internal Auditor Kulikowski introduced the item. Mayor Teixeira directed Mr. Kulikowski to assist the Finance Department in preparing the FY 1990-91 Annual Budget.

6. FINANCE DIRECTOR - ACTION ON CHECK DISBURSEMENT REGISTER FOR THE MONTH OF JANUARY 1990: (1-0590) Internal Auditor Kulikowski introduced the item and recommended approval of the January Check Register subject to the completion of the audit test. Supervisor Tatro moved to approve the January Check Register subject to the audit of the Internal Auditor. Supervisor Fettic seconded the motion. A vote was taken and carried 4-0.

7. DISTRICT ATTORNEY - ACTION ON AUTHORIZATION TO SETTLE LAWSUIT ENTITLED BADER VS. CARSON CITY (1-0610) Chief Deputy District Attorney Charles Cockerill introduced the item. Supervisor Fettic moved to authorize the District Attorney to make an offer to settle a Civil Lawsuit, entitled Bader vs. Carson City, Case No. 88-00450A, in the amount of \$2,000. Supervisor Tatro seconded the motion. A vote was taken and carried 4-0.

8. PARKS AND RECREATION DIRECTOR:

A. ACTION ON TRANSFER OF \$210,000 FROM LINE ITEM MILLS PARK TO LINE ITEM EDMONDS PARK IN FUND #550: (1-0650) Steve Kastens recommended that this item be removed from the agenda as item "B" would cover it.

B. REVIEW AND ACTION ON FINANCIAL STATUS OF PARK BOND PROJECTS: (1-

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0735) Steve Kastens introduced the item and reviewed the Financial Status Report of the Park Bond Projects. Peter Livermore, Chairman of the Parks and Recreation Commission, advised the Board that the Parks and Recreation Commission is in full support of the proposal to transfer \$210,000 from line item Mills Park to line item Edmonds Park in fund #550. Following discussion of the extent to which the Park Bond Projects have been completed, Supervisor Fetic moved that the Board of Supervisors approve the financial status of the report of the Park Bond Projects which includes direction to the Finance Department to proceed with the appropriate budget augmentation revision as required by law. Supervisor Tatro seconded the motion. A vote was taken and carried 4-0.

9. PURCHASING AGENT:

A. ACTION ON CHANGE ORDER NO. 5 TO CONTRACT 8889-77 - CARSON AQUATIC FACILITY: (1-1390) Purchasing Agent Ron Wilson introduced the item. Supervisor Tatro moved that the Board of Supervisors approve Change Order #5, Contract #8889-77, for Carson Aquatic Facility in the amount of \$889.00 with the funding source Park Bond Fund #560. Supervisor Bennett seconded the motion. A vote was taken and carried 4-0.

B. REVIEW AND ACTION ON CONTRACT 8990-117 - SOUTH EDMONDS PARK CONSTRUCTION: (1-1475) Assistant Purchasing Agent John Iratcabal introduced the item and distributed a revised cover sheet for the Request for Board Action form. Following discussion of the bid and quality of the soil at the project, Supervisor Fetic moved that the Board of Supervisors approve awarding Contract #8990-117 to Angelo Pecorilla, Inc., Carson City, Nevada as the lowest responsive and responsible bidder pursuant to NRS Chapter 332, 338, 339, and 624 to total amount of \$530,345.00 funding source to be Residential Construction Tax Account #550-000. Supervisor Tatro seconded the motion. A vote was taken and carried 4-0.

C. ACTION ON CONTRACT 8990-146 - BANK STABILIZATION AND POND PROTECTION - DARLING RANCH: (1-1800) Assistant Purchasing Agent John Iratcabal introduced the item. Supervisor Bennett clarified that this project is not related to the previous spill in the area. Mark Brethauer, Water Engineer, described the gabion baskets to be utilized in the stabilization process. Supervisor Tatro moved to approve the award of Contract #8990-146, bank stabilization and pond protection of Darling Ranch to the low bidder, Al's Plumbing and Heating, Inc., in the amount of \$90,744.25 funding source Sewer Maintenance #510-000, being the lowest responsive and responsible bidder pursuant to the statutes listed in the staff report. Supervisor Fetic seconded the motion. A vote was taken and carried 4-0.

D. REVIEW AND ACTION ON AWARD OF CONTRACT 8990-148 - CAMEL SEWER RODDING TRUCK: (1-1990) Purchasing Agent Ron Wilson introduced the item and explained the reasons for brand specifying this request for a Camel Sewer Rodding Truck. Following discussion of the City's purchasing policy, Supervisor Tatro moved to award to Bidder #1, Jones-West Ford, as the lowest responsive and responsible bidder pursuant to NRS Chapter 332, for a "Grand Total" price of \$116,720.96 FOB Carson City, NV, for Contract #8990-148, Camel Sewer Rodding Truck, funding source #410-720. Supervisor Fetic seconded the motion. A vote was taken and carried 4-0.

E. ACTION ON CONTRACT 8990-150 - SEWER MAIN EXTENSION TO GOLF COURSE CLUBHOUSE: (1-2480) Purchasing Assistant John Iratcabal introduced the item. Following review of the bid, Supervisor Fetic moved to approve Contract #8990-150, sewer main extension to Golf Course Clubhouse, to award the bid to the lowest responsive and responsible bidder, Marv McQueary Excavating, pursuant to NRS Chapter 332, 338, 339, and 234 in the total amount of \$59,964.00 funding sources to be the Golf Course Bond fund #540 at \$33,364.00 and Sewer Maintenance Fund #410-720 at \$14,396.00 and A & B Associates \$12,204.00. Supervisor Bennett seconded the motion. A vote was taken and carried 4-0.

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Mayor Teixeira recessed at 10:25 and reconvened at 10:35 A.M. with a full quorum present.

10. FIRE DEPARTMENT:

A. ACTION ON AUTHORIZATION TO HIRE THE FIRE MARSHALL AT AN INCREASED RATE: (1-2670) Acting Fire Chief Ted Berrum introduced the item and answered questions regarding the proposed increase in salary. Following discussion of the training required for the position, Supervisor Swirczek moved that the Board of Supervisors approve the hiring of the Fire Marshall at a salary of \$40,000 which would be contingent upon that there would be no increase in the current year's budget and that it be reviewed in the normal budget process thereafter. Supervisor Feticc seconded the motion. A vote was taken and carried 5-0.

B. PRESENTATION OF FIRE DEPARTMENT ACTION PLAN: (2-0122) Acting Fire Chief Ted Berrum introduced the item and reviewed the Carson City Fire Department Action Plan. No formal action was taken.

11. COMMUNITY DEVELOPMENT DIRECTOR:

A. SPECIAL USE PERMIT U-89/90-13 - REQUEST BY DONALD A. WEIR (AUTO CONNECTION) TO ALLOW BANNERS AND PENNANTS ON PROPERTY ZONED GENERAL COMMERCIAL (GC) LOCATED AT 3555 SOUTH CARSON STREET (APNs 9-122-01 AND 02): (2-638) Senior Planning Rob Joiner introduced the item. Supervisor Swirczek moved to approve. Supervisor Feticc seconded the motion. A vote was taken and carried 5-0.

ORDINANCES - FIRST READING:

B. DISCUSSION AND POSSIBLE ACTION RELATIVE TO PROPOSED AMENDMENTS TO TITLE 18 (ZONING) OF THE CARSON CITY MUNICIPAL CODE REGARDING SECTION 18.05.093 (5) BOARD ACTION ON CHANGE OF LAND USE APPLICATIONS, AND SECTION 18.05.097 CONSENT AGENDA: (2-520) Rob Joiner introduced the item and explained the proposed changes. Discussion ensued on the appeal process. Supervisor Tatro moved that the Board of Supervisors refer this matter back to the Regional Planning Commission for further review and that they review two points, (1) the time of appeal, (2) the content of items that would be on the consent agenda. Supervisor Feticc seconded the motion. Supervisor Tatro moved to amend his motion to refer only to section #2 (of the amendment.) Following discussion, Supervisor Tatro withdrew his motion. Supervisor Feticc concurred with the withdrawal. Supervisor Tatro then moved that the Board of Supervisors approve, on first reading, Bill #107, Amendment to CCMC, Title 18 (Zoning) specifically Section 18.05.093(5), Change of Land Use Applications, and excluding the second section and the ordinances drafted by the District Attorney's Office and renumbering Section #3 to be Section #2. Supervisor Feticc seconded the motion. A vote was taken and carried 5-0.

Supervisor Tatro then moved to refer Section #2 of the suggested Ordinance back to the Regional Planning Commission for further consideration of two points, (1) time frames, (2) the content of the consent agenda. Supervisor Feticc seconded the motion. A vote was taken and carried 5-0.

C. STATUS REPORT ON FINAL FEDERAL FISCAL YEAR 1990/91 COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION: (2-1050) Senior Planner Rob Joiner introduced the item and advised the Board that the Regional Transportation Commission will be considering a request for \$6,000 as match funding for the CDBG at their February 21, 1990 meeting. No formal action was taken.

CORRESPONDENCE TO THE BOARD: (2-1095) Acting City Manager Mike Rody read into the record a letter to the Board of Supervisors and Mayor Teixeira regarding his resignation from Carson City on

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February 28, 1990.

Mayor Teixeira recessed the meeting at 11:25 A.M. and reconvened at 1:30 P.M. with a full quorum present.

12. PUBLIC WORKS DIRECTOR:

A. REVIEW AND ACTION ON AUTHORIZATION TO PURCHASE BRUSHWOOD (COMMON) OPEN SPACE: (2-1200) Deputy Public Works Director Tim Homann introduced the item. Following discussion of the proposed uses and the value of the parcel, Supervisor Fetic moved that the Board of Supervisors authorize the Mayor to sign a Grant, Bargain and Sale Deed authorizing Carson City to purchase the Brushwood (Common) Open Space for the sum of \$2,500 from John Serpa. Supervisor Swirczek seconded the motion. A vote was taken and carried 5-0.

B. DISCUSSION AND ACTION ON CARSON HOT SPRINGS SEWER ACCOUNTS: (1-1540) Acting City Manager Mike Rody reported that the District Attorney will meet with Public Works Director Dan O'Brien to determine whether to accept or reject an offer by Carson Hot Springs for the amount in arrears. If a settlement is not agreed to by March 1, 1990 it will be presented to the Board for consideration on March 15, 1990.

C. ACTION ON BILL #102 - AN ORDINANCE AMENDING SECTIONS 12.06.160 AND 12.06.170 OF THE CARSON CITY MUNICIPAL CODE BY INCREASING THE MAXIMUM DOLLAR AMOUNT OF CIVIL AND CRIMINAL PENALTIES TO \$1,000.00 PER OCCURRENCE: (2-1580) Deputy Public Works Director Tim Homann introduced the item. Supervisor Tatro moved to adopt BILL #102, ORDINANCE #1990-4, on second reading, AN ORDINANCE AMENDING SECTIONS 12.06.160 AND 12.06.170 OF THE CARSON CITY MUNICIPAL CODE (INDUSTRIAL WASTEWATER DISCHARGES) BY INCREASING THE MAXIMUM DOLLAR AMOUNT OF CIVIL AND CRIMINAL PENALTIES TO \$1,000.00 PER OCCURRENCE. Supervisor Bennett seconded the motion. A vote was taken and carried 5-0.

D. ACTION ON BILL #105 - AN ORDINANCE AMENDING CHAPTER 18.05 OF THE CARSON CITY MUNICIPAL CODE BY REMOVING OFF-STREET PARKING DEVELOPMENT REQUIREMENTS: (2-1640) Deputy Public Works Director Tim Homann introduced the item. Supervisor Swirczek moved that the Board of Supervisors approve Ordinance #1990-5, AN ORDINANCE AMENDING CCMC CHAPTER 18.05.022 AND 18.05.023 DELETING SECTIONS 18.05.021 and 18.05.025 REGARDING OFF-STREET PARKING REGULATIONS AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Fetic seconded the motion. A vote was taken and carried 5-0.

E. ACTION ON BILL #160 - AN ORDINANCE CREATING CHAPTER 17.40 OF THE CARSON CITY MUNICIPAL CODE FOR OFF-STREET PARKING FACILITY REQUIREMENTS: (2-1710) Deputy Public Works Director Tim Homann introduced the item. Supervisor Swirczek moved to approve Ordinance #1990-6, AN ORDINANCE ADDING CHAPTER 17.40 REGARDING OFF-STREET PARKING FACILITIES REQUIREMENTS TO THE CARSON CITY MUNICIPAL CODE. Supervisor Fetic seconded the motion. A vote was taken and carried 5-0.

13. CITY MANAGER REPORTS, RESOLUTIONS, AND BOARD DIRECTIVES - STATUS REPORT REGARDING 1989 GOALS AND OBJECTIVES OF THE CARSON CITY BOARD OF SUPERVISORS: (2-1725) Acting City Manager Mike Rody reviewed the Status Report regarding the 1989 Goals and Objectives of the Board of Supervisors. Mayor Teixeira complimented the City Staff on a good year.

14. BOARD OF SUPERVISORS REPORTS, RESOLUTIONS, AND PROCLAMATIONS -

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ACTION ON CONTRACT FOR CITY MANAGER, AGREEMENT BETWEEN CARSON CITY AND JOHN BERKICH: (2-2655) Mayor Teixeira introduced the item and reviewed the proposed contract. Copies of the background check provided by Sheriff McGrath were distributed. Following discussion of the criteria to be included in the City Manager's performance evaluations, Supervisor Fetic moved that the Board of Supervisors approve the agreement as read into the record, by Mayor Teixeira, between Mr. John Berkich and the Board of Supervisors of Carson City. Supervisor Swirczek seconded the motion. Supervisor Fetic amended his motion to authorize the Mayor to sign. Supervisor Swirczek concurred with the amendment. A roll call vote was taken and carried 5-0.

Mayor Teixeira recessed the meeting at 2:30 P.M. and reconvened at 2:35 P.M.

ACTION ON RESOLUTION OF SUPPORT FOR NORTH CARSON MEDIAN BEAUTIFICATION PROJECT: (3-0393) Supervisor Bennett introduced the item and reviewed the progress to date. Betsy Barnett, Arlene Crow and David Ruff answered questions regarding funding, type of landscaping and the irrigation system. Mike McFall, of NDOT, advised the Board that the State of Nevada has no objections to extending their resurfacing project to where the breach in the pavement for the irrigation system will be located. Following discussion of who will assume the responsibility of the maintenance of the medians after completion, Chief Deputy District Attorney Cockerill suggested that the motion for approval be contingent upon the approval of an agreement between the State of Nevada, Carson City and Coldwell Banker. Supervisor Bennett moved that the Board of Supervisors adopt Resolution #1990-R-9, A RESOLUTION OF SUPPORT FOR THE NORTH CARSON MEDIAN BEAUTIFICATION PROJECT, and that Carson City allocate \$5,009 for a 2" line contingent upon an agreement defining Carson City's obligation/role in the project and Coldwell Banker's ability to raise the funding, with the funding source for the City being the General Fund Contingency. Supervisor Swirczek seconded the motion. A vote was taken and carried 5-0.

APPOINTMENT OF ALTERNATE CARSON CITY REPRESENTATIVES: Supervisor Bennett advised the Board that Eric Toll would be attending this month's TRPA meeting in her absence. Supervisor Bennett also advised the Board that she would be in Washington, D.C. on March 6, 7, and 8 to represent Western Nevada Development District regarding rural economic development.

Mayor Teixeira recessed the meeting at 3:05 P.M. and reconvened at 6:45 P.M. with a full quorum present.

15. DISCUSSION AND ACTION ON THE MILLS PARK EVENTS CENTER: (3-1240) Mayor Teixeira provided an illustration and reviewed the funding source for the proposed Events Center. Larry Hendry, of Hendry and Clark, answered questions regarding design and proposed uses of the center. Parks and Recreation Director Steve Kastens addressed the liability, insurance and operating and overhead costs. Following discussion of parking availability and the benefits to Carson City, Supervisor Swirczek moved that the Board of Supervisors approve the Mills Park Events Center and approve funding for the project in the amount not to exceed \$2,200,000 with the funding source being the room tax revenue and direct that the details be worked out for the bonding of the project with the appropriate public input. Supervisor Fetic seconded the motion. Deputy District Attorney clarified that the room tax revenue is the SB 383, 2 cent tax. A roll call vote was taken and carried unanimously.

Mayor recessed the meeting as the Board of Supervisors at 7:15 P.M. and reconvened as the Redevelopment Authority at 7:20 P.M.

Chairman Fetic called the meeting of the Carson City Redevelopment Authority to order at 7:20 P.M. Roll call was taken and a full quorum was present.

DISCUSSION AND POSSIBLE ACTION ON THE V & T ROUNDHOUSE: (3-2536) Chairman Fetic disclosed that although he is a private contractor Real Estate Agent for Century 21 Jim Wilson Realty, he has not been associated in any activity regarding the Larquier property and will not have any conflicting interest

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in considering this matter. Chairman Feticc advised the Board that the only action requested on this matter would be the direction and approval to transmit a letter of response to Mr. Larquier drafted by the District Attorney's Office. The letter was then read into the record. Member Tatro moved that the Redevelopment Authority authorize the Chairman to sign and transmit the letter to Mr. Larquier. Member Swirczek seconded the motion. A vote was taken and carried 5-0. Following discussion among the Members, the floor was opened to comments and suggestions from the public. Mimi Rodden, Mr. Waswick, David Ruff, Richard Waiton, Steve Hartman, Tony Hartman, Charles Hanes, Ron James, Art Wilson, Denver Dickerson, Melinda Lippencott, and Don Clark spoke in favor of saving the V & T Roundhouse and offered suggestions.

Member Teixeira moved to adjourn the February 15, 1990 Carson City Redevelopment Authority meeting at 8:30 P.M. Member Swirczek seconded the motion. A vote was taken and carried 5-0.

Supervisor Bennett moved to adjourn the February 15, 1990 Carson City Board of Supervisors meeting at 8:32 P.M. Supervisor Swirczek seconded the motion. A vote was taken and carried 5-0.

The Minutes of the February 15, 1990 Carson City Board of Supervisors meeting

ARE SO APPROVED ON March 15, 1990.

_____/s/_____
MARV TEIXEIRA, Mayor

ATTEST:

_____/s/_____
ALAN GLOVER, Clerk-Recorder