

CARSON CITY BOARD OF SUPERVISORS
Minutes of the March 1, 1990 Meeting
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A regular session of the Carson City Board of Supervisors was held on Thursday, March 1, 1990 at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 9 a.m.

PRESENT:	Marv Teixeira Ron Swirczek Tom Feticc Tom Tatro	Mayor Supervisor, Ward 1 Supervisor, Ward 2 Supervisor, Ward 3
STAFF PRESENT:	Alan Glover Paul McGrath Ted P. Thornton Gary Kulikowski Dan O'Brien Bob Auer Katherine McLaughlin (B.O.S. 3/1/90 Tape 1-0001)	Clerk-Recorder Sheriff Treasurer Internal Auditor Public Works Director Deputy District Attorney Recording Secretary

Mayor Teixeira called the meeting to order at 9 a.m. Roll call was taken and a quorum was present although Supervisor Kay Bennett was absent. First Presbyterian Church Pastor Dave Camp gave the Invocation. Public Works Director Dan O'Brien led the Pledge of Allegiance.

LIQUOR AND ENTERTAINMENT BOARD MATTERS - None.

REDEVELOPMENT AUTHORITY AGENCY MATTERS - None.

PETITIONS AND COMMUNICATIONS

1. TREASURER - ACTION ON TREASURER'S FINANCIAL REPORT FOR JANUARY 1990 (1-0050) - Following Mr. Thornton's introduction, Supervisor Swirczek moved that the Board accept the Treasurer's Financial Report for the month of January 1990. Supervisor Tatro seconded the motion. Motion carried 4-0.

2. DISTRICT ATTORNEY - ACTION ON AGREEMENT FOR NORTH CARSON MEDIAN BEAUTIFICATION PROJECT BETWEEN CARSON CITY AND COLDWELL BANKER/FIRST WESTERN REALTY AND STATE OF NEVADA DEPARTMENT OF TRANSPORTATION (1-0065) - Mr. Auer explained the request and responded to Board questions concerning Coldwell Banker's responsibility for the costs incurred. Mr. O'Brien explained the costs for the meter and set fee and reimbursement to the City for work performed by the City. Coldwell Banker did not have a representative present. Supervisor Tatro moved that the Board of Supervisors authorize the Mayor to sign the agreement between Carson City, Coldwell Banker, and NDOT for the North Carson Median Beautification Project. Supervisor Feticc seconded the motion. Motion carried 4-0.

4. CLERK-RECORDER

ACTION ON RESOLUTION AUTHORIZING DESTRUCTION OF ORIGINAL RECORDS (1979 TO 1984 PERSONNEL DEPARTMENT RECORDS) (1-0158) - Following Mr. Glover's introduction, Supervisor Feticc moved that the Board adopt Resolution No. 1990-R-10, A RESOLUTION AUTHORIZING THE DESTRUCTION OF ORIGINAL RECORDS. Supervisor Tatro seconded the motion. Motion carried 4-0.

3. INTERNAL AUDITOR - REPORT ON CHECK DISBURSEMENT REGISTER FOR THE MONTH OF FEBRUARY 1990 (1-0195) - Mr. Kulikowski explained the Board's approval of the January

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1990 Check Disbursement Register contingent upon his report on two exceptions. The engineering firm had underbilled on a project and the reimbursement for Sheriff's Department training had been corrected. No action was required by the Board as this was a status report. (1-0296) Clarification corrected the title to indicate that this report concerned the January 1990 register.

4. ACTION ON CERTIFICATION OF JURY VENIRE FOR 1990 (1-0225) - Following Mr. Glover's introduction which included an explanation of the process, Supervisor Swirczek moved that the Board certify the Jury List of 3,000 persons from which the 1990 Jury Venire will be drawn. Supervisor Tatro seconded the motion. Motion carried 4-0.

ACTION ON ACCEPTANCE OF \$1,000 GIFT FROM FIRST CENTENNIAL TITLE COMPANY, NORTHERN NEVADA TITLE COMPANY, STEWART TITLE OF CARSON CITY, AND FIRST NEVADA TITLE COMPANY (1-0305) - Mr. Glover explained the \$250 donation from each title company for the purchase of a terminal and his decision to dedicate that terminal to the title companies for research. Automation Services Director Case explained the Committee's and her support for the purchase. Supervisor Tatro explained his wife's position on Northern Nevada's Board of Directors and his feeling that this would not prejudice his vote on the issue. The proposal would free a terminal now used by the title companies and the general public. This terminal could then be utilized solely by the general public. Supervisor Fetic moved that the Board accept as a gift the amount of \$250 a piece from First Centennial Title Company, Northern Nevada Title Company, Stewart Title of Carson City, and First Nevada Title Company for the purchase of an IBM computer and that the money be placed in the Automation Fund. Supervisor Tatro seconded the motion. Clarification by Mr. Kulikowski indicated the monies would be placed in the General Fund for use by Automation. Supervisor Fetic corrected his motion to indicate that the monies would be placed in the General Fund for use by Automation in the purchase of a terminal as indicated. Supervisor Tatro continued his second. Motion carried 4-0.

5. PURCHASING AGENT

ACTION ON CONTRACT NO. 8990-161 - VOTING BALLOTS (1-0485) - Mr. Wilson explained the request and reasons for bringing the matter to the Board. Supervisor Swirczek moved that the Board accept the Purchasing Agent's recommendation and award 8990-161 to Bidder No. 4, Pace Williams and Company, 408 North Alexander Street, Plant City, Florida, as the lowest responsive and responsible bidder pursuant to the requirements of NRS 332. Supervisor Tatro seconded the motion. Motion carried 4-0.

ACTION ON REQUEST FOR CONTRACT APPROVAL - CONTRACT 8990-163 - SHERIFF'S OFFICE COMPUTER PROGRAMMING AGREEMENT (1-0548) - Following Mr. Wilson's introduction, Automation Services Director Pam Case explained the contract and responded to Board questions on the scope of work and timetable she felt would be required to complete the project. Assistant Sheriff Greg Biggin explained the benefits derived from the computer program. Mr. Wilson explained the need for two motions. Supervisor Tatro moved that the Board declare Contract 8990-163 for the Sheriff's Office computer programming agreement not adapted to competitive bidding pursuant to NRS 332.115. Supervisor Fetic seconded the motion. Motion carried 4-0.

Supervisor Tatro then moved that the Board approve and authorize the Mayor to execute Contract No. 8990-163, an agreement with ADS, as presented by Automation Services Director, contract in the amount of \$14,000, funding source - SPAN Budget Capital Acquisition. Supervisor Swirczek seconded the motion. Motion carried 4-0.

BREAK: A ten-minute recess was taken at 9:30 a.m. When the meeting reconvened at 9:40 a.m., a quorum was present as noted.

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CITIZEN COMMENTS (1-0826) - Frank Sanders explained some nuisance problems which were occurring in his area. There appears to be a collection of vehicles in the streets of his neighborhood including trailers and boats which were prohibited by the CC&Rs. Both Mr. Sanders and his wife explained a dog problem which had been occurring repeatedly. They had contacted the appropriate Departments, however, to no avail. Mayor Teixeira directed Mr. O'Brien to check into the situations and report back to the Board.

6. PARKS AND RECREATION DIRECTOR - ACTION ON AUTHORIZING MAYOR TO SIGN COMMERCIAL LEASE WITH STATE OF NEVADA FOR NORTHGATE LANE PARK SITE (1-0925) - Following Mr. Kastens' introduction, Supervisor Swirczek moved that the Board authorize the Mayor to sign the commercial lease with the State of Nevada for Northgate Lane Park Site at no fiscal impact. Supervisor Tatro seconded the motion. Motion carried 4-0.

7. COMMUNITY DEVELOPMENT DIRECTOR (1-0965)

ACTION ON AUTHORIZATION TO HIRE SENIOR PLANNER AT GRADE 35, STEP 8 - Mr. Sullivan explained the recruitment process and problem encountered with the salary. Cost of the request was discussed. Supervisor Swirczek supported the request in view of the backlog found in this area and moved to approve the hiring of the Senior Planner at a Grade 35, Step 8. Supervisor Tatro seconded the motion. Motion carried 4-0.

ORDINANCE - SECOND READING - ACTION ON BILL NO. 107 - AN ORDINANCE DELETING AN IMPROPER WORD FROM THE CARSON CITY MUNICIPAL CODE SECTION 18.05.093 AND AMENDING WITH PROPER LANGUAGE (1-1078) - Following Mr. Sullivan's introduction, Supervisor Feticc moved that the Board adopt on second reading Ordinance No. 1990-7, AN ORDINANCE DELETING AN IMPROPER WORD FROM CCMC 18.05.093 AND AMENDING WITH PROPER LANGUAGE. Supervisor Tatro seconded the motion. Motion carried 4-0.

APPROVAL OF MINUTES - Regular Sessions of December 21, 1989, and January 18, 1990 (1-1185) - Following Mr. Glover's introduction, Supervisor Feticc moved to approve the Minutes as presented. Supervisor Tatro seconded the motion. Motion carried 4-0.

BREAK: A recess was taken from 9:55 a.m. to 10:30 a.m. A quorum was present when the meeting reconvened.

PLANNING COMMISSION REFERRALS - ACTION ON MISCELLANEOUS M-89/90-4 - DETERMINATION OF CONSIDERATION FOR ABANDONMENT OF AN ALLEYWAY LOCATED ON BLOCK 35, LOTS 7, 9, AND 10 OF THE SEARS-THOMPSON AND SEARS DIVISION (1-1230) - Mr. Sullivan and Addison's attorney David Small explained the confusion over the right-of-way/easement. Supervisor Feticc moved that the Board approve the abandonment of the alleyway located in Block 35 of Lots 7, 9, and 10 of the Sears-Thompson and Sears Division and that the Board determines that reasonable consideration is in the amount of \$10. Supervisor Tatro seconded the motion. Supervisor Feticc then explained his reasons for making the motion. Mayor Teixeira noted for the record that if the City does not take steps to clean up this area, the Legislature would. Motion to approve the abandonment as indicated was voted and carried unanimously.

8. PUBLIC WORKS DIRECTOR (1-1510)

DISCUSSION AND ACTION ON CARSON HOT SPRINGS SEWER ACCOUNTS - Mr. O'Brien explained the chronology of events which had occurred during the last year including the retention of a consultant, his cost, and the results of the consultant's research. He then explained the agreement which was reached as a result of the consultant's report. Mr. Thornton, Mr. O'Brien, and Mr. Auer responded to

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Board questions on the agreement and its stipulation that the bills for monthly use and all payments be made in a timely fashion. Board consensus indicated a feeling that Mr. Langston should be responsible for some, if not all, of the consultant costs particularly if the penalty is waived. If the time payments are not made, the penalty will be assessed on the delinquent amount. Discussion included procedures to maintain the account(s). Supervisor Feticc moved that the Board direct the Utility Billing Division. Following clarification, Supervisor Feticc corrected his motion to be that the Board direct the District Attorney's office. Then expressed his feeling that the motion should include the entire cost for the consultant. Discussion ensued on this point with Supervisor Swirczek explaining what he felt the motion should be. Consensus indicated that staff should discuss with Mr. Langston and his attorney paying for the consultant costs over a twelve-month payment schedule and subject to the same five percent penalty if a late payment occurs. An amended contract would be brought to the Board for approval. Supervisor Feticc then moved that staff be directed to discuss with Mr. Langston and his attorney including the \$10,000 consultant costs in the agreement, that this cost should be included in the time payment and penalty terms, and that the agreement be brought back to the Board for final approval. Supervisor Tatro seconded the motion. Clarification indicated that the agreement was to be amended to include the consultant cost spread over 12 months and subject to the penalty clause if timely payments are not maintained. All other terms in the agreement were acceptable. The motion to amend the agreement as indicated was voted and carried 4-0.

Mr. Auer then noted that the District Attorney's office would meet with Mr. Kulikowski and work out the appropriate documents (notes).

STATUS REPORT AND POSSIBLE ACTION ON RESPONSE TO ECONOMIC DEVELOPMENT DEPARTMENT'S AUDIT RESOLUTION FOR E.D.A. PROJECT NO. 07-01-02732 - ARROWHEAD DRIVE (1-2268) - Mr. O'Brien explained the reasons staff had hired a consultant, his determination of those areas failing to meet E.D.A. requirements, and suggested 3/8 inch chip sealing of those areas prior to September 1, 1990. This would bring the road surface up to the required 3 inch tolerance. Discussion among the Board, Mr. O'Brien, and Mr. Cockerill explained conversations with E.D.A., the timetable for taking action, and cost for the coring and chip sealing. Mr. Swirczek summarized the activities which had occurred since the beginning of the investigation and expressed the hope that this would "put the matter to rest." Supervisor Feticc moved that the Board direct the Mayor to notify E.D.A. of the City's intent to select Option 1 as contained in John Woodward's 2/16/90 letter and authorize the Mayor to sign the letter so indicating the City's intent. Supervisor Swirczek seconded the motion. Motion was voted and carried 4-0.

WASTEWATER TREATMENT AND DISPOSAL FACILITIES - JOINT VENTURE ASSOCIATION OF ENGINEERS - DISCUSSION AND ACTION ON AMENDMENT 3 TO AGREEMENT AND CONTRACT FOR CONSULTING SERVICES (1-2716) - Following Mr. O'Brien's introduction, Supervisor Tatro moved that the Board approve Amendment No. 3 to the September 13, 1979 Agreement and Contract for Consulting Services for the Preparation of a Comprehensive Master Plan for All Water Resources for Eagle Valley, Nevada. Supervisor Feticc seconded the motion. Motion carried 4-0.

REGIONAL TRANSPORTATION COMMISSION - DISCUSSION AND ACTION ON AMENDMENT NO. 1 TO INTERLOCAL COOPERATIVE AGREEMENT NO. R-451-89-010 BY AND BETWEEN CARSON CITY AND THE STATE OF NEVADA DEPARTMENT OF TRANSPORTATION (1-2789) - Mr. O'Brien and Supervisor Feticc explained the request, which would computerize all the signals in the City, Regional Transportation Commission's recommended approval, and funding. Supervisor Tatro moved that the Board approve Amendment No. 1 to the Interlocal Cooperative Agreement No. R-451-89-010 by and between Carson City and the State of Nevada Department of Transportation in the amount of \$90,000, funding source 250 Regional Transportation Division. Supervisor Feticc seconded the motion. Clarification amended the motion to have the funding source be the Regional Transportation Commission. Discussion ensued with Water Manager Dorothy Timian-Palmer on the

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trenching of Carson Street for water and sewer lines which will be done between 6 p.m. and 6 a.m. The motion to approve Amendment No. 1 was voted and carried 4-0.

WATER DIVISION

DISCUSSION AND ACTION ON A RESOLUTION PROVIDING NOTICE AND AUTHORIZING THE SALE OR EXCHANGE OF EXCESS CARSON CITY WATER FUND PROPERTY AND APPOINTMENT OF REAL ESTATE APPRAISER (2-0015) - Mr. O'Brien and Ms. Timian-Palmer explained the request to exchange 600 acres of Kings Canyon property for 600 acre feet of Kings Canyon water rights and 87 acre feet of Eagle Valley water rights. Discussion with the Board indicated the feeling that the City may wish to hold this property, rezone it, and develop it due to its value. Consideration was also given to having the General Fund purchase the property and then using it as an asset for other capital needs. Supervisor Tatro moved that the Board of Supervisors appoint Steven R. Johnson, a disinterested and competent real estate appraiser, to appraise Carson City Water Fund Property. Supervisor Feticc seconded the motion. Motion carried 4-0. Clarification noted that the motion did not declare the property to be excess.

ACTION ON THE AUTHORIZATION GIVEN BY THE DIVISION OF STATE LANDS TO PROCEED WITH CONSTRUCTION AND FUTURE MAINTENANCE ACTIVITIES RELATED TO THE PROPOSED BANK STABILIZATION AT DARLING RANCH (2-0453) - Water Engineer Mark Brethauer explained the request, previous Board action on this project, and noted the twelve conditions mandated by the Nevada Division of Lands. Supervisor Feticc moved that the Board approve and authorize the Mayor to sign the acceptance agreement between the Nevada Division of State Lands and Carson City to allow the construction access, project operation, and maintenance for the proposed bank stabilization of the Carson River at the Darling Ranch. Supervisor Tatro seconded the motion. Motion carried 4-0.

ACTION ON THE UNIVERSITY OF NEVADA SYSTEM LEASE/EASEMENT AGREEMENT FOR THE CARSON CITY WATER DIVISION'S PROPOSED VICEE CANYON RECHARGE PROJECT (2-0541) - Following Ms. Timian-Palmer's introduction, Supervisor Swirczek moved that the Board approve and authorize the Mayor to sign the Lease/Easement Agreement by and between the University of Nevada System and Carson City. Supervisor Tatro seconded the motion. Motion carried 4-0.

CITIZEN COMMENTS - None.

RESOLUTIONS - None.

COMMUNICATIONS FROM EMPLOYEE ASSOCIATIONS - None.

BOARD OF SUPERVISORS REPORTS, RESOLUTIONS, AND PROCLAMATIONS - None.

9. PERSONNEL SESSION

EVALUATION OF THE INTERNAL AUDITOR IN ACCORDANCE WITH THE PROVISIONS OF N.R.S. CHAPTER 241 (2-0599) - Supervisor Feticc moved that the Board go into Closed Session pursuant to NRS Chapter 241 to consider the competence, health, mental well-being of the Internal Auditor. Supervisor Swirczek seconded the motion. Motion carried 5-0.

Mayor Teixeira recessed the Open Session. When he reconvened the Open Session, a quorum of the Board was present. (Supervisor Bennett was absent as noted earlier.) Mayor Teixeira then expressed the need to have the Board make written requests of Mr. Kulikowski's time so that everyone is aware of the requests. Mr. Kulikowski would respond in writing indicating the timetable. If the Board does not feel the project is

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warranted or the timetable is incorrect, a meeting will be called and priorities established. The need to do this was expounded at length and reinforced reasons to have the Board establish the priorities. Mr. Kulikowski expressed a desire to return to his original policy of making monthly status reports to the Board at a meeting as well as in writing. Supervisor Swirczek explained a meeting he had with City Manager John Berkich and Mr. Kulikowski which indicated a need for operational audits. Mr. Kulikowski responded by explaining his present audit system which includes the operational functions. Comments stressed the feeling that Mr. Kulikowski had been performing his duties in an outstanding method without alienating Department Heads or City employees. Discussion ensued on Mr. Kulikowski's salary. Mayor Teixeira requested the Board not go above five percent as the budget process could address an additional increase. Supervisor Swirczek moved that the Board, in terms of its evaluation of the Internal Auditor, give an evaluation of Above Standard in performance and an exception vote of competence for the work that he has done and for what he proposes to bring back. Supervisor Tatro seconded the motion. Motion carried 4-0. Mayor Teixeira explained his request that Mr. Kulikowski be given only a five percent salary increase at this time as an increase should be included in the budget process and the employee study.

Supervisor Fetic moved that the meeting be adjourned. Supervisor Swirczek seconded the motion. Motion carried 4-0. Mayor Teixeira adjourned the meeting at 12:05 p.m.

The Minutes of the March 1, 1990 Carson City Board of Supervisors meeting

ARE SO APPROVED ON March 15, 1990.

_____/s/_____
RON SWIRCZEK, Mayor Pro-Tem

ATTEST:

_____/s/_____
ALAN GLOVER, Clerk-Recorder