

CARSON CITY BOARD OF SUPERVISORS
Minutes of the October 17, 1991 9 to 11 a.m. Meeting
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A regular session of the Carson City Board of Supervisors was held on Thursday, October 17, 1991 at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 9 a.m.

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

STAFF PRESENT:	John Berkich	City Manager
	Kiyoshi Nishikawa	Clerk-Recorder
	Ted P. Thornton	Treasurer
	Sally Herman	Library Director
	Mike Suglia	Deputy District Attorney
	Katherine McLaughlin	Recording Secretary
	(B.O.S. 10/17/91 Tape 1-0005)	

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. Rev. Jay Cawthorne of the Liberty Baptist Church gave the Invocation. Mr. Suglia led the Pledge of Allegiance. Roll call was taken. The entire Board was present constituting a quorum.

APPROVAL OF MINUTES - August 18, 1991, Regular Session and August 17, 1991, Breakfast and Town Hall Session (1-0025) - Supervisor Tatro moved to approve the Minutes as listed. Supervisor Smith seconded the motion. Motion carried 5-0.

CITIZEN COMMENTS (1-0035) - May Ruth French expressed her feeling that the public had not been informed that the Parks Bond approved by the electorate in 1986 would not complete all of the park projects. She questioned the size of the original events center proposed in the plan for Mills Park and that of the current proposed facility, the cost of the roof, its equipment, utilities, utilization of the racetrack for concerts, and size of the facility. Board clarification indicated that the Board could not respond to her questions as it was not agendaized. She continued her questions to include the size of the roof, increased personnel demanded by the facility, the funding source, ultimate plan for the outdoor pool, location of a stove removed from the Community Center, etc. She urged the public to become watchdogs over the funding and projects and to seek public transportation.

(1-0165) Richard Waiton's first item - water bonds - was agendaized. He then questioned where the hookup fees allocated for water acquisition had been spent. This item was also agendaized. He then explained his frustration at having been assessed for sewer line improvements when other areas are being provided the same improvements without cost. He felt that the Timberline area should foot the bill for its booster pump station and not the entire City. He urged the Board to utilize the assessment district process rather than the water bonds.

COMMUNICATIONS/ISSUES REGARDING OTHER ENTITIES - HOSPITAL, SCHOOLS, BOARDS, COMMITTEES, COMMISSIONS, AGENCIES, ETC. (1-0238)

1. ORMSBY PUBLIC LIBRARY BOARD OF TRUSTEES AND LIBRARY ADMINISTRATION - PRESENTATION AND POSSIBLE ACTION ON ANNUAL REPORT FROM

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THE ORMSBY PUBLIC LIBRARY BOARD OF TRUSTEES AND LIBRARY ADMINISTRATION - Library Board of Trustees Chairperson John Sparbell introduced Vice Chairperson John Ray, Trustees Sarah Mersereau-Adler and Clifford Fetic, and Library Director Sally Herman. Chairperson Sparbell expressed his delight at having an opportunity to discuss the Library goals and objectives. He then explained the legal requirements mandated of his Board including the five-year master plan, the goals and objectives, accomplishments and shortages. His comments stressed the funding needs and outlined various programs utilized for funding. The highest priority is to increase the hours of operation. Reasons for considering a name change for the library and continued replacement of research material were outlined. His comments stressed the need for volunteers and their importance in providing the level of service seen at the library. Landscaping needs and the desire to retain the old Cottonwood were noted. The desire to continue annual reports to the Board, current use of the library, its patronage, national funding levels, and hours of operation compared with surrounding areas were discussed with the Board. Mayor Teixeira commended the Board and its staff on its efforts and dedication. Supervisor Bennett suggested a ballot question be considered to establish a permanent funding source and requested staff to analyze other permanent funding mechanisms. No formal action was taken or required.

LIQUOR AND ENTERTAINMENT BOARD MATTERS - Mayor Teixeira recessed the Board of Supervisors session and immediately reconvened the session as the Liquor and Entertainment Board. A quorum was present although Sheriff McGrath was absent.

2. TREASURER - Ted P. Thornton

A. ACTION ON AN ENTERTAINMENT PERMIT FOR THE NEVADA DAY COMMITTEE FOR THE NEVADA DAY FESTIVITIES HELD OCTOBER 31, 1991 THROUGH NOVEMBER 2, 1991, THROUGHOUT CARSON CITY ALONG WITH A REQUEST FOR A WAIVER OF THE APPLICATION FEE AND ENTERTAINMENT PERMIT FEE (1-1548) - Ed Blanchard explained the parade plans. Chairperson Teixeira noted the Committee's ability to include late parade entries from Southern Nevada. Member Bennett moved that the Board approve the Entertainment Permit for the Nevada Day Committee for the Nevada Day Festivities to be held on October 31 through November 2, 1991, throughout Carson City along with a waiver of the application fee and the entertainment permit fee. Member Smith seconded the motion. Motion carried 5-0. Chairperson Teixeira wished the Committee well in its endeavors.

B. ACTION ON LIQUOR LICENSE FOR TED DONALD BRIDIE, VICE PRESIDENT FOR B.P.O.E. ELKS LODGE FOR ELKS LODGE #2177 LOCATED AT 515 NORTH NEVADA STREET (1-1613) - Ted Bridie and Bill Potts were both present. Member Fetic moved that the Board approve a Liquor License for Ted Donald Bridie, Vice President for B.P.O.E. Elks Lodge No. 2177 located at 515 North Nevada Street. Member Bennett seconded the motion. Discussion ensued on the bar operation. Motion carried 5-0.

C. ACTION ON A BUSINESS SHORT-TERM PERMIT AS A PROMOTER OF GREAT CHILI COOKOFF PLUS PIZZA PARTY HELD DOWNTOWN CARSON CITY ON OCTOBER 19, 1991, ALONG WITH A REQUEST FOR A WAIVER OF THE PROMOTION FEE (1-1658) - Mainstreet Representative Gail Thomssen was present. All departmental approvals were included in the packet. The fee waiver was included. Member Smith moved to approve a Business Short-Term Permit as a promoter of the Great Chili Cookoff Plus Pizza Party to be held in Downtown Carson City on October 19, 1991, along with the request for a waiver of the promotion fee. Member Fetic seconded the motion. Motion carried 5-0.

Chairperson Teixeira adjourned the Liquor and Entertainment Board and immediately reconvened the hearing as the Board of Supervisors. The entire Board was present constituting a quorum.

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BOARD OF SUPERVISORS - ORDINANCES, RESOLUTIONS, AND OTHER ITEMS

3. TREASURER - Ted P. Thornton

A. ACTION ON CARSON CITY TREASURER'S FINANCIAL REPORT FOR THE MONTH OF AUGUST 1991 (1-1703) - Discussion noted the low interest rate. Supervisor Feticc moved to accept the Treasurer's Financial Report as submitted for the Month of August 1991. Supervisor Bennett seconded the motion. Motion carried 5-0.

B. ACTION ON A RESOLUTION OF INTENT TO ISSUE GENERAL OBLIGATION BONDS IN THE MAXIMUM AMOUNT OF \$4,750,000 FOR THE PURPOSE OF FINANCING WATER PROJECTS (1-1735) - Supervisor Bennett explained the General Obligation Bond Commission meeting held on October 14th and her concern about the commitment to purchase the Darling water rights, its impact on the water rates, and the allocation of budget funds for water projects without a funding source. Several of these projects are currently under construction even though there is no funding mechanism for them. She requested a public hearing on the status of the projects, the funding, and consideration of the proposed rate hike. She urged the Board to postpone action on the Resolution until after the public hearing. Mayor Teixeira responded by expressing his feeling that when the projects were authorized, staff had advised the Board of its intent to bond for them. Reasons for combining these \$500,000 in projects with larger issues were noted. Finance Director Mary Walker explained the budget process which had included a five-year plan and an outlined of the projects which would require bonding. Reasons to acquire the Darling water rights and Board direction on the acquisition of water rights were noted. Negotiations had finalized the purchase agreement two weeks ago. There had not been an increase in the water rates for several years even though major expansion projects had been undertaken. Reasons for seeking a bond at this time were again provided. She felt that the Board had been told at the last meeting that bonds would be used for the acquisition of the Darling water rights. If the Board does not acquire the water rights, the bonds would not be sold. Discussion indicated that until the bonds for the Darling water rights are sold, the 53 cent increase would not be assessed against the users. Mayor Teixeira felt that this decision would be made during an evening public hearing. The Darling water agreement should be considered by the Board at its November 5th meeting. Ms. Walker stressed that the bonds would not commit the Board to either a rate increase or the acquisition of the Darling water rights. The \$2.5 million in projects would not require a rate increase. Discussion continued about Supervisor Bennett's concern that construction on the \$2.25 million in water projects should not have commenced until the funds are available. Under the present proposal, the bonds were to reimburse other funds. Also, in 1993-94, an additional \$2.5 million in bonds would be requested for additional Marlette Lake projects. Supervisor Feticc and Mayor Teixeira felt that this was included in the five year master plan. Mr. Berkich distributed copies of the five-year water projects to the Board but not the Clerk. Ms. Walker reviewed the Board's budgetary direction, its long-range capital improvement program, and bonding costs. Board comments stressed that the proposal was good fiscal management. Ms. Walker responded to the concern about undertaking projects prior to receipt of funds. Supervisor Smith felt that this policy was forcing the Board to obtain bonds. He was also concerned about bonding issues being included in a budget document. He felt the two items should be separated with the funding coming first. Ms. Walker stressed that this would be appropriate if alternative funding mechanisms were not available. The reasons bonding was selected were outlined. Supervisor Feticc reminded the Board of previous meetings when water rate increases of 80 and 90 percent were discussed. Supervisor Feticc moved that the Board adopt Resolution No. 1991-R-50, A RESOLUTION OF INTENT, PROPOSING THE ISSUANCE OF, AND AUTHORIZING THE PUBLICATION OF A NOTICE RELATING TO GENERAL OBLIGATION (LIMITED TAX) WATER BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES) IN THE MAXIMUM PRINCIPAL AMOUNT OF \$4,750,000 FOR THE PURPOSE OF FINANCING A WATER PROJECT FOR THE CITY; PROVIDING THE MANNER, FORM AND CONTENTS OF THE NOTICE THEREOF; RATIFYING ACTION HERETOFORE TAKEN AND NOT INCONSISTENT HERewith; PROVIDING OTHER MATTERS PROPERLY RELATED THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF. Supervisor Tatro seconded the motion. Motion was voted by roll call with

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the following result: Tatro - Yes; Smith - No; Feticc - Yes; Bennett - No, due to her feeling that something fundamentally was wrong with putting the Board into a position of having to approve \$2.5 million in funding even though it was planned for, bought into, and budgeted; the fact was that the Board has been put into a position to refund monies that have already been expended and spent; she disagreed with the principal; she would be far more comfortable with the funding having been secured and then proceeding with the project; it would then have had my full, complete support, and read into the record the cost of \$4.128 million dollars in twenty years would be \$8.875 million, which she felt the public needed to be aware of; Mayor Teixeira noted that cash for this was not available; and Mayor Teixeira - Yes. Motion carried 3-2.

Supervisor Feticc then responded by explaining that although Supervisor Smith was not on the Board at the time the Guastella study was completed and was not aware of its contents. The intimation, however, that the Water Department is spending unavailable funding and that the City should return to previous chaotic situations without planning, without professional City employees -- e.g., Ms. Walker and Ms. Timian-Palmer, without the water plans they have established over the last three to four years creating the City's current status as the only community outside of Douglas County which does not have a "water problem, water shortage, or an inability to serve its customers" is untenable. Douglas County has not grown enough to have a problem but does have a problem servicing the residents due to the lack of facilities. Moreover, the City's water improvements have been made without a rate increase. He questioned whether any other County had accomplished this. He felt that Supervisor Bennett's comments cast a doubt on the ability of the staff to properly plan the finances and water delivery system for the community. He felt there were no basis for such allegations. Carson City was the only community which had planned for growth beyond the year 2000. The Board had been told by the Water Utility staff that the Board in order to be successful would have to commit to long range planning which is what the Resolution was. (2-0092) Supervisor Tatro moved the City's commitment to plan water availability and Water Department operations including the acquisition of water rights as a Board goal and the Board policy that major capital projects are to be funded through bonding. This procedure was followed today. He also stressed his feeling that the reasons which had been stated for voting against the issue were without basis. Eight million dollars in interest expense had not been approved. A water rate increase had not been approved. The only thing the Board had done was establish the stage for the acquisition without incurring an additional \$70,000 expense for the water customers when the financing for the acquisition is finalized. Supervisor Bennett clarified that her objection was not to the long-term planning which had been done. She was present and had supported this program. She was present during the Guastella study. Her issue was with the beginning of the capital expenditures without the benefit of having the funding already established. She was not objecting to long range planning or the acquisition of water. She was opposed to the how rather than the what utilized in the process.

(2-0185) Richard Waiton felt that he had been ignored during the process and took Mayor Teixeira to task over it. Mayor Teixeira apologized for his failure to acknowledge him although he was unaware of his desire. Mr. Waiton felt that during the budget process a rate increase was discussed which was to have been earmarked for future capital outlays. Mayor Teixeira noted that none of the fees had been increased. Mr. Waiton continued to argue that the water rates had been increased. He then changed it to sewer rates. He continued to stress that funds were set aside for water and sewer capital improvements. He felt it was unwarranted to have fee increases every two to three years. Mayor Teixeira explained that the restructuring had been with the connection fees, the modification to those fees which had assessed major commercial/industrial users more than the residential users, that these funds would be used for repayment of the bond. Mr. Waiton then questioned the reasons for seeking a \$4.750 million bond and jumping ahead of the need. Mayor Teixeira explained that this had been in accordance with the planned infrastructure improvements and acquisition program which is carried by the connection fees. Rates would not be affected until the Darling acquisition is finalized. This would be during a public hearing. The Darling water rights could not be discussed as it was not agendaized. Discussion ensued on the Newman water rights, its pumping schedule, the Lakeside booster pumps, Shenandoah, and other services. Mr. Waiton continued to stress his feeling that his area had been stuck with an assessment when other areas were given the same service without an assessment.

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C. ACTION ON A RESOLUTION AUTHORIZING A PUBLIC SALE OF WATER BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$4,750,000 (2-0305) - Supervisor Fettic moved that the Board adopt Resolution No. 1991-R-51, A RESOLUTION PROVIDING FOR THE PUBLIC SALE OF GENERAL OBLIGATION BONDS BY CARSON CITY, NEVADA; AUTHORIZING THE CITY TREASURER OR HIS DESIGNEE TO ARRANGE FOR THE SALE OF BONDS FOR THE PURPOSE OF FINANCING WATER IMPROVEMENTS FOR THE CITY; AND PROVIDING OTHER DETAILS IN CONNECTION THEREWITH. Supervisor Tatro seconded the motion. Motion was voted by roll call with the following result: Smith - No; Tatro - Yes; Fettic - Yes; Bennett - No; and Mayor Teixeira - Yes. Motion carried 3-2.

4. JUSTICE OF THE PEACE - City Manager John Berkich - ACTION ON JUSTICE OF THE PEACE/MUNICIPAL COURT PRO TEMS AND JUSTICE COURT REFEREES (2-0335) - Supervisor Fettic moved that the Board approve the appointment of the following individuals as Justice of the Peace/Municipal Court Pro Tems and Justice Court Referees: John Aebi, William Furlong, John Gavin, Allison Joffee, Troy Leeper, William Maddox, Stephanie Miles, David Neilson, Tom Perkins, Milan Tresnit, Patrick Walsh, and John Ray. Supervisor Smith seconded the motion. Motion carried 5-0.

5. CLERK-RECORDER - Kiyoshi Nishikawa.

A. ACTION ON A REQUEST FOR A RESOLUTION REGARDING MARRIAGE LICENSE HOURS (2-0380) - Discussion indicated the feeling that the issue could be completed by December 1. Supervisor Smith moved that the Board direct the District Attorney's office to prepare the appropriate Resolution amending Marriage License Bureau hours to: Sunday 9 a.m. to 7 p.m.; Monday through Thursday 9 a.m. to 9 p.m.; and Friday and Saturday 9 a.m. to 10 p.m. Supervisor Fettic seconded the motion. Motion carried 5-0.

B. ACTION ON A RESOLUTION ESTABLISHING A CHARTER REVIEW COMMITTEE FOR CARSON CITY (2-0491) - Supervisor Bennett moved that the Board adopt Resolution No. 1991-R-52, A RESOLUTION ESTABLISHING A CHARTER REVIEW COMMITTEE FOR CARSON CITY. Supervisor Smith seconded the motion. Motion carried 5-0.

Mayor Teixeira requested nominees be submitted to Mr. Nishikawa for Board action at its November 21st meeting and for Mr. Nishikawa to notify all the elected officials.

6. PURCHASING AGENT - Acting Purchasing Agent John Iratcabal.

A. ACTION ON AWARD OF CONTRACT 9192-39 - RECORDER/REPRODUCING SYSTEM (2-0560) - Procomm Marketing had withdrawn its protest. No one was present from Procomm. Dictaphone was present. Supervisor Tatro moved that the Board accept Acting Purchasing Agent's recommendation and award Contract No. 9192-39, the Logging Recorder/Reproducing System, to Dictaphone, Bidder No. 1, of Stratford, Connecticut, as the lowest responsive and responsible bidder pursuant to the requirements of NRS Chapter 332 for a contract amount of \$15,300 with a funding source of Fund 210-0000 Capital Outlay. Supervisor Bennett seconded the motion. Motion carried 5-0.

The Minutes of the Carson City Board of Supervisors October 17, 1991, meeting between 9 a.m. and 11 a.m.

ARE SO APPROVED ON December 5, 1991.

_____/s/_____
TOM FETTIC, Mayor Pro-Tem

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ATTEST:

/s/
KIYOSHI NISHIKAWA, Clerk-Recorder