

A regular meeting of the Carson City Board of Supervisors was held on Thursday, January 30, 1992, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 9 a.m.

PRESENT:                 Marv Teixeira                                 Mayor  
                              Tom Feticc   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  
                              Judie Fisher                                    Personnel Manager  
                              Basil "Butch" Moreto                         Purchasing Agent  
                              Mike Suglia                                    Deputy District Attorney  
                              Paul Lipparelli                               Deputy District Attorney  
                              Katherine McLaughlin                       Recording Secretary  
                              (B.O.S. 1/30/92 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 9:10 a.m. Rev. Dennis of the Good Shepherd Wesleyan Church gave the Invocation. Supervisor Smith lead the Pledge of Allegiance. Roll call was taken and a quorum was present.

**APPROVAL OF MINUTES - December 7 and 15, 1988 and January 8, 1992 (1-0032)** - Supervisor Feticc moved to approve the Minutes as read into the record. Supervisor Smith seconded the motion. Motion carried unanimously.

**CITIZEN COMMENTS (1-0048)** - May Ruth French elaborated on her feelings that the Board had unwisely granted the unclassified employees cost of living and merit raises during austere times. She iterated her feeling that merits were given without adequate justification and that the Anderson study had not used appropriate comparisons. She cited the Nevada Appeal to support her position that the City was reducing costs in other areas while increasing the salaries. She also felt the color coding for the aerial photographs was a waste of money. The Redevelopment Kit Carson Trail project could more beneficially utilize these funds/paint for its trail.

(1-0198) Richard Waiton expressed his feeling that the Board of Supervisors had become a social club. Other larger city meetings do not begin with approval of minutes or a treasurer's report. He urged the Supervisors to function as though the City is a personal business. He felt the Finance Director's quarterly report was a waste. He urged the Board to make it a monthly report. The General Fund was not as important as the "operating fund". He felt the Board was not receiving negative reports from the City Manager. Monthly reports should be received from the Department Heads justifying their expenditures. This would save money for the City. He questioned the value of the Treasurer's report. Mayor Teixeira responded by explaining that the City does not have an operating fund and that each Board Member has special assignments, citing Supervisor Tatro and his review of the disbursement records and Supervisor Bennett's involvement with the Finance Department as examples. Mr. Waiton responded by expressing his feeling that the public was not aware of this. Mayor Teixeira invited him to meet after the

meeting and discuss his issues. Mr. Waiton expounded on his feeling that the City's utilization of the cost allocation procedures to hire additional personnel was unwarranted and became a burden on the General Fund after the first year. Mayor Teixeira again invited him to meet after the meeting and discuss these issues.

**LIQUOR AND ENTERTAINMENT BOARD MATTERS (1-0388)** - Mayor Teixeira then recessed the Board of Supervisors and immediately reconvened the session as the Liquor and Entertainment Board. Roll call was taken and a quorum was present although Sheriff Paul McGrath was absent.

**1. TREASURER - Ted P. Thornton.**

**A. ACTION ON LIQUOR LICENSE FOR KATHERINE LOCKHART AQUIRRE DOING BUSINESS AS SOME PLACE ELSE AT 4750 EAST HIGHWAY 50 (1-0390)** - Katherine Aguirre responded to questions on her financial plans, experience, and knowledge of the liquor laws. Chairperson Teixeira noted the Sheriff's Departmental Report recommended approval. Member Smith moved that the Board approve the Liquor License for Katherine Lockhart Aguirre for her business, Some Place Else, 4750 Highway 50 East, Carson City. Member Tatro seconded the motion. Motion carried 5-0.

**B. ACTION ON LIQUOR LICENSE FOR STEVEN WILFORD GARFINKLE DOING BUSINESS AS EAGLE STATION SALOON AT 3679 SOUTH CARSON STREET (1-0442)** - Steven Garfinkle explained his lease, previous experience, and knowledge of the liquor laws. Chairperson Teixeira noted the Sheriff's Department Report. Member Fettic moved that the Board approve the Liquor License for Steven Wilford Garfinkle at his business Eagle Station Saloon located at 3679 South Carson Street, Carson City. Member Bennett seconded the motion. Motion carried 5-0.

Chairperson Teixeira adjourned the Liquor and Entertainment Board and immediately convened the Board of Supervisors. A quorum was present as noted previously.

**ORDINANCES, RESOLUTIONS, AND OTHER ITEMS**

**2. ORDINANCE - FIRST READING - ACTION ON AN ORDINANCE AMENDING TITLE 4 OF THE CARSON CITY MUNICIPAL CODE TO INCLUDE LICENSING FOR A LIQUOR CATERING BUSINESS AND OTHER MATTERS PROPERLY RELATED THERETO (1-0482)** - Following Deputy City Manager Sorenson's introduction, Supervisor Smith moved that the Board introduce on first reading Bill No. 101, AN ORDINANCE AMENDING TITLE 4 OF THE CARSON CITY MUNICIPAL CODE TO INCLUDE LICENSING FOR A LIQUOR CATERING BUSINESS AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Bennett seconded the motion. Motion carried 5-0.

**3. TREASURER - Ted P. Thornton**

**A. ACTION ON CARSON CITY TREASURER'S FINANCIAL REPORT FOR THE MONTH OF NOVEMBER 1991 (1-0528)** - Discussion between the Board and Mr. Thornton acknowledged many cash management and investment programs now soliciting investors and the changing/speculative markets. Mr. Thornton would advise the Board on the result of his meetings with the State Treasurer on the State investment pool program and a private broker. Mr. Thornton outlined his criteria when considering an investment program. Supervisor Bennett commended him on his efforts. Supervisor Fettic moved that the Board accept the Treasurer's report for the month of November 1991. Supervisor Bennett seconded the motion. Motion carried 5-0.

**B. ACTION ON REMOVAL OF TAXES FROM 1988-89 AND 1989-90 TAX YEARS ON PARCELS 8-521-56, 8-521-57, AND 8-521-58 DUE TO THE STATE OF NEVADA BEING LEGAL**

**OWNER AND TAX EXEMPT AND LEASEE IS NOW GONE AND TAX IS UNCOLLECTIBLE**

**C. ACTION ON REMOVAL FROM THE 1991-92 TAX ROLL DUE TO THE STATE OF NEVADA BEING EXEMPT ON PARCELS 8-521,-56, 8-521-57, AND 8-521-58 (1-0672)** - Discussion noted the State could not be held liable for these taxes. Supervisor Feticc moved that the Board of Supervisors approve the removal from the taxes for 1988-89 and 1989-90 tax years on parcel numbered 8-521-56 in the amount of \$61.57 for 88-89 and in the amount of \$100.43 for 89-90, and parcel numbered 8-521-57 for the 88-89 year of \$53.78 and 89-90 year of \$87.42, and parcel numbered 8-521-58 for the year 88-89 of \$53.78 and 88-90 in the amount of \$87.42, for an aggregate amount of \$440.40. Supervisor Bennett seconded the motion. Motion carried 5-0.

Supervisor Tatro then moved that the Board remove from the tax rolls for the 1992 tax year due to the State of Nevada being exempt for parcels number 8-521-56, 8-521-57, and 8-521-58 for a total fiscal impact of \$223.54, and an explanation that the State of Nevada is tax exempt. Supervisor Smith seconded the motion. Motion carried 5-0.

**4. PURCHASING AGENT - Butch Moreto - ACTION ON THE AWARD OF CONTRACT 9091-296 REGARDING FUJI PARK GRANDSTAND (1-0805)** - Discussion ensued among the Board and Messrs. Moreto and Kastens on the Super Outlaw Kart Club's desire to salvage the bleachers for its races at the old arena, the differences in the bids, Sturdisteel's experience and jobs in the area, seating capacity, condition and rehabilitation needs of the old bleachers. Supervisor Smith moved that the Board accept the Purchasing Agent's recommendation and award the contract to Bidder No. 3, Sturdisteel Company, P. O. Box 2655, Waco, Texas 76702-2655, as the lowest responsive and responsible bidder pursuant to the requirements of NRS Chapters 332, 338, 339, and 624 for a contract amount of \$72,498, funding source is Account 360-5000. Supervisor Tatro seconded the motion. Discussion indicated for Mr. Waiton that the bleacher would cost \$72 per seat. The motion to award the contract as indicated was voted and carried 5-0.

Discussion noted the Residential Construction Tax funds were being used to acquire these bleachers.

**5. PERSONNEL MANAGER - Judie Fisher - ACTION ON CARSON CITY AFFIRMATIVE ACTION PLAN REVISIONS (1-1080)** - Discussion acknowledged that the City was "comfortably in compliance", the Department's ability to respond to public inquiries, staff bilingual training programs, and job notifications for bilingual individuals. Supervisor Feticc moved that the Board accept the updated Affirmative Action Plan as submitted by the Personnel Director. Supervisor Tatro seconded the motion. Motion carried 5-0.

**6. PUBLIC WORKS DIRECTOR - Dan O'Brien.**

**A. ORDINANCE - FIRST READING - ACTION ON AN ORDINANCE AND DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND NEVADA REAL ESTATE PARTNERSHIP FOR IMPROVEMENTS ALONG SOUTH CURRY STREET (1-1250)** - Supervisor Feticc explained his abstention on this issue and stepped from the dais. Discussion among the Board and Mr. O'Brien clarified that only 26 feet of paving, the firms which were involved, and Mr. Morsanti's support for the proposal. Mr. O'Brien clarified for Mr. Waiton that Regional Transportation Commission funding could not be utilized for this purpose and would have no bearing on the Graves Lane extension. Supervisor Bennett moved that the Board introduce on first reading Bill No. 102, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND THE NEVADA REAL ESTATE PARTNERSHIP REGARDING ASSESSOR'S PARCEL NOS. 9-151-22 AND 9-151-23 LOCATED AT 3550 AND 3660 SOUTH CARSON STREET, CARSON CITY, NEVADA. Supervisor Tatro seconded the motion. Motion carried 4-0-1 with Supervisor Feticc abstaining. (Supervisor Feticc returned to the dais.)

**B. DEDICATION - ACTION ON DEDICATION OF TEMPORARY TURNAROUND AND PUBLIC UTILITY EASEMENT FOR THE NEW CORBETT SCHOOL SITE ON CARRIAGE CREST DRIVE (1-1418)** - Supervisor Tatro moved that the Board accept the offer of dedication from the Steinheimer Trust for the temporary turnaround easement and a public utility easement as described on the attached dedication and authorize the Mayor to sign the dedications. Supervisor Smith seconded the motion. Motion carried 5-0.

**BREAK:** A five minute recess was taken at 9:55 a.m. When the meeting reconvened the entire Board was present, constituting a quorum.

**C. RESOLUTION - ACTION ON A RESOLUTION REGARDING ELIMINATION OF CERTAIN TIMED PARKING ZONES ON DOWNTOWN STREETS (1-1455)** - City Engineer Homann reviewed the proposal using an overhead projector and a map. Board comments expressed the need for timed parking on Proctor Street, the feeling that previous action on the permits had directed the staff to make this presentation on May 1, and the lack of timed zones west of Curry. (1-1892) Chamber of Commerce Executive Vice President Larry Osborne iterated the Chambers request that the Board deny the request. He felt that the Courthouse employees were failing to utilize the available parking spaces on Third between Curry and Nevada. Businesses needed the parking on Proctor. He urged the Board to wait until the lots are developed before eliminating the timed zones. Supervisors Fetic and Tatro reiterated their feeling that the original intent of their motion had been to eliminate the timed zoned after the lots are completed--May 1. (1-2038) May Ruth French questioned the reasons the Courthouse employees were not utilizing the private parking area behind the Lucky Spur as had been offered by the owner. Supervisor Fetic urged her to contact those employees. (1-2089) Dick Murray explained his survey on Proctor Street which indicated an abuse by the individuals with permits which were not being used in the vehicles to which they had been issued. Supervisor Fetic responded by explaining the original policy including the ability to transfer the permits from one car to another. Mr. Murray applauded the Board on its decision to rescind the permits and urged them to continue working to resolve the parking problem as it prohibited his business plans from materializing. Supervisor Fetic reminded the Board of actions it had taken as the Redevelopment Authority to commence to correct the situation. Supervisor Bennett supported Supervisor Tatro's proposal that the issues be considered after the lots are completed. She urged staff to work with Mainstreet before the proposal is brought back for Board action. (1-2315) Carson Jewelry and Loan Owner Mark Schmidt expressed his need for two hour parking on Proctor even after the superlot is constructed. Supervisor Tatro listed the projects/programs which will be completed May 1 and changing need for parking in that area. He also expressed his feeling that if he were a businessperson in the downtown area, he would be concerned about the need to attract governmental employees rather than insult them. Supervisor Tatro then moved that the Board adopt Resolution No. 1992-R-6, A RESOLUTION ELIMINATING ALL TIMED PARKING ZONES ON THE WEST SIDE OF CURRY STREET FROM THIRD STREET TO SECOND STREET; ON THE NORTH AND SOUTH SIDES OF SECOND STREET FROM CARSON STREET TO CURRY STREET and that the effective date be May 1, 1992. Supervisor Fetic seconded the motion and clarified that Proctor was not included in the Resolution. Discussion ensued on the number of stalls which were affected, the location of two hour parking zones west of Curry Street, and the need to delay action until May 1. (1-2655) Mr. Osborne reiterated his request that no action occur until after May 1 due to the need for parking on Second and Third Street by the businesses in the immediate vicinity. He urged the Board to take no action on the proposal. (1-2738) Mainstreet Executive Director Gary Rogers also urged the Board to take no action on the proposal. The motion to adopt Resolution 1992-R-6 with an effective date of May 1 was voted by roll call with the following result: Bennett - No; Smith - No; Fetic - No, even though he could support Supervisor Tatro's rationale, however, based on the Chamber of Commerce and Mainstreet's views, they needed additional time which he could support; Tatro - No; and Mayor Teixeira - Yes with laughter and a request for another motion. Motion failed 1-4. Supervisor Tatro then moved that the Board table the issue indefinitely. Supervisor Fetic seconded the motion. Motion carried 5-0. Mayor Teixeira commended all for their input.

7. **COMMUNITY DEVELOPMENT DIRECTOR - Walt Sullivan and Principal Planner Rob Joiner**

**A. PLANNING COMMISSION REFERRALS - REVIEW AND APPEAL MATTERS**

**i. ACTION ON V-91/92-6 REGARDING A VARIANCE APPLICATION FROM DOUGLAS PLOSZAY TO VARY FROM THE MINIMUM FRONT YARD FENCE SETBACK REQUIREMENTS ON PROPERTY ZONED SINGLE FAMILY ONE ACRE (SF1A) LOCATED AT 4630 GARNET WAY (APN 8-045-06) - PLANNING COMMISSION MOTION FAILED ON A 3-3 VOTE (1-2940)** - Mr. Joiner's introduction outlined the Planning Commission's vote. Clarification indicated there had been no opposition. Purportedly the Applicant contacted the Planning Division before constructing the fence, however, Planning does not have any documentation concerning this contact. A pamphlet outlining the fencing restrictions is normally given to anyone making an inquiry. The fences on the parcel were noted. The Commission was concerned about establishing a precedence if the fence is allowed to remain. Applicant's reasons for constructing a masonry fence were related to the desire to keep children out of his swimming pool. Staff felt that as the swimming pool is on a one acre lot, there is adequate room to meet the setback requirements. Supervisor Feticc expressed his feeling that a majority of the residents were unaware of the fencing restrictions. Staff detailed the reasons for fencing restrictions. Discussion between staff and the Board noted the reasons for the masonry fence, the lack of opposition, its aesthetic impact, need to review the fence standards, the lack of a hardship in this case, the building surrounding the pool, the lack of a health or safety concern attached to the fence, and the cost of a masonry fence. (2-0353) Attorney John Aebi, representing Douglas Ploszay, explained the size of the fence, lack of a traffic hazard, and the current fencing restrictions. Supervisor Tatro suggested the matter be continued until after the ordinance revisions have been considered by the Board. Mr. Sullivan urged the Board to act on the application under the current codes rather than wait for a future modification. Discussion ensued between the Board and staff on the findings utilized by the Planning Commission to support its motions/recommendations. Mr. Aebi supported continuing the request until the Code had been modified. He then outlined his reasons for requesting a variance and retaining the wall/fence. Supervisor Feticc then moved that the Board of Supervisors reverse the findings of the Planning Commission as applies to V-91/92-6 based on the following findings: 1. Section 18.02.053(a) - Said fence is in keeping with the objectives of the Master Plan, that the proposed Variance could be seen as complying with Objective IV, Recommendation 1 of the land use element of the Master Plan by providing a fence which is pleasing in both design and appearance; 2. Section 18.02.053(b) and 18.05.081(d) - Said fence is not detrimental to the immediate vicinity and that the granting of the variance will not cause material damage or prejudice to other properties in the vicinity as evidenced by the fact that there have been no complaints concerning said fence and, in fact, there are letters of record supporting this finding; 3. Section 18.02.053(c) - That there is merit and value to the community as a whole as stated in Section 18.02.053(b) and 18.05.081(d); and if it is not detrimental to the immediate vicinity, in my mind, then you can show merit and value to community as a whole; 4. Section 18.02.053(d) - That sufficient consideration was exercised by the developer in adapting the project to the existing improvements in this vicinity; again, referring back to No. 2 of the findings; 5. Section 18.05.81 - That there is a special circumstance or condition that exists, namely, a swimming pool--following clarification of the pool's location--Supervisor Feticc continued the motion that there is a swimming pool on his property that may be dangerous to the health and welfare of the children in the vicinity; and, 6. Section 18.05.081(b) - That there are conditions which do not apply to other properties in the same land use district, again, the swimming pool being the controlling factor. Supervisor Feticc then stressed that his motion was not criticizing the Planning Department, Community Development Department, nor the Planning Commission. Supervisor Smith seconded the motion. Motion was voted by roll call with the following result: Tatro - Could support a motion tabling the variance but could not vote to approve the fence, No; Smith - Yes; Bennett - No, for the same reasons as given by Supervisor Tatro, concern about the direction and indication this would give to the community-at-large and the direction being given to Community Development and staff, without good, solid lines and solid direction to the Community Development Department and a clear message of what we expect from them, as uncomfortable as it is to deal with the fence issues, I do not feel comfortable with the motion as worded; Feticc - Yes; and Mayor

Teixeira - There are two or three things which enter into a decision, one is what is the rules, what are the facts, and what is common sense, the key here is the rules, which I think are suspect, I don't look at it as a precedence, that is what we get the big bucks to do, to make decisions, the key here is that, and not being facetious, but the point here is that if that Ordinance is never changed, I would vote the same on this issue and may vote against another issue, there is a pool, a huge investment, there is enough evidence in my mind that the Gentleman, in fact, has done something positive for the community, nobody cares about it, somebody in our bureaucracy found out that rule had been broken and that is their job to do and I am not faulting them, so it all comes back to us, we apply the rules, we look at the evidence, and then we make a common sense decision, the common sense in this is to say yes, and so I vote - Yes. Motion carried 3-2.

BREAK: A five minute recess was declared at 11:05 a.m. When the meeting reconvened at 11:10 a.m. the entire Board was present constituting a quorum.

**iv. ACTION ON M-90/91-19 REGARDING A REQUEST FROM WILLIAM AND MARION LEWIS AND DOUG AND KATHLEEN HONE TO DETERMINE REASONABLE CONSIDERATION FOR ABANDONMENT OF VALLEY STREET BETWEEN JOHN AND WILLIAM STREETS (2-0824)** - Supervisor Feticc moved that the Board approve M-90/91-19 and accept the offer of \$125,000 for the subject right-of-way, namely Valley Street between John and Williams Street. Supervisor Smith seconded the motion. Discussion noted these funds would be placed in the General Fund. Mayor Teixeira expressed his feeling that they should be allocated for downtown parking, etc. Supervisor Bennett recommended the City Manager be directed to return with a resolution allocating the funds to the Redevelopment account for utilization to offset the parking loss. Supervisor Feticc suggested the City Manager coordinate with the District Attorney and determine where and how these funds could be utilized. The motion to approve M-90/91-19 and accept the \$125,000 offer was voted and carried unanimously.

Mr. Sullivan commended the Applicant's attorney, George Keel, on his cooperation.

**v. ACTION ON S-89/90-4(a) REGARDING A REQUEST FROM EAGLE VALLEY CONSTRUCTION COMPANY FOR A PLAT AMENDMENT IN ACCORDANCE WITH NRS 278.477 FOR PROPERTY ZONED SINGLE FAMILY 6000 (SF6000) LOCATED ON WEST BONANZA DRIVE, NORTHWEST OF SHENANDOAH HEIGHTS SUBDIVISION AND KNOWN AS BONANZA HEIGHTS SUBDIVISION - PLANNING COMMISSION APPROVED 5-0-2-0 (2-0956)** - May Ruth French questioned the zoning and clarification of the request. Mr. Sullivan explained the need to amend the original map due to the State's acquisition of seven parcels. Supervisor Smith moved that the Board of Supervisors approve S-89/90-4(a), Plat Amendment. Supervisor Feticc seconded the motion. Motion carried 5-0.

**B. RESOLUTION - ACTION ON MPE-91/92-1 REGARDING A REQUEST FROM CARSON CITY AND CARSON CITY PARKS AND RECREATION COMMISSION TO AMEND THE PARKS AND RECREATION ELEMENT OF THE CARSON CITY MASTER PLAN - PLANNING COMMISSION APPROVED 5-0-2-0 (2-1025)** - Discussion among the Board, Mr. Sullivan, Parks and Recreation Commission Chairperson Pete Livermore, and Parks and Recreation Director Steve Kastens noted the public hearing process and time taken to draft the document, acknowledged the efforts of Senior Planner Mike Tracy and Commissioner Jay Meierdeirck, and noted Governor's Field was found on page two of exhibit A, which had not been copied to the Board, and the number of miles found in the 26 park sites. Supervisor Smith moved that the Board adopt Resolution No. 1992-R-6, A RESOLUTION OF THE CARSON CITY BOARD OF SUPERVISORS TO AMEND THE PARKS AND RECREATION ELEMENT OF THE MASTER PLAN. Supervisor Tatro seconded the motion. Motion carried 5-0.

Mayor Teixeira asked Mr. Livermore to attend the afternoon session.

**iii. ACTION ON A-91/92-3 REGARDING A REQUEST FROM CARSON CITY TO AMEND TITLE 18 (ZONING) BY ADDING A DEFINITION RELATING TO CATERING UNITS, AND BY ADDING REGULATIONS FOR THE OPERATION OF CATERING UNITS, AND OTHER MATTERS PROPERLY RELATED THERETO - PLANNING COMMISSION APPROVED 6-0-1-0 (2-1385)** - Supervisor Feticc moved to introduce Bill No. 103, AN ORDINANCE ADDING SECTION 18.05.035 (MOBILE CANTEENS) TO CHAPTER 18.05 OF THE CARSON CITY MUNICIPAL CODE AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Bennett seconded the motion. Motion carried unanimously.

**A. ii. ACTION ON M-91/92-10 REGARDING AN ABANDONMENT REQUEST FROM ORMSBY, INC., TO ABANDON A 20 FOOT BY 171 FOOT WATERLINE EASEMENT AND A 20 FOOT BY 128 FOOT STORM DRAINAGE EASEMENT ON PROPERTY LOCATED AT 800 SOUTH CARSON STREET (CARSON STATION CASINO AND HOTEL) (APN'S 3-082-01, 02, AND 03) - PLANNING COMMISSION APPROVED 6-0-1-0 (2-1525)** - Mr. Sullivan explained the fifth condition requested by Public Works. Supervisor Tatro moved that the Board approve M-91/92-10, an abandonment request by Ormsby, Inc., to abandon a 20 foot by 171 foot waterline easement and a 20 foot by 128 foot storm drain easement on property located at 800 South Carson Street, Assessor's Parcel Numbers 3-082-01, 02, and 03. Supervisor Bennett seconded the motion. Motion carried 5-0. (See reconsideration and second motion which follow the next item.

**iii. ACTION ON M-91/92-9 REGARDING AN ABANDONMENT REQUEST FROM RICK CLEMENS TO ABANDON A DRAINAGE EASEMENT APPROXIMATELY 10 FEET WIDE BY 223 FEET LONG, ABUTTING THE EASTERN PROPERTY LINE LOCATED AT 2230 MOUTON DRIVE (APN 8-811-20) - PLANNING COMMISSION APPROVED 4-0-3-0 (2-1575)** - Supervisor Tatro moved that the Board of Supervisors approve M-91/92-9, abandonment request from Rick Clemens, an abandonment request to abandon a drainage easement approximately ten feet wide by 223 feet long abutting the eastern property line of 2230 Mouton Drive, Assessor's Parcel Number 8-811-20, based on the findings and subject to the conditions of the staff report. Supervisor Bennett seconded the motion. Motion carried unanimously.

**ii. ACTION ON M-91/92-10 REGARDING AN ABANDONMENT REQUEST FROM ORMSBY, INC., TO ABANDON A 20 FOOT BY 171 FOOT WATERLINE EASEMENT AND A 20 FOOT BY 128 FOOT STORM DRAINAGE EASEMENT ON PROPERTY LOCATED AT 800 SOUTH CARSON STREET (CARSON STATION CASINO AND HOTEL) (APN'S 3-082-01, 02, AND 03) - PLANNING COMMISSION APPROVED 6-0-1-0 - RECONSIDERATION (2-1605)** - Following Supervisor Tatro's explanation of his intent, Supervisor Tatro moved to reconsider Abandonment M-91/92-10. Supervisor Bennett seconded the motion. Motion carried 5-0. Supervisor Tatro then restated his motion and moved that the Board approve M-91/92-10 regarding an abandonment request from Ormsby, Inc. to abandon a 20 foot by 171 foot waterline easement and a 20 foot by 128 foot storm drainage easement on property located at 800 South Carson Street, Assessor's Parcel Numbers 3-082-01, 02, and 03, based on the findings and subject to the conditions of the staff report. Supervisor Bennett seconded the motion. Motion carried 5-0.

**C. ii. ACTION ON A-91/92-7 REGARDING AMENDING THE CARSON CITY MUNICIPAL CODE CHAPTER 18.03 (DEFINITIONS) RELATIVE TO FULL SERVICE BEAUTY SALON AND ADDING A DEFINITION FOR MOBILE CANTEEN - PLANNING COMMISSION APPROVED 6-0-1-0 (2-1665)** - Supervisor Smith moved that the Board introduce on first reading Bill No. 104, AN ORDINANCE AMENDING CHAPTER 18.03 (DEFINITIONS) OF THE CARSON CITY MUNICIPAL CODE AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Tatro seconded the motion. Motion carried 5-0.

**iii. ACTION ON A-91/92-3 REGARDING A REQUEST FROM CARSON CITY TO AMEND TITLE 18 (ZONING) BY ADDING A DEFINITION RELATING TO CATERING UNITS, AND BY ADDING REGULATIONS FOR THE OPERATION OF CATERING UNITS, AND OTHER MATTERS PROPERLY RELATED THERETO - PLANNING COMMISSION APPROVED 6-0-1-0 (2-1710)** - Supervisor Smith moved that the Board introduce on first reading Bill No. 105, AN ORDINANCE ADDING SECTION 18.03.414 MOBILE CANTEENS TO CHAPTER 18.03 DEFINITIONS OF THE CARSON CITY MUNICIPAL CODE AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Tatro seconded the motion. Motion carried 5-0.

**iv. ACTION ON A-90/91-3 REGARDING A REQUEST FROM CARSON CITY TO AMEND CARSON CITY MUNICIPAL CODE TITLE 18 (ZONING) TO ADD A DEFINITION FOR EXTRACTION OPERATION - PLANNING COMMISSION APPROVED 6-0-1-0 (2-1725)** - Discussion ensued among the Board and staff on the definition of an extraction operation and volume of dirt being extracted which required an extraction permit. It would not usurp the grading permit requirements. The modifications could only be enforced against new extraction operations. Supervisor Bennett expressed her support for the amendment and feeling that the "barn door was being closed after the damage was done". Mr. Sullivan then explained the intent of the term "may" for the record as being to allow the Commission/Board discretion in considering the size of the operation. Supervisor Bennett then moved to introduce on first reading Bill No. 106, AN ORDINANCE AMENDING SECTION 18.05.040 (EXTRACTION OPERATION) OF THE CARSON CITY MUNICIPAL CODE AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Smith seconded the motion. Motion carried 5-0.

**i. ACTION ON A-91/92-1 REGARDING A REQUEST FROM RON BUTTERFIELD AND CARSON CITY TO AMEND CARSON CITY MUNICIPAL CODE TITLE 18 (ZONING) TO INCLUDE AN ORDINANCE REGULATING CAMPGROUND DEVELOPMENT - PLANNING COMMISSION APPROVED 5-0-2-0 (2-2102)** - Discussion among the Board and staff indicated the need for the Ordinance and previous enforcement problems. (2-2232) Ron Butterfield expressed his concerns with the proposals, e.g., lack of control over the Bureau of Land Management's property, that the proposals would make the campground improvements more expensive than RV parks, and units per acre versus space required per unit. Mr. Sullivan explained that cloistering the units would be allowed, however, the open space would have to remain unused. Supervisor Tatro outlined a modification to the proposed ordinance on Page 3, No. 2 delineating this requirement. Senior Planner Tracy supported the modification. Mr. Sullivan suggested amendment to Page 10 under property development standards as an Item f. Supervisor Bennett supported this modification provided the density be equal to the density as contained in No. 2 of the definitions. Mr. Butterfield then explained his problems with Page 11, Line 19 regulating anchoring the picnic table to a site. Messrs. Tracy and Sullivan explained that this is a FEMA requirement due to the problems picnic tables create during a flood. The pros and cons of this issue were debated at length. Supervisor Feticc explained an amendment. Mr. Sullivan explained an amendment which would anchor only those picnic tables in the flood plain. Mr. Butterfield expressed his willingness to install cement picnic tables for any sites in the flood plain. Discussion ensued between staff and the Board on reasons the ordinance did not include the transient room tax requirements. Staff felt that the tax should be enforced, however, the Convention and Visitors Bureau has failed to respond to inquiries. The RV ordinance does not include this clause. Mr. Butterfield continued detailing his reasons for feeling that the campground ordinance was an "over kill" when compared with the RV ordinance. Supervisor Bennett commended Mr. Butterfield on his willingness to and assistance in preparing the ordinance. (3-0108) Supervisor Tatro moved that the Board of Supervisors introduce on first reading Bill No. 107, AN ORDINANCE ADDING CHAPTER 18.09 (CAMPGROUND ORDINANCE) TO TITLE 18 (ZONING) OF THE CARSON CITY MUNICIPAL CODE AND OTHER MATTERS PROPERLY RELATED THERETO, with a fiscal effect of requiring a special use permit with a current application fee of \$325; imposes a site plan check fee of \$150 plus \$1 for each campground space exceeding 25 spaces; and a plan check fee of \$1 for each campground space exceeding 25 spaces; and



amending Page 3, No. 2, Line 4 after the words "six camping site or less spaces per acre" add the words "average density"; on Page 10, No. 7, after subsection e, add subsection f. Campsites may be clustered but total density shall not be greater than six per acre for the entire project; and on Page 11, No. 10. Subsection 3 be changed to "One picnic table per campsite anchored to the site if the subject site is within the flood plain. Supervisor Smith seconded the motion. Motion carried 5-0.

BREAK: At 12:20 p.m. a lunch recess was taken. When the meeting reconvened at 1:30 p.m. the entire Board was present constituting a quorum.

**8. DISTRICT ATTORNEY - Noel Waters.**

**A. ACTION ON LABOR RELATIONS RETAINER CONTRACT AND PER HOUR SEWER/WATER UTILITY AGREEMENT WITH CHARLIE COCKERILL (3-0155) - Mr. Waters and Mr. Cockerill** responded to Board questions on the purpose of the contract, services to be provided, status of the negotiations with the four associations, the previous negotiator, funding sources, and cost. Clarification stressed that the total number of hours for the sewer/water utility was 20 hours. Supervisor Bennett expressed her feeling that there is the possibility of a conflict of interest in having a former City employee retained as a consultant. Mr. Waters and Supervisor Smith responded by explaining their feelings that there is no conflict. Supervisor Feticc moved that the Board approve a labor relations retainer contract and per hour sewer/water utilities agreement with Charles Cockerill to perform collective bargaining services on behalf of Carson City between Carson City and all four labor associations and provide temporary general legal services to the City Water Utility; Mr. Cockerill will provide collective bargaining services including negotiations and impasse procedures for a \$12,000 retainer to negotiate collective bargaining agreements for fiscal years 1991-92, 1992-93, or longer; services include professional work not completed by January 31, 1993, legal services contract for the water/sewer matters is limited to a maximum of 200 hours at \$90 per hour and prior approval of the District Attorney. Following correction, Supervisor Feticc corrected his motion that the legal services contract for the water/sewer matters is limited to a maximum of 20 hours at the rate of \$90 per hour with prior approval of the District Attorney. Supervisor Tatro seconded the motion. Supervisor Feticc again amended the motion to include funding source is personnel budget. Supervisor Tatro continued his second. Following Mr. Waters' clarification of the funding source, Supervisor Feticc amended his motion to include \$1800 from the enterprise fund accounts. Supervisor Tatro continued his motion. Motion carried 5-0.

**B. ACTION ON RESOLUTION APPROVING TEMPORARY APPOINTMENT OF ALLISON JOFFEE, ESQUIRE, AS SPECIAL DEPUTY DISTRICT ATTORNEY AND PAYMENT OF FEES (3-0645) - Discussion** stressed Mr. Waters' reasons to retain Ms. Joffee's services to the ultimate resolution of the Joseph Schaeffler case. Supervisor Feticc moved that the Board adopt Resolution No. 1992-R-7, A RESOLUTION APPOINTING ALLISON JOFFEE, ESQ., AS SPECIAL DEPUTY DISTRICT ATTORNEY at the rate of \$75 per hour exclusive of costs and witness' expenses, funding source: General Fund. Supervisor Tatro seconded the motion. Motion carried 5-0.

**9. JUSTICE OF THE PEACE - Robey Willis**

**A. ACTION ON LEASE AGREEMENT FOR JUSTICE COURT AT 111 WEST TELEGRAPH (3-0825) - Mayor Teixeira** commended Judge Willis on his appointment as "Judge of the Year". Judge Willis noted that his proposal would merely "bandaid" his operation until a public safety complex could be constructed. He elaborated on his space needs, his plans for the new facilities, and his increased workload which was created by legislative changes. Discussion among the Board and Judge Willis noted the Legislature's action to create a second Justice Court in Carson City, the projected costs incurred by Sparks and Reno to create additional Justice Courts which was authorized by the same legislation, the size of other Justice Court staffs, and reasons

Judge Willis would not add the second Justice for two years. Clarification by Leasing Agent/Manager Thomas Johnson indicated the counter and bench cabinetry would be installed by the Landlord. Judge Willis and Mr. Johnson explained the crews performing the refurbishing and difference between the Justice Court lease and the one previously approved for the District Attorney's office. Supervisor Tatro moved that the Board approve the lease agreement for 111 West Telegraph for expansion of the Justice Municipal Court at 90 cents a square foot through July 31, 1992, 95 cents per square foot August 1, 1992, through January 31, 1994, and \$1 a square foot from February 1, 1994, through January 31, 1997, that the City could terminate after 3-1/2 years if the public safety facility is constructed, and that the lease concerns 1,002 square feet for court use for municipal court, chambers, public waiting room, and clerk's area built to specs by lessor. Supervisor Bennett seconded the motion. Supervisor Tatro amended his motion to include funding source is the General Fund. Supervisor Bennett continued her second. Motion carried unanimously.

**B. ACTION ON AGREEMENT FOR REMODELING AND CAPITAL EQUIPMENT EXPENSES FOR JUSTICE COURT EXPANSION (3-1405)** - Judge Willis outlined the correct expenses, some of which were due to the negotiated changes in the lease contract. McAbee Office Environments Account Representative Jerry Valenti felt the estimates for the furnishings were accurate. Mayor Teixeira suggested these items be discussed when the AB 104 monies are allocated this evening. Mr. Berkich suggested the contingency fund be utilized. Supervisor Bennett explained Judge Willis' willingness to furnish reports on the status of the RAISE program. Mr. Berkich noted that Sheriff's office would also provide statistics on this program. Judge Willis then outlined his reasons for not entering into the discussion on the RAISE program. Today was the first date that anyone had been processed under the RAISE program. During fiscal year 1989 his court had provided \$459,335 to the City. The doubling the revenue received during first six months of the current fiscal year indicated to him that the City could receive \$625,824. The RAISE program was not included in these projections. Judge Willis then explained the judge's chambers equipment. Supervisor Bennett then moved that the Board approve expenditures for one-time Capital Acquisition and construction expenses for expansion of the newly leased premises at 111 West Telegraph Street, the amount not to exceed \$15,555, funding source is the General Fund. Supervisor Smith seconded the motion. Motion carried 5-0.

Mayor Teixeira commended Judge Willis on his efforts and innovative programs. Supervisor Bennett expressed her appreciation for his efforts.

**10. PARKS AND RECREATION DIRECTOR - Steve Kastens.**

**A. ACTION ON MILLS PARK MASTER PLAN REVISION TO INCLUDE THE STONE HOUSE LOCATED IN THE EAST PORTION OF THE PARK (3-1755)** - Supervisor Smith moved that the Board approve the Parks and Recreation Commission's recommendation to revise the Mills Park Master Plan and include the stone house located in the east portion of the Park. Supervisor Feticc seconded the motion. Supervisor Tatro noted a letter he had received suggesting that the house be utilized for a "Toy Library". He gave the letter to the Parks and Recreation Director with a suggestion that the Commission consider the proposal. The motion to include the stone house in the Mills Park Master Plan was voted and carried 5-0.

**B. ACTION ON POSSIBLE CHANGE OF CITY POLICY WHICH USES THE 501C INTERNAL REVENUE SERVICE DISTINCTION TO QUALIFY A USER FOR NONCOMMERCIAL FEES (3-1872)** - Discussion among the Board, Mr. Berkich, and Mr. Kastens noted the difficulty in obtaining a 501C Permit, reasons it was utilized in the original policy, the different 501 Permits, and the options. Supervisor Feticc moved that the Board of Supervisors direct staff to change the current policy back to the previous policy which required the user to present proof of non-profit status from the Nevada Secretary of State's office and that staff explore avenues which may help us avoid misuse of City parks by unethical entrepreneurs. Supervisor Tatro seconded the motion. Supervisor Feticc explained his reasons for making the motion. Supervisor Bennett

suggested a three month review of staff's research. Supervisor Fettic then amended the motion to include a report in 90 days. Supervisor Tatro continued his second. Supervisor Smith suggested the Commission review the ultimate recommendation before the Board receives the report. The motion to reconsider the policy requirement for a 501C Permit was voted and carried unanimously.

**C. ACTION ON APPOINTMENT OF MEMBERS TO THE URBAN FORESTRY ADVISORY COMMITTEE (3-2560)** - Discussion ensued among the Board, Deputy City Manager Sorenson, and Mr. Kastens on the applications. Supervisor Tatro moved that the Board appoint Donna Kuester and Jay Meierdeirck from the Parks and Recreation Commission as the Parks and Recreation Commission Representatives to the Urban Forestry Advisory Committee as well as Citizens Rebecca Beisenstein, Ann Nunnemaker, Thomas Henderson, Ed Skudlarek, and Dan Graytak. Supervisor Fettic seconded the motion. Motion carried 5-0.

**BREAK:** A five minute recess was declared at 2:50 p.m. When the meeting reconvened at 2:55 p.m. the entire Board was present constituting a quorum.

**11. CITY MANAGER REPORTS, RESOLUTIONS, AND BOARD DIRECTIVES (3-281)**

**A. DEPUTY CITY MANAGER - Pat Sorenson - DISCUSSION AND ACTION ON NEW RATES FOR EAGLE VALLEY EAST AND WEST GOLF COURSES** - Mr. Sorenson reviewed the suggested rates. Golf Pro Gary Bushman had encountered no opposition to the rates and supported the increases. Discussion indicated reasons for the original rates, increased expenses, and proposed funding purposes. The proposal increased the cost for nonresidential play. Supervisor Smith stressed that the increased revenue would be used at the courses. Supervisor Fettic then moved that the Board of Supervisors adopt Resolution No. 1992-R-8, A RESOLUTION ESTABLISHING FEES FOR PLAY AT EAGLE VALLEY COURSES EAST AND WEST ON AND AFTER MARCH 21, 1992. Supervisor Smith seconded the motion. Motion carried 5-0.

**12. BOARD OF SUPERVISORS REPORTS, RESOLUTIONS AND PROCLAMATIONS - ISSUES REQUESTED BY MEMBERS OF THE BOARD OF SUPERVISORS**

**A. MAYOR TEIXEIRA - DISCUSSION AND POSSIBLE ACTION ON CARSON CITY'S CONTINUED SPONSORSHIP OF THE RETIRED SENIOR VOLUNTEER PROGRAM (3-3012)** - Mayor Teixeira reviewed the reasons the City had originally accepted sponsorship of RSVP. Washoe County's change in its RSVP sponsorship and State funding changes were explained. If Carson City relinquishes its sponsorship, Washoe County may take over the function. Concern was expressed about the potential loss of funding and services by both Mayor Teixeira and RSVP 15 County Rural Program Project Director Janice Ayres. If Carson City continues its sponsorship, ACTION's Representative Craig Warner will continue its funding of the 15 County Rural Program and seek another sponsor for the Washoe County Program. Mayor Teixeira reviewed NACO Executive Director Robert Hadfield's letters to himself and Mr. Warner as well as Administrative Services Director Mary Walker's memo to the Board. Verbal support for Carson City's sponsorship by NACO President John Lampros was noted by Mayor Teixeira. Discussion ensued on the number of volunteers, the services provided in Carson City, and funding. Supervisor Smith outlined his support for continued sponsorship. Ms. Ayres then responded to Ms. Walker's concerns by delineating her duties as Program Director. Copies of the procedural manuals were given to the Board and Clerk. Ms. Walker's proposals purportedly violated her program policies and accounting policies. The Board's alternatives were to fire the current Director and hire a Project Director who would work under those conditions for the specific project or adopt more specific procedures which are within the ACTION policies. She would follow through with them. She acknowledged a tardiness in filing some reports, however, needed information from the City to complete the reports. Discussion noted that Ms. Ayres was a Board employee, however, the Board had never designated any duties or responsibilities. Ms. Ayres also requested direction from the Board on responsibility for grant applications and financial reports. **Supervisor Smith moved**

that the Carson City Board of Supervisors remain as the sponsor for the RSVP program for Carson City and the other rural Counties of Nevada and further to direct staff to develop a set of accounting procedures that fall within ACTION guidelines and to make the Project Director of RSVP responsible solely to the Carson City Board of Supervisors. Supervisor Bennett seconded the motion. Supervisor Tatro expressed his need for additional information on the issues. Until he had a clear understanding of these issues, he could not support the motion. Discussion ensued on the reasons Carson City had responded to the RSVP emergency and become RSVP's sponsor. Reasons for the change in ACTION funding were also noted. Supervisor Tatro acknowledged these matters and expressed his concern regarding the disagreement between Ms. Walker and Ms. Ayres and his need to understand it better. Mayor Teixeira outlined Ms. Walker's position that the RSVP Account Clerk be a City employee. Ms. Ayres could not support this due to her program guidelines. Mr. Berkich suggested that he, Ms. Walker, and Ms. Ayres meet and establish a reporting structure. Supervisor Smith explained that this was the intent of his motion to staff. Discussion ensued on Carson City's responsibilities as sponsor and Ms. Walker's recommendation that the Account Clerk report to Mr. Sorenson. Supervisor Smith stressed that his intent was to have the Board of Supervisors employ, supervise, and support RSVP. It was not the bureaucracy. Ms. Ayres reviewed the current financial procedures which provided the City with total control. The motion to have the Board remain as the sponsor and direct staff to develop accounting procedures within ACTION guidelines and making the Project Director of RSVP responsible solely to the Board was voted by roll call with the following result: Smith - Yes; Feticc - Yes; Tatro - No; Bennett - Yes; and Mayor Teixeira - Yes. Motion carried 4-1. Supervisor Tatro reiterated his reasons for voting no and requested staff report on all the implications of having the City be the sponsor so that he could understand Ms. Walker's concerns. Mayor Teixeira urged him to take time to go over the matter with staff. If he still had problems, then he should agendize the matter.

**11. B. STATUS REPORTS REGARDING:**

**ii. HISPANIC COUNCIL (4-0825)** - The Hispanic committee has been formalizing its ad hoc group and has presented informational documents to the Council at its last meeting. The momentum is continuing and the community is becoming more and more involved. The next meeting is February 11th and would begin to develop action programs. Mayor Teixeira felt the council was growing and is working well in the Latino area. He commended Mr. Berkich on his efforts.

**i. FRANCHISE WITH TCI OF NEVADA, INC., iii. CHANGEMASTERS, AND iv. MAINTENANCE OF CLEAR CREEK ROAD** - No report.

**12. A. MAYOR TEIXEIRA** - Reminded the Board that the next meeting will be on Thursday, February 6. Items to be agendized had to be to him tomorrow morning.

**D. SUPERVISOR TATRO (4-0920)** - Saturday a group of individuals, some of whom he detailed, were meeting to evaluate the potential for re-establishing a train from Carson City to Virginia City. Discussion included the current 3-1/2 mile train in Virginia City.

**E. SUPERVISOR BENNETT (4-0995)** - Steve Panter was selected by the Carson-Tahoe Hospital Board of Trustees to fulfill David Small's unexpired term. She requested it be agendized for Board action at its next meeting. She detailed the Tahoe Transportation District's need for a funding source for its Basin transit system plans. After considerable work, a coalition of Nevada and California transportation divisions have been able to obtain funding from the highway reauthorization bill. The plans can now become a reality. She requested the Neighborhood Beautification Council be reconvened to undertake the Carson Pride and Revitalization Program and consideration be given to establishing a method of recognizing the volunteers and their efforts.

**B. SUPERVISOR SMITH (4-1093)** - Questioned when the Bills heard on first reading would be considered for second reading and their effective date.

**C. SUPERVISOR FETTIC** - None.

**CITIZEN COMMENTS (4-1205)** - Ms. French explained for Supervisor Bennett that she had a list of names of individuals willing to work on the regional transportation program. She also noted that she had spent her lunch hour attempting to ascertain the reasons City employees were not willing to use the private parking spaces behind the Lucky Spur.

**13. REDEVELOPMENT AUTHORITY MATTERS - APPROVAL OF MINUTES** - None.

**BREAK:** There being no other matters until 6 p.m., Mayor Teixeira recessed the meeting at 3:45 p.m. When the meeting reconvened at 6 p.m. the entire Board was present, constituting a quorum. Staff present included City Manager Berkich, Assessor Weaver, Clerk-Recorder Nishikawa, District Attorney Waters, Justice of the Peace Willis, Administrative Service Director Walker, Community Development Director Sullivan, Parks and Recreation Director Kastens, Deputy District Attorney Suglia, Deputy Library Administrator Haakinson, Deputy Library Director of Public Services Bachman, Administrative Assistant to the City Manager Sullivan, and Recording Secretary McLaughlin. (4-1239)

**14. ADMINISTRATIVE SERVICES DIRECTOR** - Mary Walker

**A. DISCUSSION AND POSSIBLE ACTION REGARDING THE FISCAL IMPACT OF AB 104 FUNDS, CHANGE IN SALES TAX FORMULA**

**B. POSSIBLE DISCUSSION AND ACTION REGARDING EXPENDITURE OF AB 104 FUNDS, INCLUDING POSSIBLE APPROVAL OF SUPPLEMENTAL PERSONNEL REQUESTS FOR FISCAL YEAR 1991-92** - Ms. Walker reviewed the Board's fiscal policies which had provided financial stability and preserved the AB 104 funds, the old SCCRT formula, and changes created by AB 104. Discussion ensued among Ms. Walker, Mr. Berkich, and the Board on the amount of money which Carson City would have exported if SB 197 had not been adopted in 1989, budget problems since 1982, her conservative approach to the budget process, reasons for continuing the support for the rural counties, Clark County's economic problems due to a decrease in sales tax revenue, the Washoe County phase out program, Carson City's subsidy to Washoe County beginning with 1981, her conservative estimate of revenue which would be generated by AB 104, the difference between Ms. Walker's estimate and the State's, potential sales tax increase under SB 112 for road improvements, the impact decreased car sales has on City revenues, the need to diversify the City's tax source by encouraging new businesses to locate here, the City's market range and potential for being a regional market, and the cooperation received during budget reduction periods. Ms. Walker then explained her support for Mayor Teixeira' proposal to fund the Fire Department bond with AB 104 monies and increase personnel in four areas. She then urged the Board to seriously consider the need for a City hall and adopt a 30 year capital plan. (5-0015) Discussion ensued among the Board and Ms. Walker on the amount of revenue AB 104 would generate, the need for a capital improvement program, and ability to allocate the funds for a 30 year program. Caution was expressed that the operating costs reflect a true estimate and avoid the problems currently found when an entity under estimates these costs. Personnel efficiencies may not occur until a total City hall is constructed. Supervisor Smith noted that the electorate had denied requests for a City Complex/Public Safety Facility several times. Now, the Board was considering giving them the facility anyway. He cautioned the Board about taking action before the public has had a chance to fully evaluate such a proposal. Mayor Teixeira commended Ms. Walker on her efforts on AB 104. He then outlined his proposal and recommendations to utilizing the funds for the Fire Bond, for critical personnel

needs, and for a Capital Complex. His comments also noted other problems/needs, e.g., downtown redevelopment concerns, gang problems, storm drain needs, low cost daycare, low cost affordable housing, Graves Lane extension, etc. He stressed the changing needs by citing the change which had occurred since a survey was taken two years ago. Supervisor Tatro then outlined his reasons for feeling that the budget cuts may have been good for the City, that the resulting changes were well-balanced, and that the opportunity being presented was in essence a way to save \$1 million. He urged the Board to proceed with a new jail facility and courthouse before the Federal courts mandate same. Supervisor Bennett iterated her support for the proposal. Supervisor Smith reiterated his feeling that the public needed additional time to evaluate the Public Safety Complex. He requested a three week delay on this portion of the proposal. Supervisor Feticc acknowledged his point that the public may need time to evaluate the proposal and suggested it be considered on February 6. Mr. Berkich outlined the proposals and urged consideration of the personnel requests this evening. His comments stressed the desire to save and preserve the funds rather than spend and requested direction for staff to evaluate the necessary procedure to accomplish same. Mayor Teixeira expressed his hope that the ultimate plan be supported unanimously by the Board and desire to have future Board continue that plan. Supervisor Tatro then responded to Supervisor Smith's comments by noting the time it would take to complete the ordinance to pay the Fire Bond, the positions requested and those recommend by Mr. Berkich which could be culminated this evening, and reasons the portion on the remainder of the funds be delayed for three weeks at which time those funds would be allocated. Mayor Teixeira passed the gavel to Mayor Pro-Tem Feticc and moved that Carson City appropriate effective this year approximately \$231,000 to pay off this year's, with the understanding that the Board could not commit for other Boards, to pay off for this year, with the intent to payoff for the next 15 years, the Fire Bond that was passed by the residents of this community, and we should, we will at that time reduce their tax rate accordingly. Supervisor Bennett seconded the motion and requested an amendment. Mayor Teixeira amended his motion to include and to further direct staff to come back with the appropriate ordinance. Supervisor Bennett continued her second. The motion was voted by roll call with the following result: Ayes - Smith, Tatro, Bennett, Mayor Teixeira, and Mayor Pro-Tem Feticc. Nays - None. Motion carried 5-0.

BREAK: At 7:35 p.m. a ten minute recess was taken. When the meeting reconvened at 7:45 p.m. the entire Board was present constituting a quorum.

(5-1358) Bob Thomas, as a member of the Airport Authority, requested the Board consider the Airport's need for hangars by giving the Authority all the funds generated from the personal property taxes on aircraft. He had just been advised that these funds are used to match grants. If this is true, he would withdraw the request as the Authority does not have any other funds which could be utilized for matching grants. He then introduced Fiscal Analyst for the Legislative Council Bureau and newest Airport Authority Member Kevin Welch, who supported his request by citing the appropriate statute. Mayor Teixeira agreed to have him draft a memo detailing this procedure. Mr. Berkich then explained that the aircraft personal property tax is used for matching the FAA grants. Mayor Teixeira then requested any other comments not related to personnel needs. None were made.

Mayor Teixeira then noted the projected revenue for the current fiscal year and cautioned the Board to be cognizant of the fiscal impact personnel costs would have on future budgets. The current personnel list was noted. Mayor Teixeira felt that as the Board had heard the justifications for these personnel requests, a restatement of the needs was unnecessary. He solicited comments on personnel needs not previously heard. Mr. Waters clarified for Supervisor Smith his request for an investigator and the correct figures for that position. Mr. Waters stressed his need is for a full-time investigator. Clarification ensued on the items under consideration. Mayor Teixeira then requested each Member list his top three priority items. Any items receiving unanimous support would be included in a motion. Following this itemization, Supervisor Tatro moved that the Board approve expenditure of AB 104 funds for on-going positions to fund the following positions: District Court Clerk I for a total of \$29,537, District Attorney's Secretary I for \$27,141, and Justice Court Clerk I for \$25,953, and \$2,000 for the District Attorney's office for one-shot equipment costs. Supervisor Feticc seconded the motion. Following Mr. Berkich's explanation of the one-shot costs related to the Justice Court position, Supervisor Tatro amended his motion to

include \$4,500 for Justice Court one-shot expenditures. Supervisor Feticc seconded the motion. Motion was voted by roll call with the following result: Ayes - Smith, Tatro, Bennett, Feticc, and Mayor Teixeira. Nays - None. Motion carried unanimously.

Discussion ensued on the amount of funding available in the contingency account to handle the one-shot costs and previous action during this meeting to allocate funding for the Justice Court Capital Acquisitions. Procedures to utilize the AB 104 funds for that purpose were discussed. Supervisor Smith then moved that the Board of Supervisors approve a \$15,550 expenditure from AB 104 monies to be placed in the Contingency General Fund Account. Supervisor Feticc seconded the motion. Motion carried 5-0.

The Board Members again itemized their priority positions. Supervisor Tatro then moved that the Board fund from AB 104 two additional full-time Library Assistant II and one additional part-time Library Assistant I positions to augment the present staff on an on-going basis with a total personnel cost of \$68,280 annually and a materials and services cost of \$13,700 annually, for a total allocation of \$81,980. Supervisor Feticc seconded the motion. Supervisor Tatro then continued his motion to include and that as a result of the additional positions that the Library hours be changed to: Tuesday through Thursday - 10 a.m. to 9 p.m., Friday, Saturday, and Monday - 10 a.m. to 6 p.m. Supervisor Bennett then seconded the amended motion. Motion was voted by roll call with the following result: Ayes - Smith, Feticc, Tatro, Bennett, and Mayor Teixeira. Nays - None. Motion carried 5-0.

Discussion ensued on other positions and needs with the Board Members again itemizing their priorities. Comments also noted the timing of the 1992-93 budget and reluctance to spend more of the AB 104 funds. Supervisor Smith moved that the Board approve a Building Maintenance Position Skilled Tradesman Tech I for \$22,571. Following a request for an amendment, Supervisor Smith continued his motion to include the funding source as being AB 104 monies. Motion died for a lack of a second. Supervisor Bennett then moved that the Board fund an Assessor's hourly drafting employee in the amount of \$5,506 to be funded from AB 104 monies. This motion died for a lack of a second.

Supervisor Tatro moved that the Board direct the City Manager to come back with an ordinance at the second meeting in February to set aside all unallocated AB 104 dollars for Capital Projects. Supervisor Feticc seconded the motion. Upon hearing no further comments, the motion was voted and carried 5-0.

**OTHER COMMENTS (5-2672):** Mayor Teixeira then noted comments made earlier in the meeting concerning the feeling that the Board was a "social club". He felt that the Board's integrity and talent were being allocated according to what he hoped was the best interest of the City. He thanked all for attending.

There being no other comments, Supervisor Bennett moved for adjournment. Supervisor Smith seconded the motion. Motion carried 5-0. Mayor Teixeira adjourned the meeting at 8:15 p.m.

The Minutes of the January 30, 1992, Carson City Board of Supervisors meeting

ARE SO APPROVED ON \_\_\_March 19, 1992\_\_\_, 1992.

\_\_\_\_\_/s/\_\_\_\_\_  
Marv Teixeira, Mayor

ATTEST:

/s/ \_\_\_\_\_  
Kiyoshi Nishikawa, Clerk-Recorder