



motion was voted and carried 5-0.

The Liquor and Entertainment Board was then adjourned and the Board of Supervisors reconvened. A quorum was present although Supervisor Smith was absent as previously noted.

**CITIZEN COMMENTS (1-0312) - None.**

**4. CONSENT AGENDA (1-315)**

**A. TREASURER - ACTION ON BUSINESS LICENSE REINSTATEMENT**

**B. PURCHASING AND CONTRACT DIRECTOR**

**i. ACTION ON CONTRACT NO. 9394-77 - JUNIOR SKI PROGRAM, TRANSPORTATION**

**ii. ACTION ON CONTRACT NO. 9394-78 - JUNIOR SKI PROGRAM, RESORT**

**iii. ACTION ON CONTRACT NO. 9394-99 - REQUEST FOR CONTRACT APPROVAL, SOUTHEAST CARSON SEWER EXTENSION SURVEYING AND DRAFTING**

**iv. ACTION ON RENEWAL OF CONTRACT NO. 9293-089 - SURPLUS PROPERTY AUCTIONEER**

**C. COMMUNITY DEVELOPMENT DIRECTOR**

**i. ACTION ON M-93/94-3 - AN ABANDONMENT REQUEST FROM JAMES AND YVONNE MILLER TO ABANDON AN APPROXIMATELY 50 FOOT BY 980 FOOT ACCESS EASEMENT LOCATED APPROXIMATELY 1,800 FEET NORTH OF THE SNYDER AVENUE EXTENSION AND NORTHEAST OF THE FORMER MACTARNAHAN BRIDGE, ACROSS ASSESSOR'S PARCEL NUMBER 10-491-09 (PLANNING COMMISSION APPROVED 6-0-1-0)**

**ii. ACTION ON M-92/93-32 - AN ABANDONMENT REQUEST FROM MICHAEL AND DEAN ANDERSON TO ABANDON AN APPROXIMATELY 30 FOOT BY 264 FOOT ACCESS EASEMENT LOCATED WEST OF VOLTAIRE STREET BETWEEN ROVENTINI WAY AND OVERLAND STREET, ADJACENT TO APN'S 9-253-02 AND 9-251-01; AND TO ABANDON AN APPROXIMATELY 60 FOOT BY 630 FOOT PORTION OF PUBLIC RIGHT-OF-WAY KNOWN AS OVERLAND STREET, LOCATED WEST OF VOLTAIRE STREET BETWEEN ROVENTINI WAY AND WILLOW STREET ADJACENT TO APN'S 9-254-01 AND 9-252-01 (PLANNING COMMISSION APPROVED 6-0-1-0) - No items were pulled for discussion. Supervisor Tatro then moved that the Board approve the Consent Agenda as presented. Supervisor Ayres seconded the motion. Motion carried 4-0.**

**5. PUBLIC WORKS DIRECTOR - City Manager John Berkich - ORDINANCE - SECOND READING - ACTION ON BILL NO. 150 - AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND CARSON DETOXIFICATION CENTER REGARDING ASSESSOR'S PARCEL NUMBERS 4-174-01 AND 4-174-05 LOCATED AT 105 NORTH ROOP STREET, CARSON CITY, NEVADA (1-0350) - Supervisor Tatro moved to adopt Ordinance No. 1993-51 on second reading, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND CARSON DETOXIFICATION CENTER REGRADING ASSESSOR'S PARCEL NUMBERS 4-174-01 AND 4-174-05, LOCATED AT 105 NORTH ROOP STREET, CARSON CITY, NEVADA. Supervisor Bennett seconded the motion. Motion carried 4-0.**

**6. SHERIFF - Paul McGrath - ACTION ON POLICE HIRING SUPPLEMENTAL PROGRAM (1-0378) - (1-0775) Kim Terry and (1-0853) Earl Atchinson - The grant would provide funding for three deputies but require the City to pay for one-fourth of the cost. Sheriff McGrath requested funding from the 1994-95 budget. Statistical support and studies conducted of his operation were used to support the need for additional deputies. Discussion among the Board and Sheriff McGrath included previous grant funding, status of the grant program, and potential funding for Carson City. Mr. Lipparelli outlined the contract terms and responsibility if funding is not provided**

for the two remaining contract terms. He did not feel that the Board could at this time make financial commitments for future years. It could approve the contract and consider the budget issues later. Sheriff McGrath explained that any officers hired for the program would be considered "Federal" employees and retained only as long as funding is available. Discussion ensued among the Board, Sheriff McGrath, and Mr. Berkich on the duties which would be assigned to these officers, the success of this program in other areas, termination of the officers when the grant expires unless transferred to other patrol positions within the Department, a college program, and the similarity of this grant to the TRINET grant. Mr. Lipparelli delineated a suggested motion which would only approve the grant application.

Mr. Terry felt that the cost per deputy was excessive and that the Department had an adequate budget to provide additional deputies. Mayor Teixeira reminded Mr. Terry of the issue before the Board and asked him to make his remarks pertinent to it. Mr. Terry continued his comments by indicating that he could provide areas in the Sheriff's budget which would fund the additional officers and that the "new sheriff" who would be elected in 1994 should be allowed the opportunity to determine the need for this grant. To do otherwise would admit that the Board had not given the Sheriff adequate funding in the beginning. (1-0889) Mr. Atchinson opposed the request due to the feeling that it was not fair to ten individuals who had relocated their families to this area and would lose their jobs when the grants run out. He felt that the Sheriff's administration needed to reduce the number of desk personnel and increase patrols. He questioned the costs which the City would incur for the officers when funding runs out as well as for the equipment needed to put them on the street.

Supervisor Bennett explained her support for the Sheriff's efforts to seek funding for Department enhancement. Supervisor Bennett then moved that the Board approve the filing of an grant application for the hiring of the police supplemental support program and should the City be successful in getting a grant, the Board will consider the general fund expenditures for matching it in fiscal years 94-95 through 96-97, to support the hiring of patrol deputies. Supervisor Tatro seconded the motion and explained that the motion would approve the grant application and that during the budget hearing the expenditure of City funds would be considered and approved/denied based on the Department's presentation. The program would extend the City's money. If approved by the Feds, the need still would have to be proven to the Board. Sheriff McGrath indicated the funding request would be made annually. Supervisor Ayres commended Mr. Trimmer and Mr. Atchinson on their comments. She encouraged the Sheriff to analyze his staffing to be sure that a different arrangement is not needed. She supported approving the grant application at this time. The grant had to be filed by October 14. The funding should be approved/denied by late spring/early summer. This would be after the Board considers its budget. Sheriff McGrath felt certain that his Department should have an idea of the status of its request when the budget is being reviewed. Mayor Teixeira felt that the program could be entered at any time during its three year life. The motion to approve the filing of the grant was voted and carried 4-0.

**7. PARKS AND RECREATION DIRECTOR - Steve Kastens - STATUS REPORT ON PREVIOUSLY FUNDED RESIDENTIAL CONSTRUCTION TAX PROJECTS (1-1172) - Parks and Recreation Commission Chairperson Pete Livermore, (1-2471) Richard Waiton, and Commissioner Dan Leck - Discussion among the Board, Mr. Kastens, and Mr. Berkich included the need for temporary/movable basketball goals for the Pavillion/Exhibit Hall, funding in the contingency account, (1-1459) procedures used to establish estimates, status of Governor's Field expansion project and the bubble for the outdoor pool, lack of response from the bubble supporters, and delay in completing the Riverview and fairgrounds restrooms. (1-1395) Mr. Kastens indicated additional funding had not been granted to incomplete projects and that "stacking" of funds was not allowed. The Board will consider the Commission's recommended allocation of RCT funds at its next meeting. If bids for incomplete projects are higher than the funding could handle, the scope is reconsidered and the bids are rejected. Supervisor Bennett felt that there is a valid interest in pursuing the pool bubble and requested the issue be brought back to the Board "soon". She also expressed her feeling that the problems needed to be analyzed and another**

procedure established which would eliminate the delay currently experienced in completing projects. Supervisor Ayres requested Mr. Berkich investigate the entire procedure, determine the reasons for the delay, and report on the causes and/or recommendations to address the situation.

(1-2177) Mr. Livermore acknowledged the frustrations encountered by all. The skateboard facility was cited as an example of the problems encountered in attempting to address public needs. A "one stop shop" is needed for City projects. Funding needs to support the bubble had always been its major downfall. Discussion between the Board and Mr. Livermore noted the feasibility study had indicated the bubble would not be cost effective and that it had been sidelined until the individuals interested in having one are more active.

(1-2412) Supervisor Bennett elaborated on her position that the longer projects go uncompleted, the larger the impact on the City's image. She hoped that the status report would provide the needed information on how to address these delays.

(1-2471) Mr. Waiton felt that the operational costs of the swimming pool should not be the only issue considered particularly when compared to the skateboard park which is being considered without its operational costs. (During his comments, Supervisor Smith arrived--10:10 a.m. A quorum was present as previously noted.) He was astonished at the estimate to remove the old swimming pool. He felt that the pool users were constantly being hammered about the operational costs. He was certain that the need for the pool warranted covering the outside pool.

(1-2605) Commissioner Leck noted that the Commission had requested additional help for Mr. Kastens when the Board had considered the budget. Next year he would recommend to the Commission that funding not be allocated and the Board be allowed to analyze the requests. His experience with the School District indicated one individual could not oversee all of the projects Mr. Kastens was attempting to handle. Likewise, his staffing level was inappropriate for the number of areas mandated. Supervisor Smith explained that this had been the reason for his bringing the matter to the Board for discussion and stressed that the Board would be considering additional projects in two weeks.

No formal action was taken or required.

**8. RISK MANAGEMENT (1-2786) - Safety Loss Control Specialist John Mayes - ACTION REGARDING CITYWIDE CHAIR REPLACEMENT** - Mr. Mayes reviewed the history of the replacement program. Supervisor Smith moved that the Board approve the citywide chair replacement program as presented, funding source in fiscal year 93-94 Insurance fund balance of \$5,149.30 and Worker's Compensation fund balance of \$5,149.30, fiscal year 94-95 Insurance fund balance of \$5,149.30 and Worker's Compensation fund balance of \$5,149.30. Supervisor Ayres seconded the motion. Clarification indication that the funding for fiscal year 94-95 was subject to appropriation. The motion to approve the citywide chair replacement program was voted and carried 5-0.

**9. REDEVELOPMENT AUTHORITY (1-3135)** - Mayor Teixeira then recessed the Board of Supervisors session and passed the gavel to Redevelopment Chairperson Tom Tatro. For Minutes of the Redevelopment Authority, see its folder. Following adjournment of the Redevelopment Authority, Chairperson Tatro passed the gavel to Mayor Teixeira who reconvened the Board of Supervisors. A quorum was present as noted.

**10. REDEVELOPMENT DIRECTOR - Mary Walker - ACTION ON APPROVAL OF IMPLEMENTATION OF REDEVELOPMENT SEISMIC RETROFIT PLAN AND INCENTIVES PROGRAM (2-1525)** - Supervisor Smith moved that the Board approve and direct staff to proceed with the implementation of the Redevelopment Seismic Retrofit plan and incentives program as amended, the plan to

include Item No. 1 for a total cost of \$3500, Item No. 2, for a total cost of \$1500, and Item No. 4 for a total cost of \$5,000. Supervisor Ayres seconded the motion. Motion carried 5-0.

**11. COMMUNITY DEVELOPMENT DIRECTOR - Walter Sullivan**

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

ii. **ACTION ON S-90/91-4 - PHASE I OF A FINAL SUBDIVISION MAP FROM IRON MOUNTAIN ACQUISITION COMPANY FOR A NINE LOT PORTION OF A 25 LOT SUBDIVISION (SHADOW VALLEY) ON APPROXIMATELY 29 ACRES OF LAND ZONED SINGLE FAMILY ONE ACRE (SF1A) LOCATED ON THE NORTHEAST CORNER OF BENNETT AVENUE AND BIGELOW DRIVE, ASSESSOR'S PARCEL NUMBERS 9-215-03 AND 04 (PLANNING COMMISSION APPROVED 7-0-0-0) (2-1552) - Paul Lipparelli and Richard Scott - Mr. Sullivan corrected the agenda to reflect a nine lot portion of the 25 lot subdivision. Discussion among the Board, Mr. Lipparelli, and Mr. Sullivan noted the item for consideration by the Board this evening on the Sierra Pacific's route for the 120 KV line and its potential impact on this Subdivision, the desire to include a notification procedure to advise future property owners of the route elected this evening, the seller's responsibility to notify potential buyers of the proposed route, and the Planning Commission consideration of this point. Mr. Sullivan had originally placed a note about this condition on the map, however, the District Attorney's office had advised the Commission to remove the note as Conditions can only be added at the Tentative Map stage. Mr. Lipparelli felt a note could be added to the Final Map and that there is a difference between a "note" and a "condition". Mr. Scott indicated that six of the lots are currently in escrow and that he had advised them of the potential route. He was willing to support development of a procedure to advise future buyers of the route. His personal discussions with Sierra Pacific indicated the Company was not positive whether a line would be constructed on Muldoon. Although he preferred the Muldoon route not be selected, he would accept it if so directed by the Board. If Bigelow is determined to be the route, he felt it should not be included as it would not impact his subdivision. He was willing to accept the note if it could be accomplished without delaying his filing. Mr. Sullivan indicated the note would be added Friday morning and should not delay the process. Supervisor Bennett was concerned about the "straight corridors" which were being created on Muldoon and Bigelow which would become racetracks of the future. Mr. Sullivan indicated the Bypass would stop this type of development. Unfortunately, this alignment was created by the government's patent subdivision tract. Until large developments are considered, they could not be modified. He was encouraged to study the issue and develop an alternative. Supervisor Smith moved that the Board of Supervisors approve S-90/91-4, Phase I of the Final Subdivision Map from Iron Mountain Acquisition Company for a ten lot portion of a 25 lot subdivision, Shadow Valley, on approximately 29 acres of land zoned Single Family One Acre (SF1A) located on the northeast corner of Bennett Avenue and Bigelow Drive, Assessor's Parcel Number 9-215-03 and 04, based on the findings and subject to the conditions of approval with the addition of Condition No. 13, due to the fact that this Board on a later agenda item will be establishing the route for a 125 KV powerline presented to us by Sierra Pacific Power, that this map reflect that ultimate decision of this Board on where that line will run. Supervisor Tatro seconded the motion. Following Mr. Sullivan's request for an amendment, Supervisor Smith continued the motion to include "and that the Applicant agreed to that condition." Following Mr. Scott and Mr. Sullivan's clarification of the number of lots, Supervisor Smith corrected his motion to reflect the change from ten lots to nine lots. Supervisor Tatro continued his second. The motion was voted and carried 5-0.**

iii. **ACTION ON S-93/94-1 - A TENTATIVE SUBDIVISION MAP APPLICATION FROM C. B. MADDOX TO DEVELOP A 17 LOT SUBDIVISION (SOUTH VALLEY ESTATES) ON APPROXIMATELY 19.24 ACRES OF LAND ZONED SINGLE FAMILY ONE ACRE (SF1A) LOCATED ON THE NORTHEAST CORNER OF BIGELOW DRIVE AND EAST APPION WAY, ASSESSOR'S PARCEL NUMBER 9-185-22 (PLANNING COMMISSION APPROVED 7-0-0-0) (1-2310) - Capital Engineering Representative Mark Rotter - Mr. Sullivan explained his recommended modification to Condition No.**

10. Mr. Rotter supported the modification. He was also cognizant of Supervisor Bennett's concern about the racetrack being created on Muldoon, however, could do little to change it due to the waterline, sewer, and effluent easements, the fact that Appion was an approved street, and the fact that Hillview terminates at his subdivision. He felt that the density factor would reduce the traffic considerations. He then elaborated on the flood control measures. (2-2710) Supervisor Smith moved that the Board of Supervisors approve S-93/94-1, a Tentative Subdivision Map Application from C. B. Maddox to develop a 17 lot subdivision, South Valley Estates, on approximately 19.24 acres of land zoned Single Family One Acre located on the northeast corner of Bigelow Drive and East Appion Way, Assessor's Parcel Number 9-185-22, based on the findings and subject to the conditions of approval with the following change being on Condition 10, if Sierra Pacific Power is granted a route and corridor for the construction of an overhead 120 KV and 60 KV combination transmission line in this subdivision by the Carson City Board of Supervisors other than that as granted on December 2, 1992, pursuant to the regulation in Carson City-Sierra Pacific Power Company Franchise Agreement of 1982, a note will be placed on this map in relation to the new route being designated. Supervisor Ayres seconded the motion. Supervisor Smith then clarified that if the route selected is the same as that which had been designed on December 2, 1992, it was contained on the map. If the route is different and not in the area, it would be a mute condition. The motion was voted and carried 5-0.

**i. ACTION ON S-92/93-5 - A FINAL MAP SUBDIVISION MAP FROM MERIT HOMES (PROPERTY OWNERS: STODIECK AND HELGREN FAMILY TRUSTS) FOR A 15 LOT SUBDIVISION (GARDENGATE ESTATES) ON APPROXIMATELY 3.28 ACRES OF LAND ZONED SINGLE FAMILY 6,000 (SF6000) LOCATED ON THE SOUTHEAST CORNER OF GRAVES LANE AND NORTHGATE LANE, ASSESSOR'S PARCEL NUMBER 2-052-08 (PLANNING COMMISSION APPROVED 6-1-0-0) (2-2800) -** Mr. Sullivan read the Applicant's request for continuance into the record. Supervisor Tatro moved that the Board continue S-92/93-5 to the November 4th Board of Supervisors meeting. Supervisor Ayres seconded the motion. Motion carried 5-0.

**B. ORDINANCE - FIRST READING - ACTION ON Z-92/93-10 - AN ORDINANCE EFFECTING A CHANGE OF LAND USE DISTRICT ON ASSESSOR PARCEL NUMBER 1-021-07 FROM SINGLE FAMILY 6000 (SF6000) AND RETAIL COMMERCIAL (RC) TO RESIDENTIAL OFFICE (RO) ON APPROXIMATELY 2.33 ACRES OF LAND LOCATED ON THE EAST SIDE OF MOUNTAIN STREET, APPROXIMATELY 200 FEET SOUTH OF THE SOUTHEAST CORNER OF WEST NYE LANE AND MOUNTAIN STREET AND REPEALING ORDINANCE NO. 1993-43 (PLANNING COMMISSION APPROVED 6-1-0-0) (2-2850) -** Clarification indicated the ingress/egress would be from Nye rather than Mountain. Supervisor Smith moved to introduce on first reading Bill No. 153, AN ORDINANCE EFFECTING A CHANGE OF LAND USE DISTRICT ON ASSESSOR PARCEL NUMBER 1-021-07 FROM SINGLE FAMILY 6000 (SF6000) AND RETAIL COMMERCIAL (RC) TO RESIDENTIAL OFFICE (RO) ON APPROXIMATELY 2.33 ACRES OF LAND, LOCATED ON THE EAST SIDE OF MOUNTAIN STREET, APPROXIMATELY 200 FEET SOUTH OF THE SOUTHEAST CORNER OF WEST NYE LANE AND MOUNTAIN STREET AND REPEALING ORDINANCE NO. 1993-43. Supervisor Ayres seconded the motion. Motion carried 3-2 with Supervisors Tatro and Bennett voting Naye.

**C. AIRPORT AUTHORITY ITEMS (2-2947) -** Chairperson Steve Tackes

**i. ACTION REGARDING APPROVAL OF A LEASE AGREEMENT BETWEEN CARSON CITY AIRPORT AUTHORITY AND THE EXPERIMENTAL AIRCRAFT ASSOCIATION SIERRA CHAPTER 403 -** Chairperson Tackes distributed a corrected copy of the agreement containing the correct legal description to the Board and Clerk. Supervisor Bennett explained her support and moved that the Board of Supervisors approve the agreement between Carson City Airport Authority, and the Experimental Aircraft Association Sierra Chapter

403 at a fiscal impact of \$1 a year and 250 hours of community service related to the premises, funding source would be rent, and the funding source would be the payment of a rent for \$1 a year and 200 hours of labor per year. Supervisor Smith seconded the motion. Motion carried 5-0.

ii. **ACTION ON APPOINTMENT OF MEMBERS TO THE AIRPORT AUTHORITY (2-3251)** - Mr. Buckley explained his reasons for applying. Mayor Teixeira commended Mr. Buckley for his application. Supervisor Ayres then moved that Lou Buckley be appointed to fill the public official vacancy and Neil Weaver be appointed to fill the fixed base operator vacancy on the Airport Authority Board. Supervisor Smith seconded the motion. Motion carried 5-0.

Mayor Teixeira then requested the record reflect his comments commending Mr. Tackes on the positive changes which had occurred at the airport and specifically the change in attitude since the City was no longer involved in its operation. Supervisor Bennett also commended him on the appearance of the airport. She encouraged the Board and public to have Saturday breakfast with the EAA and view the airport.

**12. CLERK-RECORDER - ORDINANCE - SECOND READING - ACTION ON BILL NO. 151 - AN ORDINANCE TO AMEND TITLE 17 OF THE CARSON CITY MUNICIPAL CODE TO SET THE CITY RECORDER'S FEE FOR RECORDING MAPS AND PLATS AT THE RATE REQUIRED OR AUTHORIZED BY NEVADA REVISED STATUTES AND OTHER MATTERS PROPERLY RELATED THERETO (3-0052)** - Supervisor Bennett moved to adopt Ordinance No. 1993-52 on second reading, AN ORDINANCE TO AMEND TITLE 17 OF THE CARSON CITY MUNICIPAL CODE TO SET THE CITY RECORDER'S FEE FOR RECORDING MAPS AND PLATS AT THE RATE REQUIRED OR AUTHORIZED BY NEVADA REVISED STATUTES AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Ayres seconded the motion. Motion carried 5-0.

**13. CITY MANAGER - John Berkich**

**A. ORDINANCE - SECOND READING - ACTION ON BILL NO. 152 - AN ORDINANCE AMENDING CHAPTER 2.06 OF THE CARSON CITY MUNICIPAL CODE BY ADDING THERETO A NEW SECTION TO REQUIRE THE CITY TO FORMULATE WRITTEN POLICIES FOR THE COMPENSATION AND BENEFITS OF UNCLASSIFIED EMPLOYEES AND OTHER MATTERS PROPERLY RELATED THERETO (3-0075)** - Becker and Bell Representative Larry Beller - Supervisor Bennett delineated her opposition to the proposal based on her feeling that it was an attempt to circumvent the wage scale range and that codification of the City Manager's personnel guidelines is inappropriate. The City Manager's control over the budget should allow him the flexibility necessary to make appropriate wage scale decisions and may be a sign of either his inability or unwillingness to negotiate with his employees. She felt the resolution merely established guidelines which were appropriate and found in other entities. Codification, however, was not acceptable. Supervisor Ayres then expressed her opposition to The Nevada Appeal article and support for the proposal based on her feeling that it established lines of communication and may eliminate the feeling that the unclassifieds need to unionize. Supervisor Smith expressed his feeling that the proposal would guarantee communication and eliminate a potential reoccurrence of a situation where the unclassified employees' COLA had been eliminated during the budget session. It may also, as Supervisor Ayres indicated, eliminate the need for the unclassifieds to unionization. He also opposed The Nevada Appeal editorial as he had not "caved in" but had viewed it as an opportunity to improve a situation. Supervisor Tatro expressed his support for the proposal due to his feeling that the ordinance only extended communication requirements provided for other issues to the City employees. He, too, felt the editorial was "as far off the mark as it could have been". The resolution merely established the terms for negotiation and should contain those issues which the Board wants. Mr. Berkich explained the purpose of the compensation committee and its reasons for bringing the proposals to the Board. He stressed that the Committee had a purpose and would be eliminated once that is accomplished. He noted that the

guidelines had been proposed in the Guastella study with the exception of a comparison with the private sector which the committee added.

(3-0545) Richard Waiton expressed his feeling that the employees had been aware of the salary ranges and benefits when hired. He felt it was inappropriate for management to change the rules and that the Board was accepting the changes under threat of unionization. He also felt that it was an attempt to circumvent the normal budget procedures.

Mayor Teixeira noted that he had already explained his reasons for opposing the proposal when considered for first reading. He felt that the issues were based upon interpretation of the ordinance and indicated his respect for both sides. Supervisor Smith then moved to adopt Ordinance No. 1993-53 on second reading, AN ORDINANCE AMENDING TITLE 2 OF THE CARSON CITY MUNICIPAL CODE BY ADDING THERETO A NEW CHAPTER 2.06 TO REQUIRE THE CITY TO FORMULATE WRITTEN POLICIES FOR THE COMPENSATION AND BENEFITS OF UNCLASSIFIED EMPLOYEES AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Tatro seconded the motion. Motion was voted by roll call with the following results: Ayres - Yes; Bennett - No; Smith - Yes; Tatro - Yes; and Mayor Teixeira - No. Motion carried 3-2

**B. STATUS REPORT REGARDING POSSIBLE BALLOT QUESTIONS FOR THE 1994 ELECTION (3-0681)** - Mr. Berkich indicated NDOT had not received the federal funds for the transit study. The study will commence once these funds are received. Mayor Teixeira then requested direction concerning the electorate tie on selection of supervisor candidates from the Wards. He supported reconsideration by the electorate. Supervisor Tatro felt that the issue had been defeated and should be left alone. Comments indicated a feeling that the Board may have already taken action on this issue. Supervisor Ayres expressed her feeling that the issue should be explained in a different manner due to the confusion many of the voters had encountered on the issue. The issue will be discussed in depth at the next meeting. No formal action was taken or required.

#### **14. BOARD OF SUPERVISORS**

**D. SUPERVISOR SMITH - ACTION ON REQUEST FROM TRI-COUNTY RAILWAY COMMISSION FOR CARSON CITY'S CONTRIBUTION OF ONE-THIRD (1/3) MATCH TO ECONOMIC DEVELOPMENT ADMINISTRATION (EDA) MONIES TO FUND FEASIBILITY STUDY FOR THE RESTORATION OF THE VIRGINIA AND TRUCKEE RAILROAD (3-0927)** - Supervisor Smith indicated that the funds would only be used if the grant is approved. Supervisor Smith moved that the Board approve the request to match funds to hire a professional consultant to prepare a feasibility study for the restoration of the V and T Railroad, fiscal impact is \$2,083.33, funding source is the contingency fund. Supervisor Tatro seconded the motion. Motion carried 5-0.

**A. SUPERVISOR REPORTS (3-1005)** - Supervisors Smith and Ayres did not have a report. Supervisor Tatro explained a recent trip to South Dakota, its limited form of gambling, and its policy to respond to all requests with a positive "You bet." Supervisor Bennett announced the arrival of her new granddaughter. She then gave a status report on the Carson River corridor plan and her hope that it would be included as a component in the City's vision plan. (3-1210) Mayor Teixeira gave a status report on the "sports court" concept and the results of an informal survey on recreational needs. He felt that the Pony Express Pavilion could be utilized for recreational purposes as well as a skateboard facility. Discussion questioned the status of the ice rink contract. A report on the contract is to be provided at a future meeting.

**B. NON-ACTION ITEMS: INTERNAL COMMUNICATIONS AND ADMINISTRATIVE**

**MATTERS, ETC. - None.**

**D. MAYOR TEIXEIRA - ACTION ON A RESOLUTION SUPPORTING "NATIONAL UNFUNDED MANDATES DAY", OCTOBER 27, 1993 (3-1107)** - Mayor Teixeira explained the action taken at the Nevada Association of Counties meeting in Pahrump. He felt that Congress was beginning to listen as indicated by recent congressional action. Supervisor Tatro moved to adopt Resolution No. 1993-R-91, A RESOLUTION SUPPORTING NATIONAL UNFUNDED MANDATES DAY - OCTOBER 27, 1993. Supervisor Bennett seconded the motion. Motion carried 5-0.

**BREAK:** At 12:45 p.m. a recess was declared until 6 p.m. Mayor Teixeira reconvened the meeting at 6 p.m. The entire Board was present constituting a quorum. Staff members present included: City Manager Berkich, Clerk-Recorder Nishikawa, Animal Services Director Conklin, Community Development Director Sullivan, Public Works Director O'Brien, Deputy District Attorney Lipparelli, and Recording Secretary McLaughlin (B.O.S. 3-1412)

**15. DISCUSSION AND ACTION DESIGNATING THE LOCATION OF A 120 KV POWER TRANSMISSION LINE FROM THE OVERLAND SUBSTATION TO AN EXISTING TRANSMISSION LINE EAST OF THE CARSON RIVER AS EITHER: SOUTH ON BIGELOW DRIVE TO SNYDER AVENUE OR SOUTH ON MULDOON STREET TO SNYDER AVENUE OR SOME COMBINATION OF THESE TWO ROUTES, AND THENCE FROM SNYDER AVENUE TO A POINT EAST OF THE CARSON RIVER DEPICTED IN ROUTE "H" AS PRESENTED AT THE DECEMBER 3, 1992, BOARD OF SUPERVISORS' MEETING; AND DIRECTING THE CITY ENGINEER TO ISSUE A PERMIT AUTHORIZING SIERRA PACIFIC POWER COMPANY TO PROCEED WITH THE DESIGN AND CONSTRUCTION OF THE 120 KV TRANSMISSION LINE IN SAID CORRIDOR IN ACCORDANCE WITH THE EXISTING CARSON CITY/SIERRA PACIFIC POWER COMPANY FRANCHISE AGREEMENT (3-1415)** - Sierra Pacific Power Company Carson District Manager Ray Masayko, Project Engineer Mike Pidlypchak, and Staff Electrical Engineer Kuldip Sandu; (4-0096) Public Works Director Dan O'Brien - Mr. Masayko delineated the noticing efforts and the Company's support for the Bigelow route. He also indicated that he would work with the City and the other entities to remove the poles on the west side of Bigelow. Utilities under his control would be removed as soon as possible. He also indicated that the utilities still on the poles along Clearview were Nevada Bell and TCI's. Attempts were made to get those utilities relocated. Discussion ensued between the Board and Mr. Masayko on the number and type of poles which would be used along Bigelow; the poles which would be removed; and, type, anchors, and size of the poles which would be installed on the east side of Bigelow.

(3-1941) Mayor Teixeira read Dale Chaney's letter of opposition into the record. Mr. Chaney felt that the proposal would affect his property value. (3-1982) Jim Rankin opposed the route due to health and aesthetics concerns. He recommended the line be placed in the backyards or continued along the Bypass. He also suggested the substation location be reconsidered. (3-2210) Jim Reinschmidt presented a letter to the Board from a "neighbor on Appion and Bigelow". He felt the original route selection procedure had addressed the issue and should not be changed. If additional time had been provided, he could have reached other neighbors. Had he known that the powerline was to be constructed along Bigelow, he would not have located a kennel for his expensive show cats where it is now. (3-2298) Mayor Teixeira read the letter from Mr. and Mrs. Rhinewaldt opposing the route based on the aesthetics and health concerns. (3-2349) Rudy Grant recommended burying the lines regardless of the cost. (3-2406) Richard Scott, Shadow Valley Developer, noted his original opposition to the Muldoon route. As a Developer, he felt that he should have been cognizant of the possibility that the powerline would be extended along Muldoon and withdrew his opposition. He acknowledged the possibility that any potential buyers may be impacted by this route but felt that they would be aware of the route. (3-2495) John Daniels opposed the Bigelow route.

Additional comments were solicited from Bigelow residents, none were made. Comments were then solicited from Muldoon residents who had not spoken at the last meeting, none were made.

(3-2525) Mr. Pidlypchak indicated the Bypass route was included in the original study as Route B. Problems revising the route to use the Bypass were outlined. NDOT did not wish to have the line along the Bypass but had allowed it in the area which has been constructed. These engineering costs translated in dollars which made the proposal economically infeasible. Problems with buried lines including the costs were outlined. EMF issues were discussed with Mr. Sandu including clarification of electrical transmission procedures, size of the electrical fields, terms, and health concerns. Illustrations of the transmission procedure and EMF area were made on a blackboard. Clarification indicated the setback requirements are 40 feet. Mr. Grant indicated that the flux density was different for the buried line than the overhead line. Mr. Sandu agreed if the buried cable is surrounded by a ten to twelve inch pipe containing oil. This, however, created EPA concerns. Additional discussion ensued among the Board, Mr. Sandu, and Mr. Pidlypchak on the distance which should be maintained from the line to the residence and the "sag" in the line.

(4-0035) Mayor Teixeira again solicited comments from the Muldoon residents who had not spoken at the last meeting. None were made.

Supervisor Smith then explained the proposal if Bigelow is selected. Currently there are no houses on the east side. Mr. O'Brien did not know if any building permits had been requested for that area. Comments indicated the feeling that the noticing process would have addressed the concern that the same noticing situation as occurred on Muldoon may occur.

BREAK: A five minute recess was declared at 6:50 p.m. When the meeting reconvened at 6:55 p.m. the entire Board was present constituting a quorum.

(4-0052) Supervisor Smith moved that the Board designate the location of a 120 KV power transmission line from the Overland Substation to an existing transmission line east of the Carson River as south on Bigelow Drive to Snyder Avenue and thence from Snyder Avenue to a point east of the Carson River depicted as Route H as presented on December 3, 1992, at the Board of Supervisors meeting and directing the City Engineer to issue a permit authorizing Sierra Pacific Power Company to proceed with the design and construction of that 120 KV transmission line in said corridor in accordance with the existing Carson City-Sierra Pacific Power Company franchise agreement. Supervisor Tatro seconded the motion. Discussion ensued on the date of the December 1992 meeting and Supervisor Smith modified his motion to be "as presented at the first meeting in December 1992". Supervisor Tatro continued his second. Discussion ensued between Supervisor Bennett and Mr. O'Brien on the permit procedure and what he would issue on October 22. Supervisor Bennett suggested a sunset clause be included in the motion. Mr. O'Brien read his "permit letter". Discussion indicated the letter would be mailed on Friday, would become the permit, and meant Supervisor Bennett's concerns. The motion to designate Bigelow Drive as the route to Snyder and then follow Route H as previously approved was voted by roll call with the following results: Bennett - Yes; Ayres - Yes; Tatro - Yes; Smith - Yes; and Mayor Teixeira - Yes. Motion carried 5-0.

BREAK: A five minute recess was declared at 7 p.m. When the meeting reconvened at 7:05 p.m. the entire Board was present constituting a quorum. Staff members present included: City Manager Berkich, Clerk-Recorder Nishikawa, Animal Control Director Conklin, Deputy District Attorney Lipparelli, Recording Secretary McLaughlin, and Animal Control Office Supervisor Edgar.

**16. ORDINANCE - FIRST READING - ACTION ON AN ORDINANCE AMENDING CHAPTER 7.13 OF THE CARSON CITY MUNICIPAL CODE TO CHANGE THE NAME OF ANIMAL CONTROL SUPERVISOR AND ANIMAL CONTROL OFFICER; TO ADD A PROVISION FOR ADEQUATE**

**SHELTER; TO ADD A DEFINITION FOR PET; TO ADD A DEFINITION FOR SERVICE ANIMAL; TO ADD TO THE PURPOSES OF THE ANIMAL CONTROL CENTER AND THE POWERS AND DUTIES OF THE ANIMAL SERVICES DIRECTOR; TO INCREASE THE MINIMUM AGE AT WHICH DOGS MUST BE LICENSED; TO PERMIT THE ANIMAL CONTROL CENTER TO CARE FOR THE ANIMALS OF LONE PERSONS; TO INCREASE CERTAIN FINES AND FEES; TO REQUIRE OWNERS OF ANIMALS TO PROVIDE ADEQUATE FEED, WATER, SHELTER, EXERCISE, SAFETY AND MEDICAL CARE; TO PROHIBIT THE DISPOSAL OF ANIMALS BY SALE AND OTHERWISE AT COMMERCIAL ESTABLISHMENTS OTHER THAN LICENSED LOCATIONS AND OTHER MATTERS PROPERLY RELATED THERETO (4-0335)** - Mr. Berkich reviewed the history of the proposal and commended all of the participants on those efforts. Mr. Lipparelli advised that copies of his letter to the City Manager regarding minor changes to the ordinance were available for the public. These changes should not create a major change from the ordinance copy given to the various committee members. Supervisor Smith noted that the Board had only received the ordinance this morning and, due to its implications, felt it warranted time to digest. He was willing to accept testimony, however, recommended continuing action until the next meeting. Discussion ensued among the Board, the audience, and Messrs. Berkich, Lipparelli, and Conklin on: Joan Newman - licensing requirements for "hobby" breeder, reasonableness in applying the Code, intent of Section 7.13.100; current Code requirements regarding Section 7.13.100; Section 7.13.030 regarding powers under which the Director develops policy statements; animal control duties versus humane society duties; Pete Bachstadt and Unilda Marshall - whether a committee was needed to oversee animal control activities; and Darrel Thiessens - Section 7.13.540 would prohibit Animal Control from advertising their weekly "adopt a pet" and not just prohibit a raffle. Modifications were to be made to Page 14 to include a definition of "hobby" breeder and not require licensing for such individuals.

(4-1504) Ms. Marshall thanked the Board for the plaque presented in public recognition of the Great Basin Wildlife Exhibit donations. (4-1865) A copy of Mr. Thiessens's position paper was given to the Board but not the Clerk. Mr. Thiessens also commended Mr. Conklin on his reasonableness in applying the Code and on the service he had given to the City. He, too, supported a delay in acting on the ordinance to allow the Board time to analyze the issues contained in his "position paper". Mr. Berkich suggested the matter be reconsidered at the first meeting in December. Mr. Newman noted the committee had not analyzed all of the recommendations contained in the "position paper" as it had only addressed the concerns brought forward by Mr. Bachstadt. He also distributed pamphlets to the Board and Clerk about animals and animal care.

Discussion among the Board and Mr. Lipparelli indicated the Board could not at this time give clear direction on any additional changes. (4-2196) Tammy Russell-Ryan reiterated Mr. Newman's comments concerning the additional modifications presented in the "position paper". Supervisor Smith then moved that this item be continued to the Board's first regularly scheduled meeting in December. Supervisor Ayres seconded the motion. Motion carried 5-0.

**CITIZEN COMMENTS (4-2285)** - None.

There being no other matters for consideration/discussion, Supervisor Bennett moved to adjourn. Supervisor Ayres seconded the motion. Motion carried 5-0. Mayor Teixeira adjourned the meeting at 8 p.m.

The Minutes of the October 21, 1993, Carson City Board of Supervisors meeting

ARE SO APPROVED ON \_\_\_\_December\_2\_\_\_\_, 1993.

/s/ \_\_\_\_\_  
Marv Teixeira, Chairperson

ATTEST:

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