

A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, March 4, 1993, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 9 a.m.

PRESENT: Kay Bennett Mayor Pro-Tem
Greg Smith Supervisor, Ward 1
Janice Ayres Supervisor, Ward 2
Tom Tatro Supervisor, Ward 3

STAFF PRESENT: John Berkich City Manager
Ted P. Thornton Treasurer
Louis Buckley Fire Chief
Jack Fralinger Health Director
Sally Herman Library Director
Judie Fisher Personnel Director
Mike Suglia Deputy District Attorney
Tracy Haakinson Deputy Library Director
Katherine McLaughlin Recording Secretary
(B.O.S. 3/4/93 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 Pro-Tem Bennett called the meeting to order at 9:03 a.m. Roll call was taken and a quorum was present although Supervisor Tatro had not yet arrived and Mayor Teixeira was absent. (Supervisor Tatro arrived during the Invocation. Stewart Baptist Church Pastor Tom Hutson gave the Invocation. Supervisor Smith lead the Pledge of Allegiance.

1. APPROVAL OF MINUTES - January 21, 1993, Regular Session and January 28, 1993, Special Session (1-0038) - Supervisor Tatro moved to approve as submitted. Supervisor Smith seconded the motion. Motion carried 4-0.

AGENDA MODIFICATIONS (1-0045) - Item 5. A. Purchasing Agent - Action on Contract 9293-140 was deferred.

2. SPECIAL PRESENTATIONS

A. PRESENTATION AND ACTION ON RESOLUTION OF COMMENDATION AT RETIREMENT - PAULINE DAY (1-0055) - Ms. Fisher explained the purpose of the request. Ms. Day was not present. Supervisor Tatro moved to adopt Resolution No. 1993-R-18, A RESOLUTION OF COMMENDATION and read the entire Resolution into the record. Supervisor Smith seconded the motion. Motion carried 4-0.

B. PRESENTATION AND ACTION ON RESOLUTION OF APPRECIATION - JAY MEIERDIERCK, SHADE TREE COUNCIL MEMBER (1-0112) - Parks and Recreation Director Steve Kastens explained the purpose of the request, noted several examples of Mr. Meierdierck's efforts, and thanked him for his service. Mayor Pro-Tem Bennett also thanked him for his dedication and service. Supervisor Smith moved that the Board adopt Resolution No. 1993-R-19, A RESOLUTION OF APPRECIATION FOR JAY

MEIERDIERCK, SHADE TREE COUNCIL MEMBER, and read the Resolution into the record. Supervisor Ayres seconded the motion. Motion carried 4-0. Mayor Pro-Tem Bennett and Supervisor Smith commended him on his role on the Council.

C. PRESENTATION OF SUPERIOR SANITATION AWARDS (1-0201) - Health Director Jack Fralinger explained the purpose of the awards and introduced the recipients. Mayor Pro-Tem Bennett presented each with a plaque and thanked them for their dedication and diligence. She also commended Mr. Fralinger and his staff on their "positive re-enforcement" efforts.

3. JOINT MEETING BETWEEN THE CARSON CITY BOARD OF SUPERVISORS AND THE CARSON CITY LIBRARY BOARD OF TRUSTEES (1-0332) - Library Director Sally Herman gave the Board a copy of the Trustees' goals and objectives. (A copy was not given to the Clerk.) Library Board of Trustees Chairperson John Sparbell introduced the other Trustees--Vice Chairperson John Ray, and Members Sarah Mersereau-Adler, Cliff Fechter, and Rich Moreno. (A quorum was present.) Chairperson Sparbell then reviewed the report and stressed the need for additional facilities, expansion of the current facility, and increased funding for staff and books. His remarks included level of use, Spanish and children programs, the goals which had been accomplished, and explained the new goal and objectives. Innovative procedures utilized in attempting to reach these objectives were outlined. He suggested the costs be phased in over a period of three to five years. He responded to Board questions on the cost of the new goals, justification for a branch library in the southeast section of the City, amount of duplication this would require, need for facilities to be located within residential walking distances, library computer programs, and need for paving/expanding the parking lot. Supervisor Smith requested the Library budget include the funding sheet for a comparison. Chairperson Sparbell noted other items which were included in the Capital Improvement budget, Building Maintenance budget, SPAN budget, etc., and encouraged favorable consideration of these items also. Vandalism and the need for security fencing/increased security were also discussed. Supervisor Smith suggested the Library be added to the Park Ranger route. The Sheriff's Office was also cooperating by providing additional parameter checks, many in unmarked cars. Chairperson Sparbell thanked the Board for the opportunity to discuss the goals and objectives and the volunteers and staff for their efforts. Mayor Pro-Tem Bennett thanked the Trustees and staff for their dedication and efforts. Chairperson Sparbell invited the Board to contact the Library or a Trustee should a question arise.

CITIZEN COMMENTS (1-1856) - Virginia Orcutt explained a problem she had encountered with skateboarders and her feeling that the City needed to provide a youth skateboard facility. She felt it was doable as indicated by the contacts she had had, many of whom she listed. A list of supporters and letters of support were submitted to the Clerk and Board. Mayor Pro-Tem Bennett thanked her for sensitizing the Board. Supervisor Tatro suggested staff consider the old swimming pool as a potential site. Board comments directed staff to assist her in evaluating the need and potential sites and thanked her for her interest and efforts. Discussion also noted that the Parks and Recreation Commission should be involved in the evaluation. Supervisor Smith indicated she should submit any funding request(s) to the Commission during August when the Residential Construction Tax monies are allocated.

4. TREASURER - Ted P. Thornton

A. ACTION ON CARSON CITY TREASURER'S FINANCIAL REPORT FOR THE MONTH OF JANUARY 1993 (1-2315) - Mr. Thornton's introduction included an explanation of the report, the low interest rate, and the interest rate experienced under the new broker program. Supervisor Ayres moved that the Board accept the Treasurer's report as submitted for the month of January 1993. Supervisor Tatro seconded the motion. Motion carried 4-0.

B. ACTION TO REMOVE AND REFUND PARTIAL 1992-93 REAL PROPERTY TAXES ON PARCEL NO. 4-202-04 DUE TO STATE OF NEVADA ACQUISITION OF PROPERTY (1-2472) -

Supervisor Smith moved that the Board approve removal and refund partial 1992-93 Real Property Taxes on Parcel 4-202-04 due to the State of Nevada acquisition of property, total amount to be refunded back to the former owner that prepaid the taxes through 12/31/92 is \$98.29, total amount to be removed from the tax roll that will not be paid is \$640.60, fiscal impact is a total decrease of \$738.89 in revenue for taxes. Supervisor Tatro seconded the motion. Motion carried 4-0.

5. PURCHASING AGENT - Basil "Butch" Moreto

B. ACTION ON CONTRACT NO. 9293-32 - SALIMAN ROAD BEAUTIFICATION PROJECT (1-2535) - Supervisor Smith moved that the Board accept the Purchasing Department's recommendation on Contract No. 9293-32 and award the Contract to Bidder No. 2, T. E. Bertagnolli and Associates, P. O. Box 2577, Carson City, Nevada 89702, as the lowest responsive and responsible bidder pursuant to the requirements of NRS Chapters 332, 338, 339, and 624 for a contract amount of \$54,412.30 and a contingency amount of \$6,000; funding source will be RTC Road Construction Account as provided for in the fiscal year 9293 budget. Supervisor Tatro seconded the motion. Motion carried 4-0.

C. ACTION ON CONTRACT NO. 9293-90 - FIRE DEPARTMENT SCBA AIR COMPRESSOR (REBID NO. 2) (1-2636) - Following Mr. Moreto's introduction, Fire Chief Buckley explained the purpose of the equipment. Supervisor Ayres moved that the Board accept the Purchasing Department's recommendation and award this Contract to Bidder No. 3, Life Air Marketing, 2456 Highway 40, Verdi, Nevada 89439, as the lowest responsive and responsible bidder pursuant to the requirements of NRS Chapter 332 for a contract amount of \$32,605.35, base bid \$36,228.15 less a ten percent discount of \$3,622.81 for a total amount of \$32,605.34, budgeted allocation was \$40,500, funding source is Fire Equipment - S.C.B.A. Air Compressor, funding provided in FY 9293. Supervisor Tatro seconded the motion. Motion carried 4-0. Mayor Pro-Tem Bennett requested an opportunity to view the equipment when it arrives.

D. ACTION ON CONTRACT NO. 9293-136 - EAGLE VALLEY GOLF COURSE CLUB CARS (1-2821) - Golf Course Superintendent Bob Townsend elaborated on the club car fleet replacement program, opening date for this season, experience with the Bidder, and trade-in value. Supervisor Smith moved that the Board accept the Purchasing Department's recommendation and award Contract No. 9293-136 to Bidder No. 1, Club Car, 3070 Bay Vista Court, Unit C, Benicia, California 94510, as the lowest responsive and responsible bidder pursuant to the requirements of NRS Chapter 332 for a contract amount of \$51,940 for 35 golf cars, funding source is the Eagle Valley Machinery and Equipment Replacement, funding provided in fiscal year 9293. Supervisor Tatro seconded the motion. Motion carried 4-0. Mr. Townsend felt the cars should arrive by April 15.

6. INTERNAL AUDITOR - Gary Kulikowski - ACTION ON THE DECEMBER 1992 AND JANUARY 1993 CHECK DISBURSEMENT REGISTERS (1-3014) - Mr. Kulikowski explained his audit report and exceptions. (The report was given to the Board prior to the meeting. The Clerk did not have a copy.) He responded to Board questions concerning staff's failure to take discounts when appropriate. Mr. Moreto detailed the procedures adopted to address this situation. The City is getting more and more vendors who are willing to grant discounts and staff awareness of them was stressed. Supervisor Smith expressed his frustration at staff's continued failure to take discounts when available. Mr. Berkich agreed that the City could not afford to miss these discounts and outlined his training program. Mr. Moreto explained his contact with the vendors and their willingness to grant the discounts even though after the specified period. Mayor Pro-Tem Bennett urged staff to develop a system which would work. Supervisor Tatro urged the Board to consider this issue during the budget deliberations. Mr. Kulikowski completed his review of the audit exceptions. Mayor Pro-Tem Bennett commended him on his efforts. Supervisor Tatro moved that the Board approve the Check Disbursement Registers for the months of December 1992 and January 1993 subject to the results of the Internal Auditor's examination. Supervisor Ayres seconded the motion. Motion carried 4-0.

BREAK: A seven minute recess was declared at 10:38 a.m. When the meeting reconvened at 10:45 a.m. a quorum was present although Mayor Teixeira was absent as previously noted.

7. PARKS AND RECREATION DIRECTOR - Steve Kastens

A. ACTION ON RESOLUTION OF SUPPORT FOR THE STATE OF NEVADA TO DONATE LAND TO THE CARSON CITY YOUTH SPORTS ASSOCIATION FOR THE EXPANSION OF GOVERNORS FIELD SPORTS COMPLEX (2-0242) - Mr. Kastens' introduction included Little League President Charlie Kilpatrick. Mr. Kilpatrick introduced Little League Representatives Darrel Rasner and Mallory Counsellor Clayton Rice. Carson City Little League supports the proposed acquisition. Purportedly, the Legislature was favorably considering the acquisition. A resolution of support was solicited to indicate the City's willingness to accept the property. Discussion with Supervisor Smith indicated the area would be utilized as a T-Ball field and should be directed so the balls would not land in Roop Street. Mr. Rasner then read his statement into the record requesting support for the acquisition due to the increased membership and demand for additional fields. He noted the contamination found in the fields and research which had been conducted that indicated this contamination posed no risk to the players. Mr. Rice then explained the testing, history of how the contamination occurred, reports compiled on the contaminated area, and displayed a map delineating the area and testing sites. He then introduced Co-Counsellor Bruce Benson and Environmental Consultant Scott Smith. Copies of the administrative consent order entered into with NDEP to remedy the problem and the last quarterly report were displayed. He invited all the Board to tour Mallory's facility. Mr. Benson gave the Board and Clerk a copy of the map. Mr. Smith detailed the cleanup procedures since 1988 and responded to the Board's questions on the procedures and period required to complete the cleanup. Messrs. Rice, Smith, Benson and Suglia then responded to Board questions concerning the liability the City would incur if the City acquired the property, the costs involved in the cleanup, cost of the equipment, and City's liability for cleanup if Mallory leaves. Only monitoring well No. 10 is located on the property. The contaminants have leached into the ground and would no longer affect the top soil where the children would be playing if, in fact, the area under consideration had been contaminated by Mallory or its predecessor. Concern was expressed about the concrete enclosure surrounding monitoring well No. 10 and the hazard it may pose to children. Nevada Department of Environmental Protection Representative Allen Biaggi acknowledged the consent agreement and responded to Board and Mr. Berkich's questions on Mallory's efforts to address the situation, its cooperation, Mallory's ongoing responsibility if the property were transferred, and the City's liability under a Federal super fund law. He did not have a concern with the proposed Little League usage but would have a concern if the groundwater were to be utilized for a municipal purpose. Testing at this time indicates the only contamination is in the groundwater and not the soil. Mr. Suglia explained the reasons the Resolution included Mallory's responsibility for the contamination and the City's refusal to accept any liability for its cleanup. Mr. Rice then briefly explained Mallory's financial worth and ownership. He also felt that Mallory was producing groundwater which was cleaner than the City was. He felt that Mallory was dedicated to resolving the matter. Mr. Kastens and Parks and Recreation Commission Chairperson and Youth Sports Association President Pete Livermore then explained the need for the property for Little League and other youth activities, benefits the community would receive from having the property, and the Commission's recommendation. Public comments were solicited but none made. Supervisor Tatro then delineated his support for the proposal and moved that the Board adopt Resolution No. 1993-R-20, A RESOLUTION OF SUPPORT FOR THE STATE OF NEVADA TO DONATE LAND TO THE CARSON CITY YOUTH SPORTS ASSOCIATION FOR THE EXPANSION OF GOVERNORS FIELD SPORTS COMPLEX. Supervisor Smith seconded the motion. Motion carried 4-0. Mayor Pro-Tem Bennett and Mr. Berkich thanked all for their presentations.

B. ACTION ON SHADE TREE COUNCIL ACHIEVEMENTS/CONCERNS AND FUTURE ACTIVITIES (2-1324) - Mr. Kastens introduced Council Member Tom Henderson. Mr. Henderson introduced Member Ann Nunnemaker, and advised the Board of the selection of Member Becky Beisenstein as Chairperson. He then gave a slide presentation illustrating the Council's concerns about trees throughout the City, the care they

were receiving, need and potential sites which could be utilized for additional trees, justification for ordinance modifications, and provided examples of good and bad maintenance/grooming practices. Arbor Day activities planned for April 30 were noted. Comments were solicited but none made. Mayor Pro-Tem Bennett and Supervisor Ayres commended him and the Council on their activities including their attempts to make the public aware of trees and their benefits and the funding provided for median landscaping. Supervisor Ayres then moved that the Board approve the Shade Tree Council achievements, concerns and future activities. Supervisor Smith seconded the motion. Motion carried 4-0.

C. ACTION ON NAMING OF THE EVENTS CENTER IN MILLS PARK (2-2045) - Parks and Recreation Commission Chairperson Livermore and Supervisor Smith, who is also a member of the Commission, explained the recommendation to name the Center "The Pony Express Pavilion". Supervisor Ayres supported their recommendation. Mayor Pro-Tem Bennett read Mayor Teixeira's letter into the record recommending it be called "The Mills Park Events Center". Supervisor Ayres then moved that the Board approve the Parks and Recreation Commission's recommendation to name the Events Center in Mills Park "The Pony Express Pavilion". Supervisor Smith seconded the motion. Motion was voted by roll call with the following results: Tatro - No; Smith - Yes; Ayres - Yes; and Mayor Pro-Tem Bennett - Yes. Motion carried 3-1-1 with Supervisor Tatro voting Naye and Mayor Teixeira absent.

8. PERSONNEL MANAGER - Judie Fisher - ACTION ON TEMPORARY CARSON CITY EMPLOYEES ASSOCIATION CATASTROPHIC LEAVE POLICY (2-2358) - Considered later in the meeting.

9. PUBLIC WORKS DIRECTOR - Dan O'Brien

A. DISCUSSION AND ACTION ON OUTSIDE PLAN CHECK SERVICES (2-2369) - Mr. O'Brien outlined the two types of services proposed. Building Official Karen Goddard reviewed her "question and answer" sheet on the services. (A copy is included in the supporting documentation.) A copy of the Builders Association of Western Nevada letter was distributed to the Board and Clerk. Builders Association President Don Keith supported the program, however, suggested that the definition of "sooner" be set at five working days. Mr. O'Brien thanked the Association for its cooperation and assistance. He felt that staff should be able to meet the timetable established and that the program was a good alternative for builders who needed to proceed faster than the timetable which had been established. His comments stressed that if there is a major problem with the plans, a delay would occur. The early review procedure was also detailed. This may expedite the entire program. Mayor Pro-Tem Bennett thanked the Builders Association and staff for their efforts. She requested a report in September, which Mr. O'Brien suggested the Builders Association give. Comments were solicited but none made. No formal action was taken or required.

B. ACTION ON A DEVELOPMENT AGREEMENT RELEASE AND CANCELLATION FOR CHARLOTTE W. SHABER (APN 3-213-03) LOCATED AT 202 NORTH CARSON STREET FOR SIDEWALK AND CURB AND GUTTER IMPROVEMENTS (2-3005) - Following Mr. O'Brien's presentation, Mayor Pro-Tem Bennett directed Mr. Berkich to send a letter commending the firm on its efforts to improve the downtown area and preserve the historic buildings. Supervisor Smith moved that the Board cancel the Development Agreement between Carson City and Charlotte W. Shaber regarding the sidewalk, curb and gutter improvements at 202 North Carson Street and authorize the Mayor to sign the formal release and cancellation. Supervisor Ayres seconded the motion. Motion carried 4-0.

10. COMMUNITY DEVELOPMENT DIRECTOR - Principal Planner Rob Joiner - PLANNING COMMISSION REFERRALS - REVIEW AND APPEAL ITEMS

A. ORDINANCE - FIRST READING - ACTION ON A-92/93-5 REGARDING A REQUEST FROM CARSON CITY AMEND CARSON CITY MUNICIPAL CODE TITLE 18 (ZONING) (3-0015) - Mr. Joiner explained the modifications, the ad hoc committee, and Shade Tree Council's and the ad hoc's involvement with the modifications. He and Mr. Suglia responded to Board questions on the reasons for allowing staff to review and modify the landscaping plans/Code requirements and for having the Utility Department review the irrigation plans. The applicant could appeal these modifications to either the Planning Commission or Board of Supervisors as is allowed under Title 18. Supervisor Tatro suggested Page 6 Line 19 be changed to read "with the consent of the utility department with respect to water utilization, will have the ability to modify the requirements of the landscape ordinance to enhance the aesthetic or functional quality of the project under review". Additional comments were solicited but none made. Supervisor Tatro then moved that the Board introduce Bill 107 on first reading, AN ORDINANCE AMENDING SECTION 18.05.029, LANDSCAPING STANDARDS, AND DELETING SECTION 18.05.030, PROHIBITED AND RESTRICTED USES, OF THE CARSON CITY MUNICIPAL CODE as presented in the staff report with the exception that on Page 6, Paragraph 10, be modified to read: "On an individual basis, the community development staff, with the consent of the utility department with respect to water utilization, will have the ability to modify the requirements of the landscape ordinance to enhance the aesthetics or functional quality of the project under review." Supervisor Ayres seconded the motion. Motion carried 4-0.

B. ORDINANCES - SECOND READING

i. ACTION ON A-92/93-3, BILL NO. 103, AN ORDINANCE ADDING SECTION 18.03.135 TO THE CARSON CITY MUNICIPAL CODE TO ADD A DEFINITION OF A BREW PUB (3-0360) - Supervisor Tatro moved that the Board adopt Ordinance No. 1993-4 on second reading, AN ORDINANCE ADDING SECTION 18.03.135 TO THE CARSON CITY MUNICIPAL CODE TO ADD A DEFINITION OF A BREW PUB. Supervisor Ayres seconded the motion. Motion carried 4-0.

ii. ACTION ON A-92/93-1, BILL NO. 104, AN ORDINANCE AMENDING SECTION 18.06.155 OF THE CARSON CITY MUNICIPAL CODE TO ALLOW A BREW PUB AS A PRIMARY PERMITTED USE IN THE RETAIL COMMERCIAL DISTRICT (3-0392) - Supervisor Tatro moved that the Board adopt Ordinance No. 1993-5 on second reading, AN ORDINANCE AMENDING SECTION 18.06.155 OF THE CARSON CITY MUNICIPAL CODE TO ALLOW A BREW PUB AS A PRIMARY PERMITTED USE IN THE RETAIL COMMERCIAL DISTRICT. Supervisor Ayres seconded the motion. Motion carried 4-0.

iii. ACTION ON Z-92/93-9, BILL NO. 105, AN ORDINANCE TO CORRECT THE LAND USE DESIGNATION CODE (APN NO. 08-281-05) TO ACCURATELY REFLECT THE PROPER CODE OF THE CITY'S OFFICIAL ZONING MAP (3-0410) - Supervisor Tatro moved that the Board of Supervisors adopt Ordinance No. 1993-6 on second reading, AN ORDINANCE TO CORRECT THE LAND USE DESIGNATION CODE, ASSESSOR'S PARCEL NUMBER 8-281-05, TO ACCURATELY REFLECT THE PROPER CODE ON THE CITY'S OFFICIAL ZONING MAP. Supervisor Ayres seconded the motion. Motion carried 4-0.

iv. ACTION ON Z-92/93-6, BILL NO. 106, AN ORDINANCE EFFECTING A CHANGE OF LAND USE DISTRICT ON APN 08-281-05, APPROXIMATELY 3.31 ACRES LOCATED ON THE NORTH SIDE OF SHERMAN LANE, APPROXIMATELY 127 FEET WEST OF PANAMINT ROAD FROM SINGLE FAMILY 6000 (SF6000) TO MOBILE HOME 6000 (MH6000) (3-0425) - Supervisor Tatro moved that the Board adopt Ordinance 1993-7, AN ORDINANCE EFFECTING A CHANGE OF LAND USE DISTRICT ON ASSESSOR'S PARCEL NUMBER 8-281-05, APPROXIMATELY 3.31 ACRES OF LAND, LOCATED ON THE NORTH SIDE OF SHERMAN LANE, APPROXIMATELY 127 FEET WEST OF

PANAMINT ROAD, FROM SINGLE FAMILY 6000 (SF6000) TO MOBILE HOME 6000 (MH6000). Supervisor Ayres seconded the motion. Comments were solicited but none made. The motion was voted by roll call with the following results: Smith - No; Tatro - Yes; Ayres - Yes; and Mayor Pro-Tem Bennett - Yes. Motion carried 3-1 with Supervisor Smith voting Naye.

CITIZEN COMMENTS (3-0462) - Richard Murray thanked the Board and Planning Commission for adopting the ordinance on brew pubs and for the support he had been given to this point.

BREAK: A recess was declared at 12:25 until 1:30 p.m. When the meeting reconvened a quorum was present although Mayor Teixeira was absent as previously noted.

CITIZEN COMMENTS (3-0495) - Mimi Rodden urged the Board to retain the Wungnema House, the pink house in Mills Park, and have it enrolled on the National Historic Register. Her comments included the historic background of the building as well as the Stewart Indian School. She pointed out the need to establish a proposed use for the building before a determination as to its rehabilitation and cost to accomplish same can be made. Both she and Sheriff McGrath urged the Board to support the proposal to house a Park Ranger in the building. This use would not require renovation of the upstairs portion of the building. Other potential uses included a site for the DARE program or as a meeting room. She also outlined the potential cost for rehabilitation. She had previously given the City Manager, Board, and Commission information about the renovation costs incurred at the Stewart Indian School. The Park Foundation as well as other volunteer groups are interested in assisting the City with the renovation. Mayor Pro-Tem Bennett noted the packet of information had been given to the Planning Commission and looked forward to receiving a copy. The issue will be considered at the next Board meeting.

11. NON-ACTION ITEMS: INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS - CORRESPONDENCE TO THE BOARD OF SUPERVISORS; STATUS REPORTS AND COMMENTS FROM THE MEMBERS OF THE BOARD; FUTURE BOARD OF SUPERVISOR ITEMS; AND, STAFF COMMENTS AND STATUS REPORTS; AND,

12. ACTION ITEMS: RESOLUTIONS, PROCLAMATIONS, AND OTHER ACTION ITEMS REQUESTED BY MEMBERS OF THE BOARD OF SUPERVISORS

A. MAYOR TEIXEIRA - None.

B. SUPERVISOR SMITH (3-0773) - Noted that Carl Neathammer had reminded him of an oversight after the goals and objectives session and requested the list be amended to include: To control, attack, suppress, etc., the local gang activity in the City. This may include support to the Boys and Girls Club, Community Council on Youth, the Sheriff's efforts to develop other programs, as well as the necessary budget requirements. His attendance at the last Western Nevada Development District meeting was noted.

C. SUPERVISOR AYRES (3-0850) - Supported the need to address the gang situation. She then noted a letter from a resident about a home he had purchased and the construction problems he had encountered. She suggested a review of the contractors' business practices and subcontracting procedures. (3-1005) She noted her role in the ISTEPA funding recommendations.

D. SUPERVISOR TATRO (3-0915) - The status of the recruitment proceedings for an Executive Director of the Community Council on Youth was outlined. Resource materials gleaned from a conference on privatization had been given to Mr. Berkich, Mayor Teixeira, and Mayor Pro-Tem Bennett. He urged the Board to review the material due to the potentials it provided. The Virginia and Truckee Railroad project had been selected for ISTEPA funding as its number one priority. He then noted receipt and dispersal of a certified letter concerning

Animal Control. Mr. Berkich's committee on Animal Control Ordinances would discuss this letter.

E. SUPERVISOR BENNETT (3-1015) - The hospital occupancy rate, the physician recruitment program, formation of an IPO and related questions, legislative concerns, and the status of the Highway 28 corridor study were noted. She commended Will Behr on his Open Space article.

No formal action was required or taken either Item 11 or 12.

Discussion ensued on the timing of these items and supported continuing this timeframe for the next two months. Supervisor Ayres also noted that this Mayor Pro-Tem Bennett's first meeting in this capacity and commended her on her role.

13. DISTRICT ATTORNEY - Mike Suglia

A. ACTION TO APPROVE LABOR RELATIONS RETAINER CONTRACT WITH CHARLES COCKERILL (3-1175) - Following Mr. Suglia's introduction, Mr. Cockerill briefly reviewed the status of the employees contracts. Supervisor Smith noted his personal knowledge of Mr. Cockerill and his services. Supervisor Smith then moved that the Board approve the labor relations retainer contract with Charles Cockerill to perform collective bargaining services on behalf of Carson City between City and the Labor Associations; fiscal impact is \$90 per hour not to exceed \$6,000; funding source is the Personnel Budget. Supervisor Tatro seconded the motion. Mayor Pro-Tem Bennett commended Mr. Cockerill on his efforts on behalf of the City. The motion to approve the contract was voted and carried 4-0.

B. SHERIFF - DISCUSSION AND POSSIBLE ACTION REGARDING BDR 1183 (REQUIRES COLLECTION OF FEES FOR CONTROLLED SUBSTANCE TESTING) AND BDR 1184 (REQUIRES COLLECTION OF FEES FOR CHEMICAL ANALYSIS) (3-1268) - Mr. Suglia, General Obligation Bond Commission Chairperson Reid, and Mayor Pro-Tem Bennett explained the request to increase the Commission's public-at-large members to three. Supervisor Tatro moved that the Board adopt Resolution No. 1993-R-21, A RESOLUTION OF SUPPORT FOR THE NEVADA LEGISLATURE TO AMEND NRS 350 TO ALLOW THREE MEMBERS OF THE PUBLIC AT LARGE TO SIT ON THE GENERAL OBLIGATION BOND COMMISSION. Supervisor Ayres seconded the motion. Motion carried 4-0.

8. PERSONNEL MANAGER - Judie Fisher - ACTION ON TEMPORARY CARSON CITY EMPLOYEES ASSOCIATION CATASTROPHIC LEAVE POLICY (3-1386) - Mr. Suglia noted the Memorandum of Understanding and Union support for the temporary program. The program would not create a financial impact on the City's budget. If the program is not successfully negotiated, the Memorandum of Understanding would expire June 30. Discussion noted the need for the program. Mayor Pro-Tem Bennett then read Mayor Teixeira's comments supporting the program. Discussion ensued between the Board and Ms. Fisher on the State's program and the City Unclassified's program. Supervisor Ayres support and personal experience with the State's program were noted. Supervisor Ayres then moved that the Board approve the Unclassified Catastrophic Leave Policy for C.C.E.A. temporarily and authorize the Mayor to sign the Memo of Understanding, to be known as Policy No. 1993-P-3. Supervisor Tatro seconded the motion. Motion carried 4-0.

14. LEGISLATIVE MATTERS (3-161)

A. DISCUSSION AND POSSIBLE ACTION ON LEGISLATIVE MATTERS (3-2050) - Mr. Berkich indicated the Governor's budget impact on Counties due to his proposed funding changes had purportedly been addressed by the State Finance Director. NACO and other County representatives will be discussing this

report later today. He felt that the Board had been given a copy of this report.

B. SHERIFF - DISCUSSION AND POSSIBLE ACTION REGARDING BDR 1183 (REQUIRES COLLECTION OF FEES FOR CONTROLLED SUBSTANCE TESTING) AND BDR 1184 (REQUIRES COLLECTION OF FEES FOR CHEMICAL ANALYSIS) - Sheriff McGrath reviewed the legislative proposals and fiscal impact on Carson City. A copy of a letter regarding the fiscal impact of these bills was given to the Board and Clerk. Discussion noted this was another example of the unfunded mandates, questioned the prior court assessment procedures, and noted the Board's policy to defer action on any item where the supporting documentation is not received prior to the meeting. Supervisor Tatro then moved that the Board adopt a position related to legislative matters that the Carson City Board of Supervisors opposes unfunded mandates and that the pass through of services previously provided by State agencies to the Counties is the same thing as establishing a new requirement for a County. Supervisor Smith seconded the motion. Motion carried 4-0.

Discussion among Sheriff McGrath, the Board, and Mr. Berkich indicated copies of Bills should be given to the Board prior to the meeting date where any request for action is made, including the foregoing Bills.

15. CITY MANAGER REPORTS, RESOLUTIONS, AND BOARD DIRECTIVES (3-293)

A. ACTION ON USE AGREEMENT BETWEEN CARSON CITY AND YOUNG VOLUNTEERS OF NEVADA, COMMUNITY COUNCIL ON YOUTH, NEVADA HISPANIC SERVICES, INC., NEVADA NETWORK AT COTTAGE NO. 5, NORTHERN NEVADA CHILDREN'S HOME SITE - Deputy City Manager Pat Sorenson reviewed the proposal including the projected costs and the amended Section 4. Staff responded to Board questions concerning City and grant funding. Mr. Berkich noted the work the Agencies had completed in order to move into the facility. Young Volunteers of Nevada Executive Director and the other Agencies' representative Linda Lang urged the Board to approve the compromise agreement. Mayor Pro-Tem Bennett commended her on their endeavors. Supervisor Smith moved that the Board approve the attached use agreement between Carson City and the above-listed private, non-profit, social service agencies. Supervisor Ayres seconded the motion. Following a request for an amendment to the motion, Supervisor Smith amended his motion to include as amended. Supervisor Ayres continued her second. Upon request for further clarification, Supervisor Smith withdrew his motion and Supervisor Ayres withdrew her second. Supervisor Smith then moved that the Board approve the attached Use Agreement between Carson City and the above-listed private, non-profit social service agencies as amended and authorize the Mayor to sign. Supervisor Ayres seconded the motion. Motion carried 4-0.

B. PRESENTATION BY T.C.I. OF NEVADA, INC. REGARDING PUBLIC ACCESS TELEVISION (3-2440) - Mr. Berkich introduced the item and General Manager Terry Nosse. On behalf of T.C.I. Cablevision, Mr. Nosse presented a check in the amount of \$150,000 for startup funds for public access. Mayor Pro-Tem Bennett thanked him for the check. Mr. Nosse indicated the firm's support for public access television. CATF Executive Director Bill Reese thanked all of the participants for their efforts to reach this position. Mayor Pro-Tem Bennett directed Mr. Berkich on behalf of the Board to write T.C.I. thanking them for the contribution. Supervisor Ayres noted T.C.I.'s support for PATCOM, the school district, as well as several other community-wide contributions.

C. PRESENTATION AND POSSIBLE ACTION REGARDING THE NAME, "PATCOM", AND THE DUTIES AND RESPONSIBILITIES OF THE ADVISORY BOARD REGARDING THE OPERATION OF THE PUBLIC ACCESS CABLE TELEVISION CHANNEL (3-2646) - Mr. Berkich reviewed Mayor Teixeira's letter concerning his view on PATCOM's changing role. (Copies were given to the Board and Clerk.) PATCOM Chairperson Hugh Smith outlined his reasons for feeling that its duties needed to be modified and and suggested various functions it could perform, that a new name be chosen, and an increase in the

Committee's board to nine members. Supervisor Smith suggested a change in staff liaison also. Mr. Berkich supported the liaison change from Parks and Recreation to the City Manager's office. Supervisor Tatro noted that the Committee had been formed by ordinance and any change in functions would require an ordinance modification. Chairperson Smith noted that these issues would be agendized for discussion and action for the next meeting. Mr. Suglia suggested the Committee recommend ordinance modifications for the Board to consider. Chairperson Smith agreed to discuss these issues with the Committee and return with its recommendation. Supervisor Ayres commended Chairperson Smith on his dedication and service on the Committee. Mayor Pro-Tem Bennett noted Mayor Teixeira's memo and as the Board members had a copy directed it be included as part of the record. No formal action was taken.

D. STATUS REPORT REGARDING CHANGEMASTERS (4-0101) - Mr. Berkich expressed his feeling that the quality efforts were beginning to catch on throughout the City. Coaches training will occur later in the month. Competition for the first class is being encountered. The atmosphere is changing and ideas are arising. Examples of the change were noted. Discussion with WNCC concerning establishing an ongoing college curriculum is beginning. This effort will make quality more affordable to any organization wishing to participate. Textbooks were noted including ZAP. Mayor Pro-Tem Bennett encouraged the Board Members to read the book and expressed her feeling that the outside plan checker program was an example of the efforts. Mr. Berkich supported her example.

CITIZEN COMMENTS (3-0262) - None.

BREAK: There being no other matters for discussion at 2:53 p.m., the meeting was recessed until 6 p.m. When the meeting reconvened at 6 p.m. the following Board members were present: Mayor Pro-Tem Bennett, Supervisors Smith, Ayres, and Tatro. A quorum was present although Mayor Teixeira was absent. The following staff members were also present: City Manager Berkich, Clerk-Recorder Nishikawa, Administrative Services Director Walker, Deputy District Attorney Suglia, Principal Planner Joiner, and Recording Secretary McLaughlin.

16. REDEVELOPMENT AUTHORITY - Mayor Pro-Tem Bennett 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 Pro-Tem Bennett who reconvened the Board of Supervisors. A quorum was present although Mayor Teixeira was absent.

17. BOARD OF SUPERVISORS (5-0214)

A. ACTION ON CARSON CITY AND REDEVELOPMENT AUTHORITY FISCAL YEAR 1992-93 SECOND QUARTER FINANCIAL REPORTS - Supervisor Tatro moved that the Board of Supervisors approve the Redevelopment Authority FY 9293 Second Quarter Financial Reports. Supervisor Ayres second the motion. Motion carried 4-0. (For action on the City's report, see below.)

B. ORDINANCE - FIRST READING - ACTION ON AN ORDINANCE AMENDING TITLE 18 (ZONING) OF THE CARSON CITY MUNICIPAL CODE ADDING CHAPTER 18.10 DOWNTOWN DESIGN GUIDELINES, ESTABLISHING THE DOWNTOWN DESIGN GUIDELINES OVERLAY DISTRICT AND HEARINGS OFFICER, AND OTHER MATTERS PROPERLY RELATED THERETO (5-0248) - Supervisor Tatro moved that the Board introduce on first reading Bill No. 108, AN ORDINANCE AMENDING TITLE 18 OF THE CARSON CITY MUNICIPAL CODE ADDING CHAPTER 18.10, DOWNTOWN DESIGN GUIDELINES, ESTABLISHING THE DOWNTOWN DESIGN GUIDELINES OVERLAY DISTRICT, CREATING THE OFFICE OF HEARING EXAMINER AND PROVIDING FOR REVIEW AND APPROVAL OF PROJECTS AFFECTING PROPERTY AND THE OVERLAY DISTRICT

AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Ayres seconded the motion. Motion carried 4-0.

C. RESOLUTIONS

i. ACTION ON A RESOLUTION ESTABLISHING CARSON CITY REDEVELOPMENT DISTRICT INCENTIVES PROGRAM (5-0272) - Supervisor Tatro moved that the Board of Supervisors adopt Resolution No. 1993-R-22, RESOLUTION ESTABLISHING THE CARSON CITY REDEVELOPMENT DISTRICT INCENTIVES PROGRAM. Supervisor Ayres seconded the motion. Motion carried 4-0.

ii. ACTION ON A RESOLUTION DESIGNATING THE CARSON CITY REDEVELOPMENT DISTRICT AS ONE OF THE COMMUNITY'S AREAS OF CRITICAL CREDIT NEED (5-0277) - Supervisor Tatro moved that the Board adopt Resolution No. 1993-R-23, RESOLUTION DESIGNATING THE CARSON CITY REDEVELOPMENT DISTRICT AS ONE OF THE COMMUNITY'S AREAS OF CRITICAL CREDIT NEED. Supervisor Ayres seconded the motion. Motion carried 4-0.

A. ACTION ON CARSON CITY AND REDEVELOPMENT AUTHORITY FISCAL YEAR 1992-93 SECOND QUART FINANCIAL REPORTS - CONTINUED (5-0292) - Ms. Walker reviewed the status reports for Carson City's General, Sewer, Water, Golf Course, and Ambulance Funds. She and Mr. Berkich then responded to Board questions concerning parking enforcement revenue and expenditures. The weather's impact on parking enforcement, sewer connections, and golf course revenues was noted. Clarification indicated that the previous action had only approved the Redevelopment Authority budget. Supervisor Tatro then moved that the Board of Supervisors approve the Carson City and Redevelopment Authority FY 9293 Second Quarter Financial Reports as presented. Supervisor Ayres seconded the motion. Motion carried 4-0.

Mayor Pro-Tem Bennett thanked all for their cooperation in getting through the Agenda. Supervisor Ayres commended staff on their reports which she felt had helped to expedite the session.

There being no other matters for consideration, Supervisor Ayres moved to adjourn. Supervisor Tatro seconded the motion. Motion carried 4-0. Mayor Pro-Tem Bennett adjourned the meeting at 7:41 p.m.

The Minutes of the Carson City Board of Supervisors March 4, 1993, meeting

ARE SO APPROVED ON ___April_15_____, 1993.

/s/_____
Marv Teixeira, Mayor

ATTEST:

/s/_____
Kiyoshi Nishikawa, Clerk-Recorder