

A special meeting of the Carson City Board of Supervisors was held on Friday, April 27, 1990, at the Community Center Sierra Room, 851 East Williams Street, Carson City, Nevada, beginning at 12 noon.

PRESENT:	Marv Teixeira	Mayor
	Ron Swirczek	Supervisor, Ward 1
	Tom Fettic	Supervisor, Ward 2
	Tom Tatro	Supervisor, Ward 3
	Kay Bennett	Supervisor, Ward 4
STAFF PRESENT:	John Berkich	City Manager
	Noel Waters	District Attorney
	Ted Thornton	Treasurer
	Gary Kulikowski	Internal Auditor
	Mary Walker	Assistant to the City Manager
	Martha Westover	Acting Finance Director
	Judy Fisher	Personnel Director
	Sally Herman	Library Director
	Dan O'Brien	Public Works Director
	Vic Freeman	Undersheriff
	Dorothy Timian-Palmer	Utility Manager
	Katherine McLaughlin	Recording Secretary
	(B.O.S. 4/27/90 Tape 1-001)	

Mayor Marv Teixeira called the meeting to order at 12 noon. Roll call was taken. The entire Board was present constituting a quorum. City Manager John Berkich lead the Pledge of Allegiance.

1. DISCUSSION AND POSSIBLE ACTION REGARDING THE CITY MANAGER'S REORGANIZATION PLAN, INCLUDING CONFIRMATION OF APPOINTMENT OF FINANCE AND ADMINISTRATION DIRECTOR/CONTROLLER AND DEPUTY CITY MANAGER (1-0025) - Mayor Teixeira began the meeting by commending the 80+ members of the audience for their attendance. He then expressed his feeling that any decision the Board would make would be difficult and noted many major accomplishments made during his tenure as Mayor. He urged everyone to consider the issues and community needs rather than emotions and individuals. City Manager John Berkich read his prepared statement explaining his reasons for making the changes indicated in his reorganization plan. The cost to implement his plan and funding were included in his statement. He then requested direction from the Board on his five point reorganization plan. He then expressed his regret that his plan had been misconstrued and misinterpreted by the public. Supervisor Bennett then detailed her reasons for feeling that the plan was ill-conceived, that the position of Deputy City Manager (DCM) was in fact that of a Special Project Coordinator, and was accordingly funded. She urged Mr. Berkich to rethink his plan and return at a regularly scheduled meeting with a workable, viable plan. Supervisor Tatro expressed his feeling that the flow chart was effective for a majority of organizations and that it was a workable chart for the City departments. A DCM's responsibilities, staffing by using other Department Heads' personnel, and lack of supervisory duties over other Department Heads were discussed among the Board and Mr. Berkich. Supervisor Fettic felt that the DCM should not be involved with the acquisition of water rights, storm drain program, and solid waste management as present staff was addressing these needs

adequately. He also supported a six month review of the structure which would include an evaluation of any duplication of effort, identification of increased efficiencies, impact of the organizational structure on employee moral, and any financial costs/savings. Supervisor Tatro felt that the DCM's duties could be established during the goal setting session which will be held soon. Supervisor Fetic expressed his opposition to using funding from other Departments or from other programs for the DCM. Mr. Berkich outlined his reasons for using the Community Services Departments for funding for the DCM and willingness to return with an analysis as requested. Mayor Teixeira explained his support for the restructure plan with the exception of the indicated salaries and upgrades.

(1-1288) Richard Waiton questioned the need to have duties now being handled by staff reassigned to the DCM. He felt this would create a moral problem. He felt the position was that of a Project Director, was newly created, unnecessary, and expensive.

(1-1455) Delbert Frost expressed his opposition to the proposal as the DCM would become a staff function, was too expensive, and that the duties were being adequately met with the present organizational chart. He urged the Board to consider the need to have the restructure provide a better, more efficient form of government and not create a position for a specified individual.

(1-1551) Jane Chesney explained urged the Board to approve the reorganization in view of the long-range, realistic, coordinated planning which would be accomplished by it.

(1-1642) Phil Martin expressed his feeling that the plan was structurally flawed, financially unwise, and should be re-evaluated.

(1-1666) Robert Lowe expressed his feeling that adequate time had not elapsed for a complete evaluation of the plan before a decision must be made. He felt that the position was not needed, the title was incorrect, would be an expensive position, and that the duties were being fulfilled by Ms. Walker at this time on an as-needed basis.

(1-1780) Craig Steele reminded the Board of its role as a policy maker and the City Manager as the administrator of those policies. As such he urged the Board to adopt the plan and allow the City Manager to carry out the policies established by the Board. A six month evaluation would determine if his administration and reorganization plan were successful.

(1-1975) John Flanders expressed his feeling that the Board had accomplished many things and questioned the wisdom of "fixing something which is not broken".

(1-2075) Bruce Scott expressed his concern about the reassignment of projects currently assigned other staff members who were making progress on them. He acknowledged the need for long-range planning for the City which he felt Public Works was beginning to do due to the increased staffing approved by the Board.

(1-2185) Pete Livermore expressed his feeling that elected officials should not function as a salaried manager, that the City's Department Heads were professional, level-minded, and good managers, and that the addition of another

management level was unnecessary and expensive.

(1-2245) Gail Thomssen supported the portion of the reorganization structure which would have a staff member involved with the public who is knowledgeable about the public concerns.

(1-2285) Wally Earhart expressed his feeling that the residents supported the City Manager form of government, urged the Board to refrain from entering into his administrative functions, and to overlook the emotions and personalities involved with the proposal.

(1-2315) Mayor Teixeira then explained that the proposal was not increasing the staff numbers but changing the titles. The workload supported the need for a full compliment of staff. The fiscal impact was negligible. He urged the Board to support the City Manager's proposed structure. Supervisor Fettic felt the program would either work or fail during the six month evaluation period. Supervisor Bennett reiterated her reasons for feeling that the proposal was flawed. **Supervisor Fettic moved that the Board approve and accept the organizational structure as proposed by the City Manager, respectfully reserving the right to disagree on occasion. Supervisor Tatro seconded the motion. Motion was voted by roll call with the following result: Bennett - No; Tatro - Yes; Fettic - Yes; Swirczek - Abstain; Mayor Teixeira - Yes. Motion carried 3-1-1.**

(1-2638) Mayor Teixeira then explained that salaries and classification changes would not be discussed and requested a decision be made on filling the position of Director of Community Services/Controller. Mr. Berkich explained his recommendation to appoint Mary Walker to this position. **Supervisor Tatro moved that the Board of Supervisors accept the City Manager's recommendation to appoint Mary Walker as the Director of Community Services/Controller. Supervisor Fettic seconded the motion.** Ms. Walker responded to Supervisor Fettic's question that she was willing to accept the position with the constraints as outlined. **The motion was voted by roll call with the following result: Tatro - Yes; Fettic - Yes; Bennett - No, that her comment was not directed toward Ms. Walker due to her feeling that Ms. Walker is a very qualified person who has added tremendously to the City, that the City is fortunate to have her, however, her vote was no due to the feeling that the process was flawed and that the organizational structure was flawed; Swirczek - Abstain; and Mayor Teixeira - Yes. Motion carried 3-1-1.**

Discussion ensued on Item 5 in the City Manager's restructure program--approval of Ron Swirczek's appointment as DCM at an annual salary of \$56,500. Mr. Waters then outlined his involvement due to a legal question concerning whether Mr. Berkich could appoint a DCM, the selection process, and the advice given by Deputy Attorney General Scott Doyle on these matters. Mayor Teixeira then explained when he learned of the proposal, his surprise, his perception of the proposal, public contact on the proposal, and reasons for feeling that the ability of the City Manager and his Deputy to work together was important, however, that the applicants should be considered and the normal recruiting process followed. He then requested Mr. Berkich review all 77 applications, and return in June with a recommendation from the interview process, and that if Mr. Swirczek wishes to be a candidate, he be given an opportunity to submit an

application and be evaluated as part of the normal process upon resigning as a Supervisor. Reasons for this recommendation were detailed.

(2-0025) Supervisor Swirczek noted the insinuations, the innuendo, and explained his contact by Mr. Berkich about the position. He had not solicited or suggested the position. His initial reaction was to reject the proposal, however, as Mr. Berkich detailed his proposal, he found it was more in tune with his feelings and the direction he felt the City should be heading. His conditions for acceptance were explained. He then queried the Supervisors, the Mayor, and the City Manager concerning his role and their knowledge/role in the process. During the dialogue, Supervisor Bennett expressed her dislike for the accomplished fact appearance of the proposal. Mayor Teixeira explained his reasons for requesting Supervisor Swirczek go through the normal recruitment process if he wanted to be considered for the position. Supervisor Swirczek then outlined his feeling that Mr. Berkich would not play games and urged the other Board members to support in his attempts to move the City forward. He then withdrew his name from the application process.

(2-0345) Executive Chamber of Commerce Director Larry Osborne expressed his regret about how the public had perceived the proposal and questioned the judgment and the wisdom of it. He expressed the hope that the Board's credibility had not been eroded by the perceptions created by the proposal. He supported the Board's approval of the proposal, however, urged him to learn from the situation. Mr. Berkich then explained his contact with the District Attorney.

(2-0461) Edd Furgerson expressed his feeling that the meeting was needed to clarify the proposal and that progress could now be made.

(2-0476) Pete Livermore expressed his feeling that the decision made by Supervisor Swirczek had been difficult to make. He felt that the meeting may return the public confidence which this Board had been slowly winning during the last two years. He explained his original concerns about the proposal. Supervisor Swirczek responded by noting the time involved for a public hearing which had been a condition of his acceptance. Mr. Livermore responded that he had felt that Supervisor Swirczek character had been unrepachable until this occurrence.

(2-0607) Marilee Chirila expressed her feeling that Mr. Berkich had learned from the incident and about the public's lack of consideration and failure to allow time to air the matter through the normal channels before reaching a decision.

Supervisor Tatro then explained his reasons for requesting an opinion from the Ethics Commission. Supervisor Fettic expressed his feeling that the proposal had been made with the best interest of the City in mind, that it had been a learning experience, and hopefully that, as such, the City could continue to go forward.

(2-0740) Bill Reeves expressed his feeling that the entire process had been a positive learning experience. In view of the numerous projects now underway in the City, he too supported the need for a Project Coordinator.

Mayor Teixeira then directed Mr. Berkich to review the applications in the

normal fashion and return with a recommendation in June or as soon as it can be done. Discussion of the salary would be addressed when the parity study is considered.

2. DISCUSSION AND POSSIBLE ACTION REGARDING FILLING POSSIBLE VACANCY OF THE CARSON CITY BOARD OF SUPERVISORS FROM WARD 1 - No discussion/action was required or taken.

3. DISCUSSION AND POSSIBLE ACTION TO AMEND CARSON CITY MUNICIPAL CODE 2.04.400 TO CHANGE "FINANCE AND ADMINISTRATION DIRECTOR/CONTROLLER" TO "DIRECTOR OF ADMINISTRATIVE SERVICES/CONTROLLER" (1-0816) - Supervisor Fettic moved to direct the District Attorney to bring back for action by the Board an amendment to the Carson City Municipal Code 2.04.400 a change of title for the "Finance and Administration Director/Controller" to "Director of Administrative Services/Controller". Supervisor Swirczek seconded the motion. Motion carried 5-0.

Mr. Berkich thanked the Board for its direction and explained that anyone desiring a copy of the proposal should contact his office.

Supervisor Fettic moved for adjournment. Supervisor Swirczek seconded the motion. Motion carried 5-0. Mayor Teixeira adjourned the meeting at 2 p.m.

The Minutes of the Special April 27, 1990, Carson City Board of Supervisors meeting

ARE SO APPROVED ON____May_17_____, 1990.

_____/s/_____
Marv Teixeira, Mayor

ATTEST:

_____/s/_____
Alan Glover, Clerk-Recorder